INTERNATIONAL COMMISSION
for the
CONSERVATION of ATLANTIC TUNAS

R E P O R T
for biennial period, 2010-11
PART I (2010) - Vol. 1
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INTERNATIONAL COMMISSION FOR THE CONSERVATION OF ATLANTIC TUNAS

CONTRACTING PARTIES

(as of 31 December 2010)

Albania, Algeria, Angola, Barbados, Belize, Brazil, Canada, Cape Verde, China, Côte d'Ivoire, Croatia, Egypt, Equatorial Guinea, European Union, France (St. Pierre & Miquelon), Gabon, Ghana, Guatemala, Guinea (Rep.), Honduras, Iceland, Japan, Korea (Rep.), Libya, Mauritania, Mexico, Morocco, Namibia, Nicaragua, Nigeria, Norway, Panama, Philippines, Russia, Sao Tomé & Principe, Senegal, South Africa, Sierra Leone, St. Vincent and the Grenadines, Syria, Trinidad & Tobago, Tunisia, Turkey, United Kingdom (Overseas Territories), United States, Uruguay, Vanuatu, Venezuela

COMMISSION OFFICERS

Commission Chairman	*First Vice-Chairman*	*Second Vice-Chairman*
F. HAZIN, Brazil (since 18 November 2007)	Z. DRIOUICH, Morocco (since 15 November 2009)	P.N. KEITA, Senegal (since 15 November 2009)

PANEL MEMBERSHIP

Panel No.		***Chair***
-1- Tropical tunas	Angola, Belize, Brazil, Canada, Cape Verde, China, Côte d'Ivoire, Equatorial Guinea, European Union, France (St. Pierre & Miquelon), Gabon, Ghana, Guatemala, Honduras, Japan, Korea (Rep.), Libya, Mauritania, Mexico, Morocco, Namibia, Nigeria, Panama, Philippines, Russia, Sao Tome & Principe, Senegal, Sierra Leone, South Africa, St. Vincent & the Grenadines, Trinidad & Tobago, Turkey, United States, Uruguay, Venezuela.	Côte d'Ivoire
-2- Temperate tunas, North	Albania, Algeria, Belize, Brazil, Canada, China, Croatia, Egypt, European Union, France (St. Pierre & Miquelon), Iceland, Japan, Korea (Rep.), Libya, Mexico, Morocco, Norway, Panama, St. Vincent and the Grenadines, Syria, Tunisia, Turkey, United States	European Union
-3- Temperate tunas, South	Belize, Brazil, European Union, Japan, Mexico, Namibia, South Africa, Turkey, United States, Uruguay	Mexico
-4- Other species	Algeria, Angola, Belize, Brazil, Canada, China, Côte d'Ivoire, Equatorial Guinea, European Union, France (St. Pierre & Miquelon), Gabon, Japan, Korea (Rep.), Mexico, Morocco, Namibia, Nigeria, Sao Tome & Principe, Senegal, South Africa, St. Vincent & the Grenadines, Trinidad & Tobago, Tunisia, Turkey, United States, Uruguay, Venezuela	Japan

SUBSIDIARY BODIES OF THE COMMISSION

	Chair
STANDING COMMITTEE ON FINANCE & ADMINISTRATION (STACFAD)	S. LAPOINTE, Canada (since 15 November 2009)
STANDING COMMITTEE ON RESEARCH & STATISTICS (SCRS) Sub-Committee on Statistics: M. Ortiz (United States), Convener Sub-Committee on Ecosystems: H. Arrizabalaga (EU), Convener	J. SANTIAGO, EU (since 8 October 2010)
CONSERVATION & MANAGEMENT MEASURES COMPLIANCE COMMITTEE	C. ROGERS, United States (since 18 November 2007)
PERMANENT WORKING GROUP FOR THE IMPROVEMENT OF ICCAT STATISTICS AND CONSERVATION MEASURES (PWG)	R. LENT, United States (since 19 November 2010)

ICCAT SECRETARIAT

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FOREWORD

The Chairman of the International Commission for the Conservation of Atlantic Tunas presents his compliments to the Contracting Parties of the International Convention for the Conservation of Atlantic Tunas (signed in Rio de Janeiro, May 14, 1966), as well as to the Delegates and Advisers that represent said Contracting Parties, and has the honor to transmit to them the ***"Report for the Biennial Period, 2010-2011, Part I (2010)"***, which describes the activities of the Commission during the first half of said biennial period.

This issue of the Biennial Report contains the Report of the 17th Special Meeting of the Commission (Paris, France, November 17-27, 2010) and the reports of all the meetings of the Panels, Standing Committees and Sub-Committees, as well as some of the Working Groups. It also includes a summary of the activities of the Secretariat and the Annual Reports of the Contracting Parties of the Commission and Observers, relative to their activities in tuna and tuna-like fisheries in the Convention area.

Starting in 2010, the Report will be published in four volumes. ***Volume 1*** includes the Proceedings of the Commission Meetings and the reports of all the associated meetings (with the exception of the Report of the Standing Committee on Research and Statistics-SCRS). ***Volume 2*** contains the Report of the Standing Committee on Research and Statistics (SCRS) and its appendices. ***Volume 3*** includes the Annual Reports of the Contracting Parties of the Commission and the Observers. ***Volume 4*** is published for the first time in the 2010 Biennial Report and includes the Secretariat's Report on Statistics and Coordination of Research, the Secretariat's Administrative and Financial Reports, and the Secretariat's Reports to the ICCAT Conservation and Management Measures Compliance Committee (COC), and to the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG). Volumes 3 and 4 of the Biennial Report are only published in electronic format.

This Report has been prepared, approved and distributed in accordance with Article III, paragraph 9, and Article IV, paragraph 2-d, of the Convention, and Rule 15 of the Rules of Procedure of the Commission. The Report is available in the three official languages of the Commission: English, French and Spanish.

FABIO HAZIN
Commission Chairman

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PROCEEDINGS OF THE 17th SPECIAL MEETING OF THE INTERNATIONAL COMMISSION FOR THE CONSERVATION OF ATLANTIC TUNAS

(Paris, France – November 19 to 27, 2010)

1. Opening of the meeting

The Commission Chair, Dr. F. Hazin, opened the 17th Special Meeting of the Commission on November 19, 2010, in the presence of Mr. P. Mauguin, Director of the Directorate of Fisheries and Aquaculture of the Ministry of *Agriculture, de l'alimentation, de la pêche, de la ruralité et de l'aménagement du territoire* (Agriculture, Food, Fisheries, Rural Affairs and Territorial Development) of France and Mr. Pierre Amilhat, Director of International Affairs and Markets (European Union). Dr. Hazin considered that the Commission was inaugurating a new era of responsibility and sustainability. He indicated that no effort should be spared in terms of control and monitoring and he stressed the need to apply the precautionary approach. Besides bluefin tuna and compliance issues, he also recalled that the remit of ICCAT covered many other species. In his opening statement, Mr. Mauguin presented the main challenges that lay ahead for ICCAT: to implement better governance for fisheries, to ensure sustainability for the eco-system and to continue with a responsible fishery. In his intervention, Mr. P. Amilhat, stressed that fisheries conservation needed a constant effort. He also indicated that ICCAT should not only focus on bluefin tuna and should also take into account swordfish and sharks.

The opening addresses by the speakers are attached as **ANNEX 3.1.**

2. Adoption of Agenda and meeting arrangements

The Commission agreed to delete Agenda item 8 ("Consideration of the Report of the Future of ICCAT") since that meeting was not held in 2010. The amended Agenda is attached as **ANNEX 1.** The Secretariat was nominated as rapporteur.

3. Introduction of Contracting Party delegations

The Executive Secretary introduced the following 38 Contracting Parties that attended the meeting: Algeria, Belize, Brazil, Canada, China, Côte d'Ivoire, Croatia, Egypt, Equatorial Guinea, European Union, France (St. Pierre and Miquelon), Ghana, Guatemala, Guinea Republic, Iceland, Japan, Korea (Rep.), Libya, Mauritania, Mexico, Morocco, Namibia, Nicaragua, Norway, Panama, Philippines, Russia, St. Vincent and the Grenadines, Senegal, South Africa, Trinidad and Tobago, Tunisia, Turkey, United Kingdom (Overseas Territories), United States of America, Uruguay, Vanuatu and Venezuela.

The list of participants is attached as **ANNEX 2**.

The opening statements by the Contracting Parties to the plenary session are attached as **ANNEX 3.2**.

4. Introduction of Observers

The Executive Secretary presented the observers that had been admitted to the meeting. A Representative from the Food and Agriculture Organization of the United Nations (FAO), depository of the ICCAT Convention, attended the meeting. Chinese Taipei and Curaçao attended the meeting as Cooperating non-Contracting Parties, Entities or Fishing Entities. Cuba, Dominican Republic and Monaco attended the meeting as non-Contracting Parties. The following inter-governmental organizations also attended the meeting: Caribbean Community Secretariat (CARICOM), Convention on International Trade in Endangered Species (CITES), and General Fisheries Commission for the Mediterranean (GFCM). The following non-governmental organizations were also admitted as observers: Asociación de Pesca, Comercio y Consumo Responsable del Atún Rojo (APCCR), International Confederation of Sport Fishing (CIPS), Ecology Action Centre (EAC), European Bureau for Conservation and Development (EBCD), European Elasmobranch Association (EEA), Federation of European Aquaculture Producers (FEAP), Federation of Maltese Aquaculture Producers (FMAP), FUNDATUN, Greenpeace, Humane Society International (HSI), International Game Fish Association (IGFA), IndyACT,

Institute for Public Knowledge (IPK), International Seafood Sustainability Foundation (ISSF), IWMC World Conservation Trust, Association of Professional Organisations of the Fishing Sector of the Mediterranean Coastal Countries (MEDISAMAK), Mediterranean World Wildlife Fund for Nature (WWF), Oceana, Organisation for the Promotion of Responsible Tuna Fisheries (OPRT), Robin des Bois, The Pew Environment Group and The Billfish Foundation.

The list of observers is included in the List of Participants **(ANNEX 2)**. The statements made to the plenary session, submitted in writing by the observers, are attached as **ANNEXES 3.3**, **3.4, 3.5, 3.6** and **3.7**,

5. Summary report of the Standing Committee on Research and Statistics (SCRS)

The 2010 SCRS meeting was held in Madrid (Spain) from October 4 to 8, 2010. The SCRS Chair, Dr. G. Scott, presented a summary of the "Report of the SCRS" and indicated that the specific recommendations by species would be presented in the appropriate Panels.

He informed the participants that his presentation would summarize the activities conducted by the SCRS in 2010 with emphasis on the species for which updated assessments were conducted (i.e. Atlantic bigeye, Mediterranean swordfish and Atlantic bluefin tuna). He also explained the progress made by the SCRS in the application of the Kobe Plots adopted by the tuna RFMOs to characterize the stock status and Kobe II strategy matrix to present uncertainties and risks associated to management alternatives. In addition, he presented a graphic summary of the stock status by species for 2010 pointing out that the report could not provide information concerning the precautionary approach. Once again, he welcomed the extra-budgetary funds that had allowed the participation of scientists to SCRS meetings and encouraged CPCs to continue contributing with these funds. He recalled that the SCRS recommended that Contracting Parties ensure the presence of their national scientists at the inter-sessional meetings.

He then presented the suggestion of the Working Group on Methods to modify the ICCAT Convention text to incorporate the precautionary approach as well as the recommendations of that Working Group concerning the application of the Kobe II Strategy Matrix. He also presented the work of the Sub-Committee on Ecosystems that led towards providing advice on Ecosystem Based Management. Finally, he indicated recommendations of a general nature that may carry substantial financial implications for the Contracting Parties (i.e. tagging programmes, sampling programmes, observer and logbooks programmes, research to mitigate by-catch, a full time by-catch coordinator).

Dr. Scott also reviewed other responses to various requests from the Commission, such as the collection of sport and recreational fisheries data, the possible impact of data deficiencies on the management advice and the review of data on seabirds and sea turtles.

Several delegations acknowledged the outstanding work of the SCRS and requested timely scientific data in order to reduce uncertainty in the stock assessments. The Commission paid tribute to Dr. G. Scott for his excellent work as SCRS Chair and then welcomed Dr. Josu Santiago as newly elected Chair of the SCRS.

The Commission adopted the 2010 SCRS Report.

6. Cooperation between ICCAT and CITES

Mr. J. Scanlon, CITES Secretary General, informed the Commission that CITES is a legally binding agreement including all ICCAT CPCs except Angola. He advocated closer collaboration with ICCAT as suggested in 2010 by the ICCAT Chair during the CITES meeting in Doha. He considered that even if their mandates are different, the objective of both organisations is common in reaching sustainable fisheries. Some delegations considered that the two organisations were complementary while many delegations stressed that it was for ICCAT to ensure the responsible management of the fisheries stocks. Several delegations called for the exchange of information in order to improve communication and cooperation with CITES. It was agreed that ICCAT Secretariat would provide a progress report defining the terms of exchange and communication and proposing guidelines for cooperation between the two organizations for the CPCs' consideration before the next Commission meeting.

7. Consideration of the outcomes of the Working Group Meetings of Tuna RFMOs and any necessary actions

The Commission took note of the Reports of the meetings and considered that there were too many recommendations by workshops (see **ANNEX 4.3** and **ANNEX 4.4**). The Chair suggested that the Commission select some of the proposals to discuss them first in the Panels and in the PWG and then to address them inter-sessionally. Japan informed the Commission of its proposal to extend the CDS to other species. The United States, stressing the importance of the by-catch issue further to Kobe II (Brisbane), invited to host the meeting of Kobe III in July 2011 in La Jolla, California. The Commission considered its participation in the Joint Technical Bycatch Working Group and agreed that the Chair of SCRS, the Chair of the SCRS Working Group on Ecosystems, and the Chair of the SCRS Working Group on Sharks should attend this meeting. The European Union (EU) recalled the importance of fishing capacity, agreed to study the proposal of Japan to extend CDS, and informed the Commission that the EU would table a proposal on an electronic e-BCD.

8. Report of the Standing Committee on Finance and Administration (STACFAD)

The Chair of the STACFAD, Ms. S. Lapointe (Canada), reported to the Commission that the Committee had reviewed and adopted the "2010 Administrative Report" and the "2010 Financial Report". The "Detailed Information on the Accumulated Debt of the ICCAT CPCs" and the "Review of the Payment Plans of Past-due Contributions" and the "Explanatory Note on the ICCAT Budget for Fiscal Year 2011 (revised) were also approved by the Committee.

She expressed some concern about the outstanding arrears even though some CPCs paid their debt during the annual meeting. She recalled that Article X. 8 of the ICCAT Convention stipulates that the Commission may suspend the voting rights of any CPC when its arrears equal or exceed the amount due from it for the two preceding years.

The Chair informed the plenary that in the Committee there was some support for the proposal by Libya to add the Arabic language as one of the official languages of ICCAT but there was no consensus on the way to move forward. Since that issue would entail a change of the ICCAT Convention, the Committee suggested that the proposal be examined by the Working Group on the Future of ICCAT.

The Committee deferred the "Issues Affecting Budgetary Contributions" to plenary since there was no consensus on the restructuring of the Panels. At the plenary, due to a lack of consensus, it was agreed to address these issues to the Working Group on the Future of ICCAT for discussion and to defer the decision on the new structure of the Panels to the annual meeting in 2011.

The Chair pointed out that the financing of the 2011 annual meeting will be assured by the Working Capital Fund since no Contracting Party offered to host the meeting.

It was agreed to adopt the STACFAD Report by correspondence. The Report is attached as **ANNEX 7.**

9. Reports of Panels 1 to 4 and consideration of any proposed recommendations therein

The reports of the Panels were presented by their respective Chairs. The Commission reviewed the reports and the Recommendations proposed by the Panels.

Panel 1

The Chair of Panel 1, Mr. H. Shep (Côte d'Ivoire), reported to the plenary that the joint European Union and Japan "Draft Recommendation by ICCAT a Multi-year Conservation and Management Program for Bigeye Tuna" did not get the consensus of the Panel. A revised proposal was presented with an adjustment of the catch limits, capacity limitations for Chinese Taipei, Philippines and Korea, a provision related to over-harvests/under-harvests and the Japan's transfer of quotas to China and Korea.

Korea, supported by some delegations, requested a revision to increase its capacity limits (from 12 to 16 vessels) taking fishing possibilities into account. This amendment was accepted. However, Japan indicated that this limit was only feasible with the transfer which it agreed with Korea for 2011 and thus limited to one year.

This proposal was adopted by the Commission with the change requested by Korea (see **ANNEX 5** [Rec. 10-01]). Some CPCs noted that consensus was nearly reached on a more comprehensive, multi-year measure, including a number of key provisions such as a revised time/area closure and mechanisms for reporting catches made under access agreements, and expressed disappointment that efforts to achieve compromise had failed.

The Report of Panel 1, which was adopted by correspondence, is attached in **ANNEX 8**.

Panel 2

The Chair of Panel 2, Mr. F. Gauthiez (European Union), informed the plenary that the Panel had agreed on a draft *Supplemental Recommendation by ICCAT Concerning the Western Atlantic Bluefin Tuna Rebuilding Programme*. This proposal was adopted by the Commission and is attached in **ANNEX 5 [Rec. 10-03]**.

He also indicated that an amendment to the draft "Recommendation by ICCAT Amending the Recommendation by ICCAT to Establish a Multi-Annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean" presented by Morocco had been referred to plenary for further discussion and that the proposal "Last call" by Libya was presented to plenary for a vote. The Moroccan amendment and the Libyan proposal were not adopted by the Commission.

Following discussion, the Commission adopted the:

- *Recommendation by ICCAT Amending the Recommendation by ICCAT to Establish a Multi-annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* (see **ANNEX 5 [Rec. 10-04]**)

Turkey informed the Commission that it objected to the allocation table with the following statement: "*The TAC allocation table given in the paragraph 8 of Rec. 10-04 has been objected by Turkey since the allocation criteria used for the determination of TAC is not acceptable. Turkey reiterates until the relevant criteria such as historical catches (the reference period 1993-1994) be taken into consideration. The objection of Turkey to TAC Allocation Scheme for 2010-2013 shall be maintained. However, to contribute efforts to improve the stock status, all measures introduced in Rec. 10-04 which have been adopted by the Commission, shall be implemented by Turkey"*. Algeria requested the maintenance of the allocation scheme for 2010 and expressed a reservation on paragraph 8 of Rec. 10-04. Norway expressed a reservation on the adoption of Rec. 10-04 and referred in this connection to the lack of transparency in the decision-making process and to the change of the allocation key without any preceding agreement on sanctions in case of non compliance of ICCAT measures.

The Commission agreed on the Secretariat's "Proposal to Unify Reporting Requirements on Caging and Farming" to unify the forms for caging and farming, attached as **Appendix 3 to ANNEX 8**) and invited Contracting Parties to work closely with the Secretariat to develop a new submission form before the 2011 bluefin tuna fishing season.

The Report of Panel 2 was adopted by correspondence and is attached as **ANNEX 8**.

Panel 3

The Chair of Panel 3, Mr. M. Aguilar (Mexico), presented the report of the Panel in which it is indicated that the next assessment for southern albacore will be held in 2011.

The report of Panel 3 was adopted by correspondence and is attached as **ANNEX 8**.

Panel 4

The Chair of Panel 4, Mr. M. Miyahara (Japan), presented the proposals agreed within the Panel: "Draft Recommendation by ICCAT for the Conservation of North Atlantic Swordfish"; "Draft Recommendation by ICCAT on the Plan to Rebuild Blue Marlin and White Marlin Populations"; "Draft Recommendation by ICCAT on Atlantic Shortfin Mako Sharks Caught in Association with ICCAT Fisheries"; "Draft Recommendation by ICCAT on the Conservation of Oceanic Whitetip Shark Caught in Association with Fisheries in the ICCAT Convention Area; and the "Draft Recommendation by ICCAT on the By-catch of Sea Turtles in ICCAT Fisheries".

Concerning Rec. 10-02, it should be noted that the European Union requested the following statement to be included in the minutes: "*In relation to paragraph 4 of the 2010 Recommendation by ICCAT for the Conservation of North Atlantic swordfish, in case a Contracting Party catches more than its adjusted quota, such overage shall not be deducted from the others' quota and shall be fully borne by this CPC."*

Concerning the *Recommendation by ICCAT on the Conservation of Oceanic Whitetip Shark Caught in Association with Fisheries in the ICCAT Convention Area* **[Rec. 10-07]**, Iceland and Russia expressed their reservations on this Recommendation. Norway expressed its reservations on this Recommendation explaining that this would be contrary to the Norwegian legislation which provides for a discard ban as part of a larger, comprehensive set of policies aimed at promoting a sustainable exploitation pattern. They explained that the discard ban implies that live sharks have to be released, while dead or dying sharks must be brought ashore. Norway further explained that this recommendation does not apply only to fisheries for "tuna and tuna-like species" as referred to in the ICCAT Convention, but to all fisheries in the Convention area. This could give rise to conflicts of competence with respect to other RFMO/As in the Atlantic. Two other parties had similar concern.

The Commission adopted these proposals which are attached in **ANNEX 5**:

- *Recommendation by ICCAT for the Conservation of North Atlantic Swordfish* **[Rec. 10-02**],
- *Recommendation by ICCAT on the Plan to Rebuild Blue Marlin and White Marlin Populations* **[Rec. 10-05]**,
- *Recommendation by ICCAT on Atlantic Shortfin Mako Sharks Caught in Association with ICCAT Fisheries* **[Rec. 10-06]**.
- *Recommendation by ICCAT on the Conservation of Oceanic Whitetip Shark Caught in Association with Fisheries in the ICCAT Convention Area* **[Rec. 10-07]**,
- *Recommendation by ICCAT on the By-catch of Sea Turtles in ICCAT Fisheries* **[Rec. 10-09]**.

The Panel 4 Chair also presented to plenary the draft proposal "Recommendation by ICCAT on the Hammerhead Sharks (family Sphyrnidae) Caught in Association with Fisheries in the ICCAT Convention Area", which was deferred by the Panel. The Commission adopted the proposal. Iceland and Norway expressed their reservations on this Recommendation since both CPCs have a prohibition against dead discards, but also noting that there is no fishery for this species in their waters. This Recommendation was later adopted, as attached in **ANNEX 5 [Rec. 10-08]**.

The Chair also presented a draft "Recommendation by ICCAT on Thresher Sharks (family Alopiidae) Caught in Association with Fisheries Managed by ICCAT". There was no consensus to adopt the measure by the Commission.

The following proposals were deferred by the plenary to 2011:

- a proposal for a "Draft Recommendation by ICCAT Concerning the Conservation of Sharks Caught in Association with Fisheries Managed by ICCAT",
- a proposal for a "Recommendation by ICCAT on Atlantic Sailfish", and
- a proposal for a "Recommendation by ICCAT to Further Strengthen the Plan to Rebuild Blue Marlin and White Marlin Populations".

The Report of Panel 4 was adopted by correspondence and is attached as **ANNEX 8**.

10. Report of the Conservation and Management Measures Compliance Committee (COC) and consideration of any proposed recommendation therein

The Chair of the Compliance Committee, Dr. C. Rogers (United States), informed the Commission that the Compliance Committee (COC) had approved:

- the Report of the Inter-sessional Meeting of the Compliance Committee, (see **ANNEX 4.2),**
- the Compliance Tables and,
- the COC Actions Table.

The Chair expressed some concern because some CPCs had not submitted their Compliance Tables. He also considered that there were still too many data deficiencies in the compliance reporting requirements.

The documents approved by the Committee were endorsed by the Commission. Based on the Actions Table, the Commission agreed that the Compliance Committee Chair would send letters of concern or letters of identification to the CPCs before the Compliance Committee inter-sessional meeting in 2011. It was also agreed that Contracting Parties should be requested to send written replies to those letters.

On the basis of the "Report on the Implementation of the ICCAT Regional Observers Programme for East Atlantic and Mediterranean Bluefin Tuna" and the presentation made by the consortium of the BFT-ROP, the Chair expressed concerns about potential infractions recorded by the observers and about the difficulty of the observers to estimate accurately the catches.

The Compliance Committee Chair informed the Commission that the following proposals made by the Chair were deferred to the COC inter-sessional meeting in 2011:

- Draft Resolution on the Creation of a Compliance Task Force,
- Guidelines for an ICCAT Schedule of Compliance Actions, and
- Chair's Reference Document: List of Possible Actions.

The Report of the Compliance Committee was adopted by correspondence; the Report is attached as **ANNEX 9.**

11. Report of the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG) and consideration of any proposed recommendation therein

The PWG Chair, Dr. R. Lent (United States), reported to the Commission on the measures agreed by the PWG, including the actions taken in relation to non-Contracting Parties, Entities and Fishing Entities in 2010 (attached as **Appendix 2 to ANNEX 10)** and the subject of the letters to be sent from the ICCAT Chair to the following non-Contracting Parties:

- Bolivia and Georgia maintaining sanctions in 2011
- Cambodia maintaining identification in 2011.

These letters are attached as **Appendix 3 to ANNEX 10**.

The PWG also agreed to renew cooperating status to Colombia, Chinese Taipei and Guyana. It was decided that the Executive Secretary would inform these Parties, Entities, or Fishing Entities of the Commission's decision, expressing particular concern to Colombia and Guyana for their failure to report any required data and information in 2010. With respect to the cooperating status of Curaçao (formerly of the Netherlands Antilles, which was dissolved on October 9, 2010), the PWG referred this matter to the Commission, which agreed to renew cooperating status.

The PWG further agreed on the "2010 List of Vessels Presumed to Have Carried Out Illegal, Unreported, and Unregulated (IUU) Fishing Activities in the ICCAT Convention Area". Due to insufficient supporting information, some of the IOTC IUU vessels were not included in the ICCAT IUU list, but were listed in the provisional ICCAT IUU list for future consideration. It was also decided to add the Honduran vessel "*MILLA A*" to the ICCAT IUU provisional list. The PWG also considered the development of guidance for the Secretariat on the implementation of provisions of ICCAT Rec. 09-10 that allow ICCAT to incorporate other tuna RFMO IUU vessel lists into the ICCAT IUU list. The "Guidelines for the Cross-listing of Vessels Contained on the IUU Lists of other Tuna RFMOs on the ICCAT IUU Vessel List in Accordance with Rec. 09-10" are attached as Appendix 5 to ANNEX 10.. The adopted ICCAT IUU list is attached as **Appendix 4 to ANNEX 10**.

The PWG also agreed on a proposal for a *Recommendation by ICCAT to Establish Minimum Standards for Fishing Vessel Scientific Observer Programs*. This proposal was adopted by the Commission and is attached as **ANNEX 5 [Rec. 10-10]**.

The PWG decided to defer to the next annual meeting the Draft "Recommendation by ICCAT on Port State Measures to Prevent, Deter and Eliminate IIU Fishing" and the proposal by Japan "Recommendation by ICCAT on the Catch Documentation Scheme" for re-submission at the next annual meeting.

The PWG referred the draft *Recommendation by ICCAT on an Electronic Bluefin Tuna Catch Documentation Programme (eBCD)* to plenary. This proposal was adopted by the Commission as attached in **ANNEX 5 [Rec. 10-11]**.

The Report of PWG was adopted by correspondence and is attached as **ANNEX 10.**

12. Assistance to developing coastal States and capacity building

The Commission took note of the ICCAT Secretariat document summarizing the assistance provided in 2010 to developing coastal States.

13. Inter-sessional meetings in 2011

The Commission agreed to convene an inter-sessional meeting of the Compliance Committee before the bluefin tuna campaign. The meeting will be held in February. This inter-sessional meeting should not only focus on issues related to bluefin tuna but should also cover the compliance issues raised in the letters of concern and identification.

The Commission also agreed to hold the Second Meeting of the Working Group on the Future of ICCAT in May in Spain. It was decided that the Chair of the Working Group would prepare a background document including the priorities contained in Appendix 3 of the 2009 Report of the Meeting of the Working Group of the Future of ICCAT, in order to guide the discussion and examine the Convention with the view to revising it at a future stage on the basis of a mandate negotiation. Some delegations informed the Commission of their financial difficulties to participate in these meetings. The Commission agreed that, pursuant to the availability of funds, limited financial support would be made available to assist developing States to send a representative to the Second Meeting of the Working Group on the Future of ICCAT.

14. Other matters

The following matters were discussed by the plenary under this Agenda item:

- The SCRS Chair presented the *Suggested Rules and Procedures for the Protection, Access to, and Dissemination of Data Compiled by ICCAT* dealing with the confidentiality of data. These guidelines were adopted by the Commission with some changes proposed by the European Union and are attached as **ANNEX 6.**

- The Commission decided that the Working Group on Sport and Recreational Fisheries should continue to collect data before developing the monitoring measures recommended in the 2010 SCRS Report.

- The Chair of the Commission strongly recommended the participation at the Kobe III meeting (from July 11 to 15, 2011 in La Jolla, California) and suggested that, if needed, the developing States request financial assistance through FAO, the UN and other sources to attend that meeting.

- In order to reduce the amount of paper copies of documents during the annual meeting, the Commission decided that for the forthcoming annual meeting, copies normally distributed to all participants would be reduced to three per CPC delegation and to one copy per observer delegation, but documents would be made available electronically. However, the proposals of recommendations would be distributed to all participants.

- The Commission decided that the "Proposal by Libya for the Election of the Commission Chair" would be deferred to the annual meeting in 2011.

- The Commission accepted that a press release of the annual meeting, prepared by the Chair with the assistance of the Secretariat, would be published.

15. Date and place of the next meeting of the Commission

It was decided that the 22nd Regular Meeting of the Commission will be financed by the Working Capital Fund and organised by the ICCAT Secretariat. As tentative dates, it was agreed that the Commission could meet from November 11 to 19, 2011. The Commission also agreed that the Compliance Committee will meet two days before the Commission meeting on November 9-10.

16. Adoption of the report and adjournment

The Chair allowed the authorised press to enter the conference room just before the closing of the meeting. The Chair thanked the Government of France for hosting the meeting as well as the European Union for its financing. The Executive Secretary thanked all delegates, the Government of France, the interpreters, and the Secretariat staff for their work.

The report of the plenary sessions was adopted by correspondence.

The 2010 Commission meeting was adjourned on November 27, 2010.

ANNEX 1

COMMISSION AGENDA

1. Opening of the meeting
2. Adoption of Agenda and meeting arrangements
3. Introduction of Contracting Party Delegations
4. Introduction of Observers
5. Summary Report of the Standing Committee on Research and Statistics (SCRS)
6. Cooperation between ICCAT and CITES
7. Consideration of the outcomes of the Working Group Meeting of tuna RFMOs and any necessary actions
8. Report of the Standing Committee on Finance and Administration (STACFAD)
9. Reports of Panels 1 to 4 and consideration of any proposed recommendations therein
10. Report of the Conservation and Management Measures Compliance Committee (COC) and consideration of any proposed recommendations therein
11. Report of the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG) and consideration of any proposed recommendations therein
12. Assistance to developing coastal states and capacity building
13. Inter-sessional meetings in 2011
14. Other matters
15. Date and place of the next meeting of the Commission
16. Adoption of the report and adjournment

ANNEX 2

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ANNEX 3

OPENING ADDRESSES & STATEMENTS TO THE PLENARY SESSIONS

3.1 OPENING ADDRESSES

By Dr. Fabio Hazin, ICCAT Chairman

I would like to welcome you to the 17th Special Meeting of ICCAT and to express my appreciation to the European Union and France for hosting this meeting and for the presence of their Representatives at this opening of the meeting. I would also like to take this occasion to reiterate my thanks to the ICCAT Secretariat for their work in preparing this meeting.

I am very glad to note that, differently from the previous two years, this year I feel that I no longer have to emphasize the need for ICCAT to follow the scientific advice, not because this is not important anymore, but, on the contrary, because in my view the obligation to respect science has finally become firmly entrenched in the work of this Commission. And, as the dark ages of ignoring scientific advice is hopefully left for good in the past of this Commission, I am confident that ICCAT, with this meeting, will inaugurate a new era of sustainability and responsibility in fulfilling its mandate as a Regional Fisheries Management Organization.

Again this year, the measures needed to ensure the conservation of the bluefin tuna will be in the top of our agenda. At this juncture, it is important to recall the commitment we've made at Doha, during the CITES Meeting, not only as a Commission, but as individual Contracting Parties present there, to adopt and implement the management measures needed to ensure the conservation of this emblematic species. Last year, we already agreed on a TAC that would allow the rebuilding of the stock with at least 60% probability by 2022. The SCRS has now told us that this level of catch is no more than about the 2010 TAC of 13,500 t. Considering, however, the uncertainty involved in the stock assessment, as well as the ever present possibility of unquantifiable IUU fishing, I would like to take this opportunity to strongly urge all the contracting parties to apply the precautionary approach by setting a TAC that would take these factors into full account. We also need to work hard on the control mechanisms in place, in particular on the bluefin tuna catch documentation, as well as the very important observer programme, which are clearly in need of substantial improvements. In the end, we are forced to realize that however precautionary a TAC might be, it will be meaningless, unless we can ensure its full and proper implementation.

Still about CITES, I also believe that time has come for a much more comprehensive and formal cooperation between that Convention and this Commission, with the certainty that such a move would be very beneficial for both and, much more importantly, for the conservation of the species under their respective mandates.

Beyond bluefin tuna, and however urgent the situation of this species might be, we have to recognize that ICCAT has many other species under its mandate, and I, therefore, do hope that during this meeting all management and conservation measures needed to ensure their sustainability will also be carefully considered and adopted. Of growing importance, in my view, is to enhance the application of the ecosystem approach to the fisheries managed by ICCAT, with the clear understanding that the future of those fisheries will depend on our capacity to reduce their impacts on by-catch species and on the marine ecosystem as a whole. In this context, I would like to note with satisfaction the progress achieved within the Kobe process, in particular the establishment of the Tuna RFMOs By-catch Joint Technical Working Group, as well as the decision to hold the International Symposium on Circle Hooks in Research, Management and Conservation, in Miami, in early May, next year.

The need to properly apply the precautionary approach and take ecosystem considerations into account in managing ICCAT fisheries certainly brings us to a very important task ahead for this Commission, which is the Working Group on the Future of ICCAT. Unfortunately, the scheduled meeting of the Working Group could not be held this year, but I am quite positive that progress in this regard will be achieved during this week and very hopeful that a new meeting of this extremely important working group will be held rather early in 2011.

I would also like to take this opportunity to praise the progress so far achieved by the Compliance Committee, with its new methodology, but, at the same time, warn all delegations that we have to make sure that the non-compliance issues detected will be properly addressed and, particularly in the case of relapses, have concrete

consequences, otherwise the credibility of the Compliance Committee, and consequently of the Commission itself, could be seriously compromised.

Finally, I would like to close my remarks by expressing my confidence in and consequent optimism that all Contracting Parties will act responsibly and adopt measures needed to ensure sustainability of the stocks under ICCAT's mandate during this meeting. I do believe that ICCAT has finally left the dark ages behind, to move into a brighter future, which will come not only to the bluefin tuna but to all species managed by the Commission. We have already proved that this Commission is capable of recovering overfished stocks through proper management. We did it for the north and south Atlantic swordfish and I am convinced that we will not fall short in the case of the bluefin tuna.

By Mr. Philippe Mauguin, Director of Marine Fisheries and Aquaculture

On behalf of Mr. Bruno Le Maire, Minister of Food, Agriculture, Fishing, Rural Affairs and Town and Country Management, and on behalf of the Government of France, I would like to welcome you to Paris. I hope that our capital offers a favorable framework for smooth negotiations and for the success of this 17th Special Meeting of the International Commission for the Conservation of Atlantic Tunas.

The French Government is, within the European Union, particularly concerned about the good management of tunas and tuna-like species in the Atlantic Ocean and the Mediterranean. France affords special attention to the implementation of world-wide governance of fisheries policy, based on the willingness of the Parties and fishing entities to assure, for future generations, sustainable and responsible fishing of all the marine resources of the world's oceans.

In this context, the regional fisheries management organizations have a vital role to play: they are the adequate fora to define the regulations, agreed and shared by all, aimed at assuring the perfect equilibrium between the sustainable existence of human activities linked to the exploitation of the sea, the rebuilding of the marine resources and the conservation of the ecosystems in which they evolve.

In accordance with the extensive international instruments of fisheries management, especially the New York Agreement on the Straddling Fish Stocks and the Code of Conduct for Responsible Fishing, these organizations have the difficult task of encouraging the sometimes contradictory reconciliation of interests and ensuring synthesis. This is a complex, but essential task, both to maintain the fishing communities over the long term and to conserve the stocks.

These organizations are currently involved in a process of modernization and recuperation of their actions. This is particularly the case of the authorities who are specialized in the management of the tuna fisheries with the implementation, since 2007, of the Kobe Process which has resulted in establishing, in a joint manner and for all the oceans, extensive guidelines to improve the functioning of these organizations.

It also allows attaining the fundamental objectives such as the fight against illegal fishing, the exercise of fishing that respects the environment, as well as the promotion of responsible trade of fishing products.

The recent period has shown that ICCAT plays an active role in this process. It is one of the rare tuna organizations to achieve, in spite of the important number of members, in establishing total allowable catches and quotas for many stocks which it manages and, on top of everything, some marked examples of success in terms of rebuilding, such as the North Atlantic swordfish.

Likewise, to respond to serious concerns expressed on the status of conservation of the stock of East Atlantic and Mediterranean bluefin tuna, ICCAT adopted a multi-annual recovery plan for this species in 2006, which was revised and strengthened on two occasions in order to better take into account the scientific assessments and the characteristics linked to the control of this species, particularly the important part assumed by the farming and fattening activities in the Mediterranean.

I am pleased to point out today that the bluefin tuna recovery plan is in accordance with the instructions from the scientific experts. Their effectiveness has been recently recognized by the ICCAT Scientific Committee.

The major task is thus henceforth to perpetuate this framework and assure the management of this stock in the long-term. This will also assure the sustainability of this fishery and give the fishing professionals the necessary

stability for the management of their activity. This is the essence of the position of the European Union which has just been unanimously adopted by the Member States.

All the species managed by ICCAT can also benefit from the strict management of bluefin tuna. For some of these species, such as bigeye tuna or Mediterranean swordfish, the management measures should be strengthened according to the scientific advice. The management of the fisheries should be carried out in a spirit of mutual cooperation and consensus in respect of the following extensive principles:

- Respect of the scientific recommendations based on sound assessments, shared with the fishers and regularly updated;
- The adoption of management and control measures adapted to the specific problems of each stock;
- The establishment of a mechanism of systematic verification of the implementation of the measures.

ICCAT is moving in this direction. Henceforth it must assure that that which has been established will be constantly evaluated and adapted accordingly. As for the scientific assessments, we have to listen to the fishers that implement these regulatory measures and are the first to be able to propose to us ways to progress. The challenges that confront this organization are still numerous and the occasion is given to us, during the course of this meeting, to continue to take actions to meet these challenges.

Only through transparent and constructive dialogue is it possible to implement better means of governance of the fisheries that, at the same time, are likely to preserve the fundamental equilibrium of the marine ecosystems and the human activities that subsist on them. I am pleading all the delegations to deploy their best efforts to work in cooperation on all the different issues.

I take this occasion given to me to thank, not only the ICCAT Secretariat but also specifically the ICCAT Scientific Committee for their total commitment and for the remarkable quality of their work. I also thank the teams from my country involved in the organization for their all-out efforts so that this 17th European meeting can be carried out under the best conditions possible.

Finally, I would like to reiterate my country's commitment towards sustainable and responsible fishing within an international framework. In thanking you for your attention, I wish you all a pleasant stay in Paris and in France and I extend my best wishes for the full success of our work.

3.2 OPENING STATEMENTS BY CONTRACTING PARTIES

Brazil

It is a great pleasure for the Brazilian delegation to participate in the 17th Special Meeting of the International Commission for the Conservation of Atlantic Tunas, for the first time being held in Paris. We would like to thank the European Union and the Government of France for the excellent organization of this event and for the warm hospitality. We also wish to recognize and praise the hard work done by the Executive Secretary and the Secretariat staff in the very competent preparation for this meeting. Let us take this opportunity, as well, to congratulate the Chairman on his your re-election, for a second two-year term, during which, we are sure, the Commission will continue to make significant progress, towards ensuring the sustainability of the tuna fisheries in the Atlantic Ocean and Mediterranean Sea.

We believe that the last meeting held in Recife last year was a historical one, since all the conservation and management measures adopted by the Commission were in full conformity with the scientific advice, marking, in our view, the beginning of a new era, in which not to respect science is no longer an alternative. We also believe that great progress has been achieved in regard of the process of work of the Compliance Committee, and we would like to take this opportunity to congratulate its Chairman, Dr. Chris Rogers, for the advances so far accomplished. In our view, however, it is crucial to continue the work that was begun and make sure that relapses of non-compliance do have concrete consequences; otherwise the credibility of the Compliance Committee will be seriously compromised.

Again this year, ICCAT will be challenged by the crisis in the bluefin tuna fishery. As you have quite properly reminded the Contracting Parties already, the only reason CITES decided not to include the Atlantic bluefin tuna in its Appendix I, in its recent meeting held in Doha, was because it believed in the commitment of this Commission to adopt all measures needed to ensure the recovery of the bluefin tuna stocks in the Atlantic Ocean.

It is time to honor our pledge, by setting a precautionary TAC. Nevertheless, although the discussion on the Total Allowable Catch to be adopted by the Commission is an important one, we have to recognize that the problems faced by the Catch Documentation Scheme unfortunately indicate that setting a TAC, even at a very precautionary level, will not be sufficient to ensure the recovery of the stock. However precautionary a TAC may be, it will evidently be meaningless, unless it can be adequately implemented and fully enforced. We do expect, therefore, that a significant progress be achieved during this meeting in this regard. We also hope that the exercise of quota allocation for this species will be done this year in a transparent, amicable and cooperative manner, with due regard to the ICCAT criteria for the allocation of fishing possibilities.

We should caution, however, that although the very serious situation of the bluefin tuna stocks makes its management a clear priority for this meeting, it should not be considered the only one. We have been growing increasingly concerned, for instance, with the situation of the bigeye tuna stock, as well, particularly in light of the recent trend for both purse seiners and longliners to move back to the Atlantic Ocean, from the Indian Ocean, due to the piracy problems plaguing that ocean. The stock assessment has shown that the bigeye tuna population in the Atlantic Ocean, at present, is just about the level needed to ensure the maximum sustainable yield, which means that any increase in fishing mortality may quicly drive the stock into overexploitation. The stocks of swordfish from the North Atlantic and the Mediterranean Sea will also need careful examination, so that the conservation measures needed to ensure their sustainability can be properly adopted.

Another issue that will have a great importance to the Brazilian delegation during this meeting, is the urgent need to adopt measures to reduce the by-catch in all fisheries for tuna and tuna-like species. In this context, we will present a proposal to extend the recommendation on billfish, reducing, however, the catch limits of the blue marlin from 50% of the landings in the reference years, to 33%, and also applying a similar treshold for the sailfish caught by large scale longliners. We also intend to propose a minimum size of 200 cm, for the oceanic whitetip shark, and have already resubmitted the fins-attached-to-the body draft recommendation proposed last year. Finally, we would like to note that we strongly favor the creation of a fifth panel to deal exclusively with the by-catch species, including sharks, seabirds and turtles, and we do hope that the other Contracting Parties will support that.

We hope that these proposals to be submitted by Brazil will represent an important contribution to the fulfillment of the Commission's obligation to enhance the application of the ecosystem approach, in a precautionary manner, in order to reduce the negative impact of the tuna fisheries on the marine ecosystem. As we have stated in other instances, the ICCAT Convention is very old and outdated, and therefore the incorporation of such modern concepts of fisheries management is absolutely essential to preserve its credibility. We would like also to take this opportunity to re-emphasize the crucial need for the Commission to fully respect the scientific advice and to support the research initiatives conducted by the SCRS, so that the quality of the science on which ICCAT bases its decisions is continuously improved. In this context, it is essential, as well, for the Commission to expand and strengthen its capacity building initiatives in developing countries.

Finally, we would like to say that the Brazilian delegation, as usual, is ready to cooperate with all delegations to make this meeting a very successful one.

Canada

Canada is pleased to participate in the 17th special meeting of ICCAT in beautiful Paris. We would like to thank our French hosts for their excellent hospitality. We look forward to positive outcomes from this week.

Last year, Canada highlighted the necessity for ICCAT Parties to take action, particularly with regard to the management of Atlantic bluefin tuna, to ensure that this organization is deserving of the stewardship with which it is entrusted regarding tuna and tuna-like species in the Atlantic.

While Canada believes that the correct decision was made during the 15th Conference of Parties (COP) of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), this cannot be seen as a reprieve for ICCAT. On the contrary, ICCAT Parties must strengthen the sustainable management of Atlantic bluefin tuna and follow through on commitments made in Recife last year. With updated assessments on both stocks of Atlantic bluefin tuna having been completed by the Standing Committee on Research and Statistics (SCRS), we are well placed to ensure the right measures are adopted, fully in line with the science advice.

Canada was pleased to see the positive trends identified in the stock assessment for western Atlantic bluefin tuna (WBFT). The improvements in the biomass seen for this stock support what is being seen in Canadian waters; an abundance of fish. We see this as a reflection of a decade of setting the Total Allowable Catch (TAC) based on the scientific advice, and of the strong compliance within this fishery. But we also recognize the need to be precautionary as we move forward.

Canada also feels that the stock assessment for eastern bluefin tuna shows that the revisions to the rebuilding plan adopted last year are clearly on the right track. Now we all need to ensure that we maintain our commitment to the long-term sustainability of this stock.

But this meeting will not only focus on Atlantic bluefin tuna. While North Atlantic swordfish has been hailed as a success story within ICCAT, with the rebuilding of this stock having been confirmed last year, we are in the unfortunate position of having a fishery which is now over-subscribed. While catches remain well below the TAC, the possibility of overfishing this stock exists and needs to be addressed. Allocations must recognize strong compliance, ecosystem management and scientific participation, as well as historic and continued interest in the fishery.

The CITES COP also highlighted the lack of ICCAT management measures for shark species. For too long ICCAT has shirked the responsibility to conserve shark species and it is for this reason that Canada supported all the proposals to list pelagic shark species under CITES. While none of these proposals were successful, similar to the situation for bluefin tuna, we must see this as a call to action. Scientific advice exists upon which we can base our management decisions for shark species. All it requires is a collective will to do so.

2009 was not only a landmark year for the management of eastern bluefin tuna, but also showed that ICCAT Parties were serious about taking action against non-compliance. The majority of ICCAT Parties received either Letters of Identification or Letters of Concern relating to issues of non-compliance with ICCAT measures. While this clear recognition of non-compliance is an important first step, we must now ensure that we follow through and take stronger action, if necessary, where continued non-compliance is identified. Canada has been disappointed to see so few responses to the letters issued to ICCAT Parties in relation to identified non-compliance.

Canada believes the credibility of this organization can be maintained. We hope others will echo this commitment. ICCAT can sustainably manage fish stocks and ensure long-term opportunities for our fishers. It is up to us all to make this happen.

Croatia

First and foremost, Croatia would like to express its pleasure to be in Paris, the most romantic city of the world for this year's ICCAT annual meeting. We'd like to thank the EU and the Government of France for organizing this important meeting.

Although ICCAT manages a lot of different species, it seems like, year after year, the bluefin tuna issues dominate our discussions. Since 2006, most of the working hours, and many of the non-working hours of the Commission have been spent discussing the issues related to this wonderful species. Croatia firmly believes that the future of this species, as much as the future of the fishery targeting it, deserves such attention.

Several important steps have been already made, and it seems that the decisions we have taken are resulting with the slow but undeniable steps forward. The capacity reductions undertaken and planned are a clear indication to the willingness of the parties around the table. This exercise, as everyone is aware, has been neither easy nor simple, particularly not in the times coloured with the grim colours of general economic problems and recessions. As a small country with a very specific fishery, Croatia has strongly felt the effects of this important management measure, and has supported both the intentions and the final goal, regardless of both social and economical difficulties. There can be no price to the future of a species. However, it does not mean that the necessary steps to atain that goal are simple or easy. In that aspect, Croatia is concerned for the future of its fishery, since some social and traditional elements of this activity need to be protected in the long run as well.

Upon establishing the system of evaluation of performace of the parties by COC, this year has shown a significant improvement in data submission and overall reporting. Knowing the importance of availability of data for scientific evaluations, Croatia shall continue to invest its efforts into further improvement of this segment. Issues on non-compliance, problems of monitoring and control, as identified in the previous meetings

and reports, have been addressed by parties around the table. This is an important element. Croatia has put in place all the management measures, including catch documentation, regional observer programme on vessels and farms and monitoring, surveillance and control measures. It was said many times, that no matter how solid management measures are, the results shall not be seen untill they are fully implemented and adhered to. It is the SCRS and the advices of the scientists that have guided the decisions and represent the baseline of management measures. Croatia strongly supports the efforts made to understand the biological elements that govern the behaviour of bluefin tuna. It is our firm belief that better knowledge of behaviour, regional specificities of population structure and overall understanding of the stocks is the main element for decision making. Regional specificities of population structure and dynamics govern the nature of the fishery, and these specificities should be taken in consideration when discussing seasons, sizes, capacities or any other management measure.

Croatian fleet catches the bluefin tuna in the Adriatic Sea, facing all the specificities of this particular area related to population structure and dynamics. Reductions in fleet capacity, and the duration of the purse seine season from 15th May till 15th June, when the fish in the Adriatic are highly dispersed and do not school, require a significant increase in activity at sea. Since Croatia is determined to implement all the measures related to capacity reductions, and knowing that the average individual catch of Croatian vessels is far below the individual catches in other areas of the Mediterranean, the possibility of actual usage of its quota comes into question.

This year is another important year for the future of both the tuna and the fisheries. With the eyes of the world waiting for the outcome of our efforts, Croatia shall make all the necessary steps and sacrifices aiming at sustainable future of this important segment of its biology, ecology, economy and tradition. Croatia hopes that the beautiful city of Paris shall play its well-known romantic role in weaving a better future for the ICCAT and the species it manages.

European Union

The European Union is very pleased to host again the Annual Meeting of ICCAT and to welcome all delegates to this magnificent city of Paris. I would also like to thank the French Government for their hospitality and perfect organisation.

Each year we come to the ICCAT meeting hoping that we will not face a difficult situation:

- That we will have only good news to tell,
- That scientific advice will be easy to interpret, so that we can translate it easily into decisions,
- That we will be able to put differences and interests behind us and focus purely on the sound and sustainable management of the fish stocks and marine ecosystems in our care.

And each year, we have to face up to difficulties:

- That certain stocks are fragile.
- That science is by nature prone to uncertainties
- And that in such a situation, it is impossible for us all to leave this table at the end of the meeting fully happy.

We have certainly made some progress where our "signature stock", bluefin tuna, is concerned.

For this and other fish stocks, we need to pursue a precautionary and ecosystem approach. For we should not take unreasonable risks with the state of the stocks.

But good management is not only about getting conservation measures right on the basis of scientific advice. We also need an effective control regime that can see those measures enforced. Compliance is crucial and needs to be ensured across the board.

Conservation is not a one-time event, something we can put in place and then just sit back and enjoy. We have to work at it constantly, in the face of the ever changing nature of ecosystems.

Of course, ICCAT is not just about bluefin tuna. There are also other very important stocks under our care, including other tuna species, swordfish and sharks.

For all these stocks, the decisions we have to take can sometimes be very hard for the fishing industry to accept. But I know that most fishermen understand that while conservation may cause hardship in the short term, it is in their long-term interests to support our work here.

Thank you for joining us here and for all the hard work we will do together over the coming week. I hope that together we will produce the decisions needed to guarantee the sustainable management of all the stocks under ICCAT's guard.

Japan

The Japanese delegation would, first of all, like to express its deepest appreciation to the Government of France and the European Union for having hosted this important meeting in Paris, one of the most beautiful cities, full of its exceptional architectural and cultural heritages, and also thank the Commission Chair, Dr. Fabio Hazin, as well as Mr. Driss Meski and his staff for the good preparation and the hard work as always.

As you recall, the decision by the CITES COP15 not to list the Atlantic bluefin tuna in Appendix I reaffirmed the responsibility of ICCAT to manage the species in a sustainable manner. This ICCAT meeting, as the first one after the COP 15, is critical in that the international society is watching whether ICCAT can meet such expectation.

After COP 15, Japan, as one of the responsible tuna fishing and importing States, announced its policy that it would play a leading role to adopt conservation and management measures based on scientific advice and that it does not import any Atlantic bluefin tuna produced without assurance of full compliance with ICCAT rules. Japan would like to stress that adjustment of TAC in accordance with scientific advice is important, but that probably more important is how to ensure compliance with the agreed conservation and management measures including TAC and allocations. As a matter of fact, the strong criticism on ICCAT presented in Doha as the basis for CITES Appendix I listing of Atlantic bluefin tuna was focused on two aspects, i.e. the inconsistency with scientific advice and the low level of compliance. We must make significant progress in both aspects in this Commission meeting.

In particular, we are very much concerned over the many problems we faced during the implementation of the Bluefin Catch Documentation Scheme for the last two years. Those problems were substantiated in the reports of the ICCAT Regional Observer Programs. It is obvious that there still exist much room to improve in monitoring, control and surveillance for bluefin tuna fisheries and farming. Since the last Commission meeting, Japan has been engaged in strenuous effort to scrutinize information on BCDs associated with the products being sent to Japan. We suspended the products with inconsistent information on catching, transferring, caging, harvesting and exporting. At one time, the total amount of suspended bluefin tuna products reached over 3,000 metric tons. It was a painful task for the Japanese government officials to conduct this job. But the pain is not limited to Japan but spreading over all the Parties involved in bluefin tuna fisheries and farming. We cannot repeat this difficult exercise next year.

Accordingly, we have submitted a proposal to strengthen the management of purse seine fisheries and farming activities in the Mediterranean with high expectation for other CPCs to support it. Our approach is simple. In our proposal it is suggested to reverse the order of work of the Commission. In the past, the Compliance Committee tried to find non-compliance after the fishing occurred and then takes punitive actions if necessary. But this practice did not result in sufficient compliance with ICCAT measures as we experienced in the Mediterranean bluefin tuna fisheries and farming so far. To rectify this situation, before fishing starts, each Party should demonstrate its ability and present a specific plan to ensure compliance in the 2011 bluefin tuna fishing season. Then the Compliance Committee should decide whether it endorses each Party's ability and plan. Without such endorsement, the Party should not engage in fishing in 2011.

For other tuna and shark species, we also closely look at the scientific advice and consider necessary conservation and management measures. We have already submitted a draft proposal on the prohibition of retention of oceanic whitetip shark, which is an example showing our commitment for the conservation of shark resources. Japan is also proposing the expansion of the Catch Documentation Scheme since we believe that this scheme will greatly contribute not only to eliminating IUU products from market but also to collecting accurate data for scientific use.

Japan, wishing *esprit de corp*s under ICCAT, is willing to work with friends to ensure the conservation and sustainable utilization of Atlantic bluefin tuna and other species.

Namibia

Namibia hereby extends her appreciation to the French Government through the able Secretariat and Chairman of the ICCAT Commission to have selected this wonderful and conducive facility as venue for the 17th Special Meeting of the Commission and the Compliance Committee.

ICCAT as a Regional Fisheries Management Organization (RFMO) is called through the UNCLOS of 1982, Fish Stocks Agreement of 1993, and FAO Code of Conduct to manage the high seas fisheries of tuna and tuna-like species on a sustainable basis. ICCAT is non than all the participating CPCs of which Namibia is a component. We reiterate our support to making the ICCAT a proliferating RFMO which manages its jurisdictional area in a manner that promotes sustainability. We thus continue to support the well crafted and scientifically verified measures adopted by the Commission at its annual meetings.

We are cognisant of the severity of ICCAT's responsibility of accounting for stocks that straddle and migrate through a multiple geographic regions as a consequence of their biology and population dynamics. Thus, tuna and tuna-like species by nature are good prey to IUU fishing, this Commission has to implement solid port state measures in order to close the gap for this IUU industry which makes it difficult to manage the ICCAT species on a sustainable basis.

Second, we encourage the Commission to call upon the members to complete and implement their National Plan of Action for Sharks. We have again been encouraged to see a proposed inclusion of an additional Panel pertaining only to sharks in the ICCAT activities. As of late some of the shark species have become a subject in the CITES, due to non-compliance of many fishing nations to device plans in order to address the issue of decline in abundance of these long-lived species. And as a matter of fact once a species is listed under the CITES Appendices it becomes very hard to get it removed. Commercially important fish species should thus be treated by CITES through collaboration with FAO as an authority in fisheries. RFMOs such as ICCAT are important tools to work in concert with FAO on these issues. Having been part of the Kobe II Bycatch Workshop, Namibia calls upon the ICCAT to critically look at the recommendations put forth by this Workshop and bring into implementation the spirit of these recommendations, as they could contribute to the sustainability of bycatch species including pelagic sharks of which there are no limits to their catch rates.

Of importance is the application of the precautionary approach, which, is a general practice. It is a way of making uniform management decisions that are unlikely to result in overfishing or would have severely adverse or irreversible impacts on the target and non-target stocks. We are cognisant of the fact that this regime is called for by the UNCLOS which post dated the existence of the ICCAT, thus ICCAT might seem to have missed the inclusion of this provision within its stipulates. However, the implementation of the precautionary approach to fisheries management requires two-way communication between scientists and managers which is a feasible undertaking.

We are hoping for a successful and fruitful Commission meeting and believe that the objective of this meeting will be fulfilled.

Russia

The Russian Federation is thankful to France for hosting the 17th Special Meeting of the ICCAT, even more so because the Meeting is being held in the marvelous city of Paris. To visit this place is a dream of many. We also thank the Executive Secretary of ICCAT and his staff for the excellent preparations.

The central challenges for ICCAT, which had a broad international response, in recent years, have primarily been the bluefin tuna stock recovery in the East Atlantic and the Mediterranean, and elimination of the IUU fishing for tunas the existence of which significantly depreciated the effort of the nations in the ICCAT family. The second rank of concerns confronting ICCAT has been, and remains to be the sustainable management of the North and South Atlantic swordfish, North Atlantic albacore tuna, bigeye tuna, sailfish, and sharks. In our view, the stock condition of yellowfin tuna calls for more concern as well. Orderly and timely provision of the well-known information by the Atlantic tuna harvesting states remains currently central. It is obvious that timeliness and quality of the information presented is basic for us to get an idea of the status of exploited tuna stocks, and of the current situation in fisheries. In the long run, our decision-making hinges on that.

Those or similar matters will most likely be always among the objectives of ICCAT; the hope for their absence is Utopian, and is akin to perceptions of the Great French Utopians; it might at least question the expedience of existence of ICCAT as an entity.

It seems that the present meeting is not an exception, either in priority or in timeliness of the problems facing ICCAT.

It is clear that to resolve the existing problems is not easy, and is a long way requiring political will, readiness for compromise, and willingness to hear and understand one another.

The Russian delegation will do its best to achieve progress in resolving our problems, and we are prepared for constructive discussions.

Let us hope for a successful and fruitful Commission meeting.

United States of America

Why are we here, in Paris, at the ICCAT meeting? Why am I here as the first Administrator of NOAA to attend an ICCAT meeting? And why is there now such keen international interest in this and other fisheries that heretofore have been the quiet province primarily of fishery managers? Why, indeed?

I believe the reasons are simple. (1) Fisheries are more important to food security, economic security, health, and national security than ever before; and (2) far too many fisheries around the world are in dire straits, with serious consequences for jobs, for communities, for biodiversity, for recreational opportunities, and for the healthy oceans upon which healthy fisheries depend.

For some of you here, fisheries are about food – food that provides the sole or primary source of protein for over a billion people each day. Fisheries are a food security issue.

Because there is increasing recognition of the health benefits of seafood, there is growing demand and burgeoning markets. Fisheries are an economic and trade issue.

For many here, fisheries are about jobs - jobs that require deep knowledge of the habits of elusive species, a willingness to take risks, and a deep respect for the dangers and vagaries of the ocean. For commercial fishermen there is the satisfaction of putting food on the tables of families, communities, and others. Recreational fishermen relish the pleasure of simply being out on the water with family or friends, and of testing their skills against a mighty fish. But both commercial and recreational fisheries create not only fishing jobs but additional employment, be it for ice supply, processing and distribution or for boats, tackle, gear and supplies. Either way, fisheries are a jobs issue, especially during tough economic times like the present.

For many here, fisheries are about protecting vulnerable species that are not targeted in fisheries, but get caught nonetheless, or protecting the important role that target species play in their ecosystems whether they are food for, or predators on, other species. Fisheries are a biodiversity and conservation issue.

With all these pressures on and demands for fish, is it any surprise that managing them for long-term sustainability has been a challenge? In the end, fisheries will be able to deliver this balance of benefits if and only if they are embedded in healthy oceans, managed with strong, science-based and precautionary measures, and characterized by effective compliance. It is this juggling that brings us here this week.

ICCAT as one of the oldest regional fishery management organizations is now in the spotlight. ICCAT has a chance to show that it can learn from the past, balance the range of issues, and make tough decisions.

We are looking forward to a productive ICCAT meeting this year. We share an interest with other members of ICCAT in ensuring the sustainability of tunas, swordfish, billfish, and sharks, as well as protected species caught as by-catch in our fisheries. Critical stewardship decisions sit before us – decisions of consequence for the valuable highly migratory species of the Atlantic, their ecosystems, and the fishing communities that depend on healthy stocks. In that regard, the United States appreciates the hard work of the Standing Committee for Research and Statistics (SCRS) in conducting stock assessments and providing scientific advice to the Commission.

ICCAT member states have made marked progress in crafting recommendations that better reflect the science and the Convention's goal of long-term sustainability of the target stocks. Compliance with these measures has also improved, thanks to the decisive actions taken by ICCAT as well as by ICCAT's members. While this progress is commendable, much is still left to be accomplished, particularly to ensure that ICCAT management measures take full account of the impact to ecosystems by ICCAT fisheries and also take into consideration the uncertainty surrounding the stock assessment results.

Over the past year, SCRS scientists worked diligently to assess ICCAT stocks, including bluefin and bigeye tuna. While data reporting has been - and in some instance continues to be – a problem, the scientific analyses have been increasing in depth and rigour. The most important way for us to show our appreciation to our scientists is to carefully consider the results of their work, and most importantly, to heed their advice.

Thanks to the Kobe II Strategy Matrix and its application to newly assessed ICCAT stocks, we now can consider a range of possible management scenarios, taking into account the "known" uncertainties by determining an acceptable level of probability. Additional uncertainties are not quantifiable, however, and warrant a precautionary approach to ensure that management recommendations are sufficiently robust to accomplish our Convention objective.

Some of our challenges go beyond science. Foremost among these are the issues of compliance and allocation. We must build on the Compliance Committee's significant accomplishments at last year's meeting, and apply equitable and appropriate measures to address the concerns raised in the letters sent to members. We also must carefully review and candidly discuss new evidence of possible compliance issues, and be ready to take appropriate action. In considering the allocation of individual stocks, we must work together to make use of the principles laid out in the ICCAT allocation criteria. At the same time, we must ensure that resource access is conditioned on countries' commitment to the monitoring and wise stewardship of these resources, including provision of scientific data. Where appropriate, countries should be willing to assist developing states in ensuring capacity building designed for improved management and monitoring for the benefit of the stocks as well as the fishing communities.

The United States stands ready to partner with our colleagues around the table to ensure that ICCAT is perceived by the world as a management organization that is fully capable of and willing to use science-based measures that reflect precautionary and ecosystem approaches to management of highly migratory species in the Atlantic. In the end, ICCAT's actions are only as good as those of its members, whether in management proposals at ICCAT or their implementation in domestic fisheries. Now is the time for us to be leaders. We must be courageous in our decisions and rigorous in the way we go about implementing them.

Before closing, I would like to thank outgoing SCRS Chairman Dr. Jerry Scott for his outstanding service. His legacy to the work of this organization and beyond is clear; he has enhanced the level of work of SCRS and made the science SCRS produces more understandable to managers. The United States is grateful for all his efforts.

In conclusion, let's remember why we are here: to protect the fish, the fishermen and associated businesses. Fishing puts food on our table. Fishing provides a livelihood for the brave few willing to go to sea each day to earn it. Fishing sustains a way of life that has endured for centuries, with knowledge passed on from one generation to another. Fishing defines who we are as individuals, communities and nations.

Today we have a choice to make: Will we choose sustainability or status quo? Will we continue down the path we are on, or chose a different direction?

I believe in a future where fishermen and fish thrive. The world is watching. The world is waiting.

Let's rise to the challenge.

United Kingdom (Overseas Territories)

The delegation of the United Kingdom (Overseas Territories) would like to extend its sincere thanks and appreciation to the European Union and, in particular, the Government of France for hosting the 17th special ICCAT meeting in Paris, one of the most beautiful and iconic capital cities of the world.

Our membership of ICCAT comprises four Overseas Territories: Bermuda, British Virgin Islands, Turks and Caicos Islands; and St Helena, Ascension and Tristan da Cunha. These are small island states in varying stages of development. We nevertheless take our commitment to ICCAT seriously and work hard throughout the year to meet our obligations. It has not been easy to achieve this and, accepting the importance of clear and accurate data to aid the work of the Standing Committee on Research and Statistics, we would be interested to explore ways of simplifying procedures. Nevertheless, complete and accurate data submission has to be a top priority and a cornerstone of everything that ICCAT stands for and we strive to be successful in that work.

We believe it is essential that Contracting Parties continue to work together in order to ensure that measures are agreed that safeguard the future sustainability of the bluefin tuna fishery. But we must also ensure that we adequately address conservation measures for other important stocks such as albacore, yellowfin tuna and swordfish and we will follow these discussions with great interest.

Measures taken to protect bigeye thresher sharks at last year's annual meeting were very welcome and we would like to see further recommendations adopted this year that will protect other vulnerable shark species.

At the 2009 annual meeting, the United Kingdom (Overseas Territories) worked with other contracting parties to try to implement stronger measures to mitigate against seabird by catches in the Atlantic Ocean. During 2010 we have, with the help of other ACAP signatories, carried out extensive research into the best methods of mitigation and hope that the conclusions will be published in 2011. In view of this we do not intend to make representations about this issue at the meeting here in Paris but we would certainly intend to contribute actively to the adoption of additional measures in 2011.

Like many other Contracting Parties we were disappointed that the meeting to discuss the future of ICCAT, scheduled to take place in Brasilia earlier this year, was postponed. We consider that it is absolutely vital that we maintain the momentum, started in Sapporo in 2009, to secure the relevant amendments to the ICCAT Convention and to the way in which ICCAT operates to ensure continued and improved effectiveness in the delivery of its objectives. We look forward to participating in discussions on this subject during the annual meeting.

Finally, we would like to extend our thanks and appreciation to the ICCAT President, Secretariat and the chairs of the various ICCAT committees, working groups and panels for their continued efforts during the year. We extend to them, and other contracting parties, our best wishes for a constructive and successful 17th special meeting of the Commission.

Uruguay

The delegation of the Eastern Republic of Uruguay would like to thank the European Union, and the Government and the people of France for hosting the 17th Special Meeting of the International Commission for the Conservation of Atlantic Tunas. Likewise, we wish to recognize the work done by the Chairman of the Commission and the Secretariat in the organization of this meeting.

Let's hope that the French motto inspires us today and that in an atmosphere of liberty and transparency, based on the fraternity of the countries we achieve more equality.

Equality is the major challenge that the Commission must to achieve continuity and carry forward a sustainable management of the resources. In this respect, we want to urge the Parties to participate in depth in the discussion on the future of ICCAT. In particular, the allocation criteria should be reviewed and agreed upon in a manner that considers the advice from the SCRS and the needs of the poor coastal countries.

Without a just and equitable distribution of the resources it will not be possible to attain the commitment of all the Parties in the conservation and management of these resources.

It is also essential to achieve more participation of the impoverished countries in the functioning of the Commission, increasing, in this way, their opportunities and their commitment.

As we have expressed on previous occasions, our delegation understands that the Commission should pay stricter attention to the recommendations from the SCRS, generating improved possibilities of the Contracting Parties for data collection, participation and research.

In this sense, the SCRS should be further strengthened, affording it the necessary and obligatory information necessary so that it can provide advice in an independent and effective manner to the Commission to enable it to take the most adequate political decisions.

The status of the resources under ICCAT mandate is the result of a very dynamic process that started with the large-scale commercial exploitation about 1950. This process involves, among others, the socio-economic, cultural, academic, management, compliance and control aspects.

We know that today more than ever it is necessary to take measures to achieve the sustainability of the resources and our country is strongly committed to all the activities that result in this objective. Proof of this is our participation in the Agreement on Port State Measures and our commitment with all the RFMOs in which we participate. However, we are concerned about the dimension and the direction that the aspects of compliance and control have taken in the last few years.

We need more commitments and less costs so that compliance is possible and that the socio-economic condition not be a condition in order to be controlled.

Our delegation is ready to work with all the Parties in find consensus that will permit us to reach these objectives, through dialogue and with a fairer participation of all the Parties.

Uruguay greets all the participants and wishes you all a productive meeting in 2010.

3.3 OPENING STATEMENTS BY COOPERATING PARTIES NON-CONTRACTING PARTIES, ENTITIES OR FISHING ENTITIES

Chinese Taipei

First of all, I would like to extend my gratitude to the European Union and France for kindly hosting the 17th Special Meeting in Paris. I would also like to thank the members of ICCAT Secretariat and the Chairman of ICCAT, Dr. Fabio Hazin, for efforts they put into preparing this meeting.

As is widely known, in March 2010 a proposal to list the Atlantic and Mediterranean bluefin tuna in the Appendix I under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) was debated in the 15th CITES COP. This move carries profound implications for ICCAT, as the competent RFMO for managing eastern bluefin tuna, if not for the worldwide tuna fisheries and trade as a whole. Although such a proposal was not adopted in CITES, the message from the international community to ICCAT is loud and clear: ICCAT must continue strengthening its effort to save the eastern bluefin tuna stocks from further devastation, and do everything it can to restore the stocks. The spotlight is still on ICCAT and the CPCs as a whole have to prove to the international community that ICCAT is capable of managing the Atlantic and Mediterranean bluefin tuna stock in a sustainable manner, so as to ensure the restoration of the stock for present and future generations. In this connection and as a token of our determination in cooperating with ICCAT, It is without doubt that we will continue our policy for the past few years of voluntarily refraining from fishing eastern bluefin tuna and extend such a moratorium to the fishing seasons in 2009 and 2010. At the same time, I think complying with the scientific recommendation for the conservation of bluefin tuna is extremely important. Many of us will not deny that ignoring scientific advice has made the stock status as it is now. Therefore, I urge all CPCs to follow the advice from SCRS, to prevent the stock from collapse.

Another matter on which we put considerable emphasis is the current program of modernizing the ICCAT regime. As very clearly identified by the Independent Review Panel, in order to be better equipped for the purpose of applying principles and best practice of modern fisheries conservation and management, the *Basic Texts* of ICCAT need to be thoroughly reviewed and properly revised. Even though the Second Meeting of Working Group on the Future of ICCAT, scheduled for July this year has been deferred, we would like to urge all the CPCs not to lose sight of this important initiative, and to give adequate consideration and attention to this task in the nature of long-term planning even among the busy agenda of the annual meeting, so as to bring the ICCAT machinery up to the contemporary international standards and on par with more recently established RFMOs.

Finally, since the piracy problem in waters off the coasts of Somalia shows no sign of abating, it has seriously affected the safety of fishers and vessels that used to operate in those areas and several Taiwanese fishing vessels

were harassed, attacked and even kidnapped. For the industry this poses a significant threat to the livelihood of fishermen and the stable income of the fishing industry. For this reason, we are planning to re-designate additional 15 bigeye longliners from the Indian Ocean to the Atlantic Ocean, as a temporary measure necessary in securing the legitimate operation of those vessels. Nevertheless, we are not asking to raise our catch limit, because our underage of bigeye tuna in 2009 and 2010 is sufficient to accommodate the quantity needed by those vessels. Out of respect for ICCAT we will be putting forward this proposal this year, and we hope that such a request will meet the support from the CPCs.

May we offer our most sincere wish for the success of this 17th Special Meeting of ICCAT.

3.4 OPENING STATEMENTS BY OBSERVERS FROM NON-CONTRACTING PARTIES

Cuba

The delegation of the Republic of Cuba greets the Commission and wishes it success in its work.

Fishing activities in the EEZ of the Republic of Cuba is fully regulated by Cuban legislation, which guarantees responsible fishing and exerts exhaustive monitoring of all the species that are caught in Cuban waters, for which it has pertinent mechanisms and institutions for this important work.

Cuba is characterized by its seriousness and transparency in its actions as a member of all the international organizations regulating fishing activities to which it belongs, and relies on its ample tradition in all the oceans in which Cuba carries out various fishing operations.

The fisheries that are carried out in our EEZ, irrespective of their not being directed at species regulated by ICCAT, do not exclude the appearance of these species as by-catches, which is demonstrated by the fact that from 2006 up to the present date the percentage of bluefin tuna in the fisheries of Cuba's EEZ has only been 0.5% of the total, including Atlantic bonito and yellowfin tuna.

It is a reality that the high seas fishery no longer exists, for which the longline and pole and line fisheries are only carried out in the Cuban EEZ also with decreased fishing effort. This has contributed, to some extent, to the ICCAT objectives. However, Cuba is currently trying to slowly increase its fisheries and, consequently, there will be an increase in the catches of the species under ICCAT's quota regime.

In this sense, and in the interest of maintaining the transparency of our fishing operations, Cuba requests that the possibility of a fishing quota for Cuba be considered, taking into account Cuba's condition of an under-developed coastal State where fishing has social and economic importance.

We cannot fail to avail of this opportunity of emphasizing our interest and willingness to comply with the ICCAT Resolutions and Recommendations aimed at the conservation of Atlantic tuna and to offer our cooperation in this respect, as was demonstrated when Cuba was, since its creation, a member of this organization.

We reiterate our willingness to submit to ICCAT all statistical and biological information derived from the fishing activity on the species in question.

We would like to thank the authorities of this city and France for the excellent conditions offered to carry out this important meeting.

3.5 OPENING STATEMENTS BY OBSERVERS FROM INTER-GOVERNMENTAL ORGANIZATIONS

Food and Agriculture Organization of the United Nations (FAO)

FAO wishes to thank the Secretariat of the International Commission for the Conservation of Atlantic Tunas (ICCAT) for extending an invitation to attend the Seventeenth Special Meeting. FAO is thankful for the effective working relationship with ICCAT and the warm hospitality provided by the host government.

FAO would like once again to emphasize the unique role Regional Fishery Bodies (RFBs) play in facilitating international cooperation for the conservation and management of shared, straddling and highly migratory fish stocks. RFBs represent the primary means of governing these stocks. Therefore, strengthening RFBs to ensure effective conservation and management of fish stocks and their associated ecosystems remains a priority in international fisheries governance and of course for FAO.

FAO has undertaken a variety of activities which may be of interest and useful for the discussions over the coming days.

The legally-binding FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing was adopted by FAO Members in late 2009 and is now open for signature. As of today, a total of 17 countries have now signed the Agreement. But beyond signature, the most important step is that countries take action to become Parties to the Agreement through its ratification and also ensure a prompt entry into force of that Agreement. Both the Review Conference of the 1995 UN Fish Stocks Agreement and the United Nations General Assembly, in resolution 64/72, encouraged States to become Parties to the 2009 FAO Agreement and to cooperate to adopt all necessary port State measures consistent with international law. FAO is in the process of initiating a programme to build human and material capacity through regional capacity-development activities to ensure that countries will be better placed to enhance and harmonize the implementation of the Agreement.

There are two technical consultations at FAO which may be of importance to delegates, one just completed and the second to be held soon. The first is the Technical Consultation to Identify a Structure and Strategy for the Development and Implementation of the Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels which has been just held from 8 to 12 November 2010 in Rome. A second technical consultation will be held from 6 to 10 December 2010 on the development of International Guidelines for Bycatch Management and Reduction of Discards.

In the Technical Consultation on the Global Record, discussion was wide ranging and generally very positive in support of the concept. A comprehensive technical working document was used as the basis for discussion and 11 key recommendations were developed for consideration in the incoming Session of COFI early 2011. The recommendations provide for a broad scope but incorporate a large degree of flexibility and a phased implementation programme spanning 8 years. Given the importance of the initiative to the Tuna RFMOs, FAO is keen to continue working with them including ICCAT and to provide any assistance for an early entry of all tuna vessels onto the Global Record.

I also wish to touch briefly upon the issue of climate changes and fisheries, an issue which is of great relevance to all involved in fisheries. A partnership was recently developed - the Global Partnership for Climate, Fisheries and Aquaculture (PaCFA),[1] comprising 20 organizations and including both ICES and PICES. This group was established out of a mutual desire to draw together potentially fragmented and redundant climate change activities and to address the pressing need to raise the profile of fisheries and aquaculture in the global climate change discussions. PacFA has been active in raising awareness on the issues facing the sector and actively participated in CoP15 in Copenhagen. In the regard of climate change, FAO is participating in the symposium on Energy Use in Fisheries to be held this November in Seattle, Washington with a focus on improved alternative operational and management strategies to reduce energy use in fisheries and aquaculture.[2]

With respect to the impacts of fishing on the environment, I wish to draw your attention to the work of FAO with IMO in revision of MARPOL Annex V and its guidelines especially those related to marine pollution in general and the specific issues of impacts associated with abandoned, lost or otherwise discarded fishing gear on the environment

You will probably be interested in FAO's recent work regarding the Ecosystem Approach to Fisheries (EAF), in particular in the development of a toolbox of suitable methods as a proactive mechanism to assist countries, fishery agencies and the various stakeholder groups to implement the EAF. This "toolbox" which will soon be published is a first attempt at such a guide and will present a large number of tested tools that are already available. In addition to the development of the toolbox, in 2009 FAO with the help of an international expert group reviewed for application of EAF. The report is being finalised and covers ecological, socio-economic and governance indicators for EAF. A workbook on the use of indicators for fisheries management is also underway.

[1] http://www.climatefish.org
[2] http://www.energyfish.nmfs.noaa.gov/

In the highly internationalized fisheries arena, it is now nearly impossible for FAO to work on global, regional or even national fisheries issues without strong cooperation and collaboration with RFBs. Therefore, I would like to reaffirm FAO's commitment to work with all RFBs and to encourage their members to strengthen their activities and to implement fully and speedily decisions made by these organizations.

I still remember very well the tense and serious atmosphere during the last session in Recife prior to the CoP 15 of the CITES. While the CITES rejected the proposal of listing Atlantic bluefin tuna on the Appendix I, the stock status remains critical and continuously requires sensible and careful conservation and management measures by ICCAT based on the scientific advice by the SCRS. FAO strongly encourages ICCAT to play an appropriate and decisive role toward sustainable and responsible fisheries for the specie.

Finally I would also like to inform the meeting that the next session of COFI will be held from 31 January to 4 February 2011 and the Third Meeting of the Regional Fishery Body Secretariats Network (RSN) will take place immediately after COFI. Active participation of ICCAT in both meetings as previous sessions would be highly appreciated.

I would like to thank the ICCAT Secretariat again for the invitation to observe this important meeting and I assure you that I will follow the discussions over the coming week with much interest. I wish you a very fruitful and productive meeting.

Convention on International Trade in Endangered Species of Wild Fauna & Flora (CITES)

It is a great pleasure to be with you today at this 17th Special Meeting of the Commission.

This is the first time that a Secretary-General of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, known as CITES, or the Washington Convention, addresses the International Commission for the Conservation of Atlantic Tunas. My intervention follows the active and constructive participation of your Chair, Dr. Fabio Hazin, at the 15th meeting of the Conference of the Parties to CITES, held in Doha in March this year. Dr. Hazin's participation was much appreciated by both the Parties and the Secretariat and I am pleased to be able to make a reciprocal contribution by joining you today.

Most of you will already know that CITES is a legally-binding global agreement with 175 States-Parties, including all ICCAT members except Angola, which is currently in the process of acceding to the Convention, as are several other States. The Convention was adopted in 1973 and entered into force in 1975.

CITES has a mandate to prevent the overexploitation of wild species, including fish and other marine species, through international trade. Being a global legal instrument with close to universal membership enables the law enforcement community in one part of the world to respond to illegal practices - such as illegal, unreported, unregulated or IUU fishing - in another. We work in very close cooperation with Interpol, the World Customs Organization and many other intergovernmental organizations in this respect. In fact I have just returned from the 79th General Assembly of Interpol where a significant resolution was adopted by a unanimous vote on this organization's role in addressing environmental crime.

But CITES should not be perceived as a Convention for banning international trade – it is not. Of the 34,000 species listed under CITES; only 3% are included in its Appendix I, which prohibits international commercial trade in wild-taken specimens. And this prohibition does not, for example, cover trade in specimens produced in aquaculture. The remaining 97% of the species covered by CITES are listed in its Appendices II and III. Trade in these species, including commercial trade, is permitted, but regulated to ensure that it is legal and sustainable. These objectives of legality and sustainability are of course common to ICCAT.

Our records of international trade show that over the last 35 years well over 10 million authorized transactions have occurred under CITES.

It is important to note also that CITES deals not only with terrestrial species. The CITES Appendices have included marine species since the Convention entered into force. Nearly 100 fish and other marine aquatic species, as well as 2,000 coral species, are now covered by CITES. The Convention has brought benefits for their conservation and sustainable use, such as for the queen conch in the Caribbean and northern South America, whose trade represents more than 60 million US dollars every year.

Many different intergovernmental agreements and many actors in both the public and private sectors are involved in the management of natural resources, including fish. The critical issue is the complementarity between different instruments and how well they work together to achieve common objectives, as is appropriate.

CITES has had a Memorandum of Understanding with FAO since 2006 and, at a recent expert meeting on sharks jointly convened by FAO and CITES, it was agreed that harvest-related measures and trade-related measures can and should be used in tandem, where appropriate, to ensure the successful management of fisheries or any other natural resources. The key words are 'complementarity' and 'where appropriate'.

With this in mind, I recall the intervention of the ICCAT Chair at the meeting of the Conference of the Parties to CITES in Doha, earlier this year, when he said that "CITES and ICCAT are not in competition and could benefit from strengthened collaboration". We are in full agreement with these sentiments and I hope that your generous invitation and my attendance here today are seen as very tangible public expressions of our strengthened collaboration.

CITES Parties have been concerned about the conservation and sustainable use of *commercially-exploited* aquatic species for many years, and some of you will recall the discussions about the Atlantic bluefin tuna at our eighth meeting of the Conference of the Parties, in Kyoto, in 1992. Their concern has heightened in recent years and it seems very likely that such concerns will not abate in the years to come.

With respect to the species under your purview, three have been subject to detailed discussions in CITES: the Atlantic bluefin tuna and the Oceanic white tip and porbeagle sharks.

Whatever the precise figures, there seems to be general agreement that the stocks of these species have declined very considerably. The third FAO Expert Advisory Panel for the Assessment of Proposals to Amend Appendices I and II of CITES Concerning Commercially-Exploited Aquatic Species, convened by FAO to review proposals for the March meeting of the Conference of the Parties to CITES in Doha, concluded that their decline had been sufficiently large to warrant inclusion in the CITES Appendices.

There was not, however, the required two-thirds majority of CITES Parties in favour of including these three species under the Convention. And I think it is fair to say that much of the debate was on the role of ICCAT in the conservation and sustainable use of the species, and in particular with respect to Atlantic bluefin tuna.

We are now exploring ways to address various matters that were raised during the debate. A key consideration is how we could improve the listing process to ensure that any potential CITES actions on marine species are better synchronized with those of other actors, such as Regional Fishery Management Organizations.

Concerns regarding overfishing are being addressed in many fora, and at the recently concluded meeting of the Conference of the Parties to the Convention on Biological Diversity in Nagoya, the 193 Parties to that Convention agreed to the following global targets:

> *By 2020, all fish and invertebrate stocks and aquatic plants are managed and harvested sustainably, legally and applying ecosystem-based approaches, so that overfishing is avoided, recovery plans and measures are in place for all depleted species, fisheries have no significant adverse impacts on threatened species and vulnerable ecosystems and the impacts of fisheries on stocks, species and ecosystems are within safe ecological limits*.

and

> *By 2020, the extinction of known threatened species has been prevented and their conservation status, particularly those most in decline, has been improved and sustained.*

These targets were adopted by the Parties to the Convention on Biological Diversity, but were intended to serve as a useful framework, as appropriate, for all stakeholders involved in managing biodiversity and natural resources.

As you see, while CITES and ICCAT have different histories and mandates, we, along with many others, share a common interest in the conservation and sustainable use of the marine species under our respective remits.

The CITES Parties are now looking to ICCAT to provide decisive leadership for the recovery plans for the Atlantic bluefin tuna, as well as more effective management measures for the Oceanic white tip and porbeagle

sharks, based upon sound science and backed up by effective compliance. If, at any stage, trade-related measures were considered helpful in complementing these efforts, CITES, with its record of effective action to conserve and sustainably manage international trade in species covered by the Convention, whether marine or terrestrial, is available to assist, should the Parties so decide.

Finally, please allow me to thank you for giving the CITES Secretariat the opportunity to intervene at your meeting today. I wish you every success and look forward to our harmonious and fruitful cooperation in the future as we work within our respective mandates towards the common objective of the conservation and sustainable use of marine species.

In particular, I look forward to working closely with Dr. Hazin who was elected earlier this year as Chair of the CITES Standing Committee's Working Group on introduction from the sea, one of the four types of international trade covered by CITES. His election further illustrates the strong interest which CITES Parties have in enhancing the complementarity and mutual supportiveness of our two legal instruments.

3.6 OPENING STATEMENTS BY OBSERVERS FROM NON-GOVERNMENTAL ORGANIZATIONS

Asociación de Pesca Responsable, Comercio y Consumo de Atún Rojo (APCCR)

For the *Asociación de Pesca Responsable, Comercio y Consumo de Atún Rojo* (APCCR) (Association for the Responsible Fishing, Trade and Consumption of Bluefin Tuna), it is an honour and a great responsibility this year, to have obtained Observer Status at ICCAT. This Association is formed by operators representing the whole commercial chain, from the fishermen harvesting from the sea to the final consumer.

The work of this Association revolves around educating and informing operators at all levels of the commercial chain about the responsibility and the commitment required to obtain a truly sustainable fishing activity. The commitment by all the operators shall be real with a full understanding of the implications of operating as a sustainable fishery.

We believe that the sustainable use of a fishing resource must not only consider its biological aspect. There is also an economic aspect (the activity must be economically profitable) and a social aspect (the activity must create stable, quality work places and opportunities). The Association understands that it is necessary to devote a lot of effort to achieve and develop sustainable activities, thereby generating employment, seeking to increase the value of the products and simultaneously generating economic activity and social development.

Fishing is a basic pillar in the economy of many coastal areas, and the products of fishing represent a supply of food which is indispensable for humanity.

Our aim is to achieve maximum sustainable yield (MSY) in all stocks.

Our position against the illegal fishing and commercialization is strict, and therefore, we have an inherent interest in any management and control measures which are successfully implemented in a fishery to achieve sustainability. At the same time we understand the benefits of utilizing new technical and technological instruments to enable an efficient control.

In reality, the Association appreciates that to obtain the conservation of fishing resources it is not only necessary to analyze the direct effects of fishing. Many human activities are impacting seriously the marine environment.

The elevated global population development in coastal areas, climate change, the loss of biological biodiversity, eutrophication, damage to natural habitats, pollution by residues, land-based runoff, fuel spills, maritime traffic, etc, also affect the survival of fished species. These are aspects that give concern to APCCR.

We believe that ICCAT should acknowledge and react to these realities and therefore study the effects that they have on the stocks under its protection within the objectives of the ICCAT Convention.

It is the intention of APCCR to collaborate fully with all parties seeking and proposing management measures aimed at achieving the sustainable fishing of any stock and wherever it is found.

During this meeting in Paris we plan to discuss and to propose measures that would represent, after approval by the CPCs, a benefit to the species, without, however, impinging on the economy of the CPCs. We trust that these types of measures are those that all parties are sincerely striving to obtain. Measures aimed at obtaining a sustainable fishing but not having a sufficient scientific base will not be acceptable to our Association as it would imply that ICCAT is not able to fulfill its objectives.

We request that the Commissioners present at ICCAT, and who manage the fishing activities, understand and agree with the recommendations of the scientists of ICCAT. They should also consider the economic and social importance that any fishing activity represents, but do so in a non-political manner and free from the intense media hype and pressure that accompanies ICCAT meetings.

It is our will to collaborate with ICCAT to achieve the common objectives. We are here to contribute knowledge, ideas, information and resources to ensure that ICCAT's objectives are attained. Our commitment is to develop all this activity, with total loyalty to ICCAT, respecting and accepting the recommendations of the Scientists, and ensuring the fulfillment and success of all approved management measures.

We look forward to the start and continuation of a long journey of collaboration within ICCAT, in which we are able to contribute our knowledge and resources to achieve our common objectives of sustainable fishery resources.

Greenpeace

Greenpeace calls on States attending the 17th Special Meeting of ICCAT to respond to years of overfishing and massive fraud in the Mediterranean bluefin tuna fishery and to the depletion of the Western stock by suspending the entire Atlantic bluefin tuna fishery, ensuring consistency with wider commitments to protect marine biodiversity repeatedly made over several years. These include agreements "to rebuild or restore stocks to levels that can produce the maximum sustainable yield no later than 2015" under the 2002 Johannesburg Plan of Implementation or those made at the CBD meeting in Nagoya to end overfishing by 2020 as well as to make significant progress in the creation of a network of marine protected areas. It is completely unacceptable that States make commitments under one Convention and then completely undermine them under another.

Most parties to ICCAT are also parties to CITES. They should not forget that in March this year at the CITES Conference of the Parties they committed to ensuring recovery of Atlantic bluefin. *"Ensuring recovery"* and a *"40% probability of failing"* are obviously not compatible concepts.

State parties to ICCAT must also ensure consistency with their own decisions at ICCAT. ICCAT Recommendation [08-05] asked the SCRS to identify as precisely as possible the spawning grounds of bluefin tuna in the Mediterranean "for the annual meeting of the Commission in 2010 […] in view of the creation of sanctuaries." The SCRS has fulfilled this mandate, now it is the turn of Parties to meet the commitments that they agreed to only two years ago. This is an issue of political will, not of availability of information.

The first two days of the Compliance Committee have shown once again the widespread compliance problems in the bluefin tuna fishery and that the whole purse seining and farming system is plagued with structural traceability shortcomings, starting with the inability of observers to independently assess real catch levels. Greenpeace regrets that only the Delegation of Japan has made the effort of analysing the available observer and inspection reports to identify cases of non compliance while other ICCAT CPCs sit down and watch or actively criticise the Programme. There are more data available to the COC than ever before, but this is useless if countries don't take the time and effort to analyse and use them properly. An additional issue is that there are no consequences to non-compliance, whether in the bluefin tuna or in other fisheries.

The economics of the Mediterranean bluefin tuna fishery are just shocking. While the European Union spent over €4 millions of Euros in 2009 in its fisheries control programme as much as 10,200 tonnes (a conservative estimate) had not found its way into the market at the start of the 2010 fishing season and were still swimming in Mediterranean cages. Taxpayers should be dismayed by these costs and by the amount of tuna still kept in cages while States argue for higher quotas. The majority of this tuna was caught in 2009 and was caged in EU farms. This figure is close to the whole quota for the species in 2010 and yet another example of the structural problems in this fishery.

Therefore Greenpeace calls on all ICCAT Contracting Parties to ensure an effective recovery of the Atlantic bluefin tuna stocks at the 17th Special Meeting of the ICCAT Commission by adopting a recovery plan that:

- takes into account the probabilities table adopted by the ICCAT SCRS at its 2010 annual meeting, adopts a zero TAC in the coming years for the Eastern bluefin tuna stock, to achieve a maximum probability of recovery by 2015.
- takes into account the uncertainties about the status of the Western stock, the likely impacts of the Deep Sea Horizon oil spill, and the need to grant protection to the 2003 year-class, adopts a zero TAC in the coming years for the western bluefin tuna stock.
- permanently closes to fishing the six areas identified by the ICCAT SCRS as primary spawning areas for Atlantic bluefin tuna in the Mediterranean, consistent with paragraph 25 of ICCAT Recommendation [08-05];
- permanently closes to all fishing the bluefin tuna spawning grounds in the Gulf of Mexico.
- agrees on a permanent ban of purse seine bluefin tuna fishing in order to ensure that any future allocations of quota be given to fishermen using artisanal gears.
- consistent with international commitments to fight illegal, unreported and unregulated fishing, parties must ensure that existing provisions to pay back IUU catches contained in ICCAT Recommendation [08-05] are strictly complied with so as not to further undermine the credibility of the Commission.
- ensures the permanent elimination of any future excessive fishing capacity in the fishery.
- ensures full compliance not only with agreed bluefin tuna conservation and management measures but also with data reporting requirements, including updating fishing and trade statistical databases and ensuring cross-check of all the information contained in the bluefin catch document to date.

International Game Fish Association (IGA)

The International Game Fish Association (IGFA) is a non-profit organization that represents recreational anglers throughout the world. IGFA was established in 1939, has active members in 133 countries, is the governing body for international recreational fishing, and provides rules for ethical angling practices. Many of IGFA's members target the highly migratory species managed by ICCAT.

IGFA has an International Committee of Representatives in nearly 100 countries including nearly all ICCAT Contracting Party nations who have been chosen for their integrity, fishing knowledge and concern for sportsmanship and conservation. These international representatives report to IGFA on issues affecting our interests and are a primary way that IGFA participates in the international recreational fishing community.

IGFA wishes to express our appreciation to ICCAT for arranging this 17th Special Meeting of the Commission and our gratitude to the city of Paris, France for hosting. We hope that IGFA, as an observer, will be able to contribute to the management policies of the Commission so that our marine resources are managed in a sustainable manner for all users for years to come.

IGFA's primary interest in this meeting, as it has been since 2006, is the conservation of Atlantic bluefin tuna. Atlantic bluefin tuna are extremely high in demand in the international market and their incredible economic value has led to an exponential rise in their popularity which has yet to plateau over the years, even with the populations dwindling numbers. Lack of sufficient protection led to the recent consideration of listing the species under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). ICCATs own Standing Committee on Research and Statistics (SCRS), along with the Food and Agriculture Organization (FAO), and the International Union for the Conservation of Nature (IUCN) concluded that the percentage of decline of this species is within the limit required for an Appendix I CITES listing. It is imperative that ICCAT take appropriate actions during this meeting, and prove to the world that they can properly protect Atlantic bluefin tuna and allow the stocks to rebuild.

For these reasons the IGFA is supportive of the recommendation for the creation of spawning protection areas for the Atlantic bluefin tuna. Prohibiting the take of fish in specific areas, such as spawning grounds, is an effective fisheries management tool and is regularly used to protect biodiversity, rebuild depleted populations, and protect spawning fish – all crucial goals for both the Atlantic bluefin tuna and the fishermen who depend on these fish for recreation and income. The Atlantic bluefin tuna has only two known spawning grounds, the Gulf of Mexico and the Mediterranean Sea which has six separate spawning grounds identified by the SCRS committee. The fish's well-documented annual return to these regions makes the protection of the spawning areas an urgent priority to conserve the species for future generations of fishermen.

Additionally, it is equally important that the necessary attention be given to billfish, sharks and other tuna species which fall under the management of ICCAT. Specifically, marlin, oceanic white tip sharks, shortfin mako sharks and bigeye tuna all continue to show signs of distress.

Sharks are extremely vulnerable due to their specific life history traits as well as the high demand for their fins in the international shark fin trade. It is estimated that up to 73 million sharks are taken annually, specifically for the shark fin trade, and immediate action is necessary to prevent a collapse of their populations. ICCAT needs to pay particular attention to species such as the scalloped hammerhead, oceanic white tip and the North Atlantic shortfin mako sharks.

Marlin, particularly blue marlin and white marlin, are already overfished and overfishing is continuing in the Atlantic Ocean. These species are a particularly prized catch and release game fish species and contribute immensely to coastal communities economies. Recreational catch and release fishing for these species is a sustainable industry but if protection is not given at the commercial level then the industries that this fishery support will all be negatively affected.

All of the species that fall under the management of ICCAT are vital to a healthy ocean ecosystem. It is distressing that the commercial value of a species today can play a more important role in the management decisions than the overall health of the populations and securing their existence for future generations. A depleted fishery has no future whereas a sustainable fishery will provide greater long-term economic value to all of the ICCAT Contracting Party nations.

