
**INTERNATIONAL COMMISSION
for the
CONSERVATION of ATLANTIC TUNAS**

**R E P O R T
for biennial period, 1994-95
PART II (1995) - Vol. 1
English version**

MADRID, SPAIN

1996

INTERNATIONAL COMMISSION FOR THE CONSERVATION OF ATLANTIC TUNAS

Contracting Parties (as of 1st January, 1996)

Angola, Brazil, Canada, Cape Verde, Côte d'Ivoire, Equatorial Guinea, France, Gabon, Ghana, Republic of Guinea, Japan, Republic of Korea, Libya, Morocco, Portugal, Russia, Sao Tomé & Príncipe, South Africa, Spain, United Kingdom, United States, Uruguay, Venezuela.

Chairman of Commission

Mr. R. CONDE DE SARO, Spain
(from November 17, 1995)

First Vice-Chairman of Commission

Mr. J. HACHÉ, Canada
(from November 17, 1995)

Second Vice-Chairman of Commission

Dr. L. KOFFI, Côte d'Ivoire
(from November 17, 1995)

Panel Membership (as of 1st January 1996)

Panel	Contracting Parties	Chairman
1	Angola, Brazil, Canada, Cape Verde, Côte d'Ivoire, France, Gabon, Ghana, Japan, Republic of Korea, Morocco, Portugal, Russia, Sao Tomé & Príncipe, Spain, United Kingdom, United States, Venezuela.	Côte d'Ivoire
2	Canada, France, Japan, Republic of Korea, Morocco, Portugal, Spain, United Kingdom, United States.	Morocco
3	Japan, South Africa, Spain, United States.	United States
4	Angola, Brazil, Canada, France, Japan, Republic of Korea, Portugal, Spain, United Kingdom, United States, Venezuela.	Japan

Council

No election was conducted for the 1996-97 biennial period.

Standing Committees

Standing Committees:

Committee on Finance and Administration (STACFAD)

Chairman

Dr. A. RIBEIRO LIMA, Portugal
(from November 17, 1995)

Committee on Research and Statistics (SCRS)

Dr. Z. SUZUKI, Japan
(from November 12, 1993)

Conservation and Management Measures Compliance Committee

Mr. PH. PÉRONNE, France
(from November 17, 1995)

Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG)

Mr. B. S. HALLMAN, USA
(from November 12, 1993)

Secretariat

Estébanez Calderón, 3, Madrid 28020 (Spain)
Executive Secretary: Dr. ANTONIO FERNÁNDEZ
Assistant Executive Secretary: Dr. PETER M. MIYAKE

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, 1994-95, Part II (1995)**", which describes the activities of the Commission during the second half of said biennial period.

This issue of the Biennial Report contains the reports of the Fourteenth Regular Meeting of the Commission, held in Madrid, in November, 1995, 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 a series of National Reports of the Contracting Parties of the Commission, relative to their activities in tuna and tuna-like fisheries in the Convention Area.

Given that the combined length of these reports is too great for them to be included in one volume, the Report for 1995 has been published in two volumes. **Volume 1** includes the Reports of the Secretariat on its activities, 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, as well as the National Reports mentioned above.

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.

R. Conde de Saro
Commission Chairman

TABLE OF CONTENTS

SECRETARIAT REPORTS

1995 Administrative Report	5
1995 Financial Report	23
Report on Statistics & Coordination of Research in 1995	39

RECORD OF COMMISSION PROCEEDINGS

Proceedings of the 14th Regular Meeting of the Commission	45
ANNEX 1 Commission Agenda	64
ANNEX 2 List of Commission Participants	65
ANNEX 3 List of Commission Documents	75
ANNEX 4 RESOLUTIONS & RECOMMENDATIONS ADOPTED BY THE COMMISSION	
On the 1994 Paris Protocol	79
On Cooperation with FAO with Regard to Study on Status of Stock & By-Catch of Shark Species	80
On Vessel Monitoring	81
On Atlantic Bluefin tuna Recovery Programs	82
On Supplemental Management Measures for Eastern Atlantic Bluefin Tuna	83
On Atlantic Yellowfin Tuna	84
On Quota Exemption for Small-Scale Domestic Fisheries in the West Atlantic	85
On Atlantic Bigeye Tuna	86
On North Atlantic Swordfish Recovery Program	87
On the Implementation of an Alternative Option for the Conservation of Undersized Atlantic Swordfish & the Reduction of Fishing Mortality	88
On Establishing % Shares of TAC & Overage/Underage Provisions for Nations Fishing for North Atlantic Swordfish	89
On the Enhancement of Research Programs for Billfish (Blue Marlin, White Marlin, Sailfish & Spearfish)	90
On an Action Plan to Ensure the Effectiveness of ICCAT's Conservation Program for Atlantic Swordfish	91
Format for Annual National Reports to be Submitted to ICCAT	92
Mandate & Terms of Reference for the ICCAT Conservation & Management Measures Compliance Committee	96
ANNEX 5 PROPOSALS & STATEMENTS PRESENTED TO THE PLENARY SESSIONS	
By the Observer from the Caribbean Community (CARICOM)	99
By the United States	100
By the Observer from Iceland	101
By the Observer from the CCSBT	102
By the SCRS Chairman	103
ANNEX 6 REPORTS OF SUBSIDIARY BODIES	
Infractions Committee	107
Working Group on Vessel Monitoring	116
Panel 1	131
Panel 2	134
Panel 3	145
Panel 4	147
Standing Committee on Finance & Administration (STACFAD)	167
Table 1. Basic Budget adopted for the 1996-1997 Biennial Period	179
Table 2. Catch and canning figures of the member countries	180
Table 3. Member country contributions to the 1996 Commission Budget	181
Table 4. Member country contributions to the 1997 Commission Budget	182
Permanent Working Group for the Improvement of ICCAT Statistics & Conservation Measures (PWG)	185

SECRETARIAT REPORTS

1995 ADMINISTRATIVE REPORT (COM/95/9)*

1. Contracting Parties of the Commission

The Legal Department of FAO informed the Commission that, on November 10, 1995, an instrument of adherence to the ICCAT Convention had been deposited by the United Kingdom of Great Britain and Northern Ireland, and also in respect of Anguilla, Bermuda, and Turkos and Caicos Islands. The FAO also informed the Commission that, on November 27, 1995, an instrument of adherence to the Convention had been deposited by Libya. Consequently, as of December 31, 1995, the Commission is comprised of 23 Contracting Parties: Angola, Brazil, Canada, Cape Verde, Côte d'Ivoire, Equatorial Guinea, France, Gabon, Ghana, Republic of Guinea, Japan, Republic of Korea, Libya, Morocco, Portugal, Russia, Sao Tomé & Principe, South Africa, Spain, United Kingdom, United States, Uruguay, and Venezuela.

2. Bodies of the Commission

Up to 17, 1995, the Commission officers were as follows:

<i>Chairman:</i>	A. Ribeiro Lima (Portugal)
<i>First Vice-Chairman:</i>	K. Shima (Japan)
<i>Second Vice-Chairman:</i>	L. G. Pambo (Gabon)

Since November 17, 1995, the Commission officers are as follows:

<i>Chairman:</i>	R. Conde de Saro (Spain)
<i>First Vice-Chairman:</i>	J. Haché (Canada)
<i>Second Vice-Chairman:</i>	L. Koffi (Côte d'Ivoire)

The current Panel membership is as follows:

<i>Panel</i>	<i>Contracting Parties</i>	<i>Chairman</i>
1	Angola, Brazil, Canada, Cape Verde, Côte d'Ivoire, France, Ghana, Gabon, Japan, Republic of Korea, Morocco, Portugal, Russia, Sao Tomé & Principe, Spain, United Kingdom, United States, Venezuela	Côte d'Ivoire
2	Canada, France, Japan, Republic of Korea, Morocco, Portugal, Spain, United Kingdom, United States	Morocco
3	Japan, South Africa, Spain, United States	United States
4	Angola, Brazil, Canada, France, Japan, Republic of Korea, Portugal, Spain, United Kingdom, United States, Venezuela	Japan

* The Administrative Report presented at the 1995 Commission Meeting was updated to December 31, 1995.

Other bodies of the Commission are as follows:

- a) Standing Committee on Finance and Administration (STACFAD)
Chairman: A. Ribeiro Lima (Portugal)
- b) Standing Committee on Research and Statistics (SCRS)
Chairman: Z. Suzuki (Japan)
 - b.1 Sub-Committee on Statistics - Convener: S. Turner (United States)
 - b.2 Sub-Committee on Environment - Convener: J. Pereira (Portugal)
 - b.3 Sub-Committee on By-catches - Convener: G. Scott (United States)
- c) Conservation and Management Measures Compliance Committee - Chairman: P. Peronne (France)
- d) Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures - Chairman: B. S. Hallman (United States)

3. Ratification or acceptance of the Paris Protocol to the ICCAT Convention

In accordance with its Article III, the Protocol signed in Paris in July, 1984, shall enter into force upon deposit with the Director-General of FAO instruments of approval, ratification or acceptance of all the Contracting Parties to the Convention. The date of entry into force will be thirtieth day following the deposit of the last instrument.

The Legal Department of FAO informed the Commission that it had received, on November 10, 1995, an instrument of acceptance of the Paris Protocol from the United Kingdom of Great Britain and Northern Ireland. Thus, of the 23 countries that are currently Contracting Parties to ICCAT, 20 countries have ratified or accepted the aforementioned Protocol. Cuba and Senegal, which are no longer Contracting Parties, had also accepted the Protocol earlier. Consequently, for the Paris Protocol to enter into effect, the ratification or acceptance by the governments of three Contracting Parties is still pending (Gabon, Libya and Morocco). On December 6, 1994, the Government of Gabon transmitted to the Secretariat a copy of the Decree No. 1441/PR/MAECF to ratify the Paris Protocol, and announced that the appropriate instrument would be deposited shortly with the Director General of FAO.

In November, 1995, the Commission adopted a new Resolution requesting the Commission Chairman to carry out personal demarches to the competent authorities of those countries that had not yet deposited an instrument of acceptance or ratification of the Paris Protocol.

4. Ratification or acceptance of the Madrid Protocol to the ICCAT Convention

On June 5, 1993, upon completion of one year since the adoption of the Protocol to amend Article X, paragraph 2, of the Convention, the Chairman of ICCAT wrote to the Heads of Delegations of the Contracting Parties and expressed his concern that up to that date, none of the Contracting Parties classified as developed countries with a market economy (i.e., Group A: Canada, France, Japan, Portugal, South Africa, Spain, and the United States of America) had deposited with the Director General of FAO an instrument of ratification, approval, or acceptance. On the other hand, and on a positive note, the Commission Chairman informed that none of the remaining Contracting Parties had requested, during the six-month period established, (which ended on January 8, 1993) the suspension of the entry into force of said Protocol.

In November, 1993, the Commission adopted a Resolution recommending that the Contracting Parties which had not yet accepted or ratified the Madrid Protocol do so as soon as possible so that the Protocol would enter into force in the near future. On February 1, 1995, the ICCAT Chairman reiterated in his letter to the high authorities of the Contracting Parties the urgency of proceeding with the deposit of the necessary diplomatic instruments prior to August 10, 1995, so as to be able to apply the new contribution scheme to the 1996-1997 budget, thereby coinciding with the 25th anniversary of ICCAT.

On April 21, 1995, the Legal Department of FAO notified ICCAT that it had received, on April 13, 1995, an instrument of acceptance of the Madrid Protocol from the Republic of Guinea.

On December 13, 1995, the Legal Department of FAO informed ICCAT that an instrument of ratification to the Madrid Protocol had been deposited by the Portugal on November 29, 1995.

Up to now, the following countries have ratified or accepted the Protocol:

Republic of Korea	Acceptance on June 11, 1993
Canada	Ratification on September 22, 1993
Republic of South Africa	Acceptance on October 4, 1993
Spain	Ratification on February 14, 1994
United States	Ratification on August 30, 1994
Russian Federation	Acceptance on September 14, 1994
Republic of Guinea	Acceptance, April 13, 1995
Portugal	Ratification, November 29, 1995

On October 31, 1995, the Delegate of Uruguay transmitted to the Secretariat a copy of a note of acceptance of the Madrid Protocol sent by the Uruguayan authorities to the Director General of FAO. However, as of December 31, 1995, the Secretariat had not received the official notification of this acceptance.

5. ICCAT Regulations

On April 3, 1995, the Secretariat transmitted, to the Contracting Parties, non-Contracting Parties that have an Atlantic coast or that fish tunas in the Convention Area, and intergovernmental organizations concerned with fishery matters, the texts of the following Recommendations and Resolutions that were adopted at the Ninth Special Meeting of the Commission (Madrid, November 28-December 2, 1994):

A. Recommendations

- Recommendation by ICCAT for the Management of Bluefin Tuna Fishing in the Eastern Atlantic Ocean and Mediterranean Sea
- Recommendation by ICCAT for the Management of Bluefin Tuna Fishing in the Western Atlantic Ocean
- Recommendation by ICCAT on the Limitation of Catches of Southern Albacore
- Recommendation by ICCAT for the Management of Atlantic Swordfish

Since no objections were received, these Recommendations entered into force on October 2, 1995, and notification was duly transmitted to all the countries and organizations indicated above.

B. Resolutions

- Resolution by ICCAT on Large-scale Pelagic Driftnet Fishing
- Resolution by ICCAT Concerning an Action Plan to Ensure Effectiveness of the Conservation Program for Atlantic Bluefin Tuna
- Resolution by ICCAT on Interpretation and Application of the ICCAT Bluefin Tuna Statistical Document Program (including Appendix)
- Resolution by ICCAT Concerning the Effective Implementation of the ICCAT Bluefin Tuna Statistical Document Program (including Addendum)
- Resolution by ICCAT on Coordination with Non-Contracting Parties
- Resolution by ICCAT on Fishing in the Mediterranean During Spawning Months
- Resolution by ICCAT Regarding the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas
- Resolution by ICCAT on Compliance with the ICCAT Conservation and Management Measures (including Addendum)
- Resolution by ICCAT on Vessel Monitoring

As an indication of the importance of all these Resolutions, particular mention is made of paragraph (f) of the "Resolution by ICCAT Concerning an Action Plan to Ensure Effectiveness of the Conservation Program for Atlantic Bluefin Tuna", according to which the Commission will recommend *"the Contracting Parties to take non-discriminatory trade restrictive measures, consistent with their international obligations ..."* with respect to those non-Contracting Parties whose vessels might have been fishing Atlantic bluefin tuna in a manner that is detrimental to the effectiveness of the pertinent recommendations of the Commission in matters of conservation.

In Document COM/95/26, the Secretariat presented updated information on the regulation schemes in effect for the five species that are regulated by ICCAT (bluefin tuna, yellowfin tuna, bigeye tuna, swordfish, and albacore), with an indication of the historical development of their application by the Contracting Parties, in accordance with the official notifications received. Also included in the aforementioned document are a series of associated Resolutions adopted by the Commission in 1993 and 1994, taking into account the importance of the application of those Recommendations.

6. Port Inspection

In Document COM/95/27, the Secretariat presented updated information on the ICCAT Port Inspection Scheme, adopted by the Commission at its First Special Meeting (Madrid, 1978), and has been in effect since 1983, including a list of duly authorized Inspectors and Correspondents.

On April 6, 1995, the Republic of Venezuela informed the Secretariat of its decision to accept the Port Inspection Scheme, in accordance with a Resolution published in the Official Gazette No. 290.585 of March 23, 1995.

In 1995, the Secretariat has received reports concerning the application of this Scheme by the member countries that have accepted it (Brazil, France, Gabon, Côte d'Ivoire, Portugal, South Africa, Spain, United States, Sao Tome & Principe, and Venezuela).

7. Meetings organized by ICCAT

In accordance with Commission decisions, the Secretariat organized the following meetings of a scientific-technical nature in 1995; details on these meetings are provided in the Report on Statistics and Coordination of Research (COM-SCRS/95/12):

- Bluefin Year Program Planning Meeting (BYP) (Genoa, Italy - March 13 and 14, 1995)
- Meeting of the ICCAT Working Group on Vessel Monitoring (Seattle, Washington, U.S.A. - May 17 and 18, 1995)
- Second Meeting of the *Ad Hoc* GFCM/ICCAT Joint Working Group on Stocks of Large Pelagic Fishes in the Mediterranean Sea. Mediterranean Swordfish Data Preparatory Meeting (Bari, Italy - September 13 through 19, 1995)
- Symposium Organizational Meeting (Bari, Italy - September 20 and 21, 1995)

— Meetings of the ICCAT Species Groups & SCRS Plenary Sessions

At its Ninth Special Meeting (Madrid, November-December 1994), the Commission decided to hold the 1995 SCRS Plenary Sessions one month prior to its Fourteenth Regular Meeting, in order to have sufficient time to evaluate the recommendations and proposals of the scientific committee.

The Species Groups met at the places and dates indicated below, and presented the corresponding reports to the SCRS:

- Tropical Species Group (Madrid, Spain - October 2 through 6, 1995)
- Swordfish Species Group (Madrid, Spain - October 4 through 6, 1995)
- All other Species Groups (Madrid, Spain - October 4 through 6, 1995)
- Plenary Sessions of the SCRS (Madrid, Spain - October 9 through 13, 1995)

8. Meetings at which ICCAT was represented

- *FAO Expert Consultation on the Interaction of Tuna Fisheries in the Pacific (Shimizu, Japan - January 23-31, 1995)*

Dr. P. M. Miyake, ICCAT Assistant Executive Secretary, participated in the meeting, at the invitation of FAO (see Documents COM-SCRS/95/12 and SCRS/95/32 for details).

-- *21st Sessions of the FAO Committee on Fisheries (Rome, Italy - March 10-15, 1995)*

The FAO Committee on Fisheries (COFI) held a technical session on March 10 to 13, and a ministerial session on March 14 and 15, 1995. The ICCAT Executive Secretary participated in the latter sessions, and also participated in the open working group sessions to review the Draft Code of Conduct for Responsible Fishing (Document COFI/95/2), whose objective is to be able to present a final consensual text to the 28th session of the FAO Conference (October-November, 1995). The Committee, at its technical session, discussed, among other matters, the current situation and future perspectives for world-wide fishing, and the function of the organizations and regional fishing agreements in the management of fisheries resources.

At its ministerial level meeting, the Committee adopted a Declaration entitled "The Rome Consensus on World Fishing", which proposes a series of urgent measures to remedy the degradation of the resources and welcomed the calling of the International Conference on the Sustainable Contribution of Fishing to Food Security (Kyoto, Japan - December, 1995).

The Committee agreed to meet again in Rome in the spring of 1997.

-- *Coordinating Working Party on Atlantic Fishery Statistics (CWP) (Madrid, Spain - March 20-25, 1995)*

The Coordinating Working Party held its 16th Session at the ICCAT headquarters in Madrid, at the invitation of the Commission. The meeting was chaired by the ICCAT Assistant Executive Secretary (see Documents COM-SCRS/95/12 and COM-SCRS/95/23 for details).

-- *United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks (New York, U.S.A. - March 27-April 12 and July 24-August 4, 1995)*

At the indication of the Chairman of ICCAT, the Executive Secretary attended the Fifth and Sixth Sessions of this Conference. During these sessions, the Chairman of the Conference, Mr. Satya N. Nandan (Fiji), presented various negotiating texts, which after lengthy discussions, formed the basis of the consensual paragraphs, drafted in terms of a binding, Final Agreement.

Document COM-SCRS/95/17 contains a Note by the Secretariat on the development and results of these sessions.

-- *21st Session of the General Fisheries Council of the Mediterranean (GFCM) (Alicante, Spain - May 22-26, 1995)*

The Executive Secretary attended this meeting, with the main objective of contacting the coastal Mediterranean countries that are not Contracting Parties to ICCAT. At the meeting, he presented a document prepared by the Secretariat with a compendium of management Recommendations and related Resolutions that have been adopted by ICCAT for the conservation of Atlantic tunas and tuna-like species.

The GFCM decided, in its Resolution 95/1, to adopt in the Mediterranean Sea, starting on June 1, 1995, the management measures established by ICCAT for bluefin tuna, and to request that ICCAT consider at its next meeting the extension of the measures prohibiting bluefin tuna fishing in the Mediterranean during the spawning months of June and July to other fishing methods.

In its Resolution 95/2, the GFCM decided to establish 15 m as the minimum length for vessels to apply, in the Mediterranean Sea, the FAO Agreement with a view towards the compliance of international conservation and management measures by vessels fishing on high seas.

GFCM Resolution 95/4 requests its Member States to establish a list of the fishing vessels that operate from national ports in the Mediterranean and to send this to the GFCM Secretariat before October, 1995.

Document COM-SCRS/95/24 presents more detailed information.

-- *55th Meeting of the Inter-American Tropical Tuna Commission (IATTC) (La Jolla, California, U.S.A. - June 13-15, 1995)*

Dr. A. Fonteneau represented ICCAT at this meeting; his corresponding report to the SCRS is presented in Document SCRS/95/9.

-- *ICES Study Group on Elasmobranches (Copenhagen, Denmark - August 15-18, 1995)*

Confirming prior conversations held in Rome in May, 1995, the Secretariat transmitted to the Secretary General of ICES the decisions adopted by the Commission in November, 1994, to reinforce the collaboration between both organizations concerning research on shark catches. The response from ICES was very positive and ICCAT was invited to be represented at the meeting of the Study Group on Elasmobranch species (Copenhagen, Denmark - August 15 to 18, 1995), and also to the ICES Annual Scientific Conference (Aalborg, Denmark - September 21 to 29, 1995).

At the meeting of the Study Group on Elasmobranches, ICCAT was represented by Drs. H. Nakano and Y. Uozumi (Japan), who reported to the SCRS on the meeting (SCRS/95/11).

Document COM-SCRS/95/22 presents the correspondence maintained between the ICES and ICCAT Secretariats concerning this matter.

-- *6th Expert Consultation on Tunas in the Indian Ocean (Colombo, Sri Lanka - September 25-29, 1995)*

Dr. A. Fonteneau represented ICCAT at this meeting, which was organized by the Program on Development and Management of Tunas in the Indo-Pacific (PTP); his report was presented to the SCRS (SCRS/95/10).

9. Coordination of research and statistics

The Secretariat's Report (Document COM-SCRS/95/12) summarizes the activities during 1995 concerning coordination of research and biostatistical activities, relative to tunas and tuna-like species in the Convention Area.

In March, 1995, the contract (signed in April, 1994) between the ICCAT Secretariat and the Department of Mathematics of the School of Sciences of the Autonomous University of Madrid was extended, for the purpose of obtaining statistical advice to review the sampling scheme of the surface fisheries of the eastern tropical Atlantic. The amount budgeted for this contract is 1,160,000 pesetas in 1995. The corresponding report is contained in Document SCRS/95/8.

10. ICCAT rewards for tag recoveries

The annual ICCAT lottery to award prizes to participants in the ICCAT International Cooperative Tagging Program of Tunas and Tuna-like Species was held at the Hotel Chamartin in Madrid, on October 9, 1995, coinciding with the SCRS meeting. There were 656 tags entered in this year's lottery, a notable increase over the 205 tags entered last year. Three US\$ 500 prizes were awarded for the drawing, corresponding to the following three groups:

- Tropical tunas (207 tags entered in the drawing)
- Temperate tunas (328 tags were entered)
- Billfishes (121 tags were entered)

The prizes corresponded to fishermen from Cape Verde, Spain, and the United States, respectively.

11. Cooperation with other countries and organizations

Taking into account the increasing concern expressed by the Commission about the activities carried out by vessels of non-Contracting Parties, which undermine the effectiveness of the conservation and management measures adopted by ICCAT, the Secretariat maintained frequent contacts, mainly through correspondence, with non-member countries involved

in fishing for tunas and tuna-like species, requesting the submission of information and statistical data on catches and fishing effort, transmitting to them information on the conservation measures adopted by ICCAT, inviting these countries to participate in meetings organized by ICCAT, and informing them on the Commission's activities and operation. Among the countries that have been collaborating, at least partially, in the objectives of ICCAT are the following: Algeria, Argentina, Barbados, Croatia, Cuba, Cyprus, Dominican Republic, Greece, Italy, Malta, Mexico, Namibia, St. Helena, St. Lucia, Senegal, Taiwan, Tunisia, and Turkey.

In 1995, there was continuing interest from some non-member countries, such as Algeria, Argentina, Colombia, Dominican Republic, Egypt, Grenada, Iceland, Italy, and Mexico, for detailed information on ICCAT's activities, with a view to possible future membership as Contracting Parties of the Commission.

The exchange of information and the cooperation with the fishing authorities of Taiwan continues to be very positive. In recognition of the beneficial work carried out by the Commission, the Taiwan Deep Sea Tuna Fishery Development Foundation made a US\$ 15,000 voluntary contribution to ICCAT in October, 1995.

Working relations were also reinforced with diverse intergovernmental organizations (FAO, United Nations, CITES, European Community, GFCM, IATTC, CARICOM, ICES, etc.), as were contacts and information with other non-governmental organizations and entities.

Throughout the year, information relative to the following subjects was sent to the Governments of non-Contracting Parties that border on or fish in the Convention Area, as well as to intergovernmental fishery organizations:

- Recommendations and Resolution adopted by ICCAT in November-December, 1994;
- The need to submit statistics on tuna catches and fishing effort (Task I and Task II);
- Invitations to participate, as observers, in the scientific meetings organized by ICCAT in 1995;
- Participation in the ICCAT International Cooperative Tagging Program of Tunas and Tuna-like Species;
- Information on by-catches of the tuna fisheries;
- Reminder of the closure of the Mediterranean to large longliners during the bluefin tuna spawning season;
- Expansion of the ICCAT Bluefin Year Program (BYP);
- ICCAT coordination with non-Contracting Parties; and
- U.N. Resolution 49/116 concerning unauthorized fishing in national jurisdictional waters.

Document COM/95/28 provides more details on the activities described above.

12. Publications

From January to December, 1995, the following publications were distributed by the Secretariat:

<i>Publication</i>	<i>No. of Pages</i>	<i>No. of copies</i>
-- Statistical Bulletin, Vol. 24	207	475
-- Data Record, Vol. 36	355	360
-- Report for Biennial Period, 1994-95, Part I (Vol. II) - English	301	450
-- Report for Biennial Period, 1994-95, Part I (Vol. II) - French	310	200
-- Report for Biennial Period, 1994-95, Part I (Vol. II) - Spanish	301	250
-- Report for Biennial Period, 1994-95, Part II (Vol. II) - English	283	450
-- Report for Biennial Period, 1994-95, Part II (Vol. II) - French	302	200
-- Report for Biennial Period, 1994-95, Part II (Vol. II) - Spanish	305	250
-- Collective Volume of Scientific Papers, Vol. XLIV (1)	400	400
-- Collective Volume of Scientific Papers, Vol. XLIV (2)	417	400
-- Collective Volume of Scientific Papers, Vol. XLIV (3)	324	400

It is expected that the Report of the Final Meeting of the Albacore Research Program will be published in early 1996 in a special edition of the "Collective Volume of Scientific Papers" (Vol. XLIII).

In order to reduce costs, all the above publications were prepared, edited, and reproduced at the Secretariat, except for the covers and the binding.

For reasons of economy, the distribution of publications is usually done by surface mail at reduced rates. It is calculated that if distribution were by airmail, the average cost would be ten times higher.

13. Change in the Commission Headquarters

On October 18, 1994, the Spanish authorities offered new headquarters for the ICCAT Secretariat, located in Madrid at Calle Estébanez Calderón, nos. 3 and 5 (8th floor), which is equipped with modern, functional facilities and is centrally located.

The relocation to the new headquarters took place at the end of 1994. A brief period of time was necessary to get the new offices fully installed and running smoothly. As a result, there was some delay in the normal activities of the Secretariat in the early part of 1995.

It should be pointed out that the move to the new offices was carried out at a very reduced cost, since the moving expenses were assumed by the Government of Spain.

14. Renovation of the Secretariat computer equipment

In accordance with the decisions adopted by the Commission in December, 1994, the Secretariat's computer equipment has been renovated as follows:

- The Secretariat's main-frame computer (Digital Micro-VAX II) was traded in for a Digital Alpha Server 1000 (4/200 with its operating system), which has six times more memory and data processing speed.
- Five new Fujitsu laser printers were purchased (2 with additional memory), which have a printing speed that is far superior to the old models; four portable computers (Compaq 486 DX2); three for the language departments and one to replace the Assistant Executive Secretary's old model. External 15" color monitors and expanded keyboards were also purchased for these computers.
- The Secretariat's electronic mail system has been changed substantially with the acquisition of two external modems and a program (CHAMELEON) to connect to the Internet via telephone line. This new service permits navigation on the Internet system, the exchange of files with other remote users, and the use of electronic mail.
- A scanner was purchased and a basic program for the direct entry of graphics sent by the scientists.
- A program-filter (OPT-TECH-SORT) was purchased for data sorting.
- The word processing software (WORDPERFECT for WINDOWS) was purchased.
- A word processing/spreadsheet package (WORD+EXCEL for WINDOWS) was acquired.

The purchase of a CD-ROM reader is in process, for access to data on the environment, which are usually available on this computer support system.

Document COM-SCRS/95/12 provides more details on these acquisitions.

15. ICCAT's 25TH ANNIVERSARY

In December, 1994, the Commission adopted the Proceedings of the First, Second and Third Plenary Sessions of the Ninth Special Meeting of the Commission, the Report of the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG), the Report of the Infractions Committee, the Report of Panel 1 (Tropical Tunas), and all the Resolutions and Management Recommendations, as well as the 1995 Budget and member country contributions. Due to the lack of time at the meeting, the Commission decided to adopt, by correspondence, the Proceedings of the Fourth and Final Plenary Sessions and the Reports of Panel 2 (Temperate Tunas-North), Panel 3 (Temperate Tunas-South), Panel 4 (Other Species), and the text of the Report of the Standing Committee on Finance and Administration (STACFAD).

During the adoption by correspondence of the Proceedings of the Fourth and Final Plenary Sessions and the Reports of Panels 2 and 4, there were significant differences of criteria among some member countries, which were difficult to solve through correspondence. Therefore, in view of the lack of consensus on the proposed texts, the Chairman of the

Commission decided that the adoption of these Proceedings and Reports would take place at the start of the Fourteenth Regular Meeting of the Commission.

The Chairman's letter and annexed documentation were included in Document INF/95/6-COM.

On November 13, 1995, the Commission formally adopted the final texts of the Proceedings of the Ninth Special Meeting of the Commission.

16. Secretariat staff

In December, 1994, the Commission had authorized, in principle, the hiring of a multi-lingual secretary to fill one of the two vacant positions (from 1991 and 1992) in the General Services category. However, since the hiring of a biostatistician was not approved, the hiring of a new multi-lingual secretary in 1995 was not absolutely necessary.

Thus, as of December 31, 1995, the Secretariat staff is comprised as follows: Executive Secretary (D-1), Assistant Executive Secretary (P-5); Systems Analyst (P-2), five multi-lingual secretaries (two GS-7, one GS-6, one GS-5, and one GS-4), one statistical secretary (GS-4), four clerical staff (one GS-2 and three GS-1), and a locally-contracted data entry clerk.

17. ICCAT's 25th Anniversary

In 1995, ICCAT celebrated the 25th anniversary of its presence in Madrid. For this reason, the Prime Minister of Spain on behalf of the Spanish Government, sent a letter on November 3, 1995, to the Chairman of the Commission expressing support and recognition for ICCAT's work. The text of the Prime Minister's letter is attached as Appendix I to this Report.

On November 11, 1995, a solemn, commemorative ceremony was held at the "Casa de America" in Madrid, which was presided over by the Spanish Minister of Agriculture, Fisheries and Food, Mr. Luis Atienza Serna. Besides the delegations and observers at the Fourteenth Regular Meeting of the Commission, numerous representatives of the Diplomatic Corps accredited in Madrid, and other Spanish institutions, as well as the media, attended the ceremony. All the participants were presented with a commemorative plaque of the 25th Anniversary of ICCAT. During the ceremony, speeches were given by the Executive Secretary, the SCRS Chairman, the Commission Chairman, and the Spanish Minister. The texts of these speeches are attached as Appendix 2. Following the ceremony, the Spanish Minister of Agriculture, Fisheries and Food hosted a reception, during which Dr. Ribeiro Lima was conferred with the Order of Merit of Agriculture, Fisheries and Food, granted by His Majesty the King of Spain, for his work during the four years of term of office as Chairman of ICCAT.

On November 15, 1995, the Commission Chairman, the ICCAT Executive Secretary and the Spanish Secretary General of Maritime Fisheries were received in private audience by King John Charles I of Spain. During the course of the royal audience, the Chairman expressed the unanimous appreciation of the ICCAT Contracting Parties for all the facilities extended by Spain to carry out the objectives of the Convention. Dr. Ribeiro Lima presented the King of Spain with an especially designed plaque commemorating the 25th Anniversary of ICCAT.

During the Fourteenth Regular Meeting of the Commission, the ICCAT Chairman hosted a reception at the new ICCAT offices, featuring various products from the Azores Islands, for all the delegates, observers and other persons who work closely with ICCAT.

The Secretariat organized and participated in all the aforementioned activities and distributed among all the participants specially designed, 25th Anniversary folders for the meeting documentation. The Secretariat also prepared a special logo and letterhead to be used on all correspondence relative to the ICCAT Tuna Symposium, which as ICCAT's scientific contribution to the 25th anniversary, the Commission decided to hold in Azores in June, 1996.

ATTACHMENT 1

**LETTER FROM MR. FELIPE GONZALEZ MARQUEZ,
SPANISH PRIME MINISTER,
TO THE ICCAT COMMISSION CHAIRMAN**

Madrid, November 3, 1995

Mr. Adolfo Ribeiro Lima
Chairman of ICCAT
Estebanez Calderon, 3 - 8th floor
28020 Madrid

Dear friend:

On the occasion of the 25th Anniversary of the creation of the International Commission for the Conservation of Atlantic Tunas, I would like, in my own name and on behalf of my Government, to affirm the support and recognition of ICCAT's work, which I cannot express personally, due to commitments relative to the Presidency of the Council of the European Union.

At the same time, I would also like to express my confidence that with your efforts and those of all the interested parties, we will attain the improvement and the respect of the international fisheries regulations, including their environmental aspects, as well as a desirable equilibrium between fishing effort and the sustainable conservation of the available resources.

For this work we will now be able to rely on the help of two new essential elements: the Agreement recently reached by the United Nations relative to straddling fish stocks and highly migratory fish stocks and the Code of Conduct for Responsible Fishing, recently adopted at the FAO Conference.

Cordially yours,

(signed) Felipe González Márquez

ATTACHMENT 2

SPEECHES GIVEN AT THE ICCAT 25TH ANNIVERSARY CEREMONY
(Casa de America - Madrid - November 11, 1995)

-- BY DR. ANTONIO FERNANDEZ, ICCAT EXECUTIVE SECRETARY

Mr. Minister, Your Excellencies, Ladies and Gentlemen:

As the Executive Secretary of ICCAT, I appreciate the opportunity granted to me to be the first speaker at this ceremony. I think the best way to start is by presenting to this distinguished audience a series of considerations on the contents and scope of the International Convention for the Conservation of Atlantic Tunas, signed in Rio de Janeiro in 1996 and still in effect today.

Naturally, I don't think it's necessary to go into a detailed history of ICCAT. But I do think it appropriate to begin with a brief summary of the decisive early stages of the Commission, since they have a lot to do with the reasons for this ceremony that we are holding today.

Contrary to what is occurring today, 25 years ago matters dealing with high seas fisheries were rarely the subject of attention of the communications media. Such matters were reserved for discussions in specialized fora, generally within the framework of the United Nations and FAO, which already had its well accredited Fisheries Committee.

In the early 1960's, among those specialized fora, a clear need began to evolve to organize the tuna and tuna-like fisheries, which because of the extensive migration of these species across the Atlantic Ocean and its adjacent seas, escaped any possibility of rational management by the coastal states. For this reason, such an organization had to necessarily be based on frank and resolute international cooperation among the countries involved in this type of fisheries.

What is certain is that the FAO Conference, at its 1965 session, authorized convening a Conference of Plenipotentiaries to develop and adopt a Convention, whose objective was to establish a Commission for the conservation of tunas and tuna-like species in the Atlantic Ocean. That Conference of Plenipotentiaries was held in Rio de Janeiro, at the invitation of the Government of Brazil, from May 2 to 14, 1966, in which 14 countries participated and adopted the current text of the ICCAT Convention.