International Seafood Sustainability Foundation (ISSF)

The International Seafood Sustainability Foundation (ISSF) is a global partnership among the tuna industry, science and WWF, the global conservation organization. Our mission is to work toward the science-based conservation and management of tuna stocks and the protection of ocean health by supporting regional fisheries management organizations and advocating for the recommendations of each organization's scientific advisory body.

The ISSF would like to thank the International Commission for the Conservation of Atlantic Tunas (ICCAT) for the opportunity to present this position statement supporting decisive action based on the research compiled by the ICCAT Standing Committee on Research and Statistics (SCRS).

Background

According to the updated assessment of Atlantic bigeye tuna completed in 2010 as reported by the SCRS, the stock of bigeye tuna in the Atlantic Ocean is most likely no longer in an overfished states and fishing mortality is slightly below the maximum sustainable yield (MSY) level (current F is about 5% lower than F_{MSY}.

The 2010 SCRS meeting recommended that bigeye catches be limited to 85,000 tonnes, or less, in order to allow the stock biomass to continue to increase and thus provide a buffer to guard against the stock rapidly returning to an overfished state. ISSF is concerned that current fishing capacity in the Atlantic Ocean has recently returned to a higher level (particularly for purse seiners, several of which have moved from the Indian Ocean due to piracy) and could result in future catches exceeding the level recommended by SCRS, thus reversing the essential increase in stock size observed over the past few years.

In addition, Recommendation 04-01 set a total allowable catch for bigeye of 90,000 tonnes which was later amended by Recommendation 09-01 to 85,000 tonnes. Neither one of these Recommendations set hard catch limits for Contracting Parties and Cooperating non-Contracting Parties (CPCs) whose reported 1999 catch was less than 2,100 tonnes. Under the terms of these Recommendations, if these CPCs realized their potential catches, the total annual catch of bigeye tuna would be well in excess of the level recommended by SCRS.

Action needed

The International Seafood Sustainability Foundation supports the ICCAT SCRS recommendation that Atlantic bigeye catches not exceed 85,000 tonnes annually.

To accomplish this, ISSF urges ICCAT to amend Recs. 04-01 and 09-01 in order to ensure that a total allowable catch for the stock of 85,000 tonnes is firmly established and without exemptions. ISSF also supports additional

measures to limit fishing mortality on small bigeye. Such measures should be scientifically-based in a manner that is consistent with the advice from the SCRS.

Other matters

Data uncertainty

Nothing that purse seine species composition data affect the results of stock assessments, particularly for bigeye and skipjack tunas, ISSF welcomes Ghana's Action Plan to Strengthen the Collection of Statistical Data. ISSF participating companies are making detailed cannery tuna receipt data available to ICCAT. ISSF urges other canning companies to do the same, and it also urges flag States and vessel operations to support efforts to improve sampling.

Transshipments at sea

Recommendation 06-11 established a Regional Observers Program that monitors at-sea transshipments by large-scale tuna longline vessels (LSTLVs) and requires most other types of vessels to limit their transshipments to in-port only. ISSF is concerned that, if not properly monitored, at-sea transshipments can create a fertile environment for IUU fishing activities to go undetected. Recommendation 6-11 did not define LSTLVs explicitly, but based on other contemporary ICCAT measures, this probably referred to vessels of at least 24 m in overall length. Subsequently, at its 2009 meeting, ICCAT adopted a measure to lower this size of vessels required to be registered on the ICCAT Record from 24 m to 20 m (Rec. 09-08). Through Recommendation 09-09, ICCAT then amended three other measures to ensure that the change from 24 m to 20 m was also applied uniformly. Unfortunately, this change was not made explicitly to the Transshipment recommendation (Rec. 06-11) and therefore, at-sea transshipments by longline vessels greater than 20 m in length may be legally occurring without proper monitoring. ISSF urges ICCAT to address this loophole and ensure that smaller longliners (20 m and larger) are properly monitored by the Resolution.

Inter-RFMO By-catch Reduction Committee

At the Kobe II By-catch Workshop, it was recommended that each RFMO name a member of its staff to an inter-RFMO by-catch reduction committee to foster collaboration on, consistency of and effectiveness of by-catch best practices among the RFMOs. ISSF supports ICCAT approving this recommendation and making available the resources necessary to participate fully on such a committee.

Mediterranean albacore assessment

The stock of Mediterranean albacore has never been addressed by the SCRS. ISSF urges ICCAT to commit the necessary resources to SCRS to ensure that this stock is assessed in 2011 as the preparatory meeting for this assessment occurred in 2010. ISSF is committed to assist ICCAT financially in this effort, if necessary, by contributing travel expenses for a limited number of scientific experts that may be in need of such funds.

Second Statement by the International Seafood Sustainability Foundation (ISSF)

Each tuna RFMO develops vessel registration requirements and maintains a regional record of such tuna fishing vessels authorized to fish in the Convention Area of that RFMO. The RFMOs require various vessel descriptors for their authorized vessel records, however not all RFMOs require the same descriptors. In addition, even where those descriptors are required to be provided, compliance is frequently inadequate, and even if complied with, the descriptors are not sufficient to provide unique identification for a vessel. And, a vessel may be included on the record of authorized fishing vessels in multiple RFMOs. In an effort to recognize the significance of RFMO authorized vessel lists and to encourage the registration of vessels to obtain a unique vessel identifier that will increase traceability and transparency at a global level, ISSF has passed two measures.

First, effective May 18, 2010, ISSF Participating Companies are not purchasing tuna from vessels that are not registered with the RFMO in the region in which they are fishing if they are of a size subject to listing.

Second, ISSF Participating Companies will support the use of unique vessel identifiers (UVI) in tuna fisheries by refusing to purchase tuna from vessels of a size subject to listing in the RFMO authorized vessel record and capable of being registered by the IHS-Fairplay administered International Maritime Organization numbering

system (IMO), that have not registered with IMO and thus have not received an IMO unique vessel identifier number by May 31, 2011.

It is the intent of ISSF to aid the efforts of the tuna RFMOs to create a harmonized, global, up-to-date vessel register with a unique vessel identifier. And further, that the progress made by the tuna RFMOs will in turn aid the FAO in its important initiative to create a comprehensive unique vessel identifier system to include all fishing vessels over 12m.

Oceana

Participants of the Second Joint Tuna RFMOs Meeting stressed "*the need for tuna RFMOs to operate on the basis of a sound mandate which foresees the implementation of modern concepts of fisheries management, including science-based marine governance, ecosystem-based management, conservation of marine biodiversity and the precautionary approach.*" Joint Tuna RFMO Meeting Report, San Sebastian, 2009.

"*A simple reading of the state of the stocks under ICCAT's purview would suggest that ICCAT has failed in its mandate as a number of these key fish stocks are well below MSY.*" (Report of the Independent Performance Review of ICCAT, 2009).

While ICCAT was established to ensure the conservation of highly migratory species in the Atlantic Ocean, various species have suffered years of neglect by fisheries managers and ICCAT Contracting Parties have not complied with the Convention objectives. Although substantial management measures have been adopted, cases such as the north Atlantic bluefin tuna, which has been called an "international disgrace", and pelagic sharks and Mediterranean swordfish, which have been overexploited but remain unmanaged, undermine the credibility of the Commission.

Relentless overfishing has decimated North Atlantic bluefin tuna in both the eastern and western stocks. Despite clear scientific warnings, ICCAT Contracting Parties have repeatedly failed to restore and properly manage these stocks. Moreover, highly migratory sharks, many of which have high levels of risk of overfishing, are caught in ICCAT fisheries both as targeted and incidental catch, but have yet to be managed as required by the United Nations Convention on the Law of the Sea.

ICCAT is facing a crucial moment as its performance is being watched by the world. In recent years, we have seen management proposals weakened and volleyed back and forth between international institutions. Earlier this year bluefin tuna and eight species of sharks were denied protection by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), most over political reasons rather than biological ones. Over the course of the CITES meeting, delegates from numerous countries called on ICCAT to improve management of highly migratory species. The decision taken by CITES not to include bluefin tuna in its Appendix I and various sharks in its Appendix II accentuates the responsibility and urgency for ICCAT to properly manage these species in the Atlantic Ocean.

Thus this meeting of the Commission is pivotal. It offers an opportunity to end over exploitation and illegal fishing, establish science based and precautionary catch limits, and protect the species most at-risk through measures prohibiting retention or protecting spawning grounds. This meeting is an opportunity for Contracting Parties to show that ICCAT is still relevant and is willing and able to manage highly migratory species in the Atlantic Ocean and Mediterranean Sea.

This meeting will not only determine the future of endangered species, which are important to maintaining healthy oceans and fall under ICCAT responsibilities, but also of the future of ICCAT itself.

Oceana calls on the ICCAT Contracting Parties to reverse historical trends and immediately move towards precautionary fisheries management, respecting both the Convention's objectives and the new course of actions committed to in various forums. We strongly urge ICCAT Contracting Parties to adopt the following measures:

Atlantic bluefin tuna

For the eastern stock:

1) Close industrial purse seine fishing until the bluefin tuna stock recovers and full compliance with management recommendations can be ensured.

2) All Mediterranean spawning grounds should be protected as no-take zones for bluefin tuna, along with adoption of a catch level (TAC) that ensures recovery of this species in accordance with scientific advice and existing international commitments

For the western stock:

1) Suspend the bluefin tuna fishery until management establishes science-based catch levels to recover the stock and protect spawning grounds in the Gulf of Mexico.

Pelagic sharks

1) Prohibit retention of endangered and vulnerable shark species, including oceanic whitetip, hammerhead, and common thresher sharks.
2) Establish science-based and precautionary catch limits for other commonly caught species in ICCAT fisheries, starting with shortfin mako and blue sharks.
3) Improve the ICCAT finning ban by requiring that sharks be landed with their naturally fins attached.

Mediterranean swordfish

1) Adopt a sustainable management plan intended to recover the stock to MSY including, amongst other things, the following measures:

    - A Mediterranean catch limit in accordance with scientific advice
    - By-catch mitigation measures to prevent the capture of juvenile fish and endangered species
    - Fleet capacity reduction plans
    - Deterrent measures for those Mediterranean states that continue to harbour illegal driftnets.

Sea turtles

1) Require collection and submission of data on sea turtle interactions in ICCAT fisheries.
2) Mandate carrying of sea turtle dehooking gear and the removal of fishing gear from hooked or entangled sea turtles to increase survival rates.
3) Adopt fishing techniques that reduce harm to sea turtles including use of circle hooks with whole fish bait in longline fisheries and prohibitions on encircling sea turtles with purse seines.

Pew Environment Group

The Pew Environment Group thanks delegates to this meeting of the International Commission for the Conservation of Atlantic Tunas for allowing us the opportunity to discuss ways to improve the conservation status of Atlantic tunas and sharks, and to combat IUU fishing. This year, ICCAT Contracting Parties and Cooperating Non-Contracting Parties ((CPs) have an opportunity to rise above past management failures by adopting robust measures that ensure the recovery of Atlantic bluefin tuna, protect threatened shark species, and eliminate Illegal, Unreported, and Unregulated (IUU) fishing.

We respectfully call your attention to our policy brief, "Finding Sustainability: Recommendations to the International Commission for the Conservation of Atlantic Tunas", which has been circulated by the Secretariat as Document PLE-114. It has been circulated officially in English only, and is now available in Spanish and French as well. We are pleased to provide copies of that document, our detailed reports on IUU fishing and Port State measures, and other materials, on a table just outside the meeting room. We will not repeat information in our policy brief in this opening statement, but rather provide updated information.

The Pew Environment Group calls on ICCAT to take the necessary steps to bring about sustainable high seas fisheries by strengthening the current high seas governance system, taking clear action to secure the sustainability of Atlantic tunas and sharks, and improving ICCAT performance and accountability.

Seminar on the future of Atlantic bluefin tuna: Report available

A seminar entitled "What is the Future of Bluefin Tuna? Perspectives before ICCAT" was held on the evening of November 16, 2010 at the Oceanographic Institute, in Paris. This seminar convened on the eve of the 17th Special Meeting of ICCAT was an initiative of the Pew Environment Group and the Institute for Sustainable Development and International Relation (IDDRI-Sciences Po) and hosted by the Oceanographic Institute. It considered three key topics: the future of bluefin tuna; two different views on the Convention on International

Trade in Endangered Species of Wild Fauna and Flora (CITES); and perspectives before ICCAT. The seminar included presentations by expert panelists followed by an interactive audience discussion and a reception. The report of the seminar was produced by IISD Reporting Services, and is available in English, French and Spanish at http://www.iisd.ca/ymb/tuna/sfbt/, and is attached to this Opening Statement.

We recommend that ICCAT take the actions listed below:

Conserve tuna stocks

- Suspend the fishery for Atlantic bluefin tuna until strong management and enforcement measures are in place, and the species shows signs of recovery.
- Create permanent Atlantic bluefin tuna sanctuaries in their spawning grounds in the Mediterranean Sea and the Gulf of Mexico.
- Implement precautionary quotas for bigeye and yellowfin tuna.
- Drastically improve compliance, in particular data reporting.
- Implement sound management regimes based on the best available science for all species of tuna within the ICCAT Convention area.

A major concern is what ICCAT Contracting Parties (CPCs) will do to follow up on the promises made at CITES. At a minimum, we expect agreement on strong measures that will rebuild stocks of Atlantic bluefin tuna within agreed upon rebuilding timelines. Both the eastern and western stocks assessments are surrounded by a cloud of uncertainty, due in part to negligent data reporting, unfounded optimism in certain recruitment scenarios, and fraud.

Western Atlantic bluefin tuna

This year, as in previous years, the SCRS found that even with zero catch of western bluefin, there is a real possibility that the stock will not rebuild by 2019. In the other scenario, the stock of this IUCN "critically endangered" population is classified by the SCRS as recovered and healthy ($B>B_{MSY}$ and $F<F_{MSY}$), when, in fact, it crashed 30 years ago and has not rebuilt. The stock clearly qualified for CITES Appendix I in March 2010, and this listing was supported by several ICCAT CPCs. ICCAT parties that agree that the stock is "healthy" effectively ignore science and history while undermining the ability of the stock to rebuild to a level that would support a larger fishery in the future. Another reason to exercise precaution in the western Atlantic occurred on April 20, 2010. The Deepwater Horizon oil spill in the Gulf of Mexico occurred just as mature bluefin tuna were entering the Gulf of Mexico – the only known spawning ground for this population – to reproduce. The effects of the hundreds of barrels of oil in combination with a large volume of dispersants on the spawning fish and their eggs and larvae are currently unknown, but provide reason for legitimate concern. The only reasonable action for ICCAT Parties is to suspend this fishery until rebuilding is clearly underway in line with a realistic rebuilding timeline and the consequences of the Deepwater Horizon oil spill disaster are more fully understood.

Eastern Atlantic bluefin tuna

In the eastern Atlantic, the case is very different. There is little to no traceability and enforcement, with significant fraud in the purse seine and farming industry, as revealed by a presentation from the Japanese delegation to the Compliance Committee, and supported by a report by the International Consortium of Investigative Journalism which was featured on the BBC World Service on November 6, 2010. Catch limits for this IUCN "endangered" population are regularly and willfully exceeded, further endangering this stock, and the ecosystems and livelihoods that depend on them.

For both the eastern Atlantic bluefin tuna and western Atlantic bluefin tuna, the Pew Environment Group calls on ICCAT to suspend these fisheries until countries fishing for bluefin adopt precautionary TACs, clamp down on illegal and unreported fishing, and there is full compliance with ICCAT reporting requirements. Only then will this severely depleted species have the chance to recover on both sides of the Atlantic.

Spawning grounds

Spawning ground sanctuaries are effective fisheries management tools that are commonly implemented to recover depleted fish stocks, protect crucial genetic and biological diversity, and restore population structure

(e.g., age and sex distribution). We encourage ICCAT CPCs to create such sanctuaries, as recommended by the IUCN World Conservation Congress (Resolution 4.028) and the ICCAT Independent Review in 2008. As required by ICCAT Rec. 08-05, the SCRS has preliminarily identified six spawning areas in the Mediterranean. As suggested in the Recommendation, these areas should be immediately protected as a precautionary measure, and more detailed spawning areas could be identified and protected as evidence is evaluated by the SCRS.

In the western Atlantic, directed fishing is already prohibited in the Gulf of Mexico, but hundreds of mature bluefin tuna – the very fish needed to rebuild the stock – are caught as bycatch by the surface longline fleet every year. This is a significant loophole which further inhibits the ability of this IUCN "critically endangered" population to rebuild, and must be corrected.

Public support

Overwhelming public support for the creation of transatlantic bluefin tuna sanctuaries spans the globe. In representative surveys in France and Spain, over 90 percent of respondents support the creation of bluefin tuna spawning ground sanctuaries in the Gulf of Mexico and the Mediterranean. In the United States, over 86,000 letters have been sent to the government, asking the Administration to push for the creation of spawning ground sanctuaries for bluefin tuna at ICCAT this year. Additionally, leaders of recreational fishing groups in Japan, France, Mexico, Spain, Italy, Portugal, Egypt, and Croatia have all called for these same protections to protect one of the world's greatest game fish. ICCAT Parties should listen to these stakeholders, and create these sanctuaries as an insurance policy against further declines. By listening to the world's citizens and implementing these measures, ICCAT can become a steward of this valuable species, instead of sitting idly by while bluefin tuna populations continue to collapse.

Implement port State measures (PSMs) to combat IUU fishing

Research conducted by the Pew Environment Group indicates that activities of IUU-listed vessels in the ICCAT convention area largely go unnoticed and "in the dark". It also shows that a number of the IUU vessels that can be tracked enter CPC ports in contravention of ICCAT measures. In addition, preliminary findings from another study comparing Port State Measures (PSMs) with those of the UN FAO Port State Measures Agreement, which represents the current international minimum standard on the matter, indicate that ICCAT PSMs are distant from such international minimum standards. In this regard, we recommend that ICCAT:

- Take steps at this meeting to strengthen its PSMs so that they can become an effective tool against IUU fishing.
- Urge ICCAT CPCs to sign and ratify the Port State Measures Agreement as soon as possible.
- Improve the quality of ICCAT's IUU vessel list to ensure that IUU-listed vessels can be tracked and their beneficial owners effectively sanctioned.
- Improve mechanisms to control compliance by CPCs with those PSMs that are already in force.

Conserve sharks

As migratory species crossing country boundaries, sharks require management at the international level to reduce bycatch and limit targeted catch, particularly at the RFMO level, such as through ICCAT. In conjunction with target fisheries, bycatch continues to pose a serious threat to the continued survival of sharks. ICCAT was the first RFMO to ban shark finning, mandate shark catch data reporting and convene international shark stock assessments. More than half of the shark species taken in high-seas fisheries are classified as Endangered, Vulnerable or Near Threatened by IUCN. Their low reproductive rates make them particularly susceptible to overfishing, especially in the face of increased demand for shark products during the last decade.

Earlier this year a number of shark species caught within the ICCAT Convention area were proposed for a CITES Appendix II listing that would have regulated sustainable international trade of the species. However, the proposals were not adopted, with some countries arguing that sharks should be regulated through the RFMOs. This meeting of ICCAT provides an important opportunity to improve the outlook for Atlantic sharks through concrete actions to limit their over-exploitation. With more than a dozen species of sharks commonly targeted or taken as wanted bycatch in ICCAT fisheries, strong, precautionary management measures urgently need to be agreed and implemented and when available, the advice of the SCRS should be followed. We strongly urge ICCAT to agree to:

- A prohibition on the removal of shark fins at sea in order to improve enforcement of the shark finning ban and facilitate collection of species-specific catch data on sharks.
- A prohibition on the retention of oceanic whitetip sharks, porbeagle sharks, as well as hammerhead and thresher sharks from the Sphyrnidae and Alopiidae families.
- Put in place concrete, precautionary catch limits that would significantly reduce fishing pressure to stop overfishing of North Atlantic shortfin mako sharks.

Robin des Bois

This is the first time that Robin des Bois is participating as an observer in the ICCAT discussions. We would like to thank the Secretariat of this Regional Fisheries Management Organization and its Contracting Parties for their current efforts to conserve tunas from an irreversible decline.

All the tuna species deserve equal, equitable and effective consideration and all the professional fishers deserve to carry out their work and their extensive competence in the social, moral and safety conditions consistent with all the international maritime conventions.

To achieve these two objectives, the Gulf of Guinea coastal countries and neighboring countries should strive to develop active administrative, logistic and educational cooperation among themselves. This also applies for the future of the three major commercial species (yellowfin, skipjack and bigeye tunas) if the uncertainties, information and concerns of the Standing Committee on Research and Statistics and the Contracting Parties are taken seriously, as they should be. The alarm has been sounded. All the ICCAT Parties should therefore intensify their vigilance on this matter. Regarding the vital plan of maritime safety, Robin des Bois hopes that the active fishing States in the Gulf of Guinea and generally all along the African coasts and elsewhere utilize, directly or indirectly, the vessels and equipment in accordance with all the provisions required by the IMO (International Maritime Organization) and the International Law of the Sea.

With regard to bluefin tuna in the West Atlantic, East Atlantic and adjacent seas, it is strongly hoped, and based on experience, that the possible effects of night sets on the larval stage of fish are taken into consideration when granting fishing permits and quotas. For the Mediterranean, we also refer to the negative impacts on the marine environment of the soot, smoke and pollutants emitted by the forest fires.

Concerning the health plan, taking into account the fact that the tunas placed in marine enclosures for several months and even years* are exclusively fed by fatty fish such as herring, mackerel and sardines, this also constitutes a substantial change in the natural feeding regime of bluefin tuna. Robin des Bois hopes that the European Union carries out sampling for PCB (PolyChloro Biphenyl) in tunas caught in Malta, Greece and Spain. These persistent pollutants are concentrated in the lipids and as such are always present in European waters of the Atlantic and Mediterranean coast.

Lastly, noting the lack of willingness, and sometimes indifference, and the difficulties concerning the Contracting Parties´ transmittal of the required information, Robin des Bois pointed out the usefulness, when considered necessary, to resort to the competence of CITES, while understanding that the priority would be to maintain ICCAT´s scientific advice, and that CITES, with its means of monitoring and research would contribute to reducing and renouncing on the world market the provision of bluefin tuna from illegal fishing. Given the current state of the resource and the conditions of implementing the ICCAT recommendations and resolutions, it is clear that bluefin tuna in the West Atlantic and East Atlantic merit being listed in Annex II and not in Annex I. It should also be recalled that bluefin tuna is considered by Oslo and Paris Conventions for the Protection of the Marine Environment of the Northeast Atlantic (OSPAR) to be an endangered species and in decline.

World Wide Fund for Nature (WWF)

For over the last 10 years, WWF has actively participated as an observer to virtually all ICCAT meetings relevant to the conservation of the Atlantic bluefin tuna. WWF's attitude has always been proactive, supporting the Commission with proposals and technical studies in order to improve the performance of this important RFMO. After one decade of strenuous efforts, we find ourselves being forced to focus, again in 2010, on the deplorable status of the Atlantic bluefin tuna fishery in the Mediterranean Sea.

It was a long time ago that WWF concluded that the system composed of industrial purse seine fishing and fattening farms was a broken system when it comes to ensure control and traceability of catches. Back in 2002

we were the first to warn the international community of the tremendous risk posed by the uncontrolled expansion of farming activities on the status of the already overexploited bluefin tuna population. It was to no avail. Consequently, as ICCAT repeatedly failed to adopt the right decisions, WWF strongly supported last March in Doha, Qatar, a total ban on the international trade of the species.

While the bluefin tuna trade ban proposal was defeated on political grounds, in Doha the most prominent parties dealing with the harvesting and consumption of Atlantic bluefin tuna committed publicly to do all that was needed this year at ICCAT to recover the species, and to start a new sustainable era in the management of this ancient fishery. For this reason, we join with international public opinion in raising our high expectations in the honouring by Japan, the European Union, the Unites States of America, Canada and Norway of their "Doha Commitments".

The scientific committee of ICCAT (SCRS) this year stressed the high uncertainty in their stock estimations due to the bad quality of data available – and recommended ICCAT Contracting Parties to be particularly precautionary when setting new quotas for the coming years. Additionally, the SCRS also identified for the first time the six spawning areas present in the Mediterranean, as requested by ICCAT in 2008 in order to allow for the establishment of sanctuaries.

The necessary precautionary reading of the scientific advice provided this year by ICCAT SCRS must be done while accounting for the international legal commitments set by the World Summit on Sustainable Development (WSSD) of Johannesburg, the Convention on Biological Diversity (CBD) held in Nagoya in 2010, and the EU Marine Strategy Framework Directive. Consistency with this international framework implies adopting this year a recovery plan for the East Atlantic stock of the bluefin tuna that ensures recovery of the stock with high probability by not later than 2015-2020.

In keeping with the above considerations, WWF calls on ICCAT Contracting Parties to support an annual TAC for the East Atlantic bluefin tuna stock within the range of 0 to 6,000 tonnes, as well as the complete ban on any fishing activities targeting the species in the six Mediterranean spawning grounds identified by SCRS this year.

Additionally, as has been clearly pointed out in discussions this year of the ICCAT Committee on Compliance, data from ICCAT's observer and inspection programmes point to grave traceability shortcomings in the fishery – a conclusion that is further compounded by any careful analysis of the Bluefin Tuna Catch Document database. This widespread lack of compliance results from insurmountable structural problems, exacerbated by broad violation of rules – including the use of unrealistic, highly inflated growth rates in farms. We are speaking of the 2010 fishery.

This fully confirms WWF's longstanding analysis that the situation is out of control – and that problems in the purse seine and farming system are structural and impossible to fix using reasonable means. In short, this system is entirely untraceable.

For this reason WWF additionally asks ICCAT Contracting Parties meeting in Paris to adopt the emergency measure of immediately suspending the purse seine fishery and related farming activities in the Mediterranean from 2011.

ICCAT Contracting Parties now have in their hands the possibility to show the world ICCAT is indeed able to tackle the difficult task of achieving a sustainable and compliant fishery for Atlantic bluefin tuna in the East Atlantic and Mediterranean.

A new failure by ICCAT in 2010 would only confirm that the approach undertaken earlier this year in Doha was indeed the only possible option left to save Atlantic bluefin stocks from collapse – and would certainly encourage many to renew steps down this path in the near future.

3.7 CLOSING STATEMENTS

Food and Agriculture Organization of the United Nations (FAO)

FAO has been consulted by the Global Environmental Facility, or GEF, on their plans to devote significant resources to projects to improve fisheries and biodiversity on the high seas, or "areas beyond national jurisdictions". To this end, last week GEF organized a meeting of relevant agencies and organizations to discuss the development of a programme on areas beyond national jurisdiction. FAO co-chaired the meeting at the

invitation of GEF. This initiative can only be successful with support and involvement by organizations like ICCAT and FAO sees it as an excellent opportunity for tuna Regional Fisheries Management Organizations such as ICCAT to engage with GEF and other partners as a means to improve progress towards the globally agreed goals on sustainable development and biodiversity conservation. FAO would therefore welcome any interest and potential involvement in future by ICCAT.

Proposals for GEF funding will be elaborated throughout 2011, and we hope that FAO will be playing a coordinating role world-wide when it comes to areas beyond national jurisdiction, including tuna fisheries, in close cooperation with the RFMOs, other UN agencies, NGOs and the tuna industry. If you agree, the FAO will keep ICCAT informed of these efforts through the Secretariat.

Thank you very much for giving me the opportunity of the intervention.

ANNEX 4

REPORTS OF INTER-SESSIONAL MEETINGS

4.1 REPORT OF THE 6TH MEETING OF THE WORKING GROUP ON INTEGRATED MONITORING MEASURES (Madrid, Spain - February 22-23, 2010)

1. Opening of the meeting

Dr. Fabio Hazin, ICCAT Commission Chairman, opened the meeting and welcomed all Parties to Madrid.

2. Election of Chair

Dr. Rebecca Lent (United States) was elected to Chair the 6th Working Group on Integrated Monitoring Measures.

3. Appointment of Rapporteur

Ms. Nicole Ricci (United States) was appointed Rapporteur.

4. Adoption of Agenda and meeting arrangements

The EU submitted two documents for discussion during the meeting: "Draft Recommendation by ICCAT on a Tuna and Tuna-like Species Catch Documentation Program" and the "Draft Recommendation by ICCAT on an Electronic Catch Document Pilot Program". The Chair suggested discussing these documents under Agenda item 8. "Necessary preparatory actions for the implementation of Kobe II Course of Actions". The Agenda was adopted and is attached as **Appendix 1 to ANNEX 4.1**. The List of Participants is attached as **Appendix 2 to ANNEX 4.1**.

5. Consideration and development of Port State Measures

The EU presented a document entitled "Draft Recommendation by ICCAT on Port State Measures to Prevent, Deter, and Eliminate Illegal, Unreported, and Unregulated Fishing", on port state measures, which is based on the FAO Technical Consultation to Draft Legally-Binding Instrument on Port State Measures to Prevent, Deter, and Eliminate Illegal, Unreported and Unregulated Fishing.

Contracting Parties agreed that port State measures were one of the most effective ways to combat illegal, unreported, and unregulated (IUU) activities. Several Contracting Parties articulated the view that the FAO Port State Measures constitute the minimum standards and therefore ICCAT should not adopt lesser standards but attempt to further elaborate the measures to include ICCAT operational needs. Although similar to the FAO Agreement, the EU proposal contains some differences and some delegations therefore expressed reservations as they would require more time for thorough review.

The EU presented its proposal by conveying the areas where the document suggested further elaboration to the FAO Agreement. The EU stated that although the FAO document delivers minimum standards, the operational port State provisions for ICCAT should not vary that much from the FAO model.

The EU proposal would give the ICCAT Secretariat a centralized role in the implementation of the system, by posting on the ICCAT website some key elements such as competent authorities in the CPCs, designated ports, pre-notification delays, denials of entry or use of the port and results of inspections. CPCs and ICCAT would be allowed to adopt more stringent measures.

In addition, the proposal specifies that vessels must give advance notification of 72 hours prior to arrival in port, while also allowing flexibility for the port State to decide on a different time period in certain circumstances. Vessels must receive formal authorization by the port State before commencing to use the port facilities, to give time to the port States to verify the information provided by the vessels. Port States are also required to inspect at least 5% of landings and transshipments that occur in the CPC's port during the reporting year.

The Working Group reviewed the document and made sufficient progress in reaching agreement on most of the text; however, some brackets remain. Notably, Japan stated a general reservation on the document as they have not yet signed the FAO Agreement on Port State Measures and therefore there are fundamental aspects within the text of the proposal to which they cannot yet agree. In particular, Japan expressed concern about the complexity of implementing port State measures for vessels other than fishing vessels because of the number of domestic agencies that would be involved.

The U.S delegation supported the proposal in general but noted that there could be additional improvements to streamline the text and integrate the scheme with existing ICCAT measures and programs.

The Working Group agreed to submit the "Draft Recommendation by ICCAT on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing" attached as **Appendix 3 to ANNEX 4.1** to the PWG for consideration of adoption at the annual meeting in Paris, France, in November, 2010.

6. Issues relating to Observer Programs for scientific purposes

- Minimum standards for fishing vessel observer Programs
- Monitoring responsibilities of the observers in case of an infringement

The United States submitted the document "Draft Recommendation by ICCAT to Establish Minimum Standards for Fishing Vessel Scientific Observer Programs". A version of this document was first introduced by the United States during the Compliance Committee meeting at the annual meeting in Recife, Brazil in 2009. Those documents were referred by the Compliance Committee to the PWG for discussion. Following discussion of the U.S. proposal in the PWG, the United States indicated it would incorporate the comments made by the CPCs into a revised document and submit the revision to this Working Group. The U.S. proposal is the revised proposal that incorporates those comments.

The proposal sets minimum standards for national scientific observer programs which are different from the ICCAT regional programs. The document includes guidance for collecting and recording data and training of observers, and would require CPCs to provide these data as well as information on the CPC's domestic observer program to the SCRS. The SCRS would review the observer data and the observer program structure in order to provide recommendations at the 2012 meeting on such programs. Some delegations noted that the general concern regarding the lack of by-catch data in ICCAT fisheries could be addressed through the observer program proposed in this document.

Brazil welcomed the proposal and emphasized the enormous importance of acquiring biological samples for aging and reproductive studies, and noted that having observers onboard is therefore critical for scientific research on those species. Given the importance of the kind of data observers could provide, including vital information for target and by-catch species, ICCAT should already have such programs in place. In addition, establishment of such programs is a crucial step in moving towards an ecosystem approach and hence discussion of how these programs could inform ICCAT data needs should be included in the Kobe II meetings on scientific data and by-catch.

The United States clarified that the recommendation is specific to scientific observers. Nevertheless, information gathered could be used by CPCs to review and monitor compliance with management measures, such as data collection requirements and quota monitoring.

The 2009 SCRS Report contains general recommendations for this type of program to complement the logbook data collection and address by-catch needs. Last year the Secretariat provided a data confidentiality agreement approved by SCRS and sent the agreement to the Commission which was subsequently passed to the Future Group (FWG) on the Future of ICCAT for discussion. Therefore, this proposal should be considered in conjunction with the agreement on data confidentiality.

Participants discussed the text line by line and reached agreement on almost the entire document. However, one item regarding how to address vessels that cannot safely carry on-board observers in the document remains in brackets. The Working Group agreed to submit the "Draft Recommendation by ICCAT to Establish Minimum Standards for Fishing Vessel Scientific Observer Programs to the PWG for consideration of adoption at the annual meeting in Paris, France, in November 2010. This proposal is appended to this report as **Appendix 4 to ANNEX 4.1**.

7. Boarding and Inspection Scheme

Canada submitted a proposal in 2008 on a Boarding and Inspection (BI) scheme which was included in the 2008 meeting report as Appendix 6. Although Canada encourages the Group to consider this proposal, Canada recognizes that a focus on Port State Measures (PSM) is more important at this time. In addition, the review of United Nations Fish Stocks Agreement is scheduled for the spring of 2010 and the outcome of the review could further inform this discussion on BI. Canada requested that participants submit comments on the 2008 proposal to Canada in advance of the annual meeting. Other CPCs stated that BI is an important issue but agreed with the suggestion made by Canada in terms of prioritizing time and the focus of this meeting on PSM. The United States stated that the current BI scheme adopted by ICCAT is outdated in comparison to other RFMOs and should be updated accordingly. The United States suggested this topic be considered at the annual meeting in November 2010. Brazil agreed in principle that a BI scheme is a useful management tool for compliance but that such a scheme should be structured in a way that each CPC will have the same capacity to inspect another CPC's vessel.

8. Necessary preparatory actions for the implementation of Kobe II course of actions

The Chair invited the EU to introduce the "Draft Recommendation by ICCAT on a Tuna and Tuna-like Species Catch Documentation Program" and the "Draft Recommendation by ICCAT on an Electronic Catch Document Pilot Program" (see **Appendix 6 to ANNEX 4.1**) and requested that the two documents be considered together. The EU stated the impetus behind these documents was the fact that it is crucial for market States to exercise their responsibilities in the fight against trade of products resulting from IUU fishing activities. In this regard, the EU emphasized the need to enlarge the scope of catch documentation programs to other species than bluefin tuna, bigeye tuna or swordfish.

Brazil noted they would like to have the existing ICCAT statistical documents for swordfish and bigeye tuna to be provisionally accepted by EU authorities as the required EU catch certificates, pending ICCAT consideration and adoption of catch documentation schemes for these products. This would eliminate the burden of exporters having to submit two documents in order for product to enter the EU market.

The United States requested more time to review the proposal in detail as the document establishes a very broad scope in terms of the species covered. This might make the process of negotiating an agreement more complicated as ICCAT has already established such documents for bigeye tuna and swordfish and a lack of experience with the other species included in the EU document. In addition, the United States noted there will be a Kobe II workshop which will discuss, in particular, the establishment of a CDS for bigeye tuna that would be consistent across all tuna RFMOs. Since four out of the five tuna RFMOs fish for and trade in bigeye tuna, it is imperative that the RFMOs collectively avoid the creation of four different documents for that species. The United States also stated it does not believe there is a need for this proposal as the existing measure by ICCAT on an Electronic Statistical Document Pilot Program [Rec. 06-16] already allows for electronic CDS.

The EU clarified that the statistical documents adopted by RFMOs are not recognized as being equivalent to the catch certificate required by the EU under their IUU regulations, so there is currently a double reporting system for swordfish and bigeye tuna. The EU proposal would eliminate this double reporting by adopting an ICCAT CDS that would also serve as the EU catch certificate. The EU would like to see a harmonization of CDS across all RFMOs. The EU confirmed the need to replace Recommendation 06-16 on an electronic statistical document program in case of adoption by ICCAT of a new catch documentation program for tuna and tuna-like species.

Japan confirmed that per the outcome of the San Sebastian meeting (Kobe II), a discussion on improvement of the CDS and a harmonized statistical document system for bigeye tuna is planned for the upcoming Kobe II workshop in Japan. Japan welcomed the document and agreed it is time to expand the CDS to other species of tuna, but there is a need for more technical development as there are two fundamental issues in applying this

regulation to trade. The first issue is fresh fish. Such fish must use some tagging requirement for all fresh fish. For example, all fresh bluefin tuna product must be tagged. There is a need to monitor such trade but monitoring could delay trade and hence cause deterioration of the fresh product. The second major issue is how to address purse seine products, which are frozen at sea in blocks. This process makes sorting by species not possible until the time of delivery to the cannery. Therefore, the total catch amount required to be recorded on the CDS and species composition must be completed by the canneries and factories.

Canada noted that the EU proposal does not address domestic trade. Canada further noted a major component missing in this document is the ability for the CPC to authorize an institution or organization other than the government institution to validate the documents. To address this concern, Canada suggested the inclusion of the following language throughout the document where needed to address this issue: "The government official must be employed by a competent authority of the CPC government or other individual or institution authorized by the CPC".

Brazil requested that Part I paragraph 2.a) be bracketed and that all of Part II be bracketed (see **Appendix 5 to ANNEX 4.1**. The proposal was referred to the Commission for consideration.

The Secretariat provided an update regarding the Kobe II course of actions. A workshop focused on the harmonization of tuna monitoring measures and documents on bigeye tuna is planned for June 3-5, 2010, in Barcelona, Spain, which will be accompanied by a workshop on science to be organized by EU (May 31- June 2, 2010). The Terms of Reference of the workshop are to standardize and harmonize operational systems for bigeye tuna catch and statistical documents including endorsement of best practices.

9. Recommendations to the Commission on actions required

- General Outline of Integrated Monitoring Measures Adopted by ICCAT [Ref. 02-31]

The Working Group referred four proposals to the Commission for consideration:

- Draft Recommendation by ICCAT on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (see **Appendix 3 to ANNEX 4.1**)
- Draft Recommendation by ICCAT to Establish Minimum Standards for Fishing Vessel Scientific Observer Programs (see **Appendix 4 to ANNEX 4.1**)
- Draft Recommendation by ICCAT on a Tuna and Tuna-like Species Catch Documentation Program (see **Appendix 5 to ANNEX 4.1**)
- Draft Recommendation by ICCAT on an Electronic Catch Document Pilot Program (see **Appendix 6 to ANNEX 4.1**).

10. Other matters

No other matters were discussed.

11. Adoption of the Report

The report was adopted by correspondence.

12. Adjournment

The Chair thanked all those present including the Secretariat, the Rapporteur, and the Interpreters for their work.

The 6th Meeting of the Working Group on Integrated Monitoring Measures was adjourned on Wednesday, February 24, 2010 at 10:00 am.

Appendix 1 to ANNEX 4.1

Agenda

1. Opening of the meeting
2. Election of Chair
3. Appointment of Rapporteur
4. Adoption of Agenda and meeting arrangements
5. Consideration and development of Port State Measures
6. Issues relating to Observer Programs for scientific purposes
   - Minimum standards for fishing vessel observer Programs
   - Monitoring responsibilities of the observers in case of an infringement
7. Boarding and Inspection Scheme
8. Necessary preparatory actions for the implementation of Kobe II course of actions
9. Recommendations to the Commission on actions required
10. Other matters
11. Adoption of the Report
12. Adjournment

Appendix 2 to ANNEX 4.1

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Appendix 3 to ANNEX 4.1

Draft Recommendation by ICCAT on Port State Measures to Prevent, Deter And Eliminate Illegal, Unreported and Unregulated Fishing

CONSCIOUS of the role of the International Commission for the Conservation of Atlantic Tuna (ICCAT) in the adoption of effective measures to promote the sustainable use and the long-term conservation of living marine resources under its competence,

[*RECALLING* the 2009 FAO Agreement on Port State Measures to Combat Illegal, Unreported and Unregulated (IUU) Fishing endorsed by the FAO Committee on Fisheries,]

RECOGNISING that port State measures provide a powerful and cost-effective means of preventing, deterring and eliminating illegal, unreported and unregulated fishing,

[*RECOGNIZING* that measures to combat illegal, unreported and unregulated fishing should build on the primary responsibility of flag States and use all available jurisdiction in accordance with international law, including port State measures, coastal State measures, market related measures and measures to ensure that nationals do not support or engage in illegal, unreported and unregulated fishing],

AWARE OF the need for increasing coordination at the regional and interregional levels to combat illegal, unreported and unregulated fishing through port State measures,

RECOGNISING the need for assistance to developing countries to adopt and implement effective port State measures,

NOTING the Plan of Action adopted in Kobe in January 2007 by the Joint Tuna RFMOs Meeting;

TAKING INTO ACCOUNT the *Recommendation by ICCAT Establishing a Programme for Transhipment* [Rec. 06-11] and the *Recommendation by ICCAT for a Revised ICCAT Port Inspection Scheme* [Rec. 97-10];

CONCERNED by the fact that IUU fishing activities in the ICCAT Convention area undermine the effectiveness of the ICCAT conservation and management measures,

BEARING in mind that, in the exercise of their sovereignty over ports located in their territory, States may adopt more stringent measures, in accordance with international law.

DESIRING to adopt strong, effective and transparent [minimum] port State measures to enhance compliance with ICCAT conservation measures and to combat IUU fishing and fishing related activities, and the need to develop and to implement such measures in a fair, transparent and non-discriminatory manner consistent with international law;

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

GENERAL PROVISIONS

1. Use of terms

For the purposes of this Recommendation:

a) "fish" means all species of living marine resources whether processed or not that are under the competence of ICCAT;

b) "fishing" means searching for, attracting, locating, catching, caging**,** taking or harvesting fish, or any activity which can reasonably be expected to result in the attracting, locating, catching, caging, taking or harvesting of fish in the ICCAT Convention area;

c) "fishing related activities" means any operation in support of, or in preparation for, fishing, including the landing, packaging, processing, transshipping or transporting of fish that have not been previously landed [offloaded or transshiped] at a port, as well as the provisioning of personnel, fuel, gear and other supplies at sea;

d) "port" includes offshore terminals and marine areas of the port, and other installations [as well as any other port facility] for landing, transshipping, packaging, processing, refuelling or resupplying;

e) "illegal, unreported and unregulated fishing" refers to theactivities set out in paragraph 1 of the recommendation by ICCAT further ammended 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. 09-10];

f) "regional fisheries management organization" means an intergovernmental fisheries organization or arrangement, as appropriate, that has the competence to establish conservation and management measures;

g) "vessel" means any vessel used or intended for use for the purposes of the commercial exploitation of fish, through fishing and fishing related activities, including processing vessels and vessels engaged in transshipment.

2. Objective

The objective of this Recommendation is to prevent, deter and eliminate IUU fishing in the ICCAT Convention area through the implementation of effective port State measures, and thereby to ensure the long-term conservation and sustainable use of these resources and marine ecosystems.

3. Application

1. Each CPC shall, in its capacity as a port State, apply this Recommendation in respect of vessels not entitled to fly its flag that are seeking entry to its ports or are in one of its ports, except for:

   a) vessels of a neighboring CPC with an overall length of less than 12 metres, or without a superstructure, or of less than measured 20 GT, that are engaged in artisanal fishing for subsistence, provided that the port State and the flag State cooperate to ensure that such vessels do not engage in IUU fishing, or fishing related activities in support of such fishing;

   b) [container] vessels that are not carrying fish or, if carrying fish, only fish that have been previously landed, [offloaded or transshiped at port] provided that there are no clear grounds for suspecting that such vessels have engaged in fishing related activities in support of IUU fishing.

2. A CPC may, in its capacity as a port State, decide not to apply this Recommendation to vessels chartered by its nationals exclusively for fishing in areas under its national jurisdiction and operating under its authority therein. Such vessels shall be subject to measures by the CPC which are as effective as measures applied in relation to vessels entitled to fly its flag.

4. Relationship with international law

[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 sovereignty of CPCs over their internal, archipelagic and territorial waters or their sovereign rights over their continental shelf and in their exclusive economic zones, and the exercise by CPCs of their sovereignty over ports in their territory in accordance with international law, including their right to deny entry thereto as well as to adopt more stringent port State measures than those provided for in this Recommendation.]

5. Integration and coordination at the national level

Each CPC shall, to the greatest extent possible:

a) integrate or coordinate fisheries related port State measures with its broader system of port State controls;

b) integrate port State measures with other measures to prevent, deter and eliminate IUU fishing and fishing related activities in support of such fishing; and

c) take measures to exchange information among its relevant national agencies and to coordinate the activities of such agencies in the implementation of this Recommendation.

6. Cooperation and exchange of information

1. In the implementation of this Recommendation and with due regard to appropriate confidentiality and data protection requirements, the CPCs shall cooperate and exchange information with the ICCAT Secretariat and the relevant flag States, as appropriate, by:

   a) requesting information from, and providing information to, relevant databases;

   b) requesting and providing cooperation to promote the effective implementation of this Recommendation.

2. Each CPC shall, to the greatest extent possible, ensure that its fisheries related information systems allow for the direct electronic exchange of information on port State measures with other CPCs and with the ICCAT Secretariat, in order to facilitate the implementation of this Recommendation.

3. The CPCs shall cooperate through ICCAT Secretariat in the effective implementation of this Recommendation.

7. Competent authorities

1. Each CPC, in its capacity as a port or flag State, shall designate the competent authority to serve as contact point for the purposes of receiving notifications, providing or receiving confirmations, and issuing authorizations pursuant to this Recommendation. It shall transmit the name and contact information for its competent authority to the ICCAT Secretariat no later than 30 days after the entry into force of this Recommendation. Any subsequent changes shall be notified to the ICCAT Secretariat at least 15 days before the change takes effect.

2. The ICCAT Secretariat shall establish and maintain a register of competent authorities based on the lists submitted by the CPCs. The register shall be posted on the ICCAT website.

ENTRY INTO PORT

8. Designation of ports

1. Each CPC wishing to grant access to its port by vessels not entitled to fly its flag shall designate and publicize any of its ports to which vessels may request entry pursuant to this Recommendation. Each CPC shall provide a list of its designated ports to the ICCAT Secretariat within two months 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 15 days before the change takes effect.

2. Each CPC shall, to the greatest extent possible, ensure that every designated port has sufficient capacity to conduct inspections pursuant to this Recommendation.

3. The ICCAT Secretariat shall establish and maintain a register of designated ports based on the lists submitted by the port State CPCs. The register shall be posted on the ICCAT website.

9. Advance request for port entry

Each CPC shall require the master of a vessel or its authorized representative to provide the information in Annex 1 at least 72 hours in advance of the requested port entry to the competent authority of the port State CPC. However, a port State CPC may make provision for longer or shorter notification period, taking into account, *inter alia*, the type of fishing product and the distance between the fishing grounds and its ports, and

providing that the port State CPC must have enough time to examine the above mentioned information. In such a case, the port State CPC concerned shall inform the ICCAT Secretariat, which shall post the information on the ICCAT website.

10. Port entry, authorization or denial

1. After receiving the relevant information pursuant to ***point 9.1***, as well as such other information as it may require to determine whether the vessel requesting entry into its port has engaged in IUU fishing, or fishing related activities in support of such fishing, the port State CPC shall decide whether to authorize or deny the entry of the vessel into its port and shall communicate this decision to the master of the vessel or to its representative.

2. In the case of authorization of entry, the master of the vessel or the vessel's representative shall be required to present the authorization for entry to the competent authority of the port State CPC upon the vessel's arrival at port.

3. In the case of denial of entry, the port State CPC shall communicate its decision to the flag CPC of the vessel, and to the ICCAT Secretariat, to be posted on the secure part of the ICCAT website. The ICCAT Secretariat shall communicate this decision to all CPCs and to other regional fisheries management organizations.

4. Without prejudice to ***paragraph 1***, when the port State CPC has sufficient proof that a vessel seeking entry into its port has engaged in IUU fishing, or fishing related activities in support of such fishing, in particular the inclusion of a vessel on the list of vessels having engaged in such IUU fishing or fishing related activities adopted by ICCAT, the port State CPC shall deny that vessel entry into its ports.

5. Notwithstanding ***paragraph 3 and 4***, the port State CPC may allow entry into its ports of a vessel referred to in those points exclusively for the purpose of inspecting it and taking other appropriate actions in conformity with international law which are at least as effective as denial of port entry in preventing, deterring and eliminating IUU fishing, and fishing related activities in support of such fishing.

6. Where a vessel referred to ***paragraphs 4 or 5*** is in port for any reason, the port State CPC shall deny such vessel the use of its ports for landing, transshipping, packaging, processing and for other port services including, *inter alia*, refueling and resupplying, maintenance and dry docking. ***Points 12.3 and 12.4*** apply *mutatis mutandis* in such cases. Denial of such use of ports shall be in conformity with international law.

11. Force Majeure or distress

Nothing in this Recommendation affects the entry of vessels to port in accordance with international law for reasons of Force Majeure or distress, or prevents a port State CPC from permitting entry into port to a vessel exclusively for the purpose of rendering assistance to persons, ships or aircraft in danger or distress.

USE OF PORTS

12. Use of ports

1. Authorization of a vessel to enter a port of a CPC shall not imply that the vessel is authorized to use that port.

2. Where a vessel has entered one of its ports, the port State CPC shall deny, pursuant to its laws and regulations and consistent with international law, including this Recommendation, that vessel the use of the port for landing, transshipping, packaging and processing for fish that have not been previously landed, [offloaded or transshipped] and for other port services, including, *inter alia*, refueling and resupplying, maintenance and dry docking, if:

[a) the information provided by the vessel in Annex 1 is found to be false]

b) The port State CPC finds that the vessel does not have a valid and applicable authorization to engage in fishing and fishing related activities in the ICCAT Convention area;

c) the port State CPC receives clear evidence that the fish on board was taken in contravention of the ICCAT conservation and management measures;

d) the flag State does not [provide evidence] [confirm] within [14] days, on the request of the port State CPC, that the fish on board was taken in accordance with the ICCAT conservation and management measures; or

e) the port State CPC has reasonable grounds to believe that the vessel otherwise engaged in IUU fishing, or fishing related activities in support of such fishing, in the ICCAT Convention area, including in support of a vessel included in the list of IUU vessels refered to in ***point 10.4***, unless the vessel can establish:

   a. that it was acting in a manner consistent with relevant ICCAT conservation and management measures,

   b. in the case of provision of personnel, fuel, gear and other supplies at sea, that the vessel that was provisioned was not, at the time of provisioning, included in a list of IUU vessels, as referred to in ***point 10.4***.

3. Notwithstanding ***paragraph 2***, the port State CPC shall not deny a vessel referred to in that paragraph the use of port services:

   a) essential to the safety or health of the crew or the safety of the vessel, provided these needs are duly proven, or
   b) where appropriate, for the scrapping of the vessel.

4. Where a port State CPC has denied the use of its ports, it shall promptly notify the flag State and the ICCAT Secretariat, to be posted on the secure part of the ICCAT website. The ICCAT Secretariat shall communicate this decision to all CPCs and to other regional fisheries management organizations.

5. A port State CPC shall withdraw its denial of the use of its port only if the port State CPC is satisfied that there is sufficient proof to show that the grounds on which the use was denied were inadequate or erroneous, or that such grounds no longer apply.

6. Where a port State CPC has withdrawn its denial of the use of its port, it shall promptly notify those to whom a notification was issued pursuant to ***paragraph 4***.

INSPECTIONS AND FOLLOW-UP ACTIONS

13. Levels and priorities for inspection

1. Each port State CPC shall carry out inspections of at least [5 %] of landings and transhipments in its ports during each reporting year.

2. Inspections shall involve the monitoring of the entire discharge or transhipment and include a cross-check between the quantities by species recorded in the prior notice of landing and the quantities by species landed or transhipped. When the landing or transhipment is completed, the inspector shall verify and note the quantities by species of fish remaining on board.

3. In determining which vessels to inspect, the port State CPC shall give priority to:

   a) vessels that have previously been denied entry or use of a port in accordance with this Recommendation;

   b) requests from other CPCs or regional fisheries management organizations that particular vessels be inspected, particularly where such requests are supported by evidence of IUU fishing, or fishing related activities in support of such fishing, by the vessel in question; and

   c) other vessels for which there are clear grounds for suspecting that they have engaged in IUU fishing, or fishing related activities in support of such fishing.

14. Conduct of inspections

1. Each port State CPC shall ensure that its inspectors carry out the functions set forth in ***Annex 2*** as a minimum standard.

2. Each port State CPC shall, in carrying out inspections in its ports:

   a) ensure that inspections are carried out by properly qualified inspectors authorized for that purpose;

   b) ensure that, prior to an inspection, inspectors are required to present to the master of the vessel an appropriate document identifying the inspectors as such;

   c) ensure that inspectors examine all relevant areas of the vessel, the fish on board, the nets and any other gear, equipment, and any document or record on board that is relevant to verifying compliance with the ICCAT conservation and management measures;

   d) require the master of the vessel to give inspectors all necessary assistance and information, and to present relevant material and documents as may be required, or certified copies thereof;

   e) in case of appropriate arrangements with the flag State of the vessel, invite the flag State to participate in the inspection;

   f) make all possible efforts to avoid unduly delaying the vessel to minimize interference and inconvenience, including any unnecessary presence of inspectors on board, and to avoid action that would adversely affect the quality of the fish on board;

   g) make all possible efforts to facilitate communication with the master or senior crew members of the vessel, including where possible and where needed that the inspector is accompanied by an interpreter;

   h) ensure that inspections are conducted in a fair, transparent and non-discriminatory manner and would not constitute harassment of any vessel; and

   i) not interfere with the master's ability, in conformity with international law, to communicate with the authorities of the flag State.

15. Results of inspections

1. Each inspection shall be documented by completing the inspection report form as set out in ***Annex 3***.

16. Transmittal of inspection results

1. The port State CPC shall transmit a copy of the inspection report to the flag State and to the ICCAT Secretariat within [three full working days] of the completion of the inspection and, as appropriate, as soon as possible to:

   a) the flag State of any vessel that transhipped catch to the inspected vessel

   b) those States for which there is evidence through inspection that the vessel has engaged in IUU fishing, or fishing related activities in support of such fishing, within the ICCAT Convention area, and

   c) the State of which the vessel's master is a national.

2. The ICCAT Secretariat shall post the inspection report on the secure part of the ICCAT website. The ICCAT Secretariat shall communicate this decision to all CPCs and to other regional fisheries management organizations.

17. Electronic exchange of information

1. To facilitate the implementation of this Recommendation, each CPC shall, where possible, establish a communication mechanism that allows for direct electronic exchange of information relevant to this Recommendation, with due regard to appropriate confidentiality and data protection requirements.

2. Each CPC shall designate a competent authority that shall act as a contact point for the exchange of information under this Recommendation. Each CPC shall notify the pertinent designation to the ICCAT Secretariat, to be posted on the ICCAT website.

3. The ICCAT Secretariat shall and with due regard to appropriate confidentiality and data protection requirements, coordinate and facilitate the electronic exchange of information relevant to the implementation of this Recommendation between CPCs as well as coordinate with other global or regional electronic information-exchange mechanisms that may be established to assist with the implementation of port State measures to combat IUU fishing and fishing related activities.

18. Training of inspectors

Each CPC shall ensure that its inspectors are properly trained taking into account the guidelines for the training of inspectors in ***Annex 4***. CPCs shall seek to cooperate in this regard.

19. Port State actions following inspection

1. Where, following an inspection, there are clear grounds for believing that a vessel has engaged IUU fishing, or fishing related activities in support of such fishing, the inspecting port State CPC shall:
   a) promptly notify the flag State and, as appropriate, relevant coastal States and the ICCAT Secretariat, and the State of which the vessel's master is a national of its findings; and
   b) deny the vessel the use of its port for landing, transshipping, packaging and processing of fish that have not been previously landed, and for other port services, including, *inter alia*, refueling and resupplying, maintenance and dry docking, if these actions have not already been taken in respect of the vessel, in a manner consistent with this Recommendation.
2. Notwithstanding ***paragraph 1***, a port State CPC shall not deny a vessel referred to in that ***paragraph*** the use of port services essential for the safety or health of the crew or the safety of the vessel.
3. Nothing in this Recommendation prevents a port State CPC from taking measures that are in conformity with international law in addition to those specified in ***paragraph 1***, including such measures as the flag State of the vessel has expressly requested or to which it has consented.

20. Information on recourse in the port State

1. A CPC shall maintain the relevant information available to the public and provide such information, upon written request, to the owner, operator, master or representative of a vessel with regard to any recourse established in accordance with its national laws and regulations concerning port State measures taken by that CPC pursuant to ***points 10, 12, 14 or 19***, including information pertaining to the public services or judicial institutions available for this purpose, as well as information on whether there is any right to seek compensation in accordance with its national laws and regulations in the event of any loss or damage suffered as a consequence of any alleged unlawful action by the CPC.
2. The CPC shall inform the flag State, the owner, operator, master or representative and the ICCAT Secretariat, as appropriate, of the outcome of any such recourse. The CPC shall inform the ICCAT Secretariat of any change in its decision pursuant to ***points 10, 12, 14 or 19***. The ICCAT Secretariat shall post the new decision on the secure part of the ICCAT website.

ROLE OF FLAG STATES

21. Role of flag States

1. Each CPC shall require the vessels entitled to fly its flag to cooperate with the port State CPC in inspections carried out pursuant to this Recommendation.
2. When a CPC has clear grounds to believe that a vessel entitled to fly its flag has engaged in IUU fishing, or fishing related activities in support of such fishing, and is seeking entry to or is in the port of another CPC, it shall, as appropriate, request that CPC to inspect the vessel or to take other measures consistent with this Recommendation.
3. Each CPC shall encourage vessels entitled to fly its flag to land, transship, package and process fish, and use other port services, in ports of States that are acting in accordance with, or in a manner consistent with this Recommendation.

4. Where, following port State inspection, a flag State CPC receives an inspection report indicating that there are clear grounds to believe that a vessel entitled to fly its flag has engaged in IUU fishing, or fishing related activities in support of such fishing, it shall immediately and fully investigate the matter and shall, upon sufficient evidence, take enforcement action without delay in accordance with its laws and regulations.

5. Each CPC shall, in its capacity as a flag State, report to the relevant port State CPC and to the ICCAT Secretariat on actions it has taken in respect of vessels entitled to fly its flag that, as a result of port State measures taken pursuant to this Recommendation, have been determined to have engaged in IUU fishing, or fishing related activities in support of such fishing. The ICCAT Secretariat shall communicate such actions to all CPCs.

6. Each CPC shall ensure that measures applied to vessels entitled to fly its flag are at least as effective in preventing, deterring, and eliminating IUU fishing, and fishing related activities in support of such fishing, as measures applied to vessels referred to in ***point 3.1***.

REQUIREMENTS OF DEVELOPING STATES

22. Requirements of developing States

1. CPCs shall give full recognition to the special requirements of developing States CPCs in relation to the implementation of port State measures consistent with this Recommendation. To this end, CPCs shall, either directly or through the ICCAT Secretariat, provide assistance to developing States CPCs in order to, *inter alia*:

   a) enhance their ability to develop a legal basis and capacity for the implementation of effective port State measures;

   b) facilitate their participation in any international organizations that promote the effective development and implementation of port State measures; and

   c) facilitate technical assistance to strengthen the development and implementation of port State measures by them, in coordination with relevant international mechanisms.

2. CPCs shall give due regard to the special requirements of developing port States CPCs, to ensure that a disproportionate burden resulting from the implementation of this Recommendation is not transferred directly or indirectly to them. In cases where the transfer of a disproportionate burden has been demonstrated, CPCs shall cooperate to facilitate the implementation by the relevant developing States CPCs of specific obligations under this Recommendation.

3. CPCs shall, either directly or through the ICCAT Secretariat, assess the special requirements of developing States CPCs concerning the implementation of this Recommendation.

4. CPCs shall cooperate to establish appropriate funding mechanisms to assist developing States CPCs in the implementation of this Recommendation. These mechanisms shall, *inter alia*, be directed specifically towards:

   a) developing national and international port State measures;

   b) developing and enhancing capacity, including for monitoring, control and surveillance and for training at the national and regional levels of port managers, inspectors, and enforcement and legal personnel;

   c) monitoring, control, surveillance and compliance activities relevant to port State measures, including access to technology and equipment; and

   d) assisting developing States CPCs with the costs involved in any proceedings for the settlement of disputes that result from actions they have taken pursuant to this Recommendation.

5. Cooperation with and among developing States CPCs in implementing this Recommendation may include the provision of technical and financial assistance through bilateral, multilateral and regional channels, including South-South cooperation.

6. CPCs shall establish an *ad hoc* working group to periodically report and make recommendations to the CPCs on the establishment of funding mechanisms including a scheme for contributions, identification and

mobilization of funds, the development of criteria and procedures to guide implementation, and progress in the implementation of the funding mechanisms. The *ad hoc* working group shall also take into account, *inter alia*.

a) the assessment of the needs of developing States CPCs;

b) the availability and timely disbursement of funds;

c) transparency of decision-making and management processes concerning fundraising and allocations; and

d) accountability of the recipient developing States CPCs in the agreed use of funds.

7. CPCs shall take into account the reports and any recommendations of the *ad hoc* working group and take appropriate action.

23. Final provision

This Recommendation replaces the *Recommendation by ICCAT for a Revised ICCAT Port Inspection Scheme* [Rec. 97-10].

Annex 1

Information to be Provided in Advance by Vessels Requesting Port Entry

1. Intended port of call	
2. Port State	
3. Estimated date and time of arrival	
4. Purpose(s)	
5. Port and date of last port call	
6. Name of the vessel	
7. Flag State	
8. Type of vessel	
9. International Radio Call Sign	
10. Vessel contact information	
11. Vessel owner(s)	
12. Certificate of registry ID	
13. IMO ship ID, if available	
14. External ID, if available	
15. ICCAT or other RFMO number	

16. VMS	No	Yes: National	Yes: RFMO(s)	Type:

17. Vessel dimensions	Length		Beam		Draft	

18. Vessel master name and nationality	

19. Relevant fishing authorization(s)

Identifier	*Issued by*	*Validity*	*Fishing area(s)*	*Species*	*Gear*

20. Relevant transshipment authorization(s)

Identifier		*Issued by*		*Validity*	
Identifier		*Issued by*		*Validity*	

21. Transshipment information concerning donor vessels	

Date	*Location*	*Name*	*Flag State*	*ID number*	*Species*	*Product form*	*Catch area*	*Quantity*

22. Total catch onboard				23. Catch to be offloaded
Species	*Product form*	*Catch area*	*Quantity*	*Quantity*

[24. Master or representative signature]

Annex 2

Port State Inspection Procedures

Inspectors shall:

a) verify, to the extent possible, that the vessel identification documentation onboard and information relating to the owner of the vessel is true, complete and correct, including through appropriate contacts with the flag State or international records of vessels if necessary;

b) verify that the vessel's flag and markings (e.g. name, external registration number, International Maritime Organization (IMO) ship identification number, international radio call sign and other markings, main dimensions) are consistent with information contained in the documentation;

c) verify, to the extent possible, that the authorizations for fishing and fishing related activities are true, complete, correct and consistent with the information provided in accordance with Annex 1;

d) review all other relevant documentation and records held onboard, including, to the extent possible, those in electronic format and vessel monitoring system (VMS) data from the flag State or ICCAT Secretariat or other relevant regional fisheries management organizations (RFMOs). Relevant documentation may include logbooks, catch, transshipment and trade documents, crew lists, stowage plans and drawings, descriptions of fish holds, and documents required pursuant to the Convention on International Trade in Endangered Species of Wild Fauna and Flora;

e) examine, to the extent possible, all relevant fishing gear onboard, including any gear stowed out of sight as well as related devices, and to the extent possible, verify that they are in conformity with the conditions of the authorizations. The fishing gear shall, to the extent possible, also be checked to ensure that features such as the mesh and twine size, devices and attachments, dimensions and configuration of nets, pots, dredges, hook sizes and numbers are in conformity with applicable regulations and that the markings correspond to those authorized for the vessel;

f) determine, to the extent possible, whether the fish on board was harvested in accordance with the applicable authorizations;

g) examine the fish, including by sampling, to determine its quantity and composition. In doing so, inspectors may open containers where the fish has been pre-packed and move the catch or containers to ascertain the integrity of fish holds. Such examination may include inspections of product type and determination of nominal weight;

h) evaluate whether there is clear evidence for believing that a vessel has engaged in IUU fishing or fishing related activities in support of such fishing;

i) provide the master of the vessel with the report containing the result of the inspection, including possible measures that could be taken, to be signed by the inspector and the master. The master's signature on the report shall serve only as acknowledgment of the receipt of a copy of the report. The master shall be given the opportunity to add any comments or objection to the report, and, as appropriate, to contact the relevant authorities of the flag State in particular where the master has serious difficulties in understanding the content of the report. A copy of the report shall be provided to the master; and

j) arrange, where necessary and possible, for translation of relevant documentation.

Annex 3

ICCAT Port Inspection Report Form

1. Inspection report no		2. Port State			
3. Inspecting authority					
4. Name of principal inspector		ID			
5. Port of inspection					
6. Commencement of inspection	*YYYY*	*MM*	*DD*	*HH*	
7. Completion of inspection	*YYYY*	*MM*	*DD*	*HH*	
8. Advanced notification received	*Yes*	*No*			
9. Purpose(s)	*LAN*	*TRX*	*PRO*	*OTH (specify)*	
10. Port and State and date of last port call			*YYYY*	*MM*	*DD*
11. Vessel name					
12. Flag State					
13. Type of vessel					
14. International Radio Call Sign					
15. Certificate of registry ID					
16. IMO ship ID, if available					
17. External ID , if available					
18. Port of registry					
19. Vessel owner(s)					
20. Vessel beneficial owner(s), if known and different from vessel owner					
21. Vessel operator(s), if different from vessel owner					
22. Vessel master name and nationality					
23. Fishing master name and nationality					
24. Vessel agent					
25. VMS	*No*	*Yes: National*	*Yes: RFMOs*	Type:	

26. Status in ICCAT, including any IUU vessel listing

Vessel identifier	*RFMO*	*Flag State status*	*Vessel on authorized vessel list*	*Vessel on IUU vessel list*

27. Relevant fishing authorization(s)

Identifier	*Issued by*	*Validity*	*Fishing area(s)*	*Species*	*Gear*

28. Relevant transshipment authorization(s)

Identifier		*Issued by*		*Validity*	
Identifier		*Issued by*		*Validity*	

29. Transshipment information concerning donor vessels

Name	*Flag State*	*ID no.*	*Species*	*Product form*	*Catch area(s)*	*Quantity*

30. Evaluation of offloaded catch (quantity)

Species	*Product form*	*Catch area(s)*	*Quantity declared*	*Quantity offloaded*	*Difference between quantity declared and quantity determined, if any*

31. Catch retained onboard (quantity)

Species	*Product form*	*Catch area(s)*	*Quantity declared*	*Quantity retained*	*Difference between quantity declared and quantity determined, if any*

32. Examination of logbook(s) and other documentation	*Yes*	*No*	*Comments*
33. Compliance with applicable catch documentation scheme(s)	*Yes*	*No*	*Comments*
34. Compliance with applicable trade information scheme(s)	*Yes*	*No*	*Comments*

35. Type of gear used	

36. Gear examined in accordance with paragraph e) of Annex 2	*Yes*	*No*	*Comments*

37. Findings by inspector(s)

38. Apparent infringement(s) noted including reference to relevant legal instrument(s)

39. Comments by the master

40. Action taken

41. Master’s signature

42. Inspector’s signature

Annex 4

Guidelines for the Training of Inspectors

Elements of a training program for port State inspectors should include at least the following areas:

1. Ethics;

2. Health, safety and security issues;

3. Applicable national laws and regulations, areas of competence and conservation and management resolutions of the ICCAT, and applicable international law;

4. Collection, evaluation and preservation of evidence;

5. General inspection procedures such as report writing and interview techniques;

6. Analysis of information, such as logbooks, electronic documentation and vessel history (name, ownership and flag State), required for the validation of information given by the master of the vessel;

7. Vessel boarding and inspection, including hold inspections and calculation of vessel hold volumes;

8. Verification and validation of information related to landings, transshipments, processing and fish remaining onboard, including utilizing conversion factors for the various species and products;

9. Identification of fish species, and the measurement of length and other biological parameters;

10. Identification of vessels and gear, and techniques for the inspection and measurement of gear;

11. Equipment and operation of VMS and other electronic tracking systems; and

12. Actions to be taken following an inspection.

Appendix 4 to ANNEX 4.1

Draft Recommendation by ICCAT to Establish Minimum Standards for Fishing Vessel Scientific Observer Programs

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 on the Deadlines and Procedures for Data Submission* [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 Future of ICCAT Working Group concerning the importance of observer programs in developing and implementing an ecosystem approach to management;

WELCOMING the planned future work of the SCRS Subcommittee on Ecosystems and the Sharks Working 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, which 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 [of vessels [15] [20] meters or greater in length overall] 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) 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;

c) 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 ship 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.

Appendix 5 to ANNEX 4.1

Draft Recommendation by ICCAT on a Tuna and Tuna Like Species Catch Documentation Programme

RECOGNIZING the impact that market factors have on the fishery;

CONCERNED by the impact that illegal, unregulated and unreported (IUU) fishing has in the Convention area;

AWARE that the current Bigeye tuna and Swordfish statistical document programmes were not designed to provide a mechanism to provide direct control on those fisheries;

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;

MINDFUL of the rights and obligations of port States to promote the effectiveness of management measures adopted by regional fisheries management organizations;

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;

RECOGNIZING that in order to have effective control of the movements of tuna and tuna like species, strict tracking of the product from the point of capture throughout the whole operation to its final import has to be established;

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 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;

UNDERLINING that the adoption of this measure is intended to help support the implementation of conservation and management measures as well as scientific research for tuna and tuna like species stocks;

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

PART I

GENERAL PROVISIONS

1. Each Contracting Party, Cooperating Non-Contracting Party and Fishing Entity (hereafter referred to as CPCs) shall take the necessary steps to implement an ICCAT Tuna and tuna like species Catch Documentation Programme for the purpose of identifying the origin of any tuna and tuna like species caught in the ICCAT Convention area.

2. For the purpose of this Programme:

   [a) "Tuna and tuna like species" means skipjack (*Katsuwonus pelamis*), yellowfin (*Thunnus albacares*), albacore (*Thunnus alalunga*), bigeye tuna (*Thunnus obesus*), swordfish (*Xiphias gladius*), white marlin (*Tetrapturus albidus*) and blue marlin.]

   b) "Export" means:
   Any movement of tuna and tuna like species caught in the ICCAT Convention area by a fishing vessel flying the flag of a CPC to the territory of another CPC or non-Member to the ICCAT, 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-Member to the ICCAT.

   c) "Import" means:
   Any introduction, including for transhipment purposes, of tuna and tuna like species caught in the ICCAT Convention area in their caught or processed forms into the territory of a CPC, which is not the CPC where the fishing vessel is flagged.

   d) "Re-export" means:
   Any movement of tuna and tuna like species in their caught or processed forms from the territory of a CPC where it had been previously imported.

[PART II

TUNA AND TUNA LIKE SPECIES CATCH DOCUMENTS

3. Each consignment of tuna and tuna like species caught in the ICCAT Convention area imported into or exported or re-exported from the territory of a CPC shall be accompanied by a validated Tuna and tuna like species catch document (TSCD) and, as applicable, a validated Tuna and tuna like species re-export certificate (TSRC). Any such import, export or re-export of tuna and tuna like species without a completed and validated TSCD or TSRC shall be prohibited.

4. Each CPC shall provide TSCD forms only to fishing vessels flying its flag authorized to catch tuna and tuna like species in the ICCAT Convention area. Such forms are not transferable to another fishing vessel. Each TSCD form shall have a unique document identification number. Document numbers shall be specific to the flag CPC and assigned to the fishing vessel.

5. Copies of TSCD shall accompany each exported part of split consignments or processed product, using the unique document number of the original TSCD in order to track them.

6. CPCs shall keep copies of documents issued or received for at least two years.

7. 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.
8. The fishing vessel masters, or their authorized representative, or the authorized representative of the flag CPC shall complete the TSCD, if possible electronically, by providing the required information in

appropriate sections and request its validation in accordance with paragraph 10, on each occasion that they land, tranship or export tuna and tuna like species.

9. A completed and validated TSCD shall include the relevant information identified in **Annex 1** forms attached. In cases where a section of the TSCD model does not provide enough room to completely track movement of tuna and tuna like species from catch to final import, the needed information section may be expanded as necessary and attached as annex. The competent authority of the CPC shall validate the annex as soon as possible, but not later than the next movement of tuna and tuna like species.

10. a) The TSCD must be validated by an authorized government official or authority of the flag CPC of the fishing vessel [or, if the fishing vessel is operating under a charger arrangement, by an authorized governmental official or authority of the chartering CPC].

    b) The flag [or chartering] CPC shall validate the TSCD for all tuna and tuna like species products only when all the information contained in the TSCD has been established to be accurate as a result of the verification of the consignment, and only when those products comply with all relevant provisions of the conservation and management measures.
    c) Validation under 10(a) shall not be required in the event that all tuna and tuna-like products available for sale are tagged by the flag or chartering CPC of the fishing vessel that caught them.

11. Where the tuna and tuna like species quantities caught and landed, intended for export, are less than 1 metric ton or three fish, the logbook or the sales note may be used as a temporary TSCD, pending the validation of the TSCD within seven days and prior to export.]

PART III

TUNA AND TUNA LIKE SPECIES RE-EXPORT CERTIFICATES

12. Each CPC shall ensure that each tuna and tuna like species consignment which is re-exported from its territory be accompanied by a validated TSRC.

13. The operator who is responsible for the re-export shall complete the TSRC by providing the required information in its appropriate sections and request its validation for the tuna and tuna like species consignment to be re-exported. The completed TSRC shall be accompanied by a copy of the validated TSCD relating to the tuna and tuna like species products previously imported.

14. The TSRC shall be validated by an authorized government official or authority.

15. The CPC shall validate the TSRC for all tuna and tuna like species product only when:

    a) all the information contained in the TSRC has been established to be accurate,

    b) the validated TSCD(s) submitted in support to the TSRC had been accepted for the importation of the products declared on the TSRC,

    c) the products to be re-exported are wholly or partly the same products on the validated TSCD(s) and

    d) a copy of the TSCD(s) shall be attached to the validated TSRC.

16. The validated TSRC shall include the information identified in **Annex 2** forms attached.

PART IIIa

TAGGING PROGRAMS

16a. CPCs may required their fishing vessels to affix a tag to each tuna and tuna-like species products 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 TSCD and a summary of the implementation of the tagging program shall be submitted to the ICCAT Secretariat by the CPC.

PART IV

COMMUNICATION AND VERIFICATION

17. Each CPC shall communicate, if possible electronically, a copy of all validated TSCDs or TSRCs 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 CPC where the tuna and tuna like species will be imported, and;

    b) the ICCAT Secretariat.

18. The ICCAT Secretariat shall extract from the validated TSCDs or T^SRCs communicated under paragraph 17 above the information marked with an asterisk in **Annex 1** or **Annex 2** forms and enter this information in a database on a password protected section of its website, as soon as practicable.

    At its request, the Scientific Committee shall have access to the catch information contained in the database, except the vessel names.

19. Each CPC shall ensure that its competent authorities, or other authorized individual or institution, take steps to identify each consignment of tuna and tuna like species imported into or exported or re-exported from its territory and request and examine the validated TSCD(s) or TSRCs and related documentation of each consignment of tuna and tuna like species.

    These competent authorities, or authorized individuals or institutions, may also examine the content of the consignment to verify the information contained in the TSCD or TSRCs and in related documents and, where necessary, shall carry out verifications at with the operators concerned.

20. If, as a result of examinations or verifications carried out pursuant to paragraph 19, a doubt arises regarding the information contained in a TSCD or a TSRC, the final importing CPC and the CPC whose competent authorities validated the TSCD(s) or TSRC(s) shall cooperate to resolve such doubts.

21. If a CPC involved in trade of tuna and tuna like species identifies a consignment with no TSCD or no valid TSCD, it shall notify the findings to the exporting CPC and, where known, the flag CPC.
22. Pending the examinations or verifications under paragraph 19 to confirm compliance of the tuna and tuna like species consignment with the requirements in the present Recommendation and any other relevant measures adopted by ICCAT, the CPC shall not grant its release for import or export.

23. Where a CPC, as a result of examination or verifications under paragraph 19 and in cooperation with the validating authorities concerned, determines that a TSCD or TSRC is invalid, the import, export or re-export of the tuna and tuna like species concerned shall be prohibited.

24. The Commission shall request the non-Contracting Parties that are involved in import, export or re-export of tuna and tuna like species to cooperate with the implementation of the Programme and to provide to the Commission data obtained from such implementation.

PART V

COMMUNICATION OF DATA

25. CPCs that validate TSCDs in respect of their flag fishing vessels and/or TSRCs, shall notify to the ICCAT Secretariat the name and full address of their authorities responsible for validating and verifying TSCDs or TSRCs. If the national law of a CPC requires that such validation be granted on an individual basis, then the name, title, signature and sample impression of stamp or seal of the validating government officials who are individually empowered shall also be notified to the ICCAT Secretariat.

    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 tuna and tuna like species catch documentation program shall be communicated with the initial notification. Updated details on validating authorities, officials and national provisions shall be communicated to the ICCAT Secretariat in a timely fashion.

26. The information on validating authorities and officials transmitted by notifications to the ICCAT Secretariat shall be placed on a password protected page of the database on validation held by the ICCAT Secretariat. The list of the CPCs having notified their validating authorities, officials and the dates of entry into force of the entitlement 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 TSCDs and TSRCs.

27. Each CPC shall notify to the ICCAT Secretariat the points of contact (name and full address of the authorities) that should be informed when there are questions related to TSCDs or TSRCs.

28. Notification pursuant to paragraphs 25, 26 and 27 shall be sent by CPCs to the ICCAT Secretariat, by electronic means, whenever possible.

29. 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 3.**

    The ICCAT Secretariat shall post these reports on a password protected section of the ICCAT website, as soon as practicable. At its request, the Scientific Committee shall have access to the reports received by the ICCAT Secretariat.

30. The ICCAT Recommendations 01-21 establishing a bigeye tuna statistical document programme, 01-22 establishing a swordfish statistical document programme and 03-19 concerning the amendments of the forms of the ICCAT bluefin/bigeye/swordfish statistical documents are repealed and replaced by this Recommendation.

Annex 1

ICCAT Tuna and Tuna-like Species Catch Document

CERTIFICAT DE CAPTURE CICTA /
ICCAT CATCH CERTIFICATE /
CERTIFICADO DE CAPTURA DE LA CICAA

Numéro de certificat*/Certificate number*/Certificado n°*	

1. AUTORITÉ DE VALIDATION/VALIDATING AUTHORITY/AÙTORIDAD VALIDADORA

Nom/Name/Nombre	
Adresse/Address/Dirección	
Tel: **Fax:**	**E-mail:**

2. NAVIRE DE PECHE/FISHING VESSEL/DATOS DEL BUQUE

Nom du navire de pêche*/Fishing Vessel Name*/Nombre del buque pesquero*		
Pavillon*, port d'attache et numéro d'immatriculation*/Flag - Home Port and Registration Number*/Pabellón – Puerto base y número de matrícula*		
Indicatif radio/Call Sign/Indicativo de llamada de radio		Nº OMI/Lloyd (le cas échéant) IMO/Lloyd's Number (if issued) Nº OMI/Lloyd (en su caso)
Nº de la licence de pêche Fishing licence No. Nº de la licencia de pesca	Date de fin de validité Valid to Fecha de expiración	Nº Inmarsat, nº fax, nº téléphone, adresse courrier électronique (le cas échéant) Inmarsat No. Telefax No. Telephone No. E-mail address (if issued) Nº Inmarsat, nº fax, nº telefono, dirección correo electrónico (en su caso)

3. DESCRIPTION DU PRODUIT (VOIR PAGE SUIVANTE) DESCRIPTION OF PRODUCT (SEE NEXT PAGE) DESCRIPCION DEL PRODUCTO (VEASE PAGINA SIGUIENTE)

4. MESURES DE CONSERVATION ET DE GESTION APPLICABLES APPLICABLE CONSERVATION AND MANAGEMENT MEASURES MEDIDAS DE CONSERVACIÓN Y ORDENACIÓN APLICABLES

Références des mesures de conservation et de gestion applicables References of applicable conservation and management measures Referencias a las medidas de conservación y ordenación aplicables

5. CAPITAINE DU NAVIRE / MASTER OF FISHING VESSEL / DATOS DEL CAPITÁN

Nom du capitaine du navire de pêche Name of master of fishing vessel Nombre del capitán del buque pesquero	Signature/Signature/Firma	Cachet/Seal/Sello

3. DESCRIPTIÓN DU PRODUIT / DESCRIPTION OF PRODUCT / DESCRIPCIÓN DEL PRODUCTO

Espèce* Species* Especie*	Code produit Product code Código de producto	Zone(s) et dates de capture* Catch area(s) and dates* Zona(s) y fechas captura*	Poids vif estimé (kg)* Estimated live weight (kg)* Peso vivo estimado (kg)*	Poids à débarquer estimé (kg) Estimated weight to be landed (kg) Peso estimado que vaya a desembarcar (kg)	Poids débarqué vérifié (kg), le cas échéant Verified Weight Landed (kg) where appropriate Peso desembarcado comprobado (kg), si procede	Type de transformation autorisé à bord Type of processing authorised on board Tipo de transformación autorizada a bordo

6. DECLARATION DE TRANSBORDEMENT EN MER / DECLARATION OF TRANSHIPMENT AT SEA / DECLARACIÓN DE TRANSBORDO EN EL MAR

Nom du capitaine du navire de pêche/Name of Master of Fishing vessel/Nombre del capitán del buque pesquero		Signature/Signature/Firma	Date/Date/Fecha
Date du transbordement Transhipment Date Fecha del transbordo	Zone du transbordement Transhipment Area Zona del transbordo	Position du transbordement Transhipment Position Posición del transbordo	Poids estimé (kg) Estimated weight (kg) Peso estimado (kg)
Capitaine du navire receveur/Master of Receiving Vessel/Capitán del buque receptor		Signature/Signature/Firma	
Nom du navire/Vessel Name/Nombre del buque		Indicatif d'appel/Call Sign/Indicativo de llamada de radio	Nº OMI/Lloyds (le cas échéant)/IMO/Lloyds Number (if issued)/Nº OMI/Lloyds (en su caso)

7. AUTORISATIÓN DE TRANSBORDEMENT DANS UNE ZONE PORTUAIRE / TRANSHIPMENT AUTHORISATION WITHIN A PORT AREA / AUTORIZACIÓN DEL TRANSBORDO EN UNA ZONA PORTUARIA

Nom/Name/Nombre y apellidos	Autorité/Authority/Autoridad	Signature/Signature/Firma
Adresse/Address/Dirección	Tél.	
Port de débarquement/Port of Landing/Puerto de desembarque	Date de débarquement/Date of Landing/Fecha de desembarque	Cachet/Seal/Sello

8. EXPORTATEUR / EXPORTER / DATOS DEL EXPORTADOR

Nom et adresse de l'exportateur/Name and address of Exporter/Nombre y dirección del exportador		
Signature/Signature/Firma	Date/Date/Fecha	Cachet/Seal/Sello

9. VALIDATION PAR L'AUTORITE DE L'ETAT DE PAVILLON / FLAG STATE AUTHORITY VALIDATION / VALIDACIÓN DE LA AUTORIDAD DEL ESTADO DE ABANDERAMIENTO

Nom-Titre/Name-Title/Nombre-Cargo		
Signature/Signature/Firma	Date/Date/Fecha	Cachet/Seal/Sello

10. INFORMATION RELATIVE AU TRANSPORT (VOIR APPENDICE) TRANSPORT DETAILS: SEE APPENDIX I

APPÉNDICE I. INFORMATIÓN RELATIVE AU TRANSPORT / APPENDIX I. TRANSPORT DETAILS / APENDICE I. INFORMACION SOBRE EL TRANSPORTE

<table>
<tr><td colspan="2">1. Pays d'exportation*/Exporting country*/Pais exportador*</td><td colspan="2">2. Signature de l'exportateur
Exporter Signature
Firma del exportador</td></tr>
<tr><td colspan="2">Port/aéroport/autre lieu de départ
Country of exportation/Port/airport/other place of departure
Puerto/aeropuerto/otro lugar de salida</td><td colspan="2"></td></tr>
<tr><td>Nom/Name/Nombre y appellidos</td><td colspan="2">Adresse/Address/ Dirección</td><td>Signature/Signature/Firma</td></tr>
<tr><td colspan="2">Nom et pavillon du navire
Vessel name and flag
Nombre y pabellón del buque</td><td colspan="2">Numéro(s) du ou des conteneurs
Container number(s)
Nùmero(s) de los contenedores</td></tr>
<tr><td colspan="2">Numéro de vol, numéro de lettre de transport aérien
Flight number, airway bill number
Número de vuelo, número del conocimiento de embarque aéreo</td><td colspan="2" rowspan="4"></td></tr>
<tr><td colspan="2">Nationalité et numéro d'immatriculation du camion
Truck nationality and registration number
Nacionalidad y número de matrícula del camión</td></tr>
<tr><td colspan="2">Numéro de lettre de voiture ferroviaire
Railway bill number
Número del conocimiento de embarque en ferrocarril</td></tr>
<tr><td colspan="2">Autres documents de transport
Other transport document
Otros documentos de transporte</td></tr>
</table>

Annex 2

ICCAT Tuna and Tuna-Like Species Re-Export Certificate

CERTIFICAT DE REEXPORTATION DE LA CICTA POUR LES THONIDES ET ESPECES APPARENTEES / ICCAT TUNA AND TUNA LIKE SPECIES RE-EXPORT CERTIFICATE / CERTIFICADO DE REEXPORTACIÓN PARA TUNIDOS Y ESPECIES AFINES

Numéro du certificat*/ Certificate Number*/N° Certificado:

SECTION REEXPORTATION / RE-EXPORT SECTION / SECCIÓN REEXPORTACIÓN

1. PAYS-ENTITE-ENTITE DE PECHE DE REEXPORTATION / RE-EXPORTING COUNTRY-ENTITY-FISHING ENTITY/ PAÍS-ENTIDAD-ENTIDAD PESQUERA REEXPORTADOR/A:

2. LIEU DE REEXPORTATION* / POINT OF RE-EXPORT* / PUNTO DE REEXPORTACIÓN*:

3. DESCRIPTION DES THONIDES ET ESPECES APPARENTEES IMPORTES / DESCRIPTION OF IMPORTED TUNA AND TUNA LIKE SPECIES / DESCRIPCIÓN DE LOS TÚNIDOS Y ESPECIES AFINES IMPORTADOS:

Type de produit/Product Type/Tipo de producto		Poids net (kg)* Net weight (kg)* Peso neto (kg)*	CPC de pavillon Flag CPC CPC del pabellón	Date importation* Date of import* Fecha importación*	TSCD No*
F/FR	RD/GG/DR/FL/OT				

4. DESCRIPTION DES THONIDES ET ESPECES APPARENTEES DESTINES A LA REEXPORTATION / DESCRIPTION OF TUNA AND TUNA LIKE SPECIES FOR RE-EXPORT / DESCRIPCIÓN DE LOS TÚNIDOS Y ESPECIES AFINES PARA REEXPORTACIÓN:

Type de produit*/Product Type*/Tipo de producto*		Poids net (kg)* Net weight (kg)* Peso neto (kg)*	Numéro TSCD correspondent à la section 3. Corresponding TSCD number from section 3. Número correspondiente de TSCD en sección 3
F/FR	RD/GG/DR/FL/OT		

F= Frais/Fresh/Fresco, FR= Surgelé/Frozen/Congelado/, RD= Poids vif/Round weight/Peso vivo, GG=Eviscéré & sans branchie/Gilled & Gutted/Eviscerado y sin agallas, DR= Poids manipulé/Dressed/Canal, FL=Filet/En filetes, OT=Autres/Others/Otros (Décrire le type de produit/Describe the type of the product/ Describir el tipo de producto):

ETAT DE DESTINATION*/STATE OF DESTINATION*/ESTADO DE DESTINO*:

5. CERTIFICAT DU REEXPORTATEUR / RE-EXPORTER STATEMENT / DECLARACIÓN DEL REEXPORTADOR

Je certifie que l'information ci-dessus est, à mon vu et su, complète, véridique et correcte.
I certify that the above information is complete, true and correct to the best of my knowledge and belief.
Certifico que, a mi leal saber y entender, la información arriba consignada es completa, fidedigna y correcta.

Nom/Name/Nombre **Adresse/Address/Dirección** **Signature/Firma** **Date/Fecha**

6. VALIDATION DU GOUVERNEMENT / GOVERNMENT VALIDATION / VALIDACIÓN DEL GOBIERNO

Je déclare valide l'information ci-dessus, qui est, à mon vu et su, complète, véridique et correcte.
I validate that the above information is complete, true and correct to the best of my knowledge and belief.
Valido la información arriba consignada, que a mi leal saber y entender es completa, fidedigna y correcta.

Nom & poste/Name & Title/Nombre-Cargo **Signature/Firma** **Date/Fecha** **Cachet du l'authorité / Authority Seal / Sello de la Authoridad**

SECTION IMPORTATION / IMPORT SECTION / SECCIÓN IMPORTACIÓN

7. CERTIFICAT DE L'IMPORTATEUR / IMPORTER STATEMENT / DECLARACIÓN DEL IMPORTADOR:

Je certifie que l'information ci-dessus est, à mon vu et su, complète, véridique et correcte.
I certify that the above information is complete, true and correct to the best of my knowledge and belief.
Certifico que, a mi leal saber y entender, la información arriba consignada es completa, fidedigna y correcta.

Certificat de l'importateur/Importer Certification/Certificado del importador:

Nom/Name/Nombre **Adresse/Address/Dirección** **Signature/Firma** **Date/Fecha**

Point final d'importation*/Final point of import/Punto de destino final de la importación*:

Ville/City/Ciudad **Etat-Province/State-Province/Estado-Provincia** **CPC**

NOTE: Si ce document est rempli dans une autre langue que l'anglais, veuillez y joindre la traduction en anglais.
NOTE: Le document de transport valide et les copies des TSCD devront être joints.

NOTE: If a language other than English is used in completing this form, please attach the English translation to this form.
NOTE: Valid transport documents and copies of TSCD shall be attached.

NOTA: Si al cumplimentar el formulario se emplea un idioma que no sea el inglés, se ruega añadir la traducción en inglés a este documento.
NOTA: Se adjuntarán el documento de transporte válido y las copias de los TSCD.

Appendice I. Declaration de l'usine de transformation /
Appendix I. Statement by the Processing Plant /
Apéndice I. Declaración de la Fábrica de transformación

Je confirme que les produits de la pêche transformés: … (description des produits et code de la nomenclature combinée) sont issus de captures importées au titre du ou des certificat(s) de capture suivant(s) :

I confirm that the processed fishery products: (product description and Combined Nomenclature code) have been obtained from catches imported under the following catch certificate(s):

Confirmo que los productos de la pesca transformados ..... (descripción del producto y código de la nomenclatura combinada) se han obtenido a partir de capturas importadas de conformidad con el(los) siguiente(s) certificado(s) de captura:

Numéro du certificat de capture *Catch certificate number* *Numéro de certificado de captura*	*Nom(s) et pavillon(s) du (des) navire(s)* *Vessel name(s) and flag(s)* *Nombre(s) del (de los) buque(s) y pabellón o pabellones*	*Date(s) de validation* *Validation date(s)* *Fecha(s) de validación*	*Description de la capture* *Catch description* *Descripción de la captura*	*Poids débarqué total (kg)* *Total landed weight (kg)* *Peso total desembarcado (kg)*	*Capture transformée (kg)* *Catch processed (kg)* *Captura transformada (kg)*	*Produits de la pêche transformés (kg)* *Processed fishery product (kg)* *Producto de la pesca transformado (kg)*

Nom et adresse de l'usine de transformation/Name and address of the processing plant/Nombre y dirección de la fábrica de transformación:
……..…….

Nom et adresse de l'exportateur (s'ils diffèrent de ceux de l'usine de transformation)/Name and address of the exporter (if different from the processing plant)/Nombre y dirección del exportador (si es distinto de la fábrica de transformación):
……..…….

Numéro d'agrément de l'usine de transformation/Approval number of the processing plant/Número de aprobación de la fábrica de transformación:
…….

Numéro et date du certificat sanitaire/Health certificate number and date/Número y fecha del certificado sanitario:
…….

Responsable de l'usine de transformation Responsible person of the processing plant Persona encargada de la fábrica de transformación	Signature/Firma:	Date/Fecha:	Lieu/Place/Lugar:

Approbation par l'autorité compétente/Endorsement by the competent authorit/Refrendo de la autoridad competente :
..……..

Agent/Official/Agente	Signature et cachet Signature and seal Firma y sello	Date/Fecha:	Lieu/Place/Lugar

Annex 3

Report on the Implementation of the
ICCAT Tuna and Tuna-like Species Catch Documentation Programme

Reporting CPC:

Period of reference: July 1 [2XXX] to June 30 [2XXX]

1. Information extracted from TSCDs

- number of TSCDs validated;
- number of validated TSCDs received;
- total amount of tuna and tuna like species products imported, exported, re-exported with breakdown by CPC of origin, re-export or destination, fishing areas and fishing gears;
- number of verifications of TSCDs requested to other CPCs and summary results;
- number of requests for verifications of TSCDs received from other CPCs and summary results;
- total amount of tuna and tuna like species consignments subject to a prohibition decision with breakdown by products, nature of operation (import, export, re-export), reasons for prohibition and CPCs and/or non-Members of origin or destination.

2. Information on cases under Part IV paragraph 19

- number of cases
- total amount of tuna and tuna like species with breakdown by products, nature of operation (import, export, re-export), CPCs or other countries referred to in Part IV paragraph 19 above.

Appendix 6 to ANNEX 4.1

Draft Recommendation by ICCAT on an Electronic Catch Document Pilot Programme

RECALLING that the second joint meeting of tuna regional fisheries management organisations *(San Sebastian, Spain, June 29-July 3, 2009)* concluded that minimum standards or best practices for catch document systems should be adopted,

RECOGNIZING the developments in electronic information exchange and the benefits of rapid communication with regard to the processing and management of ICCAT's catch document programmes, and

NOTING that electronic systems could improve the ICCAT catch document programmes 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 catch documentation programmes, 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 catch documentation programmes, 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 programmes in the future.

3. CPCs implementing a pilot electronic catch documentation programmes 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. CPCs taking part in the pilot programme shall report observations on the advantages and problems, if any, to the Commission.

5. The ICCAT Recommendation 06-16 on an electronic statistical document pilot programme is repealed and replaced by this Recommendation.

4.2 REPORT OF THE INTER-SESSIONAL MEETING OF THE COMPLIANCE COMMITTEE (Madrid, Spain - February 24 to 26, 2010)

1. Opening of the Meeting

Chairman Christopher Rogers (United States) opened the meeting and welcomed the delegations of Contracting Parties and Observers in attendance. A List of Participants is attached as **Appendix 2 to ANNEX 4.2**.

2. Appointment of the Rapporteur

Dr. Andreina Fenech Farrugia (EU-Malta) was appointed Rapporteur for the meeting.