The Convention entered into force on March 29, 1966, as soon as seven governments had deposited their instruments of ratification, approval or adherence. Those countries, in chronological order, were as follows: United States, Japan, South Africa, Ghana, Canada, France and Spain. Although some of the participating parties at the Rio Conference (Argentina, Congo) did not become Contracting Parties, various other countries did adhere to the Convention, arriving at the 22 current Contracting Parties of the Commission.

The first meeting of the Commission took place at the FAO Headquarters in Rome in December, 1969, and FAO also provided a provisional ICCAT Secretariat. That first meeting was presided over by Mr. Fernando Marcitllatch Guazo, the then Director General of Maritime Fishing of Spain, and the offer by Spain to establish the permanent Headquarters in Madrid was accepted. A series of fundamental decisions relative to the organization of the new Commission were also adopted at that meeting, such as: (1) the creation of four Panels (Article VI of the Convention); and (2) the adoption of the Rules of Procedure and Financial Regulations, as well as the establishment of the Standing Committees of Finance and Administration and Research and Statistics (Article III of the Convention).

Shortly thereafter, the selection of the Executive Secretary, in accordance with Article VII of the Convention, was made during the first special meeting which the ICCAT Council held in Madrid in April, 1970, designating for this office

Dr. Olegario Rodriguez Martin, who today honors us with his presence and who served as Executive Secretary until March, 1992, when I had the honor to succeed him.

Also, in conformity with the request made by the Council to the Commission Chairman at that first special meeting, negotiations took place with the Spanish Ministry of Foreign Affairs for a Seat Agreement between the Spanish State and ICCAT, which entered into force in October, 1971. On the other hand, and in accordance with that indicated in Article XI of the Convention, an Agreement was negotiated to establish working relations between the Commission and FAO, which entered into force in 1973. As a result of this Agreement continuous and fruitful cooperation between both organizations has been maintained all these years, not only in matters of a scientific-technical nature, but also as regards administrative and legal matters. It should also be noted that Articles XIII, XIV, XV and XVI of the ICCAT Convention, grant the Director of FAO the duties of depository of the Convention and of those corresponding instruments of ratification, acceptance, adherence, or modifications thereof.

From a close examination of the Convention it can be noted that fundamental aspects such as those that refer to area of competence and desirable catch levels of the species under the ICCAT mandate were duly taken into account. For example, Article I established a "Convention Area" which applies to all waters of the Atlantic Ocean, including adjacent seas such as the Mediterranean and the Caribbean. Thus, years before the general extension of the exclusive economic zones to 200 nautical miles, by the coastal states, the ICCAT signatories had accepted the principle of carrying out the management of tuna stocks in their entire area of distribution, considering that the political boundaries imposed by national jurisdiction should not prevail over the concept of a biological unit of straddling stocks and highly migratory stocks. For, in reality, these stocks had developed at sea, and continue to do so, ignoring the jurisdictional water limits imposed by states.

One of the key elements of the Convention is its Article VIII, which grants the Commission right to formulate recommendations for the management of stocks under its mandate. For the Contracting Parties that have not presented an objection, a recommendation becomes effective six months after the date of its notification by the Commission. The procedure agreed upon at that time has proved quite viable. If, on the one hand, there is a certain renouncement of sovereignty in the application of ICCAT recommendations to the fisheries carried out in zones under the jurisdiction of Contracting Party coastal States, there is established for such States the safeguard of not implementing a particular resolution by presenting the opportune objection within the time limits established for this purpose. Naturally, any Contracting Party can withdraw its objection at any time, and then its contents become effective with the contents of said recommendation.

Another important element of the Convention is the principle established in the Preamble and in Articles IV and VIII, for maintaining the stocks of tuna and tuna-like species at biomass levels which will permit the maximum sustainable catch for food and other purposes, and which guarantee the effective exploitation of these species in a manner compatible with these catches. This principle has oriented the management activities of the Commission up to now, recognizing the fact that the maximum sustainable yields that are obtained from a specific tuna stock usually correspond to a level of exploitation in which the real biomass is less than that which would correspond to the same virgin population, that is, if it were not exploited at all. Obtaining maximum sustainable yields implies, among other things, the establishment of minimum sizes of fish to protect the juvenile stages, since these species have a long life that can even span 25 years. However, some are of the opinion that other ecological considerations, in their very broad sense, should be duly taken into account by the Commission when establishing conservation and management recommendations for the species under ICCAT mandate.

Article IX of the Convention concerns the matter of enforcement of the decisions of the Commission. Each Contracting Party has to present periodic information on the measures adopted in this respect. It was also agreed to collaborate in the establishment of an international inspection scheme to impose the compliance of the ICCAT regulations in the Convention Area, outside the jurisdictional waters of the Contracting Parties. In this sense, the Commission adopted a International Inspection Scheme in 1975, but since no date of entry into force was set, the Scheme has not yet been implemented. On the other hand, the Convention does not include specific provisions relative to resolving possible disputes, perhaps because it was believed at that time that such matters could be adequately handled within the framework of general rules of international law.

The text of the Convention in effect today is the same as that which was adopted in 1966. However, in accordance with its Article XIII, there are some modifications of various Articles, proposed by two Conferences of Plenipotentiaries, that are pending entry into force.

The first of these Conferences is that which was held in Paris in 1984, whose objective is to permit the accession of the then European Economic Community as a Contracting Party to ICCAT, and which involves a modification of Articles XIV, XV and XVI of the Convention. The entry into force of the Protocol adopted to carry out these modifications requires the approval, ratification or acceptance of all the Contracting Parties, which could occur within a short time, since there are only two Contracting Parties that have not yet deposited their instruments.

The second Conference of Plenipotentiaries was held in Madrid in 1992 to modify Article X, paragraph 2, of the Convention, to allow a redistribution of the financing of the annual Commission budget, based on the degree of economic development of the Contracting Parties. In this way, those Parties classified as developing countries will have a substantially reduced contribution, whereas the contributions of the Contracting Parties classified by the UNCTAD as countries with a developed market economy will increase. The entry into force of the Protocol adopted to this effect requires the approval, ratification or acceptance of at least three-fourths of all the Contracting Parties. As of now, of the minimum of 16 instruments required, seven have been deposited, and it is expected that this process will be completed within the next year.

Mr. Minister, Your Excellencies, during the 25 years of its existence, the Commission has carried out numerous activities for the purpose of attaining the objectives of the Convention that I have just described briefly. It seems to me that this is an appropriate time to express well-deserved appreciation to all those people who have participated, or who are now taking part, in this joint effort. Organizations can be created, but they are absolutely dependent on the human factor to carry out their activities. Even just to attain the results that are shown in the historical series of the different ICCAT publications, many months of consideration, constant work, constructive discussions in search of consensus, and continuous effort by many people pertaining to the political, scientific or administrative fields of diverse countries, among which, naturally, I have to include the staff who made up or currently comprise the Secretariat. This recognition of all that ICCAT has attained represents, on our part, a renewed and firm challenge to continue working towards the objectives of our founding Convention. At the sessions of the U.N. Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks, held in New York, the importance of the indispensable work of intergovernmental organizations, such as ours, was noted, for the rational management of the important fisheries resources that make up those stocks; this all means that their competencies and objectives will be reinforced and extended, within the context of a world which is more and more interdependent.

In conclusion, I would like to affirm my conviction that in the next 25 years, ICCAT will continue to contribute very positively to obtaining the necessary international political consensus to carry out efficient conservation and management of the fishery resources under its mandate. Thank you.

**-- BY DR. ZIRO SUZUKI, CHAIRMAN OF THE ICCAT STANDING
COMMITTEE ON RESEARCH AND STATISTICS (SCRS) --**

To celebrate this 25th Anniversary of ICCAT, I would like to speak briefly on behalf of the ICCAT scientists.

The development of the Atlantic tuna fisheries has been remarkable during the last quarter century. The total catch of tuna and tuna-like fishes in the Atlantic and Mediterranean Sea has doubled and, in recent years, has reached a level of about 650 thousand tons. This is a rather unusual phenomenon, in light of the fact that most of the large-scale fisheries are either declining or have already collapsed. However, this does not necessarily mean that the state of the Atlantic tuna and tuna-like fishes is a healthy one. In fact, despite our efforts to seek a rational management of the stocks, most of the stocks are fully exploited, and some are even over-exploited. We are now in a critical period which will determine whether the Atlantic tuna fisheries are to follow the same trend of management failure as the major fisheries of other species.

In this connection, I think it is important to recognize that the general environment of the fishery has undergone substantial changes recently which have a direct impact on ICCAT, and I should like to cite two examples of this.

a) First of all, the U.N. Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks, which concluded an agreement in the summer of this year after three years of meetings. Several important points are described in this agreement, such as biological reference points, precautionary approach and minimum data requirements. It is worth noting that MSY, which is a management objective defined in the ICCAT Convention, was described in the agreement as a limiting reference point rather than a target.

b) Secondly, a new general concept is emerging which clearly notes that management should take into consideration the effects on ecologically related species, in addition to target species, with a view to maintaining or restoring populations of such species above levels at which their reproduction may become seriously threatened. In this regard, CITES adopted a resolution in 1994 on aspects of international trade of sharks and urged regional international fisheries bodies, with the help of FAO, to collect relevant information for the purpose of conserving sharks. Furthermore, the SCRS is now going to be faced with the problem of what action should be taken for the conservation of non-fish species, such as sea birds and marine mammals, taken as incidental catch by the tuna-fisheries, as there is no mandate to deal with these species under the present Convention.

Finally, I would like to express my hope that the ICCAT Tuna Symposium, which is planned for next June, will serve as one of the fora for in-depth discussions on how to meet these changes and how to harmonize the divergent interests of the different sectors involved in Atlantic tunas.

Thank you very much for your attention.

-- BY DR. ADOLFO RIBEIRO LIMA, CHAIRMAN OF THE COMMISSION

Mr. Minister, Your Excellencies, Ladies and Gentlemen, Colleagues:

For the last four years I have had the honor of being the Chairman of ICCAT. I am very happy to participate in this commemorative ceremony and to relay to you some considerations on our activities and our problems, as well as our aspirations and objectives for the future.

Above all, I want to thank you and the countries and institutions that you honorably represent for your presence here today, which demonstrates your interest in and sensibility towards matters concerning conservation of the living resources of our seas.

We are celebrating the 25th anniversary of ICCAT at an historic moment when, perhaps for the first time, a general sense of planetary concern is developing about the future of these living marine resources. The ceremony that unites us today represents an exceptional occasion to reflect on the progress achieved in the management of the resources under the mandate of ICCAT, and also to make an appeal for the cooperation of all countries, institutions and persons involved in fishing activities.

I thank the Spanish authorities for still another gesture of attention towards ICCAT, and which permits us to grant the appropriate solemnity to the celebration of our silver anniversary in the world of tunas by holding this ceremony in the magnificent setting of the "Casa de America", a meeting place for the cultures and countries of both sides of the Atlantic Ocean. I would also like to publicly recognize the facilities which the Spanish authorities have extended over the years, enabling us to better carry out our activities at our Headquarters in Madrid. In the early part of this year, the Spanish authorities generously provided us with new, modern and functional offices, which are in harmony with the noble and important objectives established in the Seat Agreement.

As is only fair, I cannot close this chapter of appreciation without mentioning the excellent work carried out by those who have preceded me in this office as Chairmen of ICCAT: the Messrs. Marcitlach (Spain) Touya (France), Mallick Dia (Senegal), Young (Canada), Koffi (Ivory Coast), Blondin (United States), and Makiadi (Angola). I must also thank Dr. Olegario Rodriguez Martin, who was the first and only Executive Secretary for more than 20 years, and those Chairman and Rapporteurs of the various subsidiary bodies of the Commission.

Thus, 25 years ago, the main fishing nations in the Atlantic Ocean initiated a journey in search of harmonious development of their activities, aimed at the conservation and exploitation of tunas and tuna-like species. The ICCAT Convention has proven to be an efficient precursor in this task, and the Commission has been, is, and continues to be the appropriate and irreplaceable instrument to channel our aspirations and to coordinate our policies. At the time of the signing of the Convention, in the month of May, 1966, the total catch of tuna species in the Atlantic Ocean represented approximately half the level of the current catches, and the major part of these stocks were still under-exploited. Since then, a sustainable, and at times spectacular, developed of these fisheries occurred for the majority of the species and areas under ICCAT mandate. The development has reached such a point that currently various tuna stocks in the Atlantic Ocean

and Mediterranean Sea are levels close to their maximum biological yield. Naturally, this significant development of the Atlantic tuna fisheries has been closely monitored, studied and constantly evaluated by the Commission and its auxiliary bodies. Since the early months of its beginnings, ICCAT has compiled, processed and periodically published an impressive amount of information and statistical data on the abundance, biology and ecology of the species under its mandate, and on the oceanography of their habitat and the effects of natural and human factors on their populations. The current data base on Atlantic tunas and tuna-like species, which covers the entire Atlantic and the entire historical period of the major part of these fisheries, is logically the most complete and reliable base that exists.

At the same time, and based on the information, analyses and assessments received from the scientific teams of the Commission's Standing Committee on Research and Statistics (SCRS), ICCAT has established during these years an important series of recommendations for the conservation and management of the tuna stocks in the Convention Area. These recommendations are binding on the ICCAT Contracting Parties, and are also transmitted to non-Contracting Parties that border on the Convention Area or that fish tunas in this area, urging them to adopt these measures and to implement them in their respective national jurisdictions and on the high seas, since the effective management of tunas, as highly migratory species, requires their application in their entire area of distribution.

Upon completion of its first quarter century, the Commission considered it appropriate to carry out a critical review of all the methods and scientific results of ICCAT, as well as a review of some uncertainties that have arisen over 25 years of active international research on Atlantic tunas. Therefore, it was decided to hold an important "Tuna Symposium" in June, 1996.

The conclusions and recommendations of this Symposium will obviously be of great interest to improve the efficiency of research on Atlantic tunas and the ICCAT management measures. The results will also have considerable potential interest for the research and management of tunas in other oceans, since the majority of the biological and migratory characteristics of tunas are very similar for each species, independently of the ocean where they are found, and the research methodologies are also very similar among the world's oceans. We invite all scientists interested in tuna research to participate in the Symposium and to present working documents.

What are some of the lessons we have learned during these twenty-five years of activity? First of all, that these concerns are not exclusively ours, but are also of concern to international public opinion that increasingly follow ICCAT's activities. Over the years, we have come to understand that extractive policies that do not take into account the principles of responsible fishing, carry within them the seed of their own destruction.

Secondly, we have learned that it is necessary to promote a non-exclusive policy in the admission of the member countries. If our organizations is to provide a forum for the multilateral resolution of problems, then it is essential that it give all parties interested in the tuna fisheries in the Convention area an equal opportunity to study and to propose appropriate solutions. It is impossible to arrive at efficient management of the resources without the decided cooperation of all the countries involved in the fisheries.

Thirdly, we have learned that unless the international community pays attention to the conclusions of the scientific organization concerning the management of the resources, we cannot achieve all that we hope to, that is, harmony between the available resources, fishing and subsequent commercialization, in its different forms.

In fourth place, we have learned that in the today's fishing world no one problem can be solved in an isolated way, whether it be political, economic, social or environmental, since undesirable consequences in other, apparently unrelated sectors have to be taken into account. If the degradation of our biological patrimony continues, future generations will be seriously affected, because there are no political boundaries, nor national policies, capable of detaining in an individual or isolated manner the potential decline of living marine resources, particularly straddling fish species and highly migratory species.

In fifth place, and in summary, I will say that we have also come to understand that the problems and changes in the environment are closely related to matters of responsible fishing, international cooperation and sustainable development.

Convinced of all this, our ceremony today is at the same time a celebration and a reaffirmation of our political will to cooperate. It is also a ratification of our clearly assumed commitment to face the challenges of the irrational exploitation, the dangers of terrestrial and marine contamination, the use of non-selective fishing gears, the excessive increase in effort of the fishing fleets, the non-solidarity of the vessels flying flags of convenience, the low priority and the lack of cooperation in providing resources to the international organizations.

In the international sphere, the decade of the 1990's has been characterized by a clearly defined revitalization of multilateral negotiations, to confront the problems I have just mentioned. It seems as if Resolution 44/225 adopted by the U.N. General Assembly on December 22, 1989, concerning large-scale, high seas driftnet fishing has acted as a catalyzer of an important series of initiatives that are being developed within the framework of intergovernmental organizations and conferences.

I refer, for example, to Agenda 21 of the UNCED, to the FAO Agreement on flagging of fishing vessels, to the Code of Conduct for Responsible Fishing, which is in a very advanced state, to the U.N. Conference on Straddling Fishing Stocks and Highly Migratory Fish Stocks, which has reached an agreed upon text in 1995 which signifies progress in international norms concerning the Law of the Sea.

This revitalization of multilateral activities no doubt signifies a clear perception by governments of the existence of common patrimonial interests and of the need to attain necessary consensus, in matters that are beyond the control of modern States. The key to success for this work lies in achieving an increase in the general awareness of the problems in the conservation of the biosphere, recognizing the important strategy of forming a unified front to face the practices of irresponsible fishing and environmental degradation.

In reflecting on the global situation and perspectives of the fisheries under the mandate of our organization, we are carrying out our duty, responsibly shared, to transmit to our youth and to future generations a more livable planet. For this, we rely on the creative capacity of all responsible politicians and society in general, to mobilize in favor of the enrichment of our oceans. Thank you.

**— BY MR. LUIS ATIENZA SERNA, SPANISH MINISTER
OF AGRICULTURE, FISHERIES AND FOOD —**

It is a great honor for me that the Chairman of the International Commission for the Conservation of Atlantic Tunas has invited me to preside over the 25th anniversary of the Commission, on behalf of the Spanish government.

In the same way, it is a matter of great satisfaction that this important event, being held at the "Casa de America", a symbol of unity and cooperation between two continents, Europe and America, and representative of the indelible ties which day after day are reaffirmed between Spain and the countries of Latin America.

The ceremony which has united us here today is more than a formal meeting, it is recognition of the Commission's development throughout this quarter century.

Concern for the conservation of the stocks of tuna and tuna-like species led to the adoption, in May, 1966, in Rio de Janeiro, of the Convention to establish ICCAT, whose objectives are cooperation to maintain these stocks at levels which permit an optimum and sustainable exploitation for food purposes.

As you all know, Spain offered from the very beginning to host the Seat of the new Commission, and this honor was granted with the establishment of the headquarters in Madrid. Precisely, last year the Spanish government made a great effort to provide ICCAT with new offices, worthy of the accomplishments and prestige attained by the Commission, and which will permit it to continue its technical work and to conduct its meetings with the scientists in an atmosphere that will facilitate such work.

In the 25 years that have transpired since its creation, ICCAT has undergone great changes on the world level in all its aspects and as can be expected, the fishing sector has also been involved in this metamorphosis.

The Convention on the Law of the Sea in 1982 represented a drastic change on the international level of the traditional fishing activity, with the adoption of the 200 nautical miles Exclusive Economic Zone of the coastal countries. This new situation changed the existing scheme since the traditional fishing countries had to renounce their usual fishing grounds and at the same time there was a proliferation of coastal countries' fishing fleets, which up to that time had not participated in fishing activities. Only through cooperation was it possible to balance the repercussions, to some degree, as some fleets had to continue exercising their activity through the establishment of agreements, while others were able to develop through technical assistance, transfer of technologies and the training of crews.

ICCAT knew how to confront this new challenge and with the support and collaboration of its Contracting Parties, continued its research throughout the geographic extension of the resources, that is, within and outside the 200 miles. The success of this measure has made it possible to improve the knowledge on the status of the stocks of tunas and tuna-like species in the entire Atlantic Ocean. The recommendations which the Commission has adopted throughout these years, and which at times have caused serious difficulties for their implementation and compliance because of significant socio-economic implications, have been of primordial importance for those responsible for fisheries management at the national level, as they indicate the path to follow in achieving our maximum objective: the conservation of tunas.

This long road has not always been easy, since the international economic crisis has negatively affected international organizations and thus ICCAT has seen how financial difficulties have restricted, in some way, its objectives in matters of research and in carrying out specific programs. The considerable difficulties of some countries to comply with their obligation to contribute to maintaining the Commission has resulted in their withdrawal from the organization. The Protocol to amend the Convention to modify the contribution calculation scheme will make it possible, once it enters into force, to solve the Commission's financial problems, which is why I am urging the representative of all the ICCAT member countries present to ratify this Protocol as soon as possible. In this way, those countries that have worked very hard and have contributed to ICCAT will be able to rejoin the Commission, from which they never should have withdrawn.

In the same way, we hope that faced with the new situation, the countries that participate in our meetings as observers and others that have indicated their desire to cooperate, will finally become members of the commission which, added to the 23 member states which currently comprise the Commission, will result in a considerable increase in this number, so that among all of them and with each country assuming its corresponding responsibilities, we can achieve a rational and sustainable management of the resources.

At present, two new instruments, which will have considerable repercussions on ICCAT's work and on the activities of the fishing sector, have been adopted. I am referring, in the first place, to the Code of Conduct for Responsible Fishing, recently approved at the 28th Conference of FAO and for which I would like to emphasize its universality, since it applies to all the fisheries, in all areas, and covers all the aspects relative to the fishing sector: extraction, management, research, aquaculture and commerce. Secondly, I refer to the Agreement reached by the United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks, which is closely related to the species regulated by ICCAT.

Another matter I would like to point out and which has been the object of an ICCAT resolution for its rapid application, is the Agreement to Promote Compliance of International Conservation and Management Measures by High Seas Fishing Vessels, approved within the framework of FAO and which constitutes the first binding element of the Code of Conduct.

The ICCAT proposal to hold an International Tuna Symposium next year will thus constitute another element of considerable relevance at the world-wide level for the knowledge and management of these resources.

For all these reasons, the image which I believe we should extract from this 25th anniversary of ICCAT would be that the Commission has anticipated the problems facing us today, that the Commission's research work and its recommendations for the conservation of the resources throughout its history has allowed it to attain international recognition as an effective, tuna resource management organization and that it should serve as an example for other organizations.

We have thus the fundamental element, that is, a regional fishery organization such as is contemplated not only in the Code of Conduct for Responsible Fishing, but also in the New York Agreement. In both processes, the word "cooperation" is mentioned several times, as the undisputable basis to overcome obstacles.

Logically, being aware of what all this signifies, I would like to appeal at this time to this international cooperation as the only means of reconciling and resolving controversies. This cooperation should be reflected within the framework of ICCAT, with the support of all the Contracting Parties for the entry into force of the Protocol that will permit the accession of the European Community as a member of the Commission, as well as the Protocol to amend the contribution calculation scheme, which will permit many more countries to become Contracting Parties to ICCAT. In the same way, this international cooperation should signify at a unilateral level, the assumption by each country of its own responsibilities, as regards the application of fisheries conservation and management measures, avoiding that they only affect the most responsible countries.

The conservation of fisheries resources, and in this context specifically tunas in the Atlantic Ocean, concerns all of us, and if in this task there is a lack of international cooperation, the efforts that are adopted by some countries will not have any effect and the objectives proposed will not be achieved.

I would like to end this intervention by thanking and congratulating the ICCAT Executive secretary and all the Secretariat staff members for their work; and I would like to request generosity of the ICCAT Contracting and non-Contracting Parties towards the Commission, and express the hope that the spirit of cooperation grows and continues in order to reach our goal: the sustainment of the tuna stocks in the Atlantic Ocean for fishing and food purposes for present and future generations. I would also like to ascertain Spain's firm commitment to what I have expressed here: the reinforcement of international cooperation and the exercise of responsible fishing.

1995 FINANCIAL REPORT

COM/95/10 *

1. Auditor's Report - Fiscal Year 1994

The Auditor examined the books and accounts of the Commission to the end of Fiscal Year 1994. In accordance with Regulations 9-3 and 12-7 of the Financial Regulations, and following a recommendation of the Council at its Second Regular Meeting, the Executive Secretary transmitted a copy of the Auditor's Report to the governments of all the Contracting Parties in May, 1995. The General Balance at the close of Fiscal Year 1994 (see attached Statement 1), showed a balance in Cash and Bank of 33,775,099 pesetas, corresponding to the available in the Working Capital Fund (29,791,056 pesetas), available in the Albacore Research Program Funds (1,482,518 pesetas), and the advances on future contributions, at the close of Fiscal Year 1994, (2,501,525 pesetas).

At the close of Fiscal Year 1994 there were accumulated pending contributions (corresponding to 1994 and previous years) that amounted to 128,803,065 pesetas, equivalent to 91.8% of the 1994 total budget (140,268,000 pesetas).

Since the Commission changed the base currency of the budget in 1992 from United States dollars to convertible pesetas, to avoid the effect of the fluctuations in the currency exchange rates, which were uncontrollable and difficult to foresee, the accounting records for Fiscal Year 1994 were maintained in pesetas. The differences in exchange rates resulting from those accounts which originated in U.S. dollars were adjusted at the close of the Fiscal Year based on the official U.N. exchange rate of 130 pesetas/1 US\$, as of December, 1994.

In accordance with the recommendation made by the Working Group on Financial and Administration at its meeting held in Madrid on November 29-30 and December 1, 1971: *"It was considered that the Working Capital Fund ... should be maintained at a level of approximately 15% of the total annual budget"*. This recommendation was adopted by the Commission. At the close of Fiscal Year 1994, the balance was 29,791,056 pesetas, or 21.2% of the annual budget.

2. Financial status of the second half of the biennial budget - Fiscal Year 1995

Continuing with the accounting practices established since 1992, the financial operations of the Commission corresponding to Fiscal Year 1995 were maintained in pesetas. The accounting entries which originate in U.S. dollars are also registered in pesetas, applying the official monthly exchange rates facilitated by the United Nations.

The Regular Budget for 1995 (147,281,000 pesetas) was approved by the Commission at its Ninth Special Meeting (Madrid, November-December, 1994). The General Balance Sheet (attached as Statement 2), reflects the assets and liabilities at the close of Fiscal Year 1995, which are shown in detail in Tables 1 to 7.

Table 1 shows the status of the contributions of each of the Contracting Parties at the close of Fiscal Year 1995.

Of the total budget approved for 1995 (147,281,000 pesetas), total income received amounted to 116,249,616 pesetas. Only 11 of the 21 Contracting Parties have paid their total contributions corresponding

* The Financial Report presented at the 1995 Commission Meeting was updated to the close of Fiscal Year 1995.

to 1995 (Brazil, Canada, Côte d'Ivoire, France, Japan, Republic of Korea, Portugal, South Africa, Spain, Russia and the United States).

At the close of Fiscal Year 1995, 10 Contracting Parties (Angola, Cape Verde, Equatorial Guinea, Gabon, Ghana, Republic of Guinea, Morocco, Sao Tomé & Príncipe, Uruguay and Venezuela) had not paid any amount towards their 1995 contributions to the regular Commission Budget; eight countries have balances pending payment from 1994 or before (Angola, Cape Verde, Equatorial Guinea, Gabon, Ghana, Republic of Guinea, Uruguay and Venezuela).

The contributions to the 1995 regular Commission Budget still pending payment by the Contracting Parties at the close of Fiscal Year 1995 amounted to 31,031,386 pesetas, which represents 21.1% of the total regular budget. Also pending payment are the 1995 extra-budgetary contributions which amount to 2,298,242 pesetas from the United Kingdom and Libya, which became new members of the Commission during the second half of 1995. The total accumulated debt owed to the Commission, from budgetary and extra-budgetary contributions, amounted to 158,983,988 pesetas at the close of Fiscal Year 1995, including debts owed from Benin, Cuba, and Senegal, which are no longer Contracting Parties to ICCAT. This is indicative of the difficulties of the Contracting Parties to honor their financial commitments to the Commission.

Table 2 shows the budgetary and extra-budgetary expenditures to the close of Fiscal Year 1995, broken down by budget chapters. For most of the chapters, the amount spent was below the amount budgeted; with the exception of Chapter 3 (Commission Meetings) and Sub-chapter 8-A (Salaries of Research and Statistics staff), for reasons that are explained later on in this Report.

Following herewith are some general comments by budget chapter:

Chapter 1 - Salaries: The salaries and remuneration for 11 members of the ICCAT Secretariat staff were charged to this chapter. Faced with the voluntary resignation of one General Services staff member in late 1992, and hoping that the financial situation of the Commission improves over the short-term (through the receipt of member country contributions or with the entry into force of the Madrid Protocol), it was decided to impose a temporary freeze on filling this position. In December, 1994, the Commission had authorized the hiring of a multi-lingual secretary to fill this vacancy, taking into account the considerable savings by hiring in 1994 two new staff members, classified at Step 1 of the GS-4 level. However, for 1995, the United Nations had established a significant average increase (14%), with respect to 1992 base salary levels for staff in Madrid classified in the General Services category (GS). For this reason and also due to the lack of cash flow resulting from the non-payment of contributions of the majority of the Contracting Parties, the hiring of a new multi-lingual secretary was postponed until next year.

The total amount budgeted for Chapter 1 amounted to 79,500,000 pesetas, whereas expenditures to the close of the Fiscal Year amounted to 78,039,585 pesetas. This amount includes the updating of the remuneration schemes to those currently in effect for staff classified in the United Nations categories, the monthly adjustments for the successive variations in the US\$/peseta exchange rate in 1995, (the average of which was below the 134.1 Pts/US\$ exchange rate that was applied to budgetary proposals made in September, 1994), and the updating (retroactive to November 1, 1994) of the pensionable remuneration base for staff in the Professional and Higher U.N. categories.

Chapter 2 - Travel: Expenses charged to this chapter included travel and per diem expenses pertaining to the Executive Secretary's participation in the two sessions of the United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks (New York, April and July, 1995), the FAO Committee on Fisheries (Rome, March, 1995), and the 21st Session of GFCM (Alicante, May, 1995). Also charged to this chapter were the trips for "home leave" purposes of two members of the Secretariat staff.

Chapter 3 - Commission Meeting: Expenditures of the Commission Meeting held from November 10 to 17, 1995, amounted to 6,814,023 pesetas, which is higher than the 6,193,000 pesetas budgeted, since the decision to extend the Commission meeting by two days was made after the Budget had been adopted. The additional meeting cost was financed by extra-budgetary income, as was announced by Executive Secretary at the Final Plenary Session in 1994.

Chapter 4 - Publications: The costs for the Commission publications listed in the Administrative Report (COM/95/9) were charged to this budget chapter. All the work on these publications, except for the covers and binding, was done by the Secretariat staff.

Chapter 5 - Office Equipment: Expenses charged to the end of Fiscal Year 1995 to this chapter included the annual cost for a photocopier that is rented with an option to buy, as well as expenses for the purchase of additional furniture, such as chairs and tables for use by groups meeting at the Secretariat.

Chapter 6 - Operating Expenses: This chapter shows the expenses incurred in the operation of the Secretariat, to the end of Fiscal Year 1995, including some expenses related to the re-location to the new Secretariat offices, as well as publication costs relative to the daily work of the Secretariat. Expenses were maintained within the amount budgeted, although the costs for mailing have increased considerably (+46%) as compared to the previous year, due mainly to the increase in the documentation that was transmitted to the Contracting Parties. Nevertheless, the mailing of all the ICCAT publications by surface mail resulted in an estimated savings of 5,900,000 pesetas. On the other hand, the use of recycled paper for the major part of the Secretariat activities has resulted in an estimated savings of 450,000 pesetas, since the cost of white paper was 46.5% higher than that for recycled paper.

Chapter 7 - Miscellaneous: This chapter includes various expenses of a minor nature.

Chapter 8 - Coordination of Statistics and Research

a) Salaries: Salaries and remuneration for three Secretariat staff members are charged to this sub-chapter. The observations made under Chapter 1 as regards the salary revision corresponding to 1995 for U.N. classified staff also apply to this sub-chapter.

This sub-chapter also includes the salary and Spanish Social Security expenses and income taxes of one staff member who, although authorized by the Commission to be classified in the U.N. salary scheme as GS-2, chose to remain as locally-contracted staff in order to continue under the Spanish Social Security regime.

The amount budgeted for Chapter 8-A (18,079,000 pesetas), was slightly below the amount needed to cover the salaries in this sub-chapter to the end of the Fiscal Year, due to an unforeseen increase in costs for a locally-contracted staff member.

b) Travel to improve statistics and research: Trip expenses and per diem for the Secretariat's participation in the following meetings were charged to this sub-chapter:

- Bluefin Year Program Planning Meeting (BYP) (Genoa, Italy - March 14-15, 1995)
- Second Meeting of the *Ad Hoc* Working Group on Stocks of Large Pelagic Fishes in the Mediterranean Sea. Mediterranean Swordfish Data Preparatory Meeting (Bari, Italy - September 13-19, 1995)
- Organizational Meeting for the ICCAT Tuna Symposium (Bari, Italy - September 20-21, 1995). Of the expenses corresponding to this meeting, 55.8% were financed by the Commission of the European Communities (FAIR Program).

c) Port Sampling: No expenses were charged to this sub-chapter, due to difficulties in reinitiating port sampling in the Canary Islands.

d) Biostatistical Work: Expenses charged to this sub-chapter amounted to 2,467,756 pesetas, including 1,160,000 pesetas for the renewal of the contract in 1995 with the "Universidad Autónoma de Madrid" concerning advice on the sampling strategy of tropical tunas. Payment of two tagging lottery prizes were also charged to this sub-chapter, as well as the purchase of some computer equipment, since the amount approved by the Commission for the such acquisitions was insufficient to fulfil the recommendations by the SCRS.

e) Computer Equipment: In accordance with the decisions adopted by the Commission, the Secretariat purchased the following computer equipment in Fiscal Year 1995:

- DIGITAL Work Station Mod. Alpha 1000 4/200, including associated software and 2 Digital dot matrix printers
- 5 FUJITSU laser printers + additional RAM
- 4 COMPAQ 486 DX2/50 Notebooks were purchased + external color monitors and expanded keyboards
- 2 external modems for electronic transmission of data (e-mail) + CHAMELEON Internet software
- A mouse for a TEXAS Notebook
- A scanner + associated software, for the direct entry of graphics sent by the scientists
- A software package for sorting data (OPT TECH SORT)
- Other software purchases include: MICROSOFT OFFICE (WORD+EXCEL), and WORDPERFECT WINDOWS

Technical details on the above purchases are described in the Report on Statistics and Coordination of Research (COM-SCRS/95/12).

f) Data Processing: The trade-in of the Digital Micro-Vax for a new computer (Digital Alpha 1000, on a three-year leasing contract, has resulted in a considerable reduction in the expenses charged to this sub-chapter, particularly as concerns the maintenance contract. Also charged to this sub-chapter are the expenses incurred for electronic mail for the transmission of correspondence of a scientific and statistical nature.

g) Scientific Meetings at the Headquarters: Expenses charged to this sub-chapter included the cost of the Plenary Sessions of the SCRS as well as the Meetings of the Species Groups. Expenditures remained within the amount budgeted for this purpose.

h) Miscellaneous: No expenses were charged to this sub-chapter in Fiscal Year 1995.

Table 2 also shows the negative difference due to the fluctuation in the US\$/peseta exchange rates during Fiscal Year 1995 (347,343 pesetas), and as well as the extra-budgetary expenditures corresponding to the ICCAT Symposium Organizational Meeting, held in Bari, Italy (1,474,308 Pts.), for which there is a balance to be returned to the European Commission due to the difference between the amount received and the meeting expenses incurred.

Table 3 shows all budgetary and extra-budgetary income and advances received by the Commission during Fiscal Year 1995, which amounted to 130,100,058 pesetas.

Budgetary income includes member country contributions received in 1995 towards the 1995 budget, and contributions paid in 1995 towards previous budgets.

Other income (extra-budgetary), received in 1995, includes: observer fees corresponding to the 1995 meeting, a voluntary contribution from the Taiwan Deep Sea Tuna Boatowners & Exporters Association, bank interest, the refund of Value Added Tax, reimbursement for publications, from the Billfish Research Program Budget and applicable to the Secretariat's operating expenses concerning this Program, refund of security fees, the difference in exchange rates on past contributions received in 1995, and the amount received from the European Union towards the Symposium Organizational Meeting in Bari.

Advances on future contributions received in Fiscal Year 1995 includes those from Brazil and Côte d'Ivoire.

Table 4 presents the composition and balance of the Working Capital Fund (to the end of Fiscal Year 1995). The Fund showed a positive balance of 18,148,848 pesetas. Consequently, the accounting balance corresponds to 12.3% of the budget approved for 1995, which is below the 15% established in the recommendation adopted by the Commission.

Table 5 shows a summary, by origin and by year, to the close of Fiscal Year 1995, of the budgetary contributions pending payment (156,685,746 pesetas), as well as extra-budgetary contributions pending payment (2,298,242 pesetas) from the two Contracting Parties that joined the Commission during the second half of 1995. Consequently, the actual outstanding debt owed to the Commission amounted to 158,983,988 pesetas at the close of Fiscal Year 1995.

Table 6 shows cash flow during Fiscal Year 1995 as regards generated income and expenses.

Table 7 presents the status of Cash and Bank (to the close of Fiscal Year 1995) which showed a balance of 24,717,758 pesetas, and which corresponds to the total available in the Working Capital Fund, the available in the Albacore Research Program and advances on future contributions.

3. Albacore Research Program

At the 1990 Commission meeting, it was decided that the balance in sub-chapter 8-i (Albacore Research Program), which amounted to US\$ 15,052.51, would be applied exclusively to this Program. There was no variation during 1995 in the amount available for this Program. It is expected that the amount of 1,482,518 pesetas will be applied in 1996 towards the publication, in enhanced form, of the Report of Final Meeting of this Program, which took place in 1994.

4. Program for Enhanced Research for Billfish

In 1987, a special fund (in U.S. dollars) was established to administer the Program for Enhanced Research for Billfish. For accounting purposes, the Program funds are shown in pesetas within the General Balance of the Commission, although the deposits and expenditures are made in U.S. dollars. The status of these funds, in U.S. dollars, at the close of Fiscal Year 1995, was as follows:

Balance (at the start of Fiscal Year 1995)	US\$ 55,553.86
Deposits made in 1994	0.00
interest earned on time deposit account	+ 876.94
	<u>56,430.80</u>
Expenditures (including bank charges)	- 40,293.33
Balance (at the close of Fiscal Year 1995)	US\$ 16,137.47

5. Bluefin Year Program (BYP)

This Program was approved by the Commission in 1991 and started in 1992. However, there were no funds budgeted by the Commission for this Program in 1995, nor was a special fund established, as was the case for the Billfish Program.

6. Other comments

All the member country contributions to the 1995 Budget were received in convertible pesetas. Remunerations (salary and pension) for staff in the Director and Professional categories are established in U.S. dollars in accordance with the current scheme of the United Nations. The pensions of staff in the General Services are also paid in U.S. dollars, whereas the salaries are established in pesetas in accordance with the current scheme of the United Nations for Madrid. Therefore, United States dollars had to be purchased on the local market, at various rates of exchange, and accounted for according to the official US\$/Pta. exchange rate established by the United Nations on the first of each month.

As regards the dedication of the member countries to ICCAT's work, it should be noted that such dedication cannot be considered satisfactory for the majority of the Contracting Parties. The information reflected in this Report indicates that the financial status of the Commission has deteriorated considerably with respect to the previous Fiscal Year. As a result, it has become more and more difficult to comply with the instructions given by the Contracting Parties, when the majority of these Parties do not comply in a timely and responsible manner with their financial obligations to the Commission. The unforeseen and irregular receipt of the contributions of the Contracting Parties considerably hampers the efficient administration of the Commission's financial resources. As regards their priorities, it must be recognized that, for some time now, the full and responsible participation in ICCAT does not seem to be a high priority matter for the majority of the current Contracting Parties. For example, by early July this year, the Secretariat had received the

contributions of seven member countries, which represented only 36% of the budget adopted, when in accordance with Article X, paragraph 4, of the Convention, all the contributions should be paid early in the year. Besides, as early December, 1995, only nine Contracting Parties had paid their 1995 contributions, which signifies that budgetary income was reduced to 64.4% of the approved budget. Just prior to closing Fiscal Year 1995, contributions were received from Côte d'Ivoire and France, which minimally improved the state of the Working Capital Fund. At any rate, if these contributions had been received earlier, it would have been possible to reach other budgetary objectives for 1995.

Consequently, in order to maintain minimum activities of the Commission it has been necessary to use the major part of the available in the Working Capital Fund, including extra-budgetary income. The balance available in this Fund at the close of Fiscal Year 1995 amounted to 18,148,848 pesetas, which is equivalent to the 12.3 % of the budget approved for 1995. Therefore, it is absolutely essential that the Contracting Parties pay as early as possible next year, not only any pending contributions, but also their 1996 contributions. Otherwise, as a precautionary measure, it will be necessary to replenish the Working Capital Fund by means of extra-budgetary contributions from the Contracting Parties, in accordance with that indicated in Rule 7 of the Financial Regulations, in order to maintain the level of this Fund at approximately 15% of the total annual budget.

On the other hand, since only 8 of the minimum required 18 Contracting Parties (three-fourths of the current 23 members) including all those classified as developed countries with a market economy, have proceeded to accept or ratify the Madrid Protocol adopted in June, 1992, this possible road to a solution to finance the budget did not come about in 1995. According to that Protocol, in order for the new contribution scheme to be applied to finance the 1996 budget, the Protocol should have entered into force during 1995.

During 1995, a line of credit was not opened, according to the terms of the authorization given by the Commission at its Eighth Special Meeting (Madrid, November 1992), and which was ratified and extended at its Thirteenth Regular Meeting (Madrid, November 1993), since due to the reduction of expenses and to the receipt of some extra-budgetary funds, it was not considered absolutely necessary to resort to a bank loan. Moreover, there would have been some difficulties as regards the provision for the guarantee of such a loan.

STATEMENT 1
GENERAL BALANCE (AT CLOSE OF FISCAL YEAR 1994) (PESETAS)

<i>ASSETS</i>			<i>LIABILITIES</i>	
Available:		Pts.		Pts.
			Acquired holdings (net)	5,552,836
-- Banco Exterior de Espana:			Guaranty deposit	81,564
Ckg. Acct. 030-17272.60-A (Pts.)		793,597	Available in the Working Capital Fund	29,791,056
Ckg. Acct. 030-17329.75-F (Conv. Pts.)		984,771	Available in Albacore Research Program Funds	1,482,518
Time deposit (Conv. Pts.)		25,000,000	Available in Billfish Trust Fund	7,222,002
Ckg. Acct. 030-31279.43-E (US\$)	\$31,222.89	4,058,976	Advances on future contributions	2,501,525
-- Bankinter:			Accumulated pending contributions	128,803,065
Ckg. Acct. 16.10096.2 (Pts.)		2,790,133		
Ckg. Acct. 15.030009.7 (US\$)	\$743.89	96,706		
-- Cash on hand (Pts.)		50,916		
Total Available (Pts.)	\$31,966.78	33,775,099		
(Exchange rate: 1US\$ = 130 Pts.)				
Available in Trust Fund:				
-- Billfish				
Ckg. Acct. 030-31555.90-B (US\$)	\$25,553.86	3,322,002		
Time deposit (US\$)	\$30,000.00	3,900,000		
	<u>\$55,553.86</u>	<u>7,222,002</u>		
Receivables:				
Overdue contributions		128,803,065		
Fixed Assets:				
Acquired before 1994	33,546,484			
Acquired during 1994	1,006,942			
Retired during 1994	<u>(19,191,339)</u>			
Total Fixed Assets, in use	15,362,087			
Accumulated depreciation	<u>(9,809,251)</u>			
Fixed Assets (net)		5,552,836		
Guaranty deposit		81,564		
TOTAL ASSETS		175,434,566	TOTAL LIABILITIES	175,434,566

STATEMENT 2
GENERAL BALANCE (AT CLOSE OF FISCAL YEAR 1995) (PESETAS)

<i>ASSETS</i>			<i>LIABILITIES</i>	
Available:		Pts.		Pts.
-- Banco Exterior de Espana:			Acquired holdings (net)	7,377,345
Ckg. Acct. 030-17272.60-A (Pts.)		1,116,250	Guaranty deposit	61,564
Ckg. Acct. 030-17329.75-F (Conv. Pts.)		19,215,486	Available in the Working Capital Fund	18,148,848
Ckg. Acct. 030-31279.43-E (US\$)	\$26,316.73	3,236,958	Available in Albacore Research Program Funds	1,482,518
-- Barclays			Available in Billfish Trust Fund	1,984,909
Ckg. Acct. 21001466 (Pts.)		351,028	Advances on future contributions	5,086,392
Ckg. Acct. 41002088 (US\$)	\$6,074.15	747,120	Accumulated pending contributions	158,983,988
Cash on hand (Pts.)		50,916		
Total Available (Pts.)	\$32,390.88	24,717,758		
(Exchange rate: 1US\$ = 123 Pts.)				
Available in Billfish Trust Fund:				
Ckg. Acct. 030-31555.90-B (US\$)	\$16,137.47	1,984,909		
Receivables:				
Overdue contributions		158,983,988		
Fixed Assets:				
Acquired before 1995	15,362,087			
Acquired during 1995	3,139,622			
Retired during 1995	0			
Total Fixed Assets, in use	18,501,709			
Accumulated depreciation	(11,124,364)			
Fixed Assets (net)		7,377,345		
Guaranty deposit		61,564		
TOTAL ASSETS		193,125,564	TOTAL LIABILITIES	193,125,564

TABLE 1. STATUS OF MEMBER COUNTRY CONTRIBUTIONS (PESETAS) (at the close of Fiscal Year 1995)

<i>Country</i>	<i>Past due at the start of Fiscal Year 1995</i>	<i>1995 Member country contributions</i>	<i>Contributions paid in 1995 or applied to the 1995 Budget</i>	<i>Contributions paid in 1995 towards previous budgets</i>	<i>Balance due at the close of Fiscal Year 1995</i>
A) Regular Commission Budget:				0	0
Angola	2,610,077	2,918,026	0	0	5,528,103
Brasil	1,119,117	6,810,677	6,810,677	1,119,117	0 (1)
Canada	0	3,852,985	3,852,985	0	0
Cap Vert	11,891,175	2,371,227	0	0	14,262,402
Cote d'Ivoire	1,139,922	2,990,641	2,990,641	1,139,922	0 (2)
Espana	0	37,542,265	37,542,265	0	0
France	0	18,454,675	18,454,675	0	0
Gabon	2,809,502	1,815,256	0	0	4,624,758
Ghana	50,301,274	7,183,370	0	0	57,484,644
Guinea Ecuatorial	4,895,431	957,192	0	0	5,852,623
Guinea (Rep. of)	2,455,541	907,628	0	0	3,363,169
Japan	0	12,241,731	12,241,731	0	0 (3)
Korea	0	3,896,177	3,896,177	0	0
Maroc	2,000	3,356,176	0	0	3,358,176
Portugal	0	8,236,183	8,236,183	0	0
Russia	0	3,123,899	3,123,899	0	0
Sao Tome & Principe	5,055	1,891,585	0	0	1,896,640
South Africa	0	2,324,212	2,324,212	0	0
United States	0	16,776,171	16,776,171	0	0
Uruguay	980,806	961,299	0	0	1,942,105
Venezuela	23,568,816	8,669,627	0	889,666	31,348,777
Sub-total (A)	101,778,716	147,281,002	116,249,616	3,148,705	129,661,397
B) New members:					
United Kingdom	0	1,823,894	0	0	1,823,894 (4)
Libya	0	474,348	0	0	474,348 (4)
Sub-total (B)	0	2,298,242	0	0	2,298,242
C) Withdrawals:					
Benin (Eff: 31-Dec-94)	8,403,961	0	0	0	8,403,961
Cuba (Eff: 31-Dec-91)	11,034,300	0	0	0	11,034,300
Senegal (Eff: 31-Dec-88)	7,586,088	0	0	0	7,586,088
Sub-total (C)	27,024,349	0	0	0	27,024,349
TOTAL (A+B+C):	128,803,065	149,579,244	116,249,616	3,148,705	158,983,988

(1) The advance from Brazil at the close of Fiscal Year 1995 (1,548,270 Pts.) will be applied towards future contributions of Brazil.

(2) The advance from Cote d'Ivoire at the close of Fiscal Year 1995 (3,538,122 Pts.) will be applied towards future contributions of Cote d'Ivoire.

(3) The advance from Japan (2,501,525 Pts.) received 1994 was applied as partial payment towards the 1995 contribution.

(4) Extra-budgetary contributions from the United Kingdom and Libya, as new Commission members during the second half of 1995.

TABLE 2. LIQUIDATION OF BUDGETARY & EXTRA-BUDGETARY EXPENDITURES (PESETAS) (at the close of Fiscal Year 1995)

<i>Chapters</i>	<i>1995 Budget</i>	<i>Expenditures at the close of Fiscal Year 1995</i>
1. Amount budgeted & budgetary expenditures:		
Chapter 1. Salaries	79,500,000	78,039,585
Chapter 2. Travel	4,316,000	4,184,715
Chapter 3. Commission Meeting	6,193,000	6,814,023
Chapter 4. Publications	3,647,000	3,277,309
Chapter 5. Office Equipment	850,000	815,274
Chapter 6. Operating Expenses	11,394,000	10,832,960
Chapter 7. Miscellaneous	1,395,000	718,290
Sub-total Chapters 1-7	107,295,000	104,682,156
Chapter 8. Statistics and Research:		
8A Salaries	18,079,000	18,207,536
8B Travel to improve statistics	1,239,000	648,082
8C Port Sampling	1,823,000	0
8D Biostatistical Work	2,508,000	2,467,756
8E Computer Equipment	1,823,000	1,819,809
8F Data Processing	4,584,000	2,515,322
8G Scientific Meetings (including SCRS)	7,060,000	6,078,211
8H Miscellaneous	668,000	0
8I Albacore Research Program	0	0
Sub-total Chapter 8	37,784,000	31,736,716
Chapter 9. Contingencies	2,202,000	916,876
2. Extra-budgetary expenditures:		
Bari Symposium Meeting	---	1,474,308
Difference in currency exchange	---	347,343
TOTAL BUDGET AND EXPENDITURES	147,281,000	139,157,399

TABLE 3. BUDGETARY & EXTRA-BUDGETARY INCOME RECEIVED (PESETAS) (at the close of Fiscal Year 1995)

1.1 Contributions received in 1995 towards the 1995 Budget:			
Brasil	(28 Feb 1995)	6,810,677	
Canada	(10 Mar 1995)	3,852,985	
Cote d'Ivoire	(18 Dec 1995)	2,990,641	
Espana	(06 Jul 1995)	37,542,265	
France	(31 Dec 1995)	18,454,675	
Japan	(27 Mar 1995)	9,740,206	
Korea	(10 Jul 1995)	3,896,177	
Portugal	(30 May 1995)	8,236,183	
Russia	(16 May 1995)	3,123,899	
South Africa	(16 May 1995)	2,324,212	
United States	(01 Mar 1995)	16,776,171	113,748,091
1.2 Contributions received in 1995 towards previous budgets:			
Brasil	(28 Feb 1995)	1,119,117	
Cote d'Ivoire	(18 Dec 1995)	1,139,922	
Venezuela	(25 Jan 1995)	889,666	3,148,705
1.3 Other income (extra-budgetary) was received in 1995 from:			
Voluntary Contributions:			
-- Observers at 1995 ICCAT meetings (Iceland, Mauritania, Sweden, CARICOM, EC)	1,228,155		
-- Taiwan Deep Sea Tuna Boatowners & Export. Assoc.	1,845,000	3,073,155	
Bank interest		887,950	
Refund from VAT		1,309,188	
Reimbursement for publications		599,201	
Billfish Program-towards Secretariat operating expenses		302,500	
Refund of security fees		20,000	
Difference exchange rate (past contributions)		295,821	
European Union (towards Bari Symposium Meeting)		1,629,055	8,116,870
1.4 Advances on future contributions (received in 1995):			
Brasil	(28 Feb 1995)	1,548,270	
Cote d'Ivoire	(18 Dec 1995)	3,538,122	5,086,392
TOTAL INCOME RECEIVED IN 1995:			130,100,058

TABLE 4. COMPOSITION & BALANCE OF THE WORKING CAPITAL FUND (PESETAS) (Fiscal Year 1995)

Available in the Working Capital Fund (at the start of Fiscal Year 1995)		29,791,056
Deposits:		
Contributions paid in 1995 towards previous budgets	3,148,705	
Other income (extra-budgetary) received in 1995	<u>8,116,870</u>	<u>11,265,575</u>
		41,056,631
Less:		
Difference between contributions paid in 1995, or in advance, and applied towards the 1995 Budget (116,249,616 Ptas.) and budgetary (Chapters 1-9) and extra-budgetary expenditures (139,157,399 Ptas.)		<u>(22,907,783)</u>
AVAILABLE IN THE WORKING CAPITAL FUND (at the close of Fiscal Year 1995)		18,148,848

TABLE 5. SUMMARY OF PENDING CONTRIBUTIONS & THEIR ORIGIN, BY YEAR, AT THE CLOSE OF FISCAL YEAR 1995 (PESETAS)

<i>PENDING CONTRIBUTIONS</i>		<i>ORIGIN OF THE DEBT</i>	
Angola	5,528,103	a) from 1988 and before	27,998,385
Cape Verde	14,262,402	b) from 1989	8,894,100
Gabon	4,624,758	c) from 1990	9,768,100
Ghana	57,484,644	d) from 1991	12,818,000
Guinea Ecuatorial	5,852,623	e) from 1992	19,447,571
Guinea (Rep. of)	3,363,169	f) from 1993	21,572,973
Libya	474,348 (1)	g) from 1994	25,155,231
Maroc	3,358,176	h) from 1995	33,329,628
Sao Tome & Principe	1,896,640		
United Kingdom	1,823,894 (1)		
Uruguay	1,942,105		
Venezuela	31,348,777		
Benin	8,403,961 (2)		
Cuba	11,034,300 (2)		
Senegal	7,586,088 (2)		
TOTAL PENDING CONTRIBUTIONS	158,983,988 (4)	TOTAL PENDING DEBT	158,983,988

(1) Extra-budgetary contributions from the United Kingdom and Libya, as new Commission members during the second half of 1995.

(2) Debts corresponding to Benin, Cuba and Senegal when they withdrew from the Commission effective Dec. 31, 1994, 1991 and 1998, respectively.

TABLE 6. CASH FLOW (DURING FISCAL YEAR 1995) (PESETAS)

<i>INCOME & ORIGIN</i>		<i>EXPENSES & APPLICATION</i>	
Balance in Cash and Bank (at the start of Fiscal Year 1995)	33,775,099	Expenditures to the close of Fiscal Year 1995 (Chapters 1-9) & extra-budgetary expenditures	139,157,399
Income:		Available in the Working Capital Fund	18,148,848
Contributions paid in 1995 towards the 1995 Budget	113,748,091	Available in the Albacore Research Program	1,482,518
Contributions, paid in 1995, towards previous budgets	3,148,705	Total advances on future contributions, received in 1995	5,086,392
Other income (extra-budgetary), received in 1995	8,116,870		
Advances on future contributions, received in 1995 (Brasil, Cote d'Ivoire)	<u>5,086,392</u>		
	130,100,058		
TOTAL INCOME & ORIGIN	163,875,157	TOTAL EXPENSES & APPLICATION	163,875,157

TABLE 7. STATUS OF CASH & BANK (at the close of Fiscal Year 1995) (PESETAS)

<i>SUMMARY</i>		<i>BREAKDOWN</i>	
Balance in Cash and Bank	24,717,758	Available in the Working Capital Fund	18,148,848
		Available in Albacore Research Program Funds	1,482,518
		Advances on future contributions (Brasil, Cote d'Ivoire)	5,086,392
TOTAL CASH IN CASH & BANK	24,717,758	TOTAL AVAILABLE & ADVANCES	24,717,758

**REPORT ON STATISTICS
AND COORDINATION OF RESEARCH IN 1995
(COM-SCRS/95/12)***

I. REVIEW OF NATIONAL STATISTICS

1.1 Data collection and sampling

Tables showing the progress made by the Secretariat in the collection of 1994 statistics of Task I and Task II data, as submitted by the national offices, were presented at the meeting. It was also noted that the table format had been changed somewhat to show the real situation more clearly.

As noted below, the data have not been presented to the Secretariat in a timely manner. Given that the SCRS meeting was held earlier this year than in previous years, the delay in the submission of data has made it impossible to compile even Task I catch statistics in time. The continued late submission of data will render futile the efforts of the Secretariat to compile the data before the SCRS meetings in future.

Although it was decided at the 1994 SCRS meeting that any changes to past statistical data must be justified and well documented, many national offices have continued to submit undocumented changes to historic data during 1995.

a) Task I data (total nominal catches)

At the time of writing this report (September 30, 1995), the following member countries still had not submitted 1994 Task I data: Cape Verde, Côte d'Ivoire, Equatorial Guinea, FIS (Tropical), Gabon, Guinea Republic, Japan, Portugal (Azores), Sao Tomé & Príncipe, Uruguay, and Venezuela. Provisional nominal catch figures have been taken from the catch and canning data submitted by Gabon, Uruguay and Venezuela. Data were also missing from many of the non-member countries which normally submit catch statistics to ICCAT, including Greece (except swordfish), Italy (except swordfish), Senegal, Taiwan, Tunisia and Turkey.

b) Task II catch and effort data

Data for 1994 were still not available (as of September 30, 1995) from the following member countries: Cape Verde, Côte d'Ivoire, Equatorial Guinea, France (except albacore), Gabon, Guinea Republic, Japan, Morocco, Portugal (Azores- except swordfish), Russia, Sao Tomé & Príncipe, Uruguay, and Venezuela; and from the following non-member countries: Greece (except swordfish), Ireland, Italy (except swordfish), Senegal, Taiwan, Tunisia, Turkey and the United Kingdom.

c) Task II size data

Data for 1994 had not been submitted (as of September 30, 1995) by the following member countries: Angola, Cape Verde, Côte d'Ivoire, Equatorial Guinea, Gabon, Guinea Republic, Japan, Korea, Morocco, Portugal-Azores and mainland, Sao Tomé & Príncipe, South Africa, Uruguay, and Venezuela. The only size data received from non-member countries were data for swordfish from Greece, Italy and Tunisia and albacore from Namibia.

1.2 Improvements and pending difficulties

a) Major improvements made in 1995

Progress has been made in the improvement of Mediterranean statistics as discussed in section 3.1.

* The Report presented at the 1995 Commission Meeting was edited, but not updated.

b) Pending difficulties

b-1) Catch-at-size data

The timeliness of submission of data has always been a problem. For example, the Secretariat updated the catch at size for Mediterranean swordfish well before the Second Meeting of the *Ad-Hoc* GFCM/ICCAT Joint Working Group on Stocks of Large Pelagic Fishes, using the data available at that time. However, much of the catch at size thus created had to be replaced with new data which became available immediately before or during the meeting. Some of the major size data did not become available until the fifth day of the meeting. This problem makes it increasingly difficult for the Secretariat to produce reliable statistics.

Although it is the responsibility of each country to submit catch-at-size data, only Canada, Japan, Spain, the U.S. and Taiwan have been carrying out this task. Therefore, for the rest of the countries, the Secretariat has to find matching data, and substitute and raise the size data. This could lead to unreliable statistics as the Secretariat does not have the required detailed information on the fisheries and substitutions may be erroneous.

b-2) Lack of detailed catch-and-effort data

The *Ad-Hoc* GFCM/ICCAT Joint Working Group on Stocks of Large Pelagic Fishes in the Mediterranean Sea resolved many of the problems concerning swordfish in the Mediterranean. However, much of the data did not become available to the Group until after the meeting had started, and some were not presented until the fifth day of the meeting. This problem was not limited to swordfish, but was common to all other species. The timely submission of data is essential for future effective research. Again, standardization of the data should be carried out by the national scientists, who are most familiar with the fisheries.

b-3) Lack of size data

Proper size data are still lacking for some of the major fisheries, particularly for recent years (as indicated in Section 1.1 of this Report), necessitating the use of substituted size data to update the catch at size for stock assessments. Although major improvements have been made on the Mediterranean data base, the lack of size data for many fisheries is still notable. In some cases, the Secretariat is aware that the data have been collected, but the national offices have failed to transmit them to ICCAT.

2. SECRETARIAT'S STATISTICAL WORK IN 1995

2.1 Data processing and biostatistical work

a) Routine work

Routine work included entering, verifying and processing all the catch, catch and effort and biological data, updating the data catalogue and tagging file for recent years, and preparing and providing data files for scientists who requested specific data. The data processing for all the ICCAT statistical publications was also carried out.

The Secretariat also provided technical, statistical, and secretarial support during all the meetings related to the SCRS (in the inter-sessional period and during the SCRS meeting) which included the following:

- preparing catch tables
- preparing data catalogues
- writing various reports on the status of statistics, data base, etc.
- preparing catch, catch and effort and size data bases and updating them during the sessions
- creating catch-at-size bases using substitutions and raising
- preparing catch-at-age data
- providing computer support during the meetings
- preparing catch and effort indices
- preparing graphics and tables for the meeting reports
- checking the results of analyses after the sessions, and editing the reports

As this is a biennial budget year, the Secretariat requested the official submission of catch and canning statistics, based on which the country contributions for the biennial budget are calculated. These official figures have been cross checked with Task I data and much of the catch and canning figures had to be estimated, as some of the national offices did not submit the data requested.

b) Coordination of the Program of Enhanced Research for Billfish

The Secretariat, in collaboration with the Coordinators of this research program, was involved in the coordination, administration of funds, and preparation of data for research activities.

The Secretariat has exhausted its stock of billfish tags and tagging kits, and funds for replacement stock have not yet been authorized by the Program Coordinators. Therefore, all the requests from national scientists for billfish tags have been forwarded to the West Atlantic Billfish Coordinator.

c) The 1995 tuna tagging lottery (for tag recoveries reported in 1994)

Details are reported in the Administrative Report.

2.2 Port sampling program

Virtually no sampling has been carried out in the Canary Islands and St. Maarten this year, due to the change in the operational pattern of Oriental longliners. Some consideration is being given to the initiation of investigation of landings in the Canary Islands by various vessels operating under flags of convenience which fish bluefin tuna in Mediterranean waters. The results of the ICCAT Bluefin Tuna Statistical Document Program made available by Japan will be very useful for such investigation, as it can be seen from these documents which vessels under which flags have unloaded at ports in the Canary Islands.

2.3 Secretariat data management policy

a) Facilities

All the computer equipment purchased since the 1994 SCRS meeting are listed under Section 3.4 of this Report.

The up-dating of the PC's and related equipment allows the staff of the Secretariat to use more recent software, and has increased efficiency. Also, the quality of the publications has improved notably due to the quality of the printers purchased.

In particular, the replacement of old Micro VAX by a Digital Work Station system was a modernization that has greatly facilitated the data processing. All the files have been transferred to this new system which has much larger memory and faster processing speed than the old one.

b) Dissemination and publication of data

There has been no change in the data dissemination policy. The following statistical publications were issued:

- Statistical Bulletin, Vol. 24 (1993)
- Data Record, Vol. 36

2.4 Other matters

There were several important assignments and recommendations made by the SCRS and the Commission during the 1994 meetings. The Secretariat has taken steps to put most of these recommendations in effect; they are reported under Item 3.

3. REVIEW OF THE PROGRESS MADE ON RECOMMENDATIONS FOR STATISTICS (AS CONTAINED IN THE 1993 SCRS REPORT), AND FUTURE PLANS

3.1 Improvement of Mediterranean statistics

The catch, catch and effort and size data for Mediterranean swordfish were improved to a great extent as a result of the *Ad Hoc* GFCM/ICCAT Joint Working Group on Stocks of Large Pelagic Fishes in the Mediterranean Sea, which was held in Bari, Italy, in September, 1995. The catch at size was updated, up to and including 1994, and standardized CPUE were developed for many of Italian, Greek, Japanese and Spanish fisheries. Bluefin data have been gradually updated but the unreported catches by vessels of non-Contracting Parties still remain a problem.

3.2 Unreported statistics of non-Contracting Parties

Some major improvements were observed, mainly due to the ICCAT Bluefin Tuna Statistical Document Program. Some countries (including Contracting Parties) have started to include bluefin tuna catches in their Task I report. The biannual report of the results of the Bluefin Tuna Document Program submitted by Japan was used to estimate unreported catches of bluefin tuna. However, at present, the Task I catch report for 1994 is still very incomplete, and it is too early to estimate the quantity of bluefin tuna covered by the Japanese import report that are missing from the official report of catches to ICCAT.

3.3 Collection of information on by-catches

In accordance with recommendations made by the SCRS in 1994, a new by-catch Questionnaire was developed, in consultation with the Coordinator of the Working Group on By-Catch, Dr. G. Scott, and this was distributed to all the scientists concerned. At the same time, each country was requested to submit a summary report describing the shark fishery or by-catches of the tuna fishery. Very few responses had been received at the time of writing this report (Brazil, Canada, France, Japan, USA, Venezuela, Bermuda, Croatia, Cyprus, Malta, Mexico and Taiwan). These responses are presented in Document SCRS/95/7.

The Secretariat established contact with ICES and the Commission was invited to attend the ICES "Study Group of the Elasmobranch Fishes". Two Japanese scientists represented ICCAT, in an observer capacity, at the meeting, which was held in Copenhagen in August. The report of one of these scientists, Dr. Nakano, is presented as SCRS/95/11, and the meeting report is annexed to the document.

3.4 Improvement of computer facilities and software

-- 1 Digital Work station system (Alpha 1000 4/200), with 64 MB RAM and 4 GB hard disk, PCI card, color monitor, DAT TLZ06 tape, keyboard, two Digital printers (dot matrix), DECserver, Ethernet + software.

-- 1 Compaq "Contura" Notebook computer DX2/50 with 20 MB RAM and 350 MB hard disk, with an external color monitor, and an external expanded keyboard.

-- 3 Compaq "Contura" Notebook computers DX2/50 with 8 MB RAM and 250 MB hard disk, each with external color monitors and keyboards.

-- 1 Fujitsu "Scan Partner Jr" scanner, 6 ppm, with software: Textbridge, OCR, Scandall (Driver Twain, and Kit connection SCSI).

-- 2 Fujitsu "Print Partner" laser printers, 10 ppm (PCL + postscript 3 MB RAM).

-- 2 Fujitsu "Print Partner" laser printers, 10 ppm (PCL + postscript 2 MB RAM).

-- 1 Fujitsu "VM8" laser printer (8 ppm PCL + smet).

-- 2 external modems (19.200 bps V32 and V32 bis).

- 1 mouse for a Texas Instruments Notebook computer.
- OPT TECH SORT software.
- "Chameleon" Internet software for electronic mail.

The recommendations made by the 1994 SCRS for 1996 computer equipment purchases will be followed. The Secretariat, however, considers that the purchase of three "notebook" computers would be more appropriate than three desk-tops (as was recommended by the SCRS). The notebooks prove extremely convenient, particularly since the majority of the meetings are being held outside the Secretariat.

3.5 Restructuring of the sampling strategy for the surface fisheries

The Secretariat renewed the contract with the Universidad Autónoma of Madrid, to continue studies on this subject, which started in 1994. The report is presented as SCRS/95/8.

3.6 Organization of ICCAT Tuna Symposium

Considerable effort was made in the organization of the ICCAT Tuna Symposium, scheduled to be held in June, 1996. The Assistant Executive Secretary is the Secretary of the Tuna Symposium, as well as a member of the Steering Committee. The first meeting of the Steering Committee was held at Shimizu, Japan in January, 1995, taking advantage of the participation by some members in the FAO Consultation on Tuna Interactions.

A second, organizational meeting of the ICCAT Tuna Symposium was held in Bari, Italy, on September 20 and 21, taking advantage of attendance by many scientists at the *Ad Hoc* GFCM/ICCAT Joint Working Group on Stocks of Large Pelagic Fishes in the Mediterranean Sea. European Union funds were made available for this meeting, which were used for renting a meeting room and facilities, and for inviting 5 participating scientists (including one scientist from a developing country). Document SCRS/95/20 contains the report of this meeting and the current status of preparations.

3.7 Bluefin Year Program (BYP)

At the inter-sessional meeting organized in March in Genoa, Italy, the BYP was critically reviewed and modified (see 4.3). Some limited funding from the Commission to the Program was proposed. The report of this two-day meeting was presented as Document SCRS/95/14.

3.8 Coordinating Working Party on Fisheries Statistics (CWP)

ICCAT hosted the 16th Session of the CWP at its Headquarters on March 20 to 25, 1995. This was the first meeting since the new Statutes had been approved by the initiating members of CWP (FAO, ICES and NAFO). The Statutes were adopted by the current participating members. The new body is now open to all regional fisheries agencies dealing with fishery statistics, and is not limited to the Atlantic. The report was presented as Document SCRS/95/23.

3.9 Tuna atlas project by FAO

The FAO had asked ICCAT to collaborate in the FAO World Tuna Atlas project. This proposal was made at the 1994 SCRS Session and it was decided that it would be further studied at the 1995 meeting.

Since then, FAO, who hopes to have the Atlas developed for the Mediterranean Sea first, again requested the collaboration of ICCAT for this initial phase of the project. The Executive Secretary responded that, in principle, the ICCAT would collaborate as far as time and man-power permitted. Regarding the Mediterranean map, the basic data (fundamentally Task I and Task II catch data) were provided to FAO.

At present, the Secretariat is trying, in consultation with the FAO, to identify the exact nature of the data, time-periods and strata to be worked on, so that an evaluation of the work load can be made, should the ICCAT agree to do any further work on this project.

3.10 Separations of catches by high seas and EEZ

This matter was discussed at the 1994 SCRS Session and it was decided that the ICCAT propose that FAO provide an atlas showing the existing EEZs. After correspondence between ICCAT and FAO, ICCAT sent a digitalized map (by 1° x 1° area) of the ICCAT Convention Area. FAO intends to code each area as EEZ and/or high seas. When this type of digitalized map becomes available, it is expected that at least the Task II catch data can be easily separated between these two zone types.

4. MEETINGS

The inter-sessional meetings relative to SCRS activities included:

4.1 Second Ad Hoc GFCM/ICCAT Joint Working Group on Stocks of Large Pelagic Fishes in the Mediterranean Sea

This meeting was held from September 13 to 19, 1995, at the invitation of the University of Bari, Italy, and was partly funded by the EU. The objective of the meeting was to update the swordfish data base and to develop standardized CPUE for Mediterranean swordfish in order to commence the stock assessments. As reported under Section 3.1, the meeting was successful. After updating the catch at size to 1994 and establishing abundance indices, the catch at size was aged and divided into sexes and basic VPA runs were made. The report of the meeting was submitted as Document COM-SCRS/95/15.

4.2 Bluefin Year Program replanning meeting

The Planning Session for the Bluefin Year Program was organized on March 13-14, 1995, in Genoa, Italy, at the invitation of University of Genoa (see Section 3.7).

4.3 Coordinating Working Party on Fisheries Statistics (SCRS/95/23)

See Section 3.8 of this Report.

4.4 FAO Consultation on Tuna Interactions

Dr. P. M. Miyake was invited to participate in this meeting, held in Shimizu, Japan, from January 23 to 31, 1995. His presentation at the meeting, co-authored with Mr. P. Kebe, was submitted to the SCRS as Document SCRS/95/31.

4.5 Other meetings where ICCAT was represented in an observer capacity

At several international meetings, ICCAT was represented in an observer capacity; these are reported in the Administrative Report (COM/95/9).

5. PUBLICATIONS

Details of the scientific publications issued in 1995 are reported in the Administrative Report.

RECORDS OF MEETINGS

FOURTEENTH REGULAR MEETING OF THE COMMISSION

Madrid, November 10 - 17, 1995

FIRST PLENARY SESSION

November 13, 1995

Item 1. Opening of the meeting

1.1 The Fourteenth Regular Meeting of the Commission was held in Madrid, Spain, at the Hotel Chamartin, from November 10 through 17, 1995 and was presided over by the Commission Chairman, Dr. A. Ribeiro Lima (Portugal), who opened the First Plenary Session on November 13.

Item 2. Adoption of Agenda, arrangements for the meeting and appointment of subsidiary bodies

2.1 Dr. A. Fernández, the ICCAT Executive Secretary, reviewed the Tentative Agenda of the Commission, and pointed out those items that were included in accordance with the decisions adopted by the Commission in 1994, and those that were proposed later for inclusion, as the need arose. He briefly mentioned the documentation prepared for this meeting by the Secretariat, and the meeting schedule.

2.2 The Delegate of Spain proposed that the Code of Conduct on Responsible Fishing, recently adopted by FAO, be discussed under Item 10, as this issue was of equal importance as the U.N. Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks.

2.3 The U.S. Delegation proposed adding an item to discuss the establishment of a framework to create a long-term plan for north Atlantic swordfish management.