3. Adoption of Agenda and meeting arrangements

The Chairman briefed the Committee on the procedure to consider issues relative to each Agenda item. In particular, the Chairman noted that the Committee was charged under Recommendation 09-06 adopted in Recife to establish an allocation key for 2010 harvests of eastern Atlantic and Mediterranean bluefin tuna (E-BFT), to approve 2010 fishing vessel capacity management plans for each Contracting Party, Cooperating non-Contracting Party, Entity or Fishing Entity (CPC) with an allocation for eastern Atlantic and Mediterranean bluefin tuna, and to determine a limit on the number of Joint Fishing Operations (JFOs) to be authorized by each CPC for eastern Atlantic and Mediterranean bluefin tuna in 2010.

Additionally, the Chairman noted several issues which would be taken up under item 9 of the Agenda (Other matters):

1) Request from the Pew Environment Group for ICCAT to comment on its findings about port visits by vessels listed as having engaged in illegal, unregulated or unreported (IUU) fishing. It was envisioned that a brief discussion was needed to formulate a response to Pew.

2) Requests for inter-sessional removal of two vessels ("Tonina V" and "Daniaa") from the ICCAT IUU Vessel List had been circulated. The Secretariat would provide an update on responses received from the CPCs.

3) The Secretariat had requested clarifications from the CPCs on the interpretation and applicability of several requirements. This request had been deferred from the meeting in Recife for consideration at the inter-sessional meeting.

4) The Chairman had circulated two texts addressing the operation of the Compliance Committee in Recife in response to discussions at the meeting of the Working Group on the Future of ICCAT in Sapporo in 2009. Discussion of these texts had been deferred from the meeting in Recife for consideration at the inter-sessional meeting.

Finally, the Chair called the CPCs' attention to Circulars previously distributed by the Secretariat which have a direct relationship to the efficient operation of the Compliance committee: Circular 023/10 on the deadline and procedures for submission of information to the Commission and Circular 048/10 concerning the applicability of requirements to each CPC.

The Agenda was adopted without change (attached as **Appendix 1 to ANNEX 4.2**). The Chair left open the possibility of delegations to raise additional concerns under "Other matters".

4. Consideration and review of compliance with paragraph 1 of Rec. 09-06 in relation to the total allowable catch for eastern Atlantic and Mediterranean bluefin tuna

To begin this discussion, the Chairman recalled the commitments made by CPCs at the 2009 inter-sessional meeting of the Compliance Committee in Barcelona that the provisions of Rec. 08-05 would be respected from the beginning of the 2009 fishing season regardless of the date of entry into force for new measures. The

Chairman asked the delegates if the same understanding would be applied to new measures adopted in Rec. 09-06 and Rec. 09-11. It was agreed by all parties that the provisions of these Recommendations would be observed by all CPCs from the beginning of the 2010 fishing season and not wait for legal entry into force. In this regard, the delegate of the EU confirmed that all legal measures had been taken to ensure implementation of eastern Atlantic and Mediterranean bluefin tuna recovery plan from the start of the 2010 campaign. Several other CPCs also affirmed that internal steps had been taken or were in process to ensure compliance with the new measures.

The Chairman then informed the delegates that he had requested the Secretariat to produce a table which applied the new Total Allowed Catch (TAC) for eastern Atlantic and Mediterranean bluefin tuna established in Rec. 09-06 to the allocation key established by Rec. 08-05. In addition, the calculations included the approved plans for carry forward of under-harvests and the requirements for payback of over-harvest which were agreed as part of Rec. 08-05 or by the Compliance Committee in Recife. This table was then circulated to the meeting participants. It was intended that, once adopted by the Committee, this table would become an integral part of Rec. 09-06 (see **Appendix 5 to ANNEX 4.2**).

The CPCs then discussed the table as drafted by the Secretariat. It was initially observed by several parties that the 2010 TAC was established at 13,500 metric tons (t) but the table indicated a total 16 t higher. The Chairman recalled the carryover provisions for a few parties that had previously been approved (50% of under-harvests from 2005/2006) and that some CPCs had indicated plans to fish these allowances in 2010. As these plans had been approved and were not removed by Rec. 09-06, adjustments had to be made. Also, the applicable paybacks for over-harvest were not removed by Rec. 09-06 so these had to be made by certain parties. To be complete, the table contained adjustments for 2011 to refer to any further payback and also to the clause of Rec. 08-05 regarding voluntary reductions in 2009 which could be fished in 2011. The Chairman requested the CPCs to confirm the figures for 2010 by adopting the table for attachment to Rec. 09-06

Libya noted the on-going concerns about the status of eastern Atlantic and Mediterranean bluefin tuna and the need to reduce fishing mortality further than agreed in Recife. It was suggested that, among other adjustments, all payback of over-harvest should be done in 2010. Also, it was suggested that no carryover be permitted. Libya emphasized that ICCAT should not continue previous mistakes in setting the TAC too high and that the Compliance Committee needed to take a stronger position in view of the upcoming CITES meeting in Doha, Qatar in March 2010).

The EU noted a problem in the table with the figures carried over. EU domestic legislation had already carried out the calculation and the Secretariat was asked to check the method used to reach the figures. The Secretariat explained the calculation method was to take the percentage of each Contracting Party with quota and apply that percentage to the new TAC.

Japan agreed with Libya that all figures in the table should be discussed in view of the difficult CITES meeting expected in Doha. It was noted that an allocation table with a sum greater than the agreed TAC of 13,500 t would be problematic. Japan recalled that the carry forward of under-harvest was optional for CPCs and this could be declined. CPCs were encouraged to discuss any issue which could help with CITES.

Libya insisted that treatment of over-harvests and carryover amounts should be addressed by the Compliance Committee for all CPCs, not by only some CPCs on a voluntary basis.

The EU agreed with Libya and Japan that CPCs must show a firm commitment to the recovery plan and that the 2010 season be fully compliant with both the conservation and the monitoring measures. However, the agreed payback scheme was already put in place so it would be difficult for the EU to adjust by new regulations for the upcoming season. It was noted that ICCAT is the only RFMO with payback provisions for over-harvest and penalties including trade sanctions for non-compliance. It was recalled that the EU and Tunisia were transparent about previous over-harvest and payback schemes were already agreed by the Commission. It is important that Compliance Committee continue in its efforts to ensure that CPCs fulfill their obligations to the agreed measures.

The United States noted that one Contracting Party (Norway) and a fishing entity (Chinese Taipei) had already confirmed to the Secretariat that they would not fish their allocations in 2010. The United States asked if other parties would not fish and, if so, this fact should be recorded in the table.

Morocco observed that 16 CPCs are contained in the allocation table and suggested that, as a first step, each CPC could voluntarily reduce its share by 1 t. This would bring the total back to the agreed TAC of 13,500 t. Morocco

then invited parties to consider whether there could be further voluntary reductions consistent with respective CPCs domestic processes.

Japan reminded the other delegations that ICCAT is facing a significant issue with regard to eastern Atlantic and Mediterranean bluefin tuna and the proposal to list the species under CITES. It was recalled that certain CPCs were not happy with the Recife outcome, in particular the TAC of 13,500 t. Japan called on any of these parties to suggest actions that would be more satisfactory in their view. Any such proposals should be considered very seriously in this meeting and the committee could take action.

Brazil supported the view of Japan and noted that ICCAT had a chance to demonstrate its commitment to the recovery and good management of bluefin tuna. It was suggested that this Agenda item should remain open to revisit later in the meeting after CPCs had an opportunity to consult. Libya agreed with Brazil and suggested the Chairman form a small working group to draft a proposal to be circulated and discussed later in the meeting.

The Chairman noted that the measures of Recommendations 08-05 and 09-06 are clear in terms of payback for over-harvest and that under-harvest may not be carried forward. Because of this, the TAC and allocations by CPC for 2010 are firmly established. The Chairman further observed that voluntary adjustments to quotas, carryovers or payback by the CPCs are always possible and could be accepted at the meeting or afterwards. However, if a firm change in the operative rules was to be considered, this would have to be referred back to the Commission for adoption by vote.

Several parties supported the negotiation of a written proposal that would be put to the Commission for an inter-sessional vote. Other parties supported voluntary adjustments.

Tunisia suggested that voluntary adjustments take economic capacity into account. Turkey expressed some support for both proposals but noted that a commitment could not be given at the meeting because the fishing year had already been planned and government consultations would be needed to amend the plan. Croatia also noted that its 2010 quotas were in place and would be difficult to change.

The Chairman suspended discussions on this Agenda item noting that the only agreement to this point was on voluntary reductions. CPCs were encouraged to consider alternative approaches and come back with proposals later in the meeting.

When the discussion resumed, it was recalled by the Chairman that Norway and Chinese Taipei had already indicated they would not fish their eastern Atlantic and Mediterranean bluefin tuna allocations in 2010. The Chairman asked if any another parties had decided to take voluntary reductions.

Brazil noted that Rec. 08-05 requires CPCs to submit annual fishing plans for eastern Atlantic and Mediterranean bluefin tuna. All CPCs understand this and must observe the agreed deadlines. If the required plan is not received at the Secretariat by March 1, it must be assumed that the CPC will not fish. The United States agreed with Brazil's statement.

The EU also agreed with this approach and emphasized that it is important for all CPCs to submit plans by March 1. In order to comply with the TAC of 13,500 t, the EU stated it would voluntarily adjust its quota and this would be noted in the fishing plan. The preliminary figure of reducing by18 t was noted but by March 1, the EU will give exact numbers in its plan.

The Chairman noted that the meeting report would reflect how the Committee proceeded under this agenda item 4. The eastern Atlantic and Mediterranean bluefin tuna allocation table for 2010 would be appended to Rec. 09-06 and would reflect any voluntary reductions notified to the Secretariat in the annual fishing plans. The consensus of the Committee was that if the annual fishing plan was not received by the March 1 deadline, it would be interpreted that the CPC did not intend to fish its eastern Atlantic and Mediterranean bluefin tuna allocation.

In closing the discussion, Japan emphasized it would support further reductions in the TAC level since it believes that CITES Appendix 1 is the wrong choice for managing bluefin tuna.

Libya affirmed its support for a TAC of 8,500 t if all CPCs were prepared for this adjustment. Additionally, all paybacks should be taken in 2010 and all carryover should be given up. Libya emphasized that minor reductions through voluntary adjustments would not work to address the potential action by CITES.

Canada indicated that while it could support CPC actions to reduce quotas, it should be recalled that the TAC of 13,500 t is within range of the scientific advice and is defensible.

The Chairman emphasized again that the Compliance Committee is not Panel 2. If parties have continued interest in changing the TAC by amending Rec. 09-06, the inter-sessional procedures for a mail vote have to be followed.

The Compliance Committee agreed that it would adjust the allocation table consistent with any voluntary adjustments communicated to the Secretariat by March 1. Consistent with its charge at Recife, the table was adopted by the Committee to append to Rec. 09-06.

5. Consideration and review of compliance with paragraph 46 of Rec. 08-05 fishing capacity in accordance with the methodology approved at the 2009 annual meeting

The Chairman opened this Agenda item by recalling the fishing vessel capacity management plans for eastern Atlantic and Mediterranean bluefin tuna that had been reviewed in Recife. Because Rec. 09-06 reduced the 2010 TAC for eastern Atlantic and Mediterranean bluefin tuna, it was necessary to revise those capacity reduction plans. It was agreed that the same method for measuring fishing capacity that had been used in Recife would be applied for the revised plans. The best catch rates as estimated by SCRS would be matched to the respective CPC fleets for each vessel type and size class. The Secretariat performed these calculations based on the number of vessels authorized to fish for each CPC in 2008 and the vessels included in the revised capacity management plans for 2010. Rec. 08-05 required CPCs to reduce the number of vessels to account for at least 25% of the difference between the potential catch and the actual allocation of eastern Atlantic and Mediterranean bluefin tuna for 2010.

The CPCs engaged in a general discussion on capacity management and capacity reductions in regards to the recovery plan for eastern Atlantic and Mediterranean bluefin tuna.

The Secretariat explained the capacity tables that were constructed to facilitate review of the CPC reduction plans and these tables were distributed to the meeting. It was confirmed that the revised catch estimates by vessel type as presented by SCRS in BFTE-Table 1 (see page 128 of the 2009 SCRS Report, English version) to the Commission were used for the potential catch calculations.

Tunisia inquired whether the purse seine vessel catch estimates that have been used as a basis for the calculations had taken into account the reduced length of the fishing season in 2010. It was observed that average catch for a vessel would depend on whether it was fishing for 1 or 2 months. The Secretariat responded that the estimates obtained from the SCRS Report contain best catch rates for fishing seasons in the past. There was no information on how catch rates would be affected by the reduced length of the forthcoming season. The Chairman observed that adjustments in future years could take into account the shorter fishing season but for this meeting it would be necessary to continue with the published figures. This would take a conservative approach and result in fleet reductions that may be greater than would be required to meet the 25% reduction when taking into account the shorter season.

Several CPCs noted discrepancies in the number of vessels reported in the tables. Corrections were noted and the Secretariat issued an updated table. All CPCs confirmed the changes made by the Secretariat. It was recalled that under the terms of Recommendation 08-05 any CPC with overcapacity as reflected in the table (potential catch greater than allocation), must comply with at least 25% reduction for 2010.

Japan stated that there was no problem with the table itself, but noted that some countries still had significant overcapacity even after the 25% reduction target was achieved. Croatia indicated that although its figures in the table indicated there was still overcapacity, the number of vessels actually fishing will be reduced in 2010. It was requested that other CPCs with overcapacity explain the approach to ensure there would be no overharvest in 2010.

Morocco agreed with Japan that ICCAT must ensure a match between fishing capacity and the quota allocated to each CPC. If overcapacity exists, it will be difficult to achieve conservation of the stock.

The Chairman recalled that the charge to the Committee was to finalize the 2010 capacity management plans required by Rec. 08-05, including at least 25% reduction for 2010. CPCs were encouraged to provide explanations if there were plans to reduce capacity in 2010 even further than the required amount. It was suggested that if CPCs could not commit to further reductions at the meeting, perhaps CPCs could address this in their 2010 fishing plans.

Libya noted that ICCAT must demonstrate the intention to manage bluefin tuna stocks in a satisfactory manner. Libya was prepared to take a 65% reduction in capacity if CPCs agreed to a TAC with the best scenario for stock recovery.

The EU emphasized its tremendous efforts to reduce capacity, especially a considerable reduction in the number of purse seiners. The EU has taken responsibility for this sector which contributed to overcapacity, and some purse seiners have already been scrapped. It was hoped that other CPCs would make the same effort. ICCAT should identify those CPCs which have not complied with the capacity controls. The EU observed that Algeria announced that it will increase its fleet. It was suggested that a letter of clarification should be sent by ICCAT to reinforce that fishing effort must be commensurate with the CPC allocation.

The Chairman recalled that in Rec. 08-05 there was a provision that a CPC could develop a fleet if this was needed to harvest its allocation. In such a case, an increase in vessels was allowable.

It was suggested that the Compliance Committee draft a letter to those CPCs with developing fisheries to express concern that any fleet development has to be consistent with the allocation. Libya commented that such a letter was not necessary because Algeria would receive the meeting report. It was agreed that the meeting report would reflect the concern about fleet development for Algeria and Albania and that these CPCs must keep vessel increases in line with the agreed bluefin tuna allocations.

The Committee continued review of the capacity tables for each CPC. It was confirmed that the plans of China, Croatia, Egypt, the EU, Iceland, Japan, Korea, Morocco, Syria, and Turkey were consistent with the 25% reduction.

Japan expressed appreciation for the efforts made by the EU but noted the exception of the artisanal fishery. The EU recalled that the obligation was for an overall fleet reduction. The purse seine fleet was the focus of reductions because the industrial fleet reflected the sector with the highest fleet capacity.

It was noted that in the revised table, Libya had reached only a 19% reduction in the potential catch relative to its allocation for 2010. Libya indicated this to be an error in that the correct number of vessels was 32 rather than 35 as indicated in the table. With this correction, the reduction would meet the required 25%. The Secretariat noted the correction would be made to the table (see **Appendix 3 to ANNEX 4.2**).

Tunisia explained its overcapacity in that it had adopted a voluntary reduction in the past four years from 52 to 42 vessels. Using 2008 as a baseline would discount reductions already achieved in earlier years. Tunisia planned to maintain this level for 2010.

Japan then expressed appreciation for the Turkish effort to reduce its fleet but noted that there was still a significant level of overcapacity. It was learned from the 2009 season that group fishing was problematic and many vessels had been allocated very small quotas. Japan asked Turkey how the fishery would be managed in 2010.

Turkey recalled that it had already presented its capacity management plan and has committed to a significant amount of reduction. Turkey will present its annual fishing plan by 1 March 2010 in line with this capacity management plan. Turkey restated a concern that the SCRS criteria for estimating average catch rates should take the specific nature of each CPC into consideration. For Turkey, this would mean adjustments to reflect the group fishing method with individual vessel quotas well below the potential catch estimated by SCRS.

Japan had concerns with the explanation of Turkey and asked if any special efforts would be applied by Turkey to manage the large number of vessels. Turkey replied that it will assign individual quotas to the vessels which are consistent with Turkey's allocation of the TAC. Its intention is to strengthen inspections and participate in the ICCAT Joint Inspection Program. These steps will easily establish better control of group fishing operations.

The EU was thankful and would coordinate with Turkey for the Joint Inspection Program. It was announced that the inspector training courses would be held soon in Vigo, Spain.

The Chairman asked if the CPCs could adopt the revised capacity management plans as reflected in the tables. Morocco expressed concern to see so much overcapacity even after reducing the TAC in Recife and called upon CPCs to make a greater effort. Morocco recalled that the discussions in Recife were to submit capacity plans in line with allocations. Morocco cut its fleet by 63% to ensure no over catch. Control mechanisms must be in place to stop fishing when the quota is reached. Morocco questioned whether there was a new interpretation for fleet reduction targets.

Libya noted that the CPCs should keep within the terms of the Compliance Committee and not reinterpret agreed measures.

The Chairman observed that the agreed requirement was a reduction of 25%. Regardless of continuing overcapacity, CPCs still had an obligation to maintain catches within their respective allocations. CPCs are required to reduce overcapacity even further in future years and the TAC will be reviewed after the 2010 stock assessment.

Japan restated its concerns that the fleet of Turkey has a potential catch three times larger than its allocation. Japan indicated it would closely monitor bluefin tuna exports from Turkey to its market.

Turkey restated that it had met the capacity management requirement and has committed to increased inspections. Turkey did not believe that the concerns of Japan were necessary.

The EU encouraged all CPCs with excess capacity to monitor their fleet in real time. When a vessel reaches its individual allocation, it should be called back to port. The EU will apply zero tolerance on its fleet and expects that other CPCs will do likewise.

It was decided that the report would reflect the general concern of the Compliance Committee that although the capacity management plans met at least 25% reduction, overcapacity continues to be a problem and needs to be addressed. Such measures to reduce overharvest would include a mandatory order to return to port when individual vessels have reached their allocation. In addition, any CPCs undertaking fleet development must respect the obligation to fish within their quota.

The discussion under Agenda Item 5 was closed and the revised Capacity Management Plans were adopted by consensus of the Committee (see **Appendix 3 to ANNEX 4.2**).

6. Consideration and review of compliance with other requirements of the multiannual recovery plan for eastern Atlantic and Mediterranean bluefin tuna, including limitation of number of joint fishing operations

The Chairman recalled for the delegates that Rec. 09-06 required that CPCs limit the number of joint fishing operations (JFOs) in 2010 according to the number authorized and notified to the Commission in 2007, 2008, or 2009.

The Chairman also reminded the delegates of the numerous reporting requirements and deadlines established in Rec. 08-05 and that the Secretariat had issued Circular 245/10 to facilitate compliance. The Secretariat also issued Circular 224/10 to update the CPCs on the status of the Regional Observer Program for bluefin tuna, an important component of the recovery plan and of the catch documentation scheme.

The Chair suggested that the Committee take up the matter of JFOs as the first activity.

It was recalled that Rec. 09-06 did not set the JFO limits so it was necessary for the Compliance Committee to agree on the limit for each CPC. The Secretariat created a table of JFOs that had been notified over the past three years (see **Appendix 7 to ANNEX 4.2**). The CPCs were asked to look at the table, offer corrections and amendments as necessary, and finally indicate the limit that would be applied from 2010.

The Secretariat indicated that all information had not been received on time but was coming in gradually. In particular, the Secretariat noted that no information was available on 2007 and that for 2008, there are two sources of data: JFOs reported to the Secretariat during the season and JFOs reported by the CPCs in response to

the questionnaire distributed for the inter-sessional meeting of the Compliance Committee. For some CPCs, these two figures for 2008 were different.

The Delegates confirmed the number of JFOs recorded for each year or provided corrected information. There was some question as to whether the requirement was to provide a one-time notice of the business arrangements between fishing vessels or a separate notice each time these vessels actually fished together.

Libya noted the missing information for 2007 and suggested the base year for the limits be set to the level of 2008. Libya recalled the discussions from Barcelona regarding illegal JFOs of two CPCs in 2008 and asked if actions against these vessels have been taken. All authorized JFOs must be notified to the Secretariat by all the CPCs involved.

The Chairman noted that the notification procedures for JFOs had not been established in 2007, but this was identified as a reference year by Rec. 09-06. If CPCs had this information for 2007, it should be given to the Secretariat.

Croatia recalled information it had provided in Barcelona that a JFO was authorized in 2008 but it did not take place.

The Secretariat asked the CPCs about the information they wished to retain in the tables. The Chairman suggested each CPC correct the information and select the reference year and therefore the number of JFOs from 2010.

Turkey recalled the discussions on this matter in Recife and in Barcelona concerning the monitoring and control problems posed by JFOs.

Libya agreed that the focus should be to minimize the number of JFOs and not to correct the data to increase the potential number which could be authorized in 2010. Libya objected to any corrections if the Secretariat did not receive authorizations from all flag states at the time

The Secretariat explained that ICCAT writes to all CPCs concerned to verify that there was mutual consent for the notification. Some parties did not accept a JFO when they were contacted.

The Chairman recalled that monitoring of JFOs was problematic in the past. Parties in Panel 2 decided to limit the number to exercise more control.

The EU commented that the Secretariat had done an excellent job to record and verify JFOs and this was not always easy. The Committee needs to take a decision regarding the limits to be adopted.

The CPCs provided corrected data to the Secretariat and the table was reviewed to determine limits for 2010.

Because several CPCs had not reported any JFOs in the past, the Chairman suggested it was appropriate to set the 2010 limit at zero. This was the case for Albania, Algeria, China, Egypt, Japan, Norway, Syria and Chinese Taipei. Several of these Parties confirmed that they would not be authorizing JFOs but Libya noted that Syria and Egypt were not present to confirm and they were relatively new members with interests in developing their fisheries. Morocco noted that Algeria was also absent, and should be contacted for confirmation.

Several CPCs supported flexibility for Syria, Algeria and Egypt. It was agreed that these Parties would be reminded of the obligation to submit a fishing plan by March 1 and this should include intentions for JFOs.

The Secretariat recalled the Rec. 09-06 stipulates that the number of JFOs must not be more than the maximum in 2007, 2008 or 2009. It was noted that the reminder should therefore indicate that for all these CPCs there were no JFOs notified in the reference years, although there was as yet no available information for 2007.

Turkey recalled that the Commission had received information from the new members that they want to learn about bluefin tuna fisheries and that JFOs might support their development efforts. Turkey also recalled a JFO with Algeria in 2008.

Morocco noted that Contracting Parties have a time limit to express their disagreement and it was not up to this Committee to decide. The Chairman stated that the Committee was charged to finalize the table with 2010 limits.

The report would note the sentiments expressed by some Parties and the table were to be adopted. If objections are submitted by the affected Parties, the table will be amended.

Croatia and Korea indicated they would authorize only one JFO in 2010. Libya indicated it would authorize 11, Tunisia two, Turkey six, and Morocco indicated it would authorize three.

Iceland was not present but had reported one JFO in 2008. It was agreed the meeting report would record a 2010 limit of one JFO and the Secretariat would notify Iceland of the limit.

The EU indicated it would not authorize any JFOs between its Member States and other CPCs. However, the EU would continue to report JFOs between Member States on a voluntary basis.

Libya indicated there should be a limit since different Member States are involved and different flags fishing together will weaken control and monitoring. Even if under one CPC, the JFOs have to be limited.

The EU recalled that it is a single CPC at ICCAT representing all its Member States. The requirements for JFOs apply to operations between different CPCs. Regardless of the requirement the EU will voluntarily observe the normal requirements for authorizing and notifying JFOs to the Commission.

Japan observed that in 2009 the EU reported 14 JFOs among its Member States. Libya requested the EU to set a limit.

The EU replied that it is under an obligation to limit JFOs with other CPCs and this will be set at zero. On a voluntary basis, the EU decided to move beyond the ICCAT recommendation and will notify ICCAT of operations between vessels of Member States**.** It was not possible to determine the potential activities of Member States at the time of the meeting and could not give a specific number in 2010.

Libya suggested the same treatment should be afforded vessels of Member States of the African Union. The Chair noted that the African Union is not a contracting party to ICCAT at this time. Libya disagreed that the situation was different and asked that its view be noted in the meeting report.

The EU restated that all JFOs will comply with the monitoring and reporting rules and the Secretariat will be notified of all JFOs.

There was some discussion on the questions posed by the Secretariat regarding clarifying the provisions of Rec. 08-05 on JFOs. These discussions were concluded under Agenda item 9 and are reported there.

The Chairman then reviewed each of the provisions of the multi-annual recovery plan for eastern Atlantic and Mediterranean bluefin tuna to confirm the common understanding of each requirement or invite CPCs to discuss the need for clarifications.

The first issue raised was the entry into force of the revised closed season for the purse seine fisheries. CPCs agreed that it was important to implement all new measures throughout whole 2010 fishing campaign. All CPCs confirmed that the revised purse seine season would begin May 16 and end June 14 as modified in Rec. 09-06 and the provision for weather days is cancelled.

The next issue addressed was the Regional Observer Program for the purse seine fisheries and the farms. The Chairman reviewed the outcomes of the discussions in Recife with the acknowledgement that the short time available for contracting meant the program could not be implemented for the 2009 fishing season but some CPCs had implemented the program for the farms.

The Secretariat reviewed the status of the contract for 2010 recalling that bids were received and ICCAT had set up a selection committee. A company was selected for this program and it will be implemented as soon as funds are available from CPCs' operators, which should be lodged to a specific account held by the Secretariat. It was agreed that the information on costs would be circulated as soon as possible in order to allow the collection of funds for 2010 to start.

The Chairman recalled that the observer requirement was 100% for purse seiners and 100% at the transfer of fish to the farms and harvests of fish from the farms.

Tunisia noted that it does its best to cooperate and guarantee correct implementation of ICCAT measures but the ROP should be considered with attention given the high financial burdens for the vessels and the farms.

The EU underscored the importance of observers and recalled that in 2009, it had deployed national observers at 100% of its farms. The EU confirmed to ICCAT that it will fully implement the ROP in 2010 but would like to have an assessment of the program implemented this year so as to improve various areas such as cost. The assessment should take into consideration the work carried out by other RFMOs.

Croatia had implemented the ROP in 2009 and was concerned that only two CPCs had participated. This was a very expensive operation and Croatian farms are not convinced of its effectiveness. There was no obligation for the ICCAT observer to sign anything so they were forced to have national observers on the farms as well. An observer placement was completed in November and no report has been issued yet. Croatia is not satisfied with the program and it must be better defined in its details.

The Secretariat confirmed that only Turkey and Croatia had deposited funds and implemented the ROP at the farms in 2009. On the matter of costs, it was recalled that ICCAT set up the requirements for the program and the bidders submitted the prices. The CPCs adopted the Recommendation and the Secretariat has tried to implement it as efficiently as possible. On the matter of reports, it was noted that the necessary data are collected but there should be a place on the data forms for signature by the ROP observer. The contract for 2010 was not signed yet, so a provision will be included to ensure that reports are submitted within the 20 day time frame required by Annex 7 of Rec. 08-05.

Libya commented that the ROP was developed by the EU as part of the recovery plan. When Rec. 08-05 was adopted, all CPCs were aware of the potential costs and the expenses should not be a basis for not complying. While two CPCs fulfilled the obligation, the other CPCs with farms did not. Libya asked the Chairman how this issue of non-compliance could be addressed.

The Chairman reminded the delegates that this issue had been discussed at great length in Recife. CPCs that had not implemented the ROP explained their situations. Based on those discussions, the Chairman had proposed actions including letters of identification for those CPCs that failed to implement the ROP. No alternative actions were proposed by the delegates so this was how the situation was addressed in Recife. If delegates had new proposals for action on this matter, these could be taken up under Item 8 of the COC inter-sessional agenda.

Turkey agreed with Croatia on problems with the implementation of the ROP. The issues on observer signatures and reports should be clarified as soon as possible. Turkey supports the program but it is up to the Commission to decide if the actions taken by other CPCs that did not implement the program are acceptable.

The EU recalled the long debate on the ROP that took place in Recife – costs, deployments, scope. It would be useful for ICCAT to contact other RMFOs to examine how other ROPs work and to learn from them. ICCAT can make an assessment of problems and work to improve its program. The EU also confirmed that although the ROP was not implemented in 2009 for the reasons stated, 100% observer coverage was ensured by national observers whose tasks were in accordance with those of the ROP, the reports of which are available to ICCAT.

Tunisia confirmed it will implement the ICCAT ROP during the 2010 season though there are concerns about the financial implications of the program. Tunisia does have a national observer program as well and will assign an observer for each group of vessels. No BCDs will be validated without a signature by the observer.

Morocco also expressed concerns about the cost of the ROP. There is limited space aboard vessels so there is no place for regional observers in addition to national observers. If a national observer has validated the catch and transfer, this should be accepted. ICCAT should concentrate the ROP on farming operations.

Canada expressed disappointment with the nature of the discussion. In Doha, the CITES meeting will focus on compliance issues for ICCAT. It is regrettable if the ROP cannot be implemented. It is expensive but all CPCs supported the measure when it was adopted. One way to address the cost issue could be to not require CPCs to pay the full amount before signing the contract, but pay fees as the observers are carrying out the work.

Several CPCs expressed views that the Committee must look at the ROP implementation in 2009 to come up with new ideas to improve the program. It was stated that lack of funds cannot be accepted as a reason for not implementing the program. Turkey had implemented the program at considerable costs and insisted that the requirements must be applied equally to all CPCs.

Brazil expressed concern that CPCs were raising questions about the ROP because the mandate of the Compliance Committee is to review CPC compliance, not to renegotiate agreed measures. Brazil had not yet come up with a decision regarding the CITES proposal for bluefin tuna, but delegations need to be aware of the concerns about ICCAT compliance which will likely be raised in March 2010.

The EU described the inspections on the bluefin tuna fisheries that took place at considerable cost. All Member States have deployed national inspectors and set up joint inspection networks. All of the problems of past years were addressed with full transparency. Regardless, the EU did accept the identification in Recife, which under Rec. 06-13 can lead to restrictions on commercial trading. The EU will respond to ICCAT with the measures taken to correct the situation.

Japan recalled that it was made clear in Recife that there was non-compliance with the ROP implementation. Even if national observers were used, non-compliance with the ROP is a fact. The question for market States is how to address the non-compliance. Japan had noted many irregularities in bluefin tuna catch documents including catch validated after caging, a clear violation of the rules. Japan does not want to accept illegal product. If CPCs support a CITES listing, Japan is willing to prohibit bluefin tuna imports from those countries. The Compliance Committee must give clear instructions on this matter. Tunisia already agreed to release 560 t of bluefin tuna because of irregularity of the catch documents. EU-Malta also released huge amounts of tuna for this same reason. There is still a large amount of tuna on hold at customs in Japan because of document irregularities.

The Chairman reminded the delegates that the Committee was not convened to revisit actions taken in Recife or to revisit conservation or monitoring measures already adopted by the Commission. All these issues had been addressed in Recife and the Committee must take this opportunity for clarifying the measures to avoid differences in interpretation for 2010. If CPCs are concerned about continuing non-compliance, proposals for action can be taken under Agenda Item 8.

The Chairman indicated that the last interventions of Japan regarding catch documentation irregularities will be discussed under item 7.

To conclude the discussion on the ROP, the Chairman recognized the concerns expressed by the CPCs about the costs and reporting requirements of the program. It was agreed that the ROP should be revisited by Panel 2 after an assessment of the costs and effectiveness is completed by the ICCAT Secretariat, including a review of the regional observer programs of other RFMOs. The delegates agreed that the ICCAT ROP is a binding obligation and would be fully implemented in 2010.

Japan reserved its position on utilization of observer data from the ROP and the validation of catch documents. The delegates agreed that discussions on the relevance of observer activities would be reopened during the BFT CDS discussions under Agenda Item 7.

Finally, the Chairman acknowledged the commitments made, and the expenses incurred, by Croatia and Turkey for their implementation of the ICCAT ROP in 2009.

The Chairman then invited the CPCs to raise any other issues or concerns about the implementation of the eastern Atlantic and Mediterranean bluefin tuna recovery plan (Rec. 08-05). In particular, the Chairman asked the delegates to recall those issues which were subject to discussion in Recife, and to seek clarifications regarding implementation of the measures for 2010. To facilitate this discussion, the Chairman took up the measures of Rec. 08-05 in sequence.

No concerns were expressed about the provisions for managing or monitoring sport and recreational fisheries, including allocation issues.

No concerns were raised about the deadline to submit annual fishing plans or the contents of these fishing plans.

CPCs acknowledged that no chartering of vessels to harvest eastern Atlantic and Mediterranean bluefin tuna is allowed in 2010. There was a discussion as to the scope of this prohibition and several parties insisted the interpretation shall be all vessels. The clarification is documented under Agenda Item 9 further in this report.

No concerns were raised about the March 1 deadline to provide a list of traps authorized to harvest eastern Atlantic and Mediterranean bluefin tuna.

Some concerns were raised about the list of active vessels. After the season, CPCs are required to confirm the vessels that actually fished eastern Atlantic and Mediterranean bluefin tuna and this list can be compared to the VMS information submitted to the Secretariat during the season. The delegates agreed that vessels cannot be posted to the list after catch occurs and BCDs cannot be validated for vessels not on the list. Unlisted vessels fishing for eastern Atlantic and Mediterranean bluefin tuna are committing a serious offense.

The Secretariat asked for clarification regarding the establishment of the vessel record for eastern Atlantic and Mediterranean bluefin tuna. It was noted that some CPCs give changes to ICCAT after the initial submission and the Secretariat is at the hands of the CPCs. The Chairman recalled that paragraph 55 of Rec. 08-05 allows for substitution of listed vessels under certain conditions and according to a certain procedure for supporting information. The Chairman suggested that if a change request does not appear to be in accordance with the procedures, the Secretariat should distribute a circular which includes the rationale for the change as submitted by the CPC and requests the other CPCs to comment on whether the change can be accepted. In no case should a BCD be validated or accepted if a vessel has not been included on the authorized list.

The EU also suggested that ICCAT should set an obligatory 24 hour time limit to release tuna when validated documents are not provided by the catching vessel to the transfer vessel.

Also, for the Joint Inspection Program, the EU proposed that with the presumption of a serious offense, the vessel should be immediately called to port by the flag State CPC. If a large number of vessels are together in the same area, a CPC patrol vessel should remain close by. The EU requested that other CPCs exchange views on procedures to improve the joint inspection scheme. This could make the scheme easier to implement by CPCs and avoid different interpretations about serious infractions.

There was a question about the limitation of listing a vessel on only one of the two lists created under paragraph 54 of Rec. 08-05. Morocco noted that during the 2009 fishing season the same vessel could be declared as a processing vessel and another type of support vessel. This could result in 2 different ICCAT numbers. An inquiry had been lodged with the Secretariat.

The EU considered that paragraph 54 of Rec. 08-05 requires that a vessel can either be a “catching” vessel or “other” vessel (support and auxiliary) during calendar year as defined by Rec. 08-05. The vessel must be registered under a single type and appear only on one list.

There was a discussion as to whether a single vessel can serve more than one support role, for example, both as a processing vessel and a carrier vessel. The results of this discussion are documented under Agenda Item 9 below.

Based on a 2009 situation when an inspection vessel found Tunisian vessels fishing together, the EU asked to clarify the definition of transhipment at sea. Transhipment at sea is prohibited for eastern Atlantic and Mediterranean bluefin tuna. The delegates concluded that transhipment at sea involves the transfer to a second vessel of catch that has been taken on board a first vessel. Two vessels fishing cooperatively where both are taking fish on board from the same net does not violate the ban on at-sea transhipment.

Regarding transhipment in port, there was a question about the information to be reported to the Secretariat for designated transhipment ports. It was clarified that the CPC with jurisdiction over the port must provide the inspection details on the time and place at the time of authorizing the transhipment.

With regard to vessel logbooks it was confirmed that all parties have implemented a logbook system. A question was raised about the procedures for transfer declarations as these cannot be sent off for flag state validation with an original signature and held on board the tug at the same time. It would be necessary to obtain the validation by electronic means while the vessel is at sea.

Based on its inspection of Turkish vessels, the EU noted some differences of interpretation of the ICCAT rules by Turkey. Bluefin tuna catch must be accompanied by a set of documents – the flag State authorization, the catch document, and the transfer authorization. It is compulsory to have all documents on board the vessel with the fish. The transfer declaration must be on the tugboat and accompany the fish when being towed. Lack of documents will be considered a serious infringement by inspectors.

Turkey noted that a problem occurs when a number of fishing vessels are operating cooperatively. The main catching vessel will retain all of the documents and this contributes to confusion during inspections. The ICCAT transfer declaration will accompany the tug boat each time. In each case, e-mails notifications will be sent about the catch of each of the participating vessels. There is no template or format for the prior notification and this may confuse inspectors. All 2009 operations took place under knowledge of other CPCs involved.

Morocco noted a concern with estimating catch upon transfer from a catching vessel to a tug. The transfer authorization is given for a certain amount of fish. The observer will report on the volume of fish transferred and record this on the transfer declaration. This may create a problem with the authorization issued before the transfer where the estimated amount by the catching vessels is different from the observer's estimate of the transfer. The difference in estimates is a fact and requires that the parties involved in the transfer therefore come up with an agreed estimate of catch. If not, the estimates from the BCD and the transfer declaration could be different.

It was noted that the obligation is upon the flag state of vessel to make best estimates possible for BCD validation. Then the vessels involved will complete the transfer declaration so that observer can fill in observer details.

Croatia noted that the video records of transfer from the purse seine net to the towing cage and the transfer from the towing cage to the farming cage will likely give different estimates. Several BCDs may be completed with different figures. This has been raised in discussions with Japan. In some instances, they have estimated 300 fish at catch and 350 fish at farming. In such cases, that number recorded at farming should be the final one. The transfer from the tug to the farming cage is a better controlled situation and the video record is more accurate. Which figure should be used for the catch document?

Japan noted that in discussion of the CDS, it was recognized that fishery management is based on catch from the wild stock. It is difficult to control farmed product. ICCAT is allowing JFOs and selling of bluefin tuna to tug boats and farms from different CPCs. Perhaps good management means that CPCs will farm fish only under their own allocation and there should be no transfers of live fish between CPCs. Recovery of the stock means reduced catch limits and strict compliance with control measures.

The EU agreed fully with Japan that ICCAT must ensure strict compliance to ensure that the real quantities are deducted from CPC quotas, including mortality/escape in transport. The responsibility lies with the flag state of harvest. The farming state is only fattening the fish so the controls must be on catch.
Tunisia noted it was in the same situation in 2009. In comparing estimates of catch and transfers, it could correct the number of fish but not weight. ICCAT must find consistency in the methods and recognize it is impossible to be accurate in counting live fish.

The Chairman observed that there was no clear way forward. The CPCs must acknowledge the difficulties and the likelihood of different estimates of the amount of fish. It is the responsibility of the flag state of the catching vessel to make the best estimate since the fish are deducted from its quota. This problem can be revisited under item 7.

Libya asked about an over-catch reported by the EU and why the fish were not released.

The EU reported on this in Recife and supplied film and photos to support the release of bluefin tuna from Spanish and Maltese farms in 2009, although this was due to irregularities with the associated documentation and not an over-catch. The overfishing in 2007 was admitted, but there was no way to rectify the situation. The overharvest is being paid back in 2010 and 2011. Now legal instruments are in place to require immediate release. The EU has set up strict rules to ensure compliance with quotas.

The Chairman asked the CPCs if there were any concerns regarding the requirement for landing bluefin tuna only at authorized ports that are registered with ICCAT and on the provision of weekly catch reports to the Secretariat. No issues or concerns were raised.

Regarding live fish transfer operations at sea, the EU recalled the debate in Recife on infractions recorded by the ICCAT Joint Inspection Scheme. In particular, the EU was concerned that transfer declarations were not on board Turkish vessels towing bluefin tuna.

Following the Recife meeting, Turkey did follow up investigations on the inspection reports and determined that some situations resulted from lack of communication. Turkey's interpretation had been different from that of the EU. The Turkish fishery is a group fishery and therefore all documents were available but remained on the mothership. No unreported fish were caged or transferred during 2009. Turkey explained that all transfers were validated by observers, that there were no over-catches and all information was reported in on time to the ICCAT Secretariat. All documents and VMS data were given to the ICCAT Secretariat and can be circulated to the CPCs. Turkey indicated that for 2010, all documents are to be available on the towing vessel carrying the fish and there will be 100% observers.

Japan had strong doubts on Turkish fishing operations carried out in 2009. During a bilateral meeting with Turkey, many of the documentation issues were clarified and the parties reached a common understanding on implementation of the bluefin CDS. However, Japan still had some pending issues with Turkey.

Turkey noted that, given the special circumstances of it group fishing methods, some provisions should be added to the catch documentation protocols during the Commission meeting.

The EU thanked Turkey for the explanation. All CPCs must agree on the importance of traceability of bluefin tuna catches. At all times in the harvesting and marketing process, bluefin tuna has to be monitored and controlled. Origin can only be proved with the right documentation. For its fishing operators, the EU will instruct that bluefin tuna must be traced at all times and it is a serious infringement if this is not the case. Zero tolerance must be adopted by all CPCs. The EU will deploy a number of patrol vessels again this year.

The CPCs acknowledged that they now had a common understanding that all applicable documents must be validated and accompany the fish at all times, from catching to transfer to caging.

Several CPCs requested reports from the EU and Tunisia regarding release of fish from farms after the meeting in Recife. The bluefin tuna were harvested by vessels flagged to Algeria and were transferred into farms without proper documentation.

After the Recife meeting, the European Commission contacted the Maltese authorities to communicate a procedure to release the bluefin tuna if the required documentation had not been received within a specific timeframe. The Maltese Attorney General presented the case and ordered release of 262 t of bluefin tuna. Prior to the release date, a storm destroyed the farm and the fish escaped. Photos of the destroyed farm are available.

Noting that several CPCs had released fish in 2009 because of documentation issues, the EU suggested setting time limits for release. If there is non-compliance with documentation, the flag States should require automatic release. This type of action leads to transparency and better implementation of the bluefin CDS.

Morocco questioned the procedures for caging operations when no notice is given by the farming state to the flag state of the harvesting vessel. The CPC where the farm is placed is to notify the flag State that transfer will start so the flag state can authorize the transfer.

The EU agreed with Morocco that if flag State authorization is not received, the fish cannot be transferred and/or caged. The CPCs confirmed that if the flag State does not confirm the catch and authorize the transfer and caging, then the farm State must release the fish. Morocco clarified that if the transfer is approved, the fish are legal.

Japan emphasized that the farm State request must be in place. States must communicate with each other and the BCD was designed to cover these steps.

The CPCs then reviewed the 2009 experience with the Joint Inspection Scheme. It was agreed that for the recovery plan to succeed, it is essential to monitor all activities at sea.

The EU noted that it was almost alone in the patrol activities. It was proposed that there be a compulsory presence of a patrol vessel if a CPC has more than 15 vessels authorized to fish. Also, there should be requirements for automatic return to port in the case of serious infringements, as in NAFO. The EU noted this occurred for the Italian fleet in 2009 when on the basis of the presumption of infractions, 15 vessels were ordered to port. The inspection system should be strengthened and the new format for the at-sea inspection report means the situation will improve.

The EU announced it is organizing training sessions on implementation of its IUU regulation as well as the ICCAT Bluefin Recovery Plan. An invitation was extended to all CPCs to attend training at the EU facility in Vigo, Spain. Exchanges of knowledge and experiences between all CPCs as well as common interpretation of the ICCAT rules will strengthen the program.

The CPCs thanked the EU regarding the extraordinary efforts made on compliance through the joint inspection scheme in 2009. Given its experience, the Chairman asked the EU to draft a proposal on improving the at-sea inspection program for the coming season and this could be distributed for a mail vote or discussed at the next Commission meeting.

The CPCs then discussed the requirements of the eastern Atlantic and Mediterranean bluefin tuna recovery plan for vessel monitoring systems. CPCs were reminded that, beginning in 2010, the VMS requirement is applied to vessels greater than 15 meters length, including catching vessels, processing vessels and transport vessels.

The EU and Libya re-affirmed that vessels without VMS cannot be allowed to operate, including cargo vessels.

Several CPCs requested that the Secretariat provide information about vessels that are operating without transmitting VMS messages. The Secretariat noted that there is nothing in the VMS recommendation that instructs the Secretariat to report all information to all the CPCs, but the information on VMS transmission is provided once a month to the respective flag states.

It was agreed by the CPCs that if a vessel is encountered at sea with no functional VMS, a report should be filed by immediate contact with the flag state. The Secretariat explained that interaction on VMS issues is between Secretariat and the flag state of the vessel, not other CPCs. There is no other communication required by the Recommendation. There are potential confidentiality issues and therefore only the flag state of the vessel will be informed.

The Chairman asked about procedures if a Joint Inspection Program activity encountered a VMS infraction. It was confirmed that, after notification by the inspection vessel, ICCAT would communicate the vessel's situation immediately with the flag state CPC.

The EU proposed that in the Joint Inspection Scheme, VMS transmission must be verified in real time. The ICCAT Inspector will check for an operating VMS unit. Enforcement must be proactive and use all available means to promote compliance.

The Chairman suggested that the Secretariat could review the list of authorized bluefin tuna fishing and support vessels, verify the length above 15 meters, and consult the VMS data being transmitted. Each day, ICCAT could then inform flag states of any vessel not transmitting VMS during the previous 24 hours.

Japan recalled that according to current rules, all fishing and support vessels must be equipped with VMS. There should be simultaneous transmission of vessel positions to the flag State CPC and to ICCAT. The flag states should be aware of transmission problems before the Secretariat. Other parties supported the concept of simultaneous transmission of VMS messages to ICCAT and to the flag State. There was some discussion as to the requirements for transmission of VMS data to the Secretariat "without delay" as indicated in paragraph 87 of Rec. 08-05. The EU offered to provide text if necessary to clarify the requirement for simultaneous transmission.

Libya requested from the Secretariat a list of registered vessels in Panama and whether signals of VMS had been sent to ICCAT. Panama should indicate which vessels are with VMS and which are not. Morocco also asked Panama to clarify the vessel lists submitted to ICCAT.

Panama noted the questions of interpretation for the VMS requirement that had been raised in the 2009 Barcelona meeting. Panama recalled for the CPCs that it has no allocation for eastern Atlantic and Mediterranean bluefin tuna and has not authorized any fishing vessels. There are only carrier vessels authorized to operate in the Mediterranean. Panama assured the CPCs that it is now fully compliant with VMS for these carrier vessels. The Secretariat confirmed that it had received VMS transmissions from Panama's carrier vessels operating in the Mediterranean in 2009.

The Chairman asked if the Secretariat could make available to all CPCs information on the vessels which were transmitting VMS data. Each day the Secretariat could post data on the names of vessels from which

transmissions were received the prior day. This would assist CPCs in enforcing the VMS requirements and facilitate the deployment of inspection vessels in the Joint Inspection Program.

The Secretariat responded that only the EU had asked for a regular report on VMS transmissions. The Secretariat sent this information because the EU asked for it this way. If other CPCs are interested in regular reports on VMS transmission by their flag vessels, the Secretariat will arrange for reports accordingly.

The Chairman asked if it could be recorded that the sense of the Committee was that the Secretariat should transmit daily to all CPCs all of the VMS messages for all vessels received on the previous day. The U.S. indicated it would have to consult with legal counsel regarding confidentiality of the data. Morocco was less interested in getting information on vessels of other CPCs and only needed information about Moroccan vessels. The Secretariat reports should be limited to the concerned CPCs.

The Secretariat asked the CPCs to clarify if it should report to each CPC regarding its own flag vessels or circulate all VMS information received to any CPC that requests it.

The EU stated that if the Secretariat receives information, it has to be used to support the Joint Inspection Scheme. It is needed to take action against those vessels which are not transmitting VMS messages. The Secretariat replied that it cannot disseminate data if not told by the Commission to do so. The Secretariat can act on a request by the CPCs.

The Chairman noted the request from EU to get information on where vessels are actually fishing is reasonable if the intent is to deploy patrol vessels to those areas.

Tunisia noted that the master of the vessel does not use the VMS unit as it is automated. All of the information is sent directly to the Ministry which in turn transmits it to ICCAT. Tunisia suggested CPCs should ask for feedback. If no information is being received, the Secretariat should notify the flag state.

It was agreed that Rec. 08-05 requires simultaneous transmission of VMS messages to the flag State Fishery Monitoring Center and to the ICCAT Secretariat. Further, all fishing and support vessels must be registered on the ICCAT lists and, if over 15 meters, transmitting VMS data. The Secretariat shall communicate receipt of VMS data to the concerned parties. Parties with active participation in the Joint Inspection Program shall independently advise the Secretariat of their needs regarding VMS information and the Secretariat will respond according to the protocol in paragraph 87 of Rec. 08-05.

The Committee then reviewed the case of two vessels observed in Malta that had problems with vessel registration and fishing authorizations. This case had been discussed by the Compliance Committee in 2009 at the Barcelona meeting and Libya provided an update of enforcement actions it had taken. According to Libya, the Manara I and Manara II departed the flag State of Libya for maintenance work in Malta. Upon return to Libya, officials observed that the arriving vessels were two completely different vessels. Libya stated that the two vessels were detained in Libya and the owners had been brought to court. The vessel owners have been sanctioned with fines and the vessels were confiscated. Libya asked the EU how two vessels could leave Valletta harbor with false documentation. ICCAT must know the facts about the two original vessels which left Libya. There was a need for penalties and action.

The EU recalled for the CPCs the recent adoption of its IUU regulation. Consequently, the two vessels in Malta were denounced as IUU vessels. They tried to escape through use of multiple vessel registrations. The vessels cannot register with the EU. Further, the regulation states that when EU nationals are involved in IUU activities, they can no longer benefit from applicable subsidies. The status and location of these vessels are subject to continuing investigations. They do not have an EU flag. They are stateless vessels and both are on the ICCAT IUU list as the Sharon I and the Gala I. Consequently, they are banned from all activities. No steps have been taken to remove the vessels from the IUU list. Either a flag state sanctions the vessels or presents evidence of a new owner. If no State intervenes on behalf of the vessels, they will remain on the IUU list as stateless.

Libya then asked for a follow up on another situation that had been raised in 2009 at the Barcelona meeting. Specifically, Libya inquired whether actions were taken against vessels that had participated in a non-authorized joint fishing operation. Also, questions were raised in Recife about caging of nearly 600 t of bluefin tuna that had not been authorized by the flag State.

The EU responded relative to participation in a JFO by the Italian purse seine vessel Luigi Padre in 2008. Oceana sent a video clip to EU investigators and to ICCAT but there was no evidence that it was involved in a fishing operation. This pointed out the difficulty in controlling the activities of vessels in waters under the jurisdiction of other CPCs. Because of this, the EU confirmed it would not authorize JFOs with vessels from third countries in 2010.

Libya acknowledged that the EU can do what it deems necessary regarding future management of JFOs, but it was the purpose of the Compliance Committee to manage and stop IUU activities. This requires action by the concerned CPC when its vessels or its nationals are found to be involved in illegal activities.

Japan noted that according to information already given by the EU, 262 t of bluefin tuna received from Algeria without validated BCDs had been released from cages in Malta.

The EU noted that procedures exist in other RFMOs that have established a compliance committee. A reporting format exists in WCPFC and ICCAT could use this as a model. In 2010, the EU will transmit all infractions detected by its inspection vessels.

The Chairman suggested that the format for circulating information could be taken up by the Secretariat depending on the input received from the CPCs. Flag State CPCs of both fishing vessels and inspecting vessels should provide information to ICCAT and the Secretariat will summarize for circulation to all parties. It was recalled that the inspection report format had been agreed in Recife.

Libya agreed but asked whether the Compliance Committee had authority to take this approach. The Chairman observed that reports on potential violations are not new requirements. The authority exists in several recommendations including the Joint Inspection Program of Rec 08-05, the process for submitting information to the Compliance Committee in Rec. 08-09, and Rec. 06-14 procedures for reporting on actions taken to promote compliance by nationals of CPCs.

It was agreed by the Committee that all CPCs should transmit information on infractions and enforcement actions to the Secretariat for inclusion in a summary report to be circulated before the Compliance Committee meeting. It would facilitate the work of the Committee if the information is submitted two months before the meeting to enable the concerned CPCs to prepare responses for discussion.

No concerns were raised regarding the recovery plan requirements for access to video records or estimating and reporting conversion factors and growth factors.

Regarding the provisions for CPCs to exercise market measures, the EU suggested that CPCs transmit to ICCAT a list of authorized importers and a notice of actions taken against IUU importers. This register of authorized importers would make it possible to pinpoint responsibility all along the chain. This approach was compared to the new EU IUU regulation for a catch certificate to monitor imports into the EU. As this would be a new measure, the Chairman invited the EU to draft a proposal on this approach for consideration by Panel 2.

Japan noted that information on importers and exporters is already collected on the BCD. The data from the BCDs will provide a list of importers.

Libya supported the proposal regarding a list of importers. Libya also proposed a current report on the amount of fish held in the cages because 70% of the harvested bluefin tuna is in farms. New measures are needed so the amount of fish caged in farms would be known periodically.

The Chairman recalled that all authorized farms must be registered with ICCAT and the quantities placed in the cages are reported on caging declarations. Libya acknowledged the existing reports but emphasized that the amount of bluefin tuna in cages will change with growth, mortality and harvests so periodic information about inventories in cages will allow CPCs to verify the origin of fish. This could be made part of the inspection or observer program and should be considered at next ICCAT meeting.

A small group of interested CPCs spoke with the ROP contractors about reports and data collection during the coffee break. No further concerns about the requirements of the contract were raised by those CPCs likely to participate in the ROP.

The Secretariat reminded the CPCs that funds for the ROP have to be collected by March 19, 2010. A circular will be distributed to the CPCs regarding costs. If funds are deposited by the CPCs, the contract will be signed. It was recalled that the CPCs had agreed to fully respect the requirements of the ROP so it was necessary to sign the contract. The Secretariat also reminded the CPCs that no chartering of fishing vessels is authorized for eastern Atlantic and Mediterranean bluefin tuna in 2010, so chartered vessels could not be posted to the authorized vessel list for eastern Atlantic and Mediterranean bluefin tuna.

The discussion under Item 6 was closed.

7. Consideration and review of compliance with Rec. 08-12 regarding the ICCAT Bluefin Tuna Catch Documentation Program and implementation plans for the amendments to the program adopted in Rec. 09-11

Japan introduced several documents to begin the discussion on implementation of the bluefin tuna catch documentation scheme. The document on the "Results of Bilateral Meeting Between Turkey and Japan Dated December 8, 2009 and Follow-up After the Meeting" summarized CDS issues Japan had discussed bilaterally with Turkey and that on the "Results of Bilateral Meeting Between Tunisia and Japan Dated December 9, 2009" summarized CDS issues relative to shipments from Tunisia. At the invitation of Japan, the bilateral consultations had taken place in Tokyo after the ICCAT meeting in Recife. Finally, the "List of 2009 Fishing Season BCDs Which Japan has Received by 2010/2/17" documented irregularities in documentation discovered during an analysis of bluefin tuna shipments sent to Japan. Japan indicated that these shipments were being held at customs because of questions regarding the validity of the fish. Japan requested that the Compliance Committee determine whether these bluefin tuna were legally harvested.

Libya commented on the list of irregular catch documents received by Japan and indicated that all IUU tuna currently in cages should be immediately released.

The EU expressed concern about the basis for Japan's questions on the bluefin tuna shipments. For shipments from the EU, all tuna was validated by each flag State. The EU would prepare a document to circulate its interpretation on the status of these fish so all CPCs will know the facts.

Japan provided more details on the irregularities noted by its analysis. In particular, notification of JFOs must be made 10 days before start of operation and not the start of catch. Also, a validated BCD must be provided prior to placing fish in cages. Without validation, farms cannot continue farming. In some instances, Turkey validated BCDs 50 days after caging. There were also irregularities in validation data by EU farms. In the case of live fish imported from Libya, the documents were validated in December. Japan indicated that these fish should be released because products of uncertain legal status cannot be accepted. Again Japan requested that the Committee clarify the legal status under these circumstances because the product is in cold storage and a final decision is needed.

Libya fully encouraged Japan to refuse the product if it is determined to be illegal. Libya explained that because Japan had announced in 2009 that it would not accept bluefin tuna in cases where CPCs had not implemented the ROP, it did not validate the catch documents. When it was known that bluefin tuna from CPCs without the ROP would be accepted in Japan, Libya then validated the BCDs.

Turkey provided a summary report reflecting on all the issues raised by Japan. In Turkey's view, all matters had been resolved and a common understanding was reached. For the Albanian case, the towing cage was anchored and not transferred. Fish were not fed until validated BCDs arrived. In other cases, Turkey explained procedures for customs clearance which can take more than one month. The caging declaration is validated on the same day but the issue is with customs procedures for validating imports. Efforts were made by Turkey to shorten the time periods by introducing electronic systems. Importation of bluefin tuna now follows new procedures and the time for customs clearance has been shortened. According to new ministerial procedures, catch validation must be by country of origin. Caging can only proceed in presence of inspectors and an observer from ICCAT's ROP. In the case of Moroccan origin BCDs, the fish were transferred to a cage because an observer was on board and an ICCAT transfer declaration was completed. It took time for Morocco to issue the BCDs because every CPC has its own procedures for validating the catch. When waiting for validated BCDs, fish can remain alive without feeding for two months or longer. Turkey has implemented and transposed the CDS into domestic regulation. ICCAT should reach a common understanding on the CDS implementation at the next commission meeting.

Morocco thanked the Turkish delegation for clarification on the receipt of BCDs. The analysis points to the need for harmonization of procedures.

The EU appreciated the report on the bilateral meeting between Turkey and Japan and noted it could not attend the meeting due to other previous engagements. It was agreed that validated documents have to accompany all fish but the EU expressed concern about an interpretation problem. The CDS recommendation contains procedures when there is doubt about the validity of documents. The importer must express its concerns to the exporter and the two CPCs shall cooperate to resolve the issues. The EU had previously sent a letter to Japan and asked the Secretariat to circulate it to the meeting. In response to Japan, the EU confirmed that the BCDs were valid and that the only problem was timing. CPCs must apply the same yardstick to avoid communication problems. CPCs need a common interpretation on the timing of validation. The EU expressed a view that validation of the BCD could occur during the transport time up to the time of caging at the farm. A fax copy is sent while waiting for the original signatures. The EU insisted that no illegal bluefin tuna were exported to Japan. The EU provided information that clarified its interpretation of the BCD validation procedures.

Japan first responded to the issue regarding the delayed implementation of the ROP and stated that it had accepted a compromise solution. During the Recife meeting, the Commission discussed at great length the decision by several CPCs to use national observers in place of the ROP. The Compliance Committee had acknowledged the requirement for the ROP and this was addressed in letters of identification to the appropriate parties. However, the COC also recognized the efforts made by CPCs to ensure that national observers served the function of the ROP.

Regarding the Turkey issues, Japan appreciated the explanations. Japan indicated that problems still exist with the documentation for group fishing activities. All the vessels with fish must be accompanied by validated documents. In several cases, dates of the activities or validation were modified after the fact. Customs clearance is a different matter than ICCAT documentation, so it is a questionable delay to wait for customs decisions.

In one case, Japan questioned why an Albanian authority validated a document when the catch was not authorized. Turkey checked the Albanian BCD on the ICCAT website and explained why validation was delayed. The validity of the Albanian quota was established. A document of procedures is to be given to the Secretariat for circulation to the CPCs.

Several CPCs responded to Japan's comments regarding the ROP. It was agreed that the ROP was a core and essential element to ensure the traceability of bluefin tuna through the farms. However, it was also recognized that it could not be implemented by all parties in 2009. It was questioned whether consensus was reached on this issue in Recife.

Libya requested clarification from the Secretariat and asked to review the Recife meeting record of the conversation between Libya and Japan regarding the ROP. Because of that conversation, Libya determined it would not issue any BCDs. It was questioned whether the Compliance Committee had accepted national observers where the measures clearly indicate the catch is authorized only with an observer of the ROP. Libya encouraged Japan not to accept any single fish and if this approach is taken, 80% of the tuna will be sent back. Actions should be taken on this issue.

Japan responded that it had transmitted letters to CPCs in April 2009 to clarify its position that it would not import bluefin tuna without valid documentation. It had been agreed in Barcelona that all CPCs would implement Rec. 08-05 from the beginning of the season and this was circulated by the ICCAT Chairman. Regarding the ROP, Japan had raised this question in a letter transmitted in September 2009 and no CPCs replied. After an in-depth discussion in Recife, it was determined that only two Parties had implemented the ROP while others implemented 100% observers through national programs. Given the problems in implementing the ROP in the first year, Japan determined that if a CPC certifies that its national program had 100% observers of the same quality as the ROP, the BCDs could be accepted. However, illegal products cannot be accepted and flag state validation is a key part of the CDS. Japan must trust that the EU is monitoring but how can the EU confirm catches were made and deducted from quota if the validation is delayed? It is a matter of fairness that all CPCs apply the same standards. Inconsistent implementation should be stopped. Given the delays in validation, Japan requested the EU to explain how catch and caging control took place.

The EU noted that there are two different questions: the validity of documents themselves and the timing of validation as presented in the table of Japan. In the correspondence with Japan's importing authority, the EU clarified that all BCDs were valid on the basis of flag state and farm state authorizations. The validations were

based on monitoring and control elements and documents, verification of logbooks, catch reports, etc. In reply to Japan, The EU confirmed that all catch documents are valid.

With regard to the interpretation of the catch documentation scheme, validation timing is an issue that requires clarification. While the EU is prepared to discuss this matter, its view was that there is no reason to dismiss the imports currently held up in Japan. Regarding timing, there is a gap between when the catch is made and the fish are caged. The essential point is that each action is validated on the BCD, even when the farming section is validated before the catch section.

The EU noted that in some cases, catch validation did occur after caging, but flag State authorization was in place. The EU has implemented various types of verification. If all measures are not complied with, the fish are released. Flag state authorization is necessary to transfer the fish to cages. Different CPCs have given different explanations regarding dates of validation. The issue is not questioning the validity of the catch but the timing of validation. When different flag Sates and farming States are involved, it is necessary to exchange documents between the CPCs. Japanese officials wanted the original documents and this exchange by correspondence takes time. Timing can be improved by using fax and electronic mail. In the Integrated Monitoring Measures working group, the EU introduced a draft Recommendation that permits online validation to avoid time lost in administrative correspondence.

Japan questioned the EU interpretation that a catch is still valid if a BCD is not validated. Without validation of the catch by the flag State, there is no valid document and the catch should not be transferred to a cage. In some cases, the catch section of the BCD was validated three months after caging. Japan recalled that in negotiating the CDS, the EU had promoted validation of the BCD immediately after catch.

The EU noted that it is important for ICCAT to have consistent dates and the EU does support harmonization of practices for the CDS. Validation of catch cannot take place after caging. But this has to start from the 2010 fishing season and should not call into question the validity of 2009 catch documents. For 2010, ICCAT must have a clear rule to be applied by all CPCs.

Libya expressed concerns that Japan did not make a clear statement of its intended actions and the EU explanation was not clear about when catches were validated. The Committee needs clear statements from all. Libya questioned whether the EU was weakening control of fishing in the Mediterranean if it cannot stop private sector companies from fishing anywhere else in the Mediterranean. If Libya gives a license to an EU vessel to fish in Libyan waters, it appears the EU cannot control that vessel. When the EU stops authorizing JFOs, they are creating more cloudiness for catch authorizations if vessels seek foreign licenses independent of the EU administration.

In response, the Chairman summarized the status of the discussion. Regarding the request from Libya for the EU to make a statement on controlling its vessels, the Chairman noted that the EU had made its position clear that JFOs will be authorized between vessels flagged to different Member States but not with third countries. This policy will effectively address the issue of controlling EU vessels. With regards to the tuna held by Customs in Japan, the position was clear that Japan is not able to accept the tuna given the information presented on the BCDs, but it is requesting further explanation from the concerned parties.

The EU confirmed its position on JFOs. No EU vessel can fish in non-EU waters without authorization. If an EU vessel hazards to fish in Libyan waters, it will be considered an IUU vessel and thus heavily sanctioned. Patrol boats and the new IUU regulations will ensure increased control of EU vessels.

The Chairman then called the CPCs attention to the need for a clear way forward on the timing for validation of catch documents. It is essential for the CPCs to decide the procedures to be applied for 2010.

The United States expressed concern that after two years of implementing the CDS, Parties are still discussing procedures. As the primary buyer, Japan is doing what it is required to do as a market state. The Compliance Committee must support that Japan is working in the right direction.

The EU again emphasized that all BCDs were correctly validated and sent to the ICCAT Secretariat. The only issue is the validation timing and there is no obligation on timing contained in the relevant Recommendations. All documents can be checked with Secretariat and this proves the bluefin tuna is legal. The Compliance

Committee must solve the 2009 issues and harmonize the future, thus procedures on timing for validation need to be established here.

Brazil noted that it does not fish for eastern Atlantic and Mediterranean bluefin tuna and refrains to intervene on the subject. Regardless, it is also frustrated to witness such disagreements so long after adoption of the bluefin tuna CDS. Brazil encouraged the Committee to make a decision regarding the validity of past exports. For the future, the Committee must provide guidance that is crystal clear. No bluefin tuna should be accepted if the CPCs involved in the catching or farming have not implemented the ROP. No bluefin tuna should be put in cage unless a validated BCD has been issued by the harvesting flag. It is hard to understand such long delays for validation. The minimum is that all CPCs have a clear understanding of how the CDS functions.

Libya agreed with the comments of Brazil and noted that the requirements have been clarified. If there is no implementation of the ROP then there is no marketing of the catch. If there is no validation of the catch before transfer or caging, then there is no marketing of the catch. Libya further expressed reservations about the ability of the EU to control activity in the Mediterranean and requested details on how the EU would address this.

The EU recalled that it had adopted its IUU fishing regulation and its fishery control regulations and these have entered into force. Any fishing vessel fishing in community waters without authorization will be considered as IUU. There is a full inspection program. If an EU vessel without authorization enters Libyan waters, it will be called back to port and enforcement actions will be taken. The EU has deployed a high number of inspectors at an expense of over 10 million Euros. This year, all arrangements are in place to continue the ICCAT Joint Inspection Program and the EU has also chartered a vessel, Jean Charcot, to patrol all activities to ensure compliance. The EU assured the Committee that it has monitored all catches in real time and applied crosschecks. Vessels were sanctioned and called back to port with immediate effect. The EU was the only CPC to call vessels back to port. There was a 100% observer system in place with national observers. The EU indicated it would provide all this information to the Committee to show how it can guarantee the legality of the fish exported to Japan.

Regarding a clear understanding for 2010, the Chairman summarized the procedures based on the provisions of Rec. 08-05 (eastern Atlantic and Mediterranean bluefin tuna Recovery Plan) and Rec. 09-11 (Bluefin Tuna Catch Documentation Program). The sequence of events requires that a numbered BCD is issued to the vessel and this document cannot be validated in advance. The harvesting vessel operator must complete the form with the catch information. It is acknowledged that there are problems related to estimating numbers and weight for live fish capture. In the case of live fish taken for farming purposed, a transfer declaration is completed with a video record produced and the declaration signed by an ROP observer. Prior to caging, a complete catch document and all validations must be presented. This includes authorization by the flag state of the harvesting vessels that the catch may be caged and is consistent with the amounts recorded on the validated BCD. Upon transfer from the towing cage to the farm, a caging declaration is completed with a video record produced and the declaration signed by an ROP observer. The farm state will revise the catch estimate if necessary based on video record of transfer and communicate this to the flag state of the harvesting vessel. At the time of harvest from the farm, the BCD is completed and validated by the government authority, signed by the ROP observer and transmitted to the Secretariat and the destination market state. A complete trail of information between the catch, transfer, caging and harvest must be maintained and must be consistent with the flag State authorization for catch to be deducted from the CPC allocation. If there is no validated BCD at the time fish arrive at the farm, the fish must be kept apart until all the required documents are validated and received.

Japan indicated that this interpretation of the CDS is correct. Japan was able to accept the explanations by Turkey with respect to some of the irregular documents where the sequence was not strictly followed. Japan confirmed that from now on, modifications on the original BCD will not be accepted. Japan indicated it may be willing to release some of the bluefin tuna shipments from Turkey, pending further clarifications from the Turkish government. With regard to the EU situation, Japan indicated it could not understand those cases of a three-month delay in validation. Japan requested further information from the EU.

The United States reminded the CPCs that the BCD requirements apply everywhere, so all market states must understand and enforce the procedures, for imports and re-exports.

Libya again requested clarification of the position of Japan regarding the imports in question. If the bluefin tuna is accepted, it will be IUU imports. In Libya's view, Japan was asking the COC to endorse a decision to accept illegal fish. If this is true, the message from the COC is that ICCAT is not in a position to manage the stocks. It

must be determined by the Committee whether the documentation irregularities are a clear violation of the CDS recommendation or not.

The Chairman questioned if Japan was still in consultation with the EU, Turkey and Tunisia regarding the specifics of the documents. The Committee has been presented with various interpretations of how the catch documentation program should be implemented. Japan has exercised its diligence as a market state and has thus contacted exporting CPCs to clarify the issues as required. Parties have presented documentation in response. The Chairman noted that if the bilateral discussions are to continue, the Committee decisions should wait.

Japan stated again that it does not want to accept the product in question. This was the judgment of Japan given its understanding of the program requirements, but the understanding of other CPCs is needed to arrive at a final decision. Japan is awaiting further information from the exporters to determine the reasons for the irregularities in the documents.

Libya stated that bluefin tuna harvested without an ROP observer and without a validated BCD cannot be considered legal product. If Japan accepts this product it will be non-compliance. Libya expressed the opinion that the future of ICCAT depends on this compliance meeting and requested the Committee to make a decision.

The Chairman noted that his role is not to decide the issue, but to facilitate the work of the Committee. This responsibility must be taken seriously. This is a difficult process due to ambiguity in the relevant recommendations and the difference in interpretation by the CPCs. Many of the issues were raised and discussed in Recife. Actions were taken to address these issues through letters of identification. The Committee cannot undo those actions at the inter-sessional meeting because the process has been started. Parties will respond to the identifications and the responses will be considered at the next annual meeting. The question to be decided at this inter-sessional meeting is whether the Committee has a view on the status of bluefin tuna shipments currently held in Japan. Japan has efficiently carried out its responsibilities as a market state by examining the documents and raising questions with the exporters. Given the responses from the exporters, the question is on timing of the validations and not on whether the product was authorized by the respective flag and farming CPCs. Japan has concluded that the validations cannot occur after the fact, so the product cannot be accepted. The Chairman asked if further bilateral discussions could lead to clarifications.

Japan noted the need for transparency and not bilateral decisions. That is why Japan has presented all the information to the Committee. If the exporters have more information, it must be given to the Committee.

Turkey noted that as a result of bilateral talks with Japan, it is clear that all measures were respected by Turkey. There was strict observance of the ROP. It must be accepted that some systematic errors in communicating documents did occur but this did not result in the caging of any IUU fish in Turkey.

The United States noted that the bilateral discussions with Japan were helpful to Tunisia and Turkey. The CPCs are agreed that the ROP must be fully implemented in 2010 for the fish to be in compliance. Also, the CPCs understand that the documents have to be validated in real time. The United States recalled that it was agreed in Recife to send Letters of Identification. The United States congratulated those CPCs who released bluefin tuna in response to their investigations.

Japan restated that it has no desire to accept the shipments of fish in question. Regarding the time of validation, the irregularities led Japan to conclude that the fish are illegal. Japan asked that the meeting report reflect that the consensus of the Committee is that the shipments should be rejected.

The EU responded that the Committee should review its terms of reference. It must determine whether a CPC has complied or not, consistent with the rule of law. The Committee must identify the issue and try to seek a solution bearing in mind the requirements of the adopted recommendations. When a CPC determines that a BCD is invalid, import, export and re-export of the product is prohibited. In this case, the BCD's were valid and recorded with ICCAT so the harvested fish were legal. It is clear under Rec. 08-05 paragraph 94 that exports and imports without BCDs must be prohibited, but valid BCDs exist for these shipments. Perhaps legal experts must be consulted so that ICCAT has the right interpretation of the law. These validated documents would stand up in court and the EU will defend that ICCAT recommendations were followed. The EU is firmly behind prohibition of illegal trade, but the rule of law proves that this fish is legal.

The Chairman observed that the Committee could not achieve a consensus on the legality of the fish that were being held at Japanese customs because of discrepancies in timing of the validations. Consequently, there was no agreement on the import prohibition decision taken by Japan.

Turkey expressed concern that procedural discrepancies occurred due to different interpretations of recommendations. It would be discriminatory to accept product for one type of discrepancy and not another. Japan must accept product from all CPCs and not evaluating the circumstances of any single CPC. An independent observer is the best tool to verify implementation of the monitoring and control provisions. Evaluation of import acceptance should be made considering all the issues including the CDS and the ROP.

The Chairman acknowledged that the requirements of the CDS and the ROP were not complied with by all CPCs in all cases. Japan had proposed a way forward regarding the ROP implementation issue that was discussed in Recife and addressed by ICCAT through issuing Letters of Identification. Japan later presented a proposal to all CPCs that it would accept 2009 product if a CPC had implemented a 100% national observer program.

Turkey expressed an opinion that if the ROP issue can be addressed by derogation, the timing of validation can be addressed by derogation.

The Chairman noted that derogations have been developed by the respective Panels in recommending conservation measures. It is not the role of the Compliance Committee to grant derogations after measures have been adopted, only to assess CPC compliance with the adopted measures and to recommend actions to address non-compliance. In the case of the ROP, those CPCs which did not implement the program were determined to be out of compliance and the agreed action was a letter of identification. Japan had proposed a way forward to address the issue of bluefin tuna harvested in 2009 without the ROP and received no objections. Japan has now proposed a way forward to address the issue of non-compliance with the CDS in 2009. In this case, however, several CPCs are objecting to the proposal.

The Chairman asked again if the Committee could achieve consensus on Japan's proposal or if more information was necessary to decide.

Brazil shared the concerns of the Chairman and noted that the actions taken at Recife have already been decided and should not be under continued scrutiny. The action taken on the ROP issue is also clear. At this time, Japan has indicated it will not accept some bluefin tuna shipments because of delays in validation. Japan is not seeking further clarification. These are the decisions of the CPCs and the Committee must move on.

The Chairman confirmed that Japan does not seek further guidance on the matter and again noted the meeting report would reflect difference in opinion.

The EU questioned the provision in the CDS recommendation that would allow the conclusion that a deadline was missed. Verifications are required to have legal security for validation and these steps take time. ICCAT cannot remain ambiguous on this issue because farm operators could take the government to court. What is the rule that was contravened? The farming State must receive authorization from flag state of the harvesting vessel, but it is not clear about the timing.

Japan thanked the Chairman and Brazil for the summary of the issue. Rec. 08-12 clearly indicates that a complete and validated BCD was necessary before placing fish into the farms. Japan requested evidence that the BCDs were validated before caging.

The EU stated that it would circulate all of the bluefin tuna catch documents to the meeting. The Secretariat informed the delegates that all the BCD's submitted by EU to the Secretariat are available on CD. These could not be circulated because the document would be too large.

The EU made a presentation of the monitoring and control measures it had implemented to support the recovery plan and the catch documentation scheme. Details were given on the sequence of steps taken to verify the origin and destination of the bluefin tuna and to ensure traceability.

After the presentation, Libya requested that the Committee make a final decision on the issue. The Chairman noted there was still no consensus on the issue of legal status of bluefin tuna where validation of the BCD occurred after caging or other irregularities existed in the documentation. The Chairman noted that the CPCs

present did not constitute a quorum for the Compliance Committee, so no vote could be taken. Libya asked that the Chairman request an opinion from each of the CPCs present, calling on each delegation in turn as was done for responses to the questionnaire at the Barcelona meeting in 2009.

The Chairman noted that such an exercise might be informative but could not be considered a vote that would bind the Committee to a decision. After a few delegations were consulted on their views, it was confirmed that there was no consensus. Norway and the EU questioned the usefulness of such a process. The Chairman agreed that continuing the process would not result in anything meaningful and suspended the inquiry.

It was acknowledged by the CPCs that the meeting report must record a difference of opinion on the matter of bluefin tuna shipments held in Japan due to suspicions of irregularities in the catch documents.
The Chairman then asked if there were any other questions or concerns about implementation of the Bluefin Tuna Catch Documentation Scheme.

The Greenpeace Observer requested clarification on the release of caged tuna by Tunisia. Given the two purse seine vessels associated with the catch by Algeria and the SCRS potential catch estimates, it appeared that all of the fish transferred to cages in Tunisia could not be accounted for by the fishing capacity of the two vessels. It seemed likely that the release of bluefin tuna by Tunisia was partly IUU fish.

Tunisia replied that a decision was decreed by Tunisian authorities to release the bluefin tuna within the context of importing transaction. This decision was taken by Tunisia after a time limit was set for receipt of the validated BCDs where two Algerian vessels were involved. After the expiration of the deadline, the Tunisian administration released bluefin tuna into the sea. The release occurred in January, 2010. There were two national observers and a video record was made. This step was taken in spite of great economic loss to the importers in Tunisia. The release was carried out even though the documents provided the exporting entity to Tunisia indicated the catches were legal and a transfer authorization was obtained.

The Chairman recalled that Algeria had reported to the Commission that several aspects of a court case were underway and in fact the BCDs for these catches were not validated. It is expected that full details will be provided by Algeria after concluding the court investigation.

The Chairman raised the issues of communication of validated catch documents to the receiving CPC and to the Secretariat within five days or sooner if fish would arrive in market States in less time. It was reported by the Secretariat that the communication of BCDs was not routinely respected by the exporting CPCs. Most documents came in bulk deliveries, well after validation dates. Such practices undermine the process of verification by the receiving CPCs.

Japan noted that only Croatia fulfilled the requirement to send BCDs to the market State within the five day time frame.

The CPCs agreed on the importance of this requirement and acknowledged an expectation to be fully compliant with communication of catch documents in 2010.

The EU noted that electronic transmission is provided for in the FAO IUU agreement. An electronic system is being put in place for the EU and this will facilitate communication between Member States. This system should facilitate compliance with the rapid communication of catch documents. The EU is developing a compulsory system and will share this during the next meeting.

Canada asked if the EU proposal on the electronic reporting of BCDs is necessary for compliance with prompt communication of BCDs. The EU confirmed that in 2010, BCDs will it be transmitted within the deadline and this will not depend on implementing an electronic system.

The Observer from the World Wildlife Fund requested a clarification regarding the percentage of the 2009 catch that is accounted for by BCDs transmitted to the Secretariat. The Chairman noted that the figures from the BCDS will be included in the document on the BFT Catch Report Summary which was being circulated to the Committee. Regarding the aggregate total for information purposes, approximately 43% of the reported catch of 8614 t is accounted for by the BCDs transmitted to the Secretariat.

The Secretariat explained that all BCDs received by ICCAT are entered on a database with password protected access to the site. The database is updated with the BCDs that are received. It was noted that BCDs for 2009 are still being received and some have not yet been entered to the database (see **Appendix 6 to ANNEX 4.2**).

Brazil thanked the Secretariat for its efforts to keep the database current and asked what factors account for the difference in catch from the weekly reports and the BCDs.

The EU asked the Secretariat to confirm that this figure does not cover all BCDs expected for fish caught in 2009 but only 1205 BCDs received and entered up to the time of the meeting. Also, the EU asked for a report on number received at the Secretariat that had not yet been entered to the database.

Japan indicated it had some information on catches by its fleet that had not yet been landed in Japan. The landings would be monitored and verified before completing the BCDs. It was noted that Japan's allocation accounts for 8% of the total.

Brazil asked if some amount of the difference could be that bluefin tuna are still in farms.

Croatia indicated that a large portion of its 2009 catch is still in cages and its practice was to send the BCDs after validating harvest from the cages. After the explanations of procedure given at the meeting, it was now understood that catch documents should be transmitted each time they are validated, including the original catch and the later steps of transfer, caging, and harvest.

Canada noted that the table of BCDs received by the Secretariat should be made available for the next Compliance Committee meeting. The Secretariat responded that processing the documents would be impossible before November if the Parties send them in bulk at the end of the year. Only if the BCDs are submitted by the CPCs as they are validated would the database be up to date in November.

The CPCs agreed that exporting countries would respect the requirement to send copies of BCDs to the Secretariat and the destination country within five days of validation or sooner if the fish will arrive earlier. Brazil and Japan requested that the Secretariat circulate a reminder of this requirement to all CPCs.

The Secretariat agreed to circulate this together with a reminder that all 2010 catch data for bluefin tuna be made available to SCRS before the September stock assessment.

The CPCs next discussed tagging of bluefin tuna and if there were any issues of concern by countries receiving tagged fish. Japan confirmed that tagging of fish is the only way to ensure compliance. Japan will propose this in the next meeting, especially that tagging is mandatory for shipments of fresh fish. Canada asked for clarification regarding this tagging proposal and Japan indicated this would apply only to bluefin tuna.

No CPCs had any concerns about the CDS provisions for verification, cooperation and exchange of information. Many CPCs now have experience in working cooperatively when documents are in question. It was noted that in the past, there were some problems with validating authorities being kept up to date by the CPCs on the ICCAT web site.

No particular problems were raised about shipments of bluefin tuna from non-Contracting Parties. No issues were raised about the submission or distribution of annual reports on the CDS.

The United States observed that the Compliance Committee received a good summary of problems encountered with implementing the CDS. Solutions will have to be discussed in the appropriate working groups and should be tabled for future discussion.

The Committee then concluded its review of the bluefin tuna catch documentation scheme.

Japan and the United States circulated a resolution to affirm the responsibilities of CPCs in exercising their respective obligations as flag States, farming States, port States, exporting States and market States, especially with regard to validating and verifying bluefin catch documents. A revised "Draft Resolution by the ICCAT Compliance Committee on the Use of Market Measures to Enhance Compliance with ICCAT Requirements

Concerning the Conservation and Management of Eastern Atlantic and Mediterranean Bluefin Tuna" was circulated to the meeting.

The Chairman noted that it was drafted as an ICCAT Resolution and it would be necessary to refer the document to the full Commission for adoption at the annual meeting. The Chairman asked the two proposing CPCs if the above-mentioned document could be revised to be a statement of consensus of the Compliance Committee. If so, the document could be attached to the meeting report and no further action is required.

Japan and the United States agreed with this approach and the Chairman read the required edits to the text. It was confirmed by the CPCs that the edited text would be attached to the meeting report as a statement by the ICCAT Compliance Committee (see **Appendix 4 to ANNEX 4.2**).

The discussion under Agenda Item 7 was concluded.

8. Consideration of paragraph 11 of Rec. 09-06 and Recommendations to the Commission on possible "interim suspension of reduction of quota for the declared non-compliant CPC, depending on the extent of the established non-compliance."

Japan observed that, in the past, only a few CPCs had reported catches which exceeded the agreed allocation. It was recalled that the EU presented a payback schedule for their declared overcatch and this schedule was adopted in Rec 08-05. Japan will undertake a review of all recent trade data and present information to the Committee if other CPCs had potential overcatch which had not been reported.

Several CPCs noted that it was premature to consider this Agenda item regarding overcatches and infringements because letters were sent to concerned CPCs after the Recife meeting. These CPCs needed to respond to the letters and these responses would be taken up by the Compliance Committee at the next annual meeting.

The EU noted that very few CPCs had reported overfishing, in particular the EU and Tunisia had been transparent about this and payback schedules were agreed. CPCs were reminded that in the past, SCRS had estimated significant unreported catches and had indicated these estimates in catch tables as NEI (not elsewhere included). The actions of some CPCs to investigate and report overcatch is a step forward towards more transparency. IUU catches are a continuing concern for ICCAT and measures should be taken to address this issue.

There were no specific proposals from the delegates regarding the suspension or reduction of quota for any CPCs with an allocation of eastern Atlantic and Mediterranean bluefin tuna. It was agreed that this matter would be revisited at the annual meeting.

9. Other matters

There were two requests for inter-sessional removal of vessels from the ICCAT IUU vessel list, according to the procedures of Rec. 06-12.

Korea had requested removal of the vessel "Tonina V" for reasons that had been presented and discussed at the annual meeting in Recife, namely confusion with a legitimate vessel of Korean registry (Tonina No. 5). Because the issue was not resolved in Recife, the Secretariat had circulated the background and requested CPCs to respond with regard to support or objection to the delisting. It was reported by the Secretariat that a majority of CPCs had responded in support of the removal.

The Republic of Guinea had requested removal of the vessel "Daniaa" from the ICCAT IUU list so that it could be posted to the ICCAT list of authorized vessels. This vessel had originally been listed due to a recorded catch of bluefin tuna while the vessel was reported to be flagged by the Republic of Guinea, a CPC without quota for bluefin tuna. At the 2008 meeting of the Commission, the Republic of Guinea confirmed that the vessel had not been issued a fishing authorization and the Committee decided to post the vessel to the IUU list as a vessel of unknown flag. According to the procedures for inter-sessional removal from the IUU list, the Secretariat had circulated new information from the Republic of Guinea regarding the ownership of the vessel, the management and control standards applied, and raising questions about the bluefin tuna catch which resulted in the original listing. The Secretariat reported to the Committee that a majority of CPCs had not responded in support of removing the vessel "Daniaa" from the IUU list and several CPCs had requested more information from the

Republic of Guinea to clarify the situation of ownership at the time of the bluefin tuna catch that had recorded on an ICCAT statistical document.

9.1 Requests for clarification by the Secretariat

The Secretariat circulated a document at the 2009 Commission meeting in Recife requesting the Compliance Committee to clarify the meaning of several operative recommendations and reporting requirements. Such clarifications were needed to enable the Secretariat to respond to inquiries it had received from several CPCs. This discussion had been deferred to the inter-sessional meeting and the document entitled "Clarification and interpretation of provisions contained in ICCAT Recommendations" was re-circulated. Several CPCs had provided written responses in advance of the meeting and these were included in the meeting document. An addendum with written responses by the EU was circulated later in the meeting.

The CPCs considered the written responses and the discussions on the bluefin tuna questions which had occurred under relevant Agenda items earlier in the meeting.

Question 1): Regarding the applicability of the provisions of Rec. 08-05 to the two management units of bluefin tuna, the majority of responding CPCs confirmed that the measures applied only to the eastern Atlantic and Mediterranean fisheries. However, it was noted that references to the Bluefin Tuna Catch Documentation Scheme and the responsibilities of market States were obligations of all CPCs, regardless of whether they participated in the eastern Atlantic and Mediterranean bluefin tuna fisheries. There were no objections to this interpretation.

Question 2): It was clarified that a classification as a mothership on the ICCAT Record of Vessels authorized to participate in the eastern Atlantic and Mediterranean bluefin tuna fisheries would allow such a vessel to act as a carrier and/or a processor.

Question 3): It was recalled that Rec. 08-05 had provisions for phasing out chartering operations and that no chartering of catching vessels would be authorized in 2010. It was understood by several CPCs that support vessels could continue to be chartered. Libya asked for clarification of the meaning of support vessel. The Chairman noted that support vessels would not have ability to catch fish, but could support catching vessels by towing cages, processing fish or acting as a carrier. It was recalled by Tunisia and Canada that Rec. 08-05 does have a broad definition of fishing vessel, but makes a distinction in that vessels must be authorized to only one of two lists – catching vessels or other vessels. Japan noted that the prohibition was very clear for chartering and was directed at catching vessels of one flag CPC fishing under the quota allocation of another CPC. It was confirmed by the delegates that the prohibition on chartering applies to catching vessels as defined under Rec. 08-05 paragraph 2(b) and which are posted to the authorized vessel record under Rec. 08-05 paragraph 54(a).

Question 4): The Secretariat noted that Rec. 08-05 requires port states to designate transhipment ports and landing ports, including information on the time and place where such transhipment or landing can occur. While details on the time and place for inspections in designated ports were contemplated by the notification requirement, not all parties were providing this information. It was agreed by the CPCs that the requirement is satisfied by notifying the Secretariat of the name of the port and the time period for which transhipment and/or landing is authorized. However, it was emphasized that port states must provide details on the time and place within the port that inspectors are available at the time when individual vessels are given authorization for landing or transhipment.

Question 5): It was noted that Joint Fishing Operations (JFOs), which are subject to new limits and controls in 2010, are not well defined in terms of where participating vessels are located. While it was recognized that JFOs are situations where vessels are cooperating and coordinating fishing activities in the same fishing area, there was no consensus by the Committee on how to define fishing area. The Secretariat expressed concern about its role in recording the advance notification of JFOs, the participating vessels and their individual allocations, the recording of catches against allocations, and the receipt of VMS transmissions. It was recommended that the Secretariat take guidance from the meeting discussions which occurred under agenda item 6. It was not possible for the Committee to produce a definition of JFOs and the exact circumstances under which they are considered to be operating. Given the catch reports and VMS data supplied by the CPCs, the Secretariat should note any concerns about unauthorized/unreported JFOs in its annual report to the Compliance Committee.

Question 6): The Secretariat expressed concerns about vessels from one CPC starting fishing operations and a vessel from another CPC joining afterward. For the Secretariat, the issue was the recording of catches in relation

to the JFO allocation key. In some instances it was not clear if a vessel's catch was part of a JFO or if the vessel was operating independently. In response to this question, the CPCs agreed that vessels could join a fishing operation at different points in time. The important point is that CPCs respect the JFO requirements to obtain authorizations from the flag states and to notify the Secretariat 10 days in advance of any activity under the JFO. In reporting catches, it is essential for the flag CPCs to clearly identify to the Secretariat when the vessels are operating under the declared JFO and how the vessel's catch is applied to the JFO allocation key.

Question 7): The Secretariat questioned the applicability of the JFO notification and control requirements for vessels flagged to the same CPC. Discussion of this issue had been concluded under Agenda item 6 in establishing the limits of JFOs. The CPCs clarified that vessels of the same CPC that are fishing cooperatively are not a JFO under the terms of Rec. 08-05 and not subject to that measures notification requirements or the limits of Rec. 09-06. The CPCs took note of the special situation of EU vessels flagged to different Member States, whereby the EU would declare the JFOs and observe the reporting protocols on a non-binding basis. However, such operations between vessels of different Member States would not be subject to limits.

Question 8): Although Rec.09-11 clearly indicates the Bluefin Tuna Catch Document (BCD) must be provided to the authorized catching vessels, the Secretariat requested clarification on whether the BCD can be validated in advance of the catching operation. All CPCs were in agreement that the purpose of validation by the government official or authorized entity is to ensure that the amount of catch is correctly recorded on the BCD and that the reported catch was taken in accordance with the vessel's fishing authorization from the flag State. For this reason, it was clear to all CPCs that uncompleted BCDs must not be validated when issued to vessels, and can only be validated after the catch is reported to the flag State and the information is recorded on the BCD. Once validated, the completed BCD must be carried on board the vessel with the fish or the towing vessel in the case of live fish transfer.

Question 9): The Secretariat asked CPCs for potential improvements to the reporting forms for harvest from the farming operations. Croatia asked about the distinction between the columns labeled "Flag of Catch" and "Source of Origin" and indicated it was reporting the same information in both columns. The Secretariat responded that the form was developed from information contained in the recommendation on bluefin tuna farming [Rec. 06-07) and wanted to work with those CPCs involved in farming operations to improve the report format.

Question 10): The exact method to assess compliance with the 5 percent limit on the weight of shark fins to shark carcasses has been a question since Rec. 04-10 was adopted. CPCs acknowledged the recommendation does not specify if the shark fins are measured as round (live) weight or dried weight and if the carcasses are measured as round (live) weight or dressed weight (head and guts removed). Canada noted that since the measure requires carcasses to be landed, but the head and guts may be removed prior to landing, it is the dressed weight that forms the basis for calculating the ratio. Japan and Chinese Taipei considered the round weight as the appropriate measure. Morocco also concluded that round weight was intended as the basis for the ratio, but it has prohibited its vessels from removing fins prior to landing as this improves catch data and species identification. It was concluded that each CPC must determine the basis for calculating the 5% ratio according to the fishing practices it authorizes for its vessels. If CPCs determine that greater clarity is necessary for this issue, the matter must be taken back to Panel 4.

Question 11): The Secretariat indicated it had received inquiries as to whether the 5% ratio of shark fin weight to carcass weight is to be applied only to the point of first landing or transhipment by the catching vessel, or must be applied also to fins and carcasses on board carrier vessels. Several CPCs commented that the measure was intended to apply only to fishing vessels. Other CPCs noted that broad definitions have been applied to the term fishing vessel and this can include carrier vessels. The Committee concluded that the matter must be taken back to Panel 4 for clarification of the definition of fishing vessel.

Question 12): The Secretariat had received inquiries on what is meant by "relevant information" as indicated in Rec. 06-13. Some CPCs have commented that the form developed by the Secretariat to report information on potential compliance issues is not clear. The Committee observed that it is not mandatory to use the specific form in order to provide information to the Secretariat. Any information related to potential infractions is important for the Compliance Committee. If a CPC believes the information is relevant for consideration by the Compliance Committee, it should be submitted to the Secretariat for circulation it to the appropriate parties for comment and explanation. The Compliance Committee can then take up the matter for discussion during its next scheduled meeting.

− *Review of IUU Vessel information provided by Pew Environment Group*

The Observer from the Pew Environment Group had requested ICCAT CPCs to consider information it had posted to its internet site regarding visits of IUU listed vessels to ports of contracting parties to ICCAT. This material had been circulated by the Secretariat with the intent to undertake a review of the information during the COC inter-sessional meeting.

The Observer noted that the Pew Environment Group had requested that ICCAT CPCs address four questions relative to the information on port visits it had obtained and published on the ICCAT section of its web site:

1) The accuracy of port visits documented by this research?

No CPCs had any concerns about the accuracy of port visit information that had been documented by Pew.

However, Panama did emphasize that it is not appropriate to consider the Panama Canal as a port. The Pew web site country profile of Panama contains information about IUU vessels making passage through the canal. Panama emphasized that transit through the canal does not involve transhipment or landing of fish so it cannot be considered a port visit.

2) Whether ICCAT is or Contracting Parties are aware of other port visits of vessels while they were on ICCAT's IUU vessel list?

No CPCs had any additional information to present at the meeting regarding additional port visits by IUU listed vessels.

3) Which of the port visits identified as a potential violation of ICCAT Conservation and Management Measures would be considered by ICCAT's Compliance Committee to be violations of such measures?

In this regard, the CPCs reflected on the decision to delist the "Tonina V" from the ICCAT IUU vessel list. As was determined during the examination of the case of the "Tonina V", the ICCAT listed vessel was not the same vessel which has been flagged to Korea (Tonina No. 5) for a number of years. Apparently, the port calls in Korea identified by the Pew researchers were made by the authorized Korean vessel and not the IUU listed vessel. As such, these port calls could not be considered a violation of ICCAT measures.

No CPCs had further information for the other potential violations listed on the Pew web site. However, it was noted that difficulties in making a firm determination of a vessel's identity may lead to the wrong conclusion about which vessel is on the IUU list and if this is the same vessel making a port visit.

4) What recommendations, if any, would ICCAT's Compliance Committee suggest to improve the effective implementation of ICCAT port state measures?

The CPCs observed that the text concluded by the Working Group on Integrated Monitoring Measures concerning port state measures will be forwarded for the consideration by the Commission, during its November 2010 meeting. It was also noted that continued work between the RFMOs, the FAO, and the IMO on unique identifiers for fishing vessels will help not only in posting more specific information to the IUU lists, but will also assist port states in conducting inspections. It was clearly highlighted that one of the difficulties is that if a vessel is posted to the IUU list without meaningful identity information, it is extremely difficult to exercise port state responsibility.