2.4 The Chairman considered that the proposal made by the Delegate of Spain could be included on the Commission Plenary Agenda under Item 10, while the item proposed by the U.S. would be discussed by Panel 4. With this understanding, the Commission adopted the Agenda, which is attached as Annex 1.

2.5 The Chairman reviewed the tentative schedule for the meeting and discussed the meeting arrangements. He also referred to the numerous Commission documents and requested the Delegates to review these for later discussion. The List of Commission Documents is attached as Annex 3.

Item 3. Adoption of the Proceedings of the Ninth Special Meeting of the Commission

3.1 The Executive Secretary explained that a part of the Proceedings had not been approved at the end of the 1994 Commission meeting, and it had proved difficult to adopt the Report through correspondence. Hence, it had been necessary to add this Agenda Item in order to adopt the Proceedings at the Fourteenth Regular Meeting. The final proposed modifications to the draft which had been circulated earlier by the Secretariat were presented at the Session and it was felt that these could now be accepted by all the countries involved.

3.2 The Delegate of Spain expressed agreement with the changes and moved that the Proceedings of the Ninth Special Meeting of the Commission be adopted with these changes. The Delegates of Japan and France concurred with the Spanish Delegate.

3.3 The Proceedings of the Ninth Special Commission Meeting, and the Reports of its auxiliary bodies were formally adopted in their entirety.

3.4 The Delegate of Spain commented on the criteria for the submission of documents, and requested that when statements, proposals or recommendations were submitted by delegations, the text be distributed immediately, in its original language, even if only a handwritten copy were available. The Delegate felt that this would help to avoid misunderstanding and would also facilitate the work of the Secretariat.

3.5 The Delegate of France supported the proposal made by Spain and at the same time noted that the members had to trust the Secretariat to provide accurate records of the Commission Meetings. During the Meeting, an oral statement by a Delegate may be presented with the technical aspects being clarified later in writing, but it would be preferable to have a short, written statement available in real time. The Proceedings should reflect what was said at the Plenary Sessions and not be based on written statements which may be presented at a later time. That which is to be recorded should be stated at the Plenary.

3.6 The Executive Secretary thanked the Spanish and French Delegates for their contributions and assured them that every effort would be taken to ensure that the Proceedings accurately reflect that which was discussed at the meetings. He also announced that all debates were now being taped, which may help to eliminate any doubts arising when writing the reports.

3.7 The Delegate of Japan stated that his delegation would try to distribute written statements as far as possible in advance, but asked the delegates to understand that this may not always be possible due to the language difficulty. However, when written statements could not be prepared in advance, they would be distributed later.

Item 4. Introduction of delegations

4.1 The Head Delegate of each Contracting Party present at the 1995 meeting introduced his respective delegation. The names and addresses of all the members of the delegations are included in the List of Participants, attached as Annex 2.

Item 5. Admission of observers (non-member countries, intergovernmental organizations, and non-governmental organizations)

5.1 The observers present at the 1995 Meeting, all of whom had been duly invited by the Commission, were introduced and admitted in accordance with the current criteria. The list of observers is also included in Annex 2.

5.2 The statement made by the Observer from the Caribbean Community (CARICOM) is attached as Annex 5-1.

Item 6. Review of Commission membership

6.1 The Executive Secretary noted that Benin had ceased to be a Contracting Party to ICCAT as of December 31, 1994, and, referring to the Administrative Report (COM/95/9), informed the Commission that the Secretariat had been unofficially notified that the U.K. had recently deposited an instrument of ratification with FAO, the Depository of the ICCAT Convention. The FAO representative observed that the official confirmation had not yet been received but that the Commission would be informed as soon as such confirmation was received.

Item 7. Ratification or acceptance of the Protocol of amendment to the Convention (adopted in Paris in 1984)

7.1 The Executive Secretary referred to Item 3 of the Administrative Report (COM/95/9), concerning the status of the Protocol signed in Paris in 1984 to permit the accession of the European Union (EU) to ICCAT and noted that two countries had still not yet ratified: Gabon and Morocco.

7.2 The Chairman pointed out that he had done all in his power to persuade those countries which had not yet signed or ratified the Protocol to do so, and wished once again to insist, officially and publicly, that these countries ratify the Protocol.

7.3 The EU representative expressed his appreciation for the efforts made by the Chairman and the Secretariat to solve this problem and expressed regret that this matter was not yet resolved. He hoped that the 25th Anniversary of ICCAT would be an opportunity for the EU to become a full member of ICCAT, and that this would be the last year that the European Union would be attending in an observer capacity. He also pointed out that the EU had been contributing towards the work of ICCAT both technically and financially. He mentioned that the EU had cooperated in the U.N. Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks and in the development of the Code of Conduct for Responsible Fishing, and expressed the desire of the EU to continue to contribute to the regulation of fisheries. He further noted that the EU has 15 member countries, of which only three were presently members of the Commission, thus leaving twelve countries unrepresented.

7.4 The Delegate of Gabon informed the Commission that the Minister of State for Foreign Affairs and Cooperation of his country had presented to the Council, which was adopted, a plan for a decree relative to the ratification of the Protocol to the International Convention for the Conservation of Atlantic Tunas, signed in Paris on July 10, 1984. He stated that the management and conservation of fishery resources is a concern of the international community, particularly for developing countries such as Gabon. He further stated that his country had signed the Paris Protocol on July 10, 1984, and that the National Assembly had authorized its ratification by law no. 13/88 of December 30, 1988.

7.5 The Delegate of Morocco informed the Commission that every effort had been made to ratify or accept the Paris Protocol, but that there were administrative delays. He pointed out that he, as Commissioner, had urged his Government to take prompt action, and would continue to do so. He indicated that he hoped the matter would be resolved in 1996.

7.6 The Delegate of the United States stated that one of the major problems facing the Commission involved the fishing activities of non-Contracting Parties, and many of these countries with fisheries in the Mediterranean are EU members. He noted that the Commission now had a situation where the EU was asking to become a member, but was being prevented from acceding, which was contrary to the interests of ICCAT. He asked whether it would be possible to propose the setting of a deadline to consider the EU a member if no objection had been received by that date from Contracting Parties which had not yet ratified the Protocol.

7.7 The FAO legal expert understood the frustration being experienced by both the EU and the ICCAT delegates, but regretted that the U.S. suggestion could not legally be put into effect, according to paragraph 3 of Article 16 of the Protocol.

7.8 The Chairman noted with regret that the situation seemed to have reached a deadlock and urged that this issue be resolved rapidly.

7.9 The Executive Secretary considered that the U.S. proposal may have some merit, since even though a resolution as proposed by the U.S. would not be legally binding, such a resolution could be passed which would imply moral commitment.

7.10 The FAO legal expert agreed that the Commission could resolve to urge rapid ratification and entrust the Chairman to deliver this resolution to the highest authorities of the countries concerned.

7.11 The Delegate of Morocco stressed that the problems in relation to Morocco were administrative and not political, and that Morocco had no objection to the EU becoming a member of ICCAT, and fully supported the proposal made by the FAO representative.

7.12 The Chairman requested the FAO legal expert to draft such a resolution.

7.13 The EU representative thanked the Chairman for his efforts in this matter and supported the idea of delivering the resolution to the countries which had not yet ratified the Protocol. He recognized that the delay on the part of Morocco was due to administrative rather than political causes.

7.14 The Executive Secretary presented the draft Resolution on the 1984 Paris Protocol, as prepared by the FAO Legal Expert.

7.15 The Delegate of Morocco considered that the text of the draft Resolution was appropriate and proposed a minor amendment to the wording of the last paragraph. This was further modified by the Chairman, with the agreement of the Delegate of Morocco.

7.16 The Delegate of South Africa pointed out that past efforts by the Chairman and the Secretariat had been made along the same lines with limited success and felt that the wording of this new Resolution should be stronger than previous correspondence with the countries concerned, if it were to be effective.

7.17 The Chairman stressed that this Resolution was of a different nature from previous measures taken, since it was to be presented personally and was not just a formal letter. Furthermore, as a treaty now existed between the EU and Morocco, he felt more confident that this measure would be effective. He did not see that the proposed amendment to the wording would render it less effective.

7.18 The Delegate of South Africa agreed with the wording, but again expressed his hope that this would not be merely another administrative procedure, but would genuinely express the strongest views of the Commission.

7.19 The Resolution, with the modifications proposed by Morocco and the Chairman, was unanimously adopted by the Commission and is attached as Annex 4-1. The EU expressed its thanks to the Commission for adopting the Resolution unanimously and giving such attention to the matter.

Item 8: Ratification or acceptance of the Protocol of amendment to the Convention (adopted in Madrid in 1992)

8.1 The Executive Secretary referred to Item 4 of the Administrative Report (COM/95/9), concerning the Madrid Protocol to amend the scheme of calculating the member country contributions. He informed the Commission that Korea, Canada and South Africa had ratified or accepted the Protocol in 1993. Ratification or acceptance had been received since then from Spain, the United States, Russia and Republic of Guinea. It was noted that Uruguay was also reported to have deposited its ratification with FAO, but that this was pending confirmation.

8.2 The Executive Secretary reminded the Commission that ratification or acceptance is needed from 75% of the total member countries, including all the countries with developed market economies.

8.3 The Delegate of France informed the Commission that France would ratify the Protocol in early 1996.

8.4 The Delegate of Portugal stated that ratification had been approved by the Portuguese authorities and it was hoped that this would be deposited with FAO in the near future.

8.5 The Delegate of Uruguay confirmed that an Instruments of Acceptance had been deposited with the FAO on October 17, 1995.

8.6 The Delegate of Japan considered this matter to be very important for his country, and assured the Commission that he would do his best to accelerate the process.

8.7 The Delegate of Brazil informed the Commission that the ratification had already been passed by the National Congress and hoped it would be deposited with FAO within a few months.

8.8 The Chairman concluded discussions on this item and reiterated his hope that the Madrid Protocol would be accepted or ratified by all countries in the near future.

Item 9: Report of the Standing Committee on Research and Statistics (SCRS)

9.1 Dr. Z. Suzuki, Chairman of the SCRS, presented the Report of the Standing Committee on Research and Statistics to the Commission and summarized the scientific findings. He indicated that the reporting procedure had been changed considerably this year to facilitate review of the research findings by the Commissioners, as well as to reduce the workload of the Secretariat.

9.2 Dr. Suzuki referred to various inter-sessional scientific meetings which the Commission held in 1995 and to those meetings at which ICCAT was represented (Item 7 of the SCRS Report). Several recommendations had arisen from these inter-sessional meetings, and were included under Agenda Item 17 of the SCRS Report.

9.3 The SCRS Chairman also commented on the special ICCAT scientific programs, specifically the Enhanced Research Program for Billfish and the Bluefin Year Program. The Bluefin Year Program is progressing slowly since no funds have been allocated by the Commission. He also made some comments on the progress made in the organization of the ICCAT Tuna Symposium.

9.4 The SCRS Chairman reported on the results of the assessments carried out by the Committee on the stocks of yellowfin, bigeye, skipjack, albacore, southern bluefin and bluefin tunas, billfishes, swordfish, and small tunas (Item 10 of the 1995 SCRS Report).

9.5 Dr. Suzuki noted that the recommendations of particular importance for research activities were also included in SCRS Item 17. The management recommendations are given at the end of each species Executive Summary Report.

9.6 The SCRS Chairman called the attention of Panel 1 and the Infractions Committee to the recommendation not to increase fishing mortality of Atlantic yellowfin tuna, and to find effective ways to reduce fishing mortality on small sized yellowfin tuna (Section YFT-6 of the 1995 SCRS Report).

9.7 He called the attention of Panel 2 to the management recommendations made concerning albacore in the north Atlantic i.e. no increase in fishing mortality above the 1993 level (ALB-6, SCRS Report). He also asked Panel 2 to give serious consideration to the management recommendations for bluefin tuna (Section BFT-6). He noted that the SCRS had expressed particular concern about the historically high catch of east Atlantic bluefin tuna (including Mediterranean) in 1994, and the continued taking of small fish. The scientific Committee reiterated its 1994 recommendation to reduce the level of fishing mortality, originally recommended in 1974. He indicated that this measure was not being observed, particularly in the Mediterranean Sea. The SCRS Chairman reported that the Commission's recommendation in 1994 to reduce bluefin tuna catches by 25% from the 1993-1994 levels would not be sufficient, given the unexpectedly large increase in catches of eastern Atlantic bluefin tuna during 1994, and requested that reconsideration be given to this recommendation.

9.8 The SCRS Chairman referred Panel 3 to the recommendation that the catch of southern albacore be limited to not more than 90% of the average catches from 1989 to 1993 (Section ALB-6, of the 1995 SCRS Report).

9.9 He called the attention of Panel 4 to the scientific Committee's recommendation to reduce bigeye catches to the level below MSY, accompanied by a reduction in catches of small bigeye tuna (Section BET-6). He cautioned that continuous fishing at present levels, particularly of small bigeye, would have a detrimental effect on the stock, and stressed that the recommendations which were made in 1994 should not be ignored.

9.10 The SCRS Chairman pointed out that Panel 4 should also consider the recommendations made by the SCRS concerning billfishes. He also noted that Atlantic blue marlin, white marlin and west Atlantic sailfish stocks have probably been over-exploited and one approach to reducing mortality would be to release these species caught live by longline (Sections BUM-6, WHM-6 and SAI-6 of the 1995 SCRS Report).

9.11 Dr. Suzuki further mentioned that Panel 4 should refer to the SCRS findings on swordfish stocks. The SCRS recommended a substantial reduction in catches of juvenile swordfish in the Mediterranean and no further increase in swordfish fishing effort (SWO-MED-6) and that to rebuild the north Atlantic swordfish stock, both fishing mortality rates and catch must be considerably reduced in the immediate future. The SCRS cautioned that the reductions of swordfish catch and effort based on the 1990 and 1994 recommendations have not occurred at the overall level required to allow the stock to increase. The SCRS recommended that effective management measures be implemented throughout the Atlantic and that the catch in the south Atlantic not be allowed to increase beyond the levels referred to as "recent" by Panel 4 at its 1992 meeting (Section SWO-4c of the 1995 SCRS Report).

9.12 Dr. Suzuki requested that the Standing Committee on Finance and Administration (STACFAD) give due attention to those recommendations made by the scientific Committee which required funding, in particular, the recommendations in the Report under Agenda Item 17 concerning several inter-sessional meetings, to the proposed Tuna Symposium in 1996 and to revision of the Bluefin Year Program.

9.13 The SCRS Chairman noted that the Sub-Committee on Statistics had also met during the SCRS Meeting, with Dr. S. Turner (U.S.A.) as Convener. He also asked the Commission to carefully consider those recommendations in the report of the Sub-Committee on Statistics (**Appendix 9 to the SCRS Report**) relative to the hiring of a biostatistician and the proposed plan regarding Secretariat computer facilities, which requires funding by the Commission.

9.14 The SCRS Chairman further informed the Commission that the Sub-Committee on Environment had met during the 1995 SCRS Meeting, with Mr. J. Pereira (Portugal) as Convener, and that its report and recommendations are included as **Appendix 8** to the SCRS Report.

9.15 The SCRS Chairman explained that several meetings had been proposed for the forthcoming inter-sessional period, including: (1) a Joint meeting of the SCRS Bluefin Species Group and the *Ad-Hoc* GFCM/ICCAT Joint Working Group on Stocks of Large Pelagic Fishes in the Mediterranean Sea, to update the bluefin data base and discuss the methodology to be used in stock assessments of east and west Atlantic bluefin stocks, including the mixing possibility in the methodology; (2) a meeting of the Shark Working Group of the Sub-Committee on By-catches; (3) Swordfish Stock Assessment Session; (4) BYP Larval Survey meeting; (5) Billfish Workshop; (6) Albacore Stock Assessment Session; (7) Bluefin Stock Assessment Session, which should be held at least one month after the *Ad Hoc* GFCM/ICCAT Joint Working Group; and (8) ICCAT Tuna Symposium.

9.16 He Dr. Suzuki considered these meetings to have the following priority: (First): all the meetings related to bluefin tuna, including the *Ad Hoc* GFCM/ICCAT Joint Working Group, and the meeting of the Shark Working Group; (Second): the Swordfish Stock Assessment Session, the Billfish Workshop, and the BYP Larval Survey meeting; (Third): the Albacore Stock Assessment Session; and (Fourth): the ICCAT Tuna Symposium. He noted that these priorities were not based on order of importance, but on the urgency of the meeting itself.

9.17 The Chairman stressed the importance of these inter-sessional meetings and asked the Executive Secretary to secure adequate funding to hold these meetings, including budgetary allocation for Secretariat staff to organize and participate in these meetings.

9.18 The SCRS Chairman and all the scientists who participated in the 1995 meetings and research activities were commended for the high quality of the research carried out on behalf of the Commission.

9.19 In response to the SCRS Chairman's request for comments on the new reporting system for the SCRS Report, several delegations expressed that the new system represented a major improvement and provided the Commissioners with a clear and concise report that was easy to understand, even for those without a scientific background, and that the new system greatly facilitated the Commissioners' work.

9.20 While expressing support for the new scheme, the Delegate of Portugal asked whether a summary section for all species combined might be useful, as it could also show the overall catches. The Delegate of Spain suggested an improvement in the quality of the graphics, specifically regarding their size. The Delegate of Spain also requested that the tables specify the gears included in the "others" category.

9.21 The Delegate of Spain questioned the reasoning behind assigning top priority to the Shark Working Group Meeting in 1996, since the recommendation to collect data on by-catches is very recent.

9.22 The SCRS Chairman recognized that data on by-catches are inadequate, and explained that this issue was particularly delicate since the CITES Animal Committee would be meeting in the first semester of 1996. The Shark Working Group Meeting would give the SCRS time to work on the data on by-catches in preparation for this meeting. It is important that ICCAT prepare a response to the request made by CITES. He also stressed the importance of ICCAT's giving due attention to environmentally related species.

9.23 The Delegate of Canada commended the excellent quality and the conciseness of the 1995 SCRS Report to the Commissioners. He also suggested that since the Commissioners now received the SCRS Report well in advance of the Commission meeting for their study, that the SCRS Chairman might summarize his oral presentation to the Commission Plenary, by stressing only the key points of the biology, outlook and advice for management measures for each species. The Delegate of Canada suggested that the SCRS be as forceful as possible in providing advice to the Commission as regards pointing out the research work that needs to be done and the consequences of such work not being carried out.

9.24 The Delegate of France also commended the new SCRS reporting format, and recommended that there be two pages of graphics instead of one, so that the maps on catch distribution could be enlarged. He stressed that the SCRS should provide research advice as well as management advice.

9.25 The U.S. Delegate joined in congratulating the SCRS on the preparation of such a concise report. He particularly appreciated the inclusion of the "Definition of Technical Terms" in the 1995 SCRS Report. He also agreed with other delegations that the SCRS Chairman's oral presentation to the Commission should be as summarized as possible, with the use of visual aids to highlight the most important parts of the species sections. He also suggested that the Report specifically highlight those stocks which are in danger, so that the Commission can focus its attention on them.

9.26 The Executive Secretary referred to the financing of the 1996 inter-sessional meetings and noted that the proposed budget circulated by the Secretariat included funding for only three meetings, i.e., the Shark Working Group Meeting in Miami, The Swordfish Stock Assessment Session in Halifax and the BYP Larval Survey Meeting in Italy. He indicated that additional funds will be needed for ICCAT participation in the albacore, billfish and GFCM/ICCAT meetings, which are scheduled to be held outside the ICCAT Headquarters, and that this additional budget might amount to about US\$ 11,000.

9.27 The Commission Chairman and several delegations also commended the SCRS Chairman for his excellent presentation of the 1995 SCRS findings and recommendations.

9.28 The SCRS Chairman reiterated his appreciation to the scientific Committee for the productive research work carried out in the last year, and his congratulations to the Chairman's Advisory Committee, particularly Dr. Julie Porter (Canada) the Coordinator of this Committee and Drs. Powers and Restrepo (U.S.A.), for their dedication and efficient work in developing a new SCRS reporting system. Dr. Suzuki also thanked the Commissioners for their continued support of the work of the SCRS.

10. U.N. Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks and the FAO Code of Conduct for Responsible Fishing

10.1 The ICCAT Executive Secretary referred the Commission to document COM-SCRS/95/17, which includes a copy of the "Draft Final Act" and the Agreement adopted by the U.N. Conference. He pointed out that a special session was scheduled for December 4, 1995, to formally adopt the Final Act and to verify the coherency of all the official language versions. He indicated that on the same day, the Agreement will be open to signature. Dr. Fernández reviewed the highlights of this important Conference and its relevance to ICCAT's work in the conservation and management of the highly migratory species under its mandate.

10.2 The Delegate of Canada asked the Executive Secretary and the SCRS Chairman to what degree the principles of the U.N. Agreement had been taken into account in the SCRS scientific advice being prepared this year, and how it will be taken into account in future years, in terms of influencing the advice of SCRS.

10.3 The SCRS Chairman responded that the scientific Committee's management advice this year generally follows the principles of the U.N. Agreement, especially the precautionary approach, but he stressed the importance of differentiating between applying the precautionary principle and the approaches utilized to achieve this end. He indicated that a mechanical application of the precautionary principles should be avoided, as it could lead to drastic measures.

10.4 The Delegate of Spain, whose country currently holds the Presidency of the EU, indicated that at the October meeting of the Fisheries Council, the adoption of the U.N. Agreement was favorably received by the Community and its Member States, and stressed the importance of signing the Agreement on December 4. Spain regretted that the final text of the Code of Conduct for Responsible Fishing could not be ready prior to the Commission Meeting, since ICCAT would have been a good forum from which to start the diffusion of this important Code. Spain requested the Secretariat to facilitate the dissemination of the Code of Conduct once the final text is received from FAO.

10.5 The Delegate of the United States expressed enthusiasm for the new U.N. Agreement, citing it as the most important agreement to ICCAT since the adoption of the Convention on the Law of the Sea in 1982. The U.S. Delegate also encouraged the ICCAT Contracting Parties to sign the Agreement, as it will ratify the importance,

authority and power of ICCAT to deal with highly migratory species in the Atlantic Ocean. The U.N. Agreement will require all parties fishing tuna or tuna-like species in the Atlantic to join ICCAT as full members or to take affirmative action to comply with these management recommendations. The U.S. drafted a proposal regarding the implementation of the U.N. Agreement (attached as Annex 5.2).

10.6 The Delegate of Japan supported the explanation provided by the SCRS Chairman regarding the differentiation between the precautionary principle and the precautionary approach. Japan fully supported Spain as regards the importance of the Code of Conduct since it has been concluded. He indicated that Japan endorsed the signing of the U.N. Agreement, even though they may not be able to sign the U.N. Agreement on December 4. The Delegate of Japan also believed that the ICCAT's function within the U.N. Agreement needed further study and discussion.

SECOND PLENARY SESSION
November 16, 1995

Item 6. (Continued)

6.2 The Executive Secretary announced that official confirmation had been received that the instrument of accession of the United Kingdom (U.K.) had been deposited with the Director General of the FAO on November 10, 1995, and the U.K. was therefore a full member of ICCAT. The U.K. had also deposited an instrument of acceptance of the Paris Protocol on the same date.

6.3 The Chairman welcomed the U.K. as a member and was pleased to note their ratification of the Paris Protocol.

6.4 The Delegate of the U.K. thanked the Chairman and expressed his pleasure at being able to take part in the Plenary Session of the Commission.

Item 10. (Continued)

10.7 The Delegate of the United States presented a proposal regarding the implementation of the United Nations Agreement on the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (attached as Annex 5-2. The U.S. Delegate considered that if this Agreement came into force, it would have a significant impact on ICCAT, which would become a stronger and more prominent forum. The Agreement would require the ICCAT to change its approach to certain issues, and therefore anticipating, but not presuming, that the Agreement would be adopted by all parties, the U.S. wished to propose that steps be taken to create a structure to ensure that ICCAT activities were aligned with the Agreement. This structure could be either a new Working Group, or one of the existing bodies of ICCAT.

10.8 The Chairman of the Infractions Committee reported that this issue had been discussed at the meeting of the Infractions Committee, and asked that if a Working Group were to be established to deal with this matter that it report to the Infractions Committee on matters relating to this Committee. As Delegate of South Africa, he further asked whether such a Working Group would be meeting inter-sessionally, and expressed concern that if this were the case, smaller States may not have an opportunity to make an input into the debates or to review the findings of the Group before the next Commission meeting.

10.9 The Delegate of Japan supported the proposal of the United States in principle, but felt that the timing of such a proposal was inappropriate as it seemed unrealistic to expect that it could be put into effect by 1996. He also considered that the ICCAT should take an overall view and not be limited to any one aspect of the Agreement. The issue therefore could be dealt with either by the PWG or a new Working Group, but not by the Infractions Committee.

10.10 The Delegate of Spain stated that the adoption of the Agreement had been accepted by the member States of the European Union at its Council Meeting of 26 October 1995. He agreed with the Delegate of Japan that the proposal put forward by the U.S. was premature, as the Agreement was not yet open for signature. He considered that, like the EU member states, all Contracting Parties would need to study the bilateral and multilateral implications of the Agreement for their countries, and that the work of any Group established now would be limited. He also agreed with the points raised by the Delegate of South Africa regarding the meeting arrangements of such a Group, and pointed out that there could be financial problems involved for many countries wishing to attend inter-sessional meetings.

10.11 The Delegate of Spain also mentioned that ICCAT already had the structures to deal with some of the items in the Agreement such as the inspection scheme, and therefore felt that these should be improved. He noted that this matter was under discussion at the meeting of the Infractions Committee, and that the Chairman of this Committee would be drafting some recommendations in relation to this.

10.12 The Chairman was of the opinion expressed by the Delegate of Spain, while at the same time understanding the concerns of the U.S. He pointed out the financial implications of establishing new Working Groups. He was also concerned about the wording of the proposal, which suggested that the Working Group determine the actions of the Commission. The function of such Groups was to give advice, not determine, and considered that such Groups should not take the place of the Infractions Committee, which is an ICCAT body.

10.13 The Delegate of Brazil stated that he also felt that it was premature to initiate discussions on an agreement which had not yet been signed, and shared the concerns of South Africa regarding the possibility of participation by all countries.

10.14 The Delegate of Portugal agreed with the Chairman about the strength of the wording of the proposal and suggested that such a Group or body should "study" rather than "determine".

10.15 The Delegate of France agreed with the comments made by the Delegate of Spain and by the Chairman, and while supporting the spirit of the proposal made by the U.S., also felt that it was premature. He pointed out that the Agreement covered a variety of issues of relevance to ICCAT, and was of the opinion that the Infractions Committee would be a more appropriate framework for discussions than the PWG.

10.16 The Delegate of Uruguay also felt that the proposal was premature and supported the points which had been made regarding financial and budgetary implications.

10.17 The Delegate of Canada supported the comments of the Delegate of France, but added that as it appeared that there was consensus on the principle of the Agreement, there was no reason to delay the recognition of these principles in spite of logistical difficulties.

10.18 The Delegate of the U.S. stated that the discussions were important as they were of particular relevance to the Reports of the Infractions Committee and the PWG. While he considered the PWG the more logical Group to deal with the matter as there were many issues involved which were not related to enforcement, he was willing to accept that a separate body be established, as it was important that the issue be addressed. If there were no consensus, the U.S. would discuss the issue with individual countries.

10.19 The Delegate of South Africa supported the spirit of the proposal and agreed that it was not premature to discuss how ICCAT could benefit as an organization from this Agreement. He also agreed that the Infractions Committee was not the appropriate forum to deal with all the issues raised by the Agreement but asked members to investigate the implications of the inspection scheme to be taken into account by the Infractions Committee.

10.20 The Delegate of South Africa suggested that any Working Group established to deal with the issue seek input by correspondence from all member countries and the Secretariat circulate a report before the next Commission meeting.

10.21 The Delegate of Spain observed that as the scope of the Agreement was very wide-ranging, it would be difficult for any one Group to handle all aspects. He considered that there would be time to discuss the allocation of work after the Agreement had been adopted. ICCAT was not a new organization and therefore had appropriate existing schemes and bodies to deal with the different aspects, and while the spirit of the Agreement should be followed, it was unnecessary for ICCAT to follow the text to the letter. He suggested that Delegations study the implications for their respective countries and for ICCAT and exchange points of view at a later time. He proposed this Item be put on the Agenda of the next Commission meeting, and that an informal group meet before the plenary sessions.

10.22 The Delegate of Korea agreed with the Delegate of Spain that the initiative was premature, as it was still not known whether the Agreement would be signed by all countries.

10.23 The Delegate of France pointed out that the Agreement was very sophisticated and that it would be unrealistic to expect countries to have studied all its implications, particularly as different sections of the Agreement had different implications for each country. He also felt that many countries would be unable to attend inter-sessional meetings for financial reasons, and a situation could arise that the developed countries were taking decisions which affected the developing countries. He strongly supported the proposals that this matter be dealt with by an exchange of correspondence during the year and discussed at the next meeting of the Commission.

10.24 The Delegate of the U.S. thanked the respective delegations for their comments and respected their positions. He considered that the proposals put forward by Spain, France and South Africa demonstrated progress and would allow all countries to participate.

10.25 The Chairman noted that the proposal had provoked extensive debates and there was now a consensus that member countries would submit their views to the Secretariat during the course of the year and that the matter would be included on the Agenda of the next Commission meeting, before which informal discussions could take place.

Item 11. Large scale driftnet fishing and its effects on tuna stocks

11.1 The Chairman referred to Document COM-SCRS/95/18, which provided information relative to high seas fishing.

11.2 The Delegate of Spain confirmed the opinion expressed by his delegation at the 1994 Commission Meeting. He re-affirmed that Spain objected to the use of this gear as it was harmful to the environment in two ways: it induced by-catch as it was a non-selective gear and it increased fishing mortality in the form of discards. It also raised monitoring problems which were very difficult to overcome, and created a risk to shipping lanes because of their length and their concentration in some areas. This gear was considered incompatible with other gears because of interaction and the movements of highly migratory species of tunas. The Delegate of Spain expressed particular concern about the use of this gear in the albacore fisheries. He noted that the SCRS report indicated that the catches of this gear had increased in some cases. He asked that SCRS provide more detailed information on the proportion of the catch which could be ascribed to this gear. The concentrated use of driftnets in the Mediterranean had particularly harmful effects. He further observed that there could be no distinction between large and small driftnets as both were harmful to the environment.

11.3 The Delegate of France stated that France had subscribed to all the U.N. Resolutions and Agreements relating to the ban on driftnets and was one of the first countries to implement the regulation of the 2.5 km maximum length. France had also signed the EU agreement on the prohibition of driftnets of over 2.5 km, but did not share the opinion of the Delegate of Spain that all driftnets below this size were necessarily harmful to the ecosystem.

11.4 The Delegate of Uruguay informed the Commission that his country had banned the use of driftnets in the jurisdictional waters of Uruguay since 1991 as it was believed that this gear was extremely harmful to living resources.

11.5 The Delegate of the U.K. supported the position of France. While agreeing with the 2.5 km limit which the U.K. also observed, he did not support the banning of driftnets less than 2.5 km in length.

11.6 The Delegate of Japan informed the Commission that his country had already banned the use of large-scale driftnets on the high seas in accordance with the U.N. Resolution. He noted that the mass use of any gear was harmful to the environment, but pointed out that the Report of the FAO on by-catch and discards had concluded that the high seas driftnet fisheries were among the least harmful fisheries. As the catch of non-target species was unavoidable in any fishery, it was impossible to conform to the call by environmental groups that no by-catch be allowed. He urged that this issue be discussed from a scientific rather than an emotional point of view.

11.7 The Executive Secretary referred to Document COM-SCRS/95/18. As the U.N. requested an annual report from regional fisheries agencies on compliance with U.N. Resolutions, the Secretariat had in previous years sent the relevant section of the Proceedings for information. It was agreed that this procedure again be followed.

Item 12. Collaboration of non-Contracting Parties with ICCAT

12.1 The Executive Secretary presented and summarized document COM/95/28, which provided information on the action taken by the Secretariat regarding contacts maintained with non-Contracting Parties. He indicated that there had been increasing interest in the work of the Commission by non-Contracting Parties. He also informed the Commission that Taiwan had made a voluntary contribution of \$15,000 of which \$5,000 are to be used for ICCAT bluefin research programs. He briefly described the close contacts which ICCAT maintained with other organizations, including EU, GFCM, FAO, ICES, CARICOM, IATTC and CCSBT.

12.2 The Delegate of the United States thanked the Executive Secretary for his report and asked for a clarification of the mandate of the GFCM and asked whether there was an overlap of responsibility between ICCAT and the GFCM.

12.3 The Executive Secretary explained that the GFCM had responsibility for all fish species in the Mediterranean, while the ICCAT mandate was limited to tunas and tuna like species. He explained that it had been decided to establish an *ad hoc* Joint Working Group to encourage cooperation between the two organizations and that this had proved extremely useful, particularly for obtaining data from Mediterranean countries which were not ICCAT Contracting Parties, but which were members of GFCM. He added that the Assistant Executive Secretary, Dr. Miyake, was serving as Technical Secretary to this *ad hoc* Joint Working Group.

12.4 The Representative of Iceland made a statement explaining that Iceland had not participated in the work of ICCAT previously as Icelandic vessels did not target tunas or tuna like species. However, as the presence of bluefin tuna was now suspected in Icelandic waters, Iceland was considering developing this fishery and therefore was also considering becoming a member of ICCAT. He continued by stating that certain ICCAT management Recommendations may be interpreted as prohibiting Contracting Parties which had not previously targeted a certain species from entering the fishery, and thus discouraged Iceland from joining, unless reservations to the Recommendations in question be made or unless the situation be made more acceptable by other means. The statement by the Observer from Iceland is attached as Annex 5.3.

12.5 The Delegate of Spain, referring to the comments by the Executive Secretary on the GFCM/ICCAT Joint Working Group, wished to confirm that co-operation between ICCAT and the GFCM would continue. This was supported by the Delegate of France.

FINAL PLENARY SESSION
November 17, 1995

Item 6. continued

6.5 The Observer from Libya stated that his country has always supported the decisions taken by the Commission and was taking measures to become a full member. He announced that the Foreign Ministry of Libya had deposited the necessary documents with the FAO and that while this diplomatic process was taking time, he wished to assure the Commission that the necessary procedures were being followed.

Item 13. Compilation of data on by-catches, with special emphasis on sharks

13.1 The Executive Secretary introduced documents COM/95/22, concerning ICCAT collaboration with ICES on shark by-catch, and the relevant section of the 1995 SCRS Report, and commented on the request by CITES for regional agencies to investigate shark resources. He outlined the action taken by ICCAT to establish collaboration with the ICES Study Group on Elasmobranch Fishes.

13.2 The Delegate of Japan referred to the proposal which Japan had put forward regarding the initiation of a program to collect biological and trade data on sharks, with FAO as a focal point of such a program, and hoped that this proposal would be accepted by the Commission.

13.3 The Delegate of the U.S., commending the work carried out to date by the SCRS on this matter, also expressed his concern about the status of shark stocks, and pointed out that the U.S. had been working bilaterally with other Atlantic countries and had implemented strict quotas on sharks. He felt that there was need for all member countries to provide data on shark resources.

13.4 The Delegate of Spain expressed his country's willingness to cooperate in such programs, but expressed reservations as to the authority of ICCAT to involve itself in the management of shark species according to Articles IV and VIII of the ICCAT Convention. He suggested that ICCAT cooperate as closely as possible with ICES. He suggested that the text of the proposal presented by Japan should be modified to reflect ICCAT's mandate which does not include the management of these species per se.

13.5 The Delegates of France and the U.S. agreed with the Spanish Delegate that Article VIII of the Convention did not give ICCAT the mandate to manage shark stocks, but that this matter would have to be considered in the future.

13.6 The Delegate of Spain suggested some modifications to the text proposed by Japan and these were accepted by Japan. With these modifications, the "Resolution by ICCAT on Cooperation with FAO with Regard to Study on Status of Stock and By-catch of Shark Species" was adopted and is attached as Annex 4-2.

Item 14. Collaboration with the Commission for the Conservation of Southern Bluefin Tuna (CCSBT)

14.1 The Executive Secretary introduced Document COM/95/21, concerning ICCAT's collaboration with the CCSBT, which suggested that there be more cooperation between ICCAT and CCSBT, in order to harmonize conservation measures of this species.

14.2 Mr. I. Nomura (Japan), in his capacity as observer for the CCSBT, reported on the activities of CCSBT in 1995 regarding scientific research and efforts in the conservation of southern bluefin tuna. His statement is attached as Annex 5-4).