The Chairman requested any CPCs with further comments on the research to write directly to the Secretariat for communication to the Pew Research Group.

− *Future operations of the Compliance Committee*

The CPCs discussed two texts drafted by the Chairman that had been circulated at the meeting in Recife, but which could not be addressed during the annual meeting due to lack of time. These texts, "Compliance Committee Chairman's Proposal for an ICCAT Schedule of Compliance Actions" and the "Compliance Chairman's Proposal for a Compliance Task Force and Meeting Schedule" were re-circulated to the meeting. The first document proposed that a schedule of compliance actions be developed to improve the efficiency, transparency and equity of the ICCAT compliance process. The second document addressed the need for a

Compliance Task Force to assist the Chairman and the Secretariat in the review and analysis of compliance information for presentation to the Committee.

Libya and the EU noted that the framework for ICCAT might be changed significantly by actions on bluefin tuna that could be taken at the upcoming CITES meeting. It was suggested that discussions on improving the compliance process should wait until after the CITES meeting in Doha. Other CPCs agreed and noted that the discussion should continue in the 2010 meeting of the Working Group on the Future of ICCAT.

Japan observed that the Compliance Committee was already in the process of improving its operations and progress is occurring. Waiting for the next meeting is not the answer. While there are some disappointing aspects to ICCAT's compliance process, this should not stop progress to be well prepared for a review of the next fishing season. Progress should not be postponed and a commitment was already made to establish a task force.

Canada agreed with Japan and noted the CPCs should not focus on CITES but on ICCAT. Major improvements have been made and ICCAT should keep moving.

The EU added its support to the creation of a compliance working group. It was noted that the group could assist the Committee in a synthesis of the growing amount of compliance information. The group should be convened straight away and could take time to study the important issues faced by ICCAT.

Canada supported both documents on the compliance process and emphasized the need to move forward or it will be another year before ICCAT takes any action. The United States and Brazil agreed with the approaches outlined in the two documents and noted that ICCAT should not lose an opportunity to advance its effectiveness.

The EU, Libya and Japan expressed support to convene the task force which should first develop a penalty and point system. This should be put on the agenda of the Future of ICCAT Working Group and then discussed at the annual meeting in Paris.

Brazil suggested that the task force consist of all ICCAT officers. This approach is reasonable because officers have been elected by the Commission and have broad representation since ICCAT is transparent. The meetings should include observers if they wish to participate.

It was noted by several CPCs that the concept of task force arose because of large volumes of information that need to be analyzed to facilitate operations of the full Compliance Committee. Delegates recalled that there were too many tables to review at the annual meeting. The task force would perform the preliminary work but it was not intended to be exclusive in any way.

Brazil suggested ICCAT officers as the core of the group but to balance both views, any interested CPCs should be allowed to participate in the work of the task force. The United States expressed support for a transparent process. Japan agreed with Brazil and it was suggested to set up an e-mail network. It was decided to take advantage of the several opportunities to get together on the margins of already planned working group meetings.

The final matter taken up by the Committee under this Agenda item was a statement by Japan regarding positions on bluefin tuna listing that CPCs were considering for the upcoming CITES meeting. Japan restated its position that ICCAT has taken positive steps to improve management of bluefin tuna and that a CITES listing would be unnecessary and harmful. CPCs were encouraged to carefully consider their respective positions regarding an Appendix I listing as it would prohibit trade. Japan encouraged those CPCs which would support a bluefin tuna listing at CITES to consider alternatives to the Japanese market when exporting bluefin tuna from their respective fisheries or farms. Japan observed that CPCs are not obligated in any way to send products to Japan, and if the CPC supports a suspension of bluefin tuna trade, it should act accordingly. In this way, there is no need for a CITES listing.

10. Adoption of Report

The Report of the meeting was adopted by correspondence.

11. Adjournment

The Chairman briefly recalled the Committee discussions on catch allocations, capacity management plans, limits on joint fishing operations and the implementation of the catch documentation scheme. Consistent with the charge to the Committee under Rec. 09-06, these matters were agreed and a common understanding was reached for the application of measures during the 2010 fishing season. In addition, direction was provided on the creation of the Compliance Task Force.

Several CPCs noted the improvements in the ICCAT compliance process that have occurred in recent years. ICCAT is in a position to work cooperatively and take sanctions against those CPCs that are not effectively implementing conservation or monitoring measures.
Libya agreed with some achievements from this meeting but expressed concern that ICCAT is not transparent enough. If ICCAT is not in a position to manage effectively, bluefin tuna will go to CITES.

Morocco noted that ICCAT has improved its monitoring measures and its compliance record in recent years. While there is still room for improvement, all CPCs stand to gain from continued efforts.

The Chairman thanked the CPC delegates and the Secretariat for their contributions to the discussion and the positive outcome of the meeting. The Chairman also acknowledged the excellent service of the interpreters and the Rapporteur. The 2010 inter-sessional meeting of the Compliance Committee was adjourned.

Appendix 1 to ANNEX 4.2

Agenda

1. Opening of the Meeting
2. Appointment of Rapporteur
3. Adoption of Agenda and Meeting Arrangements
4. Consideration and review of compliance with paragraph 1 of Rec. 09-06 in relation to the total allowable catch for eastern Atlantic and Mediterranean bluefin tuna.
5. Consideration and review of compliance with paragraph 46 of Rec. 08-05 fishing capacity in accordance with the methodology approved at the 2009 annual meeting.
6. Consideration and review of compliance with other requirements of the multiannual recovery plan for eastern Atlantic and Mediterranean bluefin tuna, including limitation of number of joint fishing operations.
7. Consideration and review of compliance with Rec. 08-12 regarding the ICCAT Bluefin Tuna Catch Documentation Program and implementation plans for the amendments to the program adopted in Rec. 09-11.
8. Consideration of paragraph 11 or Rec. 09-06 and Recommendations to the Commission on possible "interim suspension of quota for the declared non-compliant CPC, depending on the extent of the established non-compliance."
9. Other matters
10. Adoption of Report
11. Adjournment

Appendix 2 to ANNEX 4.2

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Appendix 3 to ANNEX 4.2

Estimated Bluefin Tuna Capacity by CPC, 2010

	Vessel type	*Catch rates SCRS*	*No. Vessels 2008*	*Capacity 2008*	*No. Vessels 2010*	*Capacity 2010*
ALBANIA	PS >40m					
	PS between 24 & 40m	49.78			1	49.78
	PS <24m					
	LL >40m					
	LL between 24 & 40m	5.68			1	5.68
	LL <24m					
	Total fleet/fishing capacity		0	0	2	55.46
	Quota Albania					33.83
	Carryover//quota transfer					0
	"Over-harvest reimbursement"					**0**
	Adjusted Albanian quota		0			33.83
	Over-capacity					**21.63**
% of over-capacity reduction						**Not applicable**
ALGERIA	PS >40m	70.66			1	70.66
	PS between 24 & 40m	49.78	7	348.46	11	547.58
	PS <24m	33.68			1	33.68
	LL >40m					0
	LL between 24 & 40m				1	6.59
	LL <24m	5	1	5	2	10
	Total fleet/fishing capacity		8	353.46	16	668.51
	Quota Algeria			1,460.04		684.9
	Carryover//quota transfer					0
	"Over-harvest reimbursement"					0
	Adjusted Algerian quota			1,460.04		684.9
	Under-capacity			**1,106.58**		**16.39**
% of over-capacity reduction						**Not applicable**
CHINA	PS >40m					
	PS between 24 & 40m					
	PS <24m					
	LL >40m	25	4	200	2	50
	LL between 24 & 40m					
	LL <24m					
	Total fleet/fishing capacity		4	200	2	50
	Quota China			63.55		38.48
	Carryover//quota transfer					
	"Over-harvest reimbursement"					
	Adjusted Chinese quota			101.44		38.48
	Over-capacity			**98.56**		**11.52**
% of over-capacity reduction						**92.87**

CROATIA	PS 40	70.66	3	211.98	5	353.3
	PS 24-40	49.78	30	1493.4	22	1095.16
	PS 24	33.68	31	1044.08	15	505.2
	LL 24-40			0		0
	LL 24			0		0
	BB		4	0		
	HL	5	16	80	16	80
	Total fleet/fishing capacity		84	2829.46	58	2033.66
	Quota Croatia			833.08		393.5
	Carryover//quota transfer					0
	Under-harvest carryover 2009					0
	"Over-harvest reimbursement"					0
	Adjusted Croatian quota			833.08		393.5
	Overcapacity			**1996.38**		**1640.16**
% of over-capacity reduction						**32.67**

EGYPT	PS large (>40m)					
	PS med (24-40m)					
	PS small (≤24m)					
	LL (24-40m)					
	LL small(≤24m)					
	Total fleet/fishing capacity			0	0	
	Quota Egypt			0		33.83
	Carryover//quota transfer					
	"Over-harvest reimbursement"					
	Adjusted Egyptian quota					33.83
	Under-capacity					**33.83**
% of over-capacity reduction					**Not applicable**	

EU	PS large (>40m)	70.66	35	2473.1	23	1625.18
	PS med (24-40m)	49.78	61	3036.58	28	1393.84
	PS small (≤24m)	33.68	81	2728.08	0	0
	LL med (24-40m)	5.68	7	39.76	15	85.2
	LL small (≤24m)	5	329	1645	191	955
	BB >24m	19.75	64	1264	69	1362.75
	Handline	5	85	425	31	155
	Other artisanal	5	253	1265	376	1880
	Trawler	10	160	1600	78	780
	Trap	130	15	1950	13	1690
	Total fleet/fishing capacity		1090	16426.52	824	9926.97
	Quota EU			16210.75		7604.38
	Carryover//quota transfer					
	"Over-harvest reimbursement"					500
	Adjusted EU quota			16210.75		7104.38
	Over-capacity			**215.77**		**2822.59**
% of over-capacity reduction					**69.72**	

ICELAND	PS >40m	70.66			0	0
	PS between 24 & 40m					
	PS <24m					
	LL >40m	25			2	
	LL between 24 & 40m					
	LL <24m					
	Trawler	10	1	10		
	Total fleet/fishing capacity			10	2	50
	Quota Iceland			51.53		31.2
	Carryover//quota transfer					0
	"Over-harvest reimbursement"					0
	Adjusted Icelandic quota		10	51.53		31.2
	Under-capacity			**41.53**		
	Over-capacity					**18.8**
% of over-capacity reduction					**Not applicable**	

JAPAN	PS >40m					
	PS between 24 & 40m					
	PS <24m					
	LL >40m	25	45	1125	33	825
	LL between 24 & 40m					
	LL <24m					
	Total fleet/fishing capacity	25	45	1125	33	825
	Quota Japan			2,430.54		1148.05
	Carryover//quota transfer					0
	"Over-harvest reimbursement"					0
	Adjusted Japanese quota			2,430.54		1148.05
	Under capacity			**1,305.54**		**323.05**
% of over-capacity reduction					**Not applicable**	

KOREA	PS >40m					
	PS between 24 & 40m					
	PS <24m	33.68	1	33.68	1	33.68
	LL >40m					
	LL between 24 & 40m					
	LL <24m					
	Total fleet/fishing capacity		1	33.68	1	33.68
	Quota Korea			171.77		81.14
	Carryover//quota transfer					0
	"Over-harvest reimbursement"					0
	Adjusted Korean quota			338.72		81.14
	Under capacity			**305.04**		**47.46**
% of over-capacity reduction					**Not applicable**	

LIBYA	PS >40m	70.66	1	70.66		
	PS between 24 & 40m	49.78	31	1543.18	29	1443.62
	PS <24m	33.68	2	67.36	1	33.68
	LL >40m	25	5	125	2	50
	LL between 24 & 40m					
	LL <24m					
	Total fleet/fishing capacity		39	1806.2	32	1527.3
	Quota Libya			1,236.74		580.15
	Carryover//quota transfer					145
	"Over-harvest reimbursement"					0
	Adjusted Libyan quota			1381.99		725.15
	Over-capacity			**424.21**		**802.15**

% of over-capacity reduction **25.80**

				2008			**2010**		
		SCRS	MAROC	vessels	SCRS	MAROC	Vessels	SCRS	MAROC
MAROC	PS large	70.66	70.7	2	141.32	141.4	1	70.66	70.7
	PS med.	49.78	49.8	3	149.34	149.4	3	149.34	149.4
	PS small	33.68	33.7	1	33.68	33.7	0	0	0
	LL large	25	25			0	0	0	0
	LL med.	5.68	5.7			0	0	0	0
	LL small	5	5	63		315	3	15	15
	Trawl	10	10			0	1	10	9
	Other artisanal	5	5			0	0	0	5
	Trap	130	112.3	18	2340	2021.4	13	1690	1350
	Total fleet/fishing capacity				2664.34	2523.02		1935	1606.4
	Quota Maroc				2,728.56	2,728.56		1279.96	
	Carryover//quota transfer							327	
	"Over-harvest reimbursement"								
	Adjusted Moroccan quota				3055.5	3055.5		1606.96	
	Over-capacity							**328.04**	
	Under-capacity				**391.16**	**532.48**			**0.56**

% of over-capacity reduction **Not applicable**

SYRIA	PS >40m					
	PS between 24 & 40m					
	PS <24m					
	LL >40m					
	LL between 24 & 40m	5.68	1	5.68		
	LL <24m	5	2	10		
	Other artisanal Med	5			5	25
	Total fleet/fishing capacity			15.68		25
	Quota Syria		3	51.53		33.83
	Carryover//quota transfer					0
	"Over-harvest reimbursement"					0
	Adjusted Syrian quota			51.53		33.83
	Under capacity			**35.85**		**8.83**

% of over-capacity reduction **Not applicable**

TUNISIE	PS >40m	70.66			1	70.66
	PS between 24 & 40m	49.78	22	1095.16	25	1244.5
	PS <24m	33.68	15	505.2	15	505.2
	LL >40m					0
	LL between 24 & 40m					0
	LL <24m	5			1	5
	Handline	5	1	5		
	Total fleet/fishing capacity		38	1605.36	42	1825.36
	Quota Tunisia			2254.48		1064.89
	Carryover//quota transfer					202
	"Over-harvest reimbursement"					157.38
	Adjusted Tunisian quota			2364.48		1109.51
	Over-capacity					**715.85**
	Under-capacity			**759.12**		
% of over-capacity reduction					**Not applicable**	

TURKEY	PS >40m	70.66	41	2897.06	12	847.92
	PS between 24 & 40m	49.78	49	2439.22	11	547.58
	PS <24m	33.68	3	101.04	0	
	LL >40m				0	
	LL between 24 & 40m					
	LL <24m					
	Trawler	10	26	260		
	Total fleet/fishing capacity		119	5697.32	23	1395.5
	Quota Turkey			887.19		419.06
	Carryover//quota transfer					0
	"Over-harvest reimbursement"					0
	Adjusted Turkish quota			879.17		419.06
	Over-capacity			**4818.15**		**976.44**
% of over-capacity reduction					**81.50**	

Appendix 4 to ANNEX 4.2

Statement by the ICCAT Compliance Committee on the Use of Market Measures to Enhance Compliance with ICCAT Requirements Concerning the Conservation and Management of Eastern Atlantic and Mediterranean Bluefin Tuna

RECALLING that the objective of the Convention is to maintain tuna and tuna-like populations at levels that will support maximum sustainable catch (usually referred to as MSY), and further recalling that the SCRS has estimated the stock of Eastern Atlantic and Mediterranean bluefin tuna to be substantially below that level;

RECOGNIZING that the success of the *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] is dependent upon an effective system of reporting, monitoring, and control measures to ensure compliance with TAC and quotas, closed seasons, minimum size requirements, regulation of caging operations, and other measures;

CONCERNED that violations of reporting requirements, observer requirements, total allowable catch (TAC levels), and other relevant ICCAT measures are impeding the recovery of the eastern Atlantic and Mediterranean bluefin tuna stock;

CONSIDERING the responsibilities of flag States, port States, farming States, and market States to ensure compliance with ICCAT requirements;

RECOGNIZING actions taken by ICCAT at its 2009 meeting to improve measures for the conservation and management of eastern Atlantic and Mediterranean bluefin tuna including, *inter alia,* lowered total allowable catch, lengthened time-area closure, and strengthened monitoring, control, and surveillance measures adopted in the *Recommendation by ICCAT Amending ICCAT Recommendation 08-05 to Establish a Multi-Annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 09-06];

FURTHER RECOGNIZING actions taken at its 2009 annual meeting to hold CPCs accountable for compliance infractions through identifications of certain CPCs pursuant to the *Recommendation by ICCAT Concerning Trade Measures* [Rec. 06-13], which can be the basis for future determinations by ICCAT to impose sanctions on identified CPCs, including the reduction of quotas and the adoption of non-discriminatory trade restrictive measures;

NOTING that *paragraph 94* of Rec. 08-05 requires exporting and importing CPCs to take certain market-related measures with respect to eastern Atlantic and Mediterranean bluefin tuna that is not harvested in compliance with certain relevant ICCAT requirements, is not accompanied by documentation required in Rec. 08-05 and the *Recommendation by ICCAT on an ICCAT Bluefin Catch Document Program* [Rec. 08-12][1], or is from farms that do not comply with the *Recommendation by ICCAT on Bluefin Tuna Farming* [Rec. 06-07];

FURTHER NOTING that this resolution should be implemented in a fair, transparent, and non-discriminatory manner, in accordance with international law, including rights and obligations established in the World Trade Organization Agreement;

THE COMMITTEE ON COMPLIANCE OF THE
INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF THE ATLANTIC TUNAS (ICCAT) AFFIRMS THE OBLIGATION OF CPCs TO:

Continue and enhance the implementation of the market measures requirements of the *Recommendation Amending Recommendation by ICCAT to Establish a Multi-Annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 08-05], including, *inter alia*, the prohibition of domestic trade landing, imports, exports, placing in cages for farming, re-exports, and transshipment, as appropriate, of eastern Atlantic and Mediterranean bluefin tuna that is not harvested in compliance with relevant ICCAT requirements, is not accompanied by documentation required in ICCAT Rec. 08-05 and the *Recommendation by ICCAT on an ICCAT Bluefin Catch Document Program*, [Rec. 08-12], or is from farms that do not comply with the *Recommendation by ICCAT on Bluefin Tuna Farming* [Rec. 06-07].

N.B. Excerpt from Rec. 08-05:

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 transhipments of eastern Atlantic and Mediterranean bluefin tuna species that are not accompanied by accurate, complete, and validated documentation required by this Recommendation and Rec. 08-12 on a bluefin tuna catch documentation program;

- to prohibit domestic trade, imports, landings, placing in cages for farming, processing, exports, re-exports and the transhipment within their jurisdiction, of eastern and Mediterranean bluefin tuna species caught by fishing vessels 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 9 are exhausted;

- to prohibit domestic trade, imports, landings, processing, exports from farms that do not comply with the *Recommendation by ICCAT on Bluefin Tuna Farming* [Rec. 06-07].

[1]Superseded by the *Recommendation by ICCAT Amending the Recommendation 08-12 on an ICCAT Bluefin Catch Document Program* [Rec. 09-11].

Appendix 5 to ANNEX 4.2

E-BFT Allocation Quota for 2010

This table is based on the *Recommendation Amending Recommendation 08-05 to Establish a Multi-Annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 09-06] which set the TAC at 13,500 t in 2010. The allocation scheme established by ICCAT Recommendation 08-05 shall remain unchanged.

During the inter-sesssional meeting of the Compliance Committee, the European Union stated that it would voluntary adjust its quota by reducing 18 tons.

These figures have been approved by the Compliance Committee and this allocation table for 2010 shall be appended to Recommendation 09-06:

CPC	*2010 Rec. 08-05*	*%*	*2010 Rec. 09-06*	*Adjusted quotas 2010*	*Notes 2010*
Albania	50	0.2506266	33.83	33.83	
Algeria	1,012.13	5.0733333	684.9	684.9	
China (People's Rep.)	56.86	0.2850125	38.48	38.48	
Croatia	581.51	2.9148371	393.5	393.5	
Egypt	50	0.2506266	33.83	33.83	
European Union **	11,237.59	56.328772	7,604.38	7,086.38	(-500t) - (-18t)
Iceland	46.11	0.2311278	31.2	31.2	
Japan	1,696.57	8.5041103	1,148.05	1,148.05	
Korea (Rep.)	119.9	0.6010025	81.14	81.14	
Libya	857.33	4.2973935	580.15	725.15	+145t
Morocco	1,891.49	9.4811529	1,279.96	1,606.96	+327t
Norway	46.11	0.2311278	31.2	31.2	
Syria	50	0.2506266	33.83	33.83	
Tunisia	1,573.67	7.8880702	1,064.89	1,109.51	+202t-157.38t
Turkey*	619.28	3.1041604	419.06	419.06	
Chinese Taipei	61.48	0.3081704	41.6	41.6	
TOTAL	**19,950.00**	**13,500.00**	**13,500.02**	**13,498.62**	

* Objection to 2007-2010 quota (Annex 4 of Rec. 08-05).

** Includes voluntary reduction of 18 t.

Bluefin Tuna Catch Report Summary and Number and
Total Catch of 2009 BCDs Reported to the Secretariat (as of Feb. 26, 2010)

2009		*Flag*										*TOTAL*
Catch (kg)	*Month*	*Algeria*	*China, P.R.*	*Croatia*	*European Union*	*Japan*	*Korea, Rep.*	*Libya*	*Morocco*	*Tunisia*	*Turkey*	
	1				12.2			0	0		0	12.2
	2				12.8			0	0		0	12.8
	3				30.2			0	0		0	30.2
	4	3.38		6.4	116.6			0	398.42	122.35	4	651.15
	5	219.44		354.71	3427.9		0	266.77	1609.07	117.54	123.75	6119.17
	6			247.79	4040.6		102.35	814.88	266.39	1691.83	537.72	7701.56
	7			0.49	2291.6				2.27		0	2294.36
	8			0.72	687.5	0						688.22
	9		9.17	0.29	168.2	310.5						488.15
	10		0.03	1.24	184.8	979.64						1165.7
	11			4.27	40.4	515.44						560.11
	12			1.84	44.1	39.23						85.16
Total catch		222.82	9.19	617.73	11056.9	1844.81	102.35	1081.64	2276.15	1931.72	665.47	**19808.79**
Initial Quota Rec. 08-05		1117.42	61.32	641.45	12406.62	1871.44	132.26	946.52	2088.26	1735.87	683.11	
Adjustments		0	-22.05	-1.45	-500	0	0	145.25	311.74	202	0	
Adjusted Quota		1117.42	39.27	640	11906.62	1871.44	132.26	1091.77	2400	1937.87	683.11	
% Initial Quota		19.94	14.99	96.3	89.13	98.58	77.39	114.28	109	111.28	97.41	
Adjusted Quota		19.94	23.41	96.52	92.86	98.58	77.39	99.08	94.84	99.68	97.41	

	Albania	*Algeria*	*China P.R.*	*Croatia*	*European Union*	*Japan*	*Korea Rep.*	*Libya*	*Morocco*	*Tunisia*	*Turkey*	*TOTAL*
No. BCDs	2			23	796		5	163	198	86	128	1401
Catch (t)	50			4	5043		102	964	2274	1546	661	10646

Appendix 7 to ANNEX 4.2

Summary of Authorized Joint Fishing Operations 2007-2009

Paragraph 13 of the *Recommendation by ICCAT to establish a Multi-Annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 06-05] stipulated that "concerned" flag States would transmit to the Secretariat the composition of the operators involved and the duration of joint fishing operations (JFO). In 2007, this information was not transmitted to the Secretariat and hence no information concerning the JFOs during the 2007 fishing campaign is available at the Secretariat.

Paragraph 18 of the *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] established that Contracting Parties (CPCs) involved in JFO should transmit information to the ICCAT Secretariat at least ten days before the start of the operation. It also stipulated that a record of the authorized JFOs should be established.

It should be noted that for 2008 there is a difference between the figures received at the Secretariat and the figures informed at the inter-sessional meeting of the Compliance Committee. The number of JFOs per year is shown in the table below.

The complete information (duration, operators, individual vessels' quotas, allocation key, the fattening or farming farms of destination) – as presented in the tables annexed to the Secretariat reports to the Compliance Committee in 2008 and 2009 – is available upon request to the Secretariat.

Number of JFOs in which CPCs participated in 2007-2009

CPC	*2007*	*2008 information reported to Secretariat*	*2008 information reported at COC 2009*	*2009*
Albania	No info.	0	0	0
Algeria	No info.	0	0	0
China (People's Rep.)	No info.	0	0	0
Croatia	No info.	1	0	0
Egypt	No info.	0	0	0
European Union	No info.	10	6	10
Iceland	No info.	1	1	0
Japan	No info.	0	0	0
Korea (Rep.)	No info.	1	1	1
Libya	No info.	12	8	6
Morocco	No info.	2	3	2
Norway	No info.	0	0	0
Syria	No info.	0	0	0
Tunisia	No info.	2	2	0
Turkey	No info.	2	2	2
Chinese Taipei	No info.	0	0	0

4.3 *REPORT OF THE INTERNATIONAL WORKSHOP ON IMPROVEMENT, HARMONIZATION AND COMPATIBILITY OF MONITORING, CONTROL AND SURVEILLANCE MEASURES, INCLUDING MONITORING CATCHES FROM CATCHING VESSELS TO MARKETS* *(Barcelona Spain - June 3 to 5, 2010)*

1. Opening

The International Workshop on Improvement, Harmonization and Compatibility of Monitoring, Control and Surveillance Measures, Including Monitoring Catches from Catching Vessels to Markets was hosted by Japan and the European Union, and was organized by the ICCAT Secretariat.

Mr. Masanori Miyahara (Fisheries Agency of Japan) welcomed the group on behalf of the conveners. The meeting included participants from 32 Members and cooperating non-Members of the five tuna RFMOs (IATTC: Inter-American Tropical Tuna Commission; ICCAT: International Commission for the Conservation of Atlantic Tunas; IOTC: Indian Ocean Tuna Commission; WCPFC: Western and Central Pacific Fisheries Commission; and CCSBT: Commission for the Conservation of Southern Bluefin Tuna) as well as representatives of the Secretariats of the five tuna RFMOs, three inter-governmental organizations, and four non-governmental organizations.

Mr. Miyahara also reminded the participants that the objective of this meeting is to provide recommendations for harmonizing protocols, identifying minimum standards and promoting best practices, but that these recommendations could not be considered binding or mandatory.

2. Election of Chair and Rapporteur

Mr. Masanori Miyahara (Fisheries Agency of Japan) was elected chair of the meeting. At his recommendation, Ms. Shannon Cass-Calay (United States) and Ms. Holly Koehler (United States) were elected co-rapporteurs.

3. Adoption of Agenda

The Agenda was adopted and is attached as **Appendix 1 to ANNEX 4.3**. The list of participants is attached as **Appendix 2 to ANNEX 4.3**.

4. Review of measures relating to VMS, observer, transshipment and monitoring catches from catching vessels to market taken by tuna RFMOs

Mr. Miyahara presented a review of the measures implemented by the five tuna RFMOs including vessel monitoring system (VMS), regional and national observer programs, transshipment procedures, and monitoring of catches. The procedures of the five tuna RFMOs were summarized, compared and discussed. Since this presentation was intended to introduce the items to be discussed during the meeting, participants were invited to defer discussion until the detailed examination of each topic.

5. Vessel Monitoring Systems

Mr. Driss Meski (Executive Secretary of ICCAT) described the VMS system used by ICCAT. The ICCAT VMS was established by the adoption of three primary recommendations [Rec. 03-14], [Rec. 06-05] and [Rec. 07-08]. According to these measures, each Contracting Party, Cooperating non-Contracting Party, Entity or Fishing Entity (CPC) must use a VMS for all commercial fishing vessels exceeding 24 m overall length as of November 1, 2005. Furthermore, as of January 1, 2010, this measure also applies to vessels over 15 m fishing eastern Atlantic and Mediterranean bluefin tuna. Each CPC must also establish and manage centers to monitor the fishing activities of its flagged vessels.

8.Mr. Alberto Parrilla (ICCAT Secretariat) presented a description of the ICCAT centralized eastern Atlantic and Mediterranean bluefin tuna VMS components and software. The ICCAT VMS is an electronic system that relays the geographic location of vessels via satellite. The information is sent to fisheries monitoring centers that must process the data and ensure a standard format before transmission to ICCAT. ICCAT ensures the confidentially

of data using secure protocols (FTPS, HTTPS) and digital certificates. The ICCAT VMS uses a graphic user interface (THEMIS) to display detailed geographic information and descriptive statistics (e.g. vessel locations, user-specified alerts, fishing vessel report by month). This information is useful to monitor fishing activity, and could also be used for fisheries biology and stock assessment, given certain confidentially requirements. A disadvantage of the ICCAT VMS is that it relies on data received from CPCs. Therefore, CPCs are encouraged to submit validated and complete information for all registered vessels.

The group generally supported the use of centralized VMS programs. However, participants noted that the information gathered by VMS is useful not only for monitoring fishing behavior and informing science objectives, but is also used for monitoring compliance with adopted conservation and management measures (e.g. effort controls and time-area closures) and to provide support for inspection programs both at sea and in port. The group also recognized the value of VMS data in the implementation of CDS and in combating IUU fishing.

Some participants expressed concern regarding the high cost of centralized VMS systems, particularly for developing nations. The group also considered the integration of regional and national VMS systems, and communication amongst RFMOs to share successful programs and practices. The group also noted the usefulness of cost/benefit analyses to ensure that VMS systems are developed and maintained in a cost-effective manner. Concerns were expressed over confidentiality requirements and some participants were reluctant to share information across RFMOs for this reason.

To maximize the utility of VMS data across RFMOs, the group discussed identifying clear objectives for the programs, standardization of protocols including the format, content and frequency of VMS messages, and developing data-sharing procedures. Several participants also emphasized that there should be no gaps in the geographic coverage in regional VMS programs and that all relevant vessel sizes and classes should be covered by such programs. Some participants noted that while polling frequencies may vary from fishery to fishery, real time transmission of this information is important to support inspection programs.

Finally, the group discussed some shortcomings of existing centralized VMS programs. In particular, the high cost and dependence on CPCs to transmit complete and accurate data. The group also noted that fishing behavior is not well characterized using vessel location alone, and that supplementary information from observers would be useful.

6. Transshipment controls and transshipment observer programs

Mr. Brian Hallman (Deputy Director of IATTC) presented a summary of the IATTC transshipment observer program. This program began January 1, 2009 and was established under two resolutions, C-06-04 and C-08-02. This program has the following characteristics: it applies only to longline vessels; it does not apply to live tuna transferred to a farm; it establishes a register of authorized carrier vessels; it requires all vessels to be equipped with VMS; vessels are prohibited from making transshipments in the eastern Pacific Ocean without an observer onboard except in cases of *force majeure;* it requires transshipment documentation copied to the IATTC, competent authorities of the CPC and the flag nation where final offloading will occur. Costs are borne by the flag governments of the vessels involved.

IATTC transshipment observers are required to observe catches during transshipment to ensure that quantities are consistent with the catches reported in the transshipment documentation. In addition, observers board fishing vessels to confirm the vessel's license, ensure the functionality of VMS equipment, examine the logbook, check documentation and assess compliance. Fishing violations are recorded in the observer's report, and reported to the Master of the carrier vessel. The program is operated by an NGO contractor (MRAG) at the cost of roughly 650,000USD a year.

Mr. Gerard Domingue (IOTC Secretariat) presented the IOTC transshipment program. The program has been in place since 2009 and the implementation of the program is guided by IOTC Resolution 08/02. The program monitors transshipments by authorized purse seiners and longliners operating in the IOTC area. The program requires that all transshipment of tuna and tuna-like species take place in port, with the exception for large-scale tuna longline vessels (LSTLV) which typically transship at sea.

Under the IOTC regulation, transshipment in port requires the vessel to provide 48 hours notice and detailed information regarding the vessel, carrier vessel, and transshipment location and information on the fishing area.

Carrier vessels must submit an IOTC Transhipment Declaration to the IOTC Secretariat and the flag State of the LSTV at least 24 hours after completion of transshipment and must submit appropriate transshipment documentation to the port and landing State at least 48 hours prior to landing. Port and landing States must verify the accuracy of the information received and cooperate with the fishing vessels to ensure consistency between landings and reported catch.

The observation of transshipment at sea in the IOTC Area is outsourced to a consortium. The contractor is responsible for selecting, training, equipping, insuring, and deploying observers, development and maintenance of the observer database and submitting reports to the IOTC Secretariat. The Secretariat maintains the authority to accredit observers and approve deployments. At-sea observers inspect vessel VMS and logbooks, records transshipment details (e.g. catch, indication of violations), and submits regular reports to the contractor. The program is funded by its participants at a cost of roughly €970,000 a year.

The ICCAT Secretariat (Mr. Driss Meski) provided a brief explanation of the ICCAT transshipment program. The Regional Observer Program for Transshipment was established in 2006 under Resolution [06-11]. To date, ICCAT has deployed about 75 observers to carrier vessels. The main Contracting Parties involved are Japan, Korea, Chinese Taipei, China and the Philippines. ICCAT regularly sends reports to all the Contracting Parties and to the ICCAT SCRS and the Commission. There is a consortium in charge of implementing the Program, and the costs are borne by the participating flag nations. ICCAT is currently pursuing cooperative ventures with the IOTC and others to reduce costs.

The group discussed the various aspects of the transshipment programs used by the tuna RFMOs. Some participants were concerned about the high cost of such programs, particularly for developing countries. The group considered various cost-minimization strategies including: cooperation across RFMOs (e.g. sharing training manuals, procedures, and creating a pool of observers trained to operate in multiple RFMOs), and the coordination of existing regional and sub-regional programs to eliminate redundancy. To this end, it was noted that the CCSBT transshipment program is conducted in conjunction with the IOTC and ICCAT transshipment programs. Several participants noted that programs that employ contractors were expensive, and recommended the use of trained regional observers.

The group considered that harmonized procedures could be developed to verify data on catches transshipped as reported by observers (e.g. video techniques, import/export records). The group also discussed the standardization of the declaration form, observer training procedures, and developing data sharing protocols.

The group generally recognized that transshipment controls were important to reduce IUU fishing. To further reduce IUU activities, the group considered enhanced efforts to inform relevant States and fishing companies of the regulations in place and continued enforcement by States. Some participants recommended a complete ban on transshipment at sea.

Some participants expressed the need to evaluate the impact of the transshipment observer programs on the main scope of RFMOs to combat IUU fishing. Other participants stated that such evaluation is routinely conducted at RFMOs and believed that the program is effective in combating IUU fishing.

7. Other Regional Observer Programs

Mr. Peter Flewwelling (Compliance Manager, WCPFC) presented a summary of the regional observer program of the WCPFC. This program is guided by the rules described in two documents, the Convention and the Conservation and Management Measures. The program covers vessels authorized to fish in the Convention area including those that fish exclusively in the high seas, those that fish on the high seas and in waters under the jurisdiction of one or more coastal states, and those the fish under the national jurisdiction of two or more coastal States. The purpose of this program is to collect verified catch data as well as additional data related to the fishery (including compliance-related information), and to collect scientific data. Therefore, WCPFC observers collect catch data and other scientific data, monitor the implementation of conservation and management measures adopted by the Commission, and report their findings. Currently, the coverage is 100% of purse seine vessels and planned to be 5% for large longline vessels by 2012. To reduce cost and avoid duplication, the observer program is coordinated with existing regional and sub-regional programs. Standardized procedures for training of observers are in place. National observer programs are being audited to certify them to regional standards by 2012.

During the general discussion of this topic, the group noted an overlap with many of the elements discussed under Item 6. In particular, some participants noted that observer programs were costly.

The group also discussed the role of observers. The group recognized that the objective of an observer program will vary across RFMOs. Some participants expressed that two functions (science and compliance) should be kept separate. However, other participants emphasized that some existing RFMO regional observer programs have both functions and the data collected by observers are used both for science and compliance and monitoring purposes. Some participants also noted that the role of an observer is to report but not function as an enforcement officer or inspector on the vessel. Rather, the flag State is responsible for responding to infractions and enforcing management regulations.

The group also discussed the minimum acceptable level of coverage for observer programs. Participants reiterated that this will depend on the objectives of the program, as decided by RFMOs. It was noted that 5% observer coverage may be adequate. However, it was also noted that programs that monitor compliance may need higher levels of coverage.

8. Monitoring catches from catching vessel to market

Mr. Driss Meski (Executive Secretary of ICCAT) and Ms. Carmen Ochoa (ICCAT Secretariat) presented a summary of the Catch Documentation System (CDS) used by ICCAT for Atlantic bluefin tuna (BFT). The objective of this system is to trace the fish from catch to market and to identify the origin of bluefin tuna landed at ports, delivered to farms or harvested from farms. The required Catch Document (BCD) or Re-export Certificate (BFTRC) has a unique ID number that contains the country code, year and a unique identifier. Other required information includes: vessel number, vessel name, date, number of fish landed, total weight landed, and fishing location. When appropriate, point of export, point of import, farm identifiers, and farming harvest information is also required. The presenter also discussed a few concerns. The ICCAT CDS is a paper-based system, and an important shortcoming is legibility of the documents. Many illegible, and/or incomplete documents are received and these diminish data quality and the effectiveness of the CDS. Furthermore, some documents are received after a long delay, particularly those from split-shipments.

Mr. Robert Kennedy (Executive Secretary of CCSBT) presented the CDS used by the CCSBT. This system is intended to provide an accurate and timely record of southern bluefin tuna (SBT) catches, and provide a traceable record of legitimate product flow from catch to the point of first sale. The system is intended to be capable of accounting for 95% of the fishing mortality on southern bluefin tuna. This is a new program which began January 1, 2010, and is currently still in development. The implementation and operation of the program will be reviewed in October 2010. The CCSBT CDS program requires mandatory tagging of all whole southern bluefin tuna and mandatory documentation for transfers of southern bluefin tuna into and between farms, and for transshipments, domestic landings, exports, imports and re-exports. Exceptions exist for recreational fisheries provided that sale is prohibited. The CDS forms contain information including: name and ID of vessel or farm, the number, weight and processed state of southern bluefin tuna, details of transfer.

The group discussed the CCSBT and ICCAT CDS programs generally, noting that there were some differences in design and implementation of the two programs. The group also discussed the differences between the existing ICCAT and CCSBT CDSs and the use of tags and forms versus just the use of tags. It was noted that under the ICCAT CDS it is optional to submit validated documents for tagged fish to the Secretariat.

It was clarified that the ICCAT CDS did not provide an exemption from validating documentation, but that tags were considered an equivalent form of validation of catch in ICCAT and so that portion of the form did not need to be completed if the product was tagged.

Several developing State participants described some of the challenges faced in implementing existing CDSs, particularly with respect to validation of the forms. Some participants also noted that for a CDS to be effective, cooperation with port and coastal States is essential. It was further emphasized that capacity building assistance should be provided to developing coastal States to assist them in implementing CDSs.

Several participants emphasized that coastal States have the responsibility for monitoring catches in their EEZs and that this responsibility should be reflected in any new or expanded CDS. It was further noted by these participants that, as a result, the flag State validation requirements of the 2010 EU IUU regulation were difficult to comply with, and, in their view, appear to create an unfair technical barrier to trade.

Expansion of catch documentation schemes in Tuna RFMOs

The delegation of Japan presented a discussion paper that proposed that catch documentation schemes (CDS) should be expanded to tuna species other than southern bluefin tuna and Atlantic bluefin tuna and to sharks, while noting that in doing so several special cases (i.e., fish caught by purse seine fisheries, artisanal fishery products and fresh and chilled products) will require specific consideration and procedures. The discussion paper also emphasized the need to provide assistance to developing countries and to implement an expanded CDS in a transitional or phased manner in order to ensure adequate time for all States to prepare for implementation.

Participants agreed with the principle of expanding CDS to other tuna fisheries and sharks. It was also emphasized that if an expanded CDS was developed, it must utilize modern technologies, such as electronic systems and tags, or use a single form, so that the expanded CDS can be implemented in an effective and efficient manner. There were different views expressed on what species an expanded CDS should include. Some participants expressed that expansion should be based on the condition of the stock and priority should be given to covering overfished and depleted stocks first and then expand the CDS to other species on step by step basis.

Most participants underscored the need for capacity building to assist developing countries in implementing both existing CDSs and any expanded CDS.

Some participants also noted that some States have adopted unilateral CDS schemes and expressed their view that RFMO CDSs should supersede such unilateral schemes.

One participant noted that more discussion was needed on whether tags can replace the validation of forms in the implementation of a CDS. In their view, the concept of validation was different from verification and that flag State validation must include cooperation with coastal States.

Other participants noted that coastal States can also provide validations as they are responsible for monitoring catches in their EEZs and the issuance of licenses to fish in their EEZs. These participants emphasized that this must be recognized and did not share the view that validation of CDS documents can only be done by the flag State.

The group discussed the specific issue of how to treat purse seine caught product and fresh fish in an expanded CDS. Participants discussed the ideas presented by Japan in its discussion document and considered a number of technical issues on this matter, such as the feasibility of designating canneries, how such canneries would be certified, how forms would be validated, the respective responsibilities of coastal States and flag States, and the need to build on existing programs, including national programs.

Several participants noted that they could not offer a view on these issues until they had reviewed the implementation of existing CDS programs. In general, participants agreed that more discussion within RFMOs was needed on these topics, and that tuna RFMOs should be encouraged to do so and report to Kobe III on their consideration of these issues.

The group noted the need to expand CDS to fresh/chilled products and recognized that the use of tags would be the only feasible way to cover this type of product in an expanded CDS.

The group considered whether to include artisanal catches in an expanded CDS. In general, participants supported covering artisanal catches that are exported in an expanded CDS, but noted that in doing so it may be necessary to develop a simpler CDS form in order to take account of the realities of artisanal fisheries. While recognizing that some States have reported difficulties with the use of the EU form for artisanal catches, the group suggested that the EU form could serve as a useful example for RFMOs (see **Appendix 3 to ANNEX 4.3**).

The group also discussed the issue of providing a "grace-period" for the implementation of an expanded CDS. In general, participants agreed that such a "grace-period" would be necessary for all States.

9. Other matters

Port State measures

The group considered that RFMOs that have not already done so should adopt port State control measures that are consistent with the recently adopted FAO Port State Measures Agreement, and that take into account the

specific circumstances in each RFMO region, including existing national measures, so as to strengthen efforts to combat IUU fishing and promote the long term sustainability of fisheries.

10. Adoption of meeting report

The report and workshop recommendations (see **Appendix 4 to ANNEX 4.3**) were adopted and the meeting was adjourned at 11:45 am on June 5, 2010.

11. Closing

The group thanked the European Union and the Government of Japan for their generous support in hosting the workshop. Participants also thanked Mr. Miyahara for so ably chairing the meeting, and the ICCAT Secretariat, the co-Rapporteurs and the interpreters for their hard work during the workshop.

Appendix 1 to ANNEX 4.3

Agenda

1. Opening
2. Election of Chair and Rapporteur
3. Adoption of Agenda
4. Review of measures relating to VMS, Observer, Transshipment and Monitoring
5. VMS
   - Current VMS requirements in each RFMO (system, content, frequency, format of VMS message, etc.)
   - Guidelines for centralized VMS centers at RFMO Secretariats
6. Transshipment controls
   - Minimum standards or best practices for in-port and at sea transshipment control
7. Observer programs
   - Minimum standards or best practices for regional observer programs
   - Minimum levels of observer coverage for different gear types
8. Monitoring catches from catching vessel to market
   - Extension of existing bigeye statistical document programs to cover fresh products and products destined for canneries
   - Minimum standards or best practices for Catch Document Schemes
9. Others
   - Port State measures
10. Adoption of meeting report
11. Closing

Appendix 2 to ANNEX 4.3

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Appendix 3 **to ANNEX 4.3**

European Union Catch Certificate

(I) EUROPEAN UNION CATCH CERTIFICATE – Simplified form for fishery products fulfilling the requirements in Article 6 of this Regulation			
Document number		Validating authority (name, address, tel., fax)	
1. Description of product	2. References of applicable conservation and management measures		
Species	Product code	Verified weight landed (kg)	
3. List of vessels that have provided catches and the quantities by each vessel (name, registration number, etc. annexed):			
4. Name, address, tel. and fax of exporter	Signature	Date	Seal (stamp)
5. Flag State authority validation:			
Name/Title	Signature	Date	Seal (stamp)
6. Transport details (see *Appendix*)			
7. Importer declaration:			

Name and address of Importer	Signature	Date	Seal (stamp)	Product CN code

8. Import control: Authority	Place:	Importation authorised (*)	Importation suspended (*)	Verification requested – date
Customs declaration (if issued)	Number		Date	Place

(*) Tick as appropriate.

European Union Re-Export Certificate

(II) EUROPEAN UNION RE-EXPORT CERTIFICATE			
Certificate number	Date		Member State
1. Description of re-exported product		Weight (kg)	
Species	Product code		Balance from total quantity declared in the Catch Certificate
2. Name of re-exporter	Address	Signature	Date
3. Authority			
Name/Title	Signature	Date	Seal/Stamp
4. Re-export control			
Place:	Re-export authorised (*)	Verification requested (*)	Re-export declaration number and date

(*) Tick as appropriate.

Appendix

Transport Details

1. Country of exportation Port/airport/other place of departure	2. Exporter signature			
Vessel name and flag Flight number − airway bill number Truck nationality and registration number Railway bill number Other transport document	Container number(s) List attached	Name	Address	Signature

Appendix 4 to ANNEX 4.3

Recommendations from the Kobe II Workshop on MCS

The participants in the Kobe II Workshop on MCS held in Barcelona, Spain from June 3-5, 2010 recommended the following to tuna RFMOs, and requested that such RFMOs report on their actions towards these recommendations at the Kobe III Meeting scheduled for 2011:

VMS

1. Where they do not already exist, establish standards for the format (see attached ICCAT format as an example), content, structure and frequency of VMS messages; and

2. Ensure there are no gaps in geographic coverage in regional VMS programs, and all relevant vessel types and sizes participate in VMS programs while on the high seas.

Transshipment

1. Cooperate with other tuna RFMOs to standardize transhipment Declaration forms so that they use, to the maximum extent possible, the same format and include the same required data fields, as well as develop minimum standards for the timeframes by which such Declarations are submitted to RFMO Secretariats, flag States, coastal States, and port States.

2. Establish that advance notifications must be provided to the relevant tuna RFMO Secretariat for those high seas transshipment activities that are permitted by that RFMO's measures (for example, 36 hours in advance of the transhipment operation taking place).

Observers

- RFMOs are encouraged to support the establishment of regional observer programs which could be built on existing national programs. It is the responsibility of each RFMO to clearly establish the purpose and scope of the information collected by its regional observer program, such as whether it will be used to support scientific or monitoring functions, or both, and then define the specific observer tasks and duties appropriate for that particular purpose and scope.

- There are specific aspects of observer programs that could benefit from the development of minimum standards or procedures that if utilized by tuna RFMOS could promote comparable observer-generated data.

    1. Where appropriate and practical, subject all gear types in high seas fishing operations to observer coverage while adopting a minimum of 5% coverage as an initial level. Observer coverage rates should be evaluated and may be adjusted depending on the scope and objectives of each observer program or particular conservation and management measures.

    2. Where appropriate, develop agreements such that RFMO-authorized high seas observers can operate effectively in the various ocean basins covered by other RFMOs with a view to avoiding duplication of observers. Such observer programs will provide required data to the RFMO in whose area the fishing operations take place.

    3. Exchange information and examples of the standards developed in each program. These should include:

        a) Training material and procedures;
        b) On-board reference materials;
        c) Health and safety issues;
        d) Rights, and responsibilities of vessel operators, masters, crew and observers;
        e) Data collection, storage and dissemination including where appropriate between RFMOs;
        f) Debriefing protocols and procedures;
        g) Reporting formats – especially for target and by-catch species;
        h) Basic qualifications and experience of observers.

Catch Documentation Schemes (CDS)

1. Establish or expand the use of CDS to fisheries for tuna and tuna-like species and sharks not currently covered by an existing CDS and to which current conservation and management measures apply, taking into account the specific characteristics and circumstances of each RFMO.

2. Ensure compatibility between new or expanded CDS and existing certification schemes already implemented by coastal, port and importing States.

3. Develop a common/harmonized form for use across RFMOs and the use of electronic systems and tags to enhance the efficiency, effectiveness and utility of a CDS.

4. Take into account fish caught by purse seine fisheries and delivered to processing plants when implementing an expanded CDS.

5. Consider a tagging system for fresh and chilled products to improve the implementation of new or expanded CDS.

6. Develop a simplified CDS form to cover catches by artisanal fisheries that are exported (see **Appendix 3 to ANNEX 4.3**, EU form that could serve as an example).

7. Provide technical assistance and capacity building support to assist developing countries in implementing existing CDSs and any expanded CDS, including ensuring that capacity building funds that currently exist in RFMOs can be used for this purpose.

Port State Measures

1. Encourage RFMO Members to consider signing and ratifying the FAO Port State Measures Agreement at their earliest opportunity.

2. Where they do not already exist, where appropriate, adopt port State control measures that are consistent with the FAO Port State Measures Agreement, and that take into account the specific characteristics and circumstances of each RFMO.

Data

When useful to support scientific and MCS purposes, cooperate with other tuna RFMOs to develop protocols for exchanging data, including provisions for data confidentiality.

ICCAT Format for the Communication of VMS Messages by Fishing Vessels

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.

4.4 REPORT OF THE INTERNATIONAL WORKSHOP ON RFMO MANAGEMENT OF TUNA FISHERIES (Brisbane, Australia - June 29 to July 1, 2010)

1. Opening

The International Workshop on RFMO Management of Tuna Fisheries was hosted by the Pacific Islands Forum Fisheries Agency (FFA) and with funding from Australia, Papua New Guinea (PNG) and New Zealand, with organisational assistance provided by the Australian Fisheries Management Authority (AFMA).

Prof. Glenn Hurry (AFMA) and Mr. Sylvester Pokajam (PNG and Chairman of FFC) welcomed the group on behalf of the conveners. The meeting included participants from 40 Members and cooperating non-members of the five tuna RFMOs (IATTC: Inter-American Tropical Tuna Commission; ICCAT: International Commission for the Conservation of Atlantic Tunas; IOTC: Indian Ocean Tuna Commission; WCPFC: Western and Central Pacific Fisheries Commission; and CCSBT: Commission for the Conservation of Southern Bluefin Tuna), as well as representatives of the Secretariats of the five tuna RFMOs, 17 inter-governmental organisations, and 15 non-governmental organisations.

Prof. Hurry reminded the participants that the objectives of the workshop, provided by the San Sebastian meeting (Kobe II), were to recommend measures to ensure the long-term sustainability of the world's tuna fisheries, and focus on future management options and initiatives rather than just the causes and symptoms of overcapacity. Prof. Hurry drew attention to the role that the Kobe process should play in providing guidance and principles to the tuna RFMOs, in addition to other complementary initiatives such as the Bellagio Framework for Sustainable Tuna Fisheries.

Prof. Hurry had been elected chair of the meeting. At his recommendation, Dr. Katrina Phillips (Australia) was elected Rapporteur.

The Agenda and the List of Participants are available at www.tuna-org.org.

2. Review of Kobe I and II outcomes on allocation and management of fishing Capacity (*Moderator: Mr. Vincent Grimaud, EU*)

2.1 Overview of Kobe I and II outcomes

Mr. Vincent Grimaud (EU) presented a review of the key issues identified at the Kobe I and Kobe II meetings relevant to capacity management in order to establish the context and terms of reference of this workshop. Issues included a recognition that current fishing capacity at a global level is too high; that RFMOs need to set sustainable catch and effort limits while taking into consideration the aspirations of developing coastal states; and that each flag State or fishing entity should ensure that fishing capacity is commensurate with fishing opportunities. Comprehensive, integrated MCS measures play a fundamental role in the management of capacity.

2.2 Progress on allocation and management of fishing capacity of RFMOs

Mr. Sung Kwon Soh (Acting Executive Director WCPFC) described allocation and management of fishing capacity in the WCPFC. While neither issue has been explicitly discussed by the WCPFC, in practice a number of substantial measures are in place to pursue effective conservation and management through controls such as limits on vessel days, vessel number, fishery closures, total allowable effort and total allowable catches.

Dr. Guillermo Compeán (Director IATTC) described the IATTC Resolution C-02-03, which limits purse seine vessel capacity through a vessel register, without establishing national capacity or allocation limits. However, special capacity allocations are made for a small number of developing States to allow their participation in the fishery. The number of years taken to reach an agreement on managing fishing capacity was discussed.

Mr. Driss Meski (Executive Secretary ICCAT) discussed progress on allocation and management of fishing capacity by ICCAT. ICCAT uses a variety of management tools including measures to freeze capacity and reduce excess capacity for certain fleets and prohibited transfer of fishing effort. In response to the need for equitable allocation of fishing opportunities, ICCAT established a working group in charge of developing criteria for allocation. These criteria were adopted in 2001.

Mr. Robert Kennedy (Executive Secretary CCSBT) discussed the global TAC established under CCSBT and its allocation among members and cooperating non-members, noting that fishing capacity is not directly managed by CCSBT. CCSBT has not developed a formal procedure for determining size of allocations, but work on this is scheduled to occur in October 2010.

Mr. Alejandro Anganuzzi (Executive Secretary IOTC) described progress on allocation and management in IOTC. The first measure directed at limiting access (the IOTC vessel register) was adopted in 2002. Since then, specific measures have been brought in to address issues such as limits on the capacity (tonnage) of vessels fishing for tropical tunas, swordfish and albacore. CPCs can submit fleet development plans. In 2010, the Commission established a process for discussing allocation and agreed on a closed-area management action.

2.3 International obligations

Mr. Pio Manoa (FFA) outlined the international legal instruments (UNCLOS, UNFSA and soft-law instruments such as the Millennium Development Goals) that establish the sovereign rights of States in Exclusive Economic Zones and the obligations of States regarding the utilisation of marine resources. Although State management practices may differ, the objectives for long-term sustainability and responsible fisheries are enshrined in international law. There should be compatibility between management measures established within areas of national jurisdiction and on the high seas.

The key issue arising from the discussion was that overcapacity and/or overexploitation is a problem around the globe but is being addressed in very different ways among RFMOs. The fundamental concern of all RFMOs was the need to address overexploitation to ensure long-term sustainability of tuna resources, which affects developing and developed states alike. The need to coordinate and then implement measures to manage capacity of all gear types around the globe was emphasised.

A distinction was made between control measures put in place in light of urgent advice from scientific committees and the development of criteria for long-term allocation. There is a real difficulty in using capacity-based measures in a compatible manner among zones, States and regions. It was also noted that the development and implementation of allocation criteria was a lengthy process.

There was lastly some discussion of the need to balance the sovereign rights of coastal States with legal obligations to cooperate in the management of highly migratory marine resources, taking into account any socio-economic impacts of reductions in capacity or access to fisheries.

3. Fisheries development in developing countries - obligations and aspirations (*Moderator: Mr. Bernand Thoulag*)

Dr. Lara Manarangi-Trott (FFA) gave a presentation on the importance of fisheries to developing countries, in particular SIDS and States with small and vulnerable economies. Within tuna RFMOs, developed countries tend to own the boats while developing countries tend to control access to the fish resources. Many developing States (including SIDS) are members of tuna RFMOs. The fishing sector is an important contributor to the GDP of these developing States, with licence agreements, exports, and onshore processing activities representing key areas for economic development. The sustainable management of tuna fisheries and securing an equitable allocation of fisheries resources are necessary for sustainable economic development of developing countries.

3.1 Aspirations of developing countries

Several speakers described the aspirations of developing States in different regions of the globe: Mr. Glen Joseph described the aspirations of small island developing States in the Western Central Pacific (WCPFC); Dr. Gladys Cárdenas referred to the wide availability of tuna in Peruvian waters and the constraints to access to tuna fisheries within the context of coastal developing States in the eastern Pacific Ocean (IATTC); Dr. Moses Maurihungirire presented the aspirations of developing States participating in Atlantic tuna fisheries (ICCAT); and Mr. Rondolph Payet described the aspirations of developing states participating in Indian Ocean tuna fisheries (IOTC).

A clear theme arising from the session was that the aspirations of developing States differed among the various tuna RFMOs. Another key point arising from the discussion was the importance of partnerships between developing and developed states in the transfer of capacity, knowledge, infrastructure and technology, not only

in support of fishing fleets in developing States but also onshore activities such as processing and gaining market access.

The difficulty of distinguishing between coastal States and distant-water fishing nations (DWFNs) was noted by several States who fall into both categories.

4. Perspectives on managing and migrating harvesting capacity to retain profitability (*Moderator: Prof. Glenn Hurry*)

Mr. Max Chou (South Pacific Tuna Corporation) gave a presentation on managing and migrating harvesting capacity to retain profitability in purse seine fleets, providing some examples of successful joint-venture arrangement. The need to firstly base catch limits and allocations on scientific assessment before addressing capacity was emphasised. Managing capacity in a manner that is fairer and more transparent to all parties, with no exemptions, was also stressed.

Ms. Eiko Ozaki (Organisation for the Promotion of Responsible Tuna Fisheries) described capacity issues in longline fleets, focusing on large-scale longline vessels. Collaborative efforts among different States and stakeholders (vessel owners, traders and distributors) to reduce the number of such vessels, and underlying causes of reduction, were discussed. The future of the longline tuna industry depends first and foremost on the sustainable management of tuna resources, followed by the viability of sashimi markets, and therefore is concerned over growing FAD operations that have led to significant increases in the catch of juvenile tunas.

Mr. Phil Roberts (Trimarine) discussed market needs and purse seine capacity. A focus was given on the changing dynamic of the EU market: an increasing number of consumers demand 'ecofriendly' tuna and certification. The EU's anti-IUU measure, which came into force in January 2010, is restricting the access of some legally licensed purse-seine tuna fisheries to a valuable market. Without further capacity controls new boats will continue to enter fisheries, increasing supply and depressing prices. Most boat owners want to see some form of capacity limitation. There are merits in transferring capacity to coastal states.

Mr. William Gibbons-Fly (US Department of State) presented capacity and allocation issues facing DWFNs, noting the heavy responsibilites on RFMOs to safeguard the vast resources of tuna including those under national jurisdiction. The main discussion points were the conservation and management of tuna resources; the importance of capacity controls; the participation of developing states in tuna fisheries; and that transparent and consistent rules for all members are required for effective management at the RFMO level.

It was clear that overcapacity is an issue of considerable concern from an industry perspective, with the transfer of capacity to developing states being preferred over the introduction of new capacity. Several participants voiced support for better incorporating an industry perspective into RFMO management. It was also recognised that the issue of fisheries subsidies needs to be urgently addressed but little progress has been made at present.

5. Towards a solution: future management options and initiatives (*Moderator: Mr.Robin Allen*)

5.1 Introduction

Mr. Robin Allen provided an overview of the Bellagio framework to set the context for this session, highlighted the four key points of the framework: causes of overcapacity; controlling capacity; shifting to rights-based management and allocation; and effective MCS.

5.2 Possible options for allocation

Mr. Stan Crothers (independent fisheries advisor) presented an allocation model for tuna fisheries. The model is consistent with international law (UNCLOS, UNFSA), is dynamic, seeks to achieve sustainable development and incorporates the interests of developing States in a rightsbased framework. The model draws a distinction between participatory rights and catch rights, and the responsibilities that come with both sets of rights. The allocation model seeks to ensure that business incentives are aligned with the productivity of a fishery and eliminate overcapacity as a symptom of failed fisheries management.

Mr. Les Clark (FFA consultant) discussed how allocation might work and what it may look like when the aspirations of developing countries are considered. Important themes were how current allocations and access arrangements are used to exclude new entrants and protect the interests of established fishing states, both within areas of national jurisdiction and the high seas. Allocations must be 'transformative' in the sense that they promote the future participation of developing states rather than lock in existing access patterns.

6. Recognition of all interests in the allocation of participatory rights (*Panel: Mr.William Gibbons-Fly, Dr. Moses Maurihungirire, Mr. Charleston Deiye*)

Mr. Charleston Deiye (Nauru) discussed allocation issues facing small island developing States in the Pacific. Tuna fisheries represent the greatest opportunity for economic development in the region. SIDS have a right to develop their fisheries both within areas of national jurisdiction and on the high seas, and do not want to be disadvantaged in securing access to these fisheries. The importance of full participation in regional and international fisheries organisations (PNA, FFA, WCPFC) was recognised.

Dr. Moses Maurihungirire (Namibia) described current challenges in allocation and fisheries access for developing States in the Atlantic. ICCAT has taken into consideration the needs of developing States in the allocation of swordfish TACs. However, further advances must be made to ensure equitable access to resources by all. Quota trading was highlighted as a potential way of ensuring equitable access and economical, sustainable fishing of tuna stocks in the Atlantic.

Mr. William Gibbons-Fly (US) sought to find common ground from the different perspectives on capacity and allocation discussed so far. Capacity management within IATTC was used as an example of allowing flexible participation in tuna fisheries by moving away from the notion of national allocation. It was noted that coastal states exercised their sovereign rights during the negotiation of IATTC's resolution on capacity management, and then complied with the duty to cooperate once the resolution came into force.

Participants discussed the proposed model for the allocation of fishing rights, clarifying that a single TAC should be set for a tuna stock regardless of fishing gear or fishing zone (EEZ, high seas). The model provides a mechanism to achieve allocation, rather than determining allocation per se – a mechanism that provides certainty to all players and is sound basis for investment. It could be easily adapted by artisanal fisheries, such as those in Indian Ocean that have compiled fisheries development plans.

There was further discussion of existing allocation arrangements within RFMOs, such as bluefin and swordfish allocations established by ICCAT, to give more opportunities to developing States. While it can be argued that existing allocations are not equitable to all parties at present, some of the strengths of these allocations were emphasised, such as the efficiency of establishing multiannual TACs and the security this provides to industry. However, it was noted that even with a good allocation system the problem of overcapacity may still exist, and that capacity measures will still be required. Coordinated action is required at the RFMO level to ensure capacity measures are applied in an equitable manner. There was some debate on how allocations should be applied to the EEZs of coastal States compared with high seas areas.

7. Fisheries management options to provide for the aspirations and participation of developing countries (*Panel: Mr. Gus Natividad, Mr. Peter Graham, Mr. Rondolf Payet, Dr. Smith Thummachua*)

Mr. Gus Natividad (Tuna fishery and processing, Philippines) provided an overview of the mutual benefits arising from joint-venture arrangements between developing States and industrialized States, emphasising the revenue returned to developing States from the establishment of onshore processing facilities. Papua New Guinea provides an example of a good balance between joint-venture arrangements and the development of domestic fisheries. Let RFMOs manage catch limits and the Pacific Island nations manage capacity within their EEZs within the established catch limits, and balance foreign access with their domestic fishery development.

Mr. Peter Graham (Cook Islands) echoed previous sentiments that more must be done to support, rather than merely consider, the aspirations of SIDS and other developing States. The need to ensure that fishing is sustainable while maximising profits for dependent communities was also emphasised.

Mr. Rondolph Payet (IOTC) addressed the aspirations of developing States in the Indian Ocean, drawing attention to the difficulty in achieving coordination among artisanal fishing fleets. A sequential approach to

addressing capacity was discussed, whereby TACs are set based on scientific and socio-economic analyses followed by a determination of an appropriate level of capacity. It was noted that fisheries development plans may be a useful tool to guide developing States in the development of their domestic fisheries.

Dr. Smith Thummachua (Thailand) emphasised the need to manage tuna stocks throughout their distribution, including EEZs and the high seas. A freeze on current fishing capacity was seen as an urgent measure to address overcapacity; however, complete data on fishing capacity would be required to achieve this. In this context, capacity was defined as the ability to catch fish rather than as vessel number or vessel tonnage. A tradable and adaptive quota management system was proposed. The need to investigate the impact of climate change on tuna abundance and distribution was also raised.

Japan presented a paper on a reduction in the capacity of the purse-seine fleets of seven DWFNs currently fishing in the WCPFC. The target level of reduction was 20% by vessel number in all seven DWFN fleets by 2013 or, if appropriate, an equivalent reduction in fishing capacity in these fleets operating in WCPFC. To be successful, there would need to be assurance that none of the reduced capacity would be transferred into other oceans.

A number of participants expressed the view that reduction in capacity was the responsibility of all tuna fishing nations (taking into consideration the needs and aspirations of developing States) and should be applied across gear types. It was further noted that reductions and transfers in fishing capacity should be conducted in an incremental manner so that both developed and developing nations can adjust to new capacity arrangements.

The attributes of the Vessel Day Scheme adopted within the WCPFC were used by some participants to illustrate an example of effective effort control within an individual RFMO.

The importance of firstly setting a management objective (Maximum Economic Yield or Maximum Sustainable Yield) before determining an appropriate level of capacity – which is dependent on the ability to define units of capacity – was discussed. It was also noted that fishing is conducted for different reasons in different areas, and that social objectives (the maintenance of a livelihood, rather than just a means of employment) must also be taken into consideration.

8. Addressing excess capacity and ensuring commercial profitability (*Panel: Mr. Max Chou, Mr. Paul Krampe, Mr. Sylvester Pokajam*)

Mr. Paul Krampe (American Tunaboat Association) supported the concept of an interim freeze on fishing capacity, underlining the key role RFMOs must play in coordinating the management of global fishing capacity. A useful, complementary tool in bringing capacity under control was the establishment of each RFMO of active vessel registers and the development of a global unique vessel identifier.

Mr. Max Chou (South Pacific Tuna Corporation) stressed the need to ensure that tools to manage capacity were legitimate and transparent to ensure that benefits were being equitably proportioned between developing and industrialised States. The notion of transferring capacity/quota between different fishing vessels could be studied with a view of developing a formula for transfer.

Mr. Sylvester Pokajam (PNG) stated that developing coastal States had not fully developed domestic fisheries, and that issues of capacity management were primarily the responsibility of DWFNs. Many management measures are in place within EEZs, but RFMOs have failed to ensure that an equivalent level of regulation is applied to the high seas.

Attention was drawn to the utility of the sample management options provided in the Bellagio framework, such as mechanisms to allow quota trade. Some participants noted the practical difficulties of implementing such mechanisms at the present time.

Many participants voiced support for an interim/temporary freeze on fishing capacity, with the proviso that such a freeze provide a window for developing mechanisms for rights-based allocation and transfer of capacity that supports the aspirations of developing coastal States. Other participants opposed the adoption of a freeze on capacity in fisheries that were already managed under effort controls.

A further issue affecting some small island developing States is that some environments are not conducive to the establishment of onshore processing facilities, and in such circumstances expanding their involvement in fisheries provided the only opportunity for economic growth.

9. Chair's recommendation

There shall be no further joint tuna RFMO workshops of any sort on capacity, overcapacity or on related issues until RFMOs have made significant efforts to deal constructively with these issues.

10. Recommendations from the International Workshop on RFMO Management of Tuna Fisheries

10.1 Key themes

a) The long-term profitability of all tuna fisheries is linked to their sustainability and proper management, and all RFMOs should ensure that all stocks of tunas are maintained at sustainable and optimal levels through science-based measures.

b) Overcapacity is a symptom of broader management problems, and in developing solutions we need to ensure that we deal with both the problem of overcapacity and the longer-term management issues.

c) In some areas a high proportion of the world's tuna resources are harvested from the waters of developing coastal States. For some of these countries and many small island developing States they are their only tradable resource, and developing coastal States seek a better return for access to tuna resources. Providing developing coastal States with the assistance to better manage, utilise and trade and market these resources will increase the economic return. In this context, developed fishing countries should work with developing coastal States to build industries that provide a better return, including as appropriate reducing and restructuring fleets.

d) Rights in RFMOs and under international law come with associated obligations, and these must be honoured by all member and cooperating non-member countries.

e) Tuna sashimi markets are now world-wide, not just in Japan; e.g. USA, EU, China, Chinese Taipei, and Korea.

f) Fish-aggregating devices (FADs) increase the catches in purse-seine fisheries for skipjack tuna, but FAD fishing for skipjack also captures juvenile bigeye and yellowfin tunas, lowering the long-term catch rates of those species.

g) Rights already exist in most tuna fisheries, e.g. participatory rights in RFMOs, allocations in some RFMOs, and States' rights under international law.

h) Some participants stated that now is not the time to build further purse seiners, unless industry can secure long-term access rights in partnership with developing coastal States.

i) The issues relating to overcapacity and overfishing in tuna RFMOs do not change; hopefully the players now understand that they must act.

10.2 Recommendations

RFMOs should, as a matter of urgency:

1. Develop publicly available authorised and active vessel1 lists for all gears. These lists will include small-scale fishing vessels that are capable of catching significant amounts of fish under the competency of tuna RFMOs.
2. Encourage secretariats to continue their work on the global list of tuna vessels, including the assignment of a unique vessel identifier.

3. As appropriate, RFMOs include only vessels on their active vessel[1] register in any scheme for reducing capacity by eliminating vessels.
4. Review existing capacity against the best available scientific advice on sustainable levels of catch and implement measures to address any overcapacity identified.
5. Each tuna RFMO consider implementing where appropriate a freeze on fishing capacity on a fishery by fishery basis. Such a freeze should not constrain the access to, development of, and benefit from sustainable tuna fisheries by developing coastal States.
6. All RFMOs establish strong requirements for the provision of accurate data and information to secretariats so that the status of tuna stocks can be accurately assessed. All RFMO members and cooperating non-members should make a firm commitment to provide these data on a timely basis, and it should be cross-checked with market, landings and processing establishment data under the competency of tuna RFMOs.
7. Develop a consistent enforceable regime for sanctions and penalties, to be applied to RFMO members and non-members and their vessels that breach the rules and regulations developed and implemented by RFMOs.
8. Ensure that the effectiveness of all conservation and management measures is not undermined by exemption or exclusion clauses.
9. Ensure that all conservation and management measures are implemented in a consistent and transparent manner and are achieving their management goals.
10. Review and strengthen their MCS framework to improve the integrity of their management regime and measures.

RFMOs should, in the medium term:

11. Develop measures of capacity and, in the absence of an agreed capacity definition, adopt the FAO definition "The amount of fish (or fishing effort) that can be produced over a period of time (e.g. a year or a fishing season) by a vessel or a fleet if fully utilised and for a given resource condition."
12. Ensure that all stocks maintained at sustainable and optimal levels through science-based measures.
13. Review and develop management regimes, based *inter alia* on the concept of fishing rights for fisheries under the RFMOs' competence.
14. Consider using right-based management approaches and other approaches as part of a 'tool box' to address the aspirations of developing states, overfishing, overcapacity and allocation.
15. The tuna RFMOs should ensure a constant exchange of information with regard to the capacity of fleets operating within their zones as well as the mechanisms to manage this capacity. Kobe III will provide an opportunity for the tuna RFMOs to provide an update on progress with these issues.

[1] The definition of 'active vessel' is to be determined by individual RFMOs.

ANNEX 5

RECOMMENDATIONS ADOPTED BY ICCAT IN 2010

10-01 **BET**

RECOMMENDATION BY ICCAT TO AMEND THE RECOMMENDATION BY ICCAT ON A MULTI-YEAR CONSERVATION AND MANAGEMENT PROGRAM FOR BIGEYE TUNA

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

1. The terms of the 2004 *Recommendation by ICCAT on a Multi-Year Conservation and Management Program for Bigeye Tuna* [Rec. 04-01] shall be extended through 2011 except for:

   − The Total Allowable Catch (TAC) for 2011 is 85,000 t.

   − The following catch limits shall be applied for 2011:

CPC	*Catch limit 2011 (t)*
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

   − For developing coastal CPCs not shown in the above table, if the catch exceeds 3,500 t, in 2011, an appropriate catch limit shall be established for that CPC for the following years.

   − Notwithstanding the *Recommendation by ICCAT on a Multi-year Conservation and Management Program for Bigeye Tuna* [Rec. 04-01], the *Recommendation by ICCAT Regarding Chinese Taipei* [Rec. 06-01] and the *Recommendation by ICCAT to Amend the Recommendation by ICCAT on a Multi-year Conservation and Management Program for Bigeye Tuna* [Rec. 09-01], Chinese Taipei may allow 75 longline vessels, Philippines 10 vessels and Korea 16 vessels to fish for bigeye tuna in the Convention area in 2011.

2. All underages or overages of the annual catch limit of bigeye tuna in 2011 may be added to or shall be deducted from the annual catch limit in 2012 and/or 2013.

3. The 3000 t transfer of bigeye tuna catch limit from Japan to China in 2011 and the 800 t transfer of bigeye tuna catch limit from Japan to Korea in 2011 shall be authorized.

10-02 **SWO**

RECOMMENDATION BY ICCAT FOR THE CONSERVATION OF NORTH ATLANTIC SWORDFISH

RECALLING the *Supplemental Recommendation by ICCAT to Amend the Rebuilding Program for North Atlantic Swordfish* [Rec. 06-02] and its amendments [Rec. 08-02] and [Rec. 09-02];

TAKING INTO ACCOUNT the management recommendation from the SCRS that in order to maintain the stock at a level that could produce MSY, with greater than 50% probability, the catch limits should be reduced to no more than 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. For this purpose, a total allowable catch (TAC) of 13,700 t shall be set for 2011.

3. The catch limits for 2011 shall be as indicated below:

	Catch limit 2011 (t)
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 (Overseas Territories)	35
France (St. Pierre et Miquelon)	40
China	75
Senegal	400
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].

(1) The United States may harvest up to 200 t of its annual catch limit within the area between 5 degrees North latitude and 5 degrees South latitude.
(2) For each year of this catch quota allocation, the United States will transfer 25 t to Canada. This transfer does not change the relevant shares of Parties as reflected in the above allocation.
(3) 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 quota.
(4) The 100 t transfer of swordfish catch limit from Senegal to Canada in 2011 shall be authorized.
(5) The 20 t transfer of swordfish catch limit from EU to France (St. Pierre et Miquelon) shall be authorized.
(6) The 50 t transfer from Japan to Morocco shall be authorized.

4. If the total catch exceeds the TAC of 13,700 t in 2011, the exceeded amount, except for the possible overage of each CPC over its adjusted quota, shall be deducted from the quotas in 2013 on a *prorata* basis of the 2011 quotas.

5. The Commission shall establish at its 2011 meeting a multi-year conservation and management plan with the goal of maintaining B_{MSY}, with greater than 50% probability, on a basis of the SCRS advice. Each CPC shall submit to the Secretariat by 15 September, 2011, a report on history of its swordfish fishing and a development/management plan of its swordfish fishery. Consideration of the multi-year conservation and management plan in 2011 shall be based upon those reports and development/management plans as well as the *ICCAT Criteria for the Allocation of Fishing Possibilities* [rec. 01-25].

6. In advance of the next assessment of North Atlantic swordfish, the SCRS shall develop a Limit Reference Point (LRP) for this stock. Future decisions on the management of this stock shall include a measure that would trigger a rebuilding plan, should the biomass decrease to a level approaching the defined LRP as established by the SCRS.

7. 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:

Catch year	*Adjustment year*
2009	2011
2010	2012
2011	2013

However, the maximum underage that a Party may carryover in any given year shall not exceed 50% of the original quota.

8. Provisions of the *Recommendation by ICCAT Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries* [Rec. 96-14] adopted at the 1996 Commission Meeting, and of paragraph 7 above, shall be applied to the implementation of the individual quotas in paragraph 3 and for over-harvests that occurred in 2009 and/or 2010, for each CPC. Each year is considered a separate management period, as that term is used in the *Recommendation by ICCAT Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries*, except for Japan, for which the management period is three years (2009-2011).

9. If Japan's landings exceed its quota in any year, the overage shall be deducted in subsequent years so that total landings for Japan shall not exceed its total quota for the three-year period commencing in 2009. When annual landings by Japan are less than its quota, the underage may be added to the subsequent years' quota, so that total landings by Japan do not exceed its total for the same three-year period. Any underages or overages from the 2007-2008 management period shall be applied to the three-year management period specified herein.

10. 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°W and South of 15°N, against its uncaught South Atlantic swordfish quota;

11. Japan shall implement a national observer program on 8% of vessels operating in the North Atlantic by the end of 2011.

12. 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 and effort statistics, even when no analytical stock assessment is scheduled. The SCRS shall review these data annually.

13. 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.

14. Notwithstanding the provisions of paragraph 13, any CPCs 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. A Party that chooses this alternative 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.

15. Notwithstanding the provisions of Article VIII, paragraph 2, of the Convention, with respect to the annual individual quotas 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.

16. 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 3 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 obligations and conservations considerations. Any such transfer may not be used to cover over harvests. A CPC that receives a one-time quota transfer may not retransfer that quota.

17. This Recommendation replaces the *Supplemental Recommendation by ICCAT to Amend the Rebuilding Program for North Atlantic Swordfish* [Rec. 06-02], the *Supplemental Recommendation by ICCAT to Amend the Rebuilding Program for North Atlantic Swordfish* [Rec. 08-02] and the *Supplemental Recommendation by ICCAT to Amend the Rebuilding Program for North Atlantic Swordfish* [Rec. 09-02].

10-03 **BFT**

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

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 Recommendation by ICCAT Concerning the Western Atlantic Bluefin Tuna Rebuilding Program* [Rec. 06-06], and the *Supplemental Recommendation by ICCAT Concerning the Western Atlantic Bluefin Tuna Rebuilding Program* [Rec. 08-04],

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 2010 scientific advice from the Standing Committee on Research and Statistics (SCRS) indicates that under the low recruitment scenario the western Atlantic bluefin tuna stock is above the biomass level that can support MSY and that under the high recruitment scenario (under which higher sustainable yields are possible in the future), the stock remains overfished and overfishing will continue under the current TAC,

ACKNOWLEDGING that the SCRS concluded that there is no strong evidence to favor either the low or high recruitment scenario over the other,

HIGHLIGHTING that the SCRS noted that considerable uncertainties remain for the outlook of the western stock, including the effects of mixing, age at maturity, and recruitment,

RECOGNIZING a desire to further improve the rebuilding program for western Atlantic bluefin tuna in a manner that takes into account the two recruitment scenarios and the resulting scientific advice in the 2010 stock assessment,

UNDERSCORING the SCRS advice that the Commission may wish to protect the strong 2003 year class until it reaches maturity and can contribute to spawning,

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 stock and fisheries is linked to the eastern Atlantic and Mediterranean fishery,

FURTHER RECOGNIZING the *ICCAT Criteria for the Allocation of Fishing Possibilities* [Rec. 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. The Contracting Parties 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, Contracting Parties, non-Contracting Parties, Entities and Fishing Entities 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, which began in 1999 and will continue through 2018, will have a total allowable catch (TAC), inclusive of dead discards, of 1,750 t in 2011 and in 2012.

4. The annual TAC, maximum sustainable yield (MSY) target, and the 20-year rebuilding period may be 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 stock assessment detects a serious threat of stock collapse, the Commission shall suspend all bluefin 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:

CPC	*Allocation*
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:

	If the remainder of the annual TAC is:			
CPC	**<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	1303 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	5.5	0.23%
France (in respect of St. Pierre & Miquelon)	0.23%	5.5	5.5	0.23%
Mexico	5.56%	134	134	5.56%

c) Consistent with paragraphs 1 and 6 (b), the TAC for each of 2011and 2012 results in the following CPC-specific quota allocations (not including by-catch allowances listed in 6 a):

	2011	*2012*
	1,750 t	1,750 t
United States	923.70 t	923.70 t
Canada	381.66 t	381.66 t
Japan	301.64 t	301.64 t
United Kingdom (in respect of Bermuda)	4 t	4 t
France (in respect of St. Pierre & Miquelon)	4 t	4 t
Mexico	95 t	95 t

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

d) Requirements in place during the 2009 and 2010 fishing years limiting Canada's two-year combined total catch (excluding by-catch allowed under paragraph 6.a of Rec. 08-04) to 970 t remain valid obligations under this recommendation.

e) Depending on availability, Mexico can transfer to Canada for 2011 and 2012 up to 86.5 t of its quota, as a special arrangement.

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 and paragraph 8. 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 those CPCs with initial allocations of 100 t or less, for which the underharvest that is carried forward shall in no event exceed 100% of the initial allocation under paragraph 6. Each year shall be considered as an independent management period for the purposes of paragraph 8.

8. a) If, in the applicable management period, and each subsequent management period, any CPC has an overharvest of its total quota, its total quota will be reduced in the next subsequent management period by 100% of the amount in excess of such total quota; and ICCAT may authorize other appropriate actions.

b) Notwithstanding paragraph 8.a), 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.

9. Notwithstanding the *Recommendation by ICCAT Regarding the Temporary Adjustment of Quotas* [Rec. 01-12], in between meetings of the Commission, a CPC with a quota allocation under paragraph 6 may make a one-time transfer within a fishing year of up to 15% of its quota allocation to other CPCs with quota allocations, consistent with domestic obligations and conservations considerations. The transfer shall be notified to the Secretariat. Any such transfer may not be used to cover overharvests. A CPC that receives a one-time quota transfer may not retransfer that quota. For parties with an allocation of 4 t, the transfer may be up to 100% of the allocation.

Minimum fish size requirements and protection of small fish

10. Contracting Parties, non-Contracting Parties, Entities and Fishing Entities 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.

11. Notwithstanding the above measures, Contracting Parties, non-Contracting Parties, Entities and Fishing Entities 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 2011 and 2012 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.

12. Contracting Parties, non-Contracting Parties, Entities and Fishing Entities 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.

Area and time restrictions

13. There shall be no directed fishery on the bluefin tuna spawning stocks in the western Atlantic in spawning areas such as the Gulf of Mexico.

Transshipment

14. Transshipment at-sea shall be prohibited.

Scientific research and data and reporting requirements

15. In 2012, and thereafter every three years, the SCRS will conduct a stock assessment for bluefin tuna for the western Atlantic and eastern Atlantic and Mediterranean and provide advice to the Commission on the appropriate management measures, inter alia, on total allowable catch levels for those stocks for future years.

16. 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 rebuilding program shall be reevaluated.

17. CPCs that harvest western Atlantic bluefin tuna should contribute to ICCAT's Atlantic-wide Bluefin Tuna Research Program (GBYP). In particular, CPCs should make special efforts to enhance biological sampling activities in order to provide significant new information for the new assessment. Priority research should be obtaining new information on natal origin, maturity, and age of the catch in all fisheries, following protocols to be developed by the SCRS. Complementary information will also be required for the eastern Atlantic and Mediterranean stock in order to evaluate the effects of mixing. In addition, it is also important to enhance, and where needed develop, an accurate abundance index for juvenile fish.

18. All Contracting Parties, non-Contracting Parties, Entities and Fishing Entities shall monitor and report on all sources of fishing mortality, including dead discards, and shall minimize dead discards to the extent practicable.

19. As part of its next assessment of western Atlantic bluefin tuna, the SCRS is requested to 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.

20. The SCRS is required to investigate the identification of spawning areas for western Atlantic bluefin tuna.

21. 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.

22. All Contracting Parties, non-Contracting Parties, Entities and Fishing Entities 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 age classes possible, consistent with minimum size restrictions.

23. This Recommendation replaces the *Supplemental Recommendation by ICCAT Concerning the Western Atlantic Rebuilding Program* [Rec. 08-04].

10-04 **BFT**

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

FOLLOWING the advice of the SCRS based on the stock assessment carried out in 2010,

DESIRING to achieve a stock level consistent with the objective of the Convention through 2022,

CONVINCED that to achieve this objective, it is necessary to strengthen the recovery plan for that stock adopted in 2006. The objective is to recover the stock through a combination of management measures which will protect the spawning stock biomass and reduce juvenile catches,

RECOGNIZING that the success of the recovery plan involves the strengthening of the control system, which should include a set of effective control measures to ensure the respect of the management measures and to ensure the traceability of all the catches,

CONSIDERING the necessity to improve the responsibility of the industry, flag States, port States, farm States and market States to ensure compliance with the present recommendation,

GIVEN the need to address the overcapacity of the fleet and the farming capacity;

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

Part I
General provisions

1. The Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (hereinafter referred to as CPCs), whose vessels have been actively fishing for bluefin tuna *(Thunnus thynnus 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 vessel used or intended for use for the purposes of the commercial exploitation of bluefin tuna resources, including catching vessels, fish processing vessels, support ships, tug and 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 cage or a tuna trap to a designated port and / or to a processing vessel.

   e) "Fishing actively" means, for any catching vessel, the fact that it targets bluefin tuna during a given fishing season;

   f) "Joint fishing operation" means any operation between two or more catching vessels where the catch of one catching vessel is attributed to one or more other catching vessels in accordance with the allocation key;

   g) "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 dead bluefin tuna from the transport cage to an auxiliary vessel;
- any transfer from a bluefin tuna farm or a tuna trap to a processing vessel, transport vessel, or transfer of cage containing bluefin tuna from one farm to another;
- any transfer of live bluefin tuna from the trap to the transport cage.

h) "Trap" means fixed gear anchored to the bottom usually containing a guide net that leads bluefin tuna into an enclosure.

i) "Caging" means the transfer of bluefin tuna from the transport cage to the fattening and farming cages.

j) "Fattening" means caging of bluefin tuna for a short period (usually 2-6 months) aiming mostly at increasing the fat content of the fish.

k) "Farming" means caging of bluefin tuna for a period longer than six months, aiming to increase the total biomass.

l) "Transhipment" means the unloading of all or any of the fish on board a fishing vessel to another fishing vessel.

m)"Sport fishery" means a non-commercial fishery whose members adhere to a national sport organization or are issued with a national sport license.

n) "Recreational fishery" means a non-commercial fishery whose members do not adhere to a national sport organization or are not issued with a national sport license.

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. The total allowable catches (TACs) shall be set at 12,900 t annually, effective beginning in 2011 and thereafter, until such time the TAC is changed following the SCRS advice.

5. The SCRS shall monitor and review the progress of the Plan. In 2012, and thereafter every three years, the SCRS will conduct a stock assessment and provide advice to the Commission on the appropriate management measures, *inter alia*, on total allowable catch levels for future years.

   The SCRS shall present a Kobe II strategy matrix reflecting recovery scenarios of eastern Atlantic and Mediterranean bluefin tuna in accordance with the multiannual recovery plans of the present Recommendation.

6. The recovery plan for bluefin tuna in the eastern Atlantic and Mediterranean shall be reviewed in 2012.

7. If the SCRS stock assessment 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.

8. The allocation scheme from 2011 is set in the table below.

CPC	*Quota*	*%*
Albania	32.33	0.2506266
Algeria	138.46	1.0733333
China	36.77	0.2850125
Croatia	376.01	2.9148371
Egypt	64.58	0.5006266

European Union	7,266.41	56.3287720
Iceland	29.82	0.2311278
Japan	1,097.03	8.5041103
Korea	77.53	0.6010025
Libya	902.66	6.9973935
Morocco	1,223.07	9.4811529
Norway	29.82	0.2311278
Syria	32.33	0.2506266
Tunisia	1,017.56	7.8880702
Turkey	535.89	4.1541604
Chinese Taipei	39.75	0.3081704
TOTAL	12,900	100

9. With a view to ensuring compliance with the provisions of this Recommendation, each CPC shall submit fishing, inspection and capacity reduction plans to the inter-sessional meeting of the Compliance Committee scheduled before the 2011 fishing season starts. If the Compliance Committee finds a serious fault in the plans submitted by a CPC and cannot endorse the plans, the Commission shall decide on suspension of bluefin tuna fishing by that CPC in 2011 by mail vote. Such plans for the 2012 and 2013 fishing seasons shall be submitted to the Commission one month prior to its annual meeting in the preceding year for their endorsement, without which the CPC shall not engage in bluefin tuna fishing in that fishing season. Such system shall be reviewed at the 2012 annual meeting of the Commission.

Associated conditions to TAC and quotas

10. 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 55.a).

11. 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, *inter alia*, the catching vessels over 24 meters included in the list referred to in paragraph 55.a) and the individual quota allocated to them and the method used to allocate quota as well as the measure to ensure the respect of the individual quota.

12. Each CPC shall also allocate a specific quota for the purpose of recreational and sport fisheries as defined in paragraph 2.m) and n).

13. No later than 1 March each year, the annual fishing plan shall be transmitted by each CPC to the ICCAT Executive Secretariat. Any subsequent modification to the annual fishing plan or to the specific method used to manage their quota shall be transmitted to the ICCAT Executive Secretariat at least 10 days before the exercise of the activity corresponding to that modification.

14. No later than 15 October, each CPC shall report to the ICCAT Executive Secretariat on the implementation of their annual fishing plans for that year. Those reports shall include:

    a) the number of catching vessels actually engaged in active fishing activities involving bluefin tuna in the eastern Atlantic and Mediterranean;
    b) the catches of each catching vessel; and
    c) the total number of days each catching vessel fished in the eastern Atlantic and Mediterranean.

15. 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.

16. a) No carry-over of any under-harvests shall be made under this Plan.

    b) By derogation to paragraph 4 of the 2002 *Recommendation by ICCAT Concerning a Multi-year Conservation and Management Plan for Bluefin Tuna in the East Atlantic and Mediterranean* [Rec. 02-

08], no more than 50 % carry-over of any under-harvests arising from 2005 and/or 2006 may be made under this Plan. Paragraph 2 of the 1996 *Recommendation by ICCAT Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries* [Rec. 96-14] shall not apply for the overages in 2005 and 2006.

c) The underages of Libya, Morocco and Tunisia in 2005 and 2006 may be carried over to 2009 and 2010 as follows:

CPCs	*2009*	*2010*
Libya	145 t	145 t
Morocco	327 t	327 t
Tunisia	202 t	202 t

d) Any overage of a CPC shall be deducted from the next year's quotas of that CPC. Notwithstanding this provision, the payback of the European Union for its overage in 2007 shall be spread over 2009-2012 (500 t in 2009 and 2010, 1,510 t in 2011 and 2012). This payback shall be reviewed in the light of a general transparency and incentive provision on overages to be adopted by ICCAT at the latest in 2010.

17. CPCs shall be encouraged to voluntarily reduce their catches of bluefin tuna in eastern Atlantic and Mediterranean in 2009. Notwithstanding paragraph 16.a), the voluntary reduced portion of the CPC's allocation may be carried over to 2011 on condition that such voluntary reduced portion is notified to the ICCAT Secretariat before 1 March 2009.

18. Private trade arrangements and or transfer of quotas/catch limits between CPCs shall be done only under authorization by the CPCs concerned and the Commission.

19. To comply with paragraph 1 of 2002 *Recommendation by ICCAT on Vessel Chartering* [Rec. 02-21], the percentage of a CPC's bluefin tuna quota/catch limit that may be used for chartering shall not exceed 60%, 40% and 20% of the total quota in 2007, 2008, 2009, respectively. No chartering operation for the bluefin tuna fishery is permitted from 2010.

20. 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 6**, each CPC shall take the necessary measures to obtain from its catching 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 fattening or farming farms of destination.

Each CPC shall transmit all this information to the ICCAT Secretariat at least ten days before the start of the operation.

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.

Closed fishing seasons

21. Bluefin tuna fishing shall be prohibited in the eastern Atlantic and Mediterranean by large-scale pelagic longline catching vessels over 24 m during the period from 1 June to 31 December with the exception of the

area delimited by West of 10◦W and North of 42◦N, where such fishing shall be prohibited from 1 February to 31 July.

22. Purse seine fishing for bluefin tuna shall be prohibited in the eastern Atlantic and Mediterranean during the period from 15 June to 15 May.

23. Bluefin tuna fishing by baitboats and trolling boats shall be prohibited in the eastern Atlantic and Mediterranean during the period from 15 October to 15 June.

24. Bluefin tuna fishing by pelagic trawlers shall be prohibited in the eastern Atlantic during the period from 15 October to 15 June.

25. Bluefin tuna recreational and sport fishing shall be prohibited in the eastern Atlantic and Mediterranean from 15 October to 15 June.

Spawning grounds

26. 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 in 2012 on the creation of sanctuaries.

Use of aircraft

27. CPCs shall take necessary measures to prohibit the use of airplanes or helicopters for searching for bluefin tuna in the Convention area.

Minimum size

28. CPCs shall take the necessary measures to prohibit catching, retaining on board, transhipping, transferring, landing, transporting, storing, selling, displaying or offering for sale bluefin tuna weighing less than 30 kg.

29. By derogation of paragraph 28, a minimum size for bluefin tuna of 8 kg 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.

30. For catching vessels fishing actively for bluefin tuna, an incidental catch of maximum 5% of bluefin tuna weighing between 10 and 30 kg may be authorized. This percentage is calculated on the total incidental catches in number of fish retained on board this vessel, or their equivalent in percentage in weight. Incidental catches must be deducted from the quota of the flag State CPC. The procedures referred to in paragraphs 62, 63, 64, 65, 67, 68 and 69 shall apply to the incidental catch.

By-catch

31. Catching vessels not fishing actively for bluefin tuna are not authorized to retain on board bluefin tuna exceeding more than 5% of the total catch on board by weight or/and number of pieces. By-catches must be deducted from the quota of the flag state CPC.

The procedures referred to in paragraphs 62, 63, 64, 65, 67, 68 and 69 shall apply to the by-catch.

Recreational fisheries

32. Recreational fisheries on bluefin tuna shall be subject to the authorization for each vessel issued by the flag State CPC.

33. CPCs shall take the necessary measures to prohibit the catch and retention on board, transshipment or landing of more than one bluefin tuna in each sea trip.

34. The marketing of bluefin tuna caught in recreational fishing shall be prohibited except for charitable purposes.

35. Each CPC shall take measures to record catch data from recreational fishing and transmit them to the SCRS. Catches of recreational fisheries shall be counted against the quota allocated to the CPC in accordance with paragraph 12.

36. 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 fishing.

Sport fisheries

37. CPCs shall take the necessary measures to regulate sport fishing, notably by fishing authorizations.

38. The marketing of bluefin tuna caught in sport fishing competitions shall be prohibited except for charitable purposes.

39. Each CPC shall take measures to record catch data from sport fishing and transmit them to the SCRS. Catches of sport fishing shall be counted against the quota allocated to the CPC in accordance with paragraph 12.

40. Each CPC shall take the necessary measures to ensure, to the greatest extent possible, the release of the bluefin tuna caught alive, especially juveniles, in the framework of sport fishing.

Part III
Capacity measures

Adjustment of fishing capacity

41. Each CPC shall ensure that its fishing capacity is commensurate with its allocated quota.

42. To that purpose each CPC shall establish a management plan over 2010-2013. Such plan shall be submitted to the Commission by 15 September 2009 for discussion and approval by the Commission at its annual meeting in 2009. Such plan shall be reviewed and, if necessary, revised and submitted on an annual basis for discussion and approval by the Commission for the remaining period. Such plan shall include the information referred to in paragraphs 43 to 49, as well as detailed information regarding the ways used by CPCs to eliminate overcapacity in addition to scrapping.

Freezing of fishing capacity

43. 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 and by vessel type for other fishing vessels.

44. Paragraph 43 shall not be interpreted to affect the measures contained in **Annex 1** paragraphs 1 and 2 of this Recommendation.

45. 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.

46. This freezing 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.

Reduction of fishing capacity

47. Without prejudice to paragraph 46, each CPC shall reduce its fishing capacity referred to in paragraphs 43, 44 and 45 so as to ensure that the 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, shall be reduced by:

a) at least 25% in 2010;
b) at least 75% in 2011;
c) at least 95% in 2012;
d) 100% in 2013.

48. To calculate its fishing capacity reduction, each CPC shall take into account *inter alia*, the estimated yearly catch rates per vessel and gear.

49. This reduction may not apply to certain CPCs that demonstrate that their fishing capacity is commensurate with their allocated quotas.

Adjustment of farming capacity

50. Each farming or fattening CPC shall establish a management plan over 2010-2013. Such plan shall be submitted to the Commission by 15 September 2009 for discussion and approval by the Commission at its annual meeting in 2009, and shall be reviewed at its annual meeting in 2010. Such plan shall include the information referred in paragraphs 51 to 54.

51. Each CPC shall limit its tuna farming capacity to the farming capacity of the farms that were registered in the ICCAT list or authorized and declared to ICCAT as of 1 July 2008.

52. Each CPC shall establish for 2010 a 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.

53. Within the maximum input quantity of wild caught bluefin tuna referred to in paragraph 52, each CPC shall allocate inputs to its farms.

54. Further adjustment of farming capacity shall be decided by the Commission at its annual meeting in 2010, depending on the level of the TAC after 2010.