Item 15. Report of the ICCAT Working Group on Vessel Monitoring

15.1 The Delegate of the U.S. reported that the U.S. had been pleased to host the first meeting of the ICCAT Working Group on Vessel Monitoring, in which Canada, Japan, Korea, Morocco, Portugal, Spain and the United States had participated, with observers from Taiwan, Australia, and the U.S. Western Pacific Management Council. This meeting had given rise to a useful exchange of ideas, including recommendations to encourage both Contracting and non-Contracting Parties to use vessel monitoring systems and to improve catch data reporting through the possible use of electronic logbooks.

15.2 The Chairman noted that the findings of the Working Group had been reported to the PWG and to the Infractions Committee, and that this was the correct procedure.

15.3 The Commission reviewed and adopted the Report of the First Meeting of the ICCAT Working Group on Vessel Monitoring (attached as Annex 6-2). In view of the volume and nature of Appendices 4 to 12 to this Report, the Commission agreed to attach only Appendices 1 to 3 when published, and that the remainder of the appendices would be kept at the Secretariat and be made available for consultation upon request by the Contracting Parties' Commissioners.

15.4 The Delegate of Japan then referred to the proposed Resolution which had been put forward by his delegation regarding vessel monitoring. The Delegate of Spain while agreeing, in principle, with the proposal proposed some modifications to the wording, which were accepted by Japan. The "Resolution by ICCAT on Vessel Monitoring", as modified, was adopted by the Commission and is attached as Annex 4-3.

Item 16. Reports of Panels 1-4, and possible new regulations to be considered

16.1 The Report of Panel 1 was presented to the Commission by the Panel Chairman, Dr. L. Koffi (Côte d'Ivoire). The Report was reviewed and adopted by the Commission and is attached as Annex 6-3. The Commission also studied and adopted the "Resolution by ICCAT on Atlantic Yellowfin Tuna" contained therein, which is attached as Annex 4-6.

16.2 The Report of Panel 2 was reviewed and adopted by the Commission (attached as Annex 6-3). The following management recommendations concerning Atlantic bluefin tuna, were proposed by Panel 2 and were also adopted by the Commission: The "Recommendation by ICCAT on Supplemental Management Measures for Eastern Atlantic Bluefin Tuna" (attached as Annex 4-5) and the "Recommendation by ICCAT for Quota Exemption for Small-scale Domestic Fisheries in the Western Atlantic" (attached as Annex 4-7). The Commission also adopted the "Resolution by ICCAT for Atlantic Bluefin Tuna Recovery Programs" (attached as Annex 4-4).

16.3 The Report of Panel 3 was presented by the Panel Chairman, Mr. R. Stone (United States) and was reviewed and adopted by the Commission. The Report is attached as Annex 6-3.

16.4 Since Panel 4 did not have enough time to review and adopt the text of the Report before submitting it to the Commission Plenary, the Commission requested the members of the Panel to submit any comments and/or modifications on the draft in writing before adjournment of the 1995 Commission meeting. The comments thus received were distributed, in their original language only, at the Final Plenary Session, together with the text of the Panel Report. The Commission Chairman noted that in view of time constraints, the Report of Panel 4 would be adopted through correspondence. However, it was also duly pointed out that all the Recommendations and Resolutions contained therein, and which had been adopted by the Panel, thus could be presented to the Commission for adoption.

16.5 Subsequent to the Commission's review, the following Recommendations and Resolutions were adopted: Recommendation by ICCAT Regarding the Implementation of an Alternative Option for the Conservation of Undersized Atlantic Swordfish and the Reduction of Fishing Mortality" (Annex 4.10); "Recommendation by ICCAT to Establish Percentage Shares of Total Allowable Catch (TAC) and Overage and Underage Provisions for Nations Fishing for North Atlantic Swordfish" (Annex 4-11); "Resolution by ICCAT on Bigeye Tuna" (Annex 4-8); "Resolution by ICCAT for North Atlantic Swordfish Recovery Program" (Annex 4-9); and "Resolution by ICCAT for the Enhancement of Research Programs for Billfish (Blue Marlin, White Marlin, Sailfish and Spearfish)" (Annex 4-12).

16.6 The Delegate of Brazil requested the record reflect, however, that the proposal for the Recommendation to establish percentage shares of total allowable catch with overage/underage provisions for nations fishing for north Atlantic swordfish, adopted by Panel 4 (see Annex 4-11), had been the result of informal consultations among the major fishing countries of swordfish in the north Atlantic. As these consultations had been carried out simultaneously with other meetings of the Commission, delegations which do not have directed swordfish fisheries, but have an interest in this stock, were unable to attend the consultations. In order to have full participation of all member countries in the decision making process for the adoption of any Resolution or Recommendation by ICCAT, the Delegate of Brazil proposed that meetings of *ad hoc* working groups not be conducted at the same time as meetings of any ICCAT subsidiary body. In the event of it being impossible to avoid simultaneous meetings, the results of such consultations should be reported to the Plenary.

16.7 The Delegate of Brazil further stated that with reference to the procedure used for the adoption of the aforementioned Recommendation, new negotiations should have been initiated in order for the proposal to be approved by consensus. He indicated that this has been the usual procedure at ICCAT meetings, and he considered that every effort should be made to follow it in the future.

16.8 The Report of Panel 4, is attached as Annex 6-3.

Item 17. Recommendations concerning research and statistics

17.1 The Commission noted that several recommendations concerning research and statistics had been presented by the SCRS Chairman, Dr. Z. Suzuki, on behalf of the SCRS, during his presentation of the Committee's Report. The Commission also noted that the Recommendations concerning stock management had been studied in depth by the Panels and that STACFAD had reviewed those SCRS recommendations which had financial implications.

17.2 The SCRS Chairman, while indicating the Committee's appreciation of the Commission's support for the SCRS Recommendations, expressed concern that the precautionary approach which the SCRS had proposed for the management of various tuna stocks had regrettably not been always followed by the Commission. The "SCRS Chairman's Note to the Commission Regarding SCRS Management Recommendations" is attached as Annex 5-5.

17.3 The Delegate of the United States acknowledged the comments of the SCRS Chairman and expressed his appreciation for the advice of the SCRS relating to management measures. He hoped that the Committee would continue to provide such concise advice to the Commission.

17.4 The 1995 SCRS Report was adopted by the Commission together with all the recommendations contained therein and is attached as Annex 6-6.

Item 18. ICCAT Tuna Symposium 1996

18.1 The Chairman referred to the ICCAT Tuna Symposium, which is scheduled to take place in June, 1996, in the Azores Islands, at the invitation of the Regional Autonomous Government of Azores.

18.2 The Executive Secretary presented document COM/95/20 which reported the action taken by the SCRS and the Secretariat in preparation for the ICCAT Tuna Symposium. This action included a meeting of the Symposium Steering Committee, held in Bari, Italy, in September, 1995, to discuss the organization of the Symposium and prepare the Symposium budget. He thanked the EU for its partial funding of this meeting. He noted that the proposed special budget had already been considered by STACFAD. The special budget proposed by the SCRS (see Appendix 11 to the 1995 SCRS Report) was considered appropriate. The Commission decided to proceed with holding the Symposium as was originally proposed, with the understanding that there be no financial implications affecting the Commission's 1996 budget.

18.3 The Assistant Executive Secretary asked for preferences by the Commission members between two draft Symposium logos (A and B) which were circulated, noting that logo B had been preferred by the SCRS and the Secretariat. As only one delegation expressed a preference for logo A, logo B was adopted for use as the official logo of the Symposium. The Commission also agreed to use draft special letterhead prepared by the Secretariat for the 25th Anniversary.

Item 19: Report of the Standing Committee on Finance and Administration (STACFAD)

19.1 The results of the deliberations of the Standing Committee on Finance and Administration (STACFAD) were presented by the Chairman of the Commission, who chaired the STACFAD meeting. The Commission members thanked Dr. Lima for acting as Chairman of this Committee and commended the work of the Committee.

19.2 Since STACFAD did not have enough time to review and adopt its Report before submitting it to the Commission Plenary, the Commission requested the Delegates to submit their comments and/or modifications to the draft Report, in writing, prior to adjournment of the Commission meeting. These comments were distributed at the Final Plenary Session, together with the draft Report. The Chairman noted that the Plenary had insufficient time to adopt the STACFAD Report, and therefore the final text of the Report would have to be adopted through correspondence.

19.3 The 1995 STACFAD Report is attached as Annex 6-4.*

Item 20. Adoption of the 1996-97 biennial budget and member country contributions

20.1 Even though the text of the 1995 STACFAD Report was not adopted by the Financial Committee, the recommendations and the 1996 Commission Budget and member country contributions attached to the Report were adopted by the STACFAD and presented to the Commission for final adoption. The Commission thoroughly reviewed these recommendations, as well as 1996 Budget and member country contributions as proposed by STACFAD, and formally adopted them.

20.2 The 1997 Budget and member country contributions were also adopted provisionally by the Commission, with the understanding that these be reviewed again at the time of the Tenth Special Meeting of the Commission in 1996.

20.3 The 1996 Budget and contributions (Adopted), the 1997 Budget and contributions (Provisional), as well as the catch and canning figures used in calculating the country contributions are attached as Tables 1, 2, 3 and 4, respectively, to the 1995 STACFAD Report (Annex 6-4).

Item 21. Staff Regulations and Rules

21.1 The Commission noted that STACFAD had recommended that the "Staff Regulations and Rules", proposed by the Executive Secretary, be adopted in their entirety, with a modification to Article 33 concerning retirement, which was introduced at the meeting of the Committee (see Appendix 2 to the Annex 6-4). The modified Regulations and Rules were adopted by the Commission.

Item 22. Report of the Fourth Meeting of the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG)

22.1 The Chairman of the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG), Mr. B. Hallman (United States), presented the Report of the PWG, noting that due to lack of time, the final Report would have to be adopted by correspondence. However, the proposed "Resolution Concerning an Action Plan to Ensure the Effectiveness of its Conservation Program for Atlantic Swordfish" had been approved by the Group and was submitted to the Commission. Although the Commission took due note of the reservation expressed by the Delegate of Brazil in a statement presented at the meeting of the PWG (Appendix 7 to Annex 6-5), the Resolution was reviewed and adopted by the Commission, and is attached as Annex 4-13.

22.2 The PWG Chairman further noted that model letters from the Commission Chairman had been drafted to non-Contracting Parties regarding non-compliance with ICCAT conservation measures (Appendix 2 to Annex 6-5), to Taiwan regarding Taiwanese fishing activities in the Atlantic Ocean and Mediterranean Sea (Appendix 3 to Annex 6-5), and to non-Contracting Parties whose bluefin tuna catches have recently increased substantially in the

* The 1995 STACFAD Report was adopted in its entirety, through correspondence, on April 23, 1996.

Mediterranean Sea (Appendix 5 to Annex 6-5). The Commission also approved these model letters and recommended that they be transmitted to the countries concerned.

22.3 The Commission requested the members of the PWG to submit written comments, if any, on the draft Report, prior to the adjournment of the 1995 Commission meeting. The comments thus submitted were distributed at the final Plenary Session, together with the draft Report. The Chairman noted that there had been insufficient time to adopt the Report, and therefore the final report would have to be adopted through correspondence.

22.4 The Commission expressed its appreciation to the PWG Chairman, Rapporteur, all the members of the Permanent Working Group and the Secretariat staff for their efforts and recognized the excellent results obtained through its studies.

22.5 The Report of the Permanent Working Group is attached as Annex 6-5.*

Item 23. Report of the Infractions Committee. New name and mandate

23.1 The Chairman of the Infractions Committee, Mr. A. J. Penney (South Africa) presented the Report of this Committee to the Commission. The Commission reviewed the Report and thanked the Chairman and the members of the Committee for the progress achieved. It was noted that the Committee had developed formal reporting requirements for the national reports of Contracting Parties, which include various aspects, such as the fishery, statistical requirements, management activities, etc. The Committee reviewed the "Format for the Annual National Reports to be Submitted to ICCAT" and adopted it (attached as Annex 4-14)

23.2 The Commission noted that new Terms of Reference had been proposed for the Infractions Committee, and that a proposal was also made to change the name of the Committee to the "ICCAT Conservation and Management Measures Compliance Committee".

23.3 The Commission adopted the Report of the Infractions Committee, noting its new name of "Compliance Committee" (attached as Annex 6-1) as well as the "Terms of Reference for the ICCAT Conservation and Management Measures Compliance Committee" (attached as Annex 4-15) and the other recommendations included in the Report.

23.4 The Commission thanked the Chairman and the members of the Committee for their excellent work.

Item 24. Reports of subsidiary bodies appointed by the Commission for the meeting

24.1 There were no subsidiary bodies appointed by the Commission for the 1995 meeting.

Item 25. Date and place of the next meeting of the Council or Special Meeting of the Commission

25.1 In view of the various important decisions to be made by the Commission in 1996, it was decided to hold a Special Meeting of the Commission in 1996, rather than a Council meeting.

25.2 On the basis of an invitation from the Regional Autonomous Government of the Basque Country, and noting the favorable conditions of that invitation, and that the budgetary cost of holding the meeting in San Sebastian would not surpass that amount budgeted for the Commission meeting, the Chairman proposed that the Tenth Special Meeting of the Commission be held from November 22 through 29, 1996, in San Sebastian, Spain, and the SCRS Meeting be held from October 28 through November 1, 1996, in Madrid. The Commission Chairman also suggested that the Commission endeavor to leave one day during the meeting entirely free so that the Secretariat can work on the translation, etc. of the reports in order to have all reports available in the three languages, to facilitate their adoption.

25.3 The above-mentioned dates and venues for the 1996 Commission and SCRS Meetings were adopted by the Commission.

* The Report of the Fourth Meeting of the Permanent Working Group was adopted, in its entirety, through correspondence, on April 23, 1996.

Item 26. Items to be discussed by the Council at its next meeting

26.1 This Item was not discussed since the Commission had decided not to hold a Council meeting in 1996.

Item 27. Date and place of the next Regular Meeting of the Commission

27.1 The Commission decided that the date and place of its next Regular meeting in 1997 would be an item for discussion at the Tenth Special Meeting of the Commission in 1996.

Item 28. Election of Commission Chairman

28.1 The Delegate of Canada nominated Mr. R. Conde (Spain) for Commission Chairman. This nomination was seconded by the Delegate of Portugal and Mr. Conde was elected unanimously. The members of the Commission also took the opportunity to thank Dr. Lima, the outgoing Chairman, for the excellent work carried out during his tenure.

28.2 Mr. Conde was honored to accept the position of ICCAT Chairman and thanked the Commission members for the confidence placed in him. He also extended special thanks to Dr. Lima for his guidance, and to the Secretariat.

Item 29. Election of Vice-Chairmen of the Commission

29.1 The Delegate of Spain proposed Mr. J. Haché (Canada) as First Vice-Chairman. This proposal was seconded by the Delegate of Japan and supported by all the delegations. Mr. Haché was elected First Vice-Chairman. Mr. Haché thanked the Commission, and congratulated Dr. Lima on his excellent work as Chairman. He further expressed his support for the words expressed earlier by the SCRS Chairman, Dr. Suzuki, and hoped that there would be greater recognition and support for SCRS recommendations in the future.

29.2 The Delegate of France proposed Mr. L. Koffi (Côte d'Ivoire) as Second Vice-Chairman, and this proposal was seconded by the Delegate of Angola and supported by all the delegations. Mr. Koffi, who was elected Second Vice-Chairman, thanked the Commission members and was honored to be a Commission officer under the chairmanship of Mr. Conde.

Item 30. Election of Council members, of necessary

30.1 As the Commission had decided not to hold a Council meeting in 1996, this Item was not discussed.

Item 31. Other matters

31.1 There were no other matters discussed.

Item 32. Adoption of the Report

32.1 It was agreed that the Proceedings of the Plenary Sessions, as well as the texts of the Reports of Panel 4, the PWG, and STACFAD, would be adopted by correspondence.

Item 33. Adjournment

33.1 The Executive Secretary congratulated the newly-elected Commission Chairman and Vice-Chairmen and thanked Dr. Lima, the outgoing Chairman, for his work during the previous four years.

33.2 The Delegates of the United States and France, also thanked the Chairman, the Executive Secretary, the Assistant Executive Secretary, and the Secretariat and support staff for their work.

33.3 The Chairman, in adjourning the 1995 Commission meeting, expressed his gratitude to all the Commission members for their trust in him during his four years in office and voiced his confidence in Mr. Conde. He also thanked the Executive Secretary, the Secretariat and support staff and the interpreters for their work during the meeting.

33.4 The Fourteenth Regular Meeting of the Commission was adjourned on November 17, 1995.

COMMISSION AGENDA

1. Opening of the meeting
2. Adoption of Agenda, arrangements for the meeting and appointment of subsidiary bodies
3. Adoption of the Proceedings of the Ninth Special Meeting of the Commission, if necessary
4. Introduction of Contracting Party Delegations
5. Admission of observers (non-member countries, intergovernmental organizations, and non-governmental organizations)
6. Review of Commission membership
7. Ratification or acceptance of the Protocol of amendment to the Convention (adopted in Paris in 1984)
8. Ratification or acceptance of the Protocol of amendment to the Convention (adopted in Madrid in 1992)
9. Report of the Standing Committee on Research and Statistics (SCRS)
10. United Nations Conference on Straddling Fish Stocks & Highly Migratory Fish Stocks. Code of Conduct on Responsible Fishing
11. Large-scale driftnet fishing and its effects on tuna stocks
12. Collaboration of Non-Contracting Parties in the objectives of ICCAT
13. Compilation of data on by-catches, with special emphasis on sharks
14. Collaboration with the Commission for the Conservation of Southern Bluefin Tuna (CCSBT)
15. Report of the ICCAT Working Group on Vessel Monitoring
16. Reports of Panels 1 to 4, and possible new regulations to be considered
17. Recommendations concerning research and statistics
18. ICCAT Tuna Symposium 1996
19. Report of the Standing Committee on Finance and Administration (STACFAD)
20. Adoption of the 1996-1997 biennial budget and member country contributions
21. Staff Regulations and Rules
22. Report of the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures
23. Report of the Infractions Committee. New name and mandate
24. Reports of subsidiary bodies appointed by the Commission for the meeting
25. Date and place of the next meeting of the Council or special meeting of the Commission
26. Items to be discussed by the Council at its next meeting, if held
27. Date and place of the next regular meeting of the Commission
28. Election of Commission Chairman
29. Election of Vice-Chairmen of the Commission
30. Election of Council members, if necessary
31. Other matters
32. Adoption of Report
33. Adjournment

ANNEX 2

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ANNEXES

Annex 1: Summary of the work of the Secretariat during the period 1994-95. This annex provides a detailed overview of the administrative and technical activities carried out by the Secretariat, including the management of the Commission's secretariat, the organization of meetings, and the preparation of reports and documents. It also covers the financial and administrative aspects of the Secretariat's operations.

Annex 2: Financial statements for the period 1994-95. This annex contains the financial statements of the Secretariat, including the income statement, the balance sheet, and the cash flow statement. It provides a detailed breakdown of the Secretariat's income and expenses, as well as its financial position at the end of the period.

Annex 3: List of members of the Secretariat and interpreters. This annex provides a list of the members of the Secretariat and the interpreters who worked during the period 1994-95. It includes their names, titles, and contact information.

Annex 4: List of temporary staff. This annex provides a list of the temporary staff who worked during the period 1994-95. It includes their names, titles, and contact information.

Annex 5: Summary of the work of the Secretariat during the period 1994-95. This annex provides a detailed overview of the administrative and technical activities carried out by the Secretariat, including the management of the Commission's secretariat, the organization of meetings, and the preparation of reports and documents. It also covers the financial and administrative aspects of the Secretariat's operations.

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ANNEX 3

LIST COMMISSION DOCUMENTS

- COM/95/1 Tentative Commission Agenda - 1995
- COM/95/2 Annotated Tentative Commission Agenda
- COM/95/3 (SCRS/95/3) Tentative Agenda of the Standing Committee on Research & Statistics (SCRS)
(See Appendix 1 to the 1995 SCRS Report.)
- COM/95/4 Tentative Agenda of the Standing Committee on Finance & Administration (STACFAD)
- COM/95/5 Tentative Agenda for Panels 1-4
- COM/95/6 Tentative Agenda of the Infractions Committee
- COM/95/7 Tentative Agenda of the Permanent Working Group for the Improvement of ICCAT Statistics & Conservation Measures (PWG)
- COM/95/8 Panel Mandate and Membership
- COM/95/9 1995 Administrative Report
- COM/95/10 1995 Financial Report
- COM/95/11 Estimated Budget & Member Country Contributions for the Biennial Period, 1996-1997
Annex 1 - Proposed Budget for 1996-1997
- COM/95/12-Rev (SCRS/95/12) Report on Statistics & Coordination of Research in 1995. (Revised since SCRS Meeting)
- COM/95/13 (SCRS/95/13) Report of the Contributions-Expenditures of the ICCAT Enhanced Billfish Research Program in 1995 (see Appendix 4 to the 1995 SCRS Report)
- COM/95/14 (SCRS/95/14) Report of the ICCAT Planning Session for the Bluefin Year Program (BYP) (Genoa, Italy, March 13-14, 1995) (See Appendix 6 to the 1995 SCRS Report.)
- COM/95/15 (SCRS/95/15) Report of the Second Meeting of the *Ad Hoc* GFCM/ICCAT Working Group on Stocks of Large Pelagic Fishes in the Mediterranean Sea (Bari, Italy, September 13-19, 1995)
- COM/95/16 (SCRS/95/16) Report of the First Meeting of the ICCAT Working Group on Vessel Monitoring (Seattle, Washington, USA, May 17-18, 1995) (See Annex 6-2 to the 1995 Commission Proceedings.) Annex 1 - Appendices 4-12
- COM/95/17 (SCRS/95/17) United Nations Conference on Straddling Fish Stocks & Highly Migratory Fish Stocks (New York, March 27-April 12 and July 24-August 4, 1995)
- COM/95/18 (SCRS/95/18) Information Relative to High Seas Fishing
- COM/95/19 (SCRS/95/19) Report of the Working Group on By-catches and Sharks (See Appendix 10 to the 1995 SCRS Report.)

- COM/95/20-Rev (SCRS/95/20) Report of the Organizational Meeting of the ICCAT Tuna Symposium (Bari, Italy, September 20-21, 1995)
- COM/95/21 (SCRS/95/21) Collaboration with the Commission for the Conservation of Southern Bluefin Tuna (CCSBT)
Annex 1 - Report of the Commission for the Conservation of Southern Bluefin Tuna (CCSBT) (Tokyo, September 12-15, 1995)
- COM/95/22 (SCRS/95/22) Collaboration with ICES on Shark By-catch
- COM/95/23 (SCRS/95/23) Report of the Sixteenth Session of the Coordinating Working Party on Atlantic Fishery Statistics (Madrid, Spain, March 20-25, 1995)
- COM/95/24 (SCRS/95/24) GFCM Resolutions on the Management of Fishing in the Mediterranean
- COM/95/25 1995 Report of the Meeting of the Standing Committee on Research and Statistics (SCRS) (Madrid, October 2-13, 1995)
(See Annex 6-6 to the Proceedings of the 1995 Commission Meeting.)
- COM/95/26 Management Recommendations and Related Resolutions Adopted ICCAT for the Conservation of Atlantic Tunas and Tuna-like Species: Current Status of Implementation
- COM/95/27 ICCAT Port Inspection
- COM/95/28 Collaboration on non-Contracting Parties in the Objectives of ICCAT
- COM/95/29 Mandate and New Name of the Infractions Committee (See Annex 4-15 to the Proceedings of the 1995 Commission Meeting.)
- COM/95/30 ICCAT Staff Regulations and Rules
- COM/95/31-Rev (SCRS/95/116) Preliminary Analysis of Bluefin Tuna Catches in the Atlantic Ocean and Mediterranean Sea in 1994
- COM/95/32 Summary of Information Concerning the ICCAT Bluefin Tuna Statistical Document Program
- COM/95/33 National Reports

ANNEX 4

RESOLUTIONS & RECOMMENDATIONS ADOPTED BY THE COMMISSION

- ANNEX 4-1 Resolution on the 1994 Paris Protocol
- ANNEX 4-2 Resolution on Cooperation with FAO with Regard to Study on Status of Stock & By-Catch of Shark Species
- ANNEX 4-3 Resolution on Vessel Monitoring
- ANNEX 4-4 Resolution for Atlantic Bluefin tuna Recovery Programs
- ANNEX 4-5 Recommendation on Supplemental Management Measures for Eastern Atlantic Bluefin Tuna
- ANNEX 4-6 Resolution on Atlantic Yellowfin Tuna
- ANNEX 4-7 Recommendation for Quota Exemption for Small-Scale Domestic Fisheries in the Western Atlantic
- ANNEX 4-8 Resolution on Atlantic Bigeye Tuna
- ANNEX 4-9 Resolution for North Atlantic Swordfish Recovery Program
- ANNEX 4-10 Recommendation Regarding the Implementation of an Alternative Option for the Conservation of Undersized Atlantic Swordfish & the Reduction of Fishing Mortality
- ANNEX 4-11 Recommendation to Establish Percentage Shares of Total Allowable Catch (TAC) & Overage and Underage Provisions for Nations Fishing for North Atlantic Swordfish
- ANNEX 4-12 Resolution for the Enhancement of Research Programs for Billfish (Blue Marlin, White Marlin, Sailfish & Spearfish)
- ANNEX 4-13 Resolution Concerning an Action Plan to Ensure the Effectiveness of Its Conservation Program for Atlantic Swordfish
- ANNEX 4-14 Format for Annual National Reports to be Submitted to ICCAT
- ANNEX 4-15 Mandate & Terms of Reference for the ICCAT Conservation & Management Measures Compliance Committee

ANNEX 4-1

RESOLUTION BY ICCAT ON THE 1984 PARIS PROTOCOL

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

RECALLING that the Conference of Plenipotentiaries which took place in Paris on July 9 and 10, 1984, adopted a Protocol amending Articles XIV, XV and XVI of the International Convention for the Conservation of Atlantic Tunas,

RECALLING ALSO that the objective of this Protocol is to permit the adherence to the ICCAT Convention of any inter-governmental economic integration organization comprised of States that have transferred to it competence in matters concerning the Convention, including competence in concluding treaties on these matters,

CONFIRMING the interest shown by the European Community in becoming a party to the Convention,

UNDERLINING that the Protocol, in accordance with the provisions of its paragraph III shall enter into force upon deposit with the Director-General of the Food and Agriculture Organization of the United Nations of instruments of approval, ratification or acceptance of all the Contracting Parties,

NOTING that only two Contracting Parties have not yet deposited an instrument of approval, ratification or acceptance,

1. **MAKES AN APPEAL** urging the two States concerned that they should become parties to said Protocol as soon as possible,
2. **REQUESTS** the Chairman of the Commission to urgently carry out a personal demarche to the competent authorities of the two countries in question, in order to relay the Commission's concern in this matter and to encourage the governments of said countries to initiate the necessary procedures to become parties to the Protocol and thus permitting the European Community to participate, as a full member, at the next session of the Commission.

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

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

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

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

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

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

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

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

Therefore,

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

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

ANNEX 4-3

RESOLUTION BY ICCAT ON VESSEL MONITORING

RECOGNIZING that satellite tracking and catch reporting systems are practically useful to collect catch data and track vessel position on a real time basis;

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

1. That satellite tracking and catch reporting systems under the responsibility of flag states should be encouraged.
2. That the Executive Secretary of ICCAT should inform all the non-Contracting Parties whose vessels are fishing tuna and tuna-like fishes in the Convention area of this Resolution and request their cooperation to adopt a similar system.
3. That the Commission's Permanent Working Group for the Improvement of ICCAT Statistics and Management Measures shall review developments in this field by Contracting and non-Contracting Parties during the 1996 meeting and annually thereafter.

**RESOLUTION BY ICCAT FOR
ATLANTIC BLUEFIN TUNA RECOVERY PROGRAMS**

RECALLING that at the Thirteenth Regular Meeting of the Commission in 1993, Panel 2 recommended, and the Commission adopted, measures on bluefin tuna research on western Atlantic bluefin tuna during an interim period to provide scientific information "... so as to be able to develop in 1995 a recovery program ...";

ALSO RECALLING that a recovery program for eastern Atlantic bluefin tuna was requested by the Commission in 1994 (Item 4 of Annex 18 of the Commission's Ninth Special Meeting) to be available by 1998;

NOTING that the SCRS in its 1995 Report indicated that the most recent assessment shows that the 1993 age 8 and older biomass (spawning biomass) in the western Atlantic was about 13% of the biomass currently estimated for 1975, while the 1994 value was expected to be 16% of the 1975 age 8 and older biomass; and that there is grave concern about the status of bluefin resources in the eastern Atlantic;

ALSO NOTING that the General Fisheries Council for the Mediterranean (GFCM) has adopted measures applicable to fishing for bluefin tuna in the Mediterranean portions of the eastern management area;

Therefore,

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

That the SCRS develop, at its 1996 meeting, separate and distinct recovery options for each of the western and eastern Atlantic bluefin tuna management stocks, taking into account the possible effects of mixing that may occur; and the SCRS should calculate a series of annual total allowable catches (TACs) based on stock projections that are needed for rebuilding the western and eastern management stocks, respectively, to levels which would support MSY, within selected alternative recovery time periods and with intermediate goals and milestones along the path to rebuilding. The recovery options shall be based on the 1996 stock assessments for each management stock. The selected alternative recovery time periods shall be 10, 15 and 20 years, with a 50% probability. The SCRS shall also consider, in the recovery options for the eastern stock, the effect of banning fishing by nets, as well as longline, in the Mediterranean during the spawning months. The recovery options for the eastern stock shall take into consideration the problem of catch by non-Contracting Parties.

Also that ICCAT shall continue close collaboration with the GFCM with respect to collecting available Mediterranean data in connection with the above project.

ANNEX 4-5

**RECOMMENDATION BY ICCAT ON SUPPLEMENTAL MANAGEMENT
MEASURES FOR EASTERN ATLANTIC BLUEFIN TUNA**

TAKING INTO ACCOUNT the 1994 Recommendation concerning bluefin tuna in the eastern Atlantic and Mediterranean Sea;

TAKING INTO ACCOUNT the exceptional level of the catches taken by French fisheries in 1994;

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

1. That paragraphs 2 and 3 of the 1994 ICCAT Recommendation on bluefin tuna in the eastern Atlantic Ocean and the Mediterranean Sea not apply to France; and
2. That the following quotas be applied to France in 1996, 1997 and 1998 for eastern bluefin tuna:

<i>Year</i>	<i>Mediterranean</i>	<i>East Atlantic</i>	<i>Total</i>
1996	5,900 MT	520 MT	6,420 MT
1997	5,400 MT	440 MT	5,840 MT
1998	4,850 MT	400 MT	5,250 MT

RESOLUTION BY ICCAT ON ATLANTIC YELLOWFIN TUNA

RECALLING the Recommendation prohibiting any taking or landing of yellowfin tuna weighing less than 3.2 kg adopted by the Commission at its Second Regular Meeting (Madrid, December, 1971);

ALSO RECALLING the Recommendation adopted by the Commission at its Thirteenth Regular Meeting (Madrid, November, 1993) limiting the level of effective fishing effort exerted on Atlantic yellowfin tuna to 1992 levels;

RECOGNIZING that to date, few Contracting Parties have reported specific management measures to implement these Recommendations;

RECOGNIZING that the SCRS reports that yellowfin tuna catches are at the MSY level and that effective effort is close to the optimum level and could even exceed the optimum level;

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

That the Contracting Parties shall, at the 1996 ICCAT meeting, develop a plan elaborating the specific management measures that Contracting Parties should take to implement the Commission's previous recommendations regarding yellowfin tuna.

ANNEX 4-7

**RECOMMENDATION BY ICCAT
FOR QUOTA EXEMPTION FOR SMALL-SCALE
DOMESTIC BLUEFIN TUNA FISHERIES IN THE WESTERN ATLANTIC**

NOTING the current management recommendations for the conservation of western Atlantic bluefin tuna;

AND RECALLING the implementation of a strict quota measure for western Atlantic bluefin tuna;

RECOGNIZING that Bermuda, as a dependent territory of the United Kingdom, has a small-scale domestic fishery within its own Exclusive Economic Zone and that fishery does have an incidental catch of bluefin tuna;

Therefore,

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

That the domestic fishery in the U.K. dependent territory of Bermuda be allowed an incidental catch of up to four Metric Tons of western Atlantic bluefin tuna, within its own Exclusive Economic Zone, during 1996.

IN KEEPING with the tenet of responsible fishing, Bermuda will closely monitor this incidental catch of bluefin tuna and obtain scientific data on all bluefin tuna landed by its vessels.

RESOLUTION BY ICCAT ON BIGEYE TUNA

NOTING that since 1993, longline and purse seine bigeye catches have increased considerably and that the total annual bigeye catch has substantially exceeded all the current MSY estimates, and the projections made in 1995 indicate that the 1994 level of fishing will not only reduce the population size to far below that of the MSY level, but will also reduce the catch in the near future due to over-fishing;

NOTING that the increase in the catch of small fish, which was brought about by the equatorial baitboat fleet and by the intensive operations on small fish associated with fish aggregating devices (FADs) by the purse seine fisheries, will lead to a reduction in yield per recruit;

EXPRESSING CONCERN that despite the bigeye minimum size regulation of 3.2 kg, in effect since 1980, it has been clear that the equatorial surface fleets (baitboat and purse seine) continue to land a large quantity of juvenile bigeye tuna less than 3.2 kg, and that about 65% of the total number of fish caught in 1994 was below the minimum size;

RECOGNIZING that the SCRS strongly recommended reducing the catch to levels below MSY and that this overall reduction in catch must be accompanied by a reduction in the catch of small fish;

Now, therefore,

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

1. That countries fishing for bigeye tuna are urged to reduce their catches to levels below MSY;
2. That countries which carry out equatorial surface fisheries and catch substantial amounts of bigeye tuna under 3.2 kg should carry out comprehensive observation programs during 1996:
 - (a) to determine the incidence of catches of undersized fish resulting from the use of FADs, with special emphasis on time/area analysis; and
 - (b) to determine the incidence of catches of undersized fish in baitboat fleet operations, with special emphasis on time/area analysis
3. That the SCRS develop, based upon these observation programs and other available information, specific proposals for the regulation of the use of FADs, as well as measures necessary to reduce the catches of undersized fish in equatorial surface fisheries;
4. That SCRS analyze the impact of the application of the measures referred to in paragraph 3;
5. That countries be urged to take measures to reduce their catches of undersized fish.

ANNEX 4-9

**RESOLUTION BY ICCAT
FOR NORTH ATLANTIC SWORDFISH RECOVERY PROGRAM**

The 1995 SCRS report on north Atlantic swordfish indicates that the 1994 biomass is 68% of what it should be to produce maximum sustainable yield. The SCRS also noted that a range of management strategies could be implemented to allow stock recovery and that more specific recommendations could be developed if the Commission provides the SCRS with more precise statements of its objectives, including the time frame in which they are to be achieved and with what degree of certainty they are to be achieved.

Therefore,

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

That the SCRS develop at its 1996 meeting alternative recovery options for north Atlantic swordfish, and that the SCRS calculate one or more series of annual TACs based on stock projections that are needed for rebuilding the stock to levels that will support maximum sustainable yield (MSY) levels with a 50% probability within 5, 10, and 15 years.

**RECOMMENDATION BY ICCAT
REGARDING THE IMPLEMENTATION OF AN ALTERNATIVE OPTION
FOR THE CONSERVATION OF UNDERSIZED ATLANTIC SWORDFISH
AND THE REDUCTION OF FISHING MORTALITY**

RECALLING that, in 1991, the Commission adopted a prohibition on the taking and landing of swordfish, in the entire Atlantic Ocean, weighing less than 25 kg live weight (125 cm lower jaw fork length), but allowing Contracting Parties to grant a 15% tolerance of small fish in number of fish to boats that incidentally catch such fish;

NOTING that such tolerance has made it difficult for some Contracting Parties to ensure the effectiveness of the minimum size as a conservation measure to decrease the fishing mortality of swordfish as recommended by the SCRS;

ALSO RECALLING that the 1995 SCRS has recognized that a lower minimum size prohibition with no tolerance could be used as a functional equivalent, for the purposes of decreasing fishing mortality, to the current size prohibition with a tolerance; and

NOTING that, in 1991, the Commission encouraged Contracting Parties to take other appropriate measures within their national jurisdictions to protect small swordfish;

***THE INTERNATIONAL COMMISSION FOR THE CONSERVATION OF
ATLANTIC TUNAS (ICCAT) RECOMMENDS,
EFFECTIVE IN 1996:***

That, in order to protect small swordfish, any Contracting Party may choose, as an alternative to the existing 1991 recommendation regarding the minimum size of swordfish, to take the necessary measures to prohibit the taking by its vessels of swordfish in the Atlantic Ocean, as well as the landing and sale in its jurisdiction, of swordfish and swordfish parts, less than 119 cm from the tip of the lower jaw to the fork of the tail, or the equivalent in weight, provided that no tolerance of swordfish smaller than this alternative minimum size shall be allowed. A party which chooses this alternative shall require appropriate record keeping of discards.

ANNEX 4-11

**RECOMMENDATION BY ICCAT TO ESTABLISH PERCENTAGE SHARES
OF TOTAL ALLOWABLE CATCH (TAC) AND OVERAGE & UNDERAGE
PROVISIONS FOR NATIONS FISHING FOR NORTH ATLANTIC SWORDFISH**

RECOGNIZING that ICCAT at its 1994 meeting adopted a total allowable catch level for north Atlantic swordfish as well as interim quotas for major nations for swordfish for 1995 and 1996;

NOTING that ICCAT has adopted at its 1995 meeting a Resolution calling for the SCRS to develop at its 1996 meeting alternative long-term recovery options for north Atlantic swordfish stocks;

REALIZING that a long-term rebuilding program may require the setting of annual allocations of total allowable catch (TAC) for the nations fishing for north Atlantic swordfish in order to meet rebuilding objectives;

RECOGNIZING that the nations fishing for north Atlantic swordfish have established certain levels of historical fishing effort in the north Atlantic swordfish fishery; and,

DESIRING to facilitate an orderly and equitable setting of shares of TAC for nations fishing for north Atlantic swordfish under any rebuilding program established by ICCAT for 1997 and beyond,

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

1. That, to achieve an orderly and equitable allocation of quota shares in the north Atlantic swordfish fishery for 1997 and beyond, the following long-term allocation scheme is established and implemented, beginning in 1997, and extending beyond 1997 until otherwise agreed, to determine annual quotas of total allowable catch for north Atlantic swordfish:

<i>Country</i>	<i>Percentage Share of North Atlantic Swordfish Catch</i>
Canada	10.00%
Japan	6.25%
Portugal	7.50%
Spain	41.25%
United States	29.00%
Others (total)	6.00%

2. That, if a country's landings exceed its quota in any year, the overage shall be deducted in subsequent years such that total landings for each country for each three-year period, beginning with 1997-1999, shall not exceed its total quota for that three-year period. Similarly, when landings by a country are less than its quota, the underage for that country may be added to subsequent years' quota, such that total landings for that country for each three-year period, beginning with 1997-1999, must not exceed the total quota for that country over the same three-year period. In the case of Japan, the three-year period may be extended to five years.
3. And that, Contracting Parties subject to this allocation scheme shall take the necessary measures to implement this Recommendation.

**RESOLUTION BY ICCAT
FOR THE ENHANCEMENT OF RESEARCH PROGRAMS FOR BILLFISHES
(BLUE MARLIN, WHITE MARLIN, SAILFISH AND SPEARFISH)**

RECOGNIZING that fisheries for Atlantic billfishes are characterized by many different participants, including recreational and commercial fisheries;

NOTING that possible mis-reporting and/or under-reporting of landings from various Atlantic fisheries have been identified by the Commission's Standing Committee on Research and Statistics (SCRS) for these species;

MINDFUL that billfishes are consumed in many countries, particularly coastal nations in the Caribbean area and the West African area, and are species important both to the recreational fishing industry and commercial fishing industry throughout their range in the Convention area;

RECALLING that the SCRS reported in 1995 that the biomass for blue and white marlins has been below the level needed to yield MSY, for more than a decade, and that the Committee considered these stocks to be over-exploited, although they need verification with an updated assessment, and that for the north Atlantic blue marlin stock, a sign of recovery has been recognized;

ALSO RECALLING that the SCRS reported in 1995 that the biomass for sailfish in the western Atlantic was below the level needed to yield MSY, in 1994, and the Committee considered the stock to be at least fully exploited and perhaps over-exploited;

RECOGNIZING that improved data are necessary to better manage these important species;

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

FIRST, that the SCRS be requested to further improve research and study of these species, with particular attention to their growth and age;

SECOND, that the SCRS be requested to review and update historical catch and effort data for commercial and recreational fisheries for these species in the Convention area;

THIRD, that a five-year (or more) scientific program be hereby established, to be integrated within the ICCAT Enhanced Billfish Program, under which Contracting Parties will promote the voluntary release by their commercial and recreational fishermen of blue marlin, white marlin, sailfish, and spearfish taken alive in the Convention area and, where practicable, the tagging of these species under the program;

FOURTH, that all Contracting Parties fishing for billfishes should make an effort to participate in the ICCAT scientific program for these species, and that they report annually to the SCRS results of the program referred to in the Third paragraph; and

FIFTH, that ICCAT will, seeking particularly the cooperation of those Contracting Parties with interests in the billfish fisheries, develop for consideration during the 1996 meeting a plan to establish a reward program for the tag and release of billfishes, and for the return of tags recovered from recaptured billfishes.

ANNEX 4-13

**RESOLUTION BY ICCAT CONCERNING AN ACTION PLAN
TO ENSURE THE EFFECTIVENESS OF THE CONSERVATION
PROGRAM FOR ATLANTIC SWORDFISH**

RECOGNIZING that the goal of ICCAT is to maintain populations of tuna and tuna-like fishes in the Atlantic at levels which will permit harvesting maximum sustainable yield;

CONSIDERING the need for action to ensure the effectiveness of ICCAT objectives to conserve and manage Atlantic swordfish;

RECOGNIZING that a considerable number of vessels fishing for Atlantic swordfish are registered to nations which are not members of ICCAT;

BEING AWARE of the strenuous efforts by Contracting Parties to ensure enforcement of ICCAT's conservation and management measures and to encourage non-member nations to abide by these measures;

FINDING that the ICCAT regime's ability to manage Atlantic swordfish on a sustainable basis is diminished by harvesting contrary to ICCAT recommendations and recognizing the need for measures complementary to the ICCAT regime to ensure the effectiveness of those recommendations;

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

- (a) That the Commission, through its appropriate subsidiary body, shall review annually the implementation of the Commission's conservation recommendations by each Contracting Party. The Commission will recommend annually any necessary new measures to be taken to ensure compliance by Contracting Parties.
- (b) That the Executive Secretariat shall develop and send a letter to non-Contracting Parties fishing for Atlantic swordfish in the Convention area requesting full cooperation with the Commission in implementing the ICCAT conservation programs.
- (c) That the Commission, through its appropriate subsidiary body, shall identify annually those non-Contracting Parties whose vessels have been fishing for Atlantic swordfish in a manner which diminishes the effectiveness of the relevant conservation recommendations of the Commission. These identifications shall be based on the catch data compiled by the Commission, the trade information obtained through national statistics, and any other relevant information. Every effort shall be made by all Contracting Parties in a position to do so, to develop, by the 1996 ICCAT meeting, adequate catch and trade information with respect to non-Contracting Parties sufficient to determine the effect on the swordfish conservation program.
- (d) That the Commission shall request those non-Contracting Parties identified in paragraph (c) to rectify their fishing activities so as not to diminish the effectiveness of the ICCAT conservation programs and to advise the Commission of actions taken in that regard.
- (e) That the Commission, through its appropriate subsidiary body, shall review annually the actions taken by those non-Contracting Parties identified and requested in paragraphs (c) and (d) and identify those non-Contracting Parties which have not rectified their fishing activities in accordance with paragraph (d).
- (f) That to ensure the effectiveness of ICCAT conservation recommendations for Atlantic swordfish, the Commission will recommend that Contracting Parties take non-discriminatory trade restrictive measures, consistent with their international obligations, with respect to Atlantic swordfish products in any form from those non-Contracting Parties identified in paragraph (e).

FORMAT ADOPTED BY THE COMMISSION FOR ANNUAL NATIONAL REPORTS TO BE SUBMITTED TO ICCAT

1. Objectives and rationale

Annual National Reports provide a mechanism for the provision to ICCAT of relevant information on the tuna-related activities of contracting parties during the preceding year. As such, they have formed an increasingly important source of information on national fishing, research and management efforts, for consideration by the Commission, the SCRS, the Species Panels, the Infractions Committee and the Working Groups. As the scope of interests, and the resultant information requirements, of these various sub-committees has grown, so the National Reports have increased in volume and complexity.

Initial attempts have been made by the SCRS and the Infractions Committee to provide informal guidelines for the information content of National Reports. However, the wide diversity in content and format of National Reports received to date has complicated efforts to extract specific information required by the various sub-committees. As a result, much of the information content has often not been directly considered by these committees. In particular, the diversity in National Report formats has prevented the ICCAT Secretariat from using them as a source of formal notification of matters of importance to the Commission. The following formalized National Report requirements are proposed to resolve some of these problems and to optimize the value of these reports to ICCAT.

2. Format of National Reports

In order to standardize the information provided, facilitate the extraction of specific information for particular sub-committees and minimize the amount of copying necessary to provide information to sub-committees, annual National Reports should adhere to the following format requirements, as determined and agreed to by the Commission.

2.1 General National Report requirements

All ICCAT contracting parties should be required to submit an annual National Report to the Commission, providing information on their tuna-related fishing activities, research activities and fisheries management efforts during the preceding year. These reports should adhere to the following general requirements:

- National Reports should be submitted to the ICCAT Secretariat at least one month before the start of the annual Regular or Special Commission Meeting. Where the meeting of the SCRS is held some time before the Commission meeting, such reports may be submitted at the start of the SCRS meeting, provided sufficient copies are submitted for circulation to all participants. Where the Secretariat is required to make the necessary copies, reports should be submitted one month before the start of the SCRS meeting. The exact submission dates and required number of copies should be annually determined by the Secretariat and timeously circulated to contracting parties.
- The main body of National Reports should be concise, and detailed additional information should be presented in appendices to the report. Where possible, clear tables and figures should be used to summarize and clarify information presented in National Reports.
- The main body of annual National Reports should not exceed 8 pages in length (two A4 pages per section), except that, where multiple fisheries are being reported on, reports could extend to 20 pages in length. The length of appendices should be unlimited.

- Where possible, contracting parties should provide the Secretariat with the text of their National Reports in electronic form, in a format to be determined by the Secretariat.

2.2 Report Sections

National Reports should contain specific, separate sections on fisheries, research, management and inspection activities, and may optionally include appendices containing additional information pertinent to these sections. Information presented in National Reports should be divided into the relevant sections to facilitate the extraction and copying of particular information required by the Commission and sub-committees. The main report sections should be:

2.2.1 National Fisheries Information

This report section should provide summarized information on the total catches, effort, CPUE and size-frequency trends in tuna fisheries during the preceding year. Attention should be given to changes in fishing patterns or new developments in such fisheries, as well as socio-economic factors which influence or explain such changes and developments.

2.2.2 Research and Statistics

This report section should provide a description of the statistical data collection systems implemented to monitor tuna fisheries, with an indication of the degree of coverage of catch, effort and size data for fishing operations in local and distant waters. Attention should be given to problems, changes and improvements in such statistical systems and, where possible, the coverage of retained catches of target and by-catch species, and of discarded catches.

This section should also present summarized information on tuna-related research activities and results of particular interest to ICCAT. In particular, research related to stock delineation, stock assessment, migration and environmental factors should be reported on.

2.2.3 Implementation of ICCAT Conservation and Management Measures

This report section should report on steps taken to implement ICCAT recommended conservation and management measures. In particular, this section may provide for the formal notification of implementation of ICCAT measures by contracting parties, including the dates of such implementation. Details of such implementation, including texts of the relevant domestic legislation, can be included in the relevant appendix. Attention should be given to problems with the implementation of ICCAT conservation and management measures, and the effects of such measures on tuna fisheries.

This section should also provide for the reporting of efforts to implement ICCAT Statistical Document Programs, where applicable. Summarized information should be provided on steps taken to implement such systems, and the results achieved. Additional information may be provided on other trade monitoring systems implemented. However, details of data collected and detailed import and export information should be included in the relevant appendix.

2.2.4 Inspection Schemes and Activities

This report section should provide information on efforts undertaken to inspect own and other nation tuna fishing activities and catches. In particular, this section should be used to describe steps taken to implement and administer the ICCAT Port Inspection Scheme, and to summarize results obtained under this scheme. Details of inspectorate designations and inspection results should be presented in the relevant appendix, which should be considered to be formal notification of such results.

This section may also be used to present relevant summarized information on other inspection schemes participated in by contracting parties, including domestic inspection schemes.

2.2.5 Other Activities

This report section should be used to provide summarized information on other tuna fishery related activities not included in the previous sections, including observer programs implemented for tuna fisheries.

2.3 National Report Appendices

In addition to the main body of annual National Reports to be submitted to ICCAT, provisions should be made for appendices to such reports. The purpose of such appendices should be to provide a mechanism for providing detailed supplementary information to the main sections of the National Reports. As such, information contained in such appendices should be considered to have been formally transmitted to the ICCAT Secretariat, as will be the contents of the body of National Reports. However, such appendices should not be included in subsequent publication of National Reports in the annual reports of the Standing Committee on Research and Statistics or the ICCAT Commission. The ICCAT Secretariat should annually determine, in cooperation with the Chairmen of the SCRS and the Commission, to what extent such appendices should be copied for distribution to participants in the SCRS and Commission meetings.

Provision should be made for the following specific appendices to the various sections of the National Reports:

2.3.1 Research and Statistical Information

This appendix may be used to provide detailed supplementary information to the report section on research and statistics. In particular, this appendix may be used to provide more detailed information on:

- Catch, effort and CPUE data for tunas and tuna-like species caught by ICCAT contracting parties.
- Information on by-catches and discards of tunas, sharks and incidental species caught in tuna-directed fisheries.
- Size-frequency and morphometric conversion information for tuna species caught.
- Data substitutions, raising factors and procedures to be used for raising catches of contracting parties to catch-at-size.

2.3.2 Implementation of ICCAT Conservation and Management Measures

This appendix may be used to provide details of steps taken to implement ICCAT conservation and management measures. Whereas the relevant section of the main body of the National Report should be used to provide formal notification and summary of implementation of ICCAT management measures, this appendix may provide more details of how such measures have been implemented. In particular, copies of domestic legislation promulgated to implement ICCAT measures may be provided. Additional information may also be provided on supplementary efforts directed at improving implementation of ICCAT conservation and management measures.

2.3.3 Tuna Trade Information

This appendix may be used to provide tuna trade information, particularly details of steps taken to implement ICCAT Statistical Document Programs and other systems for monitoring trade in tuna species. In particular, detailed information of quantities of tuna species imported or exported by various countries should be reported in this appendix.

2.3.4 Details and Results of Inspection Schemes

This appendix may be used to provide detailed information on the implementation and results of the ICCAT Port Inspection Scheme or other tuna fishery inspection schemes or observer programs implemented by ICCAT members. In particular, this appendix may contain information on:

- Steps taken to implement the ICCAT Port Inspection Scheme, including information on official respondents and names of appointed inspectors.

- Results of inspections conducted under the ICCAT Port Inspection Scheme, particularly showing details of any transgressions detected during such inspections.
- Relevant results of other inspection schemes conducted by contracting parties, particularly concerning problems detected with the implementation of, or compliance with, ICCAT recommended management measures by contracting and non-contracting parties.

2.3.5 Other Activities

This appendix may be used to provide detailed information on other tuna fishery related activities reported on in the relevant section of the main report. In particular, this appendix may be used to provide detailed results of observer programs implemented for tuna fisheries.

**MANDATE AND TERMS OF REFERENCE ADOPTED BY THE COMMISSION
FOR THE ICCAT CONSERVATION AND MANAGEMENT
MEASURES COMPLIANCE COMMITTEE**

1. Name of Committee

- 1.1 The committee shall be named the "ICCAT Conservation and Management Measures Compliance Committee", to be generally known as the "Compliance Committee".

2. Mandate and Objectives of the Compliance Committee

- 2.1 The Compliance Committee shall be broadly responsible for reviewing all aspects of compliance with ICCAT conservation and management measures in the ICCAT Convention Area, with particular reference to compliance with such measures by ICCAT Contracting Parties.
- 2.2 The Compliance Committee shall report directly to the Commission on its deliberations and recommendations.
- 2.3 The Compliance Committee shall cooperate closely with ICCAT subsidiary bodies in order to remain informed on all issues concerning compliance with ICCAT conservation and management measures.
- 2.4 The work of the Compliance Committee shall be guided by the following overall objectives:
- 2.4.1 To provide a structured forum for discussion of all problems related to effective implementation of, and compliance with, ICCAT conservation and management measures in the ICCAT Convention area.
- 2.4.2 To gather and review information relevant to review of compliance with ICCAT conservation and management measures from ICCAT subsidiary bodies, and from National Reports submitted by ICCAT Contracting Parties.
- 2.4.3 To identify and discuss problems related to the implementation of, and compliance with, ICCAT conservation and management measures, and to make recommendations to the Commission on how to address these problems.

3. Terms of Reference of the Compliance Committee

- 3.1 In order to meet the overall objectives, the Compliance Committee shall:
- 3.1.1 Review the status of implementation of, and compliance with, ICCAT conservation and management measures, as reported in National Reports submitted by Contracting Parties, catch data compiled by the Commission and SCRS, trade information obtained through national statistics, the Bluefin Tuna Statistical Program and other relevant information.
- 3.1.2 Specifically review domestic measures for the implementation of the Commission's recommendations, as reported by Contracting Parties.
- 3.1.3 Review the implementation of the ICCAT Port Inspection Scheme and progress made with inspections conducted under this scheme. In particular, the Committee shall identify and discuss problems related to non-compliance with ICCAT conservation and management measures detected during such inspections.
- 3.1.4 Review other enforcement activities conducted by Contracting Parties in the Convention area, including domestic inspection programs, reported by Contracting Parties, in order to identify problems with non-compliance detected during such enforcement activities.
- 3.1.5 Develop and recommend suitable and effective measures to ensure proper application of the provisions of the Convention. In particular, to further develop and recommend effective international inspection and enforcement schemes, if considered necessary, within the ICCAT Convention Area.
- 3.1.6 Develop and make recommendations to the Commission to resolve identified problems with implementation of, or compliance with, ICCAT conservation and management measures, in order to enhance compliance with ICCAT recommendations.

ANNEX 5

PROPOSALS & STATEMENTS PRESENTED TO THE PLENARY SESSIONS

- ANNEX 5-1 Statement by the Observer from the Caribbean Community (CARICOM) Fisheries Assessment & Management Program (CFRAMP)
- ANNEX 5-2 Proposal by the U.S. Regarding the Implementation of the U.N. Agreement on the Conservation & Management of Straddling Fish Stocks & Highly Migratory Fish Stocks
- ANNEX 5-3 Statement by the Observer from Iceland
- ANNEX 5-4 Statement by the Observer from the Commission for the Conservation of Southern Bluefin Tuna (CCSBT)
- ANNEX 5-5 SCRS Chairman's Note to the Commission Regarding SCRS Management Recommendations

ANNEX 5-1

**STATEMENT BY THE OBSERVER
FROM THE CARIBBEAN COMMUNITY (CARICOM)
FISHERIES RESOURCE ASSESSMENT & MANAGEMENT PROGRAM (CFRAMP)**

The CARICOM Fisheries Resource Assessment and Management Program (CFRAMP) has participated as an Observer through the Caribbean Community (CARICOM), since its inception. Participation this year, at the 14th Regular Meeting of the ICCAT Commission, is particularly important given the interest demonstrated by the Standing Committee of Ministers of Agriculture (responsible for fisheries) of CARICOM at their 1995 meeting. The Ministers representing the CARICOM Community of 14 countries, officially expressed their concern at the development of pelagic fisheries in the Caribbean, in the context of international developments, and attempts at management. In particular, the issue of artisanal fishing communities was identified.

The CFRAMP, in 1995, also initiated across 12 countries a biological data collection program for large pelagic and coral reef species, and will initiate in 1996 a similar program for small coastal pelagics, as well as a regional tagging program for a number of species covered in the ICCAT "Small Tunas" category. Through funding from the European Community to the Caribbean (CARIFORUM), CFRAMP will also extend its program to four additional countries - Bahamas, Haiti, Dominican Republic and Suriname, a total of 16 countries.

CFRAMP notes the initiatives being made by ICCAT to address the issues of By-Catch (particularly Sharks), and documentation of available information on pelagic resources and expresses its interest in continuing its cooperation with ICCAT and extending it to these areas. A detailed Report is submitted for further information.

**PROPOSAL BY THE U.S.
REGARDING IMPLEMENTATION OF THE U.N. AGREEMENT
ON THE CONSERVATION & MANAGEMENT OF STRADDLING FISH STOCKS
& HIGHLY-MIGRATORY FISH STOCKS**

WHEREAS the United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks adopted, in August 1995, a draft agreement for the implementation of the provisions of the United Nations Convention on the Law of the Sea Relating to the Conservation and management of Straddling Fish Stocks and Highly Migratory Fish Stocks (the Agreement);

NOTING that the Agreement will be opened for signature on December 4, 1995, and anticipating, but not presuming, that the Agreement will enter into force at a future date;

THE COMMISSION RECOMMENDS THAT:

1. The Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG) develop a series of recommendations and prepare a report for consideration by the Commission at its annual meeting in 1996 regarding the effective implementation by the Commission of the relevant provisions of the Agreement.
2. In carrying out this assignment, the PWG shall:
 - a) Review the Agreement and determine which of its provisions are likely to require action by the Commission;
 - b) Determine which provisions of the Agreement, if any, will require changes in existing ICCAT recommendations, conservation measures, or procedures, or will require any new initiatives by the Commission; and
 - c) Develop a series of recommendations for specific steps that should be taken by the Commission to effect such changes or initiatives necessary to implement the relevant provisions of the Agreement.
3. The consideration of this issue by the PWG and the Commission, and the participation of any particular Contracting Party in this activity of the PWG, shall not be deemed in any way to prejudice the positions of individual Contracting Parties with respect to the Agreement itself.

*ANNEX 5-3***STATEMENT BY THE OBSERVER FROM ICELAND**

Iceland has not participated in the work of ICCAT in previous years. The main reason is that Icelandic vessels have not been fishing for species that are dealt with by the Commission. Apart from a few incidences some decades ago, tunas have not been found in any significant quantities in Icelandic waters.

However, in recent years there have been some signs indicating that bluefin tuna might be found in the Icelandic Exclusive Economic Zone (EEZ). Plans are now being developed by the Marine Research Institute to explore this possibility, which may lead to subsequent fishing by Icelandic vessels in the future.

Under these circumstances, it seems natural to consider the possibility of Iceland joining ICCAT. After a preliminary assessment of this option, there seem to be, however, some management Recommendations which could discourage Iceland from joining the Commission. By this, I refer to Recommendations which may be interpreted as having the effect of prohibiting those Contracting Parties which have not been fishing for certain species from entering the fishery, even in their own EEZ, and irrespective of the distribution of the stock in question.

For Iceland, whose economy is overwhelmingly dependent on the exploitation of marine living resources, this is discouraging, and makes the option of membership an unattractive one to Iceland, unless reservations be made to the Recommendations in question or the situation be made more acceptable by other means.

STATEMENT BY THE OBSERVER FROM THE COMMISSION FOR THE CONSERVATION OF SOUTHERN BLUEFIN TUNA (CCSBT)

1. At the 9th Special Meeting of ICCAT, held in November, 1994, the observer from the CCSBT put forward the idea, with respect to the coordination of competence between ICCAT and the CCSBT, that the CCSBT inform ICCAT of conservation measures taken by the CCSBT, and ICCAT made comments on them.
2. Since there seemed to be no objection to this idea on that occasion, I would like to report the activities of the CCSBT.
3. The Scientific Committee Meeting was held from July 10 to 19 this year, in Shimizu, Japan. At the meeting, stock assessment was made on southern bluefin tuna by scientists from three countries, namely, Australia, New Zealand and Japan. The result was that the scientist from Japan and the scientists from Australia and New Zealand had such different views about the stock status and the prospects for recovery that they couldn't produce an agreed conclusion on current or projected stock status. The differences of view arose from a range of factors, including the insufficiency of data coverage on areas and seasons fished in recent years, the incomplete data set from 1994, different interpretations of CPUE, and different approaches to VPA models.
4. The 2nd CCSBT Annual Meeting was held in Tokyo from September 12 to 15. In addition to the Contracting Parties, observers attended from the Republic of Korea, Indonesia, Taiwan, ITPP, CCAMLR represented by Australia, ICCAT and IATTC represented by Japan. Japan proposed to increase the TAC by 6,000 metric tons to solve the issue of data deficit. However, Australia and New Zealand did not agree to it because they did not want to allow for TAC increases when, in their view, there is considerable uncertainty over stock status and such an increase may jeopardize prospects for recovery. As a result, there was no agreement on a TAC for the 1995-96 fishing season at the 2nd Commission Meeting. However, in an effort to address the uncertainties in the assessment, the Commission agreed to a number of measures which included: holding a modelling workshop; improving the timeliness of the provision of material for the scientific committee meeting; a management strategy workshop; and continued collaborative research in areas such as direct ageing and fishery independent measures of recruitment.
5. Since the TAC and its allocations among Parties were not decided at the annual meeting, a Special Commission Meeting was held in Canberra from October 3 to 6. During the meeting, Japan proposed that a special research quota be established outside of the TAC instead of a TAC increase, but New Zealand and Australia maintained their positions from the second Commission meeting. As a result, no agreement was reached again. Accordingly, decisions on TAC, its allocations among Parties and the special research quota were deferred and the Special Meeting was adjourned. Given this situation, the CCSBT decided that until January 31 next year each Party would be able to set its interim national catch on its own decision, which should be no more than the national quota allocation determined for it by the first Commission Meeting. It is expected that agreement on TAC and other measures will be reached by that date.
6. The CCSBT will make utmost efforts to settle these issues as soon as possible. When conservation and management measures such as TAC are decided, the CCSBT will notify ICCAT of its decision without delay.

*ANNEX 5-5***SCRS CHAIRMAN'S NOTE TO THE COMMISSION
ON SCRS MANAGEMENT RECOMMENDATIONS**

1) The SCRS regrets to note that the management recommendations of the SCRS, for several stocks, have repeatedly not been accepted by the Commission in a manner which would effectively secure the recovery of the stocks. Furthermore, some of the management measures previously adopted by the Commission have never been observed.

2) The SCRS is gravely concerned that failure to adopt, in a timely manner, its management recommendations will incur more painful sacrifices in the near future.

3) A precautionary approach should be taken, which accounts for uncertainty, not only when carrying out stock assessments, but also in management decision-making by the Commission.

4) Furthermore, I want to remind the Commission that MSY is the management objective of ICCAT, but it should be considered as an upper limit not to be exceeded.

5) On behalf of the SCRS, I would like to urge the Commission to place more emphasis on the conservation of the stocks as recommended by the SCRS.

ANNEX 6

REPORTS OF SUBSIDIARY BODIES

- ANNEX 6-1** **Report of the Infractions Committee**
Appendices 1 to 3

- ANNEX 6-2** **Report of the First Meeting of the ICCAT Working Group on**
Vessel Monitoring
Appendices 1 to 3

- ANNEX 6-3** **Reports of Panels 1 - 4**
Appendices 1 to 13

- ANNEX 6-4** **Report of the Standing Committee on Finance & Administration**
(STACFAD)
Tables 1 to 4
Appendices 1 to 3

- ANNEX 6-5** **Report of the Fourth Meeting of the Permanent Working Group**
for the Improvement of ICCAT Statistics & Conservation
Measures (PWG)
Appendices 1 to 8

ANNEX 6-1

REPORT OF THE MEETING OF THE INFRACTIONS COMMITTEE**1. Opening of the Meeting**

1.1 The meeting was opened by the Chairman of the Committee, Mr. A. J. Penney of South Africa, who presented an introductory statement on the history and role of the Infractions Committee (COM/95/29). The Chairman noted that, while the purpose of the Infractions Committee was to oversee the compliance with ICCAT recommendations, a review of the history of the Committee showed disappointing results. Frequently, when problems in the implementation of ICCAT recommendations have been presented to the Committee, the Committee's jurisdiction to address these problems has been questioned. In addition, it has not been clearly defined whether the Infractions Committee should deal only with the activities of Contracting Parties, or also Non-Contracting Parties. In practice problems related to Non-Contracting Parties have been discussed by the new Permanent Working Group on Research and Statistics. As a result, although the Infractions Committee was established to oversee compliance with ICCAT recommendations, it has not been effective at doing so. The Chairman hoped that this meeting of the Committee would develop a clear vision of the future role of the Infractions Committee within ICCAT.

2. Adoption of Agenda

2.1 In order to accommodate the consideration of a proposal by Canada for an at-sea inspection program, the Chairman recommended that Item 6 be designated "Inspection Schemes", and divided into (a) ICCAT Port Inspection Scheme and (b) Other Inspection Schemes. The Canadian proposal would then be considered under item 6.b. This change was agreed to and the revised Agenda as adopted (attached as Appendix 1 to Annex 6-1).

3. Election of Rapporteur

3.1 Ms. J. Flemma of the United States offered to serve as rapporteur for the meeting.

4. Status of the Application of the Regulations Recommended by the Commission on Yellowfin, Bigeye, Bluefin, and Swordfish

4.1 The Executive Secretary presented document COM/95/26, which contained a summary of all the Recommendations and Resolutions adopted by ICCAT for albacore yellowfin, bigeye, bluefin, and swordfish and tables on the status of their application by member countries. The Executive Secretary presented this document and asked all Contracting Parties to provide formal notifications of their implementation of the regulatory measures of the Commission in order to update the report.

4.2 The Chairman commended the Executive Secretary on the improvement in the format of the document and noted that many member countries were not submitting notifications of the implementation of management measures to the Commission. The Delegate of the U.S.A. also expressed their appreciation of the work of the Secretariat on the document. He noted that all management recommendations of the Commission that applied to the U.S.A. had been implemented and undertook to provide information on the implementation of such measures. The Delegate of Korea informed the Committee that Korea had implemented the statistical document for the importation of frozen bluefin on September 1, 1993 and for the importation of fresh bluefin on June 1, 1994. In addition, he noted that Korea had introduced domestic measures in 1995 to prohibit the fishing for bluefin by longline vessels in the Mediterranean during the months of June and July. This prohibition will be in effect for Korean vessels in 1996. He also undertook to provide formal notification of the adoption of these measures to the Secretariat. The Delegate of Portugal indicated that the EU has approved a regulation to implement the bluefin statistical document, effective July 1, 1995. She would try to get formal notification for all EU member countries as soon as possible.

4.3 The Delegate of Canada assured the members of the Committee that all management measures of the Commission that apply to Canada have been implemented by his country. He will ensure that formal notification of this fact is provided to the Secretariat in a more direct manner instead of simply in an appendix to their National Report.

4.4 The Chairman noted that this raised the issue of whether a formal notification of the adoption of management measures should be the only method of notification to the Secretariat or whether some other method, such as a more structured National Report, may also be appropriate. The delegate of the U.S.A. commented that in the future, countries may want to provide formal notification of implementation in their National Reports within formal guidelines set by the Commission.

5. Guidelines for National Reports to the Infractions Committee on the Implementation of ICCAT Conservation Measures

5.1 The Chairman noted that the need for National Reports containing information on all aspects of implementation and monitoring of ICCAT management measures had been agreed to in 1993. The Chairman had proposed draft guidelines in his report to the Committee in 1993, although these had not yet been developed into formal requirements. After discussion in 1994, it was agreed that member countries should submit a single national report annually to ICCAT for use by all ICCAT committees, adhering to the guidelines put forward by the Chairman (details of these guidelines can be found in document COM/95/29). However, it was noted that National Reports still differed substantially in content, detail and structure.

5.2 Discussion of the guidelines for the National Report focused on two issues: (1) Should the National Report contain both research and statistics as well as the steps taken to implement management measures; and (2) Could the information included in the National Report regarding the steps taken by member countries to implement management measures be considered formal notification to the Secretariat of such actions for the purposes of the Status of Implementation tables compiled by the Secretariat. The Assistant Executive Secretary explained that the information contained in the National Reports had, with the inclusion of information on implementation of management measures, surpassed the needs of the SCRS and created some problems with copying such extensive reports for both the SCRS and Commission meetings. In response the Chairman asked whether separate scientific and management National Reports should instead be submitted.

5.3 The Delegate of France noted that the Status of Implementation tables are based only on formal notification of adoption of the measures by the member countries, but in some cases countries had not yet implemented the measures due to practical problems. The Chairman asked whether the Status of Implementation tables could also list steps have been taken to implement management measures, as described in National Reports, in addition to the actual formal notifications. The Assistant Executive Secretary noted that, for the purposes of scientific analysis, it was important to be able to distinguish when regulations become effective for each country.

5.4 The Delegate of Canada suggested that if member countries have not formally objected to a management recommendation, they are bound to implement it. He asked whether the Status of Implementation tables were necessary. The Delegate of Spain noted that the dates of implementation is practical information that the Committee needs at its disposal for analyses and management decisions. The Delegate of Spain also suggested that the National Reports be divided in such a way that only the needed information would be supplied to SCRS and that all information could be supplied to the Commission. The Delegate of the U.S. agreed that the dates of implementation are useful and that some separation of the information in the report could be beneficial. The Delegate of Japan agreed that the separation of information in the national reports was appropriate and agreed with Canada about the Status of Implementation tables.

5.5 The Chairman suggested that more formalized guidelines for the National reports could address both the problems being discussed. He suggested that the reports could be more structured, to ensure that all relevant management information is included, and that information included in the National Reports could be used by the Secretariat for the purposes of updating the Status of Implementation tables. The Delegate of Spain agreed that the National Reports should be standardized but expressed reservation that the reports would be used as a substitute for formal notification. Brazil suggested that the Status of Implementation Tables should only list those countries that are subject to the management measure in question. The Assistant Executive Secretary agreed with the Chairman's proposal, stating that if the National Reports are standardized and well formatted, the information could be abstracted for the Status of Implementation tables. It would also make it easier to separate the information needed by the SCRS from the comprehensive National Report.

5.6 After discussion, the Chairman suggested that the Committee consider his proposal that countries should continue to submit one national report based on draft formal guidelines which he offered to draft. The report will have three sections: (1) Description of the statistical data systems used by the country, including catch and effort summaries; (2) A summary of steps taken to implement management measure of ICCAT, that could serve as formal notification to the Executive Secretary for the purposes of the Status of Implementation tables; and (3) A summary of inspection activity under the Port Inspection Scheme and any other domestic inspection programs. Additional appendices could then be used to provide detailed information on catch, effort and size-frequency information, domestic legislation implemented to comply with ICCAT management recommendations and inspections conducted. In this manner, the Secretariat could copy for the SCRS only the sections of the reports that were necessary for its work, and could supply the whole report for the Commission meetings. The Committee agreed to consider this proposal and the report guidelines.

5.7 The "Proposed Required Format for Annual National Reports to be Submitted to ICCAT" was presented by the Chairman. The guidelines in the proposal would formalize the requirements for the format of National Reports, and Contracting Parties would be expected to follow the format. Sections of the National Report would not be compulsory in the sense that if a nation did not have information to provide on a particular section of the report they would not be required to report on that particular section. The reports would be divided into sections in order to facilitate the dissemination of information as was envisaged in the above discussion. Information provided in the National Report would also be considered to be formal notification to the Secretariat with respect to the Port Inspection Scheme and the implementation of ICCAT management recommendations.

5.8 After presentation of the proposed format, the Chairman asked whether the Committee would forward to guidelines for National Reports to the Commission for its consideration and adoption. After much discussion of the proposed format and several suggestions for minor changes to the document, the Chairman agreed to revise the document for final adoption by the Committee at its next session, so that it then could be forwarded to the Commission for adoption.

5.9 After introducing some minor changes to the document, the "Format for Annual National Reports to be Submitted to ICCAT" were approved by the Committee and recommended to the Commission for final adoption (attached as Annex 4-14).

6. Inspection Schemes

a) ICCAT Port Inspection Scheme

6.1 The Executive Secretary presented document COM/95/27, which provided background information on the implementation of the Port Inspection Scheme, the form to be used for inspection, and a list of inspectors and correspondents named by each country. He noted that ten countries had formally accepted the Scheme and that Angola and Uruguay had indicated their intention to participate in the Scheme by designating inspectors. Venezuela was the only country to have accepted the scheme since the 1994 Commission meeting. Since the last meeting of the Infractions Committee in 1994, only one inspection report had been submitted to the Secretariat, by South Africa, and no infractions had been reported.