Part IV
Control measures

Records of ICCAT vessels authorized to fish bluefin tuna

55. 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 shall be registered in only one of the ICCAT records referred to paragraphs a) and b). Without prejudice to paragraph 31, for the purposes of this recommendation, fishing vessels not entered into one of the ICCAT records referred to in paragraph 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.

56. Each flag CPC shall submit electronically each year to the ICCAT Executive Secretary, at the latest one month before the beginning of the fishing seasons referred to in paragraphs 21 to 24, when applicable, and otherwise by 1 March, the list of its catching vessels authorized to fish actively for bluefin tuna and the list of its other fishing vessels authorized to operate in the eastern Atlantic and Mediterranean Sea referred to in paragraph 55.a), 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 55;

b) a comprehensive account of the reasons justifying the replacement and any relevant supporting evidence or references.

57. Conditions and procedures referred in 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] (except paragraph 3) shall apply *mutatis mutandis*.

ICCAT record of tuna traps authorized to fish for bluefin tuna

58. 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.

59. Each CPC shall submit electronically to the ICCAT Executive Secretary, by 1 March each year, the list (including the name of the traps, register number) of its authorized tuna traps referred to in paragraph 58. Conditions and procedures referred in Recommendation Rec. 09-08 (except paragraph 3) shall apply *mutatis mutandis*.

Information on fishing activities

60. By 1 March each year, each CPC shall notify the ICCAT Secretariat the list of the catching vessels included in the ICCAT record referred to in paragraph 55.a)) that have fished for bluefin tuna in the eastern Atlantic and Mediterranean in the preceding fishing year.

61. Each CPC shall notify the ICCAT Secretariat of any information concerning vessels not covered in paragraph 60 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.

Transhipment

62. Transhipment at sea operations of bluefin tuna in the eastern Atlantic and Mediterranean Sea shall be prohibited.

63. Fishing vessels shall only tranship bluefin tuna catches in designated ports of CPCs. To this end, each CPC shall designate ports in which transhipping 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 transhipping times and at all transhipping 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 transhipping fishing vessels shall complete the ICCAT transhipment declaration in accordance with the format set out in **Annex 3**.

64. 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 transhipping 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 transshipped.

Any transhipment 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 transhipment, inform its Flag State of the following:

a) the quantities of bluefin tuna involved,

b) the date and port of the transhipment,

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 transhipment operation.

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

Recording requirements

65. The masters of catching vessels shall keep a bound or electronic logbook of their operations, indicating particularly the quantities of bluefin tuna caught and kept on board, whether the catches are weighed or estimated, the date and location of such catches and the type of gear used in accordance with the requirements set out in **Annex 2**.

66. The masters of the catching vessels involved in a joint fishing operation shall record in their logbook:

a) as regards the catching vessel transferring the fish into cages:
- its name and international radio call sign;
- the date and the time of the catch and of the transfer,
- the location of the catch and of the transfer (longitude/latitude),
- amount of catches taken on board, and amount of catches transferred into cages,
- amount of catches counted against its individual quota,
- the name of the tug boat and its ICCAT number.

b) as regards the other catching vessels not involved in the transfer of the fish:
- their names and international radio call signs;
- the date and the time of the catch and of the transfer,
- the location of the catch and of the transfer (longitude/latitude),
- 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),
- the name of the tug boat and its ICCAT number.

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

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

68. 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;

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

Each landing or caging shall be subject to an inspection by the relevant authorities of the port.

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.

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

Communication of catches

70. a) Each CPC shall ensure that its catching vessels fishing actively for bluefin tuna shall communicate by electronic or other means, to their competent authorities, a weekly catch report, with, as a minimum, information on the catch amount, including nil catch returns, the date and the location (latitude and longitude) of the catches. This report shall be transmitted by the latest Monday noon with the catches taken in the Plan Area during the preceding week ending Sunday midnight GMT. This report shall include information on the number of days in the Plan Area since the beginning of the fishing or since the last weekly report.

    b) Each CPC shall ensure that its purse seine catching vessels and its other catching vessels over 24 m fishing actively for bluefin tuna shall communicate, except in case of nil catch returns, by electronic or other means, to their competent authorities, a daily catch report, with, as a minimum, information on the catch amount, the date and the location (latitude and longitude) of the catches. If a CPC requires such daily reports even in case of nil catch returns, the weekly reports referred to in a) shall not be required.

    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 to the ICCAT Secretariat in accordance with the format set out in **Annex 5.**

Reporting of catches

71. 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.

72. 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.

73. The Executive Secretary shall notify without delay all CPCs of the date on which the accumulative reported catch taken by catching vessels of the CPCs is estimated to equal 85% of the concerned CPC quota for this stock. The CPC shall take the necessary measures to close its bluefin tuna fisheries before its quota is exhausted and notify this closure without delay to the ICCAT Secretariat which will circulate this information to all CPCs.

Cross check

74. 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/transhipment document and in the catch documents.

    The competent authorities shall carry out cross checks on all landings, all transhipment or caging between the quantities by species recorded in the fishing vessel logbook or quantities by species recorded in the transhipment 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

75. Before any transfer operation, as defined in paragraph 2.g), 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 or cage of destination of the bluefin tuna.

76. 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 letters 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.

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 55.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, shall inform the master of the catching vessel 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.

In case the transfer is not authorized, the catching vessel CPC shall issue a release order to the master of the catching vessel.

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 following procedures.

The release of bluefin tuna into the sea shall be recorded by video camera and observed by an ICCAT regional observer who shall draft and submit the report together with the video recording to the ICCAT Secretariat.

77. 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 (including towing vessels, shall report on their daily log the quantities transferred and the number of fish, as well as the catching vessel name, flag and ICCAT number, the name of the other vessel(s) involved and their ICCAT number, the date and position of transfer and the farm of destination. The daily log shall contain the details of all transfers carried out during the fishing season. The daily log shall be kept on board and be accessible at any time for control purposes.

78. The authorization for transfer by the flag State does not prejudge the authorization of the caging operation.

79. 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.

    One video record shall be produced and transmitted each to the regional observer and to the CPC observer aboard the towing vessel, the latter of which shall accompany the transfer declaration and the associated catches to which it relates. At the beginning and/or end of each video, the ICCAT transfer declaration number must be displayed. The time and the date of the video shall be continuously displayed through out each video record.

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

80. The ICCAT Regional Observer on board the catching vessel, as referred to in the ICCAT Regional Observer Programme (**Annex 7**), shall record and report upon the transfer activities carried out, verify the position of the catching vessel when engaged in transfer operation, observe and estimate catches transferred and verify entries made in the prior transfer authorization as referred to in paragraph 76 and in the ICCAT transfer declaration as referred to in paragraph 77.

    In cases where the estimation by the regional observer is at least 10% higher by number and/or average weight than declared by the master of the catching vessel, an investigation shall be initiated by the flag State of the catching vessel and concluded prior to the time of caging at the farm. Pending the results of this investigation, caging shall not be authorized and the catching section of the BCD shall not be validated.

81. The ICCAT Regional Observer shall sign with clearly written name and ICCAT number the ICCAT transfer declaration. He shall verify that the ICCAT transfer declaration is properly filled and transmitted to the master of the tug vessel.

The tuna trap operator shall complete and transmit to its CPC the ICCAT transfer declaration at the end of the transfer operation to the fishing vessel, in accordance with the format set out in **Annex 4**.

Caging operations

82. The CPC under whose jurisdiction the farm for bluefin tuna is located shall submit within one week a caging report, validated by an observer, 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 by 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.

83. Before any caging operation into a farm, the flag CPC of the catching vessel shall be informed by the competent authority of the farm State of the caging of quantities caught by catching vessels flying its flag. If the flag CPC of the catching vessel considers on receipt of this information that:

a) the catching vessel 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 and not taken into account for the calculation of any quota that may be applicable,

c) the catching vessel 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 76.

The caging shall not begin without the prior authorization of the catching vessel's flag State.

Fish shall be caged before the 31st of July unless the farm CPC receiving the fish provides valid reasons including force majeure, which shall accompany the caging report when submitted.

84. The CPC under whose jurisdiction the farm for bluefin tuna is located shall take the necessary measures to prohibit placing in cages for farming or fattening bluefin tuna that are not accompanied by accurate, complete and validated documentation required by ICCAT.

85. The caging 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 information mentioned in paragraph 83. In case the caging is not authorized the catching vessel CPC shall issue a release order to the flag CPC of the towing vessel and/or CPC farm authority, as appropriate, according to the procedures described in paragraph 76.

86. 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. At the beginning or end of each video, the ICCAT transfer declaration number must be displayed. The time and the date of the video shall be continuously displayed throughout each video record.

In cases where there is more than a 10% difference either by average weight and/or number between the estimate by the regional observer and the farm operator an investigation shall be initiated by the farm CPC in cooperation with flag state of the catching vessel. This difference is calculated by number and/or average weight. If the investigation is not concluded within 10 working days or if the outcome of the investigation indicates that the number and or average weight of bluefin tuna is in excess of 10% of that declared by the farm operator, then the flag CPCs authorities of the catching vessel shall issue a release order for the number and or weight in excess.

The CPCs farm authorities shall ensure that the release order is carried by the farm operator within 48 hours following the arrival of a regional observer. The release shall be carried out in accordance to the procedures

described in paragraph 76. Pending the results of this investigation, harvesting shall not take place and the farming section of the BCD shall not be validated.

In the event that the final estimation at the time of caging in the farm is greater than the final estimation at the time of first transfer from the catching vessel, the CPC of the catching vessel shall decide on the final quota uptake that they shall validate in the BCD(s) concerned.

87. CPCs shall initiate pilot studies on how to better estimate both the number and weight of bluefin tuna at the point of capture and caging including through the use of stereoscopical systems and report the results to the SCRS.

SCRS shall explore operationally viable technologies and methodologies for determining the size and biomass at the points of capture and caging.

A sampling programme and/or an alternative programme shall be established at the time of caging in order to improve the counting and the weight estimations of the caged fish.

Trap activities

88. CPCs shall take the necessary measures to ensure the record of the catches after the end of every fishing operation and the transmission of these data together with the estimated quantities remaining in the trap simultaneously by electronic means or other means within 48 hours after the end of every fishing operation to the competent authority, which shall transmit these data without delay to the ICCAT Secretariat.

VMS

89. Without prejudice to paragraph 1.d) of Recommendation 06-07, CPCs shall implement a vessels monitoring system for their fishing vessels over 24 m , in accordance with the 2003 *Recommendation by ICCAT Concerning Minimum Standards for the Establishment of a Vessel Monitoring System in the ICCAT Convention Area* [Rec. 03-14].

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

No later than 31 January 2008, each CPC shall communicate without delay messages pursuant to this paragraph to the ICCAT Secretariat, in accordance with the data exchange formats and protocols adopted by the Commission in 2007.

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 99 and 100 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 included in the ICCAT bluefin tuna record of catching vessels to ICCAT shall start at least 15 days before the opening of the fishing seasons and shall continue at least 15 days after the closure of the fishing seasons 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.

Fishing vessels included in the ICCAT bluefin tuna record of other vessels shall transmit VMS data to ICCAT throughout the whole period of authorization.

CPC Observer Programme

90. Each CPC shall ensure observer coverage on vessels active in the bluefin tuna fishery on at least:

- 100% of its active purse seine vessels equal or less than 24 m in 2011,
- 100% of its active purse seine vessels equal or less than 20 m in 2012,
- 20% of its active pelagic trawlers (over 15m),
- 20% of its active longline vessels (over 15m),
- 20% of its active baitboats (over 15m),
- 100% during the harvesting process for tuna traps,
- 100% of towing vessels.

The observer tasks shall be, in particular, to:

a) monitor a catching vessel 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 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

91. An ICCAT Regional Observer Programme shall be established to ensure an observer coverage of 100%:

- of purse seine vessels over 24 m length during the 2011 fishing season **(Annex 7);**
- of purse seine vessels over 20 m length during the 2012 fishing season **(Annex 7);**
- of all purse seine vessels irrespective of their length during all the annual fishing season from 2013 onward, (**Annex 7**);

- during all transfer of bluefin tuna to the cages and all harvest of fish from the cage.

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

In case that bluefin tuna is harvested from the cage and traded as fresh products the regional observer that observes the harvest may be a national of the farm CPC.

92. An ICCAT Regional Observer Programme shall ensure an observer presence during all transfer of bluefin tuna to the cages and all harvest of fish from the cage.

The observer tasks shall be, in particular, to:

- observe and monitor farming operation compliance with Recommendation 06-07,
- validate the caging report referred to in paragraph 82,
- carry out such scientific work, for example collecting samples, as required by the Commission based on the directions from the SCRS.

Enforcement

93. 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 21 to 25, 28 to 30 and 65 to 69 (closed 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.

94. 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 82 to 86 and 92 (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

95. Each CPC shall take the necessary measures to ensure that the video records as referred in paragraphs 79 and 86 are made available to the ICCAT inspectors and ICCAT observers.

    The CPC under whose jurisdiction the farm for bluefin tuna is located shall take the necessary measures to ensure that the video records as referred in paragraphs 79 and 86,) are made available to its inspectors and its observers.

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

Market measures

96. 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 transhipments 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 Recommendation 08/12 on an ICCAT Bluefin Tuna Catch Documentation Programme* [Rec. 09-11] on a Bluefin Tuna Catch Documentation Programme.

- to prohibit domestic trade, imports, landings, placing in cages for farming, processing, exports, re-exports and the transhipment within their jurisdiction, of eastern and Mediterranean bluefin tuna species caught by fishing vessels 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 11 are exhausted;

- to prohibit domestic trade, imports, landings, processing, exports from farms that do not comply with Recommendation Rec. 06-07.

Conversion factors

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

Growth factors

98. Each CPC shall define growth factors to be applied to bluefin tuna farmed in its cages. It shall notify to ICCAT Secretariat and to the SCRS the factors and methodology used. The SCRS shall review this information at its annual meetings in 2009 and 2010 and shall report to the Commission. The SCRS shall further study the estimated growth factors and provide advice to the Commission for its annual meeting in 2010.

Part V
ICCAT Scheme of Joint International Inspection

99. 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 8**.

100. The Scheme referred to in paragraph 99 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].

101. 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

102. **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.

[*] Note from the Secretariat: See Appendix II to Annex 7 in the *Report for Biennial Period, 1974-75, Part II (1975).*

103. **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.

104. **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.

105. **Repeals**

This Recommendation repeals paragraph 10 of the *Recommendation by ICCAT on Bluefin Tuna Farming* [Rec. 06-07] and paragraph 6 of the *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].

This Recommendation replaces the *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] and the *Recommendation Amending Recommendation 08-05 to Establish a Multi-annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 09-06].

Annex 1

Specific Conditions Applying to the Catching Vessels Referred to in Paragraph 29

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 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 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.

2. By 30 January each year, CPCs shall submit to ICCAT Secretariat, the number of catching vessels established pursuant to paragraph 1 of this Annex.

3. CPCs shall issue specific authorizations to the catching vessel referred to in paragraph 1 and shall transmit the list of such catching vessels to ICCAT Secretariat.

4. Any subsequent changes shall not be accepted unless a notified catching vessel is prevented from participation due to legitimate operational reasons or force majeure. In such circumstances CPC concerned shall immediately inform the ICCAT Executive Secretariat, providing:

   a) full details of the intended replacement of the catching vessel referred to in paragraph 3 of this Annex;
   b) a comprehensive account of the reasons justifying the replacement and any relevant supporting evidence or references.

5. 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 6.4kg caught by baitboat vessels of an overall length of less than 17 m by derogation to paragraph 29 of this Recommendation.

6. 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 Adriatic for farming purposes.

7. Authorized catching vessels pursuant to paragraph 1 of this Annex shall only land bluefin tuna catches in designated ports. 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. The port State shall ensure full inspection coverage during all landing times and at all landing places.

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

8. Prior to entry into any designated port, authorized catching vessels in accordance with paragraph 4 of this Annex or their representative, shall provide the competent port authorities 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) information on the zone where the catches were taken;

   Each landing shall be subjected to an inspection in port.

   Port state authorities shall keep a record of all prior notice for the current year.

9. CPCs shall implement a catch reporting regime that ensures that an effective monitoring of the utilization of each vessels quota.

10. Bluefin tuna catches may not be offered for retail sale to the final consumer, irrespective of the marketing method, unless appropriate marking or labeling indicates:

    a) the species, fishing gear used,
    b) the catch area and date.

11. Beginning 1 July 2007, CPCs whose baitboats, longliners, handliners and trolling boats are authorized to fish for bluefin tuna in the eastern Atlantic and Mediterranean 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.

12. The master of the catching vessel shall ensure that any quantity of bluefin tuna landed in designated port shall be weighed before first sale or before being transported elsewhere from the port of landing.

Annex 2

Minimum specification for 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 logbooks:

1. Master name and address
2. Dates and ports of departure, Dates and ports of arrival
3. Vessel name, register number, ICCAT number and IMO number (if available). In case of joint fishing operations, vessel names, register numbers, ICCAT numbers and IMO numbers (if available) of all the vessels involved in the operation.
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 kg per day
    c) number of pieces per day
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, transhipment/transfer:

1. Dates and port of landing /transhipment/transfer
2. Products
    a) presentation
    b) number of fish or boxes and quantity in kg
3. Signature of the Master or Vessel Agent

Document No. **ICCAT Transhipment Declaration**

Carrier vessel	**Fishing Vessel**	Final destination:
Name of vessel and radio call sign:	Name of the vessel and radio call sign,	Port
Flag:	Flag:	Country
Flag State authorization No.	Flag State authorization No.	State:
National Register No.	National register No.	
ICCAT Register No.	ICCAT Register No.	
IMO No.	External identification:	
	Fishing logbook sheet No.	

	Day	Month	Hour	Year	|2_|0_|__|__|	F.V Master's operator name:	Carrier Master's name: LOCATION OF TRANSHIPMENT
Departure	|__|__|	|__|__|	|__|__|	from	|_____|		
Return	|__|__|	|__|__|	|__|__|	to	|_____|	Signature:	Signature:
Tranship.	|__|__|	|__|__|	|__|__|		|_____|		

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.

Port	*Sea* *Lat.*	*Long.*	*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
											Date: Place/Position:
											Authorization CP No.
											Transfer vessel Master 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

ICCAT Observer signature (if applicable).

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 transhipping 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 transhipping operation shall be recorded in the logbook of any vessel involved in the operation.

Document No.	**ICCAT Transfer Declaration**		**Annex 4**
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.	Trap name: ICCAT Register no.	Tug vessel name: Call sign: Flag: ICCAT Register no: External identification:	Farm of destination name: ICCAT Register no:
2 - TRANSFER AFTER HARVESTING			
Farm name: ICCAT Register no.	Trap name: ICCAT Register no.	Transport vessel name: Flag: ICCAT Register no. External identification:	Processing carrier vessel name: Call sign: Flag: ICCAT Register no: External identification:
3 - TRANSFER INFORMATION			
Date:_ _ / _ _ / _ _ _ _	Place or position: Port:	Lat:	Long:
Number of individuals:	Total weight in Kg:		Species:
Type of product: Live □ Whole □ Gutted □ Other (Specify):			
Master of fishing vessel / trap operator / farm operator name and signature:		Master of receiver vessel (tug, processing, carrier) name and signature:	
4 - TRANSFER OF DEAD FISH TO AUXILARY VESSEL			
Auxiliary vessel name:	Flag:	Quantity in Kg	Number of individuals:
Date:_ _ / _ _ / _ _ _ _	Position: Lat: Long:		Port of landing:
5 - 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:	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:	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:	Master of receiver vessel name and signature:	

Annex 5

Catch Report Form

ICCAT Weekly Catch Report										
							Caught			
Flag	*ICCAT Number*	*Vessel Name*	*Report Start date*	*Report End date*	*Report Duration (d)*	*Catch date*	*Weight (kg)*	*Number of Pieces*	*Average Weight (kg)*	*Attributed Weight in case JFO (kg)*

Annex 6

Joint Fishing Operation

Flag State	*Vessel Name*	*ICCAT No.*	*Duration of the Operation*	*Identity of the Operators*	*Vessels individual quota*	*Allocation key per vessel*	*Fattening and farming farm destination*	
							CPC	*ICCAT No.*

Date ……..

Validation of the flag State ……..

Annex 7

ICCAT Regional Observer Programme

1. Each CPC shall require its farms and all its purse seine vessels as referred to in paragraph 91 to carry an ICCAT observer during all the fishing and harvesting period in the Convention area.

2. The Secretariat of the Commission shall appoint the observers before 1 March each year, and shall place them into farms 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 program. 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 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 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 or farm 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 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 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, to monitor the farms' 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 and caging declaration, including through the review of video records;

ii) certify the data contained in the transfer declaration and caging declaration;

iii) issue a daily report of the farms' transfer activities;

iv) countersign the transfer declaration and caging declaration;

v) carry out such scientific work, for example collecting samples, as required by the Commission, based on the directives from the SCRS.

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 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 or farm to which the observer is assigned.

10. Observers shall respect the hierarchy and general rules of behavior which apply to all vessel and farm 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 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 and farm 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:

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 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 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

12. a) The costs of implementing this program shall be financed by the farm 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 or farm for which the fees, as required under subparagraph a), have not been paid.

Annex 8

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 operates without VMS system;

   p) transfer activity without transfer declaration.

   q) transhipment 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 vessels shall immediately notify the flag State of the fishing vessel, directly as well as through the ICCAT Secretariat. In such situations the inspector should, where possible, also inform the competent authorities of the flag State of the fishing vessel, as notified to the ICCAT Secretariat, and 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, and where an investigation shall be initiated.

If the vessel is not called to port; the CPC must provide due justification in a timely manner to the Executive Secretary, who shall made it available on request to other Contracting Parties.

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

II. Conduct of inspections

5. Inspection 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 ICCAT Commission;

6. Ships carrying inspectors shall fly a special flag or pennant approved by the ICCAT 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 ICCAT Commission, as soon as may be practical;

7. Each inspector shall carry an identity document supplied by the authorities of the flag State in the form shown in paragraph 20 of this Annex and giving him an appointment stating that he has authority to act under arrangements approved by the ICCAT Commission. This identity document shall be valid for a minimum of five years;

8. Subject to the arrangements agreed under paragraph 15 of this Annex, a vessel employed for the time being in fishing for tuna or tuna-like fishes in the Convention area outside the waters within its national jurisdiction shall stop when given the appropriate signal in the International Code of Signals by a ship carrying an inspector unless it 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 inspector, who may be accompanied by a witness, to board it and in this respect must provide a boarding ladder. 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 ICCAT 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;

9. An inspector party shall consist of a maximum of two ICCAT inspectors unless additional inspectors are warranted by circumstances. An assistant can accompany the inspector party for trainee purposes only.

10. On boarding the vessel an inspector shall produce the document described in paragraph 6 of this Annex. Inspections shall be made so that the vessel suffers the minimum interference and inconvenience and the quality of the fish does not deteriorate. An inspector shall limit his 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 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 ICCAT 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.

11. Copies of the report shall be given to the master of the vessel and to the inspector's government, which shall transmit copies to the appropriate authorities of the flag State of the vessel and to the ICCAT 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 ICCAT Commission, and any inspection ship of the flag State known to be in the vicinity;

12. 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;

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

13. Inspector 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;

14. 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;

15. a) Contracting Governments shall inform the ICCAT Commission by 1 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;

    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 an agreement;

16. a) 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 this violation in this report;

    b) inspectors shall have the authority to inspect all fishing gear in use or that fishing gear on deck ready for use;

17. The inspector 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;

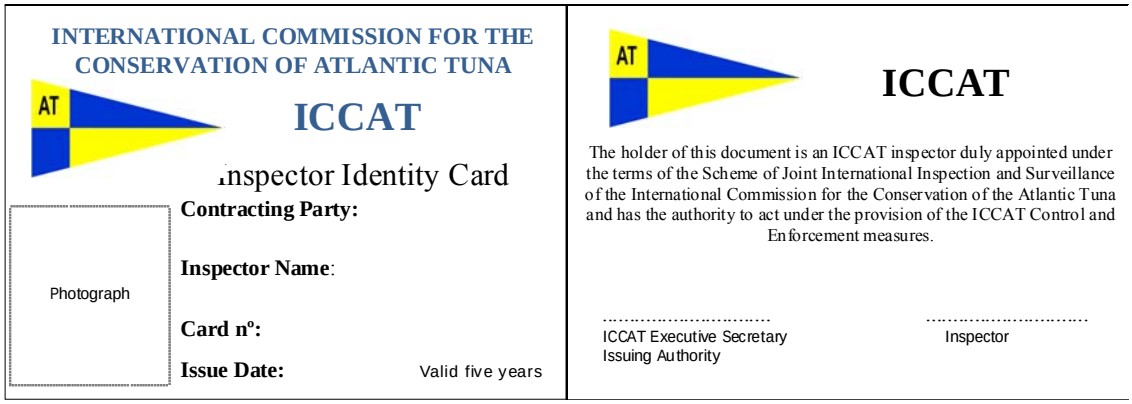
18. The inspector may photograph the gear in such a way as to reveal those features which in his opinion are not in conformity with the regulation in force, in which case the subjects photographed should be listed in the report and copies of the photographs should be attached to the copy of the report to the flag State;

19. The inspector shall have authority, subject to any limitations imposed by the ICCAT Commission, to examine the characteristics of catches, to establish whether the ICCAT 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.

20. New proposed model Identity Card for inspectors.

Dimensions: Width 10.4cm, Height 7cm



10-05 **BIL**

RECOMMENDATION BY ICCAT ON THE PLAN TO REBUILD BLUE MARLIN AND WHITE MARLIN POPULATIONS

RECALLING the 2006 *Recommendation by ICCAT to Further Strengthen the Plan to Rebuild Atlantic Blue Marlin and White Marlin Populations* [Rec. 06-09];

TAKING INTO ACCOUNT the management recommendation from the SCRS that the Commission should, at a minimum, continue the management measures already in place because the marlins have not yet recovered;

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

1. The terms of the 2006 *Recommendation by ICCAT to Further Strengthen the Plan to Rebuild Atlantic Blue Marlin and White Marlin Populations* [Rec. 06-09] shall be extended through 2011.

2. Contracting Parties and Cooperating non-Contracting Parties, Entities and Fishing Entities (CPCs) agree to establish at the 2011 Commission meeting a multi-year plan to rebuild blue marlin and white marlin populations on the basis of the SCRS advice.

10-06 **BYC**

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

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;

5. The SCRS shall complete its shark identification guide and circulate it to CPCs before the 2011 Commission meeting.

10-07 **BYC**

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

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.

10-08 **BYC**

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

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 *Sphryna*. 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.

10-09 **BYC**

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

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.

10-10 **GEN**

RECOMMENDATION BY ICCAT TO ESTABLISH MINIMUM STANDARDS FOR FISHING VESSEL SCIENTIFIC OBSERVER PROGRAMS

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.

10-11 **SDP**

RECOMMENDATION BY ICCAT ON AN ELECTRONIC BLUEFIN TUNA CATCH DOCUMENT PROGRAMME (eBCD)

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.

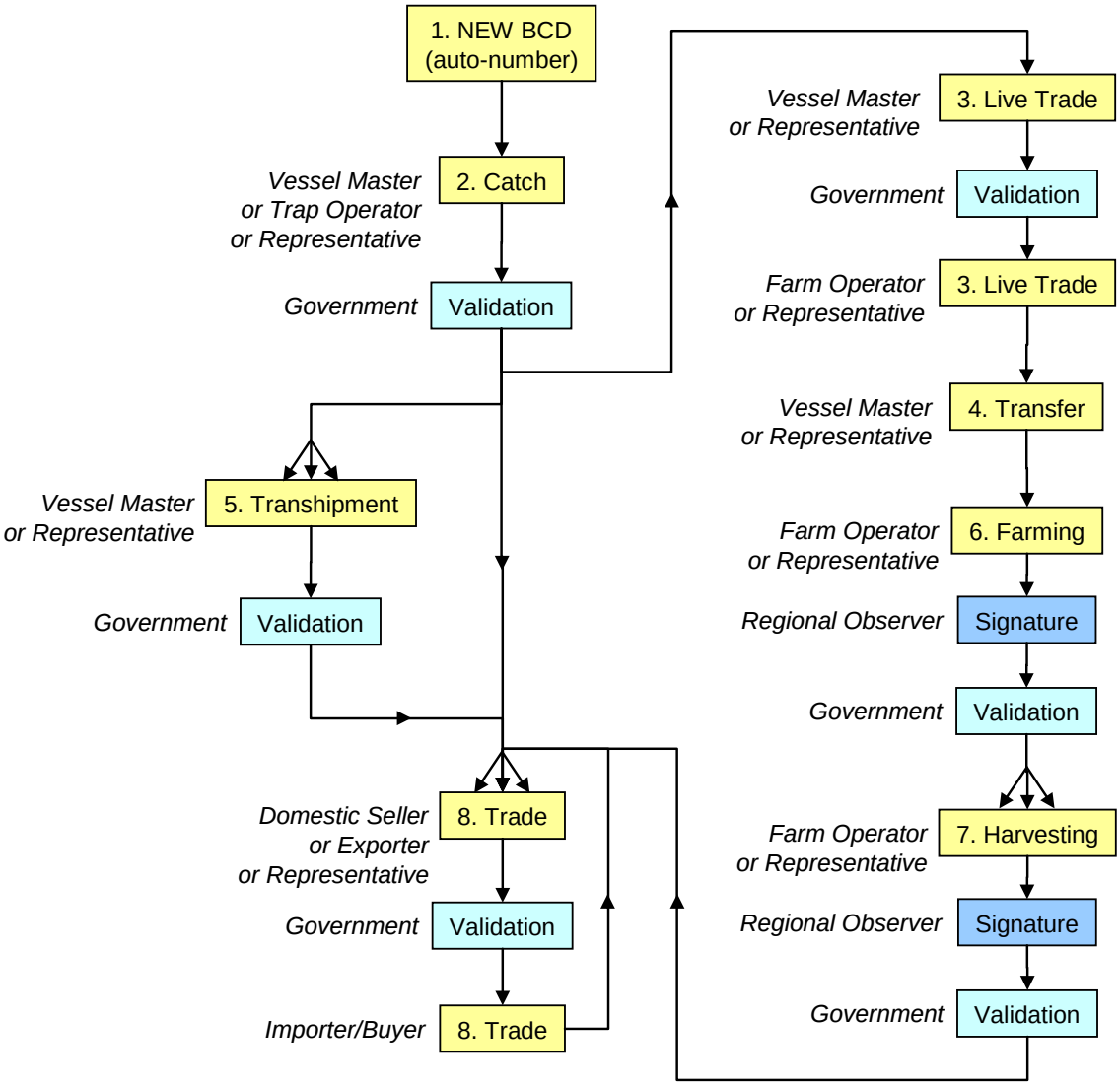


Figure 1. Basic flowchart of BCD sections with related actors.

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.

ANNEX 6

RULES AND PROCEDURES FOR THE PROTECTION, ACCESS TO, AND DISSEMINATION OF DATA COMPILED BY ICCAT

1. Basic principles relating to the dissemination of data by the ICCAT

1. Data and information held by the ICCAT Commission or Secretariat, and by service providers or contractors acting on their behalf, shall only be released in accordance with these Rules and Procedures; which reflect the policies of confidentiality and security determined by the Commission.

2. Data may be disseminated if the CPC (Contracting Party or Cooperating non-Contracting Party, Entity or Fishing Entity) providing the data to the ICCAT authorizes its release.

3. Persons duly authorized by the Executive Secretary within the ICCAT Secretariat and service providers, who have read and signed the Commission's confidentiality protocol, shall have access to the data necessary to perform their ICCAT duties.

4. Officers of the Commission and its subsidiary bodies shall have access to the data necessary to perform their ICCAT duties.

5. CPCs shall have access to data to serve the purposes of the Convention, including data:
   a) covering vessels flying their flag in the ICCAT Convention area.
   b) covering any vessels fishing in waters under their jurisdiction.
   c) covering vessels applying to fish in their national waters, unloading in their ports or transshipping fish within waters under their jurisdiction.
   d) for the purpose of compliance and enforcement activities on the high seas, consistent with the Convention and the conservation and management measures and other relevant decisions adopted by the Commission, subject to the rules and procedures for access and dissemination of such data that the Commission will adopt under paragraph 23.
   e) for the purpose of scientific and other research, if the CPC that originally provided that data authorizes the Commission to release them. In cases where a CPC elects to provide an ongoing authorization for the release of such data, the CPC may at any time cancel this authorization by notifying the Secretariat that it has revised its earlier decision.

6. To the greatest extent practical, the ICCAT Commission, Secretariat and their service providers, should disseminate data in a timely manner.

2. Risk classification and definition of confidentiality

7. Data covered by these Rules and Procedures will be classified in accordance with the risk classification methodology included in **Table 1**, which reflects *inter alia* the damage that would be done to the operations or creditability of the Commission as a consequence of the unauthorized disclosure or modification of such information.

8. Data covered by these Rules and Procedures were determined to be either public domain or non-public domain data in accordance with the definition of confidentiality established in **Table 1**.

3. Dissemination of public domain data

9. Data in the public domain shall not reveal the individual activities of any vessel, company or person and shall not contain private information. Catch and effort data in the public domain shall be aggregated by flag, gear, month and 1ºx1º grid (for surface fisheries) or 5ºx5º grid (for longline fisheries).

10. Annual catch estimates and aggregated catch and effort data that can be used to identify the activities of any vessel, company or person are not in the public domain.

11. Except for data as described in Paragraphs 9 and 10, the types of data listed in **Appendix 1 to ANNEX 6** have been designated to be public domain data.

12. Public Domain data shall be available to any persons for (a) downloading from the Commission's website and/or (b) release by the Commission on request.

13. The website should contain a statement describing the conditions associated with the viewing or downloading of public domain data (for example, that the source of the data must be acknowledged), and should require the person requesting the data to "Accept" these conditions before viewing or downloading can begin.

4. Dissemination of non-public domain data

4.1 Definition of non-public domain data

14. Subject to the decisions of the Commission, all types of data not described in paragraph 11 shall be referred to as non-public domain data.

15. A list of examples of non-public domain data can be found in **Appendix 2 to ANNEX 6**.

4.2 General rules for dissemination of, and access to, non-public domain data

16. Access to and dissemination of non-public domain data shall be authorized in accordance with these Rules and Procedures and the policies of confidentiality and security established in the Commission's Information Security Policy (ISP).

17. The ICCAT Secretariat shall log and report to the Commission all access and dissemination of non-public domain data, including the name and affiliation of the person, the type of data accessed or disseminated, the purpose for which the data were requested, the date when the data were requested, the date when the data were released and authorizations that may have been required.

4.3 Access to non-public domain data by the Staff of the Secretariat, the ICCAT service providers, and Officers of the Commission and its subsidiary bodies

18. Persons duly authorized by the Executive Secretary, within the ICCAT Secretariat and service providers, including scientific experts within the SCRS, shall have access to the data necessary to perform their ICCAT duties. Officers of the Commission and its subsidiary bodies shall have access to the data necessary to perform their ICCAT duties. All such persons shall sign a Confidentiality Agreement with the Executive Secretary and maintain the data security standards of the Commission in respect of data to which they have access. The Executive Secretary shall maintain a register of all such persons (including the purpose for which they require access to the data) and make the register available to a CPC on written request.

4.4 Access to non-public domain data by CPCs

19. CPCs shall have access to non-public domain data to serve the purposes of the Convention, including data:
    a) Covering vessels flying their flag in the ICCAT Convention area
    b) Covering any vessels fishing in waters under their jurisdiction
    c) Covering vessels applying to fish in their national waters, unloading in their ports or transshipping fish within waters under their jurisdiction
    d) For the purpose of scientific and other research, if the CPC that originally provided that data authorizes the Commission to release them. In cases where a CPC elects to provide an ongoing authorization for the release of such data, the CPC may at any time cancel this authorization by notifying the Secretariat that it has revised its earlier decision.

20. CPCs shall notify the Secretariat of a small number of representatives (preferably only 2) authorized to receive non-public domain data. Such notification will include name, affiliation, and contact information (e.g. telephone, facsimile, email address). The ICCAT Secretariat will maintain a list of such authorized representatives. CPCs and the Secretariat shall ensure the list of CPC representatives is kept up to date and made available.

21. The authorized representative(s) of the CPCs are responsible for ensuring the confidentiality and security of the non-public domain data according to its risk classification and in a manner consistent with security standards established by the Commission for the ICCAT Secretariat.

22. The non-public domain data described in paragraph 19 will be made available by the Secretariat to authorized representatives of the CPCs for release by the Commission on request and, where appropriate, downloading from the Commission's website in accordance with the Commission's ISP.

23. For the purpose of compliance and enforcement activities on the high seas, non-public domain data will be made available subject to separate rules and procedures for the access and dissemination of such data, that the Commission will adopt for these purposes.

24. VMS data will be made available for scientific purposes, subject to the separate rules and procedures referred to in paragraph 23 above.

25. Access to non-public domain data by CPCs shall be administered by the Executive Secretary on the basis of these Rules and Procedures and the framework at **Appendix 3 to ANNEX 6**.

26. The Executive Secretary will implement the Framework and authorize access to and dissemination of non-public domain data.

27. Unless otherwise decided by the Member or CPC responsible for its external affairs, participating Territories shall have the same access rights to data as CPCs.

28. A CPC that has not fulfilled its obligations to provide data to the Commission for two consecutive years shall not be granted access to Non-Public Domain data until all such matters are rectified. A CPC whose representative, authorized in accordance with paragraphs 20 and 21 above, failed to observe the rules stipulated in these Rules and Procedures shall not be granted access to Non-Public Domain data until the appropriate actions have been taken.

4.5 Exchange of data with other regional fisheries management organizations

29. If the Commission enters into agreements for the exchange of data with other regional fisheries management organizations (RFMOs) or other organizations, such agreements must include requirements that the other RFMO provides equivalent data on a reciprocal basis and maintains the data provided to them in a manner consistent with the security standards established by the Commission. The data that may be exchanged is specified in **Appendix 4 to ANNEX 6**. At each annual session the Executive Secretary will provide copies of data exchange agreements that exist with other RFMOs and a summary of the data exchanges that occurred during the previous 12 months under such agreements.

4.6 Disseminations of non-public domain data in other circumstances

30. Non-Public Domain data will be made available by the Secretariat to any persons if the CPC that originally provided that data authorizes the Commission to release them. In cases where a CPC elects to provide an ongoing authorization for the release of such data, the CPC may at any time cancel this authorization by notifying the Secretariat that it has revised its earlier decision. Unless otherwise requested by the provider of the data:

Including universities, researchers, NGOs, media, consultants, industry, federations, etc.

a) Persons that request non-public domain data shall complete and sign the Data Request Form and sign the Confidentiality Agreement and provide them to the Commission in advance of obtaining access to said data.
b) The Data Request Form and Confidentiality Agreement shall then be forwarded to the CPC that originally provided the requested data and the provider shall be requested to authorize the Commission to release the data.
c) Such persons shall also agree to maintain the data requested in a manner consistent with the security standards established by the Commission for the ICCAT Secretariat.

31. CPCs that have provided non-public domain data to the Commission shall notify the Secretariat regarding their representatives with the authority to authorize the release of non-public domain data by the Commission. Decisions whether to authorize the release of such data shall be made in a timely manner.

4.7 Force majeure

32. The Executive Secretary may authorize the release of Non-Public Domain data to rescue agencies in cases of *force majeure* in which the safety of life at sea is at risk.

5. Periodic Review

33. The Commission or its subsidiary bodies will periodically review these Rules and Procedures, and subsidiary documents, and the rules and procedures referred to in paragraphs 23 and 24 above, and amend these if necessary.

6. Final Clause

34. These Rules and Procedures do not prevent a CPC from authorizing the release of any data it has provided to the ICCAT.

Table 1. Types of information and confidentiality classification. Certain types of information such as Task I and Task II already have mandatory reporting and are publically available through the ICCAT web site and the ICCAT *Statistical Bulletin*.

Information Type	*Risk Classification*
Operational level catch and effort data (e.g. set-by-set CPUE)	High
Annual catch estimates stratified by gear/flag and species for the ICCAT statistical areas (Task I)	mandatory reporting already in place
Aggregated catch and effort data stratified by gear/year/month, 5x5 (LL) or 1x1 (surface), and flag (Task II catch/effort)	mandatory reporting already in place
Records of vessel unloading and logbooks	Medium
Transshipment consignments by species	Medium
Biological data (if adequate time has passed to allow the scientists that organized the for collection of such data to publish a paper analyzing it)	mandatory reporting already in place
Conventional tagging data	No risk
Detailed electronic tagging data	Medium
ICCAT Record of Fishing Vessels (vessels authorized to fish; vessels authorized to transport; support vessels; carrier vessels)	mandatory reporting already in place
Vessel and gear attributes from other open sources	No risk
Oceanographic and meteorological data	No risk
Movements of fishing vessels recorded at a fine resolution/VMS vessel position, direction and speed	High
Boarding and Inspection Reports	High
Certified observer personnel	Medium
Certified inspection personnel	High
Catch Documentation Scheme	Medium
Port State Inspection Reports	Medium
Violations and infringements, detailed	High

Annual number of active vessels, by gear type and flag	mandatory reporting already in place
Economic data	[unassigned]
[Social data]	[unassigned]
Fisheries intelligence-sharing information	High
Weekly catch reports	High
Caging declarations	Medium

Table 2. Annotations on information types mentioned in **Table 1**.

Information Type	*Annotations*
Operational level Catch Effort data	Collected on fishing vessel logbooks and by observers.
Compliance-related observer data	Excludes operational catch and effort data, biological data and vessel and gear attributes.
Biological data	Biological data include size data, data on gender and maturity, genetic data, data on hard parts such as otoliths, stomach contents, and isotopic N15/C14 data collected by observers, port samplers and other sources. "Biological data" in this context does not include information identifying the fishing vessel, for example, which would otherwise alter its security classification.
Conventional tagging data	Conventional tagging data include species, release and recapture positions, lengths and dates. "Tagging data" in this context does not include information identifying the fishing vessel that recaptured the tagged tuna, for example, which would otherwise alter its security classification.
Electronic tagging data	Detailed electronic tagging data include detailed records from pop-up or archival tags such as date, time, depth, temperature, light intensity, etc.
ICCAT Record of Vessels	Covers vessels authorized to fish in the ICCAT Convention area also covers records of transport and other types of vessels
Vessel and gear attributes from other sources	Includes data collected by observers and port inspectors. Covers all vessels (i.e. includes vessels restricted to national jurisdiction–domestic fleets). Includes electronic equipment.
Oceanographic and meteorological data	"Oceanographic and meteorological data" in this context does not include information identifying the fishing vessel that collected the information, for example, which would otherwise alter its security classification.
Certified observer personnel	If identified by individual then risk classification would be assigned to HIGH.
Certified inspection personnel	If identified by individual then risk classification would be assigned to HIGH.
Violations and infringements, detailed	May cover individual violations and infringements pending investigation and/or prosecution. Summarized information included in Biannual ICCAT Report from CPCs. Includes compliance information collected by observers.
Economic data	Insufficient information currently available to determine Risk Classification.

Appendix 1 to ANNEX 6

Public Domain Data

The following types of data are considered to be in the public domain:

1) Annual catch estimates (Task I) stratified by gear, flag and species for the ICCAT statistical area;
2) The annual numbers of vessels active in the ICCAT Convention area stratified by gear type and flag;
3) Catch and effort/data (Task II) aggregated by gear type, flag, year/month and, for longline, 5° latitude and 5° longitude, and, for surface gear types, 1° latitude and 1° longitude – and made up of observations from a minimum of three vessels;
4) Biological data (if adequate time has passed to allow the scientists that organized for the collection of such data to publish a paper analyzing it);
5) Conventional tagging data;
6) The ICCAT Records of Fishing Vessels;
7) Information on vessel and gear attributes;
8) Any vessel record established for the purpose of the Commission's VMS;
9) Oceanographic and meteorological data;
10) [Social data].

Appendix 2 to ANNEX 6

Examples of Non-Public Domain Data

The following are examples of types of data considered to be Non-Public Domain:

1) Operational level catch-effort data (detailed set-by-set information)
2) Records of vessel unloading
3) Transshipment consignments by species
4) Data describing (at a fine resolution) the movement of vessels including near- real time Commission VMS data (vessel position, direction and speed)
5) Boarding and Inspection Reports
6) Certified inspection personnel
7) Raw data from any Catch Documentation Scheme or Trade Documentation Scheme
8) Port State Inspection Reports
9) Violations and infringements, detailed
10) Economic data
11) Fisheries intelligence-sharing information
12) Detailed electronic tagging data
13) Data that reveal the individual activities of any vessel, company or person, including caging declarations and weekly catch reports.

Appendix 3 to ANNEX 6

Framework for Access to Non-Public Domain Data

1. In accordance with the policies for data protection, security and confidentiality established by the Commission's Information Security Policy (ISP), a Contracting Party or non-Contracting Cooperating Entity or Fishing Entity (CPC) shall have access to non-public domain data types covering describing the activities of any vessels:
   a) covering vessels flying their flag in the ICCAT Convention area or;
   b) covering any vessels fishing in waters under their national jurisdiction or;
   c) covering vessels applying to fish in their national waters, unloading in their ports or transshipping fish within waters under their national jurisdiction;
   d) for the purpose of scientific and other research, if the CPC that originally provided that data authorizes the Commission to release them. In cases where a CPC elects to provide an ongoing authorization for the release of such data, the CPC may at any time cancel this authorization by notifying the Secretariat that it has revised its earlier decision.

2. For the purposes of compliance and enforcement activities on the high seas, non-public domain data will be made available subject to separate rules and procedures for the access and dissemination of such data, that the Commission will adopt for these purposes. VMS data will be made available for scientific purposes, subject to these same separate rules and procedures.

3. In regard to paragraph 1:
   a) CPCs shall provide a written request for access to such data to the Executive Secretary, specifying the purpose of the Convention by reference to the relevant article(s). In so doing, CPCs shall use the Commission Data Request Form **(Attachment 1 to Appendix 3 to ANNEX 6).**
   b) The CPC shall undertake to only use such data for the purpose described in the written request. The CPC shall also complete and sign the Commission Confidentiality Agreement *(***Attachment 2 to Appendix 3 to ANNEX 6***).*
   c) The Executive Secretary shall not authorize the release of more data than is necessary to achieve the purpose described in the written request.

4. The Executive Secretary shall not authorize access to non-public domain data by any CPC that has not fulfilled its obligations to provide data to the Commission for two consecutive years until all such matters are rectified. The Executive Secretary also shall not authorize access to a CPC whose authorized representative failed to observe the Rules and Procedures for the Protection, Access to and Dissemination of Data Compiled by the Commission until the CPC informs the Executive Secretary that appropriate actions have been taken.

5. The Executive Secretary may attach conditions appropriate for the access to such data (such as that the data be deleted upon achievement of the purpose for which it was released or by a pre-determined date, that a register of persons accessing the data be maintained and furnished to the Commission upon request, etc.)

6. Requests may be made for a standing authorization, such that CPCs may have multiple accesses to the requested data for the same purpose as of the original written request.

7. Dissatisfaction with the Executive Secretary's decisions in regard to access to non-public domain data by CPCs shall be resolved by the Chair of the Commission.

Attachment 1 to Appendix 3 to ANNEX 6

Data Request Form

1. Data requested

   The specification of data being requested should refer to the type of data and any parameters relevant to the type of data, which may include, *inter alia*, the gear types, time periods, geographic areas and fishing nations covered, and the level of stratification of each parameter.

   (Insert the list of data sets here)

2. Purpose

   If non-public domain data are being requested, the use of the data shall be authorized only for the purpose described below.

   (If non-public domain data are being requested, insert the description of the purpose for which the data is requested.)

3. Persons for whom access to the data is requested if non-public domain data are being requested, the name(s), job title(s) and affiliation(s) of the authorized representative(s) for whom access to the data is being requested shall be listed below; the use of the non-public domain data shall be authorized only for the person(s) listed below.

   (Insert the list of persons here)

Sign the Confidentiality Agreement.

Attachment 2 to Appendix 3 to ANNEX 6

Confidentiality Agreement

Confidentiality Agreement for the Dissemination of Non-Public Domain Data by the International Commission for the Conservation of Atlantic Tunas (ICCAT).

Applicants name(s) and full contact details and signatures

Full name Institution, address and

Contact details

Signature and Date

I/we agree to the following:

- To abide by any conditions attached to use of the data by the Executive Secretary;
- That the data shall be used only for the purpose for which the data are being requested, be accessed only by the individuals listed in Item 3 of the Data Request Form, and be destroyed upon completion of the usage for which the data are being requested;
- To make no unauthorized copies of the data requested. If a copy of all, or part, of the data requested is made by the applicant, all copies, or part thereof, will be registered with the Executive Secretary and will be destroyed upon completion of purpose for which the data was requested;
- To abide by the Commission's data security standards as specified in the Commission's Information Security Policy and the Rules and Procedures for Protection, Access to, and Dissemination of, Data Compiled by the Commission;
- That prior to the publication of any report of an analysis for which the requested data will be used, the report shall be provided to, and cleared by, the Executive Secretary of the ICCAT, who shall ensure that no non-public domain data will be published;
- To provide copies of all published reports of the results of the work undertaken using the data released shall be provided to the ICCAT Secretariat and to the relevant subsidiary body of ICCAT;

- Applicant(s) will not disclose, divulge, or transfer, either directly or indirectly, the confidential information to any third party without the written consent of the Executive Secretary;
- Applicant(s) shall promptly notify the Executive Secretary, in writing, of any unauthorized, negligent or inadvertent disclosure of confidential information of the ICCAT.
- Applicant(s) assume all liability, if any, in respect of a breach of this Confidentiality Agreement, once the data requested is released to the applicant(s).
- Pursuant to paragraph 28 of the Rules and Procedures for the Protection, Access to, and Dissemination of, Data Compiled by the Commission, CPC(s) shall not be granted access to non-public domain data until the appropriate actions have been taken to account for any disclosure in violation of the Agreement by the applicant or, *inter alia*, its affiliates, employees, attorneys, accountants, consultants, contractors, or other advisers or agents; and.
- That this Agreement may be terminated by giving written notice to the other party.

Appendix 4 to ANNEX 6

Data that May be Disseminated to Other
Regional Fisheries Management Organizations (RFMOs)

Operational level data

1. Operational-level tuna fisheries data may be disseminated to other regional fisheries management organizations (RFMOs), subject to the terms of the agreement specified in paragraph 29 of these Rules and Procedures. Such data includes catch and effort (including by-catch of mammals, turtles, sharks and billfish), observer, unloading, transshipment and port inspection data.

Aggregated data

2. Aggregated catch and effort data may be disseminated to other RFMOs. Such data includes:
    - Data for long line gear aggregated by flag State by 5º latitude and by 5º longitude by month
    - Data for surface gear (including purse seine) aggregated by flag State by 1º latitude and by 1º degree longitude by month
    - Aggregated observer data (made up of observations from a minimum of three vessels).

Other data

3. Monitoring, control, surveillance, inspection and enforcement data may be disseminated to other RFMOs. Such data includes:
    - The names and other markings of 'Vessels of Interest' to each organization;
    - Transshipment verification reports for vessels transshipping in the Convention area of one RFMO but which have fished within the Convention area of the other.

ANNEX 7

REPORT OF THE MEETING OF THE STANDING COMMITTEE ON FINANCE & ADMINISTRATION (STACFAD)

1. Opening of the meeting

The meeting of the Standing Committee on finance and Administration (STACFAD) was opened on Wednesday, November 24, 2010 by the Committee Chair, Ms. Sylvie Lapointe (Canada).

2. Adoption of the Agenda

The Agenda, which had been circulated in advance of the meeting, was adopted **(Appendix 1 to ANNEX 7)**.

3. Appointment of Rapporteur

The ICCAT Secretariat was designated rapporteur.

4. Reports from the Secretariat

4.1 2010 Administrative Report

The 2010 Administrative Report was presented by the Chair, who reviewed its contents, i.e. events of an administrative nature that had occurred in the Secretariat and in the Commission in 2010: Contracting Parties to the Convention; the adoption and entry into force of the Recommendations and Resolutions in 2010; ICCAT inter-sessional meetings and working groups; meetings at which ICCAT was represented (Appendix 1 to the Administrative Report); tagging lottery; letters concerning compliance with budgetary obligations; list of publications and documents and Secretariat documents; organization and management of the ICCAT staff (organization and new hiring); and other matters such as the new Secretariat headquarters and the management of other programs. The Chair pointed out the increase in the programs managed by the Secretariat and how this was affected the staff's work load.

The Executive Secretary pointed out that the Secretariat's work load was increasing and that the recommendations that were being considered during the meeting would increase even more the need for human resources at the Secretariat in the coming years.

The Delegate of the European Union congratulated Ms. Lapointe on her election to the Chair and also thanked the Executive Secretary for the Report. The Delegate asked if there had been any changes since October 31, 2010 regarding the past due contributions and inquired about the status of the new headquarters and the financial implications of the increase in staff referred to by the Executive Secretary.

The Executive Secretary responded that Ghana was the only Party that had reduced its debt to less than the level of two years of contributions in arrears. Furthermore, only Senegal and the Republic of Guinea had notified their payment plans. With regard to the headquarters, he explained that the Spanish Government had adapted independent office space, but as there had been a problem concerning the installation of air conditioning equipment in the building, the offices are not available. Therefore, the authorities put two complete floor of office space of the current headquarters at ICCAT's disposal, including a conference room, which the Secretariat has equipped and where the scientific Committee held its inter-sessional meetings. With regards to staff, as mentioned above, this depended on the recommendations that were adopted at the meeting, to be able to establish the staff needs.

The delegate of Namibia congratulated the Committee Chair. He noted that the administrative aspects were very important in the operation of an organization and that it was fundamental to have good management of the resources. He stated that the increase in activities and the participation of developing countries indicated that the organization was moving forward and that the administrative activities must be efficient and must not increase the budget with more human resources. He appreciated the payment plans submitted.

After congratulating the Chair and the Secretariat, the Delegate of the United asked if the By-Catch Coordinator position had been included in the budget, since they considered that this was a priority item and that up to now only a short-term contract had been carried out.

The Executive Secretary explained that Dr. John Cotter had been contracted to prepare a special report in accordance with the request from the scientific Committee. The contract was carried out using extra-budgetary funds from the United States and the report was presented to the SCRS. These funds show a balance of €19,795.81. The Executive Secretary indicated that the decision on the permanent position was for the Commission to make and that if such were the case then this would have to be included in the regular budget.

The Chair stressed the Secretariat´s work load and requested the Parties to take human resources into account when requesting any increase in activities.

The Administrative Report was adopted and is included in the *Report for Biennial Period, 2010-2011 (Part I) (2010), Vol. 4 - Secretariat Reports*. (In press).

4.2 2010 Financial Report

At the request of the Chair, the Administrative-Financial Head presented the Secretariat´s Financial Report that had been distributed in advance. He summarized the parts of the report according to the financial statements presented **(Tables 1-5)** and with regard to the budgetary expenses he pointed out that there were two chapters that had exceeded the amount budgeted. He explained that one of these included the costs for furniture needed to equip the meeting rooms where the inter-sessional scientific meetings are held. He noted that the other chapter included the expenses for the incorporation of the Fisheries Data Analyst and the Assistant Executive Secretary's voluntary separation from service. With respect to the extra-budgetary expenses, he pointed out those referring to the Commission Chair and SCRS Chair's travel, as well as those concerning the publication of the *ICCAT Manual*. Regarding income, he highlighted the percentages of income received by groups, the voluntary contributions from Chinese Taipei and from the JDIMP, as well as bank interest. He indicated that according to the estimates made to the end of the year, it is expected that the Working Capital Fund will be maintained at the same percentage with respect to the previous year´s budget.

He reminded the Committee that the Report contained information up to October 31, 2010 and pointed out that since that date new contributions had been received from Ghana (€110,000), St. Vincent and the Grenadines (€20,859.86), Philippines (€324.23), and an advance in favor of Belize (€20,141.10). He also pointed out two voluntary contributions from the European Union, one for the EU Capacity Building Fund (€64,000) and another to cover the expenses of the joint RFMO meetings held in Barcelona (€86,291.40), and the latest contributions to the Atlantic-Wide Bluefin Tuna Research Program (GBYP), one from Norway (€20,000) and one from the *Asociación de Pesca, Comercio y Consumo Responsable de Atún Rojo* (€6,000).

The Executive Secretary pointed out that a notification had just been received from the Administrator General of Fisheries of Panama which included Panama´s payment plan of past due contributions.

The Delegate of the European Union expressed appreciation for the quality of the report and the good management of the Secretariat. He commented that the costs related to the Commission and SCRS Chairmen were considerably high due to the numerous international meetings they attended and he hoped that these costs would be reduced for next year. After requesting clarification regarding travel from the Fund for Regional Workshops, he appreciated the payment plans submitted and asked that the rest of the Parties concerned follow this example.

The Executive Secretary responded that travel included in Item 8 of the report referred to trips made by the ICCAT Chair and other members of his delegation, in accordance with his requests during the year and recalled that these were extra-budgetary funds from the Chair.

The Financial Report was adopted and is included in the *Report for Biennial Period, 2010-2011 (Part I) (2010), Vol. 4 - Secretariat Reports*. (In press).

4.3 Review of progress of the payment of arrears

The Chair presented the report on "Detailed Information on the Accumulated Debt of the ICCAT Contracting Parties and review of the payment plans of past-due contributions", which shows the accumulated debt of the Contracting Parties broken down by years. She pointed out the recent contribution received from Ghana and the payment plans from Senegal and the Republic of Guinea that were attached to that report, and added that the payment plan submitted by Panama would be circulated. after recalling that those Parties having arrears of two years or more could lose their right to vote according to Article X.8 of the ICCAT Convention, and that there were numerous past due amounts, she requested suggestions on how to proceed.

The Delegate of Vanuatu indicated that while no payment plan had been submitted, Vanuatu was committed to paying 50% of its debt in 2010 and that the remainder would be paid in 2011.

The Delegate of the European Union thanked Vanuatu for the commitment to pay and requested that this be submitted in writing. He commented that signing the ICCAT Convention has the clear obligation to contribute with contributions and that non-compliance should be sanctioned. He added that the possibility of rescinding the right to vote or denying funds to developing countries should be seriously considered for those that do not meet their budgetary obligations. He thanked Panama for submitting its payment plan and Ghana for its efforts.

The Delegate of Namibia stated it did not consider it opportune to deny the financing of developing countries since it would be detrimental for the entire Commission. The Delegate of Côte d'Ivoire supported this position.

The Delegate of Brazil stated he understood the difficult situation of the developing countries, but not the lack of reply and explanations concerning non-payment, which showed irresponsibility and a lack of commitment in this respect.

The Delegate of Ghana appreciated the recognition of its efforts and agreed that the payment plans are important to show commitment to the organization and added that a payment of €40,000 would be remitted before the end of the meeting.

The Delegate of the United States indicated that it was not a good idea to establish a link between the payment obligations and the financing of the Parties, since it would jeopardize the scientific aspect and the collection of data. Therefore, we should encourage the Parties concerned.

The Delegate of the European Union stressed that indeed there was a link between the payment of contributions and the financing of activities, and that the Parties must commit themselves to settle their debts. With regard to the letter from the Republic of Guinea, the EU Delegate clarified that the European Union did not have any exchange agreement on fishing rights with the Republic of Guinea and that it was their responsibility to pay their past due amounts.

The Delegate of Libya indicated that the Parties should explain their payment possibilities and proposed that payment plans be submitted in 2011 and that sanctions be applied to those that do not settle part of their debts.

The Chair proposed that those Parties in arrears for two years or more be given one last opportunity in 2011 and since no consensus had been reached as regards sanctions, stricter measures would be taken at the next meeting.

The Delegate of Brazil expressed that sanctions should be applied, but not with respect to the funds for assistance in capacity building.

The Delegate of Vanuatu indicated his country's commitment to send a payment plan to the Secretariat before the end of the year.

In concluding, the Chair informed that in 2011 letters would be sent to the Parties concerned, informing them that the right to vote of those who do not respond in some way would be rescinded at the next meeting.

4.4 Auditor's contract for 2011-2013

The Executive Secretary explained that fiscal year 2010 was the last year for the contract with the current auditing firm and that for 2011 there would have to be a new call for tenders. He pointed out that since 2007 the renewal of the contracts with the auditing firms has been made for three fiscal periods, and he asked if this three-

year term should be continued or extended to five or six years to simplify and facilitate the Secretariat's administrative tasks.

The Delegate of the European Union stated that the request to rotate every three years had been proposed by his delegation, but he understood the difficulties involved in the periodical change of the auditor and the increase in the Secretariat's work. Therefore, the EU agrees with the idea of the change in the auditing firm for five-year periods.

Various delegations, such as Morocco, Vanuatu and United Kingdom (Overseas Territories) supported the proposal and others, such as Brazil and South Africa proposed other periods.

The Chair noted that taking into account the budgetary considerations and the Secretariat's work load, the most convenient would be to change auditing firm every five years, and this proposal was adopted.

5. Budget and Contracting Party contributions for 2011

The Commission budget that was adopted last year was presented. The Chair pointed out that no proposal had been received to host the 2011 Commission meeting. She proposed that if no offer is received, the cost of the meeting be covered by the Working Capital Fund and organized by the Secretariat.

The proposal was adopted and several delegations expressed their concern about the use of the Working Capital Fund, indicating the risk involved and requesting that caution be exercised.

The Delegate of the United States expressed frustration that the Commission budget did not include the By-Catch Coordinator position. The Delegate stated that this was a priority for the U.S. Delegation and that they thought it was going to be included since they understood that the SCRS was in favor of this.

The Delegate of the European Union supported the proposal of covering the regular meeting costs from the Working Capital Fund, but expressed his concern about using the Working Capital Fund. The Delegate recalled that at last year's meeting, nothing was mentioned about the post of By-Catch Coordinator, and requested the SCRS Chair's opinion on the priority of this post.

The SCRS Chair responded that indeed the permanent position of By-catch Coordinator was recommended as support for the SCRS and other RFMO activities, but that no priority had been established with respect to other tasks. He concluded by saying that the scientific staff at the Secretariat needed to be increased and that this would be discussed in 2011 and therefore more information could be provided next year.

The Delegate of Brazil supported this hiring because it was a priority and he requested that this be included next year.

The Delegate of Japan indicated that in addition to the By-Catch Coordinator, a BCD Coordinator was needed since the SCRS recommended that these be used for scientific purposes. Besides, this is a very important aspect of compliance and therefore if the first post is discussed in the plenary sessions, then he hoped that a request would also be made for a BCD Coordinator or Expert.

The Delegate of the European Union stated that several staff were required and that the financial repercussions of this hiring on future contributions must be known.

The Chair proposed that since the 2011 budget was adopted and there were funds available for the By-Catch Coordinator for the short-term that this matter be postponed until next year.

6. Consideration of programs which may require additional funding

No matters were discussed.

7. Other matters

The first proposal that was presented was for a new Panel structure. The Executive Secretary presented a document on the "Issues Affecting Budgetary Contributions". Delegations such as Brazil, European Union, Canada and United States expressed that the second option of the document was the most convenient. The United States noted that the best was that the Panel on sharks and associated species become Panel 3, and to leave Panel 4 as is.

The Delegate of Japan stated that the change and distribution of the Panels should be studied further.

The Chair decided to refer the proposal to the plenary sessions.

The second proposal was submitted by the Delegate of Libya requesting that the Commission adopt the Arab language as an official language of ICCAT.

Various delegations such as Tunisia, Mauritania, Egypt, Morocco and Algeria expressed their support for this proposal. On the other hand, other delegations such as Canada, China, European Union and United States stated that the proposal required an amendment to the ICCAT Convention, since Article III.7 indicated that the official languages of the Commission were Spanish, French and English. They also noted that this proposal would require hiring additional staff.

The Chair proposed that this matter be discussed at the next meeting of the Working Group on the Future of ICCAT, where the procedure to follow would be clarified.

The Delegate of Libya declared that the translation of texts to Arab was basic and fundamental for the Arab countries and hope that this would be discussed in the Working Group. He added that for the first year these countries could finance 50% of the inherent costs, which only for translation would amount to approximately €160,000, as pointed out by the Executive Secretary.

8. Adoption of the Report and adjournment

The meeting of STACFAD was adjourned by the Chair, Ms. Lapointe.

The Report of STACFAD was adopted by correspondence.

Table 1. 2011 Commission Budget (Euros).

Chapters	*2010*	*2011*	*2011 Revised*	*Revised Increase*
1. Salaries	1,195,609.39	1,219,521.58	1,219,521.58	0.00%
2. Travel	31,020.00	31,640.40	31,640.40	0.00%
3. Commission meetings (annual & inter-sessional)	134,420.00	137,108.40	137,108.40	0.00%
4. Publicationes /	54,254.02	55,339.10	55,339.10	0.00%
5. Office Equipment	8,321.17	8,487.59	8,487.59	0.00%
6. Operating Expenses	225,000.00	229,500.00	229,500.00	0.00%
7. Miscellaneous	6,656.94	6,790.08	6,790.08	0.00%
8. Coordination of Research				
la investigación				
a) Salaries	950,847.03	969,863.97	969,863.97	0.00%
b) Travel to improve statisticss	31,020.00	31,640.40	31,640.40	0.00%
c) Statistics-Biology	22,000.00	22,440.00	22,440.00	0.00%
d) Computer-related items	40,000.00	40,800.00	40,800.00	0.00%
e) Database maintenance	30,000.00	30,600.00	30,600.00	0.00%
f) Phone line-Internet domain	21,000.00	21,420.00	21,420.00	0.00%
g) Scientific meetings (including SCRS)	75,000.00	76,500.00	76,500.00	0.00%
h) Miscellaneous	6,324.09	6,450.57	6,450.57	0.00%
Sub-total Chapter 8	*1,176,191.12*	*1,199,714.94*	*1,199,714.94*	*0.00%*
9. Contingencies	10,000.00	10,200.00	10,200.00	0.00%
10. Separation from Service Fund	31,020.00	31,640.40	31,640.40	0.00%
11. Research Programs				
a) ICCAT Billfish Research Program	30,000.00	30,600.00	30,600.00	0.00%
b) ICCAT Bluefin Year Program (BYP)	15,084.61	15,386.30	0.00	-100.00%
Sub-total Chapter 11	*45,084.61*	*45,986.30*	*30,600.00*	*-33.46%*
TOTAL BUDGET	**2,917,577.25**	**2,975,928.80**	**2,960,542.49**	**-0.52%**

Table 2. Basic information to calculate the Contracting Party contributions in 2011.

Contracting Parties	*Groups* [a]	*GNP* [b] *2007*	*GNP* [b] *1991*	*Catch* [c]	*Canning* [d]	*Catch + Canning*	*Panels* [e]				*Total Panels*	*Contracting Parties*
							1	**2**	**3**	**4**		
Albania	D	3,263	3,168	0	0	0	-	X	-	-	1	Albania
Algérie	D	3,895	3,782	3,398	0	3,398	-	X	-	X	2	Algérie
Angola	D	3,846	3,734	3,214	0	3,214	X	-	-	X	2	Angola
Barbados	C	12,768	12,396	275	0	275	-	-	-	-	0	Barbados
Belize	C	4,462	4,332	662	0	662	X	X	X	X	4	Belize
Brazil	B	7,023	6,818	40,473	15,164	55,637	X	X	X	X	4	Brazil
Canada	A	43,191	41,933	2,683	0	2,683	X	X	-	X	3	Canada
Cap-Vert	C	2,551	2,477	10,391	0	10,391	X	-	-	-	1	Cap-Vert
China, People's Rep. of	C	2,517	2,444	9,456	0	9,456	X	X	-	X	3	China, People's Rep. of
Union Européenne	A	34,683	33,673	185,501	253,309	438,811	X	X	X	X	4	Union Européenne
Côte d'Ivoire	D	1,059	1,028	2,544	0	2,544	X	-	-	X	2	Côte d'Ivoire
Croatia	C	11,111	10,787	955	394	1,349	-	X	-	-	1	Croatia
Egypt	D	1,755	1,704	0	0	0	-	X	-	-	1	Egypt
France (St. P. & M.)	A	40,408	39,231	51	0	51	X	X	-	X	3	France (St. P. & M.)
Gabon	C	8,356	8,113	29	0	29	X	-	-	X	2	Gabon
Ghana	C	612	594	68,297	10,300	78,597	X	-	-	-	1	Ghana
Guatemala, Rep. de	C	2,539	2,465	10,931	0	10,931	X	-	-	-	1	Guatemala, Rep. de
Guinea Ecuatorial	C	22,602	21,944	0	0	0	X	-	-	X	2	Guinea Ecuatorial
Guinea, Rep. of	D	458	445	241	0	241	-	-	-	-	0	Guinea, Rep. of
Honduras	D	1,489	1,446	0	0	0	X	-	-	-	1	Honduras
Iceland	A	62,514	60,693	0	0	0	-	X	-	-	1	Iceland
Japan	A	34,348	33,348	29,060	0	29,060	X	X	X	X	4	Japan
Korea, Rep. of	C	19,487	18,919	3,037	0	3,037	X	X	-	X	3	Korea, Rep. of
Libya	C	9,083	8,818	1,290	0	1,290	X	X	-	-	2	Libya
Maroc	C	2,326	2,258	12,067	935	13,002	X	X	-	X	3	Maroc
Mauritania	D	907	881	0	0	0	X	-	-	-	1	Mauritania
Mexico	B	8,346	8,103	11,683	459	12,141	X	X	X	X	4	Mexico
Namibia	D	3,291	3,195	4,171	0	4,171	X	-	X	X	3	Namibia
Nicaragua, Rep. de	D	1,034	1,004	0	0	0	-	-	-	-	0	Nicaragua, Rep. de
Nigeria	D	1,022	992	0	0	0	X	-	-	X	2	Nigeria
Norway	A	82,357	79,958	12	0	12	-	X	-	-	1	Norway
Panama	B	5,944	5,771	9,141	0	9,141	X	X	-	-	2	Panama
Philippines, Rep. of	D	1,630	1,583	2,272	0	2,272	X	-	-	-	1	Philippines, Rep. of
Russia	C	9,016	8,753	900	0	900	X	-	-	-	1	Russia
Saint Vincent & Grenadines	C	4,447	4,317	2,817	0	2,817	X	X	-	X	3	Saint Vincent and Grenadines
Sâo Tomé e Príncipe	D	556	540	571	0	571	X	-	-	X	2	Sâo Tomé e Príncipe
Senegal	C	910	883	5,620	5,688	11,308	X	-	-	X	2	Senegal
Sierra Leone	D	364	353	0	0	0	X	-	-	-	1	Sierra Leone
South Africa	B	5,719	5,552	5,382	0	5,382	X	-	X	X	3	South Africa
Syrian Arab Republic	D	1,815	1,762	496	0	496	-	X	-	-	1	Syrian Arab Republic
Trinidad & Tobago	C	15,473	15,022	3,492	0	3,492	X	-	-	X	2	Trinidad & Tobago
Tunisie	C	3,358	3,260	6,081	2,285	8,366	-	X	-	X	2	Tunisie
Turkey	B	6,477	6,288	38,642	0	38,642	X	X	X	X	4	Turkey
United Kingdom (O.T.)	A	45,060	43,748	473	0	473	-	-	-	-	0	United Kingdom (O.T.)
United States	A	44,594	43,295	25,798	16,325	42,122	X	X	X	X	4	United States
Uruguay	C	6,879	6,679	1,290	0	1,290	X	-	X	X	3	Uruguay
Vanuatu	D	1,908	1,852	2,060	0	2,060	-	-	-	-	0	Vanuatu
Venezuela	B	8,441	8,195	8,005	1,134	9,139	X	-	-	X	2	Venezuela

a), b), c), d), e): See footnote legends in the **Annex** .

Table 3. Contracting Party Contributions 2011 (Euros).

Exchange rate: / Taux de change: / Cambio: 1 €= 1.389 US$ (11/2010)

Contracting Party	*Group* [a]	*Catch + Canning* [a]	*Panels* [a]	*% Catch + Canning* [b]	*% Member + Panels* [c]	*Membership fee* [d]	*Panel Membership* [e]	*Variable fees for Member* [f]	*Variables fees Catch-Canning* [g]	*Total fees* [h]	*Contracting Party*
Albania	D	0	1	0.00%	5.56%	720.00	720.00	1,712.99	0.00	**3,152.99**	Albania
Algérie	D	3,398	2	17.92%	8.33%	720.00	1,440.00	2,569.49	11,049.27	**15,778.76**	Algérie
Angola	D	3,214	2	16.95%	8.33%	720.00	1,440.00	2,569.49	10,451.01	**15,180.50**	Angola
Barbados	C	275	0	0.18%	1.85%	720.00	0.00	3,049.49	576.88	**4,346.37**	Barbados
Belize	C	662	4	0.42%	9.26%	720.00	2,880.00	15,247.46	1,386.32	**20,233.78**	Belize
Brazil	B	55,637	4	42.77%	20.00%	720.00	2,880.00	34,326.51	146,816.43	**184,742.94**	Brazil
Canada	A	2,683	3	0.52%	14.29%	720.00	2,160.00	83,626.93	6,119.89	**92,626.82**	Canada
Cap-Vert	C	10,391	1	6.61%	3.70%	720.00	720.00	6,098.98	21,771.82	**29,310.81**	Cap-Vert
China, People's Rep. of	C	9,456	3	6.02%	7.41%	720.00	2,160.00	12,197.97	19,811.42	**34,889.39**	China, People's Rep. of
Union Européenne	A	438,811	4	85.50%	17.86%	720.00	2,880.00	104,533.66	1,001,046.38	**1,109,180.05**	Union Européenne
Côte d'Ivoire	D	2,544	2	13.41%	8.33%	720.00	1,440.00	2,569.49	8,271.51	**13,001.00**	Côte d'Ivoire
Croatia	C	1,349	1	0.86%	3.70%	720.00	720.00	6,098.98	2,826.41	**10,365.40**	Croatia
Egypt	D	0	1	0.00%	5.56%	720.00	720.00	1,712.99	0.00	**3,152.99**	Egypt
France (St. P. & M.)	A	51	3	0.01%	14.29%	720.00	2,160.00	83,626.93	117.26	**86,624.19**	France (St. P. & M.)
Gabon	C	29	2	0.02%	5.56%	720.00	1,440.00	9,148.47	61.46	**11,369.93**	Gabon
Ghana	C	78,597	1	50.00%	3.70%	720.00	720.00	6,098.98	164,675.69	**172,214.68**	Ghana
Guatemala, Rep. de	C	10,931	1	6.95%	3.70%	720.00	720.00	6,098.98	22,902.53	**30,441.51**	Guatemala, Rep. de
Guinea Ecuatorial	C	0	2	0.00%	5.56%	720.00	1,440.00	9,148.47	0.00	**11,308.47**	Guinea Ecuatorial
Guinea, Rep. of	D	241	0	1.27%	2.78%	720.00	0.00	856.50	783.58	**2,360.08**	Guinea, Rep. of
Honduras	D	0	1	0.00%	5.56%	720.00	720.00	1,712.99	0.00	**3,152.99**	Honduras
Iceland	A	0	1	0.00%	7.14%	720.00	720.00	41,813.46	0.00	**43,253.46**	Iceland
Japan	A	29,060	4	5.66%	17.86%	720.00	2,880.00	104,533.66	66,293.01	**174,426.67**	Japan
Korea, Rep. of	C	3,037	3	1.93%	7.41%	720.00	2,160.00	12,197.97	6,363.09	**21,441.06**	Korea, Rep. of
Libya	C	1,290	2	0.82%	5.56%	720.00	1,440.00	9,148.47	2,702.10	**14,010.57**	Libya
Maroc	C	13,002	3	8.27%	7.41%	720.00	2,160.00	12,197.97	27,241.67	**42,319.63**	Maroc
Mauritania	D	0	1	0.00%	5.56%	720.00	720.00	1,712.99	0.00	**3,152.99**	Mauritania
Mexico	B	12,141	4	9.33%	20.00%	720.00	2,880.00	34,326.51	32,039.07	**69,965.58**	Mexico
Namibia	D	4,171	3	21.99%	11.11%	720.00	2,160.00	3,425.99	13,561.50	**19,867.49**	Namibia
Nicaragua, Rep. de	D	0	0	0.00%	2.78%	720.00	0.00	856.50	0.00	**1,576.50**	Nicaragua, Rep. de
Nigeria	D	0	2	0.00%	8.33%	720.00	1,440.00	2,569.49	0.00	**4,729.49**	Nigeria
Norway	A	12	1	0.00%	7.14%	720.00	720.00	41,813.46	28.14	**43,281.60**	Norway
Panama	B	9,141	2	7.03%	12.00%	720.00	1,440.00	20,595.91	24,121.66	**46,877.57**	Panama
Philippines, Rep. of	D	2,272	1	11.98%	5.56%	720.00	720.00	1,712.99	7,386.05	**10,539.04**	Philippines, Rep. of
Russia	C	900	1	0.57%	3.70%	720.00	720.00	6,098.98	1,884.97	**9,423.96**	Russia
Saint Vincent & Grenadines	C	2,817	3	1.79%	7.41%	720.00	2,160.00	12,197.97	5,901.45	**20,979.42**	Saint Vincent & Grenadines
Sâo Tomé e Príncipe	D	571	2	3.01%	8.33%	720.00	1,440.00	2,569.49	1,855.45	**6,584.94**	Sâo Tomé e Príncipe
Senegal	C	11,308	2	7.19%	5.56%	720.00	1,440.00	9,148.47	23,692.41	**35,000.89**	Senegal
Sierra Leone	D	0	1	0.00%	5.56%	720.00	720.00	1,712.99	0.00	**3,152.99**	Sierra Leone
South Africa	B	5,382	3	4.14%	16.00%	720.00	2,160.00	27,461.21	14,202.25	**44,543.46**	South Africa
Syrian Arab Republic	D	496	1	2.62%	5.56%	720.00	720.00	1,712.99	1,612.68	**4,765.68**	Syrian Arab Republic
Trinidad & Tobago	C	3,492	2	2.22%	5.56%	720.00	1,440.00	9,148.47	7,315.71	**18,624.18**	Trinidad & Tobago
Tunisie	C	8,366	2	5.32%	5.56%	720.00	1,440.00	9,148.47	17,527.67	**28,836.14**	Tunisie
Turkey	B	38,642	4	29.71%	20.00%	720.00	2,880.00	34,326.51	101,969.29	**139,895.80**	Turkey
United Kingdom (O.T.)	A	473	0	0.09%	3.57%	720.00	0.00	20,906.73	1,079.80	**22,706.53**	United Kingdom (O.T.)
United States	A	42,122	4	8.21%	17.86%	720.00	2,880.00	104,533.66	96,092.51	**204,226.17**	United States
Uruguay	C	1,290	3	0.82%	7.41%	720.00	2,160.00	12,197.97	2,703.49	**17,781.46**	Uruguay
Vanuatu	D	2,060	0	10.86%	2.78%	720.00	0.00	856.50	6,696.75	**8,273.25**	Vanuatu
Venezuela	B	9,139	2	7.03%	12.00%	720.00	1,440.00	20,595.91	24,116.39	**46,872.29**	Venezuela

a), b), c), d), e), f), g), h): See footnote legends in the **Annex.**

Table 4. Contributions by group 2011. Fees Expressed in Euros.

Groups	*Parties* [a]	*Panels* [b]	*Catch + Canning* [c]	*% of each Party* [d]	*% of the Budget* [e]	*Fees* [f]	*Panels fees* [g]	*Other fees* [h]	*Total fees* [i]
A	8	20	513,212.30 ---		60.00%	5,760.00	14,400.00	1,756,165.50	1,776,325.50
B	6	19	130,081.67	3.00%	18.00%	4,320.00	13,680.00	514,897.65	532,897.65
C	18	36	157,191.00	1.00%	18.00%	12,960.00	25,920.00	494,017.65	532,897.65
D	16	20	18,966.67	0.25%	4.00%	11,520.00	14,400.00	92,501.70	118,421.70
TOTAL	**48**	**95**	**819,451.63**		**100.00%**	**34,560.00**	**68,400.00**	**2,857,582.49**	**2,960,542.49**

a), b), c), d), e), f), g), h), i) : See footnote legends in the **Annex.**

Table 5. Catch and canning figures (in t) of the Contracting Parties.

Parties	*2005*			*2006*			*2007*			
	Catch	*Canning*	*Total*	*Catch*	*Canning*	*Total*	*Catch*	*Canning*	*Total*	*Parties*
Albania			0			0			0	Albania
Algérie	3,403 t		3,403	3,197 t		3,197	3,595 t		3,595	Algérie
Angola	3,847 t		3,847			0	5,796 t		5,796	Angola
Barbados	126 t		126	420 t		420	280 t		280	Barbados
Belize	5 t		5	234	0	234	1,746	0	1,746	Belize
Brazil	42,103	14,007	56,110	39,367 t	15,742 co	55,109	39,949 t	15,742 co	55,691	Brazil
Canada	2,748 t		2,748	2,920		2,920	2,380		2,380	Canada
Cap-Vert	365 t		365	18,580 t		18,580	12,229 t		12,229	Cap-Vert
China, People's Rep. of	8,969 t		8,969	8,959 t		8,959	10,439 t		10,439	China, People's Rep. of
Union Européenne	198,597	250,089	448,686	190,791	258,445	449,237	167,115	251,394	418,509	Union Européenne
Côte d'Ivoire	1,985 t		1,985	2,829 t		2,829	2,818 t		2,818	Côte d'Ivoire
Croatia	1,017	627	1,644	1,023	555	1,578	825		825	Croatia
Egypt			0			0			0	Egypt
France (St. P. & M.)	61	0	61			0	93		93	France (St. P. & M.)
Gabon	44 t		44	44 t		44			0	Gabon
Ghana	83,582 t	10,300 co	93,882	52,395 t	10,300 co	62,695	68,914 t	10,300 co	79,214	Ghana
Guatemala, Rep. de	10,293 t	0	10,293	11,172	0	11,172	11,328	0	11,328	Guatemala, Rep. de
Guinea Ecuatorial			0			0			0	Guinea Ecuatorial
Guinea, Rep. of			0	723		723			0	Guinea, Rep. of
Honduras			0			0			0	Honduras
Iceland	0	0	0	0	0	0	0	0	0	Iceland
Japan	25,059		25,059	27,025		27,025	35,095		35,095	Japan
Korea, Rep. of	2,895 t		2,895	2,699 t		2,699	3,517 t		3,517	Korea, Rep. of
Libya	1,164 t		1,164	1,347 t		1,347	1,358 t		1,358	Libya
Maroc	9,909	600	10,509	13,707	1,083	14,790	12,585	1,122	13,707	Maroc
Mauritania			0			0			0	Mauritania
Mexico	10,984 p		10,984	12,132	524	12,656	11,932	852	12,784	Mexico
Namibia	3,627 t		3,627	4,355		4,355	4,531		4,531	Namibia
Nicaragua, Rep. de			0			0			0	Nicaragua, Rep. de
Nigeria			0			0			0	Nigeria
Norway			0	27		27	10		10	Norway
Panama	20,962 t		20,962	1,337		1,337	5,124		5,124	Panama
Philippines, Rep. of	2,046		2,046	2,085	0	2,085	2,684	0	2,684	Philippines, Rep. of
Russia	287		287	780		780	1,632		1,632	Russia
Saint Vincent & Grenadines	258 t		258	3,776 t		3,776	4,416 t		4,416	Saint Vincent and Grenadines
Sâo Tomé e Príncipe			0	1,328 t		1,328	384 t		384	Sâo Tomé e Príncipe
Senegal	6,896	7,997	14,893	5,610	4,568	10,178	4,355	4,498	8,853	Senegal
Sierra Leone			0			0			0	Sierra Leone
South Africa	5,236 t		5,236	5,380	0	5,380	5,530	0	5,530	South Africa
Syrian Arab Republic	460	0	460	552	0	552	476	0	476	Syrian Arab Republic
Trinidad & Tobago	4,472 t		4,472	3,126	0	3,126	2,877	0	2,877	Trinidad & Tobago
Tunisie	6,535	2,310	8,845	5,785	2,152	7,937	5,923	2,392	8,315	Tunisie
Turkey	72,749		72,749	33,240		33,240	9,936		9,936	Turkey
United Kingdom (O.T.)	228 t		228	673 t		673	519 t		519	United Kingdom (O.T.)
United States	22,499 p	17,349	39,848	25,675	19,311	44,986	29,219	12,314	41,533	United States
Uruguay	1,592		1,592	1,348 t		1,348	931 t		931	Uruguay
Vanuatu	2,267 t		2,267	2,545 t		2,545	1,367 t		1,367	Vanuatu
Venezuela	7,320	1,313	8,633	9,903	1,045	10,948	6,791 t	1,045 co	7,836	Venezuela
TOTAL	564,590	304,592	869,182	497,089	313,725	810,815	478,699	299,659	778,358	TOTAL

p = Preliminary data.
p+ = Only partial data (quick estimates or selected gears, species, regions only)
co = Transfer of the latest data received.
t = Obtained from the database, because there was no official communication
(Data updated until 28 July 2009.

ANNEX: Footnote legends

Table 2

a Group A: Members with developed market economy, as defined by the United Nations Conference on Trade and Development (UNCTAD) / Group B: Members whose GNP per capita exceeds US$ 4,000 and whose combined catches and canning of tuna exceeds 5,000 t / Group C: Members whose GNP per capita exceeds US$ 4,000 or whose combined catches and canning of tuna exceeds 5,000 t / Group D: Members whose GNP per capita does not exceed US$ 4,000, and whose combined catches and canning of tuna does not exceed 5,000 t .

b GNP: Gross National Product per capita in US$. Source: UNCTAD / GNP with values adjusted to 1991 using a multiplier of 1.03 (Source: U.S. Federal Reserve Board's "Broad Index").

c Average 2005-2006-2007 Catches (t).

d Average 2005-2006-2007 Canning (t).

e Panel membership: Panel 1 = Tropical tunas; Panel 2 = Temperate tunas-North; Panel 3 = Temperate tunas-South; and Panel 4 = Other species.

Table 3

a Table 2.

b Percentage of catch and canning within the group in which the member is a part.

c Percentage for Commission membership and Panel membership within the group in which the member is a part.

d US$ 1,000 annual contribution for Commission membership.

e US$ 1,000 annual contribution for each Panel membership in which the member belongs.

f Variable fee in proportion to the percentage as a member of the Commission and Panels.

g Variable fee in proportion to the percentage according to catch and canning.

h Total contribution.

Table 4

a Number of Contracting Parties per Group (Table 2).

b Number of Panels within each Group.

c Total catch and canning, in t, of each Group.

d Percentage of the budget financed by each member of each Group according to the Madrid Protocol.

e Percentage of the budget financed for each Group.

f Commission membership fees within each Group.

g Panel membership within each Group.

h Other fees: 1/3 for Commission and Panel membership and 2/3 for catch and canning.

i Total contribution.

Appendix 1 to ANNEX 7

Agenda

1. Opening of the meeting
2. Adoption of the Agenda
3. Appointment of the Rapporteur
4. Reports from the Secretariat
   - 4.1 2010 Administrative Report
   - 4.2 2010 Financial Report
   - 4.3 Review of progress of the payment of arrears
   - 4.4 Contract with auditor for 2011-2013
5. Budget and Contracting Party contributions for 2011
6. Consideration of Programs which may require additional funding
7. Other matters
8. Adoption of the report and adjournment

ANNEX 8

REPORTS OF THE MEETINGS OF PANELS 1 TO 4

REPORT OF THE MEETING OF PANEL 1

1. Opening of the meeting

Mr. Helguilé Shep (Côte d'Ivoire) chaired the meeting of Panel 1.

2. Adoption of the Agenda

The Agenda was adopted without changes (attached as **Appendix 1 to ANNEX 8**).

3. Election of Rapporteur

Mr. Jonathan Lemeunier (European Union) was appointed Rapporteur.

4. Review of Panel membership

Mr. Driss Meski, Executive Secretary, presented the list of members of Panel 1.

Panel 1 is currently comprised of the following 35 members: Angola, Belize, Brazil, Canada, Cape Verde, China, European Union, Côte d'Ivoire, Equatorial Guinea, France (Saint-Pierre and Miquelon), Gabon, Ghana, Guatemala, Honduras, Japan, Korea (Rep.), Libya, Mauritania, Mexico, Morocco, Namibia, Nigeria, Panama, Philippines, Russia, Sao Tome and Principe, Senegal, Sierra Leone, South Africa, St. Vincent and the Grenadines, Trinidad and Tobago, Turkey, United States of America, Uruguay, Venezuela.

5. Report of the Standing Committee on Research and Statistics (SCRS)

The SCRS Chair presented the Executive Reports on the three tropical tunas: bigeye, yellowfin and skipjack. A bigeye stock assessment was carried out in 2010, while assessments on yellowfin and skipjack tunas were conducted in 2008.

With regard to bigeye tuna, the biomass is estimated close to the level corresponding to maximum sustainable yield (MSY) and the fishing mortality rate is assessed at 5% below the rate corresponding to MSY. The assessment is, however, difficult to carry out due to the considerable number of uncertainties: the availability of data has improved since 2007 but detailed data on fishing effort and size are still insufficient for some fleets. Further, the recent increase in fishing effort for the surface fleets, susceptible to changing the relative mortality on juveniles, still has not been taken into account in the assessment. Total catches of 85,000 t or less would result in considerable possibilities of rebuilding to or maintaining the stock at levels consistent with the objectives of the Commission.

The assessment on skipjack in the East and West Atlantic indicates the state of the stock as being in accordance with the Commission's objectives. As concerns yellowfin tuna, the assessment indicates that the levels of biomass and fishing mortality are close to the Commission's objectives (fishing mortality rate less than the level needed to achieve MSY and biomass close to this level). However, this assessment based on the 2006 catch levels did not take into account the recent increase in fishing effort by the surface fleets.

The SCRS Chair also presented a review of Ghana's action plan aimed at strengthening the collection of statistical data. The objective of this plan is to guarantee the collection of Task I and Task II fishery statistics, particularly by using data from the canneries, the improvement of logbook recovery, an increase in sampling of fish, and on-board observers. The SCRS recognized Ghana's efforts to strengthen the quality and quantity of statistical data and encouraged the provision of adequate human and financial resources needed to carry out this

plan. The SCRS further recommends the harmonization of the Ghanaian and European sampling programs and the establishment of a working group whose mission would be to study different approaches to improve the collection of fishery statistics.

Lastly, the SCRS Chair presented the assessment of the effect of the closure foreseen in the *"Recommendation by ICCAT to Amend the Recommendation on a Multi-Year Conservation and Management Program for Bigeye Tuna"* [Rec. 08-01] and alternative closures. He indicated that the data available to the Committee are not detailed enough nor of the quality required to carry out this type of assessment in a completely satisfactory manner, particularly without a detailed review of the Ghanaian data. He further indicated that the moratorium on FADs established in the *"Recommendation by ICCAT to Amend the Recommendation on a Multi-year Conservation and Management Program for Bigeye Tuna"* [Rec. 99-01] has resulted in significantly decreasing the catches of small bigeye tunas. Concerning the time-area closure established in the *"Recommendation by ICCAT on a Multi-Year Conservation and Management Program for Bigeye Tuna"* [Rec. 04-01], its implementation is not considered sufficient to substantially reduce fishing activities. In short, as regards the matter of the area proposed in Rec. 08-01, it is accepted that a larger moratorium area on FADs would have more effect than a more restricted closure if well implemented, particularly if the area proposed towards the west were extended.

In response to questions concerning the catch including catches of juveniles, the SCRS Chair indicated that the data from the canneries, mainly provided by the International Seafood Sustainability Foundation (ISSF), were a source of important additional information which permitted verifying the species and size composition of the catches and obtaining data on the commercialization of small fish on the local market ("faux-poisson"). In order to fully utilize these data, it is necessary to establish a mechanism guaranteeing their confidential nature. The implementation of such a framework, recommended by the SCRS, would also permit regulating other problems of access to information (fine catch data from the longline fleets). The trade information is also an essential source to better estimate the catches from illegal, unreported and unregulated (IUU) activities, but, in this regard, a scheme to better monitor the catch needs to be implemented in order to improve the data sets.

Regarding the matter of fleet dynamics, the SCRS Chair noted that the transfer of purse seiners from the Indian Ocean towards the Atlantic Ocean in the recent period is likely to lead to an increase in fishing effort, as a significant portion of these fleets fish using FADs, and also have an impact on the mortality of juveniles and general selectivity. On the matter of longline fishing, the capacity of the longline fleet shows a declining trend without, however, being able to assess the effects of this decline on the stock of bigeye tuna since the nominal statistics do not allow distinguishing effort compared to that of other species. Also, an increase in longline capacity was observed last year (mainly in line with the chartering agreements or access with other coastal countries). On this point, the observer from Chinese Taipei informed that a part of its longline fleet has recently been transferred to the Atlantic Ocean due to the problem of piracy in the Indian Ocean.

Several Parties suggested that another assessment of yellowfin tuna should be carried out without delay, considering that the last assessment in 2008 was carried out based on the data available since 2006. The SCRS Chair indicated that it would be convenient to conduct this assessment in 2012 in order to take into account the Ghanaian fishery data (once the difficulties related to these data were solved) and the effects of recent fleet dynamics. Finally, it was decided to request the SCRS to proceed to another assessment in 2011 to enable better preparation of the discussions on the adoption of management measures for tropical tunas in 2011.

6. Measures for the conservation of stocks and implementation of the *ICCAT Criteria for the Allocation of Fishing Possibilities*

The Chair pointed out the current management measures for the three stocks and opened the discussions on perspectives envisaged for the future.

The Parties agreed on the need to adopt a prudent form of management for bigeye tuna stocks taking into account numerous uncertainties related to the lack of detailed data on fishing effort and on catches by size and the potential increase in the level of catches, in particular, juveniles. It was recognized that the adoption of supplementary measures based on the SCRS advice is necessary. Taking into account the characteristics of the bigeye tuna fishery in the Gulf of Guinea (numerous gears and flags), it was agreed that a global approach was needed that takes all these concerns into account.

The matter of the collection, processing and transmission of data on catches was considered an important point to acquire better knowledge of the fisheries and improving the quality of the stock assessment. In this regard, it was recalled that the practical implementation of Ghana's Action Plan regarding the collection of statistical data concerning these fishery fleets should be continued. However, based on data on tuna imports to Ghana's national market, Japan expressed concern about the lack of transparency on the commercialization of considerable amounts of unreported small fish. Japan particularly noted that joint work was currently on course with the Chinese Taipei authorities regarding catch size composition of bigeye tuna.

As regards possible management measures, the Parties considered that priority should be given to fishing effort and the level of catches (juveniles in particular) and the limit of overall fishing capacity. It was recognized that these measures should include efficient control mechanisms to guarantee their effective implementation. The delegation of the European Union made particular note of its concerns about the considerable current IUU fishing activities and suggested that all the available tools (such as the observer program for at-sea transshipments and port inspections) should be used to eliminate these activities.

The European Union and Japan presented a joint "Draft Recommendation by ICCAT a Multi-year Conservation and Management Program for Bigeye Tuna" aimed at responding to the advice of the SCRS and the viewpoints expressed by different Parties on the following issues:

- Capacity management: The proposal introduces a limit on fishing capacity for the major fleets, guaranteeing the preservation of interests of developing States. Likewise, it foresees establishing a list of authorized vessels and a list of active vessels, for better understanding of the real capacity:

- Fishing effort management: The proposal foresees a proportional decrease in the catch limits of the major actors leaving a margin of operation for the other Parties, while introducing a safety clause whereby any overage in the TAC is deducted the following year:

- Limit on the catch of juvenile bigeye tuna: The proposal introduces an agreed moratorium fishing area on FADs for two months each year together with monitoring measures (VMS, Regional Observers Program, etc.):

- Improvement of data: The proposal includes the implementation of an enhanced data collection scheme and the monthly transmission of catches.

Further, Japan requested that the transfer 3,000 t of its catch limit to China in 2011 and 2012 and 800 t to Korea be included in the proposal.

Overall, the Parties showed interest in this proposal and made several suggested amendments. Some Parties stressed, in particular, the importance of considering the developmental aspirations of coastal developing States. Consequently, the Parties requested that the provisions likely to create limits on catch and capacity be eliminated for those States that do not already have specific limitations. Some CPCs also indicated that the control measures (particularly those related to the Regional Observers Program) and data reporting (catch records and monthly catch reports) could be difficult to implement for developing States with limited administrative and financial capacity.

The Philippines, Ghana and Korea requested an increase in the capacity limits of their fleets. Other CPCs inquired about the exclusion of recreational and sport fisheries in the capacity limits and authorized vessel list provisions of this proposal. The United States expressed their desire that this exclusion be maintained indicating that recreational catches are from fully licensed and closely monitored fisheries with limited catches, and therefore considered that there was no conservation benefit to including these fisheries in the capacity and vessel list provisions..

In response to the various requests for amendment, the European Union and Japan explained that the interests of developing States was already included in the proposal based on the establishment of differentiated mechanisms among those Parties that have large fleets and those with a limited involvement in the fishery. It was, however, clarified that is was essential to foresee provisions that encompass the overall levels of capacity and catches. As for the Regional Observers Program, the European Union indicated it would be convenient to take into consideration the experience acquired by ICCAT within the framework of the program monitoring transshipments at sea by large longliners. The EU also noted that the cost of this regional Program would be paid by the vessel owners and not by the flag States, clarifying that the vessels involved are of the same category and

are registered in similar economic models despite the flag of origin. Finally, The EU indicated that the establishment of a moratorium on FAD fishing would not be useful if it were not accompanied by effective control measures.

The interested Parties met on the fringe of Panel 1 to reach a compromise on the proposed text. A consensus could not reached on some components of this draft that were considered essential. The issue of bigeye tuna management for 2011 was referred to the Plenary.

7. Research

The SCRS Chair presented the recommendations of the SCRS regarding the establishment of a large-scale tagging program on tropical tunas (AOTTP). This program, which could start in 2011, would last for a period of five years with a provisional cost of 11.4 million Euros. Its main objective is to improve the estimation of the basic parameters of population dynamics, decrease the uncertainties in the stock assessments and measure the effectiveness of the various options for management of the fisheries. From a technical viewpoint, this program would include the tagging of fish taken from the three major tropical tuna species using conventional and archival tags.

Several delegations supported the principle of carrying out this program and invited all the CPCs to contribute towards its financing.

Furthermore, the SCRS agrees to carry out research programmes aimed at reducing by-catch in purse seine fisheries (on FADs, in particular). Lastly, the SCRS Chair reiterated the need to implement Ghana's Action Plan aimed at reviewing Ghanaian fisheries statistics (Task I and II data) comparing them to the catch data from the European Union fleets. The objective is also to develop a model sampling plan, to cover all the landings of all the fisheries. This work should be supported by making data available from the canning industries (particularly by concluding Memorandums of Understandings with the concerned companies).

8. Other matters

Ghana's Action Plan, aimed at strengthening the collection of statistical data (Task I and II) and developing control measures, was reviewed. It was reiterated that the collection, processing and reporting of catch data was important to acquire improved knowledge of the fishery and also to improve the quality of stock assessment. It was also recalled that practical implementation of the Ghanaian Plan of Action on the collection of statistical data related to Ghana's fishing fleets should be continued. For this purpose, Ghana requested assistance in order to have the necessary resources.

The statement made by the United States to Panel 1 is attached as **Appendix 4 to ANNEX 8**.

9. Adoption of the report and adjournment

Once the Agenda concluded, the Panel 1 Chair expressed his gratitude to the Panel members for their active participation and adjourned the meeting of Panel 1.

The Report of Panel 1 was adopted by correspondence.

REPORT OF THE MEETING OF PANEL 2

1. Opening of the meeting

The meeting was opened by the Chair of Panel 2, Mr. François Gauthiez (EU-France).

2. Adoption of Agenda

The Agenda was adopted and is attached as **Appendix 1 to ANNEX 8**.

3. Appointment of Rapporteur

Mr. Marc LeCouffe (Canada) was designated Rapporteur of Panel 2.

4. Review of Panel 2 membership

Panel 2 is comprised of 23 members of which two were absent in 2010: Albania (*absent*), Algeria, Belize, Brazil, Canada, China, Croatia, Egypt, European Union, France (St. Pierre and Miquelon), Iceland, Japan, Korea (Rep.), Libya, Mexico, Morocco, Norway, Panama, St. Vincent and the Grenadines, Syria (*absent*), Tunisia, Turkey, and United States of America.

5. Report of the Standing Committee on Research and Statistics (SCRS)

Dr. Gerald Scott, Chair of the SCRS, presented the Executive Summaries on the stock of northern albacore and the western Atlantic and eastern Atlantic and Mediterranean bluefin tuna stocks.

These summaries can be consulted in Sections 8.4 and 8.5 of the 2010 Report of the Standing Committee on Research and Statistics (SCRS).

5.1 Albacore (North and Mediterranean)

No assessments of the North Atlantic stock were carried out in 2010. Management measures for this stock are in force until 2011. The 2009 catches amounted to 15,400 t, with a TAC of 30,200 t. The fishing possibilities continue to have the potential of exceeding the TAC. The SCRS Chair indicated that to rebuild this stock from now until 2020, a catch level which does not exceed 28,000 t should be established. A Recommendation on TAC levels of 28,000 t for 2010 and 2011 was made by the Commission in 2009.

An assessment for the Mediterranean stock is foreseen in 2011. Task I and Task II data were reviewed in 2010. The catches for 2009 amounted to around 4,000 t. Since there is insufficient or missing information on this fishery, the SCRS requests CPCs to submit revised and complete data in order to carry out the assessment.

No questions were raised.

5.2 Bluefin tuna (West Atlantic)

A formal assessment of this stock was carried out in 2010. A new growth curve was calculated from length frequency data and otoliths, and this growth curve was used in the assessment.

Although the estimates of the reproductive biomass show slow progress towards rebuilding, the 2009 biomass was 30% less than that of 1980, and 70% less than that of the 1970s. New information on growth has increased the level of uncertainty as regards stock status. Based on a low recruitment scenario, there is a strong possibility that the stock is in the green area and at the level of MSY. However, with a high recruitment scenario, the stock continues to be overfished and it will be impossible to attain the level of MSY for several years, even without any catches. For the two scenarios, the current catch level should result in an increase in the biomass.

The 2009 catches were equivalent to the TAC level which had been established in the *Supplemental Recommendation by ICCAT Concerning the Western Atlantic Bluefin Tuna Rebuilding program* [Rec. 08-04]. Clearly, according to the indicators, stock status has improved since the last assessment. However, based on a high recruitment scenario, a precautionary approach is needed to meet the objectives of the Commission to rebuild the stock to an MSY level by 2018. The SCRS reiterates that there is no evidence in favour of low or high recruitment scenarios. For the first time, it is clear that the 2003 year-class presents a high abundance level. The SCRS Chair suggests that it would be important to establish measures to protect this year-class to increase the possibility of a good recruitment in the future, in particular since the following year-classes appear to be weak.

Some questions were asked of the SCRS Chair concerning, in particular, recruitment scenarios, stock mixing, the strength of the assessment model, as well as the impact of the petroleum spill in the Gulf of Mexico during the spawning period. In his responses, the SCRS Chair stressed that the ICCAT Atlantic-Wide Research Programme for Bluefin Tuna **(**GBYP**)** should consider the research results on otoliths, which should provide improved information on the mixing of the East and West stocks. As regards the estimate of recruitment scenarios, the low recruitment scenario would indicate that the number of recruits could not exceed 85,000. However, there have been periods in the past when the number of recruitments was much higher. Concerning the strength of the assessment model, the SCRS Chair indicated that the general trends of the biomass have not changed a great deal since the 1970s, but that the base line according to which we evaluate if the stock meets the Convention's criteria has changed. The current growth curve would indicate lower mortality for adult fish, showing that fish mortality had decreased.

5.3 Bluefin tuna (East Atlantic and Mediterranean)

The SCRS reiterated its concerns about the quality and quantity of information on catches and catch-at-age since 2000, in particular, regarding the under-reporting of Contracting Parties, IUU fishing, and the loss of information due to the development of fattening farms. Nevertheless, recent improvements have been noted, in particular, as regards Task II data since 2005. Moreover, new sources of data are now available, such as the weekly reports, VMS and the farming reports.

New data seem to indicate that a certain proportion of the stock stays in the Mediterranean, and this will be studied more in depth in the future.

The best catch estimates are consistent with the large decrease in reported catches (~ 10,000 t less than the catches reported from 2003 to 2007). To maintain this coherence, however, the problem concerning overcapacity must continue to be addressed.

There is some uncertainty regarding biomass estimates, but the general trend seems to indicate that the stock status has improved since the last assessment. However, considerable work remains to be carried out to meet the Commission's objectives. It is clear that, a higher level of catches will result in a greater risk of not meeting these objectives. With catch levels of 0 t, there is 60% probability of obtaining a biomass higher than that which corresponds to the MSY level for 2019. With a catch level of 13,500 t (2009 TAC), the date is deferred to 2022. If the catch level is greater than 14,000 t, then the Commission's objective will not be attained before 2023 or later.

The management measures as well as their implementation since 2009 have resulted in a clear decrease in catches and mortality rates. However, the SCRS cannot fully assess the impact of these new measures on the stock, since the fishery is in the process of adaptation.

The SCRS Chair responded to several questions which were raised in 2009 concerning the spawning areas in the Mediterranean, the growth rates in fattening farms, as well as the coverage obtained by the Regional Observer Program. These responses are included in the SCRS Report.

Lastly, the SCRS Chair presented an update on the work of the ICCAT Atlantic-wide Research Program for Bluefin Tuna (GBYP). The recovery of historical data has provided some results, and aerial surveys were initiated in 2009. These results will be reviewed in the discussion on research.

A representative of the consortium implementing the Regional Observer Program then suggested several modifications to the Program, following the first operative year. For example, it would be useful to have a longer advance notice to indicate vessel participation. Likewise, there should be a mechanism to identify if there is an

exchange of vessels, and observers should be placed on towing vessels for better coverage of the fishing activities. The documentation system should also be revised based on the actual work that the observers should carry out. Finally, some problems were identified regarding weight estimation with the use of videos during the transfers. The program could perhaps use methods developed by the CPCs, or any other method approved by the Commission.

The delegates raised several questions regarding the existing uncertainties in the assessment, the geographic distribution of the Mediterranean stock, the recommendation on the TAC level and the results of the Regional Observer Program. The Chair of the SCRS responded indicating that several uncertainties still cannot be quantified. However continuous improvement of the data could assist in quantifying the uncertainties. Knowledge on geographic distribution of the stock has improved and some information indicates that a part of the Mediterranean stock will remain in the Mediterranean Sea for several years. As previously indicated, a catch level of 13,500 t would allow the stock to rebuild to a MSY level in 2022 with at least a 60% probability.

6. Measures for the conservation of stocks and implementation of *ICCAT Criteria for the Allocation of Fishing Possibilities*

To deal with the recommendations from previous years on the Regional Observers Program, a drafting group was created to draft a document aimed at improving this program and other monitoring and control measures. This group was open to all Contracting Parties who wanted to provide their input on matters regarding monitoring and control. At the proposal of Japan, which was supported by Libya, Mr. Pascal Savouret of the European Union was elected to chair the drafting group. The results of this drafting group were summarized in a working document presented to the participants during the Panel 2 meeting. This document included several points of consensus that revised the provisions on monitoring and control in Recommendation 08-05 and indicated in brackets the points which the drafting group could not resolve.

Before discussing specific measures, the Chair of Panel 2 went around the table so that the Contracting Parties could give their general opinions on how to treat the different issues as regards bluefin tuna management. All the CPCs indicated it is absolutely necessary to follow the scientific advice by the SCRS, as well as using a precautionary approach given the uncertainties explained by the SCRS. Furthermore, they was also indicated that the implementation of, and compliance with, the management measures are essential for a healthy management of this species. Some Parties pointed out that the matter of capacity should be resolved. Lastly, it was discussed that to achieve the objectives of the Convention, not only the TAC should be taken into account, but also management measures as well.

Libya presented a proposal for the Panel to vote on which requested a complete closure of bluefin tuna fishing in the East and West Atlantic for the next two years. This Recommendation was not adopted by the Panel, with the following voting results: 20 members were present with five members voting Yes, 11 voting No, and four members abstaining.

6.1 Bluefin tuna (East Atlantic and Mediterranean)

The Panel 2 Chair expressed that he wished to review the plans to reduce overcapacity submitted by various CPCs.

The plans from China, European Union, Iceland, Japan, Korea, Chinese Taipei, Turkey and Morocco were approved. Those from Libya, Tunisia and Croatia were also accepted after a second review by Panel 2. These approvals are subject to the quotas adopted for subsequent years. Norway recalled that according to their legislation it is prohibited to fish for bluefin tuna and that the capacity reduction requirement therefore does not apply to Norway. Egypt indicated that a reduction in capacity was impossible for its country, since there is no overcapacity. The plans for Albania, Algeria and Syria were not reviewed as these Contracting Parties were not present and had not submitted their plans to ICCAT. Even though no ICCAT provisions deal with the future of vessels affected by capacity reductions, some Contracting Parties pointed out that the reduction of their fishing capacity implied the destruction of the vessels concerned whilst others underlined the legal or financial impossibilities of resorting to such measures.

The Reports on Bluefin Tuna Fishing/Farming Capacity Management Plans adopted by the Panel are attached as **Appendix 2 to ANNEX 8**.

The SCRS Chair addressed some questions concerning the spawning areas (pursuant to a request in Recommendation 08-05 to identify Mediterranean spawning grounds with the view to creating sanctuaries). No Contracting Party proposed measures on spawning area closures. The SCRS Chair indicated that the closure of only half of the reproduction areas could result in an increase of fishing pressurefor the remaining spawning areas. The SCRS Chair then also recalled that the limitation of the open period for purse seine fishing to one month corresponded to a fishing prohibition (at least by this fishing method) during an important part of the spawning period.

Regarding the distribution of fishing possibilities among the Contracting Parties, Egypt requested reconsideration of the ICCAT allocation criteria. The statement made by Egypt to Panel 2 is attached as **Appendix 5 to ANNEX 8.** Turkey and Libya supported this point of view, whilst the other members underlined the extensive work that had preceded the adoption of *ICCAT Criteria for the Allocation of Fishing Possibilities* [Rec. 01-25] and recommended its implementation.

A draft proposal to amend Recommendations 08-05 and 09-06 concerning bluefin tuna management in the eastern Atlantic and Mediterranean was presented by the delegations of Japan and the European Union. This text referred again to the points of the "Draft Recommendation by ICCAT to Strengthen the Monitoring and Control Measures in the Multi-Annual Recovery Plan for Bluefin tuna in the Eastern Atlantic and Mediterranean", on which a consensus had been reached, proposed options for the text in brackets in that document and included proposals on other important points of substance in the recovery plan, in particular the TAC level and its distribution among Contracting Parties. The discussion on this text led to a general provision on the prohibition of joint fishing operations, together with a derogation for Contracting Parties having less than five authorized purse seiners. In this session, it was clarified that the term "joint fishing operations" as indicated in paragraph 18 of the "Draft Recommendation Amending the Recommendation by ICCAT to Establish a Multi-annual Recovery Plan for Bluefin tuna in the Eastern Atlantic and Mediterranean" establishes the overall association, and can include various fishing activities. Transmittal of data related to the joint fishing operation (duration of the operation, allocation key and vessels involved in the activity) is not necessary for each fishing activity. Algeria expressed disagreement with the revised TAC allocation key in section 7 of the Recommendation, which reflects a decrease for Algeria and corresponding increases for Libya, Turkey, and Egypt. Norway reserved its position with respect to this recommendation and referred to the lack of transparency in the decision-making process. Norway stated that they could not support the procedure by which lack of compliance has resulted in a new allocation key for eastern bluefin tuna. They further stated that this change was made without any preceding agreement on sanctions towards parties that do not comply with ICCAT regulations nor any discussion in Panel 2 or in the Plenary regarding the criteria for such changes. Turkey expressed a reservation as regards the paragraph establishing the TAC allocation scheme, as well as the following paragraph on the inter-sessional meeting of the Compliance Committee. Libya stated that joint fishing operations between CPCs are often the cause of non-compliance. However, Libya understands that the CPCs that have small fishing fleets require this type of flexibility. Finally, Brazil welcomed the adoption of this Recommendation, although indicating that a lower TAC would have been desirable. The implementation of these measures should now be guaranteed. He further expressed that from now on what is important was to guarantee compliance of the measures established. The amended proposal for a *Recommendation Amending the Recommendation by ICCAT to Establish a Multi-annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* was adopted by Panel 2, with the reservations expressed by Algeria, Norway and Turkey as mentioned above (see **ANNEX 5 [Rec. 10-04]**).

Subsequently, Morocco has proposed to amend paragraph 14 concerning overharvests. This proposal could not be taken into account as the Recommendation had already been adopted by the Panel and the deadline to present new proposals had passed.

The statements submitted to Panel 2 by various observers from non-governmental organizations are attached as **Appendices 6 to 12 to ANNEX 8**.

6.2 Bluefin tuna (West Atlantic)

The Panel discussed and later adopted a proposal by the United States and Japan for a *Supplemental Recommendation by ICCAT Concerning the Western Atlantic Bluefin Tuna Rebuilding Program* (see **ANNEX 5 [Rec. 10-03]**). Some CPCs indicated that another western Atlantic bluefin tuna proposal has been submitted by Canada, which included additional measures relating to the reporting of catches and mortality in all fisheries, and

they regretted that, although circulated, this proposal had not been discussed within the Panel. The European Union hoped that this was only a postponement of the discussion of these additional measures aimed at strengthening and harmonizing management measures for the two stocks, and questioned the threshold probability established to achieve the level of MSY, since it was less than the threshold established for the eastern stock.

6.3 Northern and Mediterranean albacore

No recommendation to amend the management plan was presented for albacore.

7. Research

The ICCAT Atlantic-wide Research Program for Bluefin Tuna (GBYP) started in 2010. A Coordinator was hired in March and work on the recovery of historical data was initiated. Aerial surveys to establish the spawning areas started in 2010. However, some countries did not authorize access to their air space to carry out the necessary flights. Given the budgetary restrictions, the budgets for 2010 and 2011 were revised downwards and expectations also have to be reduced.

To continue with this research Program, a stable financing scheme should be established in order to reduce uncertainties each year. The CPCs concerned should also support the Program by contacting the pertinent national authorities to authorize access to air and maritime space.

Agreements have been established with organizations that are not members of ICCAT to carry out joint research programs on bluefin tuna.

Several CPCs confirmed their financial support of the GBYP, as well as in-kind contributions of a logistic and administrative nature. The SCRS Chair suggested a small quantity of the quota be set aside to allocate it to the biggest contributor, which would improve the financing of the Program. While this idea was deemed interesting, it was considered that it had not been studied enough to be adopted by the Panel.

The SCRS Chair also presented a draft research program on northern albacore (NALBYP) which focuses on the improvement of knowledge on population dynamics, as well as the interactions between the biological processes and the ecosystems. This program requires a financing of 4.7 million Euros over a period of four years.

Regarding Mediterranean albacore, the SCRS Chair requested all the Parties to submit all available data in order to carry out the stock assessment in 2011.

8. Other matters

The "Proposal to Unify Reporting Requirements on Caging and Farming", presented by the Secretariat, could not be discussed due to time constraints and was deferred to the plenary (see **Appendix 3 to ANNEX 8**). The Chair requested that CPCs work with the ICCAT Secretariat to facilitate the process for the implementation of the Regional Observers Program for 2011.

9. Adoption of the Report and adjournment

The 2010 Meeting of Panel 2 was adjourned.

The Report of Panel 2 was adopted by correspondence.

REPORT OF THE MEETING OF PANEL 3

1. Opening of the meeting

The Executive Secretary, Mr. Driss Meski, opened the session of Panel 3 and introduced the current Chair, Mr. Mario Aguilar (Mexico).

2. Adoption of Agenda

Mr. Aguilar took the floor to inform on and request the adoption of the Panel Agenda. As there were no comments, the Agenda was adopted by the Panel members (attached as **Appendix 1 to ANNEX 8**).

3. Appointment of Rapporteur

The Secretariat was nominated as Rapporteur for Panel 3.

4. Review of Panel 3 membership

Panel 3 currently comprises ten members as follows: Belize, Brazil, European Union, Japan, Mexico, Namibia, South Africa, Turkey, United States of America and Uruguay.

5. Report of the Standing Committee on Research and Statistics (SCRS)

Recalling that for southern albacore stocks, the *Recommendation by ICCAT on the Southern Albacore Catch Limits for 2008, 2009, 2010 and 2011* [Rec. 07-03] establishes catch limits for 2008, 2009, 2010 and 2011, Dr. G. Scott, SCRS Chair, reviewed the current state of the stocks covered by this Panel, based on the last meeting of the SCRS held in October 2010.

5.1 South Atlantic albacore

The SCRS Chair informed the Panel that the last assessment was conducted in 2007. A new assessment would be conducted in 2011 and Dr. Scott stressed the importance of having scientists familiar with the stock and its fisheries at the next stock assessment.

South Atlantic albacore is a stock principally caught by longline and baitboat fleets.

The catches since 2003 have been well below the Total Allowable Catch (TAC) which results in the current state of this stock indicating current biomass values above the biomass that produces maximum sustainable yield, and current fishing mortality values below that which produces maximum sustainable yield (MSY). Under these conditions, it is possible that the status of the stock could have improved.

The delegate of South Africa requested clarification as to whether there had been any improvement in the reporting of size sampling data for this species. The SCRS Chair indicated that this had been the case.

5.2 Southern bluefin tuna

Dr. Scott indicated that this stock is currently managed by the Commission for the Conservation of Southern Bluefin Tuna (CCSBT), and referred delegates to the report of that organization for more information.

6. Measures for the conservation of stocks and implementation of the *ICCAT Criteria for the Allocation of Fishing Possibilities*

The SCRS Chair informed the Panel that in the opinion of the SCRS there was no need to make any change to the current management regime of southern albacore, particularly since the next assessment would be held in

2011. The Delegate of South Africa noted that although the TAC had not been fully utilised some CPCs had exceeded their allocations.

7. Research

Dr. Scott reiterated that an assessment for southern albacore would be conducted next year and that the main tasks are the preparation of Task I and Task II data for the major gears, the development of catch rate indices by the main CPCs with fisheries for southern albacore (i.e. Japan, Brazil, South Africa and Namibia), and conversion of catch-at-size to catch-at-age. In addition a review of appropriate assessment models needs to be conducted and documentation of these models. These tasks will all require close liason between the ICCAT Secretariat and CPC scientists.

8. Other matters

No other matters were discussed by the Panel.

9. Adoption of the report and adjournment

The 2010 meeting of Panel 3 was adjourned.

The Report of Panel 3 was adopted by correspondence.

REPORT OF THE MEETING OF PANEL 4

1. Opening of the meeting

The meeting was opened by the Chair of Panel 4, Mr. Masanori Miyahara (Japan).

2. Adoption of Agenda

The Agenda was adopted without change (attached as **Appendix 1 to ANNEX 8**).

3. Appointment of the Rapporteur

Ms. Kelly Pennington (United States) was appointed as the Rapporteur for Panel 4.

4. Review of Panel Membership

Panel 4 is comprised of the following 27 members: Algeria, Angola, Belize, Brazil, Canada, China (People's Rep.), Côte d'Ivoire, Equatorial Guinea, European Union, France (St. Pierre & Miquelon), Gabon, Japan, Korea (Rep.), Mexico, Morocco, Namibia, Nigeria, Sao Tome & Principe, Senegal, South Africa, St. Vincent and the Grenadines, Trinidad and Tobago, Tunisia, Turkey, United States of America, Uruguay and Venezuela.

5. Report of the Standing Committee on Research and Statistics (SCRS)

The SCRS conducted a stock assessment in 2010 for Mediterranean swordfish.

5.1 Swordfish

5.1.1 Mediterranean swordfish

The Mediterranean swordfish fishery is mostly a longline and gillnet fishery, with a provisional yield of 11,153 t in 2008. The SCRS reported that more than half of the Mediterranean swordfish catch in number is composed of juvenile fish. Though biomass and recruitment have been stable since the 1990s, SCRS concluded that the stock is currently below a level that can support MSY and the current status is inconsistent with Commission objectives. SCRS evaluated a number of scenarios based on seasonal closures (including the current two-month closure), capacity reduction and quota reduction. SCRS analyses suggest that rebuilding this stock to SSB levels observed in the mid-1980s will only be achieved by implementing seasonal closures during times that effectively reduce fishing pressure and/or by reducing quotas; longer closures than those currently in place would also be effective. SCRS was unable to assess the impact of the current seasonal closure on the stock because they were not considering data from the current year.

Morocco questioned the wisdom of extending closures when the effect of current closures is unknown and whether additional seasonal closures might present an opportunity for IUU fishing. The SCRS Chair reiterated that the effects of the current closure were not assessed and stated that IUU fishing could occur under any management measure without adequate control and enforcement. Morocco commented that they are redirecting fishing effort from driftnets, and feel that additional closures could restrict fishing opportunities.

The European Union asked how much of the Mediterranean swordfish Task I and Task II data is missing. The SCRS Chair mentioned that progress toward improving data in the Mediterranean has been slower than in other areas.

5.1.2 North Atlantic swordfish

The SCRS reported on the 2009 assessment of North Atlantic swordfish, in which it was found that, with 56% probability, the stock is at or above B_{MSY} and fishing mortality is below F_{MSY}. The SCRS advised that a TAC of 13,700 t would have approximately a 50% chance of maintaining the stock according to the Commission's

objectives. However, the SCRS noted that depending on the Commission's management objectives, lower TACs would result in a higher probability of maintaining the stock at or above the level that would support MSY.

5.1.3 South Atlantic swordfish

While there is a 78% chance that the South Atlantic stock biomass is above B_{MSY} and fishing mortality is below F_{MSY}, there is considerable uncertainty in the SCRS predictions regarding this stock. The SCRS reported that a TAC of 17,000 t would have a 67% chance of maintaining the stock above B_{MSY} in ten years. However, the SCRS recommended that the Commission establish a TAC no greater than 15,000 t to accommodate the uncertainties in the stock assessment.

5.2 Sharks

There were no new stock assessments of sharks this year. Porbeagle sharks were assessed in 2009; blue sharks and shortfin mako sharks were assessed in 2008. In addition, the SCRS conducted an Ecological Risk Assessment in 2008 to identify the species of pelagic elasmobranchs most vulnerable based solely on their productivity.

The SCRS reported that both the North and South Atlantic stocks of blue sharks are believed to be above the biomass that would support MSY and current harvest levels are believed to be below F_{MSY}. Estimates of stock status for the North Atlantic stock of shortfin mako sharks were more uncertain than results for blue sharks: it is likely that the North Atlantic shortfin mako stock is below B_{MSY}, but less certain whether the stock is being harvested at a level above or below F_{MSY}. A paucity of data seriously hampered the SCRS's ability to assess the South Atlantic shortfin mako stock.

The SCRS reviewed the results of a 2009 stock assessment of porbeagle sharks. The SCRS Chair noted that because of lack of catch data, it was not possible to assess the Southeastern Atlantic and results from the assessment of the Southwestern Atlantic stock are provisional. An assessment of the Northeastern Atlantic stock indicates that biomass is below B_{MSY} and that fishing mortality is at or above F_{MSY}. The Northwestern Atlantic porbeagle stock is well below B_{MSY} but fishing mortality is likely below F_{MSY}.

The SCRS made a number of recommendations regarding the Commission's management of shark species, including: taking a precautionary approach with highly vulnerable species and species for which data is deficient; prohibiting retention for species of high concern with high survivorship after release; considering minimum landing sizes or maximum lengths to protect juveniles and breeding stock adopting mitigation measures to reduce bycatch of sharks, especially porbeagles; keeping mortality levels for porbeagle shark at or below current levels; discouraging new target fisheries for porbeagle; adopting a 200 cm (total length) minimum size for oceanic whitetip; and fostering data sharing and harmonization between the Commission and other RFMOs.

The United States inquired whether stock assessments of shortfin mako or blue sharks were planned in the near future, in addition to the Ecological Risk Assessment planned for 2012. The SCRS indicated that because of the life history characteristics of shortfin mako and blue sharks, it is unlikely that their stock status will change quickly, so there is no assessment scheduled for these species. The SCRS added that they could add those assessments to their work plan if asked by the Commission. The United States also asked what CPCs could do to ensure the success of SCRS' data preparatory meeting planned for 2011. The SCRS Chair stated that data for shark stocks is generally poor, so CPCs can support stock assessments simply by improving their catch reporting of sharks in tuna or other fisheries.

Japan wondered why species-specific status was reported for blue, shortfin mako, and porbeagle sharks in the SCRS report, but management recommendations were made for only porbeagle and oceanic whitetip. The SCRS Chair stated that recommendations from previous years' SCRS reports were not carried over in the 2010 report, but that limiting fishing mortality of shortfin mako in the North Atlantic was one of the standing recommendations for shortfin mako. Japan also asked for clarification about the meaning of the shark productivity ranking, to which the SCRS Chair responded that sharks were ranked based on the assumption that slow reproduction will lead to higher vulnerability. Where potentially vulnerable species overlap with longline fisheries, for example, the SCRS recommends a precautionary approach, such as implementing a minimum size to protect sharks until maturity. For oceanic whitetip sharks, SCRS has not conducted a stock assessment but the SCRS Chair recommended that precautionary management would be wise based on their productivity ranking.

Canada asked how SCRS evaluated data on shark catches in fisheries outside of ICCAT. The SCRS Chair responded that they take the following steps: using data from the Hong Kong shark fin trade to estimate catch history for blue and mako sharks; comparing information reported to the Commission with information gathered by FAO and other RFMOs; making assumptions about catch rates in non-reporting fisheries using data from reporting fisheries and flags; and collaborating with ICES to undertake a porbeagle shark assessment. Regarding the latter species, the SCRS Chair reiterated that a complete lack of data in the Southeastern Atlantic porbeagle stock makes stock assessment practically impossible.

The European Union questioned the choice of the species in the table (Table 2 in the 2010 SCRS Report) ranking sharks by productivity. The SCRS Chair stated that an expert working group on sharks chose the species, and priority was given to sharks that are most frequently encountered by pelagic longline or other tuna-directed fisheries.

5.3 Blue marlin and white marlin

The SCRS reported that there were few changes from the 2009 SCRS Report, because no stock assessment on either blue marlin or white marlin has been conducted since 2006.

5.3.1 Blue marlin

The Atlantic blue marlin reported catch in 2009 was 2,868 t; in 2008 over 800 t were caught by Côte d'Ivoire alone. SCRS indicated that biomass is below B_{MSY} and fishing mortality exceeds F_{MSY} in this stock. Blue marlin will be assessed in 2011. New information suggests that the vertical distribution of blue marlin may be limited by dissolved oxygen levels; therefore, this species may be more vulnerable to fishery exploitation in areas where oxygen minimum layers are closer to the surface, such as occurs in the eastern tropical Atlantic. The SCRS recommended, at a minimum, maintaining current management measures for blue marlin.

5.3.2 White marlin

The SCRS stated that biomass of white marlin is less than B_{MSY} and that fishing mortality is likely greater than F_{MSY}. In 2009, catch classified as Atlantic white marlin totaled 406 t. However, this likely includes some roundscale spearfish, which was identified as a separate species in 2006. In fact, recent studies have found that some samples characterized as white marlin were actually composed of as many as 27% roundscale spearfish. A white marlin stock assessment will be conducted in 2012, and the SCRS foresees the following challenges: estimating management benchmarks; interpreting the sharp decline in CPUE in the 1960s and 1970s; quantifying white marlin catches by artisanal fisheries; and discriminating between white marlin and roundscale spearfish catches.

5.4 Sailfish

The SCRS reported on a 2009 stock assessment of sailfish at last year's Commission meeting, and reviewed that stock assessment this year. Sailfish are largely harvested by artisanal fisheries, especially in the eastern Atlantic. In 2009, preliminary reports indicate that 1,641 t of sailfish catch was reported in the eastern Atlantic and about 1,400 t in the western Atlantic. The SCRS estimated that the biomass of both the eastern and western stocks is likely below B_{MSY} and fishing mortality is above F_{MSY}. Although the status of both stocks is highly uncertain, the eastern stock is more likely overfished and subject to more overfishing than the western stock. While the Commission currently has no management measures for sailfish, the SCRS recommended a reduced catch level in the eastern sailfish stock and maintaining current catch levels in the western stock. Finally, the SCRS Chair stated that better reporting of sailfish discards would support future assessments of this stock.

5.5 Seabirds

No new information was presented regarding seabirds.

6. Measures for the conservation of stocks and implementation of the ICCAT *Criteria for the Allocation of Fishing Possibilities*

6.1 Sharks

6.1.1 Oceanic whitetip sharks

Brazil tabled a proposal, "Draft Recommendation by ICCAT on the Conservation of the Oceanic Whitetip Shark Caught in Association with Fisheries Managed by ICCAT," but intervened to state that they would withdraw their proposal and support the "Draft Recommendation by ICCAT on the Conservation of Oceanic Whitetip Shark Caught in Association with Fisheries in the ICCAT Convention Area" introduced by Japan. Brazil's proposal would have prohibited retention of oceanic whitetip sharks less than 200 cm, consistent with SCRS advice. Japan stated that the minimum size would be difficult to enforce; therefore, their proposal would simply ban retention of oceanic whitetip shark. The United States suggested a better way to reflect the scope of application of the measure would be to replace "any commercial and sport and recreational fishery" with a reference to "any fishery" noting that this would cover oceantic whitetip caught in association with all ICCAT fisheries. Japan agreed to such an edit as long as it preserves a reference to all fisheries and the European Union likewise emphasized that this must be understood to include sport and recreational fisheries.

Côte d'Ivoire mentioned that after the 2009 Commission meetings they began a program to identify shark species and to record landings in their artisanal fisheries. Japan sympathized with the difficulties that CPCs have in managing artisanal fisheries and suggested that the Commission may be able to assist CPCs in implementation of proposals to reduce this barrier.

Morocco asked why there was no tolerance for mortality in the proposal, because the requirement to release sharks unharmed "to the extent practicable" implied acknowledgement that some sharks will not be released unharmed. Japan responded that the point of the proposal is first to prohibit retention of oceanic whitetip and the intention is for sharks to be released alive as much as possible, but, in certain cases, live release may not be possible if that would endanger the fisherman. Brazil also responded to Morocco, stating that oceanic whitetip is a species with a relatively high survival rate when brought alongside a vessel, and a tolerance for mortality would be difficult to enforce without full observer coverage. Further, Brazil pointed out that oceanic whitetip interactions with longlines are relatively rare so this proposal, if implemented, would not affect large numbers of vessels. South Africa suggested an edit to specify that sharks should be released "in the water," and also felt that the phrase requiring CPCs to release oceanic whitetip sharks "to the extent practicable" left a loophole for sharks to be killed. Japan responded that the bigeye thresher shark measure last year included a similar paragraph.

The Chair proposed that the measure be adopted after removing the paragraph about releasing sharks unharmed to the extent practicable. Brazil, Uruguay, the United States, Namibia and the European Union all supported the Chair's proposal. The amended proposal was agreed upon by consensus and forwarded to the Plenary for adoption (see **ANNEX 5 [Rec. 10-07]**).

6.1.2 Shortfin mako

A proposal, "Draft Recommendation by ICCAT on Shortfin Mako Sharks," was introduced by the United States to build on Rec. 07-06 by limiting each CPC's landings of shortfin mako to an average of 2004-2008 landings. The United States pointed out that the shortfin mako is experiencing overfishing and is one of the most vulnerable shark species according to SCRS.

The European Union observed that the proposal was similar to one they introduced to the 2009 Commission meeting. The European Union and Canada were supportive in principle but deferred expression of support until they could work with the United States on a number of technical edits.

A number of CPCs expressed concerns about implementing this proposal. Japan was concerned that identification of shortfin mako is notoriously inaccurate in logbooks; Morocco and Korea supported the spirit of the proposal but had similar concerns. Further, Japan noted that a number of CPCs have no reporting of shortfin mako landings during the years 2004-2008 and that longline fishing effort is decreasing which will result in a concurrent decrease in shortfin mako bycatch. China, South Africa, and Mexico questioned the origin of the 2004-2008 landings average to establish landings limits. South Africa spoke of their unilateral efforts to reduce shark mortality in directed and bycatch fisheries, but said they were unable to agree to landings limitations given

the status of their domestic actions. Mexico asked whether catch reductions should be applied relative to each CPC's effort because CPCs have catches ranging from 1-2,000 t.

To address the concerns of some CPCs about the 2004-2008 baseline, the United States revised its proposal to use 2009 reported catch as a baseline and to include an allowance of 8 t for small harvesters, and to limit its application to the North Atlantic. The European Union preferred to use the baseline years in the original proposal or a 2007-2009 average instead of only one year of landings records.

Japan introduced a counterproposal, "Draft Recommendation by ICCAT on Shortfin Mako Sharks," co-sponsored by China and Korea, that would require CPCs to report to the Compliance Committee on their progress in collecting and reporting Task I and II data on shortfin mako sharks. Brazil noted that a similar proposal requiring CPCs to report shark data had been adopted previously by the Commission. The European Union was not initially supportive of the Japanese proposal.

The European Union and Morocco expressed a desire to expand any shortfin mako proposal to include South Atlantic shortfin mako. Canada and Uruguay supported a proposal that imposed landing limits on shortfin mako; conversely, Japan, China, Korea and Chinese Taipei stated their opposition to limits. South Africa supported some management action for the North Atlantic stock but preferred to remove the South Atlantic stock from the proposal. Brazil proposed an additional clause that would prohibit CPCs that report no data for shortfin mako from catching the species.

The Panel 4 Chair suggested creation of an informal Shark Working Group to resolve some of these concerns, and noted that only proposals agreed by the working group would receive further consideration in Panel 4. A subsequent revision of the proposal, "Draft Recommendation by ICCAT on Altlantic Shortfin Mako Sharks Caught in Association with ICCAT Fisheries" was introduced by the Working Group on Sharks. Japan stated that they would prefer to delete a provision that would ban retention of shortfin mako among parties that failed to submit Task I data to the Commission and to create a second proposal that would apply this provision to all ICCAT species. Brazil, the European Union, the United States and Canada supported the proposal as written and noted that the provision to all species would need to be considered separately, as this would not be in the purview of Panel 4. Mexico supported the proposal and China said they were ambivalent about the proposal while observing that the proposal would result in strong actions. Ultimately, Japan supported inclusion of the ban on retention of shortfin mako for non-reporting CPCs noting that their support was based on the understanding that the same provision would be applied to all other species under ICCAT management in the future. Some CPCs were in agreement that similar measures should be adopted for other species. The proposal for a *Recommendation by ICCAT on Atlantic Shortfin Mako Sharks Caught in Association with ICCAT Fisheries* was agreed upon by consensus and forwarded to the Plenary for adoption (see **ANNEX 5 [Rec. 10-06]**).

6.1.3 Thresher and hammerhead sharks

The European Union introduced a proposal, "Draft Recommendation by ICCAT on Thresher Sharks (Family *Alopiidae*) and Hammerhead Sharks (Family *Sphyrnidae*)". At the 2009 Commission meeting, the European Union's proposal on thresher sharks (adopted as Rec. 09-07) banned retention of bigeye thresher in the ICCAT area. The 2010 proposal would extend that ban to all thresher and hammerhead sharks. The European Union explained that to protect two species of hammerhead sharks, it is necessary to protect them all because by the time a hammerhead shark is identified to species level, it is usually dead given the time it takes to make such identification. The European Union stated that their proposal would also improve recording of live and dead discards and would recommend research on spawning areas.

Brazil proposed to limit the proposal to ICCAT-managed fisheries and expressed a preference for a proposal that only applied to hammerhead sharks noting there is already a recommendation on bigeye thresher sharks. Others questioned the scientific basis for the action proposed on common threshers. Côte d'Ivoire, though supportive of protecting sharks from longline and purse seine fisheries, stated that they have a developing, coastal, artisanal fishery, including a directed fishery on hammerhead sharks and therefore they could not support the proposal. Côte d'Ivoire noted that since the 2009 Commission meeting they have implemented a data collection system and are recording hammerhead landings.

During further discussions in the Working Group on Sharks, two proposals were developed to address thresher and hammerhead sharks separately.

Brazil and the European Union co-sponsored a proposal, "Recommendation by ICCAT on Hammerhead Sharks (Family *Sphyrnidae*) Caught in Association with Fisheries Managed by ICCAT," which would ban retention of all hammerhead sharks except the bonnethead. The Chair stated that the proposal's limitation to incidental catch was a barrier to consensus. Brazil stated that in the view of many CPCs, specifying that the proposal applied to hammerheads taken in association with ICCAT fisheries means that it would not apply to directed coastal fisheries that are not managed by ICCAT. The United States agreed with Brazil Japan said that they were unable to support the proposal for two reasons: they believed that directed hammerhead fisheries should be included in the provisions of the recommendation; and they did not believe that an exemption on the ban for local consumption in developing coastal states could be enforced. . The United States and European Union noted that they believed the Shark Working Group had already reached consensus on this proposal. Côte d'Ivoire took exception to Japan's characterization, stating that they have a shark monitoring program and that catching hammerhead sharks is a matter of food security for their country. Consensus was not reached in Panel 4 but the proposal was forwarded to the Plenary for further consideration (see **ANNEX 5 [Rec. 10-08]**).

The European Union introduced a proposal, "Recommendation by ICCAT on Thresher Sharks (Family *Alopiidae*) Caught in Asosciation with Fisheries Managed by ICCAT," which would ban retention of all thresher sharks. Mexico professed their support for the proposal, and stated that they would not have to take advantage of their exception in Rec. 09-07 to catch 110 bigeye thresher sharks, though they appreciated the flexibility of other CPCs to provide this transition for Mexico. The European Union clarified that this proposal would not necessarily replace Rec. 09-07. Japan protested that this proposal treats common and bigeye thresher sharks the same, even though bigeye threshers were ranked far more vulnerable by SCRS than the common thresher. The Chair concluded that consensus could not be reached in Panel 4 but the proposal was forwarded to the Plenary for further consideration.

6.1.4 Porbeagle sharks

The European Union tabled a "Draft Recommendation by ICCAT on Porbeagle". The proposal would implement a ban on landing porbeagle sharks in the Atlantic, which the European Union asserted is consistent with the scientific advice resulting from the SCRS-ICES joint assessment in 2009. Canada countered that the SCRS-ICES report supported the Canadian management plan for northwest porbeagle sharks and that the 2009 assessment noted that fishing mortality is below FMSY and the biomass of this stock seems to be increasing. After further discussion in the Working Group on Sharks, Canada was still unable to agree to the European Union's proposal. Although the Chair concluded that there was a lack of agreement in Panel 4, the proposal was forwarded to the Plenary for further consideration.

6.1.5 Shark conservation

Brazil, with co-sponsors Belize and the United States, tabled the "Draft Recommendation by ICCAT Concerning the Conservation of Sharks Caught in Association with Fisheries Managed by ICCAT". This proposal was carried over from the 2009 Commission meeting. Brazil stated that the proposal would require CPCs to land sharks with their fins naturally attached. Though finning has been banned in the Atlantic, Brazil suggested that it is difficult to enforce without observers on every vessel.

Japan stated that since the 2009 Commission meeting, they have held a number of meetings with stakeholders in the shark trade and concluded that they could only support Brazil's proposal if it were limited to fresh shark products. Brazil responded that such a change would alter the intent and impact of the proposal and they would need additional time to consider this suggestion. After further discussions failed to reach consensus, Brazil withdrew the proposal from consideration until next year.

6.2 Swordfish

6.2.1 North Atlantic Swordfish

The Chair introduced the discussion of North Atlantic swordfish by reminding the Commission that last year the Commission adopted the *Recommendation by ICCAT on South Atlantic Swordfish Catch Limits* [Rec. 09-03] for South Atlantic swordfish but failed to adopt a multi-year program for North Atlantic swordfish. He further expressed his wish for adoption of a North Atlantic swordfish program.

Morocco reiterated interest in revisiting the allocation key and increasing Morocco's allocation because they want to preserve opportunities for displaced driftnet fishermen to participate in the swordfish fishery. The United

States noted that the Commission should commit to maintain the rebuilt North Atlantic swordfish stock at a level that supports MSY and to reduce the TAC to increase the probability of maintaining biomass above B_{MSY}. The United States said they have taken steps to protect juvenile swordfish and reduce bycatch of sea turtles, and suggested that new swordfish measures should follow scientific advice, provide room for growth in developing coastal states and recognize the sacrifices of fishermen that helped to rebuild the North Atlantic swordfish stock.

Brazil, the European Union, Japan, and Korea all expressed their support for setting the TAC at a level that would support MSY. The European Union and Canada stated that they have harvested their allocation for many years. Japan and Korea asked the Commission to take into consideration the nature of swordfish as bycatch in revision of allocation keys. Morocco pointed out that there are about 7,000 t of underages, and that if these were carried over and added to the recommended TAC of 13,500 t, then the total catch would exceed SCRS advice. Canada asked for clarification regarding the SCRS-recommended TAC. The Chair of SCRS stated that the TAC that would have a 50% probability of preserving MSY is 13,700 t, but if the Commission wished to be more precautionary and increase the probability of maintaining the stock at or above B_{MSY}, then a lower TAC would be warranted.

Following the initial discussion on the North Atlantic swordfish proposal, the Chair noted that, while there was general agreement to set the TAC in line with SCRS advice, which could result in a reduction of about 1,600 t of the total of quotas or catch limits currently set for each CPC, most intervening parties had also expressed a desire to maintain at least their current quota.

Two informal consultations were held to work out new quotas and catch limits, but parties could not reach an agreement. The Chair introduced a proposal, "Draft Recommendation by ICCAT for the Conservation of North Atlantic Swordfish," which included a TAC of 13,700 t for 2011, allocated to CPCs with the same initial quota allocations as in 2010. The proposal also included a provision to deduct quota from CPCs if the TAC is exceeded in 2011 and a requirement for CPCs to submit a fishery development plan by September 15, 2011 to assist consideration of a multi-year management measure for North Atlantic swordfish. This proposal was agreed upon by consensus and forwarded to the Plenary for adoption (see **ANNEX 5 [Rec. 10-02]**).

6.3 Sea turtles

The United States introduced a measure, "Draft Recommendation on the By-Catch of Sea Turtles," which the United States stated is similar to those adopted by other RFMOs. A number of CPCs co-sponsored this proposal, including: Belize, Brazil, Canada, China, Côte d'Ivoire, Japan, Senegal, Turkey and Uruguay. Principally, the measure requires that CPCs improve collection and reporting of data and requires fishermen to be trained in the safe handling and release of sea turtles captured as bycatch.

Korea, Trinidad and Tobago, Tunisia, and Namibia expressed support for the proposal, and Morocco and South Africa requested to be added as cosponsors co-sponsors Senegal, Canada and Japan also intervened in its favor. The European Commission had a question regarding the requirement to monitor FADs for entangled sea turtles and suggested that they would provide alternative text. South Africa suggested that it would be helpful to develop a template for reporting to help CPCs fulfill the data collection and sharing requirements; the Chair proposed to forward South Africa's request to the SCRS and the Secretariat.

After addressing concerns of other CPCs in a working group, including appending the words "in ICCAT Fisheries" to the end of the title, a revised proposal was agreed upon by consensus and forwarded to the Plenary for adoption (see **ANNEX 5 [Rec. 10-09]**).

6.4 Sailfish

Brazil introduced a proposal, "Draft Recommendation by ICCAT for Atlantic Sailfish," which would require: release of all sailfish brought to pelagic longline vessels alive; live release of 95% of sailfish caught in sport and recreational fisheries; and an SCRS stock assessment of Atlantic sailfish in 2015. The United States and Namibia offered their support to the proposal. Japan and the European Union questioned why artisanal fisheries, which capture the most sailfish, were excluded from Brazil's proposal. Brazil responded that artisanal fisheries were excluded because of the complexity and difficulty of managing such fisheries. CARICOM, an observer, intervened to add that sailfish caught in Caribbean longline, multispecies fisheries are sometimes landed for local food use. Canada inquired about research on the post-release mortality of sailfish; the SCRS Chair replied that limited studies have been conducted but recapture has been observed in tagging studies.

Consensus was not reached and Brazil withdrew the proposal until next year.

6.5 Blue marlin and white marlin

Brazil tabled a proposal, "Draft Recommendation by ICCAT to Further Strengthen the Plan to Rebuild Blue Marlin and White Marlin Populations," to replace the *Recommendation by ICCAT to further Strengthen the Plan to Rebuild Blue Marlin and White Marlin Populations* [Rec. 06-09]. Brazil stated that the primary amendment to Rec. 06-09 in their proposal is to reduce catch of blue marlin to 33% of 1996 or 1999 landing levels which would be consistent with what has already been implemented for white marlin. Brazil's proposal would also provide a different reference year, 2003, for Mexico.

Japan and the European Union commented that they did not have sufficient time to assess the proposal but were unconvinced that SCRS advice supported changing the reduction in blue marlin catch from 50% to 33%. Japan wondered if, because Rec. 06-09 itself replaces a number of prior measures, those needed to be cited in the current proposal. The European Union also offered that SCRS advice to consider measures of control in artisanal fisheries was not addressed by Brazil's proposal, and expressed concern that providing a different reference year for one CPC could set an undesirable precedent. Japan questioned why a provision about United States billfish tournaments did not differentiate between blue and white marlin. Trinidad and Tobago explained that many marlins caught in their developing, multispecies, opportunistic fishery are sold on the local market for consumption; they asked for a more realistic allocation of marlin given that the marlin rebuilding plan assumes marlin are only bycatch, non-food species.

Citing concerns about remaining time and the number of issues raised by other CPCs, Brazil proposed to rollover current marlin measures and to reconsider their proposal at the next Commission meeting. Mexico protested the rollover, indicating that they would likely be out of compliance again next year. The Chair suggested that Mexico should consult with the Compliance Committee Chair with regard to their situation. The European Union pointed out that they are also in noncompliance with respect to marlin. Despite these concerns, a proposal by the Chair to roll over current measures to next year, the "Draft Recommendation by ICCAT on the Plan to Rebuild Blue Marlin and White Marlin Populations," was agreed upon by consensus and forwarded to the Plenary for adoption (see **ANNEX 5 [Rec. 10-05]**).

7. Research

The SCRS Chair presented a number of research programs, all of which were approved by the Contracting Parties.

7.1 Billfish

The ICCAT Enhanced Research Program for billfish began in 1987. The 2011 program requires € 47,000, an increase of € 10,000 from 2010. Research priorities include shore-based sampling in the East and West and observer sampling in the West Atlantic.

7.2 Sharks

The SCRS Chair reiterated the need for more data on sharks to support future stock assessments. The SCRS recommended that countries generate research programs to minimize bycatch and discard mortality. In the future, the SCRS will continue to work with ICES, including a porbeagle data preparatory meeting in 2011, a porbeagle assessment in 2012, and a shark environmental risk assessment update in the near future, perhaps 2012. The SCRS Chair stated that particular future research interests include: fisheries that overlap with pelagic sharks; gear overlap with vertical distribution of shark species; and the species, status, size, and disposition of sharks brought aboard.

7.3 Swordfish

The SCRS Chair lamented the low attendance level at the Mediterranean swordfish assessment meeting.

7.4 General research recommendations

The SCRS Chair stated that, in general, increased implementation of observer and logbook programs is necessary. In particular, even the minimum recommended level of observer coverage, 5%, is insufficient to answer many questions about bycatch, such as catch rates of seabirds and turtles by area, month, and fleet.

Finally, the SCRS Chair suggested that research assessing the effectiveness of existing bycatch measures would be useful.

The SCRS Chair also noted declining attendance by scientists at inter-sessional meetings and urged CPCs to make efforts to send national scientists to such meetings.

8. Other matters

Statements submitted to Panel 4 by Oceana and the Humane Society International are attached herewith as **Appendices 13** and **14 to ANNEX 8**, respectively.

Morocco and the United States offered to discuss bracketed text in the 2009 Panel 4 Report. The Chair asked Morocco and the United States to solve the issue bilaterally. The brackets were removed and the Report was finalized (see **Appendix 15 to ANNEX 8**).

9. Adoption of the report and adjournment

The 2010 Meeting of Panel 4 was adjourned.

The Report of Panel 4 was adopted by correspondence.

Appendix 1 to ANNEX 8

Panel Agendas

Panel 1

1. Opening of the meeting
2. Adoption of Agenda
3. Appointment of Rapporteur
4. Review of Panel membership
5. Report of the Standing Committee on Research and Statistics (SCRS)
6. Measures for the conservation of stocks and implementation of the *ICCAT Criteria for the Allocation of Fishing Possibilities*
7. Research
8. Other matters
9. Adoption of the report and adjournment

Panel 2

1. Opening of the meeting
2. Adoption of Agenda
3. Appointment of Rapporteur
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7. Research
8. Other matters
9. Adoption of the report and adjournment

Panel 3

1. Opening of the meeting
2. Adoption of Agenda
3. Appointment of Rapporteur
4. Review of Panel membership
5. Report of the Standing Committee on Research and Statistics (SCRS)
6. Measures for the conservation of stocks and implementation of the *ICCAT Criteria for the Allocation of Fishing Possibilities*
7. Research
8. Other matters
9. Adoption of the report and adjournment

Panel 4

1. Opening of the meeting
2. Adoption of Agenda
3. Appointment of Rapporteur
4. Review of Panel membership
5. Report of the Standing Committee on Research and Statistics (SCRS)
6. Measures for the conservation of stocks and implementation of the *ICCAT Criteria for the Allocation of Fishing Possibilities*
7. Research
8. Other matters
9. Adoption of the report and adjournment

Appendix 2 to ANNEX 8

Reports on Eastern Bluefin Tuna Capacity Management Plans

China

The adjusted quota for China in 2010 was 38.48 metric tons. As in the previous year, two longline fishing vessels, namely *Jin Feng No.1* and *Jin Feng No.3* will seasonally fish bluefin tuna in the fourth quarter. Since the operators of the two are the same, no individual quotas were allocated and the vessels are required to proceed immediately to a port designated when the total quotas are deemed to be exhausted.

Croatia

In 2010, Croatia reduced its excess capacity by 39% (calculated using the adopted methodology) as compared to the reduced quota of 393.5 tons. It has withdrawn from the fishery 11 vessels less than 24 meters and 13 vessels 24 to 40 meters. For the 2011-2013 season Croatia shall continue with the reduction of fishing capacity in accordance with the Rec. 09-06.

Category	*Catch rate*	*No. 2008*	*No. 2009*	*No. 2010*	*No. 2011*	*No. 2012*	*No. 2013*	*No. 2008*	*No. 2009*	*No. 2010*	*No. 2011*	*No. 2012*	*No. 2013*
PS 40	70.66	3	5	5	3	2	2	211.98	353.3	353.3	211.98	141.32	141.32
PS 24-40	49.78	30	34	21	10	4	3	1493.4	1692.52	1045.38	497.8	199.12	149.34
PS 24	33.68	31	24	13	7	3	2	1044.08	808.32	437.84	235.76	101.04	67.36
LL 24-40	5.68					0		0	0	0	0	0	0
LL 24	5					0		0	0	0	0	0	0
HL	5	16	19	16	15	14	12	80	95	80	75	70	60
BB	19.8	4						79.2	0	0	0	0	0
Total		84	82	55	35	23	19						
Total PS		64	63	39	20	9	7	2908.66	2949.14	1916.52	1020.54	511.48	418.02
				24	19	11	2						
Quota	833	641	393.5	393.5	393.5	393.5							
Reduction 2010			0.394464										
Reduction 2011			0.750697										
Reduction 2012			0.953094										
Reduction 2013			0.990252										

European Union

In accordance with Recommendation 08-05 and paragraphs 7 and 8 of Recommendation 09-06, following herewith is the EU's Management Plan for fishing capacity.

It should be noted that the figures relating to 2011 are confirmed. However, they may be updated for agreement by ICCAT following any adjustment in the fishing possibilities for bluefin tuna agreed at the 2010 annual Meeting.

Category	*Catch rate*	*Number of vessels and traps*					*Capacity (tons)*				
		2008	*2010*	*2011*	*2012*	*2013*	*2008*	*2010*	*2011*	*2012*	*2013*
PS large (> 40 m)	70.7	35	23	19	19	19	2473	1625	1343	1343	1343
PS med. (24-40 m)	49.8	61	28	16	16	16	3037	1394	796	796	796
PS small (≤ 24 m)	33.7	81	0	1	1	1	2728	0	34	34	34
PS total		*177*	*51*	*36*	*36*	*36*	*8238*	*3019*	*2173*	*2173*	*2173*
LL med. (24-40 m)	5.7	7	15	15	15	15	40	85	85	85	85
LL small (≤ 24 m)	5.0	329	191	189	186	183	1645	955	945	930	915
LL total		*336*	*206*	*204*	*201*	*198*	*1685*	*1040*	*1030*	*1015*	*1000*
Baitboat	19.8	64	69	69	69	69	1264	1363	1363	1363	1363
Hand line	5.0	85	31	31	31	31	425	155	155	155	155
Trawl	10.0	160	78	78	78	78	1600	780	780	780	780
Other artisanal	5.0	253	376	370	370	370	1265	1880	1850	1850	1850
Total		**1075**	**811**	**788**	**785**	**782**	**14477**	**8237**	**7351**	**7336**	**7321**
Trap	130.0	15	13	13	13	13	1950	1690	1690	1690	1690
Total		**1090**	**824**	**801**	**798**	**795**	**16427**	**9927**	**9041**	**9026**	**9011**

Iceland

There is no designated bluefin tuna fishing fleet in Iceland.

Each year the Icelandic Ministry of Fisheries ask for applications to fish the Icelandic bluefin quota. The quota is then allocated to individual vessels. When the individual quota is fished the bluefin tuna fishing licence of the vessel expires.

The Icelandic fisheries management system is an output control system not an input control system. It controls catches, not fleet capacity. There are no subsidies for the fishing fleet or the fishing industry. All catches will be registered and weighed in Icelandic ports.

In 2010 two Icelandic fishing vessels are allocated quota of bluefin tuna, each 15 tonnes. The fishing season is from 1. August and both vessels will be fishing with longline in the area south of Iceland. These vessels have a general fishing licence and a quota for other species in the Icelandic EEZ. When the vessels intend to utilize their bluefin tuna quota they notify the Directorate of Fisheries in Iceland and thereby undergo the management regime of ICCAT. As soon as the individual quotas are fished the bluefin tuna fishing licence expires. These vessels can therefore not be regarded as a tuna fleet.

Japan

Reduction of fishing capacity

The number and the corresponding gross registered tonnage (GRT) of Japanese large-scale tuna longline vessels (LSTLVs) authorized to fish Atlantic bluefin tuna in the eastern Atlantic and Mediterranean during the period from January 2007 to July 2008 was 49 and 21,587 tons.

Japan, before 2010, had reduced its fishing capacity by buy-back schemes in advance. The number and the GRT of authorized LSTLVs in the 2009 fishing year was 33 and 14,427 t (a 33% reduction).

In 2010, since the TAC and allocations have been reduced by 40% according to the *Recommendation by ICCAT Amending Recommendation 08-05 to Establish a Multi-annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 09-06], the Government of Japan appropriated 4.2 million dollars for further reduction of the capacity of its authorized LSTLVs to the level commensurate with Japan's quota for the 2010 fishing year (1,148.05 tons). As a result, the number and the GRT of authorized LSTLVs in the 2010 fishing year has been reduced to 22 and 9,476 t (55% and 56% reduction from 2008, respectively).

Demonstration that the current capacity is commensurate with allocated quota

Japanese fisheries laws and regulation provide the individual quota system for Atlantic bluefin tuna. Each Japanese LSTLV has been allocated more than 50 tons (see Japan's Annual Fishing Plan, ICCAT Circular #2938/10), which is larger than the probable catch per vessel in the eastern Atlantic Ocean estimated by SCRS in 2008.

Each Atlantic bluefin tuna caught by Japanese LSTLVs authorized to fish bluefin tuna shall be tagged and daily catch information with tag numbers shall be reported to the Fisheries Agency in accordance with Japanese laws and regulations. Furthermore, the Fisheries Agency designates eight domestic ports in which the landing of bluefin tuna is authorized, and all the landings are subject to inspection by the Agency. In case of any non-compliance with the individual quota, the vessel owner is subject to penalties such as suspension of its fishing license and port confinement.

Thus, Japan's fishing capacity is commensurate with its allocated quota and has been strictly managed.

	2009	*2010*	*2011-2013*
Allocated quota (tons)	1871.44	1148.05	
Number of large-scale longline vessels (Total GRT)	33	22	*1
Amount of quota per vessel per year allocated by the Government of Japan (tons)*2	56.7	52.1	*3

*1 Capacity will be adjusted to Japanese allocated quota to be decided.
*2 Japanese fisheries laws and regulations provide the individual quota system for bluefin tuna. Each vessel has been allocated more than 50 tons per year.
*3 The amount of quota per vessel will be adjusted to be commensurate with its allocated quota.

Korea

Only one Korean purse seine vessel (*Sajomelita)* which has been placed on the ICCAT Record of Bluefin Tuna Fishing Vessels will fish bluefin tuna with its authorized quota for 2011 to be determined.

No further reduction of fishing capacity could be done.

Libya

Tuna vessel fleet		*Fleet (vessels)*						*Fishing capacity*				
Type	*Best catch rates defined by the SCRS (t)*	*2008*	*2009*	*2010*	*2011*	*2012*	*2013*	*2009*	*2010*	*2011*	*2012*	*2013*
Purse seiners over 40m	71	1	0	0	0	0	0	0	0	0	0	0
Purse seiners between 24 and 40m	49.78	31	30	29	16	16	16	1493	1444	796	796	796
Purse seiners less than 24m	33.68	1	1	1	1	1	1	34	34	34	34	34
Total purse seine fleet		**33**	**31**	**30**	**17**	**17**	**17**	**1527**	**1477**	**830**	**830**	**830**
Longliners over 40m	25	5	4	2	2	2	2	100	50	50	50	50
Longliners between 24 and 40m	5.68		0	0	0	0	0	0	0	0	0	0
Longliners less than 24m	5	0	0	0	0	0	0	0	0	0	0	0
Total longline fleet		**5**	**4**	**2**	**2**	**2**	**2**	**100**	**50**	**50**	**50**	**50**
Total fleet/fishing capacity		**38**	**35**	**32**	**19**	**19**	**19**	**1627**	**1527**	**880**	**880**	**880**
TAC								22000	13500	13500	13500	13500
Quota Libya								947	581	581	581	581
Report/quota transfer*								145	145	0	0	0
Underharvest report 2009											0	0
"Overharvest reimbursement"									0	0	0	0
Adjusted Libya quota								1092	726	581	581	581
Under/overcapacity								535	801	300	300	300

Complying with para. 40 of Rec. 08-05, Libya:								**Overcapacity reduction from 2008 to 2011 (13500 t)**		
1- Authorized only 27 vessels in 2009								Quota 2011 (Q11)	581	
2- Authorized only 16 vessels in 2010								Fishing capacity 2008 (C08)	1806	
								Fishing capacity 2011 (C11)	880	
								Reduction, % (R)	75.6%	
								R = (C08 - C10)/(C08 - Q10)		

Morocco

Fishing capacity management plan - Bluefin tuna

		Number of vessels and traps						*Total estimated catches*					
	Potential catches	*2008*	*2009*	*2010*	*2011*	*2012*	*2013*	*2008*	*2009*	*2010*	*2011*	*2012*	*2013*
PS large	70.7	1	1	1	1	1	1	70.7	70.7	70.7	70.7	70.7	70.7
PS med	49.8	3	3	3	2	1	1	149.4	149.4	149.49	99.6	49.8	49.8
PS small	33.7	1	1	1	0	0	0	33.7	33.7	33.7	0.0	0.0	0.0
PS Total		*5*	*5*	*4*	*3*	*2*	*2*	*0.0*	*0.0*	*0.0*	*0.0*	*0.0*	*0.0*
LL large	25	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	0.0
LL med	5.7	0	1	1	1	1	1	0.0	5.7	5.7	5.7	5.7	5.7
LL small	5	0	63	3	3	3	3	0.0	315.0	15.0	15.0	15.0	15.0
LL Total		*0*	*64*	*4*	*4*	*4*	*4*	*0.0*	*0.0*	*0.0*	*0.0*	*0.0*	*0.0*
Baitboat	19.8	0	0	0	0	0	0	0	0	0	0	0	0
Handline	5	0	0	0	0	0	0	0	0	0	0	0	0
Trawler	10	3	1	1	1	1	1	30.0	10.0	10.0	10.0	10.0	10.0
Other artisanal	5				pm	pm	pm	0.0	0.0	0.0			
Total		**3**	**1**	**1**	**1**	**1**	**1**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**
Trap	**112.3**	**15**	**17**	**16**	**10**	**10**	**9**	**1684.5**	**1909.1**	**1796.8**	**1123.0**	**1123.0**	**1010.7**
						Quota		2729.0	2400.0	2076.0			
						Potential catches		1968.3	2493.6	2081.3	1324.0	1274.2	1161.9
						Balance		760.7	-93.6	-5.3	-1324.0	-1274.2	-1161.9

Important: The reduction in fishing capacity of the traps will be carried out by an annual rotation method.
The proposals of reduction of fishing capacity starting in 2011 are indicative data and will depend on the volume of quota allocated to the Kingdom of Morocco.
pm: *pour mémoire*.

Tunisia

Fishing capacity

In the framework of the provisions of paragraph 7 of ICCAT Recommendation 09-06 concerning the management of capacity of the tuna fishing fleet, Tunisia plans, in case of fishing over-capacity within its fishery, to concentrate efforts on a reorganization of its fleet.

Efforts regarding public awareness are now on-going to adapt the bluefin tuna fishing operators to the new provisions of ICCAT and if necessary to reduce the discrepancy between fishing capacity and fishing capacity commensurate with the allocated quota by 50% during the 2011 fishing season.

It is noted that Tunisia has already limited the level of bluefin tuna fishing capacity, during the 2004-2008 period, through a reduction of more than 20% of its fleet and has introduced mechanisms to manage its capacity by halting investments in fishing vessels, except for replacement purposes, prohibiting the chartering of foreign vessels, and requiring prior authorization for the construction of fishing vessels.

Within the framework of the program on the management of fishing capacity, the competent Tunisian authority will continue to adopt, during the period (2011-2013) the same management mechanisms followed since 2008 without having to reduce the number and the gross registered tonnage of the fishing vessels, since Tunisia has needs to maintain its current fishing capacity and completely utilize its quota for economic reason (developing country.

It is noted that Tunisia controls fishing effort and, in particular, the tuna fisheries by:

- The construction of fishing vessels requires prior authorization so that the fleet does not exceed that agreed by the competent authorities. The objective of this procedure is the control of fishing effort to which the tuna fisheries are subjected and the control of the development of fishing effort so that fishing capacity is not exceeded.

- The prohibition of vessel chartering: It should be noted that in this respect that Tunisian legislation prohibits fishing by vessels other than Tunisian vessels.

- The halt of all new investments destined for the acquisition of new old vessels to permit improvement of the work conditions and to assure the safety of the crew on board.

- The implementation of provisions to organize bluefin tuna fishing (fishing period, minimum catch size, catch reports, etc.) and in accordance with the ICCAT Recommendations.

In this sense, the program for 2010-2013 is based mainly on the following actions:

- Freezing the number of fishing vessels targeting bluefin tuna to 42 vessels for the 2010-2013 fishing seasons.

It should be noted that Tunisia has already proceeded to an important reduction of its tuna fleet during the last four years. In effect, the number of tuna fishing vessels has gone from 52 vessels in 2004 to 42 in 2008, i.e. a reduction of 10 vessels.

Tunisia considers that it does not have over-capacity and that it is not necessary to reduce its capacity further during 2010-2013.

The number of vessels thus continues at the same level as the number of tuna vessels in 2908, i.e. 42 vessels, of which 41 use purse seine and only one fishes using longline.

- Freeze on the number of “other fishing vessels” during the aforementioned period at 22 vessels.
- Not granting authorizations to exploit the traps within the framework of the 2010-2013 program

In accordance with ICCAT Recommendation 08-05, the competent authority will adopt, for the 2010-2013 period within the framework of its program of management of farming capacity, a freeze on farming capacity at the current level registered in ICCAT, which amounts to 2400 tons.

It should be noted that the investments for farming projects currently in operation were carried out in 2003 taking into account the bluefin tuna catch quota allocated to Tunisia.

To assure the economic viability of these projects and to be in harmony with ICCAT Recommendation 08-05, Tunisia envisages for the 2010-2013 period not granting authorizations to farming installations to expand their farming capacity and to maintain the total farming capacity of these installations at the current level.

Reduction of fishing capacity 2011-2013

Category	*Catch level*	*2010*		*2011*		*2012*		*2013*	
		Number	*Capacity*	*Number*	*Capacity*	*Number*	*Capacity*	*Number*	*Capacity*
PS 40	70.66	1	70.66	0	0	0	0	0	0
PS-24-40	49.78	25	1244.5	23	1144.94	23	1144.94	21	1045.38
PS 24	33.68	15	505.2	8	269.44	3	101.04	0	0
LL	5	1	5	0	0	0	0	0	0
Total		**42**	**1825.36**	**31**	**1414.38**	**26**	**1245.98**	**21**	**1045.38**

Farming capacity

With regard to the implementation of ICCAT Recommendation 08-05 concerning the management of bluefin tuna farming capacity, Tunisia plans not to grant authorizations 2011 to increase the capacity of the farms that are currently in operation or to allow the installation of new farms.

Tunisia also foresees maintaining the level of farming registered in ICCAT which amounts to 2400 tons and this taking into account the importance of the investments made to allow the projects currently in operation and the need to assure the economic viability of these projects.

Turkey

Adjustment of fishing capacity

The following measures have been adopted in order to commensurate Turkey's bluefin tuna (BFT) fishing capacity with its allocated quota:

- Total number of Bluefin Tuna Fishing Permits to be issued and thus the total number of BFT fishing vessels will be adjusted to a level which is below 2008 and/or earlier.
- No new Bluefin Tuna Fishing Permit shall be issued for the vessels not having such permit in the past (new entrance to the fleet shall not be allowed).
- Any alterations of a previously authorized activity (whether authorized to fish for, or transport/transfer bluefin tuna) will not be allowed for a given vessel in the fleet.
- 419.06 t catch quota which was allocated to Turkey in 2010, has been divided among 17 fishing vessels as an individual quota.

Freezing of fishing capacity

In accordance with paragraph 42 of the *Recommendation by ICCAT to Establish a Multiannual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 08-05], Turkey has limited the number and corresponding gross registered tonnage of its fishing vessels to the number and tonnage of its vessels that fished for bluefin tuna during the period 1 January 2007 to 1 July 2008.

Reduction of fishing capacity

Background information

- During the inter-sessional meeting of ICCAT's Compliance Committee which was held March 24 to 27, 2009 in Barcelona; Turkey had committed to freeze its current bluefin tuna fishing capacity in 2009 and to continue with reductions to 50% of current levels in 2010 and to 30% of current levels in 2011.
- Turkey has also declared with its letter dated 04.05.2009 that the bluefin tuna fishing capacity reduction would started to be applied as from 2009 fishing season with a 36% reduction from the 2008 fleet.
- During ICCAT Regular Meeting held in Recife, Brazil, October to 15, 2009; Turkey, making a sacrifice, reduced its fishing capacity more than 200% compared to the previous year.
- During the inter-sessional meeting of ICCAT's Compliance Committee which was held February 24 to 26, 2010 in Madrid; Turkey's fishing capacity plan shown in **Table 1** in accordance with the methodology approved at the 2009 annual meeting has been adopted.

Table 1. Estimated bluefin tuna capacity, 2010.

Vessel Type	*Catch rates SCRS*	*No. vessels 2008*	*Capacity 2008*	*No. vessels 2010*	*Capacity 2010*
PS >40m	70.66				847.92
PS 24-40m	49.78				547.58
PS <24 m	33.68				
Trawler	10	26	260		
Total fleet/fishing capacity		119	5697.32	23	1395.5
Quota			887.19		419.06
Carryover/quota transfer					
Over-harvest reimbursement					
Adjusted Turkish Quota			879.17		419.06
Over-capacity			4818.15		976.44
% of over capacity reduction				81.5	

Planned capacity reduction

Turkey has reduced its fishing capacity referred to in paragraph 42 of ICCAT Recommendation [08-05] and in paragraph 7 of the *Recommendation by ICCAT Amending Recommendation 08-05 to Establish a Multi-annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Red. 09-06] as follows:

- Total number of authorized bluefin tuna catching vessels has been decreased to 17 in 2010, with a 75% decrease when compared to 2009.
- Total number of authorized bluefin tuna other vessels (tug boats) has been decreased to 44 in 2010, with a 42% decrease as compared to 2009.

Taking into account paragraphs 7 of ICCAT Recommendation [09-06], further capacity reductions planned for the period 2011-2013 are given in **Table 2** below:

Table 2. Eastern bluefin tuna fishing capacity management plan.

	Number of vessels		
Vessel type	*2011*	*2012*	*2013*
PS >40m	11	9	9
PS 24-40m	10	8	8
PS <24 m	0	0	0
TOTAL	**21**	**17**	**17**

Chinese Taipei

Background

According to paragraph 8 of the ICCAT Recommendation 09-06 *Amending Recommendation 08-05 to Establish a Multiannual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean*, Chinese Taipei herewith submits its Fishing Capacity Management Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean over 2011-2013.

In an effort to conserve fisheries stocks, Chinese Taipei voluntarily took the policy of not operating in the eastern Atlantic and Mediterranean bluefin tuna fishing area in 2007 and 2008. In order to have time for bluefin tuna in the eastern Atlantic and to recover, the authority of Chinese Taipei had taken further measures which prohibited fishing vessels from fishing bluefin tuna in the eastern Atlantic and Mediterranean in the 2009 and 2010 fishing season, and decided that Chinese Taipei's eastern Atlantic and Mediterranean bluefin tuna quota (66.3 tons) for 2009 be carried over to the year 2011.

Fishing capacity management plan for bluefin tuna: 2011-2013

On February 23, 2009, the Fisheries Agency of Chinese Taipei notified the ICCAT Secretariat that Chinese Taipei had imposed a prohibition on catching bluefin tuna in the eastern Atlantic and Mediterranean in the 2009 fishing season. According to paragraph 15 of Recommendation 08-05, as a result of such voluntary unuse of 66.3 tons of eastern Atlantic and Mediterranean bluefin tuna quota in 2009, Chinese Taipei decided to carry over this unused portion to 2011.

For the fishing capacity management plan for eastern Atlantic and Mediterranean bluefin tuna over 2011-2013, Chinese Taipei will take into account the result of the eastern Atlantic and Mediterranean bluefin tuna stock status to determine whether its fishing vessels will resume the eastern Atlantic and Mediterranean bluefin tuna fishery. If Chinese Taipei fishing vessels resume the eastern Atlantic and Mediterranean bluefin tuna fishery, Chinese Taipei will certainly submit an annual work plan no later than the start of each fishing season.

Conclusion

Despite the right to fish eastern Atlantic and Mediterranean bluefin tuna, resumption of the fishing activity of the fishing vessels of Chinese Taipei will depend on the recovery of eastern Atlantic and Mediterranean bluefin tuna as shown in the stock assessment.

Appendix 3 to ANNEX 8

Secretariat's Proposal to Unify Reporting Requirements on Caging and Farming

Current ICCAT conservation and management measures Recs. 06-07; 08-05 and 09-11 require several submissions to the Secretariat in relation to caging and farming operations. For practical purposes of data entry, and in order to have meaningful outputs, it would be more useful to process some of these submissions together in one data base, particularly those currently reported on forms CP-08 (farming reports); CP-09 (caging declarations) and CP-32 (carry-over of farmed fish). This would have advantages not only for the Secretariat in terms of reduced data entry and avoidance of maintaining several unconnected tables, but would also simplify reporting requirements for CPC and reduce the possibility of duplicated data.

The proposal is to use the current form CP-09 with some modifications to allow the reporting of additional information required in forms CP-08 and CP-32. These modifications would allow more complete tracking of all fish caged, and the combined form would include a field for **"Event"** to cover the following activities:

- Caging (Corresponds to the first time that a catch is put into a farm)
- Transfer (Transfers from one farm to another, or from one cage to another)
- Mortality (Natural mortality of fish which died during farming but not harvested or marketed)
- Harvest (Slaughter of fish from farm/cage for marketing - including both domestic market or export)
- Release (Releasing of live fish)
- Carryover (Annual Declaration of the fish remaining in the farm/cage before the fishing season or before new fish are entered into the same cage/farm).

In this way the same structure would be used to report all the above events, which should cover all possible destinies of the fish, while avoiding double counting / double reporting which may be generated from the current submissions. In addition, each event could be linked to the original catch, the JFO and BCD, which would allow a more reliable tracking of fish.

The proposed format is attached for consideration.

Secretariat's Proposal to Unify Reporting Requirements on Caging and Farming

ICCAT DECLARATION ON CAGING

REPORTING FLAG:	PERSON IN CHARGE:
YEAR:	TEL:
REPORTING AGENCY:	FAX:
ADDRESS:	EMAIL:

Catch Vessel				Tug vessel															
Vessel name	*ICCAT BFT Vessel Record number*	*Flag*	*JFO number (If applic. to catch)*	*Vessel name*	*ICCAT BFT Vessel Record number*	*Flag*	*Place of catch (Lat/Lon)*	*Date of catch*	*Bluefin tuna Catch Document Number*	*BCD Copy number (version)*	*Bluefin tuna Catch Document Date*	*Event***	*Date of event*	*ICCAT FFB Record Number*	*Registration number / Identifiable cage number*	*Quantity (t)*	*Number of fish*	*Size composition* (# fish sampled)*	*Estimate Growth*

* Detailed data must be sumbitted with Task II statistical data

** (event)		Code to enter
Destination	1st caging	caging
	Transfers (into farm)	transin
Origin	Mortality (natural)	mortal
	Harvest (to market)	harvest
	Transfers (out of farm)	transout
	Release (alive)	release
	Carry Over (remaining in cage)	corryover

Appendix 4 to ANNEX 8

Statement by the United States to Panel 1

The United States looks forward to a thorough and comprehensive review of the management plan for bigeye tuna in Panel 1. As the Commission is aware, the management measures adopted in 2004 have been amended and rolled over several times. Given the current piecemeal approach, the increasing capacity of the Atlantic bigeye fleet, the increasing total catches, and the new scientific advice, it is necessary for the Commission to consider new measures for this species.

The United States remains concerned with the status of Panel 1 stocks. The 2010 assessment of Atlantic bigeye tuna estimated biomass to be slightly above the level that supports the maximum sustainable yield (MSY) with considerable uncertainty in the stock assessment, and the 2008 assessment of Atlantic yellowfin tuna estimated biomass levels to be below levels capable of supporting MSY. Despite repeated efforts of the United States and other CPCs to highlight potential solutions that may offer additional protections for these stocks, many issues of concern remain unaddressed.

In 2009, the Commission adopted a TAC of 85,000 metric tons (t) of bigeye tuna for the 2010 fishing year, in line with the SCRS advice from the 2007 assessment. However, the 2009 catches totalled 86,011 t, exceeding 85,000 t for the first time since 2005. The quotas of the few nations with allocations total 82,000 t, and those CPCs not on the quota table caught over 12,000 t in 2009. Under current measures, if major harvesting countries were to take their entire catch limit, and other countries maintained recent catch levels, then the total catch could exceed 100,000 t. The United States is also concerned with the increasing capacity in the bigeye tuna fishery, particularly from vessels that have moved from the Indian Ocean into the Atlantic, and there is interest in moving additional vessels into this fishery.

The United States is concerned that bigeye tuna projections are overly optimistic given the significant shift of fishing capacity into the Gulf of Guinea and the possible change in size composition of the catch. We urge CPCs to consider a precautionary approach by setting a lower TAC and considering a westward extension of the time/area closure as suggested by the SCRS. The United States agrees with the advice provided by the SCRS again this year that a larger time/area closure in the Gulf of Guinea would be more precautionary than the current "piccolo" closure. Recommendation 08-01 calls for such a measure to be implemented in 2010. We urge the Commission to adopt this so that it can be implemented by 2011 or that other effective approaches be adopted to address the excessive catch of very small fish.

It is imperative that ICCAT adopt a new, comprehensive management measure that sets a precautionary TAC, rationalizes the catch limits, allows small harvesters flexibility while ensuring there are no loopholes in the catch limits, and addresses the excessive proportion of catches of very small juvenile bigeye tuna and yellowfin tuna. The United States hopes these issues can be resolved in a timely manner to ensure the long-term sustainability of these stocks with minimal disruption to the fishery.

Appendix 5 to ANNEX 8

Statement by Egypt to Panel 2

It is not logical that the tuna fish stock has been subjected to and suffers from over-fishing through historical fishing, and we still take it as one of the main criterion in the quota allocation.

We are not talking about a particular country, but we see that this criterion is disproportionate with the recent status, at least in the coming years until the stock recovered.

Therefore, Egypt proposes to discuss the criteria for the allocation of quotas once again in accordance with the current situation of the tuna stocks and according to Recommendations 08-05 and 09-06.

We also like to emphasize that Egypt absolutely agrees and has the commitment to the stocks recovery plan, even to further decrease the total allowable catch.

But at the same time, we believe that the distribution of quotas should ensure that the developing countries are able to meet their commitments to ICCAT regulations, especially, the quota has to cover the cost of fishing or the cost of their obligations.

Therefore, we would like to add another criterion to the standards used for allocation based on the quota allocated to the Contracting Parties that should cover at least the minimum economical level.

This criterion should be the one of the first bases for distributing the quota for Contracting Parties as it is not fair that the quota is distributed according to unfair standards especially for the developing countries.

Appendix 6 to ANNEX 8

Statement by the Observer from the Asociación de Pesca, Comercio y Consumo Responsable del Atún Rojo (APCCR) to Panel 2

The Association for the Responsible Fishing, Trade and Consumption of bluefin tuna, as well as other observers, is heavily worried about illegal fishing, and especially for bluefin tuna. Concerning this matter, the Association is requesting the Delegates of this Commission to bear in mind the following measures that undoubtedly would help eradicate such illegal activity.

- Implementation of an ICCAT registry figuring all fishing vessels authorized for the capture of bluefin tuna, extending this measure to the western stock activities.

- Implementation of a list of ports authorized for bluefin tuna landings, extending this measure to the western stock activities.

- Inspection held by CPCs at their respective ports of landing of all bluefin tuna offloaded, extending this measure to the western stock activities.

- Implementation of an Observer Program covering 20% of fishing vessels larger than 15 meters, during the whole fishing season, extending this measure to the western stock activities.

- Implementation of an ICCAT registry figuring all sport/recreation fishing vessels, capturing and/or landing bluefin tuna, for all Contracting Parties.

- Implementation of a registry approved by ICCAT for land based freezing and cold storage facilities, with a quantity above 100 metric tons of frozen bluefin tuna, for all Contracting Parties.

- At the same time, we ask that for the analysis on the compliance of the Agreement's objectives, the same probabilities are contemplated, for the eastern bluefin tuna as for the western bluefin tuna, observing coherence, and equity, that we consider are the basic principles of this organization, in particular considering the mixing of the two stocks and the fact that currently approx. 50% of the bluefin tuna caught along the West Atlantic coast are eastern stock fish (ref. Fontaneau, SCRS meeting 2010).

Appendix 7 to ANNEX 8

Statement by the Observer from Robin des Bois to Panel 2

During the Panel session number 2 responsible for the conservation of bluefin tuna, the fate of the ships announced as “removed” is often mentioned. The EU, for example, announced that 126 purse seine vessels and 130 longline vessels have been “removed” from the bluefin tuna fleet between 2008 and 2010, without giving precise information on the ships’ demolition, conversion or any other mode of decommissioning. Contracting parties from the Eastern Mediterranean also announced the “removal” of fishing boats and tugs assigned to transporting cages without providing detailed information on their demolition or their redeployment for another purpose.

It appears that these loopholes are not strictly speaking dealt with as deficiencies or nonconformities within the plan to restore bluefin tuna populations which was implemented by ICCAT. However, exact information of the

ships fate would be useful, and would foster mutual confidence, valorising each countries plan to reduce their capacity and as well as that of the EU.

This is why Robin des Bois suggests that the EU, which has a subsidized plan on the dismantlement of ships officially publishes an up to date list of ship-breaking yards where purse seine ships and longline ships have been destroyed, thus paving the way for transparency for other contracting parties.

Since 2006 Robin des Bois publishes an inventory of all ships with an IMO number leaving to be broken up – see bulletin "ship-breaking.com", which is available at www.robindesbois.org –. This inventory does not pretend to be exhaustive, but it is nevertheless significant that between January 1st, 2006 and October 15th, 2010, out of 2,798 ships (all categories included) heading to be dismantled; only 52 were fishing boats. It should be pointed out that out of these 52 fishing boats, 7 boats were caught fishing illegally and banned from fishing or docking at a port of a Member State of the North-East Atlantic Fisheries Commission (NEAFC) (see Bulletin "Ship-breaking.com #10 at http://www.robindesbois.org/english/shipbreaking10.pdf). In order to demonstrate an another example, one of the ships sent to demolition was the Guinean *Inaara*, built in Japan in 1972 and recorded by the Indian Ocean Tuna Committee as a vessel fishing for tunas then transferred to the South Atlantic Ocean (see "Ship-breaking.com #21, page 8 at http://www.robindesbois.org/english/shipbreaking21.pdf).

Robin des Bois therefore encourages ICCAT and its contracting parties to undertake efforts to improve the traceability of withdrawn fishing boats and considers this step a reinforcement of the battle against illegal fishing in the area of ICCAT and the other Regional Organizations of Fishing Management.

Appendix 8 to ANNEX 8

Statement by the Observer from the Federation of European Aquaculture Producers (FEAP)

Backround

The FEAP has the following observations concerning the work of the Standing Committee on Research and Statistics (SCRS) of the International Committee for the Conservation of Atlantic Tunas (ICCAT) and the recently concluded stock assessment of bluefin tuna.

The most recent stock assessment indicates that the wild stock of bluefin tuna is more than double that which was previously communicated; The scientific advice is that the wild stock of bluefin tuna in the Mediterranean sea is steadily increasing and it appears that the achievement of the complete rebuilding of stock by 2022, following ICCAT Recommendation 09-06, is feasible provided that the Total Allowable Catch (TAC) and control mechanisms are maintained at the current levels; The present management and control mechanisms, which are implemented by ICCAT and its contracting parties, are having the desired effects and that the current level of exploitation of the eastern stock is at a sustainable level.

The FEAP also notes that the recent progress made in the propagation and larval culture of bluefin tuna, such as that made in the European REPRODOTT action and other recent research projects, indicate that the goal of providing juvenile bluefin tuna from hatcheries for use in commercial aquaculture is closer to reality.

The FEAP believes that measures taken for the regulation of the bluefin tuna sector should not impose restrictions beyond those that scientific advice understands to be necessary for the protection and sustainable exploitation of the stock.

Resolution

The FEAP requests the European Commission to propose to the next meeting of the Council of Ministers, which will be held on 26 October 2010, that the European Union should defend the following positions.

The European Union is in favour of:

- Supporting the sustainable development of the tuna farming sector of European aquaculture
- Maintaining the current TAC for the period 2011-2013
- Protecting the purse-seining and tuna farming activities in Europe

- Taking steps to encourage and promote the development of hatchery juvenile production and ongrowing of bluefin tuna for aquaculture purposes

This Resolution was agreed unanimously at the FEAP Meeting on 23 October 2010.

Appendix 9 to ANNEX 8

Joint Statement by the Observers from FEAP, FMAP, APCCR, AEPTT, MEDISMAK and Europeche to Panel 2

The aforementioned NGOs have the following observations concerning the conclusions and recommendations of the Standing Committee on Research and Statistics (SCRS) of the International Commission for the Conservation of Atlantic Tunas (ICCAT) on eastern bluefin tuna included in the 2010 SCRS Annual Report:

The most recent stock assessment conducted by SCRS in 2010 indicates that the spawning biomass of the wild stock of eastern bluefin tuna is more than double that what was previously communicated (estimated at 170,000 tons as opposed to 78,000 tons).

This can be interpreted as meaning that:

- There is no threat (imminent or immediate) of a stock collapse, and
- The data on which the recent Cites listing proposal for eastern bluefin tuna was based on erroneous information, since the stock's SSB at the levels now revealed would fail to meet the listing criteria by a very wide margin (current SSB stands at ~57% of SSB_{max} i.e. the maximum historical levels, instead of <20% which was based on data up to 2006, completely ignoring all management measures adopted in Rec 06-05, 08-05 and others.

The latest scientific advice is that the wild stock of eastern bluefin tuna is steadily increasing and it appears that the objective of the complete rebuilding of the stock by 2022, in accordance with the ICCAT recommendation 09-06, would be achievable even if the TAC is maintained at 2010 levels, subject to the present controls remaining in place;

The catches of eastern bluefin tuna in 2009 had dropped to less than 20,000 tons (a level not seen since the 1980s) while, on the basis of the preliminary catch data until September, the 2010 catches are projected to fall further, to around 12,000 tons (close to the historical low levels for the stock which were recorded in the 1970s).

This information proves that the management and control mechanisms, which are now in place and which have been developed by ICCAT and its Contracting Parties since 2006, are having the desired effects. We feel we can safely say that the current level of exploitation of the eastern bluefin tuna stock is at a sustainable level.

On the basis of the above background information:

The NGOs signing this document hereby recommend to ICCAT and its Contracting Parties, at the Commission's 17th Special Meeting taking place in Paris in November 2010 that ICCAT take the decisions hereunder reproduced with respect to the eastern stock of bluefin tuna:

1. that the TAC for the period 2011-2013 not be set at a value lower than that established for 2010;
2. that no further restrictions on the eastern bluefin tuna fishery and farming activities be taken above and beyond those which scientific advice understands to be necessary for the protection and sustainable exploitation of the stock;
3. that ICCAT should continue and increase its efforts to improve the data and knowledge about the wild stock;
4. that all necessary support be provided to the Commission's research programmes on bluefin tuna (GBYP);
5. that all research and other initiatives aiming to close the life cycle of Atlantic bluefin tuna and make possible the artificial propagation and controlled production of the species be fully supported and encouraged.

We believe that under these guidelines a long-term sustainable exploitation of the eastern bluefin tuna stock can be achieved with the stock rebuilding secured and with the present jobs in the bluefin tuna fishery/farming sector preserved.

Appendix 10 to ANNEX 8

Statement by the Observer from the Federation of Maltese Aquaculture Producers (FMAP)

At this year's Bluefin Tuna Stock Assessment, the scientists of the SCRS of ICCAT have clearly indicated that the spawning stock biomass of bluefin tuna is currently about 57% of the highest estimated spawning stock biomass, a significantly higher figure than that indicated by the previous stock assessment carried out in 2008 and the figure mentioned in the lead-up to the CITES meeting held in Doha earlier on this year. This is a clear indication that the many management controls put into place have had the desired effect and the stock is well on its way to recovery. This year's stock assessment showed this positive result without even considering the seriously reduced TAC, plus other measures, applied in 2010.

Not only are there several fishery indicators showing a positive tendency in the stock but also non-fishery indicators, in the form of aerial surveys, which have shown an increase in the stock of bluefin tuna. Additionally, this year there have been many reports of bluefin tuna appearing in locations where fish have not previously been seen before or in significantly increased numbers, such as in Malta, Spain, Croatia and Greece, incidents which have been quite widespread and documented.

The result of this improvement in the stock is also clearly apparent in the tone and feel of the SCRS report and recommendations. Whilst previous reports from the SCRS have rang the alarm bells and pushed heavily for, amongst other things, a reduction in fishing capacity and a reduction in TAC to levels of 15,000 metric tons (t) or less, this year's report clearly states that the SCRS believes that the ICCAT objectives can be achieved sustainably under the current management regime and even with a TAC level of 13,500 t.

This year's SCRS report does not recommend the closure of the spawning areas of the bluefin tuna in the Mediterranean. In previous years, the SCRS had given great importance to management strategies involving a time-area closure including partial or full closure during the spawning season; this was not the case in this year's stock assessment. It should also be kept in mind that, in reality, partial closure of the spawning season has already taken place, with a very greatly reduced fishing season, which in the case of purse seiners is only of one month and heavily subject to weather and environmental conditions, as experienced this year. Based on the SCRS's positive stock assessment results and their clear recommendations, it is clear that, at this point, there is no need to further discuss additional time-area closure of bluefin tuna spawning areas.

We should congratulate the ICCAT Commission and the SCRS on their work and continue to support the SCRS in their research and analysis.

Appendix 11 to ANNEX 8

Statement by the Observer from the International Game Fish Association (IGA)

The Atlantic bluefin tuna is not only one of the world's greatest game fish; it is also one of the most remarkable in nature. This great fish weighs up to 700kg (1,500 pounds), migrates across the Atlantic, a distance of more than 7,700km (4,800 miles) and can dive to depths greater than 1,000 metres (3,000 feet). Like humans, bluefin are warm-blooded. As these tuna traverse the Atlantic, their ability to regulate their body temperature enables them to survive a wide range of conditions and depths.

Equally impressive is the bluefin's reproductive potential. They typically spawn at least a dozen times in a given spawning season, and a large female can produce upwards of 45 million eggs each time[1], which is roughly 540 million eggs per spawning season.

[1] Rooker, *et al.* 2007. Life History and Stock Structure of Atlantic Bluefin Tuna (*Thunnus thynnus*). Reviews in *Fisheries Science*, 15:265–310.

Distressingly, though, relentless commercial fishing pressure on these once plentiful fish has pushed them to the brink of collapse. Overfishing, spurred on by the growing demand for sushi, and severely depleted their numbers to the point where the international community considered banning international trade in the species in 2010. Now swift, decisive action is required to protect the bluefin's only known spawning grounds. This action will help rebuild populations and ensure the long-term sustainability of this valuable species.

Prohibiting the take of fish in specific areas, such as spawning grounds, is an effective fisheries management tool and is regularly used to protect biodiversity, rebuild depleted populations, and protect spawning fish, all crucial goals for both the Atlantic bluefin tuna and the fishermen who depend on these fish for recreation and income. The Atlantic bluefin has only two known spawning grounds, the Mediterranean Sea and the Gulf of Mexico, and the fish's well-documented annual return to these regions makes the protection of the spawning areas an urgent priority to conserve the species for future generations of fishermen.

Each year eastern Atlantic bluefin tuna gather in the warm waters of the Mediterranean to reproduce. And each year a fleet of commercial fishing vessels races to catch the tuna at this important and vulnerable stage in its lifecycle, encircling whole schools with nets known as 'purse seines'. This technique captures entire schools of fish during their most crucial time of year, when they reproduce. Indeed, targeting this imperiled species on its only known eastern Atlantic spawning grounds during the peak of the breeding season unnecessarily threatens the future survival of this fish.

The western Atlantic population of bluefin also faces serious threats in its only known breeding ground, the Gulf of Mexico. These threats come from pollution and indiscriminate fishing methods such as surface longlining. The Deepwater Horizon oil disaster began on 20 April 2010, with more than 757 million litres (200 million U.S. gallons) of oil and 6.813 million litres (1.8 million U.S. gallons) of dispersants spilling into and polluting the bluefin spawning grounds of the Gulf of Mexico at the peak of its spawning season. The impacts of this catastrophe on bluefin are yet unknown, so as a precaution, commercial fishing mortality on these spawning fish in the Gulf must be eliminated.

Surface longliners fishing for yellowfin tuna and swordfish catch bluefin tuna as bycatch. Despite the almost three decade ban on directed fishing in the Gulf of Mexico for bluefin, commercial longline fishermen still set hundreds of hooks on lines averaging 30 miles in length, indiscriminately catching hundreds of non-target spawning bluefin tuna. While fishermen are allowed to keep and sell some of these fish, most are thrown overboard to die. Sadly, this waste is unnecessary as alternative commercial fishing methods that would reduce this bycatch already exist.

The solution – a transatlantic insurance policy

The eastern and western populations of Atlantic bluefin tuna are not discrete: a significant amount of mixing in the Atlantic Ocean occurs between them. As the two populations are interconnected, it is crucial that their most important spawning habitats receive equitable protection on both sides of the Atlantic. Protecting these areas will help safeguard the future of the species; a species that recreational anglers have witnessed decline due to rampant commercial overfishing and international mismanagement.

The creation of no-take bluefin tuna spawning-ground protection areas in the Gulf of Mexico and the Mediterranean Sea would allow Atlantic bluefin tuna populations to rebuild more quickly, and would therefore be an insurance policy against potential future collapse, helping to ensure the very survival of the species. Enacting protections for bluefin tuna that span their only two known spawning grounds will give these great game fish an opportunity to recover, thrive and ensure future recreational angling opportunities throughout the range of these magnificent fish.