6.2 The Chairman commented that the Port Inspection Scheme had been implemented with good objectives but had not yet provided real practical results. He noted that some countries had implemented domestic inspection schemes that were more effective, but were not conducted under the auspices of the ICCAT Port Inspection Scheme. He reminded the Committee that he had asked in 1994 whether the scheme should be abandoned, and whether the Committee should rather rely on information from such domestic schemes. He noted that, at the time, there has been consensus that the Port Inspection should continue, and should be strengthened.

6.3 The Delegate of Spain noted that their information on port inspections was included in their national reports. He believed the Scheme should be maintained and that all nations should participate. The Chairman noted that the proposed formal National Report guidelines would include a specific section for reporting of inspection scheme results. Other countries also expressed continued support for the Port Inspection Scheme, and it was again agreed that the scheme should continue to function, and that participating countries should make an effort to report results under this scheme in their annual national reports.

b) Other Inspection Schemes

6.4 The Chairman noted that Canada had circulated a proposal for an ICCAT at-sea inspection program. He noted that this proposal was detailed and complex, and suggested that member countries be given time to digest the proposal before detailed discussion thereof is conducted. He therefore requested Canada to initially summarize the objectives and basic structure of their proposal. The Delegate of Canada explained that ICCAT had already made provision for an at-sea inspection scheme, described in the ICCAT Basic Texts, that had been agreed to in 1976, but which had not yet been implemented. He indicated that Canada believed that it was time for ICCAT to have an at-sea inspection scheme as a tool to ensure compliance with the recommendations of the Commission. Given the highly migratory nature of the stocks, Canada believed all ICCAT nations have a responsibility to ensure that the Commission's measures are enforced. A joint, at-sea inspection program would assist with those efforts. He also noted that the recent U.N. Conference on Highly Migratory Fish Stocks had adopted a draft agreement in August (which would be open for signature on December 4, 1995) endorsing international cooperation in enforcement, and specifically at-sea inspection (Articles 20-22 of the Agreement, which can be found in document COM-SCRS/95/17). The proposal put forward by Canada was based upon the original ICCAT scheme and elements of the at-sea inspection scheme adopted by the Northwest Atlantic Fisheries Organization (NAFO), with which many of the Committee members are familiar. The proposal by Canada for an ICCAT Scheme on International Inspection is attached as Appendix 2 to Annex 6-1.

6.5 The Chairman noted that, until countries had an opportunity to thoroughly review the Canadian proposal, a detailed discussion should be postponed. He did however, open the floor for discussion of the general concept proposed by Canada and asked whether such a scheme should be a separate inspection scheme or somehow incorporated into the existing Port Inspection Scheme.

6.6 The Delegates of Spain and France requested that the original ICCAT at-sea inspection scheme be reviewed to determine if it was adequate as originally designed. The Delegate of France expressed concern at potential problems with the premature integration of this Scheme with the requirements of the new U.N. agreement on straddling stocks because it had not yet been signed by participants and so, technically, had not yet entered into force. The Delegate of Japan recalled that an at-sea inspection scheme was adopted by ICCAT in 1975, but that ICCAT at that time also decided that it was premature to implement the scheme. He also stated that Japan did not object to discussing what would be a most effective and practical enforcement scheme for ICCAT, but it was also concerned about trying to bring ICCAT into line with the new U.N. agreement before it has entered into force and before ICCAT has reviewed all the provisions of the Agreement to determine how they will apply to the ICCAT Convention and the Commission's activities. Japan foresees difficulties with the establishment of a single, uniform inspection system worldwide and notes that the U.N. agreement provides the flexibility necessary to develop an effective alternative to at-sea inspection schemes to suit particular circumstances. The Delegate of Spain agreed with the comments of France and Japan. Portugal asked whether there are other options to provide better control than an at-sea inspection scheme.

6.7 After opportunity for a review of the proposed Canadian at-sea inspection scheme, debate on the proposal continued. Many delegations expressed the view that debate on the particular proposal was premature for several reasons. ICCAT had already made provision for an at-sea inspection scheme in the "Basic Texts". It should first be determined if such a scheme should now be implemented. If this is considered to be necessary, then it must be determined whether the existing scheme is sufficient or a new scheme, such as the one proposed by Canada, is more appropriate. Second, at-sea inspection requirements are a provision of the new U.N. Agreement. Many felt that the evaluation of the need for this proposal should be conducted within the overall evaluation by ICCAT of the requirements of the U.N. Agreement.

6.8 The Delegate of Canada explained that they did not expect their proposal to be adopted at this meeting, but had sought to begin a dialogue on this issue. He mentioned a proposal by the U.S.A. that was expected to request ICCAT to conduct a review of the U.N. proposal and its implications for new requirements at ICCAT. He felt that this proposal could be discussed within that forum. The Chairman asked whether Committee wished to request the PWG to look at this within their review of the U.N. Agreement, but it was noted that the U.S. proposal for such an evaluation by the PWG had not yet been approved. On this occasion, the Spanish Delegation reiterated its previously stated position on the U.N. Agreement in general. The Chairman did not want this initiative to be lost by the Infractions Committee, and he proposed that the members of the Infractions Committee with an interest in this issue should investigate the merits of an at-sea inspection scheme, the existing ICCAT scheme and any other relevant proposals over the next year in order to allow a more substantial debate on the issue at the next meeting of the Infractions Committee. This proposal was accepted by the Committee.

7. New Name and Mandate of the Committee

7.1 The Chairman presented for discussion a proposal entitled "Proposed Mandate and Terms of Reference of the ICCAT Compliance Committee". He explained that the purpose of the proposal was to formalize the guideline objectives suggested for the Infractions Committee in 1994, with inclusion of the specific terms of reference suggested in the proposal circulated by Canada, Japan and the United States.

7.2 The Delegate of the United States thanked the Chairman for the proposal and noted that if ICCAT was intent upon becoming more effective as an international conservation and management body, compliance by Contracting Parties and meaningful action by the Infractions Committee will be important. In that regard, the proposed terms of reference and mandate for the Committee would be valuable in that effort.

7.3 The Chairman then suggested that his proposal be considered paragraph by paragraph for editorial suggestions and adoption, and that suggested changes in wording be incorporated directly. Some sections prompted more substantive discussion. With respect to paragraph 2.3, the Delegate of France expressed concern about possible duplication of effort with other committees or working groups. The Delegate of France agreed that cooperation between the Committee and other ICCAT subsidiary bodies was important. However he noted that the terms of reference of ICCAT subsidiary bodies created in future should not duplicate those of the Infractions Committee. The Committee then proposed that the Commission be requested to ensure that the terms of reference of future subsidiary bodies not duplicate those of the Infractions Committee.

7.4 With respect to paragraph 3.1.5, the Delegate of Spain noted that there were already ICCAT inspection and enforcement schemes in existence. The Committee would therefore not only be concerned with the development of new inspection schemes, but should also first review existing schemes. The Delegate of Japan also requested that it be noted that such new schemes should only be developed where necessary. These suggestions were adopted.

7.5 After final re-wording suggestions were accepted by the Committee, the proposed "Mandate and Terms of Reference for the ICCAT Conservation and Management Measures Compliance Committee" were adopted (attached as Annex 4-15).

8. Date and Place of the Next Meeting of the Committee

8.1 The Committee agreed to meet at the same time and place as the next Commission meeting.

9. Other Matters

9.1 No other matters were discussed.

10. Election of Committee Chairman

10.1 Several delegations expressed their congratulations and appreciation to Mr. Penney, the outgoing Chairman for his dedication and the efficient work carried out by him during his tenure.

10.2 Upon the nomination of Japan, which was seconded by the U.S., the Delegate of France, Mr. P. Peronne, was unanimously elected Chairman of the Compliance Committee.

11. Adoption of Report

11.1 The 1995 Report of the Infractions Committee was adopted.

12. Adjournment

12.1 At the time of adjournment, Mr. Penney thanked the Committee for their collaboration during his term in office and wished the new Chairman much success. The 1995 meeting of the Infractions Committee was adjourned.

Appendix 1 to Annex 6-1

INFRACTIONS COMMITTEE AGENDA

1. Opening of the meeting
2. Adoption of Agenda
3. Nomination of Rapporteur
4. Status of the application of the regulations recommended by the Commission on yellowfin, bigeye, bluefin, albacore and swordfish. Questions resulting from the SCRS Report
5. Guidelines for national reports to the Infractions Committee on the implementation of ICCAT conservation measures
6. Inspection Schemes:
 - a) ICCAT Port Inspection Scheme
 - b) Other Inspection Schemes
7. New name and mandate of the Committee
8. Date and place of the next meeting of the Committee
9. Other matters
10. Election of Committee Chairman
11. Adoption of Report
12. Adjournment

Appendix 2 to Annex 6-1

PROPOSAL BY CANADA FOR AN ICCAT SCHEME OF INTERNATIONAL INSPECTION

General

1. Control shall be carried out by inspectors of the fishery control services of Contracting Parties. The names of the inspectors appointed for that purpose by their respective governments shall be notified to the Commission.
2. Ships carrying inspectors shall fly a special flag or pennant approved by the Commission to indicate that the inspector is carrying out international inspection duties. The names of the ships so used, which may be either special inspection vessels or fishing vessels, shall be notified to the Commission, as soon as may be practical each year.
3. In the case of mutual agreement between the respective Contracting Parties, inspectors assigned by one Party may be placed on board the inspection vessels of another Party assigned to the Scheme.

Duties/Obligations of inspectors/inspection parties

4. Each inspector shall carry a document of identity supplied by the authorities of the flag state in a form approved by the Commission and given him/her on appointment stating that he/she has authority to act under arrangements approved by the Commission.

5. An inspection party shall normally consist of two inspectors assigned to the scheme. Occasionally an inspector trainee may accompany the inspection party.
6. The use of arms in relation to the inspections is prohibited and, in particular, the inspectors shall not carry arms. Notwithstanding the provisions of this section, the principle of not carrying or using arms shall not be deemed to limit the performance of inspections by a Contracting Party of vessels flying its own flag.
7. Inspections shall be made so that the vessel, its activities and catch suffer the minimum interference and inconvenience.
8. The duration of an inspection shall not exceed three hours, or until the gear is hauled in and the gear and catch inspected, whichever is longer, but this time limitation shall not apply in the case of an apparent infringement.
9. In the case of a difference between the recorded catches and the estimates of the inspector of the catch on board the vessel, the inspector may re-check calculations, procedures, the relevant documentation used to determine the catch summaries from the Convention Area and the catch on board the vessel; the inspector shall then leave the vessel within one hour following the completion of the original inspection.
10. An inspector shall limit his/her inquiries to the ascertainment of the facts in relation to the observance of those Commission's measures to which the Contracting Party for the inspected vessel has not objected in accordance with Article VIII of the Convention. The inspection shall be carried out using the report of inspection prescribed in Annex ___.
11. An inspector has the authority to examine catch and any fishing gear or any relevant documentation which the inspector deems necessary to verify the observance of the Commission's measures.
12. Inspectors shall summarize from logbook records, for the current voyage, the vessel's catch in the Convention Area by species and by area based on those specific areas that the Commission's measures apply and shall record this summary on the inspection form.
13. In making his/her examination, the inspector may ask the master for any required assistance.
14. On boarding the vessel an inspector shall produce the document described in (4) above. Inspections shall be made so that the vessel suffers the minimum interference and inconvenience and that degradation of the quality of the fish be avoided. An inspector shall limit his/her enquiries to the ascertainment of the fact in relation to the observance of the Commission's recommendations in force in relation to the flag state of the vessel concerned. In making his/her examination an inspector may ask the master for any assistance he/she may require. He/she shall draw up a report of his/her inspection in a form approved by the Commission. He/she shall sign the report in the presence of the master of the vessel who shall be entitled to add or have added to the report any observations which he may think suitable and must sign such observations. Copies of the report shall be given to the master of the vessel and to the inspector's government who shall transmit copies to the appropriate authorities of the flag state of the vessel and to the Commission. Where any infringement of the recommendations is discovered the inspector should, where possible, also inform the competent authorities of the flag state, as notified to the Commission, and any inspection ship of the flag state known to be in the vicinity.
15. Inspectors shall carry out their duties under these arrangements in accordance with the rules set out in this recommendation but they shall remain under the operational control of their national authorities and shall be responsible to them.
16. The inspector shall affix an identification mark approved by the Commission to any fishing gear inspected which appears to be in contravention of any of the Commission's recommendations in force in relation to the flag state of the vessel concerned and shall record this fact in his/her report.
17. The inspector may photograph the gear in such a way as to reveal those features which in his/her 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.

18. The inspector shall have authority to examine the characteristics of catches, to establish whether the Commission's recommendations are being complied with. He shall report his findings to the authorities of the flag state of the inspected vessel as soon as possible.

(i) The fishing gear shall be inspected in accordance with the regulations in force for the subarea in which the inspection takes place. The inspector will state the nature of the violation in his report.

(ii) Inspectors shall have the authority to inspect all fishing gear in use or any fishing gear on deck ready for use.

Obligations of Vessel Masters

19. The master of a vessel to which the scheme applies shall facilitate boarding when given the appropriate signal in the International Code of Signals by a vessel carrying an inspector.

20. The master of the vessel shall permit the inspection party to board it. The vessel to be boarded shall not be required to stop or manoeuvre when conducting actual fishing operations but shall stop or slow down in order to facilitate boarding as soon as feasible.

21. For vessels longer than 30 meters the master shall provide a boarding ladder constructed and used as described in Annex ___.

22. The master shall facilitate the work of the inspector, including but not limited to complying with requests by an inspector to haul in fishing gear in use and to provide access to the vessel and the vessel's fishing gear, catch and relevant documents.

23. The master shall enable the inspector to make such examination of catch or gear and any relevant documents as the inspector deems necessary to verify the observance of the Commission's recommendations in force in relation to the flag state of the vessel concerned and the inspector may ask for any explanations that he/she deems necessary.

24. 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 direction.

Obligations of Contracting Parties

25. 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 or enforcement officials. 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, legal or other proceedings arising from a report of an inspector under these arrangements.

26. Contracting Governments shall inform the Commission by the end of March each year of their provisional plans for participation in these arrangements 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.

27. The arrangements set out in this recommendation and the plans for participation shall apply between Contracting Governments unless otherwise agreed between them; and such agreement shall be notified to the Commission.

28. Appropriate authorities of each Contracting Party shall report to the Executive Secretary by March 1 each year for the previous calendar year.

- (i) the number of inspections conducted by it under the Scheme specifying the number of inspections on the vessels of each Contracting Party and, in the case of apparent infringements, the date and position of the inspection of the named vessel and the nature of the apparent infringement;
 - (ii) the disposition of apparent infringements notified to it by a Contracting Party. The apparent infringements shall continue to be listed on each subsequent report until the action is concluded under the laws of the Flag State;
29. The report in 66 (ii) above shall indicate the current status of the case (i.e. case pending, under appeal, still under investigation, etc) and any penalties imposed shall be described in specific terms (i.e. level of fines, value of forfeited fish and/or gear, written warning given, etc) and shall include an explanation if no action has been taken.

**REPORT OF THE FIRST MEETING OF THE
ICCAT WORKING GROUP ON VESSEL MONITORING**
(Seattle, Washington, U.S.A. - May 17 & 18, 1995)

1. Opening of the Meeting

1.1 The First Meeting of the ICCAT Working Group on Vessel Monitoring was opened by Mr. R. Stone of the United States. He welcomed the representatives of each country to the first meeting of the ICCAT Working Group on Vessel Monitoring and thanked them for their attendance.

2. Election of Chairman

2.1 Nominations were requested for the election of the chairman. Canada nominated Mr. Stone as Chairman, Portugal seconded, and Japan concurred. Mr. Stone accepted the chairmanship.

3. Election of Rapporteur

3.1 The United States offered Ms. K. Blankenbeker to act as rapporteur. At that time, it was noted that, due to financial constraints, no one from the ICCAT Secretariat would be attending the meeting. Several countries expressed their deep disappointment at this. It was agreed that the report of the meeting would be forwarded to the Secretariat in Madrid for translation, distribution, and collection of final comments.

3.2 The Chairman asked for introductions from each delegation. The Contracting Parties represented at this meeting included Canada, Japan, the Republic of Korea, Morocco, Portugal, Spain, and the United States. Observers included Taiwan and special invited guests the Western Pacific Fisheries Management Council (WPFMC) and Australia. A list of participants is provided in Appendix 2 to Annex 6-2.

4. Adoption of Agenda

4.1 The Chairman then asked if there were comments on the Agenda. As there were none, the Agenda was adopted, and is attached as Appendix 1 to Annex 6-2.

4.2 However, at this point, Japan questioned the appropriateness of Australia's participation given that the terms of reference of the Working Group indicate that the only non-Contracting Parties mentioned in the ICCAT Resolution establishing the Working Group were those that fish in the Convention Area. The ICCAT Resolution is attached as Appendix 3 to Annex 6-2.

4.3 The Chairman explained that since this is the first meeting of the Working Group, Australia's attendance as a special invited guest was appropriate because of its expertise in the area of vessel monitoring, and he pointed out that the WPFMC faced similar vessel monitoring system issues regarding tunas and other highly migratory species management. Japan stated that it would prefer formal communication between the meeting host and the Secretariat to get such matters approved in the future. The Chairman indicated that he understood this request, but noted that there was no clear guidance on where the Working Group fit into the ICCAT scheme. He explained the U.S. view that the Working Group on Vessel Monitoring should report to the Permanent Working Group (PWG) and that the PWG Chairman agreed that inviting Australia and WPFMC was appropriate. Chairman Stone then stated that further discussion of the disposition of the Working Group should be made under Agenda Item 10, Other Matters.

5. Current status of development and implementation of vessel tracking & catch reporting systems in each participating party

5.1 Discussion ensued on the current status of the development and implementation of vessel tracking and catch reporting systems in each of the countries represented at the meeting.

a) Japan

5.a.2 Japan provided information on its vessel monitoring system. It was explained that equipment had been placed on longline vessels in 1992 as a trial. The system was used not only for monitoring but also for communication purposes and had no range limit. The equipment used was an Inmarsat A Global Positioning System (GPS) combination to allow for the transmission of latitude and longitude information to be automatically provided four times per day as well as catch statistics which are provided once per day. Currently, Japan is also developing the use of Inmarsat C technology. The Japanese have found operation costs to be quite low, and have acquired Japanese language input software that splits catch data by type, weight, and number of tuna. Japan noted that this software lessened the reporting burden placed on Japanese fishermen. A more detailed summary of Japan's presentation is attached as Appendix 4*.

5.a.3 The United States asked how Japan could synchronize the input data with the position data if position data is stored four times per day and catch reporting only occurs once. The Chairman then noted that Japanese fishermen only make one set per day and therefore only report one time per day. The United States then asked if the program Japan described was operational, and it was stated that 71 vessels currently have vessel monitoring systems in the Atlantic and use Inmarsat A. Taiwan then asked if the catch data is automatically reported with the fisherman only inputting the quantity. Japan said this was true and that the system was flexible in that Japanese characters can be replaced with any other characters (e.g. Hankul alphabet)

5.a.4 Australia verified that Japanese vessels transferred raw data only. It then suggested that the Inmarsat A positioning system could be tampered with because it uses a separate PC with integrated GPS. The GPS information is stored in a file that could be accessible to a "hacker". Australia explained that Inmarsat C is more secure because it has internal processing.

5.a.5 Japan explained that in the Japanese system in order to prevent tampering with position data, GPS is directly connected to a PC and both GPS and PC are installed in the same rigid box. Japan noted that computer hackers could be a problem in either Inmarsat A or C if the person had great technical knowledge.

5.a.6 The United States asked Japan to clarify its vessel positioning information gathering process. Japan explained that its government chooses the frequency interval used to record position. In addition, the Government can phone or send a facsimile to the vessel immediately if necessary to avoid problems. It was further explained that frequent polling was not necessary given the type of fishing these vessels do (i.e., one set per day). After a final U.S. intervention, it was clarified that the GPS position information was stored in a personal computer every two hours and that one time per day this information was transmitted to Inmarsat A and then to the flag state.

5.a.7 The Japanese delegation included members of the Japanese tuna industry. They had specific concerns that they felt should be taken into account when discussing vessel monitoring systems with regard to ICCAT. First, the burden of such a system would fall on industry and thus its success or failure was dependent on industry acceptance. Industry indicated that it understood that vessel monitoring systems can offer better resource management and more effective and sustainable use of resources. Further, industry stated its willingness to cooperate in the development of a system, but noted that there should be some basic principles: (1) any system should be in the interest of the commercial fishing industry and should not hinder the economic activity of vessels, (2) the minimum cost principle should be insured, with costs and benefits clearly shown to industry, (3) any system should ensure fairness and equity; therefore, if vessel monitoring technology becomes required by ICCAT, use should be mandatory for all of the vessels concerned (Contracting and non-Contracting Parties) fishing in the Convention Area, with the timing of implementation coinciding for all countries, (4) real-time data acquired through vessel monitoring systems should be promptly processed and fed back to Management in order to get real-time stock assessments and stock management, and (5) confidentiality should be assured.

* In view of the volume and nature of Appendices 4 to 12 to this Report, these are not attached herewith. The Commission agreed at its 1995 Meeting that these be kept at the Secretariat and be made available for consultation upon request by the Contracting Parties' Commissioners.

5.a.8 Japan noted that cost savings played a role in its consideration of the introduction of vessel monitoring systems. The hardware and software suitable for using Inmarsat A was less expensive and almost all vessels operating in the Atlantic already used Inmarsat A; thus, the initial cost to pelagic longline fishermen was reduced. In addition, Inmarsat A was multi-functional, offering a telephone and facsimile function for vessels.

5.a.9 The United States asked Japan what type of cost/benefit analysis it had done when deciding which system to use. Japan noted that it had looked at Inmarsat A and C and at Argos and had determined that Inmarsat A was the most cost effective. Japan also noted that a few Japanese vessels were now equipped with Inmarsat C, but primarily because of multi-function features of Inmarsat C still remained small.

b) Spain

5.b.10 Spain explained that the European Union (EU) adopted, in 1993, a fisheries control regime requiring the use of satellites to monitor position. All Member States were charged to develop pilot programs using specific requirements as set out by the EU. By January 1, 1996, the EU will decide whether a continuous satellite positioning system should be installed on Community vessels. A status review of the EU requirements and the Commission Regulation establishing the pilot projects can be found in Appendix 5.

5.b.11 The basic requirements for the experimental projects include: (1) providing accurate and continuous position information, (2) providing automatic transmission of vessel position with date and time once an hour to the flag state, (3) collecting and compiling data regarding its vessels by the flag state, and (4) automatic communication by the flag state of information on its vessels to the Member State in whose waters its vessels are fishing.

5.b.12 Spain explained that its vessel monitoring system will be applied to 124 vessels in order to analyze the cost and functionality of the different vessel monitoring systems, to study the cost effectiveness of the application of a continuous satellite monitoring system, and to analyze the counterbalance between the need for real-time data reporting and confidentiality. It was also explained that, after weighing the advantages and disadvantages of each system, Spain chose to test the Inmarsat C system and the Euteltracs system, both of which provide positioning and communication functions.

5.b.13 Spain explained that each vessel in its pilot project has been equipped with a "blue box." The blue box is a tamper resistant, durable metal container that encloses all the important components of the vessel monitoring system, except the antenna. Any unauthorized opening of the box is recorded by an internal memory and a message is sent automatically to the Control Center. The blue box also is equipped with a battery back-up so that it will work in the event of a power failure. The box has three external buttons: a green button signals that fishing has commenced, a blue button signals when fishing has terminated, and a red button signals an emergency situation.

5.b.14 The Inmarsat C/GPS blue boxes also contain a multi-function control unit that has the capability to: (1) transmit routine messages such as vessel speed and direction automatically, (2) store data regarding the EEZs of other countries as well as the boundaries of various Convention Areas, which means that the box always "knows" where it is and will transmit that information to the Control Center automatically if the vessel changes areas/zones, (3) record positions and retain that information in memory for download if necessary, and (4) provide information on system anomalies such as box or system tampering, power failure, or poor Inmarsat reception quality.

5.b.15 The Euteltracs blue boxes only transmit the necessary signals for calculating the ship's position. This calculation is carried out by a land-based receiving station in France. The Control Center in Madrid instructs the box automatically to increase the frequency of the transmissions as the vessel approaches a zone or other line for which the crossing needs to be known.

5.b.16 The Control Center in Madrid receives and compiles all information from the blue boxes. These data can be evaluated in many ways, and vessel positions and courses are plotted using the data. In addition, messages can be sent to the blue boxes from the Control Center (e.g., adjustments to the time interval of the vessel position transmission).

5.b.17 Spain made it clear that the pilot project was experimental and information from the program will be used to analyze such things as fishing patterns. Currently, Spain has put a vessel monitoring system on five vessels. It expects approximately 84 vessels to be covered by the Inmarsat C/GPS system and 40 vessels to be covered by the Euteltracs system eventually. This would include eight longline vessels fishing for swordfish in the Atlantic.

5.b.18 The delegate from Spain noted Spain's hope that the blue box could be made "intelligent." That is, Spain would prefer that the box send information only when that information is needed. This would reduce the number of transmissions and increase the confidentiality of the system since less information would be transmitted.

5.b.19 Spain noted several items that it considers are keys to an effective balance between the need for vessel control and the need to maintain confidentiality. These keys are: (1) ensuring the availability of position data of the nature to avoid "black holes" where an illegal activity could take place; (2) ensuring that access to data is on a "need to know" basis; (3) respecting the presumption of innocence of fishermen by limiting the transmitted data to periodical position information and inappropriate access to restricted areas; and (4) maintaining the ability to reprogram the system from land to establish real-time position information in order to improve the efficiency of possible aerial or sea-based inspections. A more detailed explanation of the Spanish vessel monitoring system has been included as Appendix 6.

5.b.20 After the presentation, the Spanish delegate read a message from Spain's ICCAT Commissioner R. Conde. In it, Conde stated that satellites could be useful instruments for inspection and control activities, but that they should not be seen as a panacea or a bureaucrat's toy. We must not apply, he noted, Manichean control criteria which would not only be unacceptable in any other economic activity, but also be insulting to industry. Finally, he noted that fishing does not need a "big brother."

5.b.21 The United States pointed out the need for real-time data reporting especially in cases where quotas exist. Data reporting for quota monitoring could be a management feature of a vessel monitoring system since electronic reporting saves time and thus the information on quota can be fed back to the fisherman rather quickly.

5.b.22 Spain pointed out that the EU's pilot projects included tracking systems only, not catch information. The delegate then re-stated Spain's view that location information should be provided only when essential, such as when a EEZ boundary is about to be crossed.

5.b.23 The United States asked Spain if it were considering the use of electronic logbooks, and the Spanish delegate replied that Spain was not considering it at this time but that Spain was not refusing to consider this method of reporting. He noted, however, that position information and catch reporting were two very different things. He stated that many vessels are already equipped with Inmarsat A or other good communication systems that permit the skipper to transmit catch information if it is considered necessary. But tracking systems must be operated automatically and without any intervention of the skipper. The United States asked who made the blue boxes used by Spain, and it was explained that the system was developed by the Spanish Administration with the help of private sector enterprises. Australia asked if the Trimble software was contained within the blue box, and Spain confirmed that it was.

c) Portugal

5.c.24 Portugal intervened regarding the mission of the Working Group on Vessel Monitoring. He stated his uncertainty as to where it was going. The Chairman replied that this question needed addressing with particular reference to ICCAT, but that the discussion should wait a bit. He made the general comment that the ultimate goal of the Working Group was to get ICCAT to work better.

5.c.25 The Portuguese delegate explained that his country was in a similar situation as Spain as both are members of the EU. The delegate explained that vessels measuring 15 meters in length or longer were covered by the vessel monitoring system. These included trawl or bottom gillnet vessels, licenses for which are given for area, fishing gear, or species. Licenses can be revoked if the blue box is tampered with. The blue box that is carried by each vessel contains the GPS interface, a processor, a recorder, and a transmitter that links up with Inmarsat C. Data on position, speed, and variance is collected and transmitted to the Control Center. The system has the following characteristics: (1) it has an uninterrupted power system that is good for 5 days; (2) it stores position data every 10 minutes and transmits it four times per day; (3) it can send emergency calls; and (4) the Control Center can request information on command. The Minister of the Sea and the Portuguese Air Force work together to document infractions. Portugal explained that the technical aspects of the system were essentially and functionally the same as those detailed in the Spanish presentation.

5.c.26 The United States asked if the Portuguese system was used only for tracking. It was confirmed that the satellite system was used for tracking and that vessel fishing logs were used for catch reporting. Portugal explained

that confidentiality concerns have kept the collection of position information separate from catch reporting information. Portugal also explained that the pilot project was used in vessels of continental Portugal, not of the Azores or Madeira.

5.c.27 The United States then asked whether the pilot project was fully implemented and, if so, how many vessels over 15 meters were affected and if any of these were vessels high seas vessels. The Portuguese delegate was unable to answer these questions as he did not have any statistics with him.

d) Canada

5.d.28 Before beginning his presentation, the Canadian delegate expressed his apologies that no technical personnel could attend from Canada, making Canada's contribution somewhat limited. He went on to explain that Canada was currently running a pilot project using 8 to 10 vessels of various sizes and in various fisheries. The delegate noted that Canadian decision makers had yet to be convinced that a vessel monitoring system was necessary domestically since Canada is not a distant water fishing nation and offshore trawlers go out for less than ten days.

5.d.29 The Canadian delegate then explained the pilot project being studied by the Northwest Atlantic Fisheries Organization (NAFO) for the control of groundfish fishing in international waters. He explained that the NAFO vessel monitoring system will provide position information but no catch reporting data. He noted that the NAFO pilot project was part of a package deal which will include other elements such as dockside inspection. NAFO members will be debating the benefit of including vessel monitoring systems as part of a bigger scheme at a meeting in Toronto, June 7-9, 1995.

e) Korea

5.e.30 Korea explained that it had used vessel monitoring systems in the regulation of its high seas driftnet squid fishery in the North Pacific (1989-92). However, Korea ceased fishing in this fishery after the 1993 U.N. Resolution on large-scale driftnet fishing. While in the squid fishery, Korea had 100 vessels equipped with a vessel monitoring system (Argos). Currently, Korea has no nationally managed vessel monitoring system in place.

5.e.31 However, Korea does have vessel monitoring systems that are operated by the coastal states within which Korean vessels fish. Eighteen (18) northern trawlers fishing within the Russian EEZ have been equipped with Inmarsat A or C, and 32 tuna purse seiners fishing in the western Pacific have been equipped with Inmarsat A. In addition, 38 tuna longliners fishing within the French Polynesian jurisdiction have been equipped with Argos in accordance with a bilateral fishery agreement between Korea and France. These programs provide position and catch information on a weekly basis. The three main objectives of these programs are to report: (1) when and where a vessel enters a jurisdiction; (2) the total weight of fish caught in the jurisdiction; and (3) when a vessel leaves the jurisdiction. Additional information on Korea's presentation is contained in Appendix 7.

f) Morocco

5.f.32 The Moroccan delegate explained that Morocco has no vessel monitoring system in place. However, it is working to implement a system. In 1992, Morocco tried to use the Argos system, but it was unsuccessful. A technical commission was set up to review the issue, and to date, 30 companies have submitted offers to establish a vessel monitoring system. The technical committee is still in the process of learning about the various vessel monitoring systems. The target fleet consists of all Moroccan boats and other vessels that fish in Morocco's EEZ. The vessels include a variety of sizes and are from a variety of countries. Morocco estimates that the vessel monitoring system it decides on will cover 100 to 200 EU vessels, 20 Japanese longline vessels, and 20 to 30 Russian pelagic trawlers. As a first step, Morocco wants to cover 30 vessels in its program. The minimum requirements of such a system would be that: (1) it be based on Inmarsat C/GPS using transmitters and terminals, with catch reporting taking place on a sample of vessels--not on all 300; (2) the position and catch data be very accurate; (3) confidentiality be respected at all levels; (4) the system have a battery back-up to assure an uninterrupted flow of information; (5) remote initialization be possible; and (6) it be equipped with automatic alarm signals.

g) *United states*

5.g.33 The United States began by listing its past and present uses of vessel monitoring systems. In the Pacific high seas driftnet fishery, Argos equipment was successfully used by approximately 800 vessels including Japanese, Taiwanese, and Korean vessels. The program was smooth running and gave position information to monitor compliance with area requirements. Further, a vessel monitoring system is being used in the western Pacific pelagic fishery, the northeast scallop and multi-species fisheries, and the Haeng Bok number 309, a Korean fishing vessel. The northeast scallop and multi-species fisheries occur within the U.S. EEZ, and regulations requiring vessel monitoring were published in March, 1994. Currently several systems are being tested for certification. The U.S. estimated that 500 vessels will be covered in these fisheries. In the case of Haeng Bok, foreign fishing vessels were discovered in the U.S. EEZ off Jarvis Island. In the settlement, Inmarsat C equipment was mandated to monitor fishing activity.

5.g.34 The benefits of vessel monitoring systems include increased compliance, enhanced enforcement effectiveness, increased vessel safety, dependable and confidential communication, enhanced catch reporting where appropriate, improved fleet management, maximized Individual Transferable Quota (ITQ) or Individual Fishery Quota (IFQ) monitoring, and enhanced global climate/environmental monitoring.

5.g.35 In April, 1994, the National Marine Fisheries Service (NMFS) published a final rule establishing national vessel monitoring system standards (Appendix 8). These standards are similar to those established by the parties to the Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea (Appendix 9). The U.S. standards include: (1) being tamper-proof; (2) being fully automated and operational regardless of weather; (3) providing positions accurately to within 400 meters; (4) covering the full range of fishing activities; and (5) allowing real-time position polling. The current available systems include Argos, Boatracs Eutelsat, Inmarsat, and Mobile Datacom. All systems, except Argos, can be equipped with a computer for two-way communication.

5.g.36 Use of vessel monitoring systems was considered by the West Pacific Fishery Management Council (WPFMC) around the Cook and Hawaiian Islands. The fishery encompasses one million square miles, and vessels take 300 to 2000 mile trips. In 1988, there were only 70 longline boats of 15-35 meters in length in the fishery; however, the number began to grow quickly. Because of competing recreational and commercial interests, certain areas were designated closed to longline activity in order to protect endangered species. This created a tense situation. In 1989, NMFS and WPFMC began a five-year study into vessel monitoring systems and began discussions with industry in the hopes of finding an effective way to monitor such a large area in the least cumbersome manner possible. The final choice of systems was the Inmarsat C/GPS combination. Currently, more than 80 vessels have active systems in this experimental program. More detailed information on U.S. development of vessel monitoring systems for the western Pacific can be found in Appendix 10, U.S. Federal Register Notices and WPFMC documents.

5.g.37 Industry voiced several fears during the vessel monitoring system review process. First, the cost of installing a system was going to be approximately \$6,000 per vessel. Second, the security of data was being questioned. Finally, about 20 percent of the fishermen were concerned about the "big brother" issue. The U.S. Government helped fund the purchase of the system hardware (which was put into place in early 1994), thereby taking care of the first industry concern. Other industry concerns were outweighed by the advantages to the commercial user. To begin, use of vessel monitoring systems has saved the fishery so that commercial vessels can continue to operate. Longline vessels now have proof that they are not fishing in areas that would damage stocks of endangered species. Second, vessel monitoring systems enhanced the safety of vessels that travel long distances out to sea. Third, communication between vessels and shore stations was enhanced without added expense. For multi-vessel owners, this was a valuable management tool in that it allowed owners to see exactly where his or her boats were at any given time. In addition, vessel monitoring systems have proven to be reliable and functional as well as capable of real-time data reporting.

5.g.38 The United States stated that real-time data reporting was important in instances where a quota has been set for certain species and the information on catch is needed as soon as possible (such as in the bluefin tuna, swordfish, and shark fisheries). Position data is crucial when there are closed areas (such as bluefin tuna spawning areas in ICCAT) or when there are lines which split the ocean into sections (such as, in ICCAT, the North/South line for swordfish, the East/West line regarding bluefin tuna, or EEZ boundaries). An added benefit of using a vessel monitoring system is that it helps decrease the amount of paperwork (logbooks and dealer reports) required for data reporting.