Appendix 12 to ANNEX 8

Joint Statement by the Observers from
Greenpeace, Oceana and Pew Environment Group to Panel 2

Greenpeace, Oceana and Pew Environment Group are pleased to note that in 2010 the SCRS identified six Atlantic bluefin tuna spawning grounds in the Mediterranean, as requested by the Commission in the 2008 *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], paragraph 25: "For the annual meeting of the Commission in 2010, the SCRS shall identify as precisely as possible spawning grounds in the Mediterranean in view of the creation of sanctuaries."

The areas identified in the Mediterranean are, as noted in the SCRS report, "consistent with the science available to SCRS," with these six regions representing "the dominant spawning areas in the recent past and…areas with heavy concentrations of fishing effort" (see **Figure 1**).

Greenpeace, Oceana and Pew Environment Group believe the information is now available to grant protection to bluefin tuna spawners and urge ICCAT Contracting Parties to act on its original intent of asking the SCRS to identify these spawning regions, by creating sanctuaries, with no take of bluefin tuna in the six identified areas.

Regarding the western population of Atlantic bluefin tuna, as noted in Panel 2 and the 2010 SCRS report, this stock is 30% below 1981 levels and just one-third of its historical spawning stock biomass. New research on age of maturity has revealed a broader range of uncertainty about western Atlantic bluefin's stock status than previously estimated. Further, while there has been no directed bluefin fishery in the Gulf of Mexico since 1982, this population's only known spawning ground, hundreds of spawning bluefin tuna are caught as bycatch in longline fisheries targeting yellowfin tuna and swordfish every year. Opportunities exist for these fisheries to convert to more targeted, discriminate gear types, and we would welcome the opportunity to work with the United States to make such a transition a reality.

Finally, the Deepwater Horizon oil spill occurred just as mature bluefin were entering the Gulf of Mexico to reproduce (see **Figure 2**). The effects of the hundreds of barrels of oil in combination with a large volume of dispersants on the spawning fish and their eggs and larvae are currently unknown, but provide reason for legitimate concern.

Given the stated intent of Contracting Parties to apply the precautionary approach in the face of uncertainty, Greenpeace, Oceana and Pew Environment Group urge ICCAT Contracting Parties to prohibit take of western Atlantic bluefin tuna in the Gulf of Mexico.

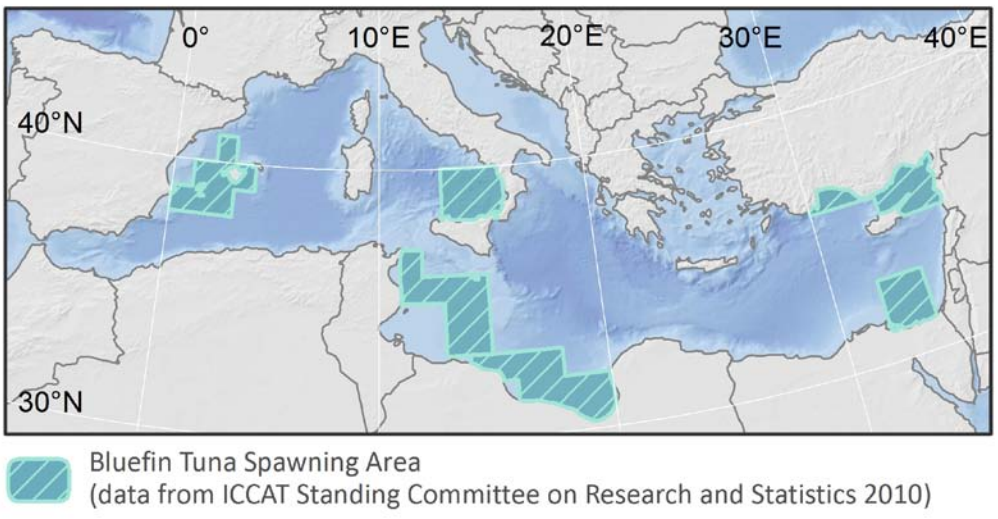

Figure 1. Distribution of known spawning areas for Atlantic bluefin tuna in the Mediterranean Sea.

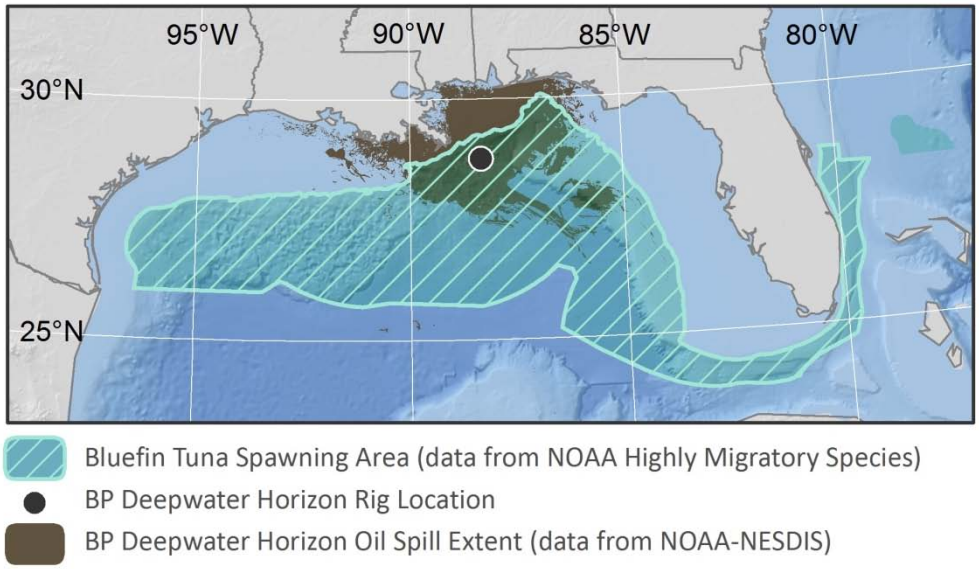

Figure 2. Distribution of known spawning areas for Atlantic bluefin tuna in the Gulf of Mexico.

Appendix 13 to ANNEX 8

Statement by the Observer from Oceana to Panel 4

At this 17th Special Meeting of the Commission, Panel 4 must ensure sufficient attention and time are specifically dedicated to sharks, Mediterranean swordfish, and sea turtles, which lack appropriate conservation measures and which have long been neglected by ICCAT Contracting Parties.

This meeting of the Commission offers a key opportunity to improve fishing practices, establish science and precautionary based management, and protect the most at-risk species. ICCAT is facing a crucial moment as its performance is being watched by the world. This meeting will not only help determine the future of several endangered species, important to maintaining healthy oceans and falling under ICCAT responsibilities, but also of the future of ICCAT itself.

Therefore, Oceana calls on the ICCAT Contracting Parties to reverse past practices and immediately move towards precautionary fisheries management, respecting both the Convention's objectives and the new course of actions committed to in various international forums. We strongly urge ICCAT Contracting Parties to focus on the following areas:

Sharks

Sharks are caught in many ICCAT fisheries, including by some longline fleets which target sharks to harvest their valuable fins. In fact, parties reported to ICCAT that 21 species of highly migratory sharks, for which UNCLOS requires protection from an international body, were caught in 2008. However, species-specific management measures only exist for one species. Most Atlantic pelagic sharks have exceptionally limited biological productivity, and in fact, many of these species are at an elevated risk of over-exploitation, as documented in 2008 ecological risk assessments carried out in conjunction with the ICCAT shark stock assessment.[2] Various commitments and recommendations have been made regarding sustainable and precautionary shark fisheries management at international fora, including the 2009 Second Joint Meeting of Tuna RFMOs[3], the 2009 Working Group on the Future of ICCAT[4] and the 2010 ICCAT Standing Committee

[2] SCRS/2008/017 – SHK Assessment.
[3] Report of the Second Joint Meeting of Tuna Regional Fisheries Management Organizations (RFMOs). San Sebastian, Spain, June 29- July 3, 2009.
[4] Report of the Working Group on the Future of ICCAT. Sapporo, Japan, August 31 to September 3, 2009.

for Research and Statistics.[5] Oceana calls on ICCAT Contracting Parties to fulfill the commitments to precautionary and responsible shark fisheries management and:

1. Prohibit retention of endangered or particularly vulnerable species, including hammerhead, oceanic whitetip and common thresher sharks.
2. Establish science-based and precautionary catch limits for other commonly caught species in ICCAT fisheries, starting with shortfin mako sharks.
3. Improve the ICCAT finning ban by requiring that sharks be landed with their fins naturally attached.

Swordfish

Mediterranean swordfish is both a traditionally and a highly consumed species. The persistent lack of management and uncontrolled fishing, similar to that for other ICCAT species in the Mediterranean Sea, has led to a sharp decline in the stock's biomass in the last 20 years, and juvenile fish now compose a high percentage of the total catch. Currently, the stock status has being assessed as overexploited[6]. Furthermore, the ICCAT Mediterranean swordfish fleet has substantial overcapacity and high rates of unreported catches and illegal fishing, mainly through the use of illegal driftnets. In 2009, ICCAT Contracting Parties took a crucial step during the Regular Meeting of the Commission when they committed to agree, by 2010, on a sustainable Mediterranean swordfish management plan.[7] Oceana calls on ICCAT Contracting Parties to follow up on the commitment adopted in 2009 by ensuring the recovery of Mediterranean swordfish and, specifically, to:

1. Establish a Total Allowable Catch (TAC) limit cutting the average declared catch by 20%.
2. Only authorise surface longline fishing vessels, thereby eliminating loopholes, and implement fleet capacity reduction plans.
3. Implement minimum landing sizes in accordance with the most recent scientific information.
4. Establish by-catch mitigation measures
5. Create a sanctioning system through TAC access withdrawals for those ICCAT Contracting Parties that keep harboring illegal driftnet fleets.

Sea turtles

According to the IUCN Red List, loggerhead sea turtles are endangered and leatherback sea turtles are critically endangered. Scientists estimate that 210,000 to 280,000 loggerhead and 30,000 to 70,000 leatherback sea turtles are caught annually on longlines in the Atlantic Ocean.[8] In addition, several species of sea turtles can become entangled in purse seines and fish aggregating devices (FADs). Changes can and should be made in fishing practices to reduce the likelihood of catching sea turtles and reduce the harm done to the turtle should one be caught. Oceana is urging ICCAT Contracting Parties to:

1. Require mandatory submission of data on sea turtle interactions in ICCAT fisheries.
2. Mandate carrying of sea turtle dehooking gear and the removal of fishing gear from hooked or entangled sea turtles to increase survival rates.
3. Adopt fishing techniques that reduce harm to sea turtles, including use of circle hooks with whole fish bait in longline fisheries and prohibitions on encircling sea turtles with purse seines.

Appendix 14 to ANNEX 8

Statement by the Observer from the Humane Society International to Panel 4

The word "finning" refers to the act of cutting off a shark's fins and throwing the rest of the shark back into the sea. In many cases, the shark is still living when this occurs. The vast majority of finned sharks bleed to death or

[5] Report of the Standing Committee on Research and Statistics (SCRS). Madrid, Spain, October 5-9, 2009.
[6] 2010 ICCAT Mediterranean Swordfish Stock Assessment Session.
[7] ICCAT Recommendation [09-04] for a Management framework for the sustainable exploitation of Mediterranean swordfish and replacing ICCAT Recommendation 08-03.
[8] Lewison, R. L., L. B. Crowder and S. Freeman. 2004. Quantifying the effects of fisheries on threatened species: the impact of pelagic longlines on loggerhead and leatherback sea turtles. Ecology Letters 7**:**221–231.Estimate based on data from 2000 for the Atlantic Ocean, including the Mediterranean Sea.

become prey for other sharks. A shark cannot be "finned" at port, as the term includes the act of throwing the body back into the sea.

Naturally, finning is not an activity that captains and crews are keen to report, so there are no official figures on shark finning. However, taking into the account the wide discrepancy between the number of sharks reported as caught and the recorded imports of shark fins into East Asia, the World Conservation Union (IUCN) has estimated that tens of millions of sharks are finned every year.

ICCAT's finning ban

ICCAT Recommendation 04-10 allows for fins to be removed at sea but both fins and carcasses must be landed. Vessels may not have shark fins that total more than 5% of the weight of sharks onboard, up to the first point of landing. However, this recommendation does not specify whether the weight ratio is based on dressed or whole sharks.

The benefits of replacing the 5% ratio with a fins-attached policy are as follows:

- Shark conservation would be greatly enhanced because fishers would not be able to catch and fin sharks beyond the capacity of their freezers
- Time-wasting arguments about the correct weight ratio of fins to carcasses would be avoided
- There would be no opportunities for fishers to circumvent the rules, particularly by discarding lower-value fins along with lower-value carcasses and "matching" higher-value carcasses to higher-value fins
- It is far less time-consuming for port inspectors to verify compliance, since no weighing is required
- Any problems that fishers have with the storage of whole sharks are solved by allowing a partial cut. Fins and carcasses will retain both their quality and their economic value
- Landing sharks whole would provide the optimum conditions for collection of accurate catch and by-catch data, and thereby enable effective conservation measures to be implemented in a timely fashion.
- The UN General Assembly endorsed a "fins attached" strategy in its Sustainable Fisheries Resolution, which was passed by consensus in December 2007: "[General Assembly] calls upon states to take immediate and concerted action to improve the implementation of and compliance with national measures that regulate shark fisheries, in particular those measures which prohibit or restrict fisheries conducted solely for the purpose of harvesting shark fins, and, where necessary, to consider taking other management efforts, as appropriate, such as requiring that all sharks be landed with each fin naturally attached."

For these reasons, HSI believes that regulations requiring the landing of sharks with their fins naturally attached and prohibiting the trans-shipment of fins at sea will provide the greatest opportunity for globally effective, equitable and rational shark conservation.

Appendix 15 to ANNEX 8

Consensus Text Regarding Paragraphs 3 to 6 of Section 6.1.3 of the 2009 Report of the Meeting of Panel 4[*]

6.1.3 Mediterranean swordfish

(paragraph 1 – no change)

(paragraph 2 – no change)

However, Morocco noted that additional time is necessary to implement Morocco's National Action Plan to Regulate the Use of Driftnets presented at the 2004 ICCAT annual meeting (see Appendix 9 to ANNEX 8 of the 2004 Meeting Report), and to that end presented the document entitled "Summary of the Current Progress of the

[*] ICCAT. 2010, Report of the Meeting of Panel 4. *In* Report for Biennial Period, 2008-09, Part II (2009) – Vol. 1 COM, p. 234 (English version).

Action Plan to Eliminate Drift Gillnets in the Moroccan Coasts" (see Appendix 11 to ANNEX 9), a plan that includes regulatory measures, vessel conversion strategies and supplemental training programs to shift effort away from driftnet fisheries. Morocco indicated it would report annually to the Commission on implementation and enforcement of the Action Plan. No Parties objected to appending this summary to the Panel 4 Report. Morocco pledged to complete implementation of the driftnet ban by December 31, 2011.

While welcoming Morocco's continued progress to eliminate driftnet fishing, the United States also stated that it did not agree with the statement made by the European Community in the Compliance Committee that ICCAT Parties had tacitly agreed to a derogation for Morocco from obligations in Rec. 03-04, but noted instead that ICCAT, through its compliance process, had not to date determined that additional actions by the Commission were necessary to address Morocco's delay in implementing its obligations under this measure.

(paragraph 6 – deleted)

ANNEX 9

REPORT OF THE MEETING OF THE CONSERVATION AND MANAGEMENT MEASURES COMPLIANCE COMMITTEE (COC)

1. Opening of the meeting

The meeting of the Conservation and Management Measures Compliance Committee (COC) was opened on Wednesday, 17 November 2010, in Paris, France, under the chairmanship of Dr. Chris Rogers (USA).

2. Appointment of the Rapporteur

Mr. Alan Gray (European Union) was appointed Rapporteur.

3. Adoption of the Agenda

The Agenda as attached as **Appendix 1 to ANNEX 9** was adopted without amendment.

The Chair informed the Committee that he would take Agenda items 5, 6 and 7 as a block when addressing the document on the Compliance Summary Tables, on a CPC by CPC basis.

Under Agenda item 9 (Other matters), the Chair proposed to discuss the Chair's proposal for a Compliance Task Force. The task force would assist the Compliance Committee in the preparation of meeting materials, in particular the compliance summary tables and the proposals for actions to address issues of non-compliance. The concept of a task force had been raised by the Future of ICCAT Working Group and was previously discussed at the 2009 Annual Meeting and the 2010 Compliance Committee inter-sessional meeting.

The Chair also proposed to have an exchange of views on the "Guidelines for an ICCAT Schedule of Compliance Actions", a discussion paper prepared by the Compliance Committee Chair. The paper outlined a potential structure for determining actions to address non-compliance.

The Chair also proposed that if time allowed, the Compliance Committee should consider the continued relevance of several existing reporting requirements, and several notification requirements contained in conservation or surveillance measures. The work of the Compliance Committee could be facilitated if duplicate requirements are consolidated or eliminated.

Japan requested to make a presentation on its concerns regarding the implementation and compliance with the Bluefin Tuna Catch Document Scheme (CDS). It was agreed that this presentation would be made following the Agenda item 4, dealing with the report of the Compliance Committee Inter-sessional Meeting.

4. Presentation and Adoption of Report of Inter-sessional Meeting of the Compliance Committee *(Madrid, Spain, February 2010)*

The Chair presented an overview of the Report of the Inter-sessional Meeting of the Compliance Committee held in February 2010 in Madrid (see **ANNEX 4.1)**, in which he outlined the main topics discussed:

- compliance with the *Recommendation by ICCAT Amending Recommendation 08-05 to Establish a Multi-Annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 09-06] in relation to the total allowable catch for eastern bluefin tuna, for which a revised allocation key was agreed consistent with a TAC of 13,500 metric tons;

- compliance with the *Recommendation by ICCAT Amending the Recommendation by ICCAT to Establish a Multi-Annual Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 08-05] regarding the reduction of fishing capacity, for which revised capacity management plans were reviewed;

- compliance with the limitation of joint fishing operations as required by the multiannual recovery plan for eastern bluefin tuna, for which limits were agreed for the 2010 purse seine fishing season;

- consideration of the requirements and compliance with the *Recommendation by ICCAT Amending Recommendation 07-10 on an ICCAT Bluefin Tuna Catch Documentation Program* [Rec. 08-12] regarding the bluefin tuna catch document system as amended by the *Recommendation by ICCAT Amending Recommendation 08-12 on an ICCAT Bluefin Tuna Catch Documentation Program* [Rec. 09-11], for which agreement was reached on the future interpretation of measures;

- clarification on several issues in response to questions from the Secretariat and decisions on two proposals for removing vessels from the IUU list.

Of particular note, was an exchange of views between harvesting states, farming States and market States on the implementation of the Bluefin Catch Document Program including the estimation of catches and the time frame for validating transfer and catch documents. These issues were significant in light of the number of bluefin tuna shipments being held at customs in Japan. In recalling the discussion from the inter-sessional meeting, the Chair raised the possibility of establishing dispute settlement procedures for ICCAT so that in the future, issues of interpretation could be appropriately addressed through defined and agreed mechanisms rather than on an *ad hoc* basis in the Compliance Committee. In regard to disputes about market measures, the Chair expressed his view that it was not practical for the Compliance Committee to make determinations about individual shipments but should instead examine the general approach of the market state in exercising its responsibility under Recommendation 08-05 paragraph 94. The consideration for the Compliance Committee should be if the interpretation of requirements by the importing state is reasonable to achieve the aim of the documentation program or if flexibility by the importer undermines the program.

No comments were received and the report was adopted by the Compliance Committee and forwarded to the Commission for its consideration.

Presentation by Japan of compliance issues with the BFT CDS

Japan made a presentation of the difficulties and problems encountered in the application of the catch document system (CDS) and provided some suggestions on how these shortcomings could be addressed. Japan also commented that these findings had been based purely on examination of the documentary evidence and called on the different Parties involved in the supply chain to undertake more rigorous verification of the procedures under their respective responsibilities.

The Chair, in welcoming this presentation, noted that many of the problems initially encountered in the implementation of the CDS had improved over time, and would continue to do so in light of experience. It was his impression that many other Contracting Parties had also encountered similar difficulties with the system and it was only through open and frank discussion that these could be resolved to the satisfaction of all. Revisions to the CDS should be more appropriately addressed in the appropriate Panel or Sub-Committee of ICCAT.

5. Review of Actions taken by CPCs in response to letters of concern/identification arising from the 2009 Annual Meeting;
6. Review of the implementation of and compliance with ICCAT requirements; and,
7. Review of ICCAT Regional Observer Programmes (ROP) and consideration of any necessary actions

These three Agenda items were addressed as a whole and the document summarising these issues was amended as appropriate in light of the responses received from the Parties in the course of discussions or as a result of any reports received by the Secretariat following the deadline for submission of 20 October 2010. The Chair also noted that there would be further discussion and consideration the compliance of CPCs in the discussion of the Compliance Tables, which were reviewed separately for adoption by the Committee.

Some Parties undertook to provide further written detailed contributions to respond to comments/questions raised during the Contracting Party by Contracting Party compliance review.

The Chair noted that Contracting Parties, in their replies to the Secretariat and in their Annual Reports, should provide more clarity in regards to the reporting requirements that are not applicable in their particular situation. This would simplify the task of the Secretariat in the production of the compliance tables and save time during

the meeting in cases where there was ambiguity about the applicability of a reporting requirement. In particular, Parties should confirm in their Annual Reports if no information was available to respond to case by case reporting requirements, such as vessel sightings, chartering arrangements, transhipping events, or evidence of IUU activities.

In the course of discussions on the compliance summary tables, possible infractions came to light in respect of a number of ICCAT measures. For example, exceeding capacity limitations required by the bigeye tuna recovery plan (Recommendation 04-01), receipt of illegal fish into farming facilities, the landing of bluefin tuna in non-designated ports, non-provision of video records to regional observers, non-transmission of VMS signals, use of unlisted vessels, lack of accounting for mortalities in bluefin tuna transfers, failure to separate catches in the cages, and improper validation of transfer declarations in Joint Fishing Operations. These potential infractions were noted in the revised compliance summary tables along with responses by the Contracting Parties, as appropriate. During the course of this review, the United States noted the ambiguity of Recommendation 01-22 provisions relating to the import of swordfish by a NCP that has not submitted its validating authority to ICCAT, and offered that taking administrative action is an appropriate response in this situation.

Regarding the capacity limits provided under Rec. 04-01, the Secretariat provided a document, (see **Appendix 4 to ANNEX 9**) which listed the baseline capacity for Contracting Parties with designated bigeye tuna catch limits as reported in 2005, together with an update provided by Ghana at the meeting. In response to many of the other potential infractions discussed, Contracting Parties provided written explanations of the particular circumstances and these documents were circulated to the Committee.

Presentation of the Bluefin Tuna Regional Observers Programme (ROP) Consortium

Mr. John Hooper from MRAG, representing the Bluefin Tuna Regional Observers Program (BFT-ROP) consortium, provided a brief report of the operation of the ROP, with particular emphasis on potential compliance issues recorded by observers.

Following this presentation, concerns were expressed by Contracting Parties about the potential infractions noted in the BFT ROP observer reports. In some instances there was no way to confirm or refute the potential infractions reported; for example, sightings of unidentifiable aircraft in the vicinity of fishing operations.

Several Parties raised particular concerns regarding availability of video recordings of the bluefin transfer operations to the observers. Several Contracting Parties remarked that in some cases there was no request from the observers for this to be provided. It was also noted that on several occasions the observers did not have the necessary equipment or training to use the video record to make an independent estimate of the transferred fish. Where estimates were made, it was noted that there was usually a large discrepancy in the estimates provided by the vessel master and the observer. A number of Contracting Parties questioned whether the observers had received adequate training to undertake their tasks of noting compliance issues and/or estimating the amounts of live fish transferred.

Following the exchange of views on the BFT ROP, Libya declared that it would no longer participate in the BFT-ROP and that it would not permit the placement of the international observers on its vessels next year, at the same time questioning the cost-effectiveness of the programme and the way in which the ROP was applied for compliance monitoring.

The Chair noted that issues related to the operation of the ROP, and its future, should be discussed in Panel 2. The Chair also noted that the BFT-ROP report from the Executive Secretary raised concerns over the late provision of funding and vessel lists from the concerned Contracting Parties. Late responses by Contracting Parties complicated the implementation of the programme and limited planning and training prior to deployment as well as affected the provision of equipment. In order to improve the implementation of the programme, Contracting Parties were encouraged to enhance co-operation and respond on a timely basis so that proper planning can be undertaken in the future.

Examination of Compliance Tables

The Compliance Tables were updated with the corrections submitted by Contracting Parties at the meeting. The revised tables were reviewed by the Committee to determine compliance with quotas, catch limits and size limits. Of general concern was that several Contracting Parties did not submit any compliance tables. It was emphasized that compliance tables are an essential tool for the Committee to evaluate how well a Contracting

Parties has implemented the conservation and management measures for its fisheries and that these should be sent to the Secretariat in accordance with the reporting requirements. It was agreed that failure to submit a compliance tables must be considered a serious infraction of reporting obligations.

The Chair noted several instances where the current catches reported in the compliance tables did not match figures reported to SCRS. The Contracting Parties concerned were requested to verify the correct figures and this confirmation was provided. Given this information, the Chair then asked several Contracting Parties to comment on situations of overharvest indicated in the tables. Overharvests were noted for some Contracting Parties in albacore (north and south), swordfish (north and south), marlin (white and blue) and bigeye tuna. In some instances, the Chair noted that adjusted quotas did not conform to the rules on carry forward of underharvest (west bluefin and bigeye) and these figures were corrected for the concerned Contracting Parties. There were no infractions noted for compliance with minimum sizes.

One particular situation that required further discussion involved potential overharvest of southern albacore in a developmental longline fishery conducted by Uruguay. The fishery targeted bigeye tuna but had significant by-catch of albacore. Uruguay reported that the fishery was suspended after high catch rates of albacore were noted and attributed these unexpectedly high catch rates to an increase in local abundance. It was proposed that Uruguay be required to stop fishing for albacore and take measures to avoid by-catch in order to compensate for the overharvest. Upon further examination, it was determined that Japan had cooperated in the developmental fishery. Some of the catch (albacore and bigeye) was attributable to Japanese vessels and had already been included in the catch figures reported by Japan. Given this adjustment, the revised albacore catches of Uruguay were determined to be within the 100 t limit. Uruguay provided details to the Secretariat.

The Compliance Tables were adopted and are attached as **Appendix 2 to ANNEX 9.**

European Union responses on questions regarding the "Milla A"

Further discussions were held on the response of the European Union regarding the case of the Honduran vessel *Milla A*, where the issues of concern were the initial lack of authorisation of the vessel and its lack of use of VMS. Following the European Union inspection reports both issues were rapidly resolved by the flag state of Honduras.

The Chair underlined that Rec. 08-05 required the provision of a vessels list one month before operations in order to inform the Contracting Parties inspection organisations, notably as regards the sightings of possible IUU activities and the verification of trade documents. In this particular case, the vessel could be deemed to be IUU and this question should be put to the PWG for consideration regarding its insertion on the provisional IUU list.

There were clear views expressed that Honduras, as the flag State, had the responsibility to notify the authorisation of the vessel to ICCAT and also to ensure that the VMS was operational. It was noted that in cases of possible serious infringements such as those identified in this case, urgent responses to request for information should be provided by the flag State, and vessels identified as possibly having committed serious infringements should be recalled or ordered to port, and the case be subject of an immediate follow-up by the flag State. It was also recognized that the problems relating to the use of tugs and their adequate control had to be addressed in Panel 2.

8. Actions by COC regarding cases of non-Compliance

There was a general view that more stringent actions had to be taken by ICCAT for cases of serious infringements. Letters of identification or letters of concern have not improved compliance in all situations. For some Contracting Parties, responses to 2009 letters had not been received, which undermines the credibility of Compliance Committee and ICCAT as a whole. Responses to the issues raised in the letters can provide guidance to the Committee on how to address future compliance issues of the respective Contracting Parties. For example, a Contracting Parties may specify a need for technical assistance in collecting fishery statistics. It was noted that Contracting Parties should also be encouraged to attend ICCAT meetings in order to represent their cases directly in the Compliance Committee. This would facilitate comprehensive treatment of all compliance issues through the examination of the Compliance Summary Tables.

There was wide agreement that a systematic approach had to be developed for the treatment of different cases of non-compliance, depending on the type of violation. To this end, the guidelines provided in the Chair's

discussion paper could serve as a template for development of operational procedures, which the Task Force could apply in preparation for the Compliance Committee meeting.

Various types of sanction that could be applied were considered, such as reduction or withdrawal of fishing allocations, financial penalties, or the exclusion from voting within ICCAT. Discussions were inconclusive and it was agreed that there would have to be further consideration of this topic. The Chair referred to a document that was produced at the 2008 Annual Meeting in Marrakech which identified the various measures in ICCAT Recommendations that have specified penalties or sanctions in addition to the basic terms of reference for the Compliance Committee and the procedures outlined in the *Recommendation by ICCAT on Trade Measures* [Rec. 06-13].

It was noted by the Chair that many of the interventions made during the discussion of potential actions referred to infractions that should have been raised during the review of the Compliance Summary Tables. Some of these issues related to cases of overfishing which would require additional modification of the Compliance Tables, or concerns about responses of Contracting Parties in relation to vessels that had been found to be involved in serious violations of the ICCAT rules.

The Chair asked the Contracting Parties to focus their efforts on recommendations for action in examining the case of each Contracting Parties. To facilitate this discussion, the Chair presented groups of Contracting Parties that had similar records of infractions in terms of type and degree. For purposes of equitable treatment, it was suggested that a similar action be taken for all Contracting Parties in a respective group. Once these groups were addressed, the Chair presented individual cases of for Contracting Parties with particular circumstances, and recommended a responsive action for consideration by the Committee.

Following these discussions of infractions by the respective CPCs, the following actions were agreed by the Committee:

No Action	*Letter of Concern*	*Letter of Identification*
Iceland	Albania	Algeria
Norway	Barbados	Angola
	Belize	Cape Verde
	Brazil	Côte d'Ivoire
	Canada	European Union
	China	Gabon
	Croatia	Ghana
	Egypt	Guatemala
	France (St. Pierre & Miquelon)	Guinea (Rep.)
	Equatorial Guinea	Honduras
	Japan	Korea
	Mauritania	Libya
	Mexico	Nicaragua
	Morocco	Nigeria
	Namibia	Panama
	Russia	Philippines
	Senegal	Sao Tome & Principe
	South Africa	Sierra Leone
	Syria	St. Vincent & Grenadines
	Trinidad & Tobago	Tunisia
	United Kingdom (Overseas Territories)	Turkey
	United States	Vanuatu
	Uruguay	Venezuela

The complete Table of Actions by the Compliance Committee Regarding Cases of Non-Compliance is attached as **Appendix 3 to ANNEX 9**.

9. Other matters

Chairs proposal to create a Compliance Task Force

The Chair gave a brief presentation of his proposal. The objective of convening a task force was to improve the efficiency and effectiveness of ICCAT's compliance review process and to ensure that sanctions are applied in a fair, equitable and transparent manner. The group would assist the Chair through the preparation of meeting material in advance of the Compliance Committee and in evaluating the cases of each CPC in recommending appropriate sanctions to the Committee. The proposal specified the procedure to be followed, the compliance information to be compiled, the timing of the Task Force meeting, the composition of the Task Force, and a charge to the Task Force to recommend possible actions to address cases of non-compliance. It was also proposed that the Annual Meeting be preceded by a two day meeting of the Compliance Committee to review the outcome of the Task Force deliberations.

Whilst there was general support for the approach of the Chair, and it was commented that the Task Force should not become a Compliance Committee *bis,* but should be a meeting of a small group of experts with experience and knowledge of ICCAT operations and conservation measures, to assist the Chair in preparing for the meeting of the Compliance Committee and in drafting proposals for action. It should be a mechanism to support the Secretariat and the Chair of Compliance Committee and not a body that would have decision making powers. In doing so, it was also recognized that the availability of data was fundamental to the operation of the Task Force. Of particular concern to the Contracting Parties was representation on the task force and it was noted that key criteria would be expertise and balance by geographic region, particularly for developing coastal states. Concern was expressed that financial assistance be provided for the participation of developing countries to such meetings. It was pointed out that there were various funds available for this assistance, both within and outside of ICCAT. There was a general agreement that the Task Force should be convened in the course of the Annual Meetings of ICCAT in order to reduce expenses.

Chair's Discussion Paper for Guidelines for an ICCAT Schedule of Compliance Actions

The Chair introduced this discussion document by stating that this could provide the fundamental elements for the work of the Task Force, discussed in the previous point. The paper provided guidance on how the Task Force would examine and analyze compliance issues which could lead to actions to address the infractions. Potential actions could consist of trade measures, reduced catch limits, sanctions on allocations of quota, recommendations on reducing fleet capacity or requirements for increased monitoring measures. The Chair's text grouped these potential actions as a response to three basic types of infraction: reporting requirements, monitoring measures and conservation measures. It was viewed that these guidelines could be used as a basis to develop a grid or template that could serve both for the identification of the seriousness of infringements or violations and also the sanctions that these deserved.

There was a widely held view that the work of Compliance Committee should be more efficient and effective and it was widely agreed that further work on these interconnected issues was required and that this could be best achieved during an inter-sessional meeting of Compliance Committee. Such an inter-sessional meeting should take place before 1 March 2011, as it would likely be held in conjunction with a Compliance Committee inter-sessional meeting relating to revised bluefin tuna control issues.

A joint statement by the observers from Greenpeace and the WWF submitted to the Compliance Committee is attached as **Appendix 5 to ANNEX 9**.

10. Adoption of the Report and adjournment

The Chair thanked the delegates for their efforts in reviewing compliance information and the Secretariat for the work involved in preparing documents for the meeting. The Chair also thanked the interpreters for their excellent support. The draft meeting report was circulated to the Parties at the meeting. The meeting of compliance Committee adjourned on 25 November 2010. The Report was adopted by correspondence.

Appendix 1 to ANNEX 9

Agenda

1. Opening of the Meeting
2. Appointment of Rapporteur
3. Adoption of the Agenda
4. Review of the Report of the inter-sessional meeting of the Compliance Committee (Madrid, February 2010)
5. Review of actions taken by CPCs in response to letters of concern/identification arising from 2009 meeting
6. Review of implementation of and compliance with the ICCAT requirements
   - 6.1 CPC Statistical data summaries
   - 6.2 CPC Compliance summaries
   - 6.3 Compliance Tables
7. Review of the ICCAT Regional Observer Programs (ROP) and consideration of any necessary actions
   - ICCAT Regional Observer Programme (transshipment)
   - ICCAT Regional Observer Programme (bluefin vessels and farms)
8. Actions required in relation to issues of non-compliance by Contracting Parties arising from Items 5, 6 and 7
9. Other matters
10. Adoption of Report and adjournment

Appendix 2 to ANNEX 9

Compliance Tables Adopted in 2010
(Compliance in year 2009, reported in 2010)

1. General

The draft Compliance Tables have been prepared based on the conservation and management measures currently in force.

Figure shown in bold are those reported on previous compliance tables. Normally figures will be shown as reported, except where previously reported figures are in breach of a clear ruling by the Compliance Committee or the Commission.

Where no figures have been reported, Task I data have been used, which may in some cases include SCRS estimates, or other data sources as applicable. Where catch figures have been reported, but no balances and adjustments, these have been calculated by the Secretariat on an annual basis, in accordance with the Recommendations summarised below. As decided during the Compliance Committee in 2009 (Recife 2009), no adjustments have been calculated for marlins.

In some cases, catches were reported by Parties that became Contracting Parties to ICCAT during a management period, and therefore had no quota/catch limit assigned for that management period, or by Parties that had not been assigned a quota for other reasons. In these cases, only the negative balance resulting from the most recent year prior to the assignation of a quota has been deducted from the first assignation. In order to ensure equal treatment to all Parties, some of the balances previously calculated by the Secretariat have been recalculated to apply this criterion.

Please note that in some cases where arithmetic may seem to be erroneous, this is due to calculations that have been carried over from previous tables, as only current management periods are shown.

2. Species specific

2.1 Northern albacore

General: The maximum underage that a CPC may carry-over in any given year shall not exceed 25% of its initial catch quota [Rec. 09-05].

Specific: Japan shall endeavour to limit its total northern albacore catch to a maximum of 4% in weight of its total bigeye tuna longline catch in the Atlantic [paragraph 4, Rec. 09-05].

Chinese Taipei shall transfer each year 100t from its quota to St Vincent and Grenadines [paragraph 2, Rec. 09-05].

2.2 Southern albacore

General: Over-harvests must be adjusted, but under-harvests cannot be carried over. Underages in any given year of this conservation measure may be carried over to the following year with carry-overs being non accumulative [Rec. 07-03] for those CPCs with a catch limit of 110% of their average catches 1992-1996.

Specific: Japan shall endeavour to limit its total southern albacore catch to a maximum of 4% in weight of its total bigeye tuna longline catch in the Atlantic south of 5ºN [paragraph 6, Rec. 07-03].

CPCs actively fishing for southern albacore are Brazil, Namibia, South Africa and Chinese Taipei, which share a TAC of 26,333.6t [Rec. 07-03 and Panel 3 decision in 2007].

2.3 Northern swordfish

General: Over-harvests must be adjusted, and under-harvests may be carried over to the following year or biennially. Starting in 2007, not more than 50% of the initial catch limit may be carried over [Recs. 06-02, 08-02 and 09-02].

Specific: USA may harvest up to 200 t of its annual catch limit within the area between 5ºN and 5ºS.

For each year of its catch quota allocation, the USA will transfer 25 t to Canada.

The catch limit of UK-OT (20 t) is transferred to France (St. Pierre and Miquelon) for the years 2007-2009 [Recs. 06-02 and 08-02].

Japan's catch limit shall be considered in light of the two-year period. Under-harvests from 2006 may be added to the total two-year catch limit. Japan shall be allowed to count up to 400t of its north swordfish catch East of 35ºW and South of 15ºN against its South Atlantic swordfish under-harvest [Recs. 06-02 and 08-02].

2.4 Southern swordfish

General: From 2007-2009, under-harvest of up to 50% of the initial catch limit/quota may be carried over to the following year or biennially [Recs. 06-03 and 09-03].

Specific: 2007 underages may be carried over from ~~to~~ 2009 to 2010 by Japan (max. 800 t), USA (max. 100 t) and Chinese Taipei (max. 400 t) [Rec. 06-03].

Japan shall be allowed to count up to 400 t of its north swordfish catch East of 35ºW and South of 15ºN against its South Atlantic swordfish under-harvest Rec. 06-03].

Brazil may harvest up to 200 t of its annual catch limit within the area between 5ºN and 15ºN [Rec. 06-03].

2.5 Bluefin tuna east

General: No carry-over shall be made under Rec. 08-05. No more than 50% carry-over of any under-harvests arising from 2005 and/or 2006 can be made [Rec. 08-05].

Specific: The underages of Libya, Morocco and Tunisia in 2005 and 2006 may be carried over to 2009 and 2010 [Rec. 08-05].

The voluntary reduced portion of the CPC's allocation may be carried over to 2011 on condition that such voluntary reduction is notified to the Secretariat before March 1, 2009 [Rec. 08-05].

The EU has made a voluntary reduction of 18 t from its 2010 quota.

2.6 Bluefin tuna west

General: From 2007, carry-over of under-harvest may not exceed 50% of the initial TAC allocation, except for quotas of 25 t or less [Rec. 08-04].

Specific: 25 t is allocated to the USA and 15 t to Canada for longline by-catch [Rec. 08-04]**.**

2.7 Bigeye tuna

General: Over-harvests must be adjusted, and under-harvests of up to 30% of the quota may be carried over to the following year or biennially [Recs. 04-01 and 08-01].

Specific: The over-harvest of China in 2003 will result in a yearly deduction of 500 t from their annual catch limit in the period 2005-2009. The over-harvest of Chinese Taipei of 8,000 t in 2003 will result in a yearly deduction of 1,600 t from their annual catch limit in the period 2005-2009 [paragraph 5, Rec. 04-01].

2000 t is transferred from Japan to China for the years 2005-2010 [Recs. 08-01 and 09-01]. An 800 t transfer from Japan to Korea and a 2500 t transfer from the EU to Ghana are authorised for 2010 [Rec. 09-01].

2.8 Marlins

General: Limits only apply to commercial longline and purse-seine vessels.

Specific: The United States shall limit its landings to 250 recreationally-caught Atlantic blue marlin and white marlin combined on an annual basis through the year 2010 inclusive [Rec. 06-09].

NORTH ALBACORE (All quantities are in metric tons).

	Initial catch limits					*Current catches*				*Balance*				*Adjusted quota/catch limit*					
YEAR	*2006*	*2007*	*2008*	*2009*	*2010*	*2006*	*2007*	*2008*	*2009*	*2006*	*2007*	*2008*	*2009*	*2006*	*2007*	*2008*	*2009*	*2010*	*2011*
TAC	*34500.0*	*34500.0*	*34500.0*	*30200.0*	*28000.0*														
BARBADOS	200.00	200.00	200.00	200.00	200.00	9.00	7.00	7.00	**3.60**	191.00	293.00	293.00	**296.40**		**300.00**	**300.00**	**300.00**	**250.00**	
BELIZE	200.00	200.00	200.00	200.00	200.00	**0.00**	**21.80**	**26.20**	39.00	200.00	**178.20**	**173.80**	261.00	**300.00**	**300.00**	**300.00**	**300.00**	**250.00**	
BRAZIL	200.00	200.00	200.00	200.00	200.00	0.00	0.00	0.00	**0.00**	200.00	200.00	**200.00**	**200.00**	**300.00**	**300.00**	**300.00**	**300.00**	**250.00**	
CANADA	200.00	200.00	200.00	200.00	200.00	**27.30**	**22.20**	**33.40**	**10.70**	172.70	177.80	**166.60**	**289.30**	**300.00**	**300.00**	**300.00**	**300.00**	**250.00**	
CHINA	200.00	200.00	200.00	200.00	200.00	**202.00**	**59.00**	**24.40**	**27.00**	**98.00**	**241.00**	**275.60**	**273.00**	**300.00**	**300.00**	**300.00**	**300.00**	**250.00**	**250.00**
EU	28712.00	28712.00	25462.00	25462.00	21551.30	**29232.10**	**17803.10**	**16397.60**	**12913.45**	**11588.40**	**25264.90**	**20652.80**	**18914.05**	**40820.50**	**43068.00**	**37050.40**	**31827.50**	**27916.80**	**27916.80**
FRANCE (St. P&M)	200.00	200.00	200.00	200.00	200.00	**0.00**	**3.20**	**0.20**	**0.00**	**300.00**	**296.80**	**299.80**	**300.00**	**300.00**	**300.00**	**300.00**	**300.00**	**250.00**	
JAPAN	**692.00**	**709.00**	**583.89**	**521.13**		**368.00**	**356.00**	**320.16**	**284.82**					**n.a**	**n.a**	**n.a**	**n.a**		
KOREA	200.00	200.00	200.00	200.00	200.00	**31.00**	**37.00**	**10.00**	**84.00**	**169.00**	**263.00**	**290.00**	**166.00**	**300.00**	**300.00**	**300.00**	**250.00**	**250.00**	
MAROC	200.00	200.00	200.00	200.00	200.00	**98.00**	**96.00**	**99.00**	**250.00**	**202.00**	**204.00**	**201.00**	**50.00**	**300.00**	**300.00**	**300.00**	**300.00**	**250.00**	
St. VINCENT	200.00	200.00	200.00	200.00	200.00	76.00	263.00	**154.00**	135.00	124.00	37.00	**183.00**	265.00	**200.00**	**300.00**	**337.00**	**400.00**	**350.00**	
TR. & TOBAGO	200.00	200.00	200.00	200.00	200.00	**12.40**	**18.40**	**15.90**	17.00	**187.60**	**281.60**	**184.10**	283.00	**300.00**	**300.00**	**300.00**	**300.00**	**250.00**	
UK-OT	200.00	200.00	200.00	200.00	200.00	0.00	**0.20**	**0.20**	**0.30**	**200.00**	**299.80**	**299.80**	**299.70**	**300.00**	**300.00**	**300.00**	**300.00**	**250.00**	
USA	607.00	607.00	538.00	538.00	527.00	**399.60**	**532.10**	**248.10**	**187.90**	**446.50**	**378.80**	**593.40**	**484.60**	**846.10**	**910.50**	**672.50**	**672.50**	**658.80**	
VANUATU	200.00	200.00	200.00	200.00	200.00	235.00	**94.58**	**0.00**	140.00	-35.00	50.40	225.20	60.00		**145.00**	**225.20**	**200.00**		
VENEZUELA	270.00	270.00	250.00	250.00	250.00	321.00	375.00	222.00	**398.00**	-296.50	-401.50	-373.50	-521.50	**24.50**	**-26.50**	**-151.50**	**-123.50**	**-271.50**	
CHINESE TAIPEI	4453.00	4453.00	3950.00	3950.00	3271.70	2357.00	1297.00	1107.00	**863.00**	2387.00	5069.00	4718.00	**4962.00**	**4744.00**	**6366.00**	**5825.00**	**5825.00**	**3989.60**	
TOTAL CATCH						33368.40	20985.58	18665.16	15353.77										
Recommendation nº	*03-06*	*06-04*	*06-04*	*07-02*	*09-05*									*03-06*	*06-04*	*06-04*	*07-02*	*09-05*	*09-05*

JAPAN is to endeavour to limit North Albacore catches to no more than 4% of its total bigeye tuna catch (6.8% in 2005, 2.1% in 2006, 2% in 2007 and 2.2% in 2008).
JAPAN: 2009 figures are provisional.
ST. VINCENT & THE GRENADINES: 2008-2011 adjusted quota includes 100 t transfer from Chinese Taipei .
TRINIDAD & TOBAGO: all landings are by-catches.
CHINESE TAIPEI: Adjusted quota of 2008 is 5825 t.(5925=3950+3950*50%-100) due to the underage of 2006 exceeding 50% of 2008 catch quota and a transfer of 100t. to St.Vincent & The Grenadines.
CHINESE TAIPEI: Adjusted quota of 2009 is 5825 t.(5925=3950+3950*50%-100) due to the underage of 2007 exceeding 50% of 2009 catch quota and a transfer of 100 t. to St. Vincent & the Grenadines.
CHINESE TAIPEI: 2010 adjusted quota is 3989.6t (3989.6=3271.7+3271.7*25%-100) due to the underage of 2008 is exceeded 25% of 2010 catch quota and transferred 100t. to St. V&G.

SOUTH ALBACORE

	Initial quota /catch limit					*Reference years*	*Current catches*				*Balance*				*Adjusted quota (only applicable in case of overharvest)*					
YEAR	*2006*	*2007*	*2008*	*2009*	*2010*	*Average 1992-1996*	*2006*	*2007*	*2008*	*2009*	*2006*	*2007*	*2008*	*2009*	*2006*	*2007*	*2008*	*2009*	*2010*	*2011*
TAC	*30915*	*30915*	*29900*	*29900*	*29900*															
BRAZIL	TAC share 27500		TAC share 26336.3*	TAC share 26336.3*	TAC share 26336.3*		**360.80**	**535.10**	**487.00**	**202.00**	13324.2	8866.0	8826.0	11621.0						
NAMIBIA							**3107.00**	**2245.00**	1196.0	**1958.00**										
S. AFRICA							**3735.00**	**3797.10**	**3468.00**	**5043.10**										
CH. TAIPEI							12293.0	13146.0	9966.0	**8678.0**										
BELIZE	360.00	360.00	360.00	360.00	360.00	327.00	**54.42**	**31.90**	31.00	213.00	**54.42**	**328.10**	**31.10**	297.00			**360.00**	**510.00**	**507.00**	
CHINA	100.00	100.00	100.00	100.00	100.00	0.00	**100.00**	**35.00**	**24.60**	**89.00**	**0.00**	**65.00**	**75.00**	**11.00**	**n.a**	**n.a**	**n.a**	**n.a**	**n.a**	**n.a**
EU	1914.70	1914.70	1914.70	1914.70	1914.70	1740.60	**705.10**	**782.90**	**1011.60**	**1374.78**	**1209.60**	**1132.00**	**903.10**	**539.92**						
GUATEMALA	100.00	100.00	100.00	100.00	100.00		40.00				60.00									
JAPAN	**394.00**	**402.00**	**308.62**	**233.95**			**295.00**	**797.00**	**1559.76**	**948.55**										
KOREA	100.00	100.00	100.00	100.00	100.00	9.00	**81.00**	**31.00**	**137.00**	**187.00**	**19.00**	**34.00**	**-37.00**	**-124.00**				**63.00**	**-24.00**	
PANAMA	119.90	119.90	119.90	119.90	119.90	109.00		18.00	5.00	51.00		101.90	114.90	68.90						
PHILIPPINES	100.00	100.00	100.00	100.00	100.00	0.00	**0.00**	**20.00**	**98.00**	**98.00**										
ST V & G	100.00	100.00	100.00	100.00	100.00		65.00	160.00	**47.00**	51.00	35.00	-60.00	**53.00**		**135.00**	**75.00**	**128.00**			
UK-OT	100.00	100.00	100.00	100.00	100.00	40.00	62.00	**45.00**	**94.80**	**81.00**	**38.00**	**55.00**	**5.20**				**100.00**	**100.00**		
URUGUAY	100.00	100.00	100.00	100.00	100.00	40.00	**93.00**	**34.00**	**59.00**	**97.00**	7.00	**66.00**	**41.00**	**3.00**						
USA	100.00	100.00	100.00	100.00	100.00	0.20	**0.00**	**0.00**	**0.00**	**0.00**	**100.00**	**100.00**	**100.00**	**100.00**	**n.a**	**n.a**	**n.a**	**n.a**	**n.a**	
VANUATU	100.00	100.00	100.00	100.00	100.00		**0.00**	**96.42**	131.00	64.00										
TOTAL CATCH							20991.32	21774.42	18315.76	19135.43										
Rec. number	*04-04*	*04-04*	*07-03*	*07-03*	*07-03*										*04-04*	*04-04*	*07-03*	*07-03*	*07-03*	*07-03*

BELIZE: 150 t of carry over from 2007 to 2008.

JAPAN is to endeavour to limit its total South Albacore catches to no more than 4% of its total bigeye tuna catch in South of 5 degrees North (3.0% in 2006, 7.9% in 2007 and 20.2% in 2008).

JAPAN: 2009 figures are provisional.

* The sharing arrangement with a TAC of 26,333.6 t was agreed within PA3 in 2007, however only the total TAC is reported in Rec 07-03.

NORTH SWORDFISH

	Initial quota					*Current catches*				*Balance*				*Adjusted quota*					
YEAR	*2006*	*2007*	*2008*	*2009*	*2010*	*2006*	*2007*	*2008*	*2009*	*2006*	*2007*	*2008*	*2009*	*2006*	*2007*	*2008*	*2009*	*2010*	*2011*
TAC	*14000*	*14000*	*14000*	*14000*	*13700*														
BARBADOS	25.00	45.00	45.00	45.00	45.00	**39.00**	27.00	39.00	**19.80**	-11.20	6.80	12.80	**38.00**	**27.80**	**33.80**	**51.80**	**57.80**	**67.50**	
BELIZE		130.00	130.00	130.00	130.00	0.00	**8.70**	1.00	112.00	**0.00**	**121.30**	194.00	83.00		**130.00**	**195.00**	**195.00**	**195.00**	
BRAZIL	50.00	50.00	50.00	50.00	50.00	**0.00**	**0.00**	**0.00**	**0.00**	**50.00**	**50.00**	**50.00**	**50.00**	**100.00**	**100.00**	**100.00**	**100.00**	**75.00**	
CANADA	1348.00	1348.00	1348.00	1348.00	1348.00	1403.6	1266.20	1334.00	**1299.70**	29.50	30.00	31.00	**43.50**	**1433.1**	**1296.2**	**1365.00**	**1343.20**	**1477.80**	
CHINA	75.00	75.00	75.00	75.00	75.00	**72.00**	**85.00**	**91.00**	**92.00**	**3.00**	**11.00**	**5.00**	**4.00**	**75.00**	**96.00**	**96.00**	**96.00**	**79.00**	
CÔTE D'IVOIRE		50.00	50.00	50.00	50.00	0.00			**77.28**	0.00			**-2.28**		**50.00**	**75.00**	**75.00**	**47.72**	
EU	6718.00	6718.00	6718.00	6718.00	6718.00	**6491.60**	**6304.10**	**5069.20**	**5953.1**	**268.90**	**1514.00**	**1917.70**	**2278.90**	**6760.50**	**7818.10**	**6986.90**	**8232.00**	**8635.70**	
FRANCE (St. P&M)	35.00	40.00	40.00	40.00	40.00	**0.00**	**82.00**	**47.60**	**20.10**	**48.30**	**-3.20**	**60.70**	**36.70**	**48.30**	**78.80**	**108.30**	**56.80**	**120.70**	
JAPAN	842.00	842.00	842.00	842.00	842.00	**820.00**	**1144.00**	**619.26**	**954.03**	**288.00**	**1653.00**	**1875.74**	**1763.71**	**842.00**	**2797.00**	**2495.00**	**2717.74**	**2605.71**	
KOREA		50.00	50.00	50.00	50.00	**21.00**	**195.00**	**160.50**	**4.00**	-21.00	-145.00	**-255.50**	**-209.50**			**-95.00**	**-205.50**	**-159.50**	
MAROC	335.00	850.00	850.00	850.00	850.00	**341.00**	**229.00**	430.00	**724.00**	**1.20**	**621.00**	**421,2**	**551.00**	**342.20**	**850.00**	**851.20**	**1275.00**	**1275.00**	
MEXICO	110.00	200.00	200.00	200.00	200.00	**31.00**	**35.00**	**33.00**	**32.00**	**79.00**	**165.00**	**167.00**	**168.00**	**110.00**	**200.00**	**200.00**	**283.50**		
PHILIPPINES		25.00	25.00	25.00	25.00	**0.00**	**0.00**	**18.00**	**24.00**	-3.00	22.00	19.50	**13.50**		**22.00**	**37.50**	**37.50**	**34.50**	
SENEGAL		400.00	400.00	400.00	400.00	0.00	**38.00**	**0.00**	**28.00**				**372.00**				**600.00**		
ST V & G.		130.00	130.00	75.00	75.00		51.00	**13.80**	34.0		**24.00**	**37.00**	78.0		**130.00**	**99.00**	**112.00**	**115.50**	
TR. & TOBAGO	125.00	125.00	125.00	125.00	125.00	**19.20**	**28.50**	**49.00**	30.00	**105.80**	**96.50**	**76.00**	158.00	**181.90**	**188.00**	**188.00**	**188.00**	**187.50**	
UK-OT	35.00	35.00	35.00	35.00	35.00	0.00	**3.00**	**9.90**	**10.10**	**197.00**	209.00	**22.60**	**40.90**	**197.00**	**212.00**	**32.50**	**51.00**	**40.10**	
USA	3907.00	3907.00	3907.00	3907.00	3907.00	**2057.90**	**2682.80**	**2530.30**	**2838.00**	**7962.60**	3194.50	**3330.20**	**3022.00**	**10020.50**	**5860.50**	**5860.50**	**5860.50**	**5860.50**	
VANUATU		25.00	25.00	25.00	25.00	14.00	0.00	0.00	0.00	-14.00	25.00	25.00	25.00		**25.00**	**25.00**	**25.00**		
VENEZUELA	85.00	85.00	85.00	85.00	85.00	22.00	**30.00**	**11.00**	**7.00**	63.00	**264.20**	**137.00**	**135.00**	**85.00**	**294.20**	**148.00**	**142.00**		
CHINESE TAIPEI	310.00	270.00	270.00	270.00	270.00	172.00	103.00	82.00	**89.00**	160.00	302.00	323.00	**316.00**	**332.00**	**405.00**	**405.00**	**405.00**	**405.00**	
Recommendation no.	*02-02*	*06-02*	*06-02*	*06-02*	*09-02*									*02-02*	*06-02*	*06-02*	*06-02*	*09-02*	*09-02*
DISCARDS																			
Canada						38.00	60.80	38.70	**9.30**										
USA																			
TOTAL DISCARDS						38.00	60.80	38.70	**9.30**										
TOTAL CATCH						11504.30	12312.30	10538.56	12348.11										

CANADA: Includes 25 t transfer from USA in 2002-2010 and a 100 t transfer from Senegal in 2010. 2008 Discards have been taken off 2010 quota.
CROATIA: catches of Mediterranean (Adriatic) SWO amounting to 3119 kg in 2009 and 4245 kg in 2008. These catches are not entered in the Compliance tables since they are not within the Northern SWO management framework.
EU: allowed to count up to 200 t against its uncaugth Southern SWO.
JAPAN: Balance for 2004 includes 184 t allowances from Japanese S.SWO quota (Rec. 02-02). Balance for 2005 includes 257 t allowances from Japanese S. SWO quota (Rec. 02-02). and balance for 2006 includes 266 t allowance from Japanese S.SWO quota (Rec. 04-02). Total balances for the 2002-2006 period shall be applied to the 2007-2008 period (Rec. 06-02).
JAPAN: 2009 figures are provisional.
SENEGAL: 50% of 2008 underage is adjusted to 2009 quota.
UK-OT: 20t transferred to France (SPM) from UK-OT for up to 2010 (Rec. 06-02) to be discontinued in 2011.
USA: Catches from 2005 to 2008 include discards.
USA: Catches include landings and dead discards.
CHINESE TAIPEI: 2008 adjusted quota is 405 t.(=270+270*50%) due to the underage of 2006 exceeding 50% of 2008 catch limit.
CHINESE TAIPEI: 2009 adjusted quota is 405 t.(=270+270*50%) due to the underage of 2007 exceeding 50% of 2009 catch limit.
CHINESE TAIPEI: 2010 adjusted quota is 405t (=270+270*50%) due to the underage of 2008 exceeding 50% of 2010 catch limit.

SOUTH SWORDFISH

	Initial quota					*Currrent catches*				*Balance*				*Adjusted quota*					
YEAR	*2006*	*2007*	*2008*	*2009*	*2010*	*2006*	*2007*	*2008*	*2009*	*2006*	*2007*	*2008*	*2009*	*2006*	*2007*	*2008*	*2009*	*2010*	*2011*
TAC	*16055*	*17000*	*17000*	*17000*	*15020*														
ANGOLA		100.00	100.00	100.00	100.00														
BELIZE		150.00	150.00	150.00	125.00	**0.00**	**119.70**	**32.00**	**111.00**		**30.00**	**88.00**	**99.00**		**150.00**		**210.00**	**187.50**	
BRAZIL	4365.00	4720.00	4720.00	4720.00	3666.00	**4430.20**	**4152.50**	**3407.00**	**3386.00**	**2806.40**	**2927.50**	**3407.00**	**3694.00**	**7236.60**	**7526.40**	**7080.00**	**7080.00**	**6026.00**	
CHINA	315.00	315.00	315.00	315.00	263.00	**300.00**	**473.00**	**470.00**	**291.00**	**15.00**	**-1.00**	**2.00**	**130.00**	**315.00**	**472.00**	**472.00**	**421.00**	**393.00**	
CHINESE TAIPEI	720.00	550.00	550.00	550.00	459.00	377.00	671.00	727.00	**612.00**	395.00	274.00	97.00	**35.00**	**772.00**	**945.00**	**824.00**	**647.00**	**494.00**	
CÔTE D'IVOIRE		150.00	150.00	150.00	125.00	39.47	**17.41**	90.00	113.17	60.52	**132.59**		111.83			**225.00**	**225.00**	**187.50**	
EU	5780.00	5780.00	5780.00	5780.00	5282.00	**5741.90**	**5798.40**	**4417.10**	**5480.50**	**-6.50**	**-63.00**	**1356.40**	**236.50**		**5735.40**	**5773.50**	**5717.00**	**6638.40**	**5318.50**
GHANA		100.00	100.00	100.00	100.00	**32.00**	**65.00**	**177.00**	**132.00**		**35.00**		**-74.00**		**100.00**	**135.00**	**58.00**		
JAPAN	1500.00	1315.00	1215.00	1080.00	901.00	**1498.00**	**1422.00**	**1212.09**	**900.11**	**2736.00**	**693.00**	**695.91**	**875.80**	**4234.00**	**2115.00**	**1908.00**	**1775.91**	**1651.00**	
KOREA	0.00	50.00	50.00	50.00	50.00	98.00	**94.00**	**76.50**	10.00		**-44.00**	**-70.50**	-30.50		**50.00**	**6.00**	**-20.50**		
NAMIBIA	1400.00	1400.00	1400.00	1400.00	1168.00	**1454.40**	1829.00	1239.00	**534.00**	**-314.40**	-212.00	-51.00	**815.00**		**825.60**	**1188.00**	**1349.00**	**1318.00**	
PHILIPPINES		50.00	50.00	50.00	50.00	12.00	**58.40**	**45.00**	53.00				-3.00				**50.00**	**51.00**	
S.T. & PRINCIPE	0.00	100.00	100.00	100.00	100.00	138.00	138.00	138.00		-38.00	-38.00	-38.00							
SENEGAL		300.00	400.00	500.00	389.00	0.00	**77.00**	**138.80**	**195.00**		**223.00**	**271.20**	**216.00**		**300.00**		**411.00**	**462.00**	**617.00**
SOUTH AFRICA	1200.00	1200.00	1200.00	1200.00	932.00	**185.50**	**207.00**	**142.00**	**170.00**	**3155.50**	**4148.00**	**1658.00**	**1630.00**	**3341.00**	**4355.00**	**1800.00**	**1800.00**	**1532.00**	
UK-OT	25.00	25.00	25.00	25.00	25.00	0.00	**0.00**	**0.00**	0.00	25.00	**25.00**	**37.50**	37.50			**37.50**	**37.50**	**37.50**	
URUGUAY	1500.00	1500.00	1500.00	1500.00	1165.00	620.00	**464.00**	**370.00**	501.00	-18.00	**1018.00**	**1130.00**	1749.00	602.00	**1482.00**	**1500.00**	**2250.00**	**1915.00**	
USA	100.00	100.00	100.00	100.00	100.00	0.00	**0.00**	**0.00**	0.00	100.00	**200.00**	**200.00**	200.00	**645.00**	**200.00**	**200.00**	**200.00**	**100.00**	
VANUATU		20.00	20.00	20.00	20.00		**5.53**	**6.00**									**20.00**		
RUSSIA																			
TOTAL						14926.47	15591.94	12687.49	12008.58										
Rec. nº	*02-03*	*06-03*	*06-03*	*06-03*	*09-03*									*02-03*	*02-03*	*06-03*	*06-03*	*09-03*	*09-03*

No carry over is allowed for southern swordfish in 2002-2006 unless specifically stated in Recommendation 02-03 or in cases where a party objected to Recommendation 97-08, as in the case of Brazil, South Africa and Uruguay.

EU: allowed to count up to 200 t against its uncaugth Northern SWO.

JAPAN: 2009 figures are provisional.

JAPAN: underage of 2009 may be carried over to 2010 up to 800 t. [Rec.09-03].

JAPAN: adjusted quota in 2010 exclude 50 t transfered to Namibia [Rec. 09-03].

SOUTH AFRICA will transfer 600 t of its uncaught quota of 2007 to 2009 providing an adjusted quota of 1800 t for 2009.

CHINESE TAIPEI: 2008 adjusted quota includes 274 t of 2007 underage.

CHINESE TAIPEI: 2009 adjusted quota includes 97t of 2008 underage.

CHINESE TAIPEI: 2010 adjusted quota includes 35t of 2009 underage.

SAO TOME E PRINCIPE: No adjustments have been made to initial quotas, as catch figures are based on estimates carried over from previous years.

EAST BLUEFIN

	Initial quota					*Current catch*				*Balance*				*Adjusted quota*					
YEAR	*2006*	*2007*	*2008*	*2009*	*2010*	*2006*	*2007*	*2008*	*2009*	*2006*	*2007*	*2008*	*2009*	*2006*	*2007*	*2008*	*2009*	*2010*	*2011*
TAC	*32000*	*29500*	*28500*	*22000*	*13500*														
ALBANIA				50.00	33.83				50.0	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**50.00**	**33.83**	
ALGERIE	1700.00	1511.27	1460.04	1117.42	684.90	**1698.00**	**1511.00**	**1311.00**	**222.82**	**-2.00**	**0.00**	**149.00**	**804.60**	1693.00	**1511.27**	**1460.04**	**1027.42**	**684.90**	
CHINA	74.00	65.78	63.55	61.32	38.48	**42.00**	**72.00**	**119.00**	**41.67**	**75.78**	31.67	**-17.56**	**2.09**	**117.78**	**103.67**	**101.44**	**43.76**	**38.48**	
CROATIA	970	862.31	833.08	641.45	393.50	**1022.6**	**825.31**	**834.03**	**620.10**	**-0.6**	**36.90**	**-0.10**	**19.90**	**1022**	**862.31**	**833.08**	**640.00**	**393.50**	
EGYPT				50.00	33.83														
EU	18301.00	16779.55	16210.75	12406.62	7604.38	**19166.50**	**21801.30**	**14963.50**	**11042.37**	**-865.50**	**-5021.75**	**1247.30**	**864.3**	**18301.00**	**16779.55**	**16210.75**	**11906.62**	**7086.38**	
EU-Malta		355.59	343.54			**263.00**									**355.59**	**343.54**			
EU-Cyprus		154.68	149.44			**110.00**									**154.68**	**149.44**			
ICELAND	60.00	53.34	51.53	49.72	31.20	0.00	**0.00**	**50.00**	**0.00**	60.00	53.34	1.53	**49.00**			**51.53**	**0.72**	**31.20**	
JAPAN	2830.00	2515.82	2430.54	1871.44	1148.05	**1760.00**	**2238.24**	**2254.30**	**1858.20**	**1030.00**	**792.68**	**176.25**	**13.24**	**2790.00**	**3030.92**	**2430.54**	**1871.44**	**1148.05**	
KOREA	741.90	177.80	171.77	132.26	81.14	**68.00**	**276.00**	**335.00**	102.35	**673.90**	**166.95**	**3.72**	**29.21**	**741.90**	**347.80**	**338.72**	**132.26**	**81.14**	
LIBYA	1440.00	1280.14	1236.74	946.52	580.15	**1254.00**	**1359.00**	**1317.80**	**1081.64**	1029.50	0.00	**64.19**	**10.13**	2283.50	**1359.00**	**1381.99**	**1091.77**	**725.15**	
MAROC	3177.00	2824.30	2728.56	2088.26	1279.96	**2386.00**	**3059.00**	**2478.00**	**2278.00**	**1562.00**	**92.30**	577.50	**122.00**	**3948.00**	**3151.30**	**3055.50**	**2400.00**	**1606.96**	
NORWAY		53.34	51.53	49.72	31.20	**0.00**	**0.00**	**0.29**	**0.00**		53.34	51.24	49.72		**53.34**	**51.53**	**49.72**	**31.20**	
SYRIA		53.34	51.53	50.00	33.83		**49.60**	**40.50**			3.74	11.03			**53.34**	**51.53**	**50.00**	**33.83**	
TUNISIE	2625.00	2333.58	2254.48	1735.87	1064.89	**2545.00**	**2195.00**	**2679.24**	1931.72	**1028.00**	**138.60**	**-314.76**	**6.15**	**3573.00**	**2333.60**	**2364.48**	**1937.87**	**1109.51**	
TURKEY		918.32	887.19	683.11	419.06	**806.00**	**879.07**	**879.17**	665.47		38.93	0.10	17.6		**918.00**	**879.17**	**683.11**	**409.49**	
CH. TAIPEI	480.00	71.12	68.71	66.30	41.60	9.00	0.00	0.00	**0.00**	471.00	333.60	68.71	**0.00**	**480.00**	**333.60**	**68.71**	**0.00**	**41.60**	
TOTAL CATCH						31130.10	34265.52	27261.83	19894.34										
Rec. number	*02-08*	*06-08*	*08-05*	*08-05*	*09-06*									*02-08*	*06-08*	*06-08*	*08-05*	*09-06*	*09-06*

ALGERIA: Transfer of 90 t of its 2009 quota to 2011 (1117.42 - 90 = 1027.42 is the quota for 2009).
CHINA: adjusted quota for 2008 is 101.44 t: half of balance in 2006 (75.8 t) to be adjusted in 2008. Overages in 2008 will be payed back in 2009.
EU: Rec.08-05 requires that 4020.00 t of the 5021.75 t overharvest in 2007 is to be deducted over 2009-2012 (500t in 2009 and 2010, 1510 in 2011 and 2012).
EU: voluntary reduction of 18 t for 2010 (meeting of intersession COC, February 2010).
ICELAND: Transfer of 49 t of 2009 quota to 2011.
JAPAN: 2009 figures are provisional.
KOREA: 336.95 t (50% of underage in 2006) was spread over the years 2007 (170t) and 2008 (166.95t).
LIBYA: the underage in 2005 and 2006 may be carried over to 2009 and 2010 with 145 t in 2009 and in 2010 respectively [Rec.08-05].
MOROCCO: Quotas for 2007 and 2010 are adjusted as follows: Balance of 2005+2006 x 50% = 1308. This will be spread over 4 years by adding 327 t per year to initial quota.
In 2011, Morocco will have a supplementary amount (15.26 t) from the 2009 voluntary carry over, applied in accordance with the Commission's decision.
TUNISIE: has indicated that it intends to distribute its under harvest of 514 t over the period up to 2010 as follows: 2008 = 110t; 2009= 202t and 2010= 202t.
TURKEY: Turkey has lodged an objection to the quotas for 2007-2010 (Annex 4 of Rec. 08-05).
CHINESE TAIPEI: Adjusted quota of 2007 includes 50% of underharvest of 2005+2006. 2009 quota is carried over to 2011 [Rec.08-05].

WEST BLUEFIN

	Initial quota					*Current catches*				*Balance*				*Adjusted quota/limit*					
YEAR	*2006*	*2007*	*2008*	*2009*	*2010*	*2006*	*2007*	*2008*	*2009*	*2006*	*2007*	*2008*	*2009*	*2006*	*2007*	*2008*	*2009*	*2010*	*2011*
TAC	*2700*	*2700*	*2100*	*1900*	*1800*														
CANADA	620.15	546.4	546.4	505.29	495.00	**732.90**	**491.70**	**574.80**	**533.10**	25.00	79.70	51.40	**23.60**	755.1	571.4	626.20	556.70	**518.60**	
FRANCE (St. P & M)	4.00	4.00	4.00	4.00	4.00	**0.00**	**4.40**	**3.10**	**3.40**	**12.81**	**12.40**	**13.30**	**13.90**	**12.80**	**16.81**	**16.40**	**17.30**	**17.90**	
JAPAN	478.25	380.47	380.47	329.79	311.02	**245.60**	**382.54**	**418.82**	**281.67**	**113.19**	**111.12**	**72.77**	**120.89**	**358.79**	**493.66**	**491.59**	**402.56**	**431.91**	
MEXICO	25.00	25.00	25.00	95.00	95.00	**14.00**	**7.00**	**7.00**	**10.00**	**11.00**	**104.00**	**143.00**	**37.00**	**25.00**	**111.00**	**150.00**	**47.00**	**45.50**	
UK-OT	4.00	4.00	4.00	4.00	4.00	0.00	0.00	**0.00**	**0.27**	27.80	31.80	**35.80**	**39.53**	27.80	31.80	**35.80**	**39.80**	**43.53**	
USA	1489.60	1190.00	1190.10	1034.90	977.40	614.80	**848.70**	**919.90**	**1228.60**	**2068.40**	936.20	**865.30**	**323.80**	2683.20	1785.20	1785.20	1552.40	**1301.20**	
TOTAL LANDING																			
Discards	*2006*	*2007*	*2008*	*2009*	*2010*	*2006*	*2007*	*2008*	*2009*	*2006*	*2007*	*2008*	*2009*	*2006*	*2007*	*2008*	*2009*	*2010*	*2011*
CANADA	5.60	5.60	**n.a**	**n.a**	**n.a**	**0.00**	**0.00**	**0.70**	**2.90**	5.60	**5.60**	**n.a**	**n.a**						
JAPAN	5.60	n.a	n.a	n.a	n.a	**0.00**	**n.a**	**n.a**	**n.a**	**5.60**	**5.60**	**n.a**	**n.a**	**5.60**	**n.a**	**n.a**	**n.a**	**n.a**	
USA	67.70	n.a				**29.40**													
TOTAL DISCARDS						29.40		0.70	2.90										
TOTAL REMOVAL																			
Rec. number	*02-07*	*06-06*	*06-06*	*08-04*	*08-04*									*02-07*	*06-06*	*06-06*	*08-04*	*08-04*	*08-04*

CANADA: Balance and adjustments for 2006-2008 include 50% of unused dead discard allowance from the previous year. Includes a 86.5 t transfer from Mexico as per Rec. 08-04.
CANADA: catches inclusive of discards.
JAPAN: 2009 figures are provisional.
MEXICO: in 2007 transfer of 75t from the United States plus 11 t. carry forward from 2006; in 2008 transfer of 100t. from the USA plus 25 t carry forward from 2007 [Rec. 06-06];
in 2009, transfer of 73t to Canada and 25t carry forward from 2008 [Rec. 06-06]; in 2010, transfer of 86.5 to Canada and 37t carry forard from 2009 [Rec. 08-04].
USA balance for 2005 has been reduced by 125 t, 50 t of which is allocated to Canada and 75 t of which is allocated to Mexico for the year 2007.
USA balance for 2006 balance reduced by 150 t, 50 t of which is to be allocated to Canada and 100 t of which is to be allocated to Mexico in 2008.
USA: Catches include landings and dead discards.

BIGEYE TUNA

	Initial catch limit					*Reference years*		*Current catches*				*Balance*				*Adjusted catch limits*					
YEAR	*2006*	*2007*	*2008*	*2009*	*2010*	*Average (91-92)*	*1999 (SCRS 2000)*	*2006*	*2007*	*2008*	*2009*	*2006*	*2007*	*2008*	*2009*	*2006*	*2007*	*2008*	*2009*	*2010*	*2011*
TAC	*90000*	*90000*	*90000*	*90000*	*85000*																
ANGOLA						0.00	0.00	0.00													
BARBADOS						0.00	0.00	18.00	14.00	14.00	7.20										
BELIZE						0.00	0.00	**3.60**	**60.16**	**70.10**	60.0										
BRAZIL						570.00	2024.00	**1479.30**	**1593.40**	**957.60**	**1175.00**										
CANADA						46.50	263.00	**196.10**	**141.60**	**130.20**	**111.00**										
CAP VERT						128.00	1.00	1437.00	1147.00	1068.00	827.00										
CHINA	5700	5900	5900	5900	5900	0.00	7347.00	**7200.00**	**7399.00**	**5685.00**	**4973.00**	**0.00**	**700.80**	**2415.8**	**2927.00**	**7200.00**	**8099.8**	**8100.80**	**7900.00**	**9670.00**	
CÔTE D'IVOIRE						0.00	0.00	0.00	0.00	**302.00**	**790.0**										
EU	24500.00	24000.00	24000.00	24000.00	24000.00	**26672.00**	**21970.00**	**15552.50**	**13740.70**	**11780.50**	**19791.49**	**30955.20**	**17759.30**	**19569.50**	**11408.51**	**46507.70**	**31500.00**	**31350.00**	**31200.00**	**28700.00**	
FRANCE (P & M)						0.00	0.00	**0.00**	**2.20**	**2.60**	**0.00**										
GABON						0.00	184.00	0.00													
GHANA	4500.00	5000.00	5000.00	5000.00	5000.00	3478.00	11460.00	9141.00	4633.00	9269.00	10554.00	-4538.7	-4077.40	-8346.40	-5554.00	**4602.30**	**461.30**	**922.60**	**5000.00**	**7500.00**	
GUATEMALA						0.00	0.00	999.00	836.00	998.00	913.0										
JAPAN	26000	25000	25000	25000	25000	**32539.00**	**23690.00**	**17295.00**	**17737.00**	**14597.16**	**13028.26**	**6705.00**	**5263.00**	**13665.84**	**17471.74**	**24000.00**	**23000.00**	**28263.00**	**30500.00**	**29700.00**	
KOREA					2900	**834.00**	**124.00**	**1829.00**	**2136.00**	**2599.00**	**2134.00**										
LIBYA						254.00	0.00	4.00													
MAROC						0.00	700.00	**887.00**	**700.00**	**802.00**	**795.00**										
MEXICO						**0.00**	**6.00**	**3.00**	**3.00**	**1.00**	**1.00**	**n.a**	**n.a**	**n.a**	**n.a**	**n.a**	**n.a**	**n.a**	**n.a**		
NAMIBIA						0.00	423.00	**436.60**	41.00	146.00	108.00										
PANAMA	3500.00	3500.00	3500.00	3500.00	3500.00	8724.50	26.00	2415.00	2922.00	2263.00	2405.00	1635.00	1128.00	2365.00	1095.00	**4050.00**	**4050.00**	**4628.00**	**3500.00**		
PHILIPPINES						0.00	943.00	**1815.00**	**2368.00**	**1874.00**	**1880.00**										
RUSSIA						0.00	8.00	**1.00**	**26.00**	**73.00**	**43.00**	**2099.00**	**2074.00**	**2027.00**	**2057.00**						
SAO TOME & P						0.00	0.00	4.00													
SENEGAL						7.00	0.00	1267.00	805.00		**1041.00**										
SOUTH AFRICA						57.50	41.00	**83.80**	**171.00**	**224.00**	**179.70**	**n.a**	**n.a**	**n.a**	**n.a**	**n.a**	**n.a**	**n.a**	**n.a**	**n.a**	
St. V. & GR.						0.50		114.00	567.00	171.00	292.00										
TRINIDAD & T.						**131.50**	**19.00**	**11.60**	**27.30**	**68.80**	56.00										
UK-OT						6.50	8.00	25.00	**18.50**	**28.30**	**17.00**										
URUGUAY						38.00	59.00	83.00	**22.00**	**27.00**	**31.00**	**n.a**			**n.a**						
USA						**893.50**	**1261.00**	**991.40**	**527.30**	**488.50**	**516.50**										
VANUATU						0.00	0.00	52.00	132.00	**131.84**	34.00										
VENEZUELA						373.20	128.00	261.00	318.00	122.00	**159.00**										
CH. TAIPEI	4600.00	16500.00	16500.00	16500.00	16500.00	12698.00	16837.00	2965.00	12116.00	10418.00	**13252.00**	1635.0	5700.0	6117.0	**6598.00**	**4600.0**	**17816.0**	**16535.0**	**19850.0**	**21450.00**	
NETH. ANT.							0.00	0.00	416.00	251.00	**581.00**	2348.0									
TOTAL CATCH								66569.90	70620.16	64562.60	75755.15										
Rec. number	*04-01*	*04-01, 05-03*	*04-01, 05-03, 06-01*	*08-01*	*09-01*											*04-01, 05-03, 06-01*	*04-01, 05-03, 06-01*	*04-01, 05-03, 06-01*	*08-01*	*09-01*	*09-01*

GHANA: in 2010, 2500t transfer of bigeye tuna catch limit of EU shall be authorised [Rec. 09-01].
JAPAN: Adjusted quotas of Japan in 2005-2010 exclude 2000 t transferred to China (Res. 05-03, Rec. 08-01 and Rec. 09-01).
JAPAN: adjusted quota in 2010 exclude 800t transferred to Korea [Rec. 09-01].
JAPAN: 2009 figures are provisional.
CHINESE TAIPEI: 2008 adjusted quota has been reduced by 1600 t. in accordance with the provision of Rec. 04-01 and plus 1635t. of 2006 underage (16535=16500-1600+1635).
CHINESE TAIPEI: 2009 adjusted quota has been reduced by 1600 t. in accordance with Rec. 04-01 and plus 4950t. due to the underage of 2007 exceeding 30% of 2009 catch limit (19850=16500-1600+4950).
CHINESE TAIPEI: 2010 adjusted quota is 21450t due to the underage of 2008 exceeding 30% of 2010 catch limit (21450=16500+16500*30%).

WHITE MARLIN (*COC 2009 determined that carryover of underharvest is not authorised).*

	Initial landings					*Reference years*		*Current landings*				*Balance*			
	2006	*2007*	*2008*	*2009*	*2010*	*1996*	*1999*	*2006*	*2007*	*2008*	*2009*	*2006*	*2007*	*2008*	*2009*
						(PS+LL)	*(PS+LL)*	*LL+PS*	*LL+PS*	*LL+PS*	*LL+PS*	*LL+PS*	*LL+PS*	*LL+PS*	*LL+PS*
BRAZIL	51.81	51.81	51.81	51.81	51.81	70.00	158.00	**89.70**	**52.20**	**46.60**	**52.30**				
CANADA	2.60	2.60	2.60	2.60	2.60	8.00	5.00	**3.20**	**2.20**	**2.60**	**0.60**	**-0.6**	**0.40**	**0.00**	**2.00**
CHINA	9.9	9.9	9.9	9.9	9.9	9	30	**5.6**	**9.90**	**4.50**	**8.50**	**4.3**	**0.00**	**5.40**	**1.40**
CÔTE D'IVOIRE	2.31	2.31	2.31	2.31	2.31	1.00	7.00	0.00	0.00	**1.60**	**0.65**				
EU	46.50	46.50	46.50	46.50	46.50	148.00	127.00	**79.40**	**48.40**	**67.60**	**56.32**	**-30.60**	**-1.90**	**-21.10**	**-9.82**
JAPAN	37.00	37.00	37.00	37.00	37.00	112.00	40.00	**26.00**	**33.00**	**28.84**	**28.75**	**11.00**	**4.00**	**8.16**	**8.25**
KOREA	19.50	19.50	19.50	19.50	19.50	59.00	0.00	**2.00**	**94.00**	**78.00**	**8.00**	**17.50**	**-74.50**	**-133.00**	**-105.50**
MEXICO	3.63	3.63	3.63	3.63	3.63	0.00	11.00	**16.00**	**13.00**	**13.00**	**19.00**	**-12.37**	**-9.37**	**-9.37**	**-15.37**
PHILIPPINES	3.96	3.96	3.96	3.96	3.96	0.00	12.00	0.00		**1.20**		**4.00**			
TRINIDAD & TOBAGO	4.30	4.30	4.30	4.30	4.30	**8.20**	**13.00**	**5.40**	**12.10**	**10.30**	11.00	**-1.10**	**-7.80**	**-6.00**	**-6.70**
VENEZUELA	50.04	50.04	50.04	50.04	50.04	152.00	43.00	**6.00**	**24.00**	**10.00**	**49.00**	**44.00**	**26.00**	**40.04**	**1.04**
CHINESE TAIPEI	186.80	186.80	186.80	186.80	186.80	586.00	465.00	44.00	54.00	38.00	**28.00**	**142.80**	**132.80**	**148.80**	**158.80**
TOTAL								271.70	342.80	302.24	262.12				
USA(# of fish whm+bum)	250.00	250.00	250.00	250.00	250.00			**130.00**	**98.00**	**117.00**	**97.00**	**120.00**	**152.00**	**133.00**	**153.00**
Recommendation number	*02-13*	*06-09*	*06-09*	*06-09*	*06-09*										

BRAZIL: Reported catches in 2008 include live and dead releases. About 6.7 t of marlins discarded were recorded by the observers: 5.8 t live and 0.9 t dead.
JAPAN: 2009 figures are provisional.
MEXICO: The quotas were determined before Mexico became an ICCAT member, which therefore requires a review. The landings are dead by-catches retained. Live billfish are released.
TRINIDAD & TOBAGO: landings are only by-catches.
TRINIDAD & TOBAGO: catch limits have been adjusted in accordance with Rec. 06-09 and revised historical statistics accepted by the SCRS at its 2009 meeting.
USA: in numbers of fish landed, white marlin and blue marlin combined.

BLUE MARLIN (COC *2009 determined that carryover of underharvest is not authorised) .*

	Initial limits					*Reference years*		*Current landings*				*Balance*			
	2006	*2007*	*2008*	*2009*	*2010*	*1996*	*1999*	*2006*	*2007*	*2008*	*2009*	*2006*	*2007*	*2008*	*2009*
						(PS+LL)	*(PS+LL)*	*LL+PS*	*LL+PS*			*LL+PS*	*LL+PS*	*LL+PS*	
BARBADOS	9.50	9.50	9.50	9.50	9.50	0.00	19.00	**116.00**	**69.00**	**100.00**	**36.00**				
BELIZE						0.00	0.00		**3.77**						
BRAZIL	254.40	254.40	254.40	254.40	254.40	308.00	509.00	**297.60**	**252.90**	**169.20**	**149.10**				
CHINA	100.5	100.5	100.5	100.5	100.5	62	201	**99.00**	**65.00**	**12.70**	**77.00**	**1.0**	**35.50**	**87.80**	**23.50**
EU	103.00	103.00	103.00	103.00	103.00	206.00	200.00	**166.30**	**174.30**	**158.60**	**165.77**	**-63.30**	**-71.30**	**-55.60**	**-62.77**
JAPAN	839.50	839.50	839.50	839.50	839.50	1679.00	790.00	**767.00**	**911.00**	**704.14**	**552.36**	**92.50**	**-71.50**	**135.36**	**287.14**
KOREA	72.00	72.00	72.00	72.00	72.00	144.00	0.00	**6.00**	**0.00**	**0.00**	**8.00**	**66.00**	**0.00**	**0.00**	**64.00**
MAROC	0.00	0.00	0.00	0.00	0.00	0.00	0.00	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**			
MEXICO	17.50	17.50	17.50	17.50	17.50	13.00	35.00	**64.00**	**91.00**	**81.00**	**92.00**	**-46.50**	**-73.50**	**-63.50**	**-74.50**
PHILIPPINES	35.50	35.50	35.50	35.50	35.50	0.00	71.00	0.00		**7.80**		**35.50**			
SOUTH AFRICA	0.00	0.00	0.00	0.00	0.00	0.00	0.00	**1.90**	**1.60**	**0.00**	**0.00**	**-1.90**	**-1.60**		
T & TOBAGO	9.90	9.90	9.90	9.90	9.90	**13.90**	**19.70**	**12.00**	**14.50**	**34.00**	**19.00**	**-2.10**	**-4.60**	**-24.10**	
UK-OT								**2.09**	**0.72**	**0.09**	**0.17**				
VENEZUELA	30.40	30.40	30.40	30.40	30.40	60.74	29.99	**12.00**	**21.00**		**106.00**	**18.40**	**9.40**		**-75.60**
CHINESE TAIPEI	330.00	330.00	330.00	330.00	330.00	660.00	486.00	99.00	233.00	148.00	**195.00**	**231.00**	**97.00**	**182.00**	**135.00**
TOTAL								1642.89	1837.79	1415.53	1400.40				
USA(whm+bum)	250.00	250.00	250.00	250.00	250.00			**130.00**	**98.00**	**117.00**	**97.00**	**120.00**	**152.00**	**133.00**	**153.00**
Rec. number	*02-13*	*06-09*	*06-09*	*06-09*	*06-09*										

BARBADOS: the values listed under "blue marlin" are total catches of all billfish species (except sworfish) including blue marlin, white marlin and sailfish.
BRAZIL: Reported catches for 2008 include live and dead releases. About 19.8 t of marlins discarded were recorded by the observers: 19.5 t live and 0.3 t dead.
JAPAN: 2009 figures are provisional.
MEXICO: The quotas were determined before Mexico became an ICCAT member, which therefore requires a review. The landings are dead by-catches retained. Live billfish are released.
TRINIDAD & TOBAGO: landings are only by-catches.
TRINIDAD & TOBAGO: catch limits have been adjusted in accordance with Rec. 06-09 and revised historical statistics accepted by the SCRS at its 2009 meeting.
USA: in numbers of fish landed, white marlin and blue marlin combined.

Compliance with size limits in 2009

Species	*SWO*		*BFT*						
Area	*AT.N*	*AT.S*	*AT.E*	*AT.E*	*AT.E*	*Med*	*Adriatic*	*Med*	*AT.W*
Recommendation Number	*06-02*	*06-02*	*08-05 for BB, TROL, TRAW <17 m*	*08-05 for BB, TROL, TRAW >17 m*	*08-05 all other gears*	*08-05 Artesanal coastal fisheries*	*08-05 Catches taken for farming purposes*	*08-05 all other gears*	*08-04*
Min Weight (kg)	25 or 15		6.4	8	30	8	8	30	30
Min Size (cm)	125 or 119		--	--	--	--	--	--	115
Tolerance (% of total)	15% 125cm - 0% 119cm		Up to 7% of quota with max. 100 t	0%	Max. 5% between 10-30 kg	Not more than 2% of quota for fresh fish	Not more than 90% of quota	Tolerance of 5% between 10-30kg at landing	Average of 2009 and 2010 not beyond 10%
Albania					4%				
Algeria								<8%	
Angola									
Barbados	0	n.a	n.a	n.a	n.a	n.a	n.a	n.a	n.a
Belize									
Brazil		13.90%							
Canada	<1%	n.a	n.a	n.a	n.a	n.a	n.a	n.a	<1%
Cap Vert									
China	0	0	0	0	0	0	0	0	0
Côte d'Ivoire	n.a	n.a	n.a	n.a	n.a	n.a	n.a	n.a	n.a
Croatia							0%	0%	
EU	15%	13.50%		3.60%		2%		0.90%	
Egypt									
France (St.P & M)	0	n.a	n.a	n.a	n.a	n.a	n.a	n.a	n.a
Gabon									
Ghana		3%							
Guinea Ecuatorial									
Guinée République									
Guatemala									
Honduras									
Iceland					n.a				
Japan	<15%	<15%	n.a	n.a	0.01%	n.a	n.a	n.a	0.00%
Korea	<1%	<1%	n.a	n.a	n.a	n.a	n.a	0%	n.a
Libya	n.a	n.a	n.a	n.a	n.a	n.a	n.a	2%	n.a
Maroc	12	0	0	0	0	0	n.a	0	n.a
Mauritanie									
Mexico			-	-	-	-	-	-	0
Namibia									
Nicaragua									
Nigeria									
Norway	n.a	n.a	n.a	n.a	n.a	n.a	n.a	n.a	n.a
Panama									
Philipinnes									
Russia									
Sao Tome									
Senegal									
Sierra Leone									
South Africa	2% (<2t)		n.a	n.a	n.a	n.a	n.a	n.a	n.a
St. Vincent & G	**<1%**	**n.a**	**n.a**	**n.a**	**n.a**	**n.a**	**n.a**	**n.a**	**n.a**
Syria									
Trinidad & Tobago									
Tunisie	n.a	n.a	n.a	n.a	n.a	n.a	n.a	0%	n.a
Turkey	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	2.44%	n.a.
UK-OT	0	0	n.a.	n.a.	n.a.	n/a	n.a.	n.a.	0%*
USA	0.70%								5.50%
Uruguay	10%(125)								
Vanuatu									
Venezuela									
Chinese Taipei	0.69%-0%	2.69%-0%	n.a	n.a	n.a	n.a	n.a	n.a	n.a
Colombia									
Guyana									
Neth. Antilles									

*UK-OT: This species is not normally targeted, one fish was caugh as by-catch weighing in at 270 kg.

Table of Actions by the Compliance Committee Regarding Cases of Non-Compliance

	2009			2010		
CPC	*Potential Issues of Noncompliance - 2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
ALBANIA	**Annual Reports/ Statistics:** No Task I data submitted, No Task II data submitted. **Conservation and Management Measures:** LSTLV Mgmt standard not submitted *Rec. 08-05 / 06-07 implementation:* Report on implementation of annual fishing plan not submitted, capacity management plan not submitted, weekly catch reports not submitted, monthly catch reports not submitted, VMS messages not submitted. **Quotas and catch limits:** Compliance tables not submitted **Other issues:** None recorded	Not present to respond (Report on implementation of annual fishing plan included Annual Report)	Commission sent letter of concern 2009. Albania informed the Secretariat (23 July 2010) that it did not operate bluefin tuna fishery in 2010 to allow time to complete VMS installation and ensure infrastructure for control of fishery in the future.	**Annual Reports/ Statistics:** No statistical data received. No annual report received. **Conservation and Management Measures:** List of bluefin tuna active vessels 2009 not submitted. **Quotas and catch limits:** No infractions recorded **Other issues:** No infractions recorded	Not present to respond	Letter of concern in relation to deficiencies in E-BFT control and monitoring measures and data reporting. Encourage participation in future meetings. Indicate that failure to respond may result in further actions being considered by the Commission in 2011.

	2009			2010		
CPC	*Potential Issues of Noncompliance -2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
ALGÉRIE	**Annual Reports/ Statistics:** Task I fleet data not submitted, annual report not submitted **Conservation and Management Measures:** LSTLV mgmt standard not submitted *Rec. 08-05 / 06-07 implementation:* Report on implementation of annual fishing plan not submitted, report on implementation of Rec. 08-05 not submitted , capacity management plan not submitted, list of BFT observers not submitted , some weekly catch reports not submitted, sport and recreational fishing data not submitted, BFT other vessels not submitted, BFT landing ports not submitted. *Rec. 08-12 implementation:* Some catch documents not submitted, BCD annual report not submitted, contact points not submitted, model form not submitted, legislation not submitted **Quotas and catch limits:** No infractions recorded **Other issues:** None recorded		Identified 2009. No reply to letter. Algeria has indicated that it did not operate any BFT fishery in 2010.	**Annual Reports/ Statistics:** Statistical data late and not submitted in accordance with SCRS requirements. **Conservation and Management Measures:** No internal actions (vessels 20m +) report received. **Quotas and catch limits:** No infractions recorded **Other issues:** No infractions recorded	Not present to respond.	Maintain identification. Send letter to request data improvement plan and plan for MCS measures taking into account Recommendations adopted in 2010.Encourage participation in future meetings. Indicate that failure to reply or to address issues could result in the Commission considering further actions in 2011

2009				2010		
CPC	*Potential Issues of Noncompliance - 2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
ANGOLA	**Annual Reports/ Statistics:** Task I data not submitted, Task II data not submitted. **Conservation and Management Measures:** No infractions recorded **Quotas and catch limits:** Compliance tables not submitted. **Other issues:** None recorded		Identified 2009. No response received.	**Annual Reports/ Statistics:** No fleet characteristics, no size data. Other data submitted after deadline **Conservation and Management Measures:** No compliance tables receiveed. It is unclear which other elements are applicable to Angola. **Quotas and catch limits:** No infractions detected. **Other issues:** None recorded.	Not present to respond According to Angola Annual Report, there are no Angolese vessels targetting tunas. Late Task I data indicates catches of small tuna. Further clarification needed	Maintain identification and send letter requesting data improvement plan. Encourage participation in future meetings. Indicate that failure to reply or to address issues could result in the Commission considering further actions in 2011.

	2009			2010		
CPC	*Potential Issues of Noncompliance -2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
BARBADOS	**Annual Reports/ Statistics:** Task II data not submitted, annual report not submitted **Conservation and Management Measures:** No infractions recorded **Quotas and catch limits:** Compliance tables not submitted. **Other issues:** None recorded		Identified 2009. No reply to letter received. Statistical data received in 2010, but no size data.	**Annual Reports/ Statistics:** Some data received after deadline. YFT size data received. **Conservation and Management Measures:** It is unclear which elements are applicable to Barbados. **Quotas and catch limits:** No infractions detected. **Other issues:** None recorded.	Not present to respond Question about authorised vessel list	Lift identification and send letter of concern in relation to overharvest of billfish. Encourage participation in future meetings and indicate that failure to reply may lead Commission to consider further actions in 2011.

	2009			2010		
CPC	*Potential Issues of Noncompliance -2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
BELIZE	**Annual Reports/ Statistics:** Some Task II data not submitted **Conservation and Management Measures:** No infractions recorded **Quotas and catch limits:** No infractions recorded **Other issues:** None recorded	Will submit Task II data next year	Commission sent letter of concern 2009. Reply received (1232 of 17 March 2010). Task II data for 2009 were sumbitted.	**Annual Reports/ Statistics:** BET Task I data received after deadline. (All other statistical data received on time) **Conservation and Management Measures:** No report on internal actions (vessels 20m+) received **Quotas and catch limits:** No infractions detected **Other issues:** None recorded	Internal actions and Vessels list provided late	Send letter of continuing concern in relation to data reporting deficiencies. Indicate that failure to reply may lead Commission to consider further actions in 2011.

	2009			2010		
CPC	*Potential Issues of Noncompliance -2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
BRASIL	**Annual Reports/ Statistics:** Task I data submitted after deadline, Task II data submitted after deadline, annual report not submitted. **Conservation and Management Measures:** , Vessel chartering summary report not submitted, LSTLV mgmt standard submitted after deadline **Quotas and catch limits:** Compliance tables submitted after deadline **Other issues:** None recorded	Data reporting will improve in future	Identified 2009. Letter received during Commission meeting. Annual report sumbitted 2010. Compliance tables were received within the deadline in 2010. No vessel chartering summary report was received.	**Annual Reports/ Statistics:** Some data received after the deadline. **Conservation and Management Measures:** Vessel chartering summary report not submitted **Quotas and catch limits:** No infractions detected. **Other issues:** None recorded.	Problem of late data submission rectified, stock assessment data provided late. Will rectify non-submission of vessel chartering summary in future. Reply to letter received late.	Lift identification. Send letter of concern in relation to remaining reporting deficiencies. Indicate that failure to reply may lead the Commission to consider further actions in 2011.

	2009			2010		
CPC	*Potential Issues of Noncompliance -2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
CANADA	**Annual Reports/ Statistics: No infractions recorded**			**Annual Reports/ Statistics:** Some data received after deadline.		
	Conservation and Management Measures: No infractions recorded			**Conservation and Management Measures:**		Send letter of concern in relation to tinely provision of SDP data and other data deficiencies. Indicate that failure to reply may lead the Commission to consider further action in 2011.
	Intersessional: Lack of trade data, need to establish protocols for reporting catch under chartering arrangement with France	Agreed to provide updates on trade data, agreed to meet with France intersessionally	No action taken by Commission. No action required by Canada	Report on SDP data for first semester 2010 not received.	BCD report was sent late due to confusion with deadlines.	
	Quotas and catch limits: No infractions recorded			**Quotas and catch limits:** No infractions detected.		
	Other issues: None recorded			**Other issues:** none recorded		

2009

CPC	*Potential Issues of Noncompliance -2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
CAP-VERT	**Annual Reports/ Statistics:** Task I fleet data not submitted, Task I catch data submitted after deadline, Some Task II data not submitted, Some Task II data submitted after deadline. **Conservation and Management Measures:** No infractions recorded **Quotas and catch limits:** Compliance table not submitted **Other issues:** None recorded		Identified 2009. No reply to letter received. Available statistical data were received in 2010 .	**Annual Reports/ Statistics:** Catch and effort data not available (not submitted). BET data submitted after deadline. **Conservation and Management Measures:** No internal actions (vessel 20m+) received. **Quotas and catch limits:** No compliance table submitted. **Other issues:** None recorded.	Not present to respond	Maintain identification and send letter requesting data improvement plan Encourage participation in future meetings. Indicate that failure to reply or to address issues could result in the Commission considering further actions in 2011.

	2009			2010		
CPC	*Potential Issues of Noncompliance -2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
CHINA, People's Rep. of	**Annual Reports/ Statistics:** Task I fleet data submitted after deadline, Some Task II data submitted after the deadline	Procedural concerns with deadlines for various reports		**Annual Reports/ Statistics:** Some data submitted after deadline. Most data submitted but some size missing (BFT and sharks).	Data collection system being improved.	
	Conservation and Management Measures: Transhipment reports not submitted			**Conservation and Management Measures:**	Reply to letter received November 2010. Legislation was submitted November 2010.	
	Rec. 08-05 / 06-07 implementation: Report on implementation of Rec. 08-05 not submitted, Capacity Management Plan not submitted, VMS messages not submitted, BFT landing ports not submitted.	The two Chinese BFT fishing vessels are still fishing and final numbers are not yet available. (VMS MESSAGES NOW BEING RECEIVED)	Identified 2009. Reply to letter received on 5 November 2010. Report on transhipments for 2008 and 2009 received. China has implemented tagging system for BFT. VMS messages are received at the Secretariat. 2009 catches of BFT within quota.	*Rec. 09-11 implementation* **:** BCD legislation submitted on 5 November 2010.	BFT fishing season begins end of September/ beginning October and ends about the end of November, difficult to provide list of BFT observers at the beginning of the year.	Send letter lifting identification but indicating concerns relating to continued data deficiencies. Indacate that failure to reply may lead the Commission to consider further actions in 2011.
	Rec. 08-12 implementation: Model form not submitted, legislation not submitted.	BFT tagging scheme implemented (DETAILS SENT TO SECRETARIAT SEPT 09)			National observer programme is still currently under way, China was not able to provide data prior to SCRS meeting. Will provide it once available.	
	Intersessional: Problems with VMS transmission Problems implementing CDS. Late request for BFT underharvest carryover.	Working with Secretariat to directly transmit data to ICCAT				
	Quotas and catch limits: 2008 overharvest (BFT)	Monitoring vessels and season to ensure no 2009 overharvest.		**Quotas and catch limits:** No infractions detected		
	Other issues: None recorded			**Other issues:** None recorded.	Observer reports delayed as fishing year closes after deadline.	

	2009			2010		
CPC	*Potential Issues of Noncompliance -2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
CÔTE D'IVOIRE	**Annual Reports/ Statistics:** Task I fleet data not submitted, Task I catch data submitted after deadline, Some Task II data not submitted, Some Task II data submitted after deadline, annual report not submitted. **Conservation and Management Measures:** No infractions recorded **Quotas and catch limits:** Compliance tables submitted after deadline **Other issues:** None recorded	Implementation will improve in future	Identified 2009. Reply received 18 October 2010. Some Task I and Catch & Effort submitted on time in 2010. Size data late as not available before deadline. Compliance tables submitted on time in 2010.	**Annual Reports/ Statistics:** Task I fleet characteristics not submitted. Some data submitted after the deadline and some size data not available. **Conservation and Management Measures:** No updated information authorized vessels. No internal actions (20m+) report. **Quotas and catch limits:** Overharvest of N-SWO **Other issues:** None recorded	Complex requirements cause difficulties. Every effort will be made to submit missing data by end of meeting. Will provide list/update of authorized vessels. Overharvest linked to by-catch in artisanal fisheries. Will work to improve provision of data. Port inspection reports will be provided.	Maintain identification and send letter requesting data improvement plan and indicate that failure to reply or to address issues could result in the Commission considering further actions in 2011. Recognise efforts made to date and encourage continued improvement.

	2009			2010		
CPC	*Potential Issues of Noncompliance -2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
CROATIA	**Annual Reports/ Statistics:** No Task II size data submitted	Data will be submitted shortly	Commission sent letter of concern in 2009. Reply to letter received during Commission meeting. Size data and sport/recreational fishery data have been submitted in 2010. List of observers received. The ROP-BFT has been implemented and VMS messages received.	**Annual Reports/ Statistics:** BFT size data submitted after deadline.	Written response provided (COC-313/2010)	Send letter of continuing concern in relation to reporting deficiencies. Request further clarification on landings of dead bluefin at Croatian ports. Indicate that failure to reply may lead the Commission to consider further actions in 2011.
	Conservation and Management Measures: *Rec. 08-05 / 06-07 implementation:* Report on implementation of Rec. 08-05 not submitted, list of BFT observers submitted after deadline, sport and recreational fishing data not submitted, Regional Observer Program (ROP) implemented after deadline.	Conifrmed its intention to join ROP before the meeting (IMPLEMENTATION HAS ALREADY BEGUN)		**Conservation and Management Measures:** *Rec. 08-05.* Report on implementation of annual plan not submitted. No data from national programmes received. No information on growth/mortality methodology.	Information on growth and mortality submitted to SCRS in 2009. BFT fishing plan implementation report and data from observer programmes submitted after deadline.	
	Rec. 08-12 implementation: No infractions recorded				Reply to letter received November 2010.	
	Intersessional: Indicated problem in communicating VMS data with the Secretariat.	This will be resolved before 2009 fishing season. (VMS RECEIVED BY APRIL 2009)				
	Quotas and catch limits: No infractions recorded			**Quotas and catch limits:** Minor overharvest of E-BFT reported for 2008	Voluntary reduction of quota in 2009 as payback.	
	Other issues: None recorded			**Other issues:** EU inspection reports. *Observer reports* - transfers made without video footage and possible at-sea transhipments? No VMS messages from one opertive towing vessel (AT000HRV00135)	VMS data received at FMC and will be provided.	

	2009			2010		
CPC	*Potential Issues of Noncompliance - 2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
EGYPT	**Annual Reports/ Statistics:** Annual report not submitted, Task I data not submitted, Task II data not submitted **Conservation and Management Measures:** LSTLV Mgmt standard not submitted *Rec. 08-05 / 06-07 implementation:* Report on implementation of annual fishing plan not submitted, capacity management plan not submitted, weekly catch reports not submitted, monthly catch reports not submitted, VMS messages not submitted. **Quotas and catch limits:** Compliance tables not submitted **Other issues:** None recorded		Identified in 2009. No reply to letter received. Fishing plan 2010 submitted. All weekly catch reports submitted at one time, not each week (without vessel numbers, no vessels registered). No compliance tables submitted, no list of BFT fishing vessels submitted, no statistical data submitted, no BCDs submitted. No VMS messages received, but indication that vessels could be less than 15m.	**Annual Reports/ Statistics:** No Annual report received. No statistical data received. **Conservation and Management Measures:** Rec. 08-05. List of authorized BFT vessels not recieved (informed 10 vessels of approx 15m). Report on Annual fishing plan not submitted, report on implementation of Rec. 08-05 not submitted. Rec. 09-04. List of SWO-MED vessels not submitted, nor implementation or 2009 vessels. **Quotas and catch limits:** No compliance tables received. **Other issues:** None recorded.	Written response submitted during Annual Meeting Egypt provided all weekly reports in one late submission. [Names of vessels included in catch report,but not on ICCAT Record of vessels] Quota allocated only to vessels less than 15 m and refused to large scale vessels.	Letter of concerrn in relation to deficiencies in E-BFT control and monitoring measures and data reporting. Indicate that failure to reply may lead the Commission to consider further actions in 2011.

	2009			2010		
CPC	*Potential Issues of Noncompliance - 2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
EUROPEAN UNION	**Annual Reports/ Statistics:** Some Task I fleet data not submitted, Some Task I data submitted after deadline, Some Task II data submitted after deadline	Experienced difficulties with some data transmission to Secretariat, implementation will improve in future		**Annual Reports/ Statistics:** Some data received after deadlines.	Some data late due to verification processes.	
	Conservation and Management Measures: Reports of continued drift net use	Investigation currently underway. Inspections and prosecutions applied to enforce		**Conservation and Management Measures:** Rec. 08-05: no list of observers received; no data from national observer programmes received	Reply to identification letter received in October 2010. Recruitment still in progress at time of deadline.Difficult to provide consistent data from observer programs on time. Vessel authorization received following EU inspection report.	
	Intersessional: IUU vessel inquiry in EC-Malta	Investigation currently underway.		Possible infraction following the receipt of allegedly illegal fish in an EU farm facility.		
	Rec. 08-05 / 06-07 implementation: Some sport and recreational fishing data not submitted, Regional Observer Program (ROP) not implemented at farms, Joint Fishing Operations notification received after deadline.	Submitted concerns with implementation of ROP, noted use of national observers instead	Identified 2009. Reply received 20/10/2010. ROP implemented in 2010. No JFOs in 2010, but internal JFOs reported. Continued overharvest of BUM and WHM.			Maintain identification. Send letter requesting data improvement plan and actions taken to remedy billfish overharvests. Indicate that failure to respond may result in the Commission considering further action in 2011.
	Rec. 08-12 implementation: BCD annual report submitted after deadline, some legislation not submitted.					
	Quotas and catch limits: 2008 overharvest (BUM, WHM)			**Quotas and catch limits:** Overharvest of billfish 2009 detected.		
	Other issues: Two BFT catching vessels not submitting VMS			**Other issues:** 1.**I**nformation from PEW. 2. *Observer reports* - instance of no video available, and possible instance of crew disturbing work of observer. One support vessel not on ICCAT list (may be confusion of names), VMS messages not received from 3 towing vessels (ATEU0ESP01217; ATEU0MLT00121; ATEU0ESP01253). Imports from parties which have not reported their validating authorities. Landing of BFT in unauthorized port.	Written response to be provided on all possible issues of non-compliance arising from observer reports. Proceeding being taken against 6 vessels for non-provision of VMS data. Landing of BFT in Dakar an exceptional case. To be discussed with port State- No intention to violate ICCAT rules.	

	2009			2010		
CPC	*Potential Issues of Noncompliance -2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
FRANCE (St-Pierre et Miquelon)	**Annual Reports/ Statistics:** No infractions recorded **Conservation and Management Measures:** Vessel chartering summary report not submitted. **Intersessional:** Need to establish protocols for data transmission under chartering arrangement with Canada **Quotas and catch limits:** No infractions recorded **Other issues:** None recorded	Agreed to meet with Canada intersessionally to resolve catch reporting issues.	Identified in 2009. Response received during the Commission meeting. Chartering summary for 2009 submitted in 2010	**Annual Reports/ Statistics:** Some data received after deadlines **Conservation and Management Measures:** **Quotas and catch limits:** None detected. **Other issues:** None recorded.	Response to letter received November 2010. Difficulties with timely data submission due to chartering arrangements.	Lift identification. Send letter of concern in relation to remaining data deficiencies. Indicate that failure to respond may result in the Commission considering further action in 2011.

	2009			2010		
CPC	*Potential Issues of Noncompliance -2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
GABON	**Annual Reports/ Statistics:** Annual report not submitted, Task I data not submitted, Task II data not submitted **Conservation and Management Measures:** >24m vessel list not submitted **Quotas and catch limits:** Compliance tables not submitted **Other issues:** None recorded	Not present to respond	Identified 2009. No response received.	**Annual Reports/ Statistics:** No Annual report received, no statistical data submitted. **Conservation and Management Measures:** No information received. **Quotas and catch limits:** No compliance tables received. **Other issues:** None recorded	Not present to respond	Maintain identification. Send letter to request data improvement plan and report on MCS measures. Encourage participation in fiuture meetings. Indicate that failure to respond may result in the Commission considering further action in 2011.

	2009			2010		
CPC	*Potential Issues of Noncompliance -2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
GHANA	**Annual Reports/ Statistics:** Some Task I data submitted after deadline	Experienced difficulties with some data transmission to Secretariat, implementation will improve in future		**Annual Reports/ Statistics:** No Task I fleet characteristics submitted.	All Task I data providd on time.	Maintain identification and send letter indicating concern over continuing over-harvest of bigeye tuna and request the submission of a pay back plan in the context of measures adopted in 2010, and information on capacity management plan. Welcome recent efforts to improve data collection and provision, and urge continued efforts. Indicate that failure to respond may result in the Commission considering further action in 2011.
	Conservation and Management Measures: LSTLV mgmt standard not submitted.		Identified 2009. No response received. Compliance tables submitted within the deadlines in 2010.	**Conservation and Management Measures:** No internal actions (20m+) report received; LSTLV mgmt standard not submitted. Possible vioalation of 04-01 Capacity limitation	No vessels > 20ms , list requirement not necessary. Capacity issue not related to Ghana alone but whole Gulf of Guinea. Link to fishing opportunities	
	Quotas and catch limits: Compliance tables not submitted, 2008 overharvest (BET)	Efforts to resolve historical data on catch composition		**Quotas and catch limits:** 2009 overharvest of BET and SWO	Rec. 09-01 - no requirement to payback BET overharvest. SWO overshoot in mixed artisanal fishery, hard to respect fishing limit	
	Other issues: None recorded			**Other issues:** *Rec. 06-12 (09-10):* Information from PEW on use of ports by IUU vessel	IUU vessel in Benin port at the same time as reported in Ghanian port, not possible. Written response to PEW.	

	2009			2010		
CPC	*Potential Issues of Noncompliance -2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
GUATEMALA	**Annual Reports/ Statistics:** Annual report not submitted, Task II data submitted after deadline		Identified 2009. No response received.	**Annual Reports/ Statistics:** No Annual report submitted; no statistical data submitted.	Data provided late. Not a compliance issue. Information not provided when not applicable.	Maintain identification. Send letter regarding concerns on data reporting deficiencies. Indicate that failure to respond may result in the Commission considering further action in 2011.
	Conservation and Management Measures: No infractions recorded			**Conservation and Management Measures:** No internal report (20m+) received, no LSTLV management received.	Reply to letter received November 2010.	
	Quotas and catch limits: Compliance tables not submitted			**Quotas and catch limits:** Compliance tables not sumbitted.		
	Other issues: None recorded			**Other issues:** None recorded		

	2009			2010		
CPC	*Potential Issues of Noncompliance -2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
GUINEA ECUATORIAL	**Annual Reports/ Statistics:** No infractions recorded **Conservation and Management Measures:** No infractions recorded **Quotas and catch limits:** Compliance tables not submitted **Other issues:** None recorded	Not present to respond	Commission sent letter of concern in 2009. Response received 09/04/2010. Statistical data have been submitted in 2010. Request technical assistance for data collection.	**Annual Reports/ Statistics:** No Annual report received. No size data available. Some (few) data received after deadline. **Conservation and Management Measures:** Difficult to determine which elements applicable to Guinea Ecuatorial. **Quotas and catch limits:** no infractions detected. **Other issues:** None recorded.	Data was provided and responded to letter of concern. Difficulties in meeting compliance obligations as no national vessels fish for ICCAT species and there are no chartering arrangements.	Send letter of continuing concern in relation to possible data deficiences. Indicate that failure to respond may result in the Commission considering further action in 2011.

	2009			2010		
CPC	*Potential Issues of Noncompliance -2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
GUINÉE-REPUBLIQUE	**Annual Reports/ Statistics:** Task I data not submitted, Task II data not submitted **Conservation and Management Measures:** , LSTLV mgmt standard not submitted **Quotas and catch limits:** Compliance tables not submitted **Other issues:** IUU vessel on authorized list		Identified 2009. No response received. No statistical data received. No compliance table received. Vessel remains on IUU list.	**Annual Reports/ Statistics:** No Annual report submitted; no statistical data submitted. **Conservation and Management Measures:** No internal report (20m+) sbumitted. **Quotas and catch limits:** Compliance tables not submitted **Other issues:** One vessel on IUU list. No report of actions taken.	Not present to respond.	Maintain identification and send letter requesting notification of MCS measures and information on actions taken with regard to IUU listed vessel. Encourage participation in future meetings.Indicate that failure to respond may result in the Commission considering further action in 2011.

	2009			2010		
CPC	*Potential Issues of Noncompliance -2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
HONDURAS	**Annual Reports/ Statistics:** Annual report not submitted, Task I data not submitted, Task II data not submitted **Conservation and Management Measures:** , LSTLV mgmt standard not submitted, notification of vessel chartering not submitted **Quotas and catch limits:** Compliance tables not submitted **Other issues:** EC joint inspection scheme report of unlisted vessel operating in Mediterranean	Not present to respond	Identified 2009. No statistical data sumbitted, no compliance table submitted. Vessels for inclusion on BFT-other list sent. VMS messages received from two of the three vessels.	**Annual Reports/ Statistics:** No Annual report received. No statistical data received. **Conservation and Management Measures:** No internal action (20m+) report received. Possible not reporting of VMS messages by one vessel. Possible infraction vessel not providing VMS and not on authorised vessel list. **Quotas and catch limits:** No compliance tables received. **Other issues:** None detected.	Not present to respond Non-reporting of VMS rectified and vessel placed on auth vessel list following EU inspection report.	Maintain identification. Send letter informing them of vessel on provisional IUU list and request report on responsive actions and on steps taken to rectify data deficiencies. Encourage participation in future meetings. Indicate that failure to respond may result in the Commission considering further action in 2011.

	2009			2010		
CPC	*Potential Issues of Noncompliance -2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
ICELAND	**Annual Reports/ Statistics:** No infractions recorded.			**Annual Reports/ Statistics:** No infractions recorded as no fisheries to report. Minor by-catch of SHK reported.	SHK bycatch in EEZ in non-ICCAT fishery. If in association with ICCAT fishery will be reported to SCRS. Will clarify reporting requirement to simplify reporting.	
	Conservation and Management Measures: No infractions recorded.		No action taken by Commission. No action required by Iceland	**Conservation and Management Measures:** No infractions recorded.		No action necessary
	Intersessional: JFO with Libya, problems with VMS .	No JFOs authorized in 2009, no vessels allowed to leave port without operational VMS.				
	Quotas and catch limits: No infractions recorded			**Quotas and catch limits:** No infractions recorded.		
	Other issues: None recorded			**Other issues:** None recorded.		

	2009			2010		
CPC	*Potential Issues of Noncompliance -2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
JAPAN	**Annual Reports/ Statistics:** Some Task I data submitted after the deadline	Will report Task II data for sharks in the future.		**Annual Reports/ Statistics:** Some data submitted after the deadline. Some size data not submitted.	Data provision to be improved. Delayed reporting of SHK data due to verification process.	
	Conservation and Management Measures: Some flag state notifications of vessel charterings not submitted			**Conservation and Management Measures:**		
	Rec. 08-05 / 06-07 implementation: Report on implementation of Rec. 08-05 not submitted, transhipment declarations not submitted or submitted after deadline *Rec. 08-12 implementation:* No infractions recorded	Report cannot be completed until 2010 as fishing year is from July-July .	Identified in 2009. No direct response received. Information on chartering submitted. Compliance tables submitted within deadline.			Lift identification and send letter of concern regarding some remaining data deficiencies. Indicate that failure to respond may result in the Commission considering further actions in 2011.
	Quotas and catch limits: Compliance tables not submitted, escalation of BUM harvests			**Quotas and catch limits:** No infractions detected		
	Other issues: None recorded			**Other issues:** Transhipment declaration not submitted by vessel masters; imports from parties which have not reported their validating authorities	Transhipment declarations from fishing vessels provided before deadline, and carrier vessels also claimed to have done so.	

	2009			2010		
CPC	*Potential Issues of Noncompliance - 2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
KOREA, Rep. of	**Annual Reports/ Statistics:** Task I data submitted after deadline, Some Task II data not submitted, Some Task II data submitted after the deadline.	Data reporting will improve in future, no active fishery for BUM and SAI	Identified in 2009. Response received 18/10/2010. Statistical data received in 2010. Transhipment report received. JFO notification received on time. Compliance tables submitted within the deadline. Continued over-harvest of ALB-S.	**Annual Reports/ Statistics:** Some data received after deadline.	Secretary receipt of data 18 October 2010. Following revised national legislation, data provision to be improved from 2011	Maintain identification. Send letter requesting managment plan or other measures taken to address over harvest of S-ALB and WHM, and request pay back plans. Indicate that failure to respond may result in the Commission considering further action in 2011.
	Conservation and Management Measures: Transhipment reports not submitted, LSTLV mgmt standard not submitted			**Conservation and Management Measures:** None detected		
	Rec. 08-05 / 06-07 implementation: Report on implementation of annual fishing plan submitted after deadline, Report on implementation of Rec. 08-05 submitted after deadline, capacity management plan submitted after deadline, Joint Fishing Operations notification received after deadline. *Rec. 08-12 implementation:* No infractions recorded	Only one <24m vessel active in the fishery, missing data were/will be submitted after deadline.				
	Quotas and catch limits: Compliance tables submitted after deadline, 2008 overharvest (ALB-S, SWO-N, SWO-N, WHM), 08-05 BFT carryover plan submitted after deadline	Overharvest due to bycatch in expanding BET fishery.		**Quotas and catch limits:** Overharvest of S-ALB detected.	S-ALB Overharvest continued in 2009. Fishing for S-ALB prohibited on 15/10/2010 to avoid this. Bycatch discarded from that time. No transhipments authorised	
	Other issues: None recorded			**Other issues:** None recorded.		

	2009			2010		
CPC	*Potential Issues of Noncompliance -2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
LIBYA	**Annual Reports/ Statistics:** Task I data not submitted, Task II data not submitted	Experienced difficulties with some data transmission to Secretariat, implementation will improve in future	Identified in 2009. No direct response received. Statistical data submitted in 2010 including missing data from 2009. List of observers submitted. Farming plan received, but unclear whether farm is yet operative. VMS data received in 2010 but not from all vessels.	**Annual Reports/ Statistics:** Some data received after deadline. No C&E Task II data received.	Delays due to translation related problems. Problem for ICCAT, not Libya.	Maintain identification and send letter requesting data and MCS improvement plans in the context of the measures adopted in 2010. Indicate that failure to respond may result in the Commission considering further action in 2011.
	Conservation and Management Measures: No infractions recorded			**Conservation and Management Measures:** No infractions detected.		
	Rec. 08-05 / 06-07 implementation: Capacity management plan submitted after deadline, list of BFT observers not submitted, BFT farming plan submitted after deadline, Joint Fishing Operations notification received after deadline.	Observers are on board all vessels, missing data were/will be submitted after deadline		*Rec. 08-05:* No data from national observer programme submitted.	Reply to letter received November 2010.	
	Rec. 08-12 implementation: No infractions recorded			*Rec. 09-11.* Domestic legislation not received.	Provided late, just prior to meeting.	
	Intersessional: Need to establish a VMS monitoring center.	Implementation is better and will improve in the future.				
	Quotas and catch limits: No infractions recorded			**Quotas and catch limits:** No infractions detected		
	Other issues: One BFT vessel not transmitting VMS, EC joint inspection scheme report of violations	Immediately took domestic action on vessels identified in EC joint inspection report		**Other issues:** Information from PEW (response attached); *Observer reports:* VMS messages not received from one towing vessel, no video footage of transfer available.	VMS problem rectified. Transmitted directly to Secretariat.Video footage provision errors to be addressed. Action will be taken if seen to be illegal behaviour.	

	2009			2010		
CPC	*Potential Issues of Noncompliance - 2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
MAROC	**Annual Reports/ Statistics:** Task I fleet data not submitted, Task I catch data submitted after deadline, Task II data submitted after deadline. **Conservation and Management Measures:** LSTLV mgmt standard not submitted. *Rec. 03-04 (Driftnet use):* Drift net use observed. *Rec. 08-05 / 06-07 implementation:* BFT farming plan not submitted, capacity management plan not submitted, list of BFT observers submitted after deadline. *Rec. 08-12 implementation:* BCD annual report not submitted, legislation not submitted. **Quotas and catch limits:** No infractions recorded **Other issues:** None recorded	Delay in data submission due to domestic verification process. Implementing plan to ban driftnets by 2012. No farms active, 100% observer coverage, freeze on capacpity, missing data were/will be submitted after deadline.	Identified in 2009. No reply received. Farming plan included in fishing plan. Quota allocated for farming but no caging declaration received and no observer deployed - unclear whether farm has operated. Law has been passed prohibiting driftnets in 2011. BCD legislation not submitted.	**Annual Reports/ Statistics:** Task I fleet data not submitted. Task II for some species not submitted. **Conservation and Management Measures:** *Rec. 08-05* **:** Catch reports not received weekly; 2009 actually fished vessels not received; *Rec. 09-04:* SWO-Med vessels previous year not received; **Rec. 09-11:** BCD legislation not submitted. **Quotas and catch limits:** No infractions recorded **Other issues:** None recorded	Confirmation that all Task II data provided . Problem in compiling data for weekly reporting Confirmation of the prohibition of driftnets from August 2011.	Lift identification and send letter of concern in relation to remaining data submission problems. Acknowledge that use of driftnets will be prohibited from 2 August 2011 and to be definitively eliminated by the end of 2011. Indicate that failure to respond may result in the Commission considering further action in 2011.

	2009			2010		
CPC	*Potential Issues of Noncompliance -2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
MAURITANIA	**Annual Reports/ Statistics:** Annual report not submitted, Task I data not submitted, Task II data not submitted **Conservation and Management Measures:** , LSTLV mgmt standard not submitted **Quotas and catch limits:** Compliance tables not submitted **Other issues:** None recorded		Commission sent letter of concern in 2009. No reply received. No data or information received in 2010	**Annual Reports/ Statistics:** No Annual Report received. No statistical data received. **Conservation and Management Measures:** No information received **Quotas and catch limits:** No compliance tables received. **Other issues:** None recorded	Lack of reporting due to lack of understanding of ICCAT. Not all reporting requirements applicable. Tuna fleets operating under bilateral agreements. No tuna landings in Mauritania. National monitoring/control legislation in place. National observers system in place.	Send letter of continuing concern in relation to reporting deficiencies and request further information. Indicate that failure to respond may result in the Commission considering further action in 2011.

	2009			2010		
CPC	*Potential Issues of Noncompliance - 2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
MEXICO	**Annual Reports/ Statistics:** Task I data submitted after deadline, Task II data submitted after deadline.		Identified in 2009. No response received.	**Annual Reports/ Statistics:** Part II of Annual report not received. Some data received after deadline.	Late submission after deadline, to be rectified in future	Lift identification and send letter of concern in relation to billfish overharvests, recognising that remidial action canot be taken until 2011 Panel 4 meeting. Indicate that failure to respond may result in the Commission considering further action in 2011.
	Conservation and Management Measures: LSTLV mgmt standard not submitted. *Rec. 08-12 implementation:* BCD annual report not submitted.			**Conservation and Management Measures:** LSTLV mgmt standard not submitted; Internal actions (20m+) not submitted. *Rec. 09-11* : BCDs/BCD report not submitted.	2 LL vessels registered. LSTLV and 20+ m reports sent after deadline.	
	Quotas and catch limits: 2008 overharvest (BUM, WHM)			**Quotas and catch limits:** 2009 overharvest of BUM & WHM	Bycatch data provided by observers programme, necessary releases carried out.	
	Other issues: None recorded			**Other issues:** None recorded		

	2009			2010		
CPC	*Potential Issues of Noncompliance -2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
NAMIBIA	**Annual Reports/ Statistics:** Annual report not submitted			**Annual Reports/ Statistics:** Annual report not received. Some data received after deadline.	Reporting deficiencies to be rectified.	
	Conservation and Management Measures: , Vessel chartering summary report not submitted, LSTLV mgmt standard not submitted		Identified in 2009. No response received. Information on vessels chartered and termination, but no vessel chartering summary received. Issues with ALB catches Vanuatu/Namibia have been resolved.	**Conservation and Management Measures:** Vessel chartering summary report not submitted, LSTLV mgmt standard not submitted. Internal actions (20m+) not submitted.		Lift identification and send letter of concern in relation to continued reporting deficiencies.Indicate that failure to respond may result in the Commission considering further action in 2011.
	Quotas and catch limits: Incomplete compliance tables submitted after deadline	Cooperated with Vanuatu to resolve ALB catches (SOME COMPLIANCE TABLE DATA SUBMITTED AT MEETING)		**Quotas and catch limits:** Compliance tables not submitted.		
	Other issues: None recorded			**Other issues:** None recorded.		

	2009			2010		
CPC	*Potential Issues of Noncompliance -2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
NICARAGUA	**Annual Reports/ Statistics:** Annual report not submitted, Task I data not submitted, Task II data not submitted **Conservation and Management Measures:** >24m vessel list not submitted **Quotas and catch limits:** Compliance tables not submitted **Other issues:** None recorded	Problems with data collection from artisanal fishery No fishing vessels greater >24m	Identified in 2009. Response received 18/10/2010. Nicaragua does not currently fish for tuna and tuna-like species in the Convention area.	**Annual Reports/ Statistics:** No annual report received. No data to report. **Conservation and Management Measures:** No information received. No fisheries. **Quotas and catch limits:** No compliance tables received -(no data to report) **Other issues:** None recorded	Not present to respond	Maintain identification and send letter expressing concerns on continued reporting deficiencies. Encourage participation in future meetings. Indicate that failure to respond may result in the Commission considering further action in 2011.

	2009			2010		
CPC	*Potential Issues of Noncompliance -2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
NIGERIA	**Annual Reports/ Statistics:** Annual report not submitted, Task I data not submitted, Task II data not submitted **Conservation and Management Measures:** >24m vessel list not submitted **Quotas and catch limits:** Compliance tables not submitted **Other issues:** None recorded	Not present to respond	Identified in 2009. No response received. No statistical data received in 2010. No vessel list or compliance table submitted.	**Annual Reports/ Statistics:** Annual report not submitted, Task I data not submitted, Task II data not submitted **Conservation and Management Measures:** >20m and associated reports vessel list not submitted **Quotas and catch limits:** Compliance tables not submitted **Other issues:** None recorded	Not present to respond.	Maintain identification and send letter expressing concerns on continued reporting deficiencies. Encourage participation in future meetings. Indicate that failure to respond may result in the Commission considering further action in 2011.

	2009			2010		
CPC	*Potential Issues of Noncompliance -2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
NORWAY	**Annual Reports/ Statistics:** No infractions recorded **Conservation and Management Measures:** No infractions recorded **Quotas and catch limits:** No infractions recorded **Other issues:** None recorded	Concerns expressed about reporting formats.	No action taken by Commission. No action required by Norway.	**Annual Reports/ Statistics:** No infractions recorded **Conservation and Management Measures:** No infractions recorded **Quotas and catch limits:** No infractions recorded **Other issues:** None recorded		No action necassary

	2009			2010		
CPC	*Potential Issues of Noncompliance -2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
PANAMA	**Annual Reports/ Statistics:** Annual report not submitted, Some Task I data submitted after deadline, Some Task II data not submitted **Conservation and Management Measures:** LSTLV mgmt standard not submitted **Quotas and catch limits:** Compliance tables not submitted **Other issues:** None recorded	Implementation will improve in future, new domestic legislation banning high seas transhipments	Identified in 2009. No direct response received. Data for 2009 and previous years submitted in 2010. 2009 Annual Report submitted in 2010.	**Annual Reports/ Statistics:** Annual report not submitted. **Conservation and Management Measures:** Internal action (20m+) not submitted; LSTLV mgmt standard not submitted. **Quotas and catch limits:** Compliance tables not submitted. **Other issues:** None recorded.	Vessels list (>20ms) to be provided by end of meeting.	Maintain identificatioin and send letter expressing concerns over continued reporting deficiencies.Indicate that failure to respond may result in the Commission considering further action in 2011.

	2009			2010		
CPC	*Potential Issues of Noncompliance -2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
PHILIPPINES	**Annual Reports/ Statistics:** Task II size data not submitted **Conservation and Management Measures:** No infractions recorded **Quotas and catch limits:** No infractions recorded **Other issues:** None recorded	Not present to respond	Identified in 2009. No response received. No size data submitted in 2010.	**Annual Reports/ Statistics:** Task II size data not submitted. ... No annual report sumbitted. **Conservation and Management Measures:** No infractions recorded **Quotas and catch limits:** **Other issues:**	Task II data to be provided as soon as possible, delayed data provision to be rectified.	Maintain identification and send letter expressing concers over continued reporting deficiencies.Indicate that failure to respond may result in the Commission considering further action in 2011.

	2009			2010		
CPC	*Potential Issues of Noncompliance - 2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
RUSSIA	**Annual Reports/ Statistics:** Task I catch data not submitted, Task II data not submitted **Conservation and Management Measures:** No infractions recorded **Quotas and catch limits:** No infractions recorded **Other issues:** None recorded	Experienced difficulties with some data transmission to Secretariat, will submit Task II data next year.	Identified in 2009. No responses received. Task I data submitted in 2010 for 2008 and 2009. No Task II data submitted.	**Annual Reports/ Statistics:** No Task II data submitted. **Conservation and Management Measures:** No internal actions (20m) submitted. **Quotas and catch limits:** No infractions recorded **Other issues:** None recorded	Reporting delay due to bureaucratic issues, shortcomings to be rectified. Task II submitted but with serious delays	Lift identification and send letter of concern in relation to continued reporting deficiencies. Indicate that failure to respond may result in the Commission considering further action in 2011.

	2009			2010		
CPC	*Potential Issues of Noncompliance -2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
SÃO TOMÉ E PRINCIPE	**Annual Reports/ Statistics:** Annual report not submitted, Task I data not submitted, Task II data not submitted **Conservation and Management Measures:** >24m vessel list not submitted **Quotas and catch limits:** Compliance tables not submitted **Other issues:** None recorded	Not present to respond	Identified 2009. No response received. No statistical data submitted in 2010. No compliance tables submitted.	**Annual Reports/ Statistics: A**nnual report not submitted, Task I data not submitted, Task II data not submitted **Conservation and Management Measures:** No list of vessels 20m+ or associated reports submitted **Quotas and catch limits:** Compliance tables not submitted **Other issues:** None recorded.	Not present to respond	Maintain identification and send letter expressing concerns over continued data reporting deficiencies. Encourage participation in future meetings. Indicate that failure to respond may result in the Commission considering further action in 2011.

	2009			2010		
CPC	*Potential Issues of Noncompliance -2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential Issues of Noncompliance - 2009 (COC-303, COC 311, PLE-105: Tables 1-4, COC-304C)*	*Response / explanation by CPC*	*Actions Taken*
SENEGAL	**Annual Reports/ Statistics:** Some Task I data submitted after deadline, Some Task II data submitted after deadline **Conservation and Management Measures:** LSTLV mgmt standard not submitted **Quotas and catch limits:** No infractions recorded **Other issues:** None recorded	Implementation will improve in future	Identified in 2009. No reply received.	**Annual Reports/ Statistics:** Some Task I data submitted after deadline, Some Task II data submitted after deadline **Conservation and Management Measures:** LSTLV mgmt standard and internal actions report (vessels 20m+) not submitted **Quotas and catch limits:** No infractions recorded **Other issues:** None recorded	Reporting deficiencies will be resolved in 2011	Lift identification and send letter of concern in relation to continued data deficiencies, while noting the improvements made in 2010. Indicate that failure to respond may result in the Commission considering further action in 2011.

	2009			2010		
CPC	*Potential Issues of Noncompliance -2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
SIERRA LEONE	**Annual Reports/ Statistics:** Annual report not submitted, Task I data not submitted, Task II data not submitted **Conservation and Management Measures:** , LSTLV mgmt standard not submitted **Quotas and catch limits:** Compliance tables not submitted **Other issues:** None recorded		Identified 2009. No response received. No statistical data submitted in 2010. No compliance tables submitted in 2010.	**Annual Reports/ Statistics:** Annual report not submitted, Task I data not submitted, Task II data not submitted **Conservation and Management Measures:** LSTLV mgmt standard not submitted; internal actions report (20m+) not submitted **Quotas and catch limits:** Compliance tables not submitted **Other issues:** None recorded	Not present to respond.	Maintain identification and send letter expressing concerns over continueed lack of data reporting. Encourage participation in future meetings.Indicate that failure to respond may result in the Commission considering further action in 2011.

	2009			2010		
CPC	*Potential Issues of Noncompliance -2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
SOUTH AFRICA	**Annual Reports/ Statistics:** No infractions recorded		Commission sent letter of concern in 2009. No reply received. Complete compliance tables received for 2010. Some chartering notification received but no summary report (received late).	**Annual Reports/ Statistics:** No annual report submitted.	Internal re-organisation led to reporting difficulties. Steps being taken to resolve this issue. Annual reports late submission	Send letter of concern in relation to continued reporting deficiencies.Indicate that failure to respond may result in the Commission considering further action in 2011.
	Conservation and Management Measures: Vessel chartering summary report not submitted			**Conservation and Management Measures:** Chartering summary received after final deadline. LSTLV mgmt standard not submitted and internal report (20m+) not submitted.	LSTLV mgmt standard submitted late.	
	Quotas and catch limits: Incomplete Compliance tables submitted	Compliance tables updated at meeting		**Quotas and catch limits:** No infractions detected.		
	Other issues: None recorded			**Other issues:** None recorded.		

	2009			2010		
CPC	*Potential Issues of Noncompliance -2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
ST.VINCENT & THE GRENADINES	**Annual Reports/ Statistics:** Task I fleet data not submitted, Task II size data not submitted.	Not present to respond.		**Annual Reports/ Statistics:** Some data received after deadlines. Task II size data not submitted.		
	Conservation and Management Measures: LSTLV mgmt standard not submitted.		Commission sent a letter of concern in 2009. No reply received. No size or fleet characteristics data received in 2010. No Compliance tables received.	**Conservation and Management Measures:** No internal action (20m+) report received. LSTLV mgmt standard not submitted.	Some data not provided, as not applicable. Where necessary, port inspection measures shortcomings will be rectified. 20m internal action and LSTLV reports provided at meeting.	Identified. Send letter in relation to concerns over data deficiencies and late reporting. Indicate that failure to respond may result in the Commission considering further action in 2011.
	Quotas and catch limits: Compliance tables submitted after deadline.	(Some compliance table data submitted at the meeting)		**Quotas and catch limits:** No compliance tables received.		
	Other issues: None recorded			**Other issues:** None recorded		

	2009			2010		
CPC	Potential Issues of Noncompliance - 2009	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
SYRIA	**Annual Reports/ Statistics:** Task I fleet data not submitted, Task II data not submitted **Conservation and Management Measures:** No infractions recorded *Rec. 08-05 / 06-07 implementation:* Annual fishing plan not submitted, list of BFT observers not submitted, weekly catch reports, sport and recreational fishing data not submitted, List of baitboats and trollers not submitted, BFT voluntary reduction submitted after deadline, BFT landing ports not submitted. *Rec. 08-12 implementation: C* atch documents not submitted, BCD annual report not submitted, CD validatio not submitted, Contact points not submitted, Model form not submitted, Legislation not submitted **Quotas and catch limits:** Compliance tables submitted after deadline **Other issues:** None recorded		Commission sent letter of concern in 2009. Reply received. Observer information, vessel list, port information, BCD received for 2010.	**Annual Reports/ Statistics:** No annual report received. No statistical data received. (indicated intention not to fish in 2009). **Conservation and Management Measures:** No internal actions (20m+) report received. *Rec. 08/05 /09-06.* No report on implementation of annual fishing plan or of Rec. 08-05 submitted. No weekly or monthly catch reports received. *Rec. 08-12 /09-11 implementation:* BCD annual report not submitted, BCD validation not submitted, Contact points not submitted, Legislation not submitted. **Quotas and catch limits:** No compliance tables received. **Other issues:** None recorded	Not present to respond.	Send letter of concern in relation to deficiencies in E-BFT control and monitoring measures and data reporting. Encourage participation in future meetings.Indicate that failure to respond may result in the Commission considering further action in 2011.

	2009			2010		
CPC	*Potential Issues of Noncompliance -2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
TRINIDAD & TOBAGO	**Annual Reports/ Statistics:** Annual report not submitted, Some Task I data not submitted, Some Task II data submitted after deadline, some Task II data not submitted.	Implementation will improve in future		**Annual Reports/ Statistics:** Statistical data sumbitted after deadlines.	Response to Identification Letter to be provided before the end of the Annual Meeting. Human resources shortfalls in the course of being remedied, reporting will improve in the future.	Lift identification and send letter of concern in relation to overharvest of billfish, recognising that remedial action cannot be taken until the meeting of Panel 4 in 2011. Indicate that failure to respond may result in the Commission considering further action in 2011.
	Conservation and Management Measures: No infractions recorded		Identified 2009. No reply received. Annual report and data submitted in 2010.	**Conservation and Management Measures:** No list of vessels 20m+ and associated reports submitted (3 operational according to Annual Report)	Vessels list and related reports to be provided during meeting.	
	Quotas and catch limits: 2008 overharvest (BUM, WHM)			**Quotas and catch limits:** No compliance table sumbitted. Continued overharvest (BUM WHM)	Marlin overharvest will be discussed in Panel 4.	
	Other issues: None recorded			**Other issues:** None recorded		

	2009			2010		
CPC	*Potential Issues of Noncompliance - 2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
TUNISIE	**Annual Reports/ Statistics: No infractions recorded** **Conservation and Management Measures:** LSTLV mgmt standard not submitted *Rec. 08-05 / 06-07 implementation:* BFT farming plan not submitted, Report on the implementation of annual fishing plan not submitted, list of BFT observers not submitted,transhipment ports not submitted, Regional Observer Program (ROP) not implemented. **Quotas and catch limits:** 2008 overharvest (BFT-E), 2009 overharvest (BFT-E) **Other issues:** None recorded	Experienced difficulties with observer list transmission to Secretariat (ASKED TO RESUBMIT), did not implement ROP due to high costs. BFT: offered to pay 50% back over 4 years.	Identified in 2009. Response received to Chair's letter 1637 of 19 April 2010. No LSTLV management standard as not applicable to Tunisia in 2010. Farming capacity plan received. List of observers submitted. Landing ports submitted (all catches landed). ROP-BFT implemented on vessels and farms in 2010. Payback in two years, quota for 2010 established through Rec. 09-06.	**Annual Reports/ Statistics:** Data sumbitted after deadline. **Conservation and Management Measures:** **Rec. 08-05.** List of BFT vessels that fished 2009 not received. **Quotas and catch limits:** No infractions detected. **Other issues:** EU inspection report - response received. *Observer reports:* Observers not allowed access to video footage. Incomplete filming of transfer.	Data provided by deadline of 9 Oct. Sent Feb 2009 and again on 16 April 2010 No objection to provision, full co-operation with observers, either on vessel or on farms. In complete video footage, not specialist in filming - too expensive to recruit, undertaken by divers without experience. Confirmation of transfer to transfer vessel only , but not for estimation of number and quantity of fish.	Maintain identification and send letter requesting data improvement and fleet management plans in the context of measures to be adopted in 2010. Indicate that failure to respond may result in the Commission considering further action in 2011.

	2009			2010		
CPC	*Potential Issues of Noncompliance -2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
TURKEY	**Annual Reports/ Statistics:** Some Task I data submitted after deadline, Task II size data not submitted **Conservation and Management Measures:** *Rec. 03-04 (Driftnet use):* Drift net use observed. *Rec. 08-05 / 06-07 Implementation:* BFT farming plan submitted after deadline, report on the implementation of Rec. 08-05 submitted after deadline, Joint Fishing Operations notification received after deadline. **Quotas and catch limits:** No infractions recorded **Other issues:** EC joint inspection scheme report of BFT catch/transfer document violations	Delay in data submission due to domestic verification process. Will implement new regulations to ban modified driftnets in 2011. Will implement full observer coverage at farms, difficulty implementing full coverage on fishing vessels, farming plan will be submitted at the meeting.	Identified 2009. Response to Chair's letter 766 of 18 February 2010.Task I and Task II data received within deadline. JFO information received in time. Information on EC inspection reports submitted. Available on ICCAT web site (password protected). Information on prohibition of driftnets received, prohibited from 01/07/2011	**Annual Reports/ Statistics:** Some data received after the deadlines. Size data not received. **Conservation and Management Measures:** Internal actions (20m+) not received. *Rec. 08-05 /09-06/ 06-07 Implementation:* Information on growth factors received after deadline. Driftnet use observed, to be discontinued by 01/07/2011. **Quotas and catch limits:** No infractions detected. **Other issues**: Rec. 08-09 and Rec. 03-04 Information from WWF on driftnets. EU inspection report - response received. *Observer reports:* Observers not allowed access to video footage. Possible incorrect information on transfer declaration.	Data provided 14 Nov 2010. Catch size data requirement impossible to respect as difficult to measure fish once in cage. Submitted after deadline. Estimated growth using factors approved by SCRS were received befoe the deadline. Confirmed that driftnets would be prohibited from 1 July 2011. Responded to WWF on 28 Oct. EU reports responded to on 5 August and 5 November and published on ICCAT web site.Some video footage not provided due to technical difficulties, will be remedied for next season, although CDs of all operations provided to Secr. Discrepancies between ROP estimates and logbook, doubts over experience of observers to undertake this task.	Maintain identification and send letter requesting data improvement and MCS plan in the context of measures adopted in 2010. Indicate that failure to respond may result in the Commission considering further action in 2011.

	2009			2010		
CPC	*Potential Issues of Noncompliance -2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
UNITED KINGDOM (O. Territories)	**Annual Reports/ Statistics:** Some Task II data not submitted; reports on statisitical documents not submitted	Held data workshop in UK, Task II data will be submitted next year.	Identified 2009. Response to Chair's letter 2026 of 13 May 2010. SDP reports received in 2010.Task I and II data submitted in 2010.	**Annual Reports/ Statistics:** Annual report received incomplete. Some (few) data received after deadline. No data received on behalf of Turks & Caicos or BVI.	Recognise variable performance of island dependencies. Are working to rectify this	Identification lifted. Send letter of concern requesting submission of a data improvement plan and a report on progress and implementation of same, with special emphasis on billfish.Indicate that failure to respond may result in the Commission considering further action in 2011.
	Conservation and Management Measures: No infractions recorded			**Conservation and Management Measures:** Rec. 09-11. No BCD annual report of BCDs received (but catch in 2009 only 0.27t and 0 in previous years).	Bycatch issue in sports fishery.	
	Quotas and catch limits: No infractions recorded			**Quotas and catch limits:** Minor harvests of BUM but limit from base year is 0.	Measures to be introduced to avoid this. Payback to be addressed in Panel 4.	
	Other issues: None recorded			**Other issues:** None recorded		

	2009			2010		
CPC	*Potential Issues of Noncompliance -2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
URUGUAY	**Annual Reports/ Statistics:** No infractions recorded			**Annual Reports/ Statistics: N**o infraction detected.		Send letter of concern in relation to overharvest of southern albacore and request information taken on improvement of reporting requirements, particularly in relation to bilateral arrangements. .Indicate that failure to respond may result in the Commission considering further action in 2011.
	Conservation and Management Measures: LSTLV management standard not submitted		No action taken by Commission. No action required by Uruguay.	**Conservation and Management Measures:**LSTLV management standard not submitted. No internal actions (vessels 20m+) submitted	Some information contained in Annual Report	
	Quotas and catch limits: No infractions recorded			**Quotas and catch limits:** Overharvest of south albacore detected.	Due to research fishery. Measures taken to reduce capacity by 50%. Results to be provided to SCRS.	
	Other issues: None recorded			**Other issues:** None recorded.		

	2009			2010		
CPC	*Potential Issues of Noncompliance -2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
UNITED STATES	**Annual Reports/ Statistics:** No infractions recorded		Commission sent letter of concern in 2009. Response received 18/10/2010. Tagging system in place so BCD submission may be exempt. Re-export certificates of 2008-20010 received in 2010.	**Annual Reports/ Statistics:** All data sent by deadline except C&E for sharks.	C&E data on sharks to be provided	Letter of concern to be sent in relation to implementation of statistical document programmes and encouraging attempts to improve implementation. Encourage further actions to clarify discrepancies in trade data detected in 2009. Indicate that failure to respond may result in the Commission considering further action in 2011.
	Conservation and Management Measures: No infractions recorded *Rec. 08-12 implementation:* Catch documents not submitted			**Conservation and Management Measures**: None detected.	Confirmed that BCD identification numbers have been brought into line with ICCAT requirements.	
	Intersessional: Discrepencies in trade data	Sent letters to EC, Japan, Tunisia, and Turkey to explain discrepancies and offered to cooperate bilaterally .				
	Quotas and catch limits: No infraction recorded			**Quotas and catch limits:** No infraction recorded.		
	Other issues: None recorded			**Other issues:** Imports from NCPs which have not reported validating authorities and / or may not be authorized to fish in ICCAT area.	Imports from Pacific fisheries, not ICCAT related, but will follow-up with countries involved to rectify for the future. Internal measures undertaken to avoid this problem in the future.	

	2009			2010		
CPC	*Potential Issues of Noncompliance -2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
VANUATU	**Annual Reports/ Statistics:** Annual report not submitted, Task I fleet data not submitted, Task I catch datat submitted after deadline, Task II data not submitted **Conservation and Management Measures:** LSTLV management standard not submitted **Quotas and catch limits:** Compliance tables not submitted; albacore catches in need of revision **Other issues:** None recorded	Information provided on coordination with Namibia to account for catches taken under charter. Albacore catches revised and within limits.	Identified 2009. No reply received. Cooperation with Namibia and revised statistical data for 2008 submitted. Task I and Task II for 2009 received,but without effort data. No size data.	**Annual Reports/ Statistics:** Some data incomplete. Task I fleet data not submitted. Task II size data not submitted. **Conservation and Management Measures:** LSTLV management standard and internal actions report (20m+) not submitted **Quotas and catch limits:** Compliance tables not submitted. **Other issues:** VMS transmission in process for BFT-other vessels.	Recognise problems in data provsion due to data collection problems. To be provided shortly. VMS data now being provided. Also requested technical assistance with data collection.	Identification maintained. Letter to be sent informing Vanuatu of this and requesting detailed information on data collection improvement plan. Indicate that failure to provide the information requested may result in the Commission considering further actions in 2011.

	2009			2010		
CPC	*Potential Issues of Noncompliance -2009*	*Response / explanation by CPC*	*Actions Taken*	*Potential issues of non-compliance-2010*	*Response / explanation by CPC*	*Actions Taken*
VENEZUELA	**Annual Reports/ Statistics:** Task I fleet data not submitted	Implementation will improve in future	Identified 2009. No reply received. Fleet data sent in 2010.	**Annual Reports/ Statistics:** No infractions detected.	Not present to respond	Identification maintained. Letter to be sent informing Venezuela and requesting plan of actions to address over-harvest of northern albacore catches and quota management and report on implementation and payback plan. Encourage participation in future meetings. Indicate that failure to respond to such requests may result in the Commission considering further actions in 2011.
	Conservation and Management Measures: No infractions recorded			**Conservation and Management Measures:** Compliance tables not received. Internal actions (vessels 20m+) not received. LSTLV management not received.	Response to Chairs' letter and incomplete compliance tables received 15 November 2010.	
	Quotas and catch limits: Compliance tables not submitted, 2008 overharvest (N-ALB)	Current catches reduced to be consistent with allocation.		**Quotas and catch limits:** Significant overharvest of N-ALB.	Vessel quotas to be limited to 200t.	
	Other issues: None recorded			**Other issues:** None recorded		

Appendix 4 to ANNEX 9

Number of Vessels Fishing for Bigeye Tuna by Gear Type, Reported in 2005

BET vessels	*Number of vessels reported*							
	Limit	*LL*	*PS*	*BB*	*Trollers*	*Handliners*	*Unclassified/ Multipurpose*	*Total*
Chinese Taipei	98 LL	98						98
China	45 LL							
EU		269	34	908	500	19		1730
Ghana			10	26				36**
Japan		245						245
Panama	3 PS							
Philippines	8 LL	8						8
Guatemala			2					2
Morocco		31					26	57

Note: Information was provided from Guatemala and Morocco on a voluntary basis.
** Submitted to the Compliance Committee 19 November 2010.

Appendix 5 to ANNEX 9

Joint Statement by the Observers
From Greenpeace and WWF to the Compliance Committee

Over the last five years and in response to one of the deepest fisheries management scandals in recent times, ICCAT contracting parties participating in the Mediterranean bluefin tuna fishery have approved a number of new rules to try to put this fishery, and particularly the purse seine and farming sectors, under control.

As a result of new measures approved, including a mandatory trade traceability document, the BCD, and a regional observers programme covering 100% of purse seining and farming operations, the amount of information available to this Compliance Committee has increased substantially. As an example, observer and inspection reports from the 2010 bluefin tuna fishery have been available to ICCAT contracting parties for a few weeks now.

Greenpeace and WWF wish to stress, however, that such level of information is useless if it remains unused and parties don't take the time and resources to analyse it. Having had access to only a portion of the data which is available to national delegations, we have analysed the information contained in the observer and inspection reports.[1] Our preliminary results show that lack of compliance, far from being an issue of the past, still require an urgent strong response from this Commission. Taken together, these two unique sources of information still portray a fishing and farming industry with huge control problems, that continues to engage in rife violation of reporting rules. The data available to ICCAT contracting parties show that the whole purse seining and farming system is plagued with structural traceability shortcomings, starting by the inability of observers to independently assess real catch levels.

Greenpeace and WWF call on this 2010 Session of the ICCAT Compliance Committee to honour its name and to carry out an exhaustive scrutiny of the information available on the 2010 bluefin tuna

[1] A preliminary analysis of this information is available at:
http://assets.panda.org/downloads/wwf___official_data_reveal_extent_of_tuna_fiasco.pdf

fishery, and to ensure that appropriate action is taken at this 17th Special Meeting of the ICCAT, including adopting emergency measures commensurate with the new findings, as well as issuing sanctions against countries and companies contravening the rules. ICCAT Parties have the obligation to ensure, through the work of its Compliance Committee, that no bluefin tuna caught against existing rules makes its way into the market.

Finally, Greenpeace and WWF wish to remind all ICCAT parties that it is an absolute must to ensure that agreed sanctions are strictly complied with. Consistent with international commitments to fight illegal, unreported and unregulated fishing, parties must ensure that existing provisions to pay back IUU catches contained in ICCAT Recommendations [96-14; 08-05] are strictly met, including agreed quantities and timelines, so as not to further undermine the credibility of this Commission, already diminished by years of overfishing by its own parties or recently agreed derogations to internationally banned destructive fishing gears such as driftnets.

Summary of findings on the lack of compliance with management rules and traceability shortcomings in the 2010 industrial bluefin tuna fishery in the Mediterranean

Below we provide a non-exhaustive generic description of some of these situations. Additionally, the reports analysed clearly imply that the Mediterranean bluefin tuna purse seine fishery still estimates and reports its catches without any effective independent verification by management authorities. Out of 23 observers placed in Spanish and French purse seiners, 15 encountered difficulties to estimate the amount of tuna in cages, in most cases acknowledging this was "simply impossible" and they had been left with having to accept the estimation by the vessel skipper and/or the tug divers. Out of the eight who did not report such problems, three were on board vessels that did not make any catch.

ICCAT data provide solid evidence of:

- Strong divergences (up to 2.5-fold) between catch data officially reported by skippers of fishing vessels in transfer declarations and data reported by skippers of tug boats to inspectors.
- Strong divergences between catch data officially reported by skippers of fishing vessels in transfer declarations and catch data reported in the correspondent Bluefin Tuna Catch Documents (BCDs).
- Mismatch between number and weight of catch of fishing hauls described by observers and the data reported through BCDs.
- Transfer at sea of tuna cages between tugboats without the required authorisations; deliveries of the fish in the farms by tugboats different from those reported as having been for the transferral of fish.
- Transfers that have not been recorded on video as is mandatory.
- Tugboats operating with the required Vessel Monitoring System (VMS) switched off or without any VMS system whatsoever.
- Logbooks missing key information on fishing and transfer operations.
- BCDs missing key information on fishing and transfer operations.
- Different versions of a same BCD.
- Illegal transshipments at sea.
- Tugboats lacking original BCDs on board from the catching vessels.
- Tugboats recording incomplete information on transfer declarations.
- Physical obstruction to accredited inspectors in purse seiners.
- Purse seiners transferring fish without the required transfer authorisation.
- Tugboats with transfer declarations not validated by observers.
- Purse seiners using incomplete BCDs.
- Tugboats towing single cages resulting from multiple transfers (from up to 8 different purse seine vessels or even more) and lacking the required catch and transfer data.

ANNEX 10

REPORT OF THE MEETING OF THE PERMANENT WORKING GROUP FOR THE IMPROVEMENT OF ICCAT STATISTICS AND CONSERVATION MEASURES (PWG)

1. Opening of the meeting

The meeting of the PWG was opened by the Chair, Dr. Rebecca Lent (United States).

2. Appointment of the Rapporteur

Mr. Ray Walsh (Canada) was appointed as Rapporteur.

3. Adoption of the Agenda

The Agenda was adopted with a slight modification to the order of proceedings. The revised Agenda is attached as **Appendix 1 to ANNEX 10**.

4. Review of the Report of the Working Group on Integrated Monitoring Measures (Madrid, February 2010), and consideration of draft measures contained therein

The Chair referred to the Report of the 6th Meeting of the Working Group on Integrated Monitoring Measures noting that discussions focused on the development of port state measures, minimum standards for national scientific observer programs, catch document schemes, boarding and inspection schemes, and implementation of Kobe II course of actions. As some parties expressed concern with their inability to participate in the inter-sessional meeting, proposals referred to the Commission for consideration by the Working Group were reintroduced for review and discussion (see **ANNEX 4.1**).

The "Draft Recommendation by ICCAT on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing" was reviewed paragraph by paragraph with some progress made in addressing previously bracketed text. An updated version of the proposal was subsequently tabled, However, substantive items including the scope of application of the measures remain outstanding. CPCs were encouraged to undertake the necessary review and discussion in advance of the next meeting and the item was deferred.

The United States introduced the "Draft Recommendation by ICCAT to Establish Minimum Standards for Fishing Vessel Scientific Observer Programs" noting that there was an outstanding item regarding how to address vessels that cannot safely carry on-board observers. Revised text was provided by the United States which allowed for an alternative approach for the collection of scientific information where an extraordinary safety concern may exist for vessels less than 15m. The revised proposal was adopted by the PWG (see **ANNEX 5 [Rec. 10-10]**).

The Chair referred to two proposals related to Catch Document Schemes provided by the Working Group on Integrated Monitoring Measures for consideration, a "Draft Recommendation by ICCAT on a Tuna and Tuna-like Species Catch Documentation Program" and a "Draft Recommendation by ICCAT on an Electronic Catch Document Pilot Program", noting also that Japan had submitted a follow-up proposal on the expansion the scope of the Catch Document Scheme. These items were discussed and reviewed under Agenda item 5.

5. Implementation and functioning of Statistical and BFT Catch Document Programs

The Chair invited Japan to present the "Draft Recommendation by ICCAT on the Catch Document Scheme". In introducing the proposal Japan stated that the document was based on the earlier EU proposal and was developed subsequent to the meeting of the Working Group on Integrated Monitoring Measures and taking into account discussions from the Joint Tuna RFMO workshop on Monitoring, Control and Surveillance held in Barcelona from June 3 to 5, 2010.

The delegate of Japan highlighted the addition of a simplified catch document form for artisanal fisheries, a validation procedure for purse seine catch brought to processing plants, and an instruction sheet applicable to all related catch documents and reports. Differences in the species covered by the proposal including the addition of several shark species were noted with Japan indicating its flexibility on this element. Recognizing that it was unlikely the proposal could be adopted at this meeting Japan solicited feedback on the draft while noting its intent to undertake revisions prior to the next annual meeting.

The EU expressed concern with some of the modifications, but agreed to work with Japan and other interested CPCs to address these issues. Specifically noted were the provision related to chartering and that which authorized completion of catch documents by processing plants. The EU also noted the need for clarity around the definition of the species to be considered and the application to artisanal fisheries.

Several CPCs noted that that the existing Catch Document Scheme has improved ICCAT's ability to monitor the bluefin tuna fishery but suggested that outstanding deficiencies with the program should be addressed before the program is expanded. The need for a focused discussion on the setting of priorities before ICCAT considers undertaking a broad expansion was also highlighted.

The significant administrative burden the catch document program places on stakeholders, including the Secretariat, and the challenges associated with the cost of implementation, particularly for developing states, was noted to be of concern. It was suggested that any expansion of the program should be in response to clear IUU activity or in instances where severe data deficiencies exist.

Recognizing the potential for increased efficiency and utility from an electronic reporting tool, further discussion on Catch Documentation Schemes was deferred and the EU was asked to present its proposal for developing an electronic catch document system, a "Draft Recommendation by ICCAT on an Electronic Bluefin Tuna Catch Document Pilot Program (eBCD)". The EU delegate noted some of the potential benefits of such a program, including enhanced traceability, reduced data entry errors, increased security, and the possibility for compliance cross checks among others. The recommendation, which was adopted with minor changes, establishes a working group and timeline for developing an eBCD program (see **ANNEX 5 [Rec. 10-11]**. The working group will meet in early 2011 to guide development of the system and with the goal of implementation in early 2012.

6. Review and development of the IUU vessel list

The Chair referred to the Secretariat Report to the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures noting updates on the IUU vessel list. The Secretariat advised that following the 2009 meeting of the Commission, two requests for the removal of vessels from the IUU vessel list were received. Parties agreed inter-sessionally to the removal of one these vessels, *Tonina V* and the Secretariat was recently advised that the second vessel, *Daniela F*, has been removed from the Western and Central Pacific Fisheries Commission (WCPFC) list and can now be removed from the ICCAT IUU vessel list.

The Secretariat also noted that four vessels have been added to the IOTC IUU vessel list and subsequently to the ICCAT provisional IUU list. The United States noted its concern with the lack of supporting details provided by the IOTC in relation to these vessels and circulation of the IOTC list by the ICCAT Secretariat without instructions to CPCs on the relevant IUU listing procedures of paragraph 11 of 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. 09-10]. The United States suggested that the Commission should consider developing guidance for the Secretariat on the implementation of these provisions, and offered to submit draft guidance for consideration by the Commission. The "Guidelines for the Cross-listing of Vessels Contained on the IUU Lists of Other tuna RFMOs on the ICCAT IUU Vessel List in Accordance with Rec. 09-10" are attached as **Appendix 5 to ANNEX 10**.

Japan noted the listings of the *Parsian Shila* and the *RWAD 1* on the IOTC vessel list are subject to ongoing discussion and as such suggested that the vessels be maintained on ICCAT's provisional list. With the continued lack of information from the IOTC on the vessels added to its IUU list, the United States recommended the other two vessels, *Lingsar 08* and *Hoom Xiang 11*, also be placed on the ICCAT provisional list. Further, the vessel *Milla A*, a Honduras towing vessel, was added to the provisional IUU list at the suggestion of Japan following discussion at, and a referral from, the Compliance Committee.

The "2010 List of Vessels Presumed to Have Carried out IUU Fishing Activities in the ICCAT Convention Area and Other Areas" was adopted with amendments as noted and is attached as **Appendix 4 to ANNEX 10**.

7. Review of cooperation by non-Contracting Parties, Entities or Fishing Entities and determination of actions to be taken under the 2006 *Recommendation by ICCAT Concerning Trade Measures* [Rec. 06-13]

The Commission agreed on the following "Actions to be Taken in Relation to Non-Contracting Parties, Entities and Fishing Entities in 2010" (see **Appendix 2 to ANNEX 10**):

Bolivia: A response to the Chair's letter was received by the Secretariat, which indicated that no Bolivian vessels are licensed to fish for tuna and tuna-like species, and no vessels are authorized to fish in ICCAT Convention area. While trade sanctions will be maintained for 2011, the Chair will send a letter noting appreciation for Bolivia's response and the Commission's intent to monitor the situation, and requesting information on regulations in place and other control measures.

Cambodia: No response was received further to the Chair's letter of 2009 requesting more information. In consideration of this it was agreed to maintain identification.

Georgia: No response was received further to the Chair's letter of 2009 requesting more information. Sanctions will be maintained for 2011.

The Commission Chair's letters to Bolivia, Cambodia and Georgia are attached as **Appendix 3 to ANNEX 10**.

8. Requests for Cooperating Status

Cooperating Status for Colombia, Chinese Taipei and Guyana was maintained with letters to be sent to Colombia and Guyana expressing concern with their failure to report required data and information. Japan raised concern about Chinese Taipei activities, specifically the catch size composition of bigeye tuna that has been reported. After communicating with Chinese Taipei, Japan expressed a desire to work with Chinese Taipei bilaterally to resolve the issue prior to the next annual meeting.

A representative from Curacao noted that the Netherlands Antilles was dissolved on October 9, 2010 and requested interim Cooperating Status. There are some legal issues to resolve and Curaçao noted that it would like to eventually move toward full Contracting Party status. The EU requested that examination of the request by the Curaçao authorities be postponed. The Chair deferred a decision and encouraged Parties to try and resolve the issue as expeditiously as possible.

9. Other matters

No other matters were discussed.

10. Adoption of the report and adjournment

The 2010 meeting of the PWG was adjourned.

The Report of the PWG was adopted by correspondence.

Appendix 1 to ANNEX 10

Agenda

1. Opening of the meeting
2. Appointment of the Rapporteur
3. Adoption of the Agenda
4. Review of the Report of the Working Group on Integrated Monitoring Measures (Madrid, February 2010), and consideration of draft measures contained therein
5. Implementation and functioning of Statistical and BFT Catch Document Programs
6. Review and development of the IUU vessel list
7. Review of cooperation by non-Contracting Parties, Entities or Fishing Entities and determination of actions to be taken under the 2006 *Recommendation by ICCAT Concerning Trade Measures* [Rec. 06-13]
8. Requests for Cooperating Status
9. Other matters
10. Adoption of the report and adjournment

Appendix 2 to ANNEX 10

Actions to be Taken in Relation to Non-Contracting Parties, Entities and Fishing Entities

	2009 Actions	*Direct response to Chair's letter*	*Catch data reported*	*SDP validation information provided*	*Reported as IUU under 06-12 or 07-09*	*Unreported Atlantic catch estimates from SDP 2009/10*	*Unreported catch estimate from other trade data*	*Observations/ other information*	*2010 Actions*
COOPERATING NON-CONTRACTING PARTIES, ENTITIES OR FISHING ENTITIES									
CHINESE TAIPEI	**Cooperating Status renewed.** Secretariat sent letter informing Chinese Taipei of this.	Not applicable	Yes	Yes	One sighting by UKOT. Action taken by Chinese Taipei (fishing licence revoked)	No	No		Cooperating Status renewed. Secretariat to send letter informing Chinese Taipei of this. Japan and Chinese Taipei to work bilaterally on concerns over bigeye catch size composition.
COLOMBIA	**Cooperating Status granted.** Secretariat sent letter informing Colombia of decision and outlining information required on species caught and third party vessels.	Not received	No	No	No	No	No		Cooperating Status renewed but concerns expressed over lack of data submission or response from Colombia. Indicate that failure to respond may result in cooperating status being revoked.
GUYANA	**Cooperating status renewed.** Secretariat sent letter informing Guyana of this.	Not applicable	No	No (no export of these species).	No	No	No		Cooperating Status renewed but concerns expressed over late submission of report and lack of data. Indicate that more information and timely data will be required in 2011 or cooperating status may be revoked.
CURAÇAO	**Cooperating Status transferred.** Secretariat sent letter informing Curaçao of this.	Not applicable	Yes	No (may not be relevant).	No	No	No		Cooperating status renewed and transferred.

OTHER NON-CONTRACTING PARTIES, ENTITIES OR FISHING ENTITIES									
BOLIVIA	**Maintain sanctions.** Chair to send letter requesting more information.	Responses received 23 August 2010 [E10-5488] and 20 September 2010 [E10-6008]	No	No	Yes - 2 vessels issued with special license. See PWG-405/2009 for more details.	Not since 2005.	No new information		Sanctions to be maintained for one more year. Letter to Bolivia asking them for their efforts and responses and request details of all regulations and other controls in place for review in 2011.
CAMBODIA	**Maintain identification.** Chair sent letter encouraging efforts and requesting more information.		No	No	No	No	No new information		Identification maintained. Letter soliciting response.. Failure to answer may result in the Commission considering additional actions
GEORGIA	**Maintain sanctions.** Chair semt letter thanking responses and encouraging efforts. Request additional information on target species and encourage Georgia to become member or seek cooperating status. Secretariat will endeavour to solicit responses. Also encourage Parties to reach out bilaterally to Georgia.		No	No	No	No	No new information		Maintain sanctions. Further letters to Georgia requesting response to Commission's concerns.

Appendix 3 to ANNEX 10

Commission Chair's Letters to
Non-Contracting Parties, Entities and Fishing Entities

1. Maintaing sanctions in 2011

– *Bolivia*

On behalf of the International Commission for the Conservation of Atlantic Tunas (ICCAT), I am writing to inform you that, at the 2010 annual meeting, the Commission took a decision to continue the prohibition on the import of bigeye tuna and its products in any form from Bolivia by ICCAT Contracting Parties, as well as those non-Contracting Parties, Entities or Fishing Entities with Cooperating Status, in accordance with the Commission's *Recommendation by ICCAT Regarding Bolivia Pursuant to the 1998 Resolution Concerning the Unreported and Unregulated Catches of Tuna by Large-scale Longline Vessels in the Convention Area* [Rec. 02-17]. The decision was taken in accordance with the provisions of the *Recommendation by ICCAT Concerning Trade Measures* [Rec. 06-13].

As you will recall, the Commission imposed trade sanctions on Bolivia in 2002 due to evidence of an increasing number of IUU vessels operating under the Bolivian flag at that time, full details of which were again sent to your administration by the ICCAT Secretariat in 2007, and due to the increase in landings and transhipments of bigeye by these vessels.

The Commission was very encouraged to learn from your correspondence of 10 September 2010 that Bolivia was taking actions to ensure that its vessels abide by the conservation and management measures currently in place.

The Commission would be grateful to receive detailed information on the following in order to reconsider its position *vis à vis* Bolivia at the Commission's 2011 annual meeting:

- Measures relating to monitoring, control and surveillance, in addition to not registering vessels or renewing fishing licenses, that Bolivia has adopted with respect to its fishing vessels to ensure they are not fishing for Atlantic tuna and tuna-like species in a manner that is inconsistent with ICCAT conservation and management measures,

- Bolivia's total catch and exports of bigeye tuna from the Atlantic, including the markets to which Bolivia exports bigeye tuna and/or its products.

The Commission will reconsider the issue at its next annual meeting, scheduled to be held from 10 to 19 November 2011. Information concerning actions taken by Bolivia relative to these matters should, therefore, be submitted to ICCAT at least 30 days prior to that meeting. If the Commission is satisfied that Bolivia has demonstrated positive action, sanctions may be lifted. The Commission sincerely hopes that the information requested can be supplied by that time, in order to reach a positive decision in relation to Bolivia.

In closing, the Commission would like to invite Bolivia to participate in the 2011 ICCAT meeting as an observer. Further, the Commission would remind Bolivia that it can join ICCAT or seek cooperating status if Bolivia maintains an interest in exploiting species under the purview of ICCAT. With respect to requesting cooperating status, I would draw your attention to the provisions of the *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* [Rec. 03-20].

Please note that all ICCAT Recommendations and Resolutions can be downloaded from the ICCAT web site, www.iccat.int, or are available from the ICCAT Secretariat on request (info@iccat.int).

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

− *Georgia*

On behalf of the International Commission for the Conservation of Atlantic Tunas (ICCAT), I am writing to inform you that, at the 2010 annual meeting the Commission took a decision to continue the prohibition on the import of bigeye tuna and its products in any form from Georgia by ICCAT Contracting Parties, as well as those non-Contracting Parties, Entities or Fishing Entities with Cooperating Status, in accordance with the Commission's *Recommendation by ICCAT Regarding Bigeye Tuna Trade Restrictive Measures on Georgia* [Rec. 03-18]. The decision was taken in accordance with the provisions of ICCAT´s *Recommendation by ICCAT concerning Trade Measures* [Rec. 06-13].

The Commission is encouraged by the correspondence received from Georgia in November 2010, indicating that the four foreign-owned fishing vessels registered to Georgia do not operate in the ICCAT Convention area. Unfortunately, this information was received too late to be considered at the 2010 annual meeting of the Commission. The Commission would still appreciate additional information, as requested in ICCAT's letter of 16 December 2009, on the activities of the two foreign-owned vessels that Georgia reported to be fishing in the Atlantic Ocean in its letter of 2 April 2009 to ICCAT, including the type of fishing operations and the species caught.

The Commission will reconsider the issue at its next annual meeting, in light of the information received from Georgia in November 2010 as well as any additional information as outlined above received at least 30 days prior to that meeting. If the Commission is satisfied that Georgia has demonstrated positive action, sanctions may be lifted at that time. The next Commission meeting will be held from 10 to 19 November 2011, and it is hoped that a positive conclusion can be reached at that time.

In closing, we note that Georgia is considering the possibility of becoming a Contracting Party to ICCAT; if not, the Commission would like to invite Georgia to participate in the 2011 ICCAT meeting as an observer. Information concerning that meeting will be furnished in due course. Further, the Commission would remind Georgia that it can join ICCAT or seek cooperating status if Georgia has an interest in exploiting species under the purview of ICCAT. With respect to requesting cooperating status, I would draw your attention to the provisions of the *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* [Rec. 03-20].

Please note that all ICCAT Recommendations and Resolutions can be downloaded from the ICCAT web site, www.iccat.int or are available from the ICCAT Secretariat on request (info@iccat.int).

Thank you for your attention to these important matters. Please accept assurances of my highest consideration,

2. Continuing identification in 2011

− *Cambodia*

On behalf of the International Commission for the Conservation of Atlantic Tunas (ICCAT), I am writing to inform you that, at the 2010 annual meeting of ICCAT, the Commission decided to continue to identify Cambodia in accordance with the *Recommendation by ICCAT Concerning Trade Measures* [Rec. 06-13].

As you will recall, trade restrictive measures had previously been placed on bigeye tuna products from Cambodia as a result of illegal, unreported and unregulated (IUU) activities of fishing vessels flying the flag of Cambodia. These trade restrictive measures were lifted in 2004 as a result of subsequent cooperation by Cambodia and recognition of its efforts to deregister vessels involved in IUU activities. However, Cambodia was once again identified in 2006 because of concern about possible IUU activities of fishing vessels flying its flag.

The Commission was encouraged by the correspondence maintained with the Secretariat in 2009 and is grateful for some efforts made by Cambodia. However, we note that Cambodia did not respond to the additional requests for information contained in ICCAT's letters of 16 December 2009 and 4 October 2010. In the absence of additional information, the Commission decided to maintain the identification of Cambodia. We would therefore be grateful to receive detailed information regarding your monitoring, control, and surveillance (MCS) measures, and process and rules for vessel registration. The Commission will again review the situation of Cambodia at its next meeting, scheduled to be held from 10 to 19 November 2011. Information concerning actions taken by

Cambodia relative to these matters should, therefore, be submitted to ICCAT at least 30 days prior to that meeting. The Commission sincerely hopes that the information requested can be supplied by that time, in order to reach a positive decision in relation to Cambodia.

In closing, the Commission would like to invite Cambodia to participate in the 2011 ICCAT meeting as an observer. Information concerning this meeting will be forwarded in due course. Further, the Commission would remind Cambodia that it can join ICCAT or seek Cooperating Status if Cambodia maintains an interest in exploiting species under the purview of ICCAT. With respect to requesting Cooperating Status, I would draw your attention to the provisions of the *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* [Rec. 03-20].

Please note that all ICCAT Recommendations and Resolutions can be downloaded from the ICCAT web site, www.iccat.int or are available from the ICCAT Secretariat on request (info@iccat.int).

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

Appendix 4 to ANNEX 10

List of Vessels Presumed to Have Carried out Illegal, Unreported and Unregulated (IUU) Fishing Activities in the Convention Area

Serial Number	*Lloyds/IMO Number*	*Reporting CPC/RFMO*	*Date Informed*	*Reference Number*	*Current Flag*	*Previous Flag*	*Name of Vessel (Latin)*	*Name (Previous)*	*Call Sign*	*Owner/ Operator Name*	*Owner/ Operator Address*	*Area*	*Gear*
20040005	Not available	JAPAN - sighting of tuna longliner in the Convention area, not on ICCAT Record of Vessels	24/08/2004	1788	Unknown	Unknown	BRAVO	No info	T8AN3	No info	No info	AT	
20040006	Not available	JAPAN - Reefer company provided documents showing frozen tuna had been transhipped.	16/11/2004	PWG-122	Unknown	Unknown	OCEAN DIAMOND	No info	No info	No info	No info	AT	
20040007	Not available	JAPAN - Communication between fishing vessel and reefer company indicated tuna species had been taken in the Atlantic	16/11/2004	PWG-122	Unknown	Unknown	MADURA 2	No info	No info	(P.T. PROVISIT)	(Indonesia)	AT	
20040008	Not available	JAPAN - Communication between fishing vessel and reefer company indicated tuna species had been taken in the Atlantic	16/11/2004	PWG-122	Unknown	Unknown	MADURA 3	No info	No info	(P.T. PROVISIT)	(Indonesia)		

Serial Number	*Lloyds/IMO Number*	*Reporting CPC/RFMO*	*Date Informed*	*Reference Number*	*Current Flag*	*Previous Flag*	*Name of Vessel (Latin)*	*Name (Previous)*	*Call Sign*	*Owner/ Operator Name*	*Owner/ Operator Address*	*Area*	*Gear*
20050001	Not available	BRAZIL - fishing in Brazilian waters with no licence	03/08/2005	1615	Unknown	Saint Vincent & Grenadines	SOUTHERN STAR 136	HSIANG CHANG	No info	KUO JENG MARINE SERVICES LIMITED	PORT OF SPAIN TRINIDAD & TOBAGO	AT	
20060001	Not available	SOUTH AFRICA - vessel had no VMS, suspected of having no tuna licence and of possible at-sea transhipments	23/10/2006	2431	Unknown	Unknown	BIGEYE	No info	FN 003883	No info	No info	UNKN	
20060002	Not available	SOUTH AFRICA - vessel had no VMS, suspected of having no tuna licence and of possible at-sea transhipments	23/10/2006	2431	Unknown	Unknown	MARIA	No info	FN 003882	No info	No info	UNKN	
20060003	Not available	EU - Vessel greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the MED during closed season	16/10/2006	2259	Unknown	Panama	NO. 101 GLORIA	GOLDEN LAKE	No info	No info	No info	MEDI	
20060004	Not available	EU - Vessel greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the MED during closed season	16/10/2006	2259	Unknown	Panama	MELILLA NO. 103	No info	No info	No info	No info	MEDI	

Serial Number	*Lloyds/IMO Number*	*Reporting CPC/RFMO*	*Date Informed*	*Reference Number*	*Current Flag*	*Previous Flag*	*Name of Vessel (Latin)*	*Name (Previous)*	*Call Sign*	*Owner/ Operator Name*	*Owner/ Operator Address*	*Area*	*Gear*
20060005	Not available	EU – Vessel greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the MED during closed season	16/10/2006	2259	Unknown	Panama	MELILLA NO. 101	No info	No info	No info	No info	MEDI	
20060007	Not available	EU – Vessel greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the MED during closed season	16/10/2006	2259	Unknown	Panama	LILA NO. 10	No info	No info	No info	No info	MEDI	
20060008	Not available	EU – Vessel greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the MED during closed season	16/10/2006	2259	Unknown	Honduras	No 2 CHOYU	No info	No info	No info	No info	MEDI	
20060009	Not available	EU – Vessel greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the MED during closed season	16/10/2006	2259	Unknown	Honduras	ACROS NO. 3	No info	No info	No info	No info	MEDI	

Serial Number	*Lloyds/IMO Number*	*Reporting CPC/RFMO*	*Date Informed*	*Reference Number*	*Current Flag*	*Previous Flag*	*Name of Vessel (Latin)*	*Name (Previous)*	*Call Sign*	*Owner/ Operator Name*	*Owner/ Operator Address*	*Area*	*Gear*
20060010	Not available	EU – Vessel greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the MED during closed season	16/10/2006	2259	Unknown	Honduras	ACROS NO. 2	No info	No info	No info	No info	MEDI	
20060011	Not available	EU – Vessel greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the MED during closed season	16/10/2006	2259	Unknown	Honduras	No. 3 CHOYU	No info	No info	No info	No info	MEDI	
20060012	Not available	EU – Vessel greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the MED during closed season	16/10/2006	2259	Unknown	Honduras	ORIENTE No.7	No info	No info	No info	No info	MEDI	
20080001	Not available (previously on ICCAT recorded as AT000GUI000002)	Japan- Bluefin tuna caught and exported without quota	14/11/2008	COC-311/2008 and Circular 767/10	Guinea Rep	Guinea Rep.	DANIAA	CARLOS	3X07QMC	ALPHA CAMARA (Guinean company)	No info	E-ATL or MEDI	LL
20080002	Not available	ICCAT Chair information	27/06/2008	1226	Bolivia	Turkey	CEVAHIR	SALIH BAYRAKTAR		J.L. JALABERT - S. PEREZ	11210 FRANCE - 66690 FRANCE	MEDI	PS

Serial Number	*Lloyds/IMO Number*	*Reporting CPC/RFMO*	*Date Informed*	*Reference Number*	*Current Flag*	*Previous Flag*	*Name of Vessel (Latin)*	*Name (Previous)*	*Call Sign*	*Owner/ Operator Name*	*Owner/ Operator Address*	*Area*	*Gear*
20080003	Not available	ICCAT Chair information	27/06/2008	1226	Bolivia	Turkey	ABDI BABA 1	EROL BÜLBÜL		J.L. JALABERT - S. PEREZ	11210 FRANCE - 66690 FRANCE	MEDI	Purse seiner
200800004	Not available (former ICCAT Register number AT000LIB0 0039)	ICCAT Chair information	27/06/2008	1226	Unknown	Libya (previously British)	SHARON 1	MANARA 1 (previously POSEIDO N)	No info	MANARAT AL SAHIL Fishing Company	AL DAHRS. Ben Walid Street	MEDI	Purse seiner
200800005	Not available (former ICCAT Register number AT000LIB0 0041)	ICCAT Chair information	27/06/2008	1226	Unknown	Libya (Previously Isle of Man)	GALA I	MANARA II (previously ROAGAN)	No info	MANARAT AL SAHIL Fishing Company	AL DAHRS. Ben Walid Street	MEDI	Purse seiner
20090001	7826233	IOTC. Contravention of IOTC Resolutions 02/04, 02/05 and 03/05	13/04/2009	E09-1304	Unknown	Equatorial Guinea	OCEAN LION	No info	No info	No info	No info	IN	
2009002	Not available	IOTC Contravention of IOTC Resolution 07/02	13/04/2009	E09-1304	Unknown	Georgia	YU MAAN WON	No info	No info	No info	No info	IN	

Serial Number	*Lloyds/IMO Number*	*Reporting CPC/RFMO*	*Date Informed*	*Reference Number*	*Current Flag*	*Previous Flag*	*Name of Vessel (Latin)*	*Name (Previous)*	*Call Sign*	*Owner/ Operator Name*	*Owner/ Operator Address*	*Area*	*Gear*
2009003	Not available	IOTC Contravention of IOTC Resolution 07/02	13/04/2009	E09-1304	Unknown	Unknown	GUNUAR MELYAN 21	No info	No info	No info	No info	IN	

Photograph available:

Serial number: 20050001

Appendix to ICCAT IUU List: Provisional ICCAT IUU List

Serial number	*Lloyds/IMO no.*	*Reporting CPC/RFMO*	*Date informed*	*Ref.*	*Current flag*	*Previous flag*	*Name of vessel (latin)*	*Name (previous)*	*Call sign*	*Owner/operator name*	*Owner/operator address*	*Area*	*Gear*
20100001	9404285	IOTC Contravention of IOTC Resolutions 07/02 and 09/03	07/07/2010	E10-2860	Iran		PARSIAN SHILA		9BKI	Salem Chabahar Product Food Co.			
20100002	Not available	IOTC Contravention of IOTC Resolutions 07/02 and 09/03	07/07/2010	E10-2860	Oman	St. Kitts	RWAD 1(*)	MARINE 88	A4DD9	Rwad Al-Ibktar Est. Trading			
20100003	Not available	IOTC Contravention of IOTC Resolution 09/03	07/07/2010	E10-2860	Indonesia	Unknown	LINGSAR 08			Buana Lingsar Samudra, PT			
201000004	Not available	IOTC Contravention of IOTC Resolution 09/03	07/07/2010	E10-2860	Malaysia		HOOM XIANG 11			Hoom Xiang Industries Sdn. Bhd.			
20100005	Not available	European Union's inspection report	28/05/2010	E10-7507	Honduras	Unknown	MILLA A	SAMSON	HQVR2	MALTA FISHFARMING LTD	Triq L-industrija Kirkop KKP 9042	MED	Towing vessel

(*) Vessel under IOTC probation for a period of three months, within which Oman should provide evidence to IOTC about the origin of the catches onboard.

Background Notes to 2010 ICCAT IUU List

Vessel	*Action*	*Rationale/ Documentation*	*Observations*
IUU List Number: 2008080001 Name: DANIAA	Included in IUU list in 2009	Reported by Guinea for inclusion in the ICCAT Record of Vessels over 24m.	Guinea Republic in 2008 urged the withdrawal of this vessel from the ICCAT Registry, and it was included on the IUU list as "unknown" flag for having exported bluefin tuna without a quota or authorization. In 2010, Guinea Republic requested the removal of the vessel of the ICCAT IUU list. Further to an examination of this request, the majority of the Contracting Parties was in favour of the maintenance of the vessel on the IUU list (ICCAT Circular 767/10 of 17 March 2010).
IUU List No. 20090001 Name: OCEAN LION	Included in IUU list in 2009	IOTC IUU List **:** ICCAT Circular 1188/09.	
IUU List No. 2009002 Name: YU MAAN WON	Included in IUU list in 2009	IOTC IUU List. ICCAT Circular 1188/09.	
IUU List No. 2009003 Name: GUNUAR MELYAN 21	Included in IUU list in 2009	IOTC IUU List. ICCAT Circular 1188/09.	
IUU List No. 2009005 Name: DANIELE F	Removed of provisional IUU list	WCPFC IUU list. ICCAT Circular 1371/09.	Removed by WCPFC of its 2009 IUU list: http://www.wcpfc.int/doc/wcpfc-iuu-vessel-list-11-dec-2009.

Background Noted to Provisional 2010 ICCAT IUU List

IUU List No. 2010001 Name: PARSIAN SHILA	Included in provisional IUU list in 2010	IOTC IUU List: ICCAT Circular 2860/10.	Background information available at : http://www.iotc.org/files/proceedings/2010/s/IOTC-2010-S14-CoC13%5BE%5D.pdf http://www.iotc.org/files/proceedings/2010/s/IOTC-2010-S14-CoC13-add1%5BE%5D.pdf CPCs considered that the supporting information is insufficient for the vessel to be included in the final ICCAT IUU list.
IUU List No. 2010002 Name: RWAD 1	Included in provisional IUU list in 2010	IOTC IUU List: ICCAT Circular 2860/10.	Background information available at : http://www.iotc.org/files/proceedings/2010/s/IOTC-2010-S14-CoC13%5BE%5D.pdf http://www.iotc.org/files/proceedings/2010/s/IOTC-2010-S14-CoC13-add1%5BE%5D.pdf CPCs considered that the supporting information is insufficient for the vessel to be included in the final ICCAT IUU list.
IUU List No. 2010003 Name: LINGSAR 08	Included in provisional IUU list in 2010	IOTC IUU List: ICCAT Circular 2860/10.	Background information available at : http://www.iotc.org/files/proceedings/2010/s/IOTC-2010-S14-CoC13%5BE%5D.pdf http://www.iotc.org/files/proceedings/2010/s/IOTC-2010-S14-CoC13-add1%5BE%5D.pdf CPCs considered that the supporting information is insufficient for the vessel to be included in the final ICCAT IUU list.
IUU List No. 2010004 Name: HOOM XIANG 11	Included in provisional IUU list in 2010	IOTC IUU List: ICCAT Circular 2860/10.	Background information available at : http://www.iotc.org/files/proceedings/2010/s/IOTC-2010-S14-CoC13%5BE%5D.pdf http://www.iotc.org/files/proceedings/2010/s/IOTC-2010-S14-CoC13-add1%5BE%5D.pdf CPCs considered that the supporting information is insufficient for the vessel to be included in the final ICCAT IUU list
IUU List No. 2010005 Name: MILLA A	Included in provisional IUU list in 2010	Discussion at COC 2010: inspection of European Union (vessel not authorised to operate and no VMS messages transmitted)	Inspection report of European Union posted on http://www.iccat.int/en/Inspection.htm. No reply received from Honduras.

Addendum to Provisional IUU list: IATTC IUU List Published in October 2009 *(no additional information has been received)*

Serial Number	*Lloyds/IMO Number*	*Reporting CPC*	*Date Informed*	*Reference #*	*Current Flag*	*Previous Flag*	*Name of Vessel (Latin)*	*Name (Previous)*	*Call Sign*	*Owner/Operator Name*	*Owner/Operator Address*	*Area*	*Gear*
200800006				IATTC LIST	COLOMBIA		Marta Lucia R			INEPACA	Cartegena, Colombia	Pacific Ocean	Purse seiner
200800007				IATTC LIST	INDONESIA		Bhaskara No. 10					Pacific Ocean	Longliner
200800008				IATTC LIST	UNKNOWN	INDONESIA	Bhaskara No. 9					Pacific Ocean	Purse seiner
200800009				IATTC LIST	UNKNOWN	INDONESIA	Bhineka		YGJY			Pacific Ocean	Longliner
200800010	020301980403439 (Reg. No.)			IATTC LIST	INDONESIA		Hiroyoshi 17					Pacific Ocean	Longliner
200800011	020301980400628 (Reg. No.)			IATTC LIST	INDONESIA		Jimmy Wijaya XXXV					Pacific Ocean	Longliner
200800012				IATTC LIST	INDONESIA		Permata					Pacific Ocean	Longliner
200800013				IATTC LIST	INDONESIA		Permata 1					Pacific Ocean	Longliner
200800014	020201980403556 (Reg. No.)			IATTC LIST	UNKNOWN	INDONESIA	Permata 102					Pacific Ocean	Longliner
200800015	020301980404533 (Reg. No.)			IATTC LIST	INDONESIA		Permata 2					Pacific Ocean	Longliner
200800016	020201980403558 (Reg. No.)			IATTC LIST	INDONESIA		Permata 6					Pacific Ocean	Longliner
200800017	020201980403559 (Reg. No.)			IATTC LIST	INDONESIA		Permata 8					Pacific Ocean	Longliner
200800018	7742-PP (Reg. no)			IATTC LIST	UNKNOWN		Dragon III			Reino De Mar S.A.	125 metros al Oeste de Sardimar, cocal de Puntarenas Puntarenas, Costa Rica	Pacific Ocean	Longliner
200800019				IATTC LIST	UNKNOWN		Camelot					Pacific Ocean	Longliner

Serial Number	*Lloyds/IMO Number*	*Reporting CPC*	*Date Informed*	*Reference #*	*Current Flag*	*Previous Flag*	*Name of Vessel (Latin)*	*Name (Previous)*	*Call Sign*	*Owner/Operator Name*	*Owner/Operator Address*	*Area*	*Gear*
200800020	280020064 (Reg. No)			IATTC LIST	UNKNOWN		Chi Hao No. 66		V3IN2	Song Maw Fishery S.A.	Calle 78E,Casa No. 30, Loma Alegre, San Francisco, Panama	Pacific Ocean	Longliner
200800022				IATTC LIST	UNKNOWN		Jyi Lih 88					Pacific Ocean	Longliner
200800024	280110067 (Reg No.)			IATTC LIST	UNKNOWN	BELIZE	Ming Yu Sheng 8		V3KU			Pacific Ocean	Longliner
200800025				IATTC LIST	UNKNOWN	BELIZE	Orca					Pacific Ocean	Purse seiner
200800026				IATTC LIST	UNKNOWN		Permata 138					Pacific Ocean	Longliner
200800027				IATTC LIST	UNKNOWN	BELIZE	Reymar 6					Pacific Ocean	Longliner
200800028				IATTC LIST	UNKNOWN		Ta Fu 1					Pacific Ocean	Longliner
200800029	8994295			IATTC LIST	UNKNOWN		Wen Teng No. 688 (Mahkoia Abadi No. 196)		V3TK4		No. 32 Hai Shan 4th Road Hsiao Kang District Kaohsiung, Chinese Taipei	Pacific Ocean	Longliner
20090006				IATTC LIST	UNKNOWN	Belize, Costa Rica	Goidau Ruey No 1		V3GN		Costado Este de UCR El Cocal Puntarenas, Costa Rica	Pacific Ocean	Longliner
20090007	490810002 (Reg No.)			IATTC LIST	UNKNOWN	Panama	Tching Ye No. 6	El Diria I	HO2508	Goidau Ruey Industrial, S.A.		Pacific Ocean	Longliner

Appendix 5 to ANNEX 10

Proposal for 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 the Rec. 09-10

Introduction

In support of the objectives of the International Commission for the Conservation of Atlantic Tunas (ICCAT), including reducing and eliminating illegal, unregulated, and unreported (IUU) fishing, the Commission has adopted the *Recommendation by ICCAT Further Amending the Recommendation to ICCAT to Establish a List of Vessels Presumed to have Carried Out Illegal, Unreported, and Unregulated Fishing Activities in the ICCAT Convention Area* [Rec. 09-10]. To facilitate efficient and effective implementation of this recommendation, in particular the listing on ICCAT's IUU vessel list of vessels contained on the IUU vessel list of another regional fisheries management organization (RFMO) managing tuna and tuna like species, the following guidelines have been agreed:

Guidelines

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 Rec. 09-10, 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 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 Rec. 09-10. If a CPC objects to inclusion of any vessel, the ICCAT Secretariat will instead include such vessel on the Draft IUU List, and then the Provisional IUU 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 list pursuant to paragraph 11 of Rec. 09-10, the ICCAT Secretariat will circulate the final ICCAT IUU list as amended to ICCAT CPCs.

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