5.g.39 The United States reported to the Working Group that it plans to establish an electronic logbook pilot project this year that would utilize a full personal computer (i.e., monitor, Central Processing Unit, and printer) with software that would contain a Windows-type pull-down menu. The target species would be bluefin tuna but would not be limited to that species. The method of data entry into such a system (i.e., using an alpha or numeric system) is to be decided through consultations with industry. Preliminary discussions with industry have revealed that there are more fishermen volunteering to participate in the program than it is possible to accommodate. The "big brother" issue has not been as difficult as was originally thought. The advantages of the system seem to be that catch reporting could be made easier and faster so that management of the fishery could be improved. In addition, when fishermen see anomalies in areas, the information could be transmitted immediately. Finally, both the U.S. Government and industry appreciate the improved safety a vessel monitoring system provides.

5.g.40 The United States stated its view that vessel monitoring system development should be an interactive process between government and industry. The United States also noted the importance of designing a database that can compile data quickly and route it to the science centers for evaluation.

5.g.41 Canada commented that it only uses one logbook that contains all information regarding catch, water depth, and the like. The United States replied that its current system is more cumbersome and that all the information entered into various logbooks could be entered once into a computer and downloaded. This would allow for faster, cheaper, easier, and more effective fishery assessments and monitoring, which are particularly important in fisheries with small quotas.

5.g.42 Australia noted that the reaction of its industry paralleled the reaction of the U.S. industry in Hawaii, and similar to the U.S. situation, the result for Australian fishermen could also have been a closed fishery. Regarding catch reporting, Australia expressed interest in receiving information on Windows/pull-down software.

h) Australia

5.h.43 Australia explained that currently it had two vessel monitoring systems in place. One is used in the domestic orange roughy fishery for position reporting, and the other is used primarily to enhance timeliness and accuracy of catch data in the Japanese longline tuna fishery. Australia explained in detail the objectives of the systems, how they work, positive and negative results, and costs associated with using vessel monitoring technology. In addition, Australia discussed the Forum Fisheries Agency's (FFA) plan to implement a regional vessel monitoring system and outlined the advantages for such a system. A detailed report of this presentation is included as Appendix 11.

5.h.44 After Australia's presentation, Japan noted that it had approximately 250 longline vessels, including those operating within Australia's exclusive economic zone (EEZ) and those entering designated ports in Australia under a bilateral Japan/Australia agreement and that there was a three-year history of cooperation with the Australian government to develop a suitable vessel monitoring system. The arrangement was made for a bilateral fishery relationship, not for a regional one. Japan went on to point out that the FFA attempt to facilitate data collection on a regional basis would be different from anything ICCAT might do because the FFA's competence is only within the 200 mile zones of member Pacific island countries, so the FFA would not be considered a regional organization as established under the United Nations Convention on the Law of the Sea (UNCLOS).

5.h.45 Japan also questioned Australia's statement that some vessel operators were trying to circumvent the data transmission system in the orange roughy fishery. Australia explained that the operators were not tampering with the hardware but that they were misreporting their catch in order to circumvent the system; hence, the need to add at-sea catch reporting to the vessel monitoring system used in this fishery.

5.h.46 Portugal asked if Australia had any problems regarding breaches of confidentiality, and Australia stated that there were no problems with the confidentiality of Inmarsat C. It was further noted that Australia had gone to great lengths to make things secure, such as putting the system on a need-to-know basis to protect information.

i) Taiwan

5.i.47 Taiwan explained that it was in the process of implementing a test vessel monitoring system that would include vessels in the Atlantic, Indian, and Pacific Oceans. Inmarsat and Argos were selected for installation. Taiwanese vessels have used Inmarsat A to facilitate communication via facsimile and telephone with longline vessels

in Atlantic tuna fisheries. At this time, use of vessel monitoring systems to accomplish real-time position reporting has not presented a problem. However, catch reporting still is under development because of the difficulties Taiwanese fishermen are experiencing in understanding the technology and using English keyboards. In addition, Taiwan has found price to be an issue. **Appendix 12** contains a detailed summary of the Taiwanese presentation.

5.i.48 The Chairman noted the need to have a mechanism for error auditing and native language screens and keyboards. Japan noted for the record that in 1993, Japan had raised the vessel monitoring issue within ICCAT for the first time and in 1994, it was discussed at the PWG twice before the Commission adopted the Resolution establishing the Working Group on Vessel Monitoring. Japan made it clear that the purpose of its draft resolution was not to try to impose a time limitation with regard to the introduction of vessel monitoring systems, but to encourage ICCAT to study the introduction of such systems on vessels, including those operating beyond national jurisdiction. Japan also stated that its draft resolution had included a suggested time frame for the introduction of vessel monitoring systems, but at the 1994 Commission meeting the establishment of such a time frame was not concurred. The Chairman noted that issues such as usage of vessel monitoring systems needed to be assessed by a working group because the ICCAT annual meeting was too busy and Contracting Parties could not focus on these types of issues. The United States then asked Taiwan how Inmarsat A transmitted location information. It was explained that vessels using this system were equipped with a telex. Australia then noted that data entry on any system should be simple or the probability for errors would rise and noted that the Japanese had developed a Japanese language computer screen to facilitate reporting.

6. Review of characteristics of the systems

6.1 Canada expressed the view that the Working Group had covered this item in its discussions of Item 5. Canada further stated that it doubted that ICCAT would set specific vessel monitoring system characteristics and suggested that it should not matter how position and catch data is collected. Portugal then raised the issue of passive monitoring, noting that Australia was familiar with suggestions to use such technology. Australia replied that it was aware that this type of monitoring was possible.

6.2 Portugal agreed with Canada's statements on the issue. Japan stated that each nation should be able to adopt its own system but noted that it would be helpful to summarize the major characteristics of some systems. It was agreed that the major characteristics of vessel monitoring systems would be discussed in the report of the meeting.

7. Study and development of minimum requirements for the systems

7.1 The Chairman proposed to move on to Item 7. Canada pointed out that it may be premature to begin discussions on what type of systems may be best for ICCAT before determining whether or not they are even necessary. He noted that Canada was not convinced that ICCAT needs a vessel monitoring system. The Chairman asked for comments from Working Group members regarding the applicability or non-applicability of vessel monitoring systems to ICCAT.

8. Study and development of a system suitable for each type of fishing vessel

8.1 The United States stated that the PWG could use better statistics and SCRS could use real-time information to enhance evaluation and management of ICCAT-managed stocks. Vessel monitoring systems could allow data to be collected on the number of vessels fishing in and the total take from specific areas, such as the eastern versus the western management stock of bluefin tuna or North vs South Atlantic swordfish stocks. In addition, vessel monitoring systems could provide information on needed area closures or possible closed area infractions, such as vessels that fish bluefin tuna spawning grounds.

8.2 Portugal pointed out that over the last 25 years, ICCAT has worked with historical data and that Portugal was not aware that SCRS had expressed a need for real-time catch reporting. However, the delegate noted that bluefin tuna and swordfish are stocks that would benefit from real-time reporting, noting that the quality of reporting by country has left something to be desired. Portugal then asked Japan to clarify why it brought vessel monitoring systems to the attention of ICCAT several years ago.

8.3 Japan thanked Portugal and explained that the objective of its original proposal was to encourage the study of the usefulness of vessel monitoring systems, aiming at establishing effective tracking and catch reporting systems for better monitoring of fishing activities and catches of fishing vessels in the Convention Area with emphasis on fishing activities outside areas of national jurisdiction over fisheries in the Convention Area. Japan's draft resolution (*Report for Biennial Period, 1992-93, Part II (1993), Appendix 4 to Annex 11*) did not specify the measures that had been taken by Contracting Parties in this regard. However, it included a suggested time frame for the introduction of vessel monitoring systems for vessels longer than 24 m in length by category of fishing (first for vessels fishing for bluefin tuna and later those for tuna and tuna-like species other than bluefin tuna), but such a time frame for the introduction of vessel monitoring systems was not supported at the last PWG meeting. Japan also thought that it would be useful to compare existing systems, to develop minimum requirements for vessel monitoring systems, such as tamper-proofness, since some vessels in the ICCAT-managed area would be using vessel monitoring systems, and stated these aspects are covered by the agenda of this meeting under the terms of reference adopted at the last PWG meeting. Finally, Japan recognized the need to develop a system suitable for each type of fishing vessel. For example, the size of fishing vessels and/or the area within which fishing occurs is needed information for identifying a suitable communication system for each category. To illustrate its point, Japan noted that the Inmarsat A system uses a heavy antenna that is not suitable for smaller boats.

8.4 Japan then reiterated that it was not suggesting joint action by ICCAT parties at the time it submitted its proposal to ICCAT, but rather that all parties study vessel monitoring systems and implement a program where appropriate. Regarding data collection, Japan reported that its scientists have acknowledged the usefulness of real-time reporting. Japan also noted that it was necessary, at the same time, to expedite data submission for all the fisheries concerned and anyway, efforts to get to the point of real-time reporting should be made where practicable.

9. Consideration of an iccat recommendation on a regional approach to a vessel monitoring program

9.1 Once again, the Chairman asked the Working Group to consider whether ICCAT needed vessel monitoring systems. The United States stated that there were advantages to looking at vessel monitoring systems through the Commission, particularly because relying solely on historical data to achieve fishery conservation and management had gotten ICCAT into trouble in the past. The delegate made the point that ICCAT should take advantage of new approaches to get answers to old questions and that the Working Group should look at the pros and cons of vessel monitoring systems use in ICCAT. The United States further stated that any vessel monitoring system should be implemented fairly and equitably, and that three questions should be addressed in order to determine the usefulness of establishing a vessel monitoring program in a regional management body. They are:

- (1) Is there a clear or definable problem or need that vessel monitoring systems could solve or address?
- (2) How many countries, both contracting and non-contracting, are involved in which fisheries?
- (3) How many vessels are involved?

9.2 If vessel monitoring systems are to be used for tracking purposes, the restricted areas should be identified together with the magnitude of the problem of illegal fishing. After these issues/questions are addressed, it will be easier to determine if domestic measures taken by Contracting Parties are enough or if international cooperation is needed. The United States then asked other countries to identify some of the problems that vessel monitoring systems could solve within ICCAT.

9.3 Portugal intervened that ICCAT tries to maximize the sustainable use of tunas and tuna-like species in the Atlantic. He noted that 21 countries participate in ICCAT and less than 10 species are managed (i.e., six tuna species, swordfish, and billfish). He stated that several gear types were used in the Convention Area, including purse seine, longline, baitboat, troll, and handline. There are approximately 2,000 large boats and more than 1,000 small boats that report catches and economic and scientific capabilities vary greatly within each country. Given this set of circumstances, mandatory use of expensive vessel monitoring equipment would not be feasible for some vessels as funding would be a serious issue.

9.4 The Portuguese delegate went on to say that the Working Group on Vessel Monitoring was formed as a sub-group or sub-committee of the PWG, whose mission is the improvement of ICCAT statistics. ICCAT has no enforcement powers; therefore, the need for cooperation is critical. The geography of ICCAT is the north and south Atlantic for swordfish, and the east and west Atlantic for bluefin tuna. In the Portuguese view, the location of vessels is not the most important question; good statistics to help SCRS do its job is the critical issue.

9.5 Portugal suggested that the Working Group on Vessel Monitoring make a recommendation, suggestion, or statement to the PWG that the Working Group has reviewed other countries' vessel monitoring systems and that there was consensus that vessel monitoring systems are effective for reporting effort, catch, and vessel position. The Working Group could then suggest that ICCAT encourage all countries to look into vessel monitoring systems and expedite the reporting of their findings to ICCAT. Further, countries that have studied the vessel monitoring issue should form a permanent consulting group to provide expertise to any country that requests it.

9.6 Canada noted that SCRS cannot answer many management questions (i.e., East/West and North/South lines) at the present time. However, Canada does not think that vessel monitoring systems are capable of providing the answer to such basic biology questions on stock structure. Regarding the electronic logbook, Canada expressed the view that it would be very advantageous since the data would already be on a computer file and no time would be lost inputting the data once it is submitted to the government. Canada suggested that each country should provide its own data as usual and that ICCAT should not impose vessel monitoring systems on Contracting Parties.

9.7 The United States agreed with Canada that data reporting through vessel monitoring systems would not solve the stock structure problem; however, improved effort data would help resolve the issue as it would provide SCRS with a universe (i.e., where vessels fish) in far less time than ICCAT's current methods would. The United States, for one, would like to know if vessels are fishing in the bluefin tuna spawning grounds, if effort is shifting from the North Atlantic to the south Atlantic, and the like. Further, the United States noted that the countries taking part in the U.N. Conference on Straddling Fish Stocks and Highly Migratory Species are looking at vessel monitoring systems for obtaining reporting and position data, which means that ICCAT may be behind in this regard already. Finally, the United States pointed out that vessel monitoring systems could clarify the distribution of catch by area and type of boat as well as improve the timeliness of data.

9.8 Canada commented that it was unfortunate that a representative from the SCRS was not at the meeting in order to provide some input on what information SCRS would like to have. He suggested we ask SCRS if the information obtained from vessel monitoring systems would be useful.

9.9 The Chairman suggested that the Working Group think of vessel monitoring systems in terms of the future. The United States commented that the Working Group should assess its priorities and noted that the costs associated with new satellite link-ups will be decreasing over time; therefore, a determination needs to be made regarding which technologies to invest in and when to do it.

9.10 The Chairman agreed that consulting with the SCRS on the need for real-time data reporting could help with the Working Groups management recommendations. He noted that, currently, some nations are two years behind in reporting to ICCAT.

9.11 Canada asked why ICCAT would need position data. The United States commented that this information would be useful in cases where the Infractions Committee has identified improper activity in closed areas such as spawning grounds. Canada asked Spain and Portugal for their views on the need for position data. Spain indicated that position data would be useful for controlling fishing effort. Japan noted that fishing by longliners greater than 24 meters in length in the Mediterranean during June and July is prohibited that vessel monitoring systems would help ensure compliance regarding such ICCAT recommendations. However, Japan noted that in this area, the cooperation of non-Contracting Parties is indispensable. Portugal commented that this was an issue of fairness. The United States noted that the Mediterranean problem was a major reason that the Working Group on Vessel Monitoring was established. Japan stated that 70 percent of the bluefin catch from the Mediterranean is taken by non-Contracting Parties. Taiwan commented that any vessel could be taking bluefin tuna and that the intention of ICCAT was not necessarily for the implementation of vessel monitoring systems but to look for ways to increase compliance. The United States suggested that the goal of the Working Group on Vessel Monitoring should be to put together a report that identifies what vessel monitoring is, what it can and cannot do, and what costs and benefits are associated with it. In addition, the report should ask the appropriate ICCAT body (i.e., the PWG, the SCRS, and/or the Infractions Committee) to comment on the need for real-time data reporting and for vessel tracking.

10. Future working group work

10.1 The Working Group then discussed the questions it should put forth to the PWG.

10.2 Japan stated that it had learned quite a bit from the Group's discussions and suggested that the report of the meeting be submitted to the PWG. The report should include the usefulness of vessel monitoring systems in expediting the collection and distribution of catch data on a real-time basis and in tracking vessel position. The PWG should be asked to identify at its 1995 meeting, the current ICCAT management measures, the management of which vessel monitoring systems could be effective, and the PWG should consult with SCRS (or other ICCAT bodies) as necessary.

10.3 Japan also proposed that the PWG encourage both Contracting and Non-Contracting Parties to continue the development, implementation, and improvement of vessel monitoring systems on a national scale. Additionally, Japan proposed that the Working Group on Vessel Monitoring schedule an inter-sessional meeting in the spring or early summer 1996 to confirm how matters are progressing. Further, if the PWG has identified specific ICCAT management measures where vessel monitoring systems could be useful, then the Working Group should discuss the implementation of vessel monitoring systems in these areas, taking care to assess the feasibility of specific vessel monitoring systems.

10.4 Portugal agreed with Japan and commented that Japan's suggestions reflect the future direction of the Working Group. The delegate then suggested that the Working Group's strongest recommendation should be to encourage Contracting and non-Contracting Parties to use vessel monitoring systems and to improve catch reporting data. There was general consensus regarding the suggestions of both Japan and Portugal.

10.5 It was also agreed that if, upon review of the Working Group report, it was decided that a more detailed list of vessel monitoring systems and their characteristics was needed, it would be compiled and appended to the report. It was also agreed that some minimum requirements and suitability issues had been discussed, but that both would require more discussion with regard to ICCAT. This discussion should wait until after the Working Group receives guidance from the PWG. Since no consensus was reached on the consideration of an ICCAT recommendation on a regional approach to a vessel monitoring program, it was agreed that further consideration of this agenda item should be made first by the PWG and then by the Working Group on Vessel Monitoring as necessary (Items 7 through 9).

11. Other matters

11.1 Portugal encouraged ICCAT Contracting Parties and observers to become aware of new developments in technology and requested all countries to bring any new technology to the attention of the Working Group. It was agreed that any such information should be channeled through the ICCAT Secretariat and transmitted to other Working Group members.

11.2 Japan reopened the issue of the lack of attendance by the Secretariat and again commented that the Secretariat should attend official ICCAT inter-sessional meetings. The Chairman agreed and commented on the need to do a better job of setting priorities.

11.3 Portugal inquired whether or not the Working Group wanted to encourage an SCRS scientist or the people involved in the Infractions Committee to attend the next meeting. The Chairman replied that there were already people actively involved in the Infractions Committee in attendance. Portugal clarified that it could be useful to have someone who could speak from the Infractions and scientific standpoints, and that Portugal would appreciate a representative from both at the next Working Group meeting.

12. Adoption of Report

12.1 It was agreed that the report would be sent to all the Working Group participants for preliminary review in English. Once received, the delegations would have two weeks in which to make comments on the text. After all comments were received and changes made to the text, the document would be sent to the Secretariat for translation and re-distribution for final comments.

13. Adjournment

13.1 The United States expressed its appreciation for the participation of Taiwan and other non-Contracting Parties and commented that it was beneficial for the Working Group to hear their views on vessel monitoring systems. In particular, the United States thanked Australia for participating as a special guest.

13.2 The Chairman commented that in order to move forward in a global sense, it is important to keep track of what is going on around the world. In addition, the United States voiced its appreciation regarding the participation of both U.S. and Japanese industry. In the U.S. view, understanding the nature of the concerns of industry is important. Further, the United States noted that sharing the views of an industry that is using vessel monitoring systems comfortably and that is incorporating them as a good business tool is vital to calming others' fears. Finally, the United States agreed with industry that any system should be fair and equitable.

13.3 Before closing the meeting, the Chairman commented that the information that had been exchanged was extremely useful and noted that ICCAT was taking a step forward by evaluating this technological advancement, and stressed the need to look toward the future. The Chairman then thanked all participants for coming and adjourned the meeting.

13.4 The First meeting of the ICCAT Working Group on Vessel Monitoring was adjourned.

Appendix 1 to Annex 6-2

AGENDA OF THE ICCAT WORKING GROUP ON VESSEL MONITORING

1. Opening of the Meeting
2. Election of Chairman
3. Election of Rapporteur
4. Adoption of Agenda
5. Current status of development and implementation of vessel tracking and catch reporting systems in each participating Party
6. Review of characteristics of the systems
7. Study and development of minimum requirements for the systems
8. Study and development of a system suitable for each type of fishing vessel
9. Consideration of an ICCAT recommendation on a regional approach to a vessel monitoring program
10. Future Working Group work
11. Other matters
12. Adoption of Report
13. Adjournment

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RESOLUTION ADOPTED BY ICCAT IN 1994 ON VESSEL MONITORING

FIRST: For better monitoring of fishing activities and catches of fishing vessels operating in the Convention Area,

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

To establish a working group consisting of representatives of Contracting Parties with the following terms of reference:

To study the establishment of satellite tracking and catch reporting systems or equivalent systems for vessels of Contracting Parties fishing for tunas or tuna-like species in the Convention Area;

SECOND: The Commission calls on all non-Contracting Parties whose vessels fish for tunas or tuna-like species in the Convention Area to participate as observers in the work of the working group with a view to voluntary compliance with the system(s) to be adopted.

(See Report for Biennial Period, 1994-95, Part I (1994) - Vol. 1, Annex 14 to the Proceedings of the Ninth Special Meeting of the Commission - Madrid, November-December, 1994.)

ANNEX 6-3

REPORTS OF THE MEETINGS OF PANELS 1 TO 4*Report of the Meeting of Panel 1***1. Opening**

1.1 Dr. L. Koffi (Côte d'Ivoire), Chairman of Panel 1, opened the meeting.

2. Adoption of Agenda

2.1 The Agenda was adopted with no changes (Appendix 1 to Annex 6-3).

3. Nomination of Rapporteur

3.1 Dr. D. Gaertner (France) was designated Rapporteur.

4. Review of Panel Membership

4.1 After welcoming the United Kingdom, as a new member of the Panel, the Executive Secretary referred the Panel to document COM/95/8, which cites the mandate and composition of the Panels.

4.2 Panel 1 is comprised of 18 members: Angola, Brazil, Canada, Cape Verde, Côte d'Ivoire, France, Gabon, Ghana, Japan, Korea, Morocco, Portugal, Russia, Sao Tomé & Príncipe, Spain, United Kingdom, United States and Venezuela. Of these member countries, Angola, Cape Verde, Gabon, Ghana, Sao Tomé & Príncipe and Venezuela were absent from the 1995 Panel Meeting.

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

5.1 Dr. Z. Suzuki (Japan), the 1995 SCRS Chairman, presented the SCRS Report under Item 9 of the Commission Agenda at the First Plenary Session.

6. Measures for the Conservation of Stocks*6.a Yellowfin*

6.a.1 The Delegate of Spain expressed concern about the increase in yellowfin catches, particularly of juveniles. He noted that Spain had reduced its juvenile yellowfin catches by 21% of the 1993 figure, and suggested there was a need to take regulatory measures in good time.

6.a.2 The Delegate of the United States shared this opinion and, while indicating that his country did not take a high percentage of the total catch of yellowfin stressed the special interest which this species represented for recreational fisheries of his country. As a result, the United States presented a draft Resolution, the main objective of which was to ask Contracting Parties to adopt more specific quantitative measures than those which they had adopted in relation to this species in the past.

6.a.3 In relation to the question raised by the Delegate of Côte d'Ivoire concerning the large proportion of small yellowfin in the catches (47%), the SCRS Chairman recognized that the Recommendation limiting the catch of yellowfin tuna of less than 3.2 kg had never really been applied. He therefore asked the Commission to seek practical ways to ensure that this Recommendation be observed.

6.a.4 The Delegate of Japan remarked that Japanese baitboats that have been fishing during the last twenty years or more in the Gulf of Guinea, have had to abandon this sector because their by-catch of juveniles was too high. The methods of application of this minimum size limit should, therefore, be re-examined.

6.a.5 The Delegate of France took note of the points raised by the various delegations. He drew the attention of the Panel to the fact that, on the one hand the increase in yellowfin catches did not arise from countries which have traditionally targeted yellowfin but from catches of other fleets that fly flags of convenience (listed under "NEI" in the SCRS tables on landings) and on the other, the high catches of juveniles were taken in a context of multi-species fisheries. As a result, measures adopted to solve these problems should be based on the improvement of inspections of landings and on the active research of the SCRS on juveniles.

6.a.6 The U.S. Delegate reiterated the main objective of the draft Resolution he had presented. The Delegate of Spain expressed his general agreement with this Resolution but asked that a change be made to the second paragraph explaining that Spain had taken specific steps in relation to this matter.

6.a.7 The United States agreed to this modification and to making the Resolution more explicit.

6.a.8 The Delegate of France asked the SCRS Chairman if the yellowfin stock was over-exploited. Dr. Suzuki confirmed that the stock was at the level of MSY but, given the probable increase in fishing power, the stock could in fact be over-exploited. As a result, caution must be exercised.

6.a.9 In answer to a question asked by the Delegate of Japan, the SCRS Chairman confirmed that application of the 3.2 kg minimum size would lead to a 12% increase in recruitment.

6.a.10 The Chairman of Panel 1 summarized the concerns expressed by various delegations regarding the catch of under-sized fish and proposed that Japan, Spain and France come to an agreement with the United States, to re-draft a joint Resolution on this matter.

6.a.11 The "Resolution on Atlantic Yellowfin Tuna", re-drafted by the above-mentioned countries, was presented to the Panel for review and was adopted. It was then forwarded to the Commission for final approval (see Annex 4-6).

6-b Skipjack

6.b.1 There was no discussion on this species by the Panel.

7. Research

7.1 The SCRS Chairman recalled the recommendations made regarding research related to sampling strategy and on-board observers for the tropical baitboat and purse seine fleets. It was recommended that funds be made available for the development of these studies.

8. Date and place of next Panel meeting

8.1 The Panel decided to hold its next meeting at the same time and place as the next Commission meeting.

9. Other matters

9.1 There were no other matters discussed.

10. Election of Panel Chairman

10.1 The Delegate of France, followed by the United States, Spain, Morocco and Russia proposed the re-election of Côte d'Ivoire. Dr. Koffi, on behalf of Côte d'Ivoire, thanked the Panel and accepted this re-election.

11. Adoption of Report

11.1 The Report of the Panel was adopted.

12. Adjournment

12.1 The Chairman of the Panel proceeded to adjourn the meeting.

Report of the Meeting of Panel 2

1. Opening

1.1 The meeting was opened by its Chairman Mr. L. Lahlou (Morocco).

2. Adoption of Agenda

2.1 The Agenda was adopted and is attached as **Appendix 1 to Annex 6-3**.

3. Nomination of Rapporteur

3.1 Ms. B. Bruce of the United States served as rapporteur for the meeting.

4. Review of Panel Membership

4.1 The Chairman noted the countries present: Canada, Spain, France, Japan, Republic of Korea, Morocco, Portugal, and the United States.

4.2 The United Kingdom expressed its intention to become a member of Panel 2.

4.3 The Chairman welcomed the United Kingdom as a new member of Panel 2.

5. Report of Standing Committee on Research and Statistics (SCRS)

5.1 There were no questions for the Chairman of SCRS regarding this Agenda item.

6. Measures for the Conservation of bluefin tuna stocks

6.a Northern bluefin tuna

6.a.1 The Chairman suggested the Panel discuss western Atlantic bluefin, eastern Atlantic bluefin tuna and then north Atlantic albacore. The suggestion was agreed to by the Delegates.

6.a.2 The Delegate of Canada was concerned about the status of eastern bluefin tuna and the credibility of ICCAT as an organization when the Commission continually ignores the recommendations of the SCRS. The statement presented by Canada is attached as **Appendix 2 to Annex 6-3**.

6.a.3 The Chairman stated that he shared Canada's concerns, but urged that discussion begin with western Atlantic bluefin tuna.

6.a.4 The Delegate of Spain noting that the current discussion referred to western bluefin tuna, stated that the 1994 catches of western bluefin tuna were higher than those for the previous three or four years. The Commission has made tremendous efforts to create effective management measures in order to deal with the declining resource. He also noted that bluefin was being considered for listing under CITES. He stated that last year's agreement was a complicated issue and increased authorized catches were not complied with. The Delegate stressed the need to comply with ICCAT agreements and recommendations and suggested the possible need to readdress last year's agreement for western Atlantic bluefin tuna.

6.a.5 The Delegate of Spain also stated his concern regarding bluefin catches from the central Atlantic and suggested that if such an Atlantic fishery existed separate from the eastern and western fisheries, that this would undermine the 1994 ICCAT recommendations. The Delegate noted his intention to revisit this issue when the central Atlantic fishery comes up and underscored the fact that it is unclear to which fishery the central Atlantic belongs (i.e. eastern and western).

6.a.6 The Chairman stated the central Atlantic fishery had not been discussed yet, and agreed that this stock would be discussed later.

6.a.7 The Delegate of the United States asked for clarification on which fishery the Panel was covering - east, west or central Atlantic.

6.a.8 The Chairman confirmed that the western Atlantic stock was being discussed.

6.a.9 The Delegate of the United States addressed Spain's intervention regarding the western Atlantic overage of the scientific monitoring limit, which the Delegate of Spain indicated was caused by the United States. He explained that the U.S. manages western Atlantic bluefin tuna by setting a specific quota and that the conservation efforts in the western Atlantic have shown great dividends -- the abundance of the stock is greater, and the stock is closer to the recovery goals. The Delegate stressed that the U.S. believes in strict management through setting specific quotas, restricting the catch of juvenile tunas and establishing a zero tolerance for undersized tuna. He noted that domestic U.S. management provisions take into account harvests that are over or under the assigned quota so that total harvest of the species is within agreed levels. He explained that, if there is a take in excess of the quota for one year, it is deducted from the next year's quota level. In addition, he explained that there is on-going analysis of recreational catch figures for bluefin tuna and other tunas and therefore, the United States would not have a determination of any quota overages for 1994, until this information is available.

6.a.10 The Delegate of Japan stated confidently that Japan was abiding by the regulations. In the 1993 fishing year, Japan's catch was 378 MT, and in the 1994 fishing year Japan's catch was 148 MT. He noted that some of the confusion may have resulted from the fact that Japan manages its quota on the basis of a fishing season that does not correspond with a calendar year, while SCRS determines catch level based on the calendar year. Japan stressed that its catch is in compliance with ICCAT recommendations and minimum size.

6.a.11 The Delegate of Canada referred to the Recommendation made in 1993 on the management of the central north Atlantic bluefin tuna fishery (reference: Annex 14 to the 1993 Commission Proceedings). He also recalled that the Delegate of Spain had noted that Japan agreed to limit its biennial catch in the central north Atlantic for 1994-1995, as specified in the Recommendation. The Canadian Delegate further noted that hence this recommendation will not be in effect for 1996 and thereafter.

6.a.12 The Delegate of Spain explained that the *ad hoc* and provisional regime adopted in 1993 was for 1994-1995. The provisional regime was established and specified that Japan's allocation would be 1,300 MT for two years. He noted that this is the last year of the scheme. The Delegate asked Dr. Suzuki to clarify if central Atlantic bluefin belong to either the eastern or western stock, the impact of the fishery on these fish, and whether or not it could be considered a third independent stock.

6.a.13 The Panel Chairman noted the discussion was on western Atlantic stock. The fishery in the central Atlantic will be dealt with separately, unless it is part of the western stocks.

6.a.14 Dr. Suzuki responded that the central Atlantic stock is not an independent stock. There are only two spawning grounds, the Gulf of Mexico and the Mediterranean. Since the spawning seasons in both areas are at about the same time, there can be no simultaneous spawning of one fish in the Gulf of Mexico and the Mediterranean. The data shows two hypothetical sub-populations, the West and the Mediterranean, with mixing. The SCRS could not say quantitatively the relationship of the central stock with the east or west. There is a simulation study and analysis to determine the relationship. He noted that there is not much difference in the trend of the stock between those studies and the assessments based on the present separate stock hypothesis. The exact percentage of the central north Atlantic catch taken from the east or west is not known.

6.a.15 The Delegate of Spain stated that he understood that the relationship of the central stock to the eastern and western stocks would not have an impact on the population trends. The quota established in the west for 1995 was

increased to 2,200 MT. This increase was due to the revised assessment. He suggested an analysis be done regarding the appropriate placement of the central Atlantic quota.

6.a.16 The Delegate of Japan expressed his grave concern with the direction in which the other speaker and the Chairman were leading the Panel with regard to the central area issue. He noted the lack of scientific information on the stock harvested by the central north Atlantic fishery. The Delegate expressed Japan's view that the stock is not independent nor does it constitute part of the western area. He further noted for management purposes, the 45 degree west longitude line was established and the area in question was east of the line. The Delegate reiterated that at this moment the central Atlantic fishery should be considered, for management purposes a part of the eastern Atlantic stock. The catch has been reported based on this assumption. Last year new recommendations for the capping of the catch were established for the entire eastern Atlantic and the Delegate asserted that the recommendations are applicable to the central Atlantic fishery. Therefore, the notion of allocations for the central Atlantic, which the 1993 Recommendation espouses, do not make sense anymore and should be abolished. The SCRS is studying the issue of the stock structure and the Delegate noted that the Japanese fleet will continue to provide scientific information to ICCAT from the central area fishery even after the abolishment of the 1993 Recommendation.

6.a.17 The Delegate of the United States asked for clarification on Japan's central Atlantic fishery allocation. The Delegate of Japan responded that the 1993 Recommendation on the central Atlantic allocation for 1994-1995 is now irrelevant and should not be continued from 1996 onwards.

6.a.18 The Delegate of the United States agreed with the Delegate of Japan, that the 1993 Recommendation on the central Atlantic allocation for 1994-1995 was now irrelevant and should not be continued in 1996 and onwards. In the U.S. view, there are two bluefin tuna management areas, east and west. The Delegate explained the range of the western Atlantic begins at the Gulf of Mexico and moves North, with some mixing with the eastern Atlantic stock. The range of the eastern Atlantic stock begins in the Mediterranean and moves west with some mixing. ICCAT drew the line between the two management stocks at 45 degrees longitude, but he noted that the line was an arbitrary and mostly political, management line. The United States has observed movement of fish across the 45 degree line between the two stocks. Some of the fish caught in the central north Atlantic are from the western stock. Therefore, it is of interest to the U.S. to know how many fish are taken from the area.

6.a.19 The Delegate of Japan stated that in 1993, there was a discussion on the link of the central area to the western Atlantic management area. He noted that there is limited information on the stock structure, and discussion of the stock in central area fishery affects, either east or west, frustrates the history of quota allocations and is not an idealistic approach. He stressed the need to look at the whole Atlantic, not just at the central Atlantic area.

6.a.20 The Chairman noted that the purpose of the current discussion was to make headway on management measures with the west and the east. Two years ago, management measures were put into place for the traditional areas. He stated there was not sufficient data for the central stock to be dealt with separately.

6.a.21 The Delegate of Japan stated that Japan will have difficulty accepting a proposal of setting up a new management area without scientific information.

6.a.22 The Delegate of Spain stated the scientific information showed that the central fishery benefitted from each side. And that reductions would be necessary if it is decided that the central fishery is part of the eastern management stock. The level of compulsory reductions is 25%. He noted the fishery did not exist in 1993 as part of the eastern Atlantic stock and this fact should be taken into account. Otherwise, there will be management concerns with this apparent increase in effort, regardless of the 1,300 MT quota reduction.

6.a.23 The Delegate of Spain stated that in looking at the past terms of the western bluefin tuna management and the reduced quota of 1993, a key element was the significant reduction of the Japanese catch of western bluefin tuna. He noted that Japan shifted its effort from the western to the central area. The Delegate was concerned that if the allocation of the central area is shifted to fish on eastern bluefin tuna it would create management problems.

6.a.24 The Delegate of the United States stated the central area is a gateway of eastern and western stocks.

6.a.25 The Delegate of Japan stated that since there was no consensus view, the discussion should be discontinued and done informally.

6.a.26 The Delegates of Spain and the United States accepted the Delegate of Japan's proposal.

6.a.27 The Delegate of the United States stated that the U.S. has conservation measures in place for the current year. The Delegate proposed that a recovery program be put together for next year through recommendations from SCRS. The SCRS could examine various alternate recovery programs, which may include time periods, quota management, reductions in catches, specific recommendations on actions to achieve recovery.

6.a.28 The Delegate of Spain agreed, in principle, with the United States, but suggested no recommendation be made until next year. Whatever the recommendation, he stressed that the two stocks should be kept separate. There is no consensus on either the one- or two-stock theory, and therefore, separate recovery recommendations are needed.

6.a.29 The Delegate of Canada stated that there is no new scientific information relating to the western Atlantic stock and the current management regime should remain in place until next year. Any discussion of a new management regime should be based on solid scientific information, including discussions on the impact of Japan's central Atlantic fishery being regarded as a part of the eastern stock. He stressed that fishing effort on eastern bluefin should be kept under control. The measures to be implemented in 1996 include a 25% reduction in catches. He noted that catches had increased in the east and stressed that the 25% reduction agreed to in 1994 should be based on 1993 catches. In the meantime, conservation measures should be implemented and enforced as forcefully as possible.

6.a.30 The Delegate of the United States reiterated the necessity to charge the SCRS to develop of a recovery plan when conducting their assessment of bluefin tuna. The scientific report could then include management options.

6.a.31 The Delegate of Canada endorsed the statement by the United States that there is a need to work on a stock recovery program. The information received by SCRS next year will help in future management decisions.

6.a.32 The Delegate of Japan pointed out the sacrifice which Japan had accepted in its allocation share of western bluefin tuna in 1993 and 1994 when the management measures were adopted. The allocations to be made next year need to reflect more reasonably historical shares.

6.a.33 The Delegate of the United Kingdom discussed the current management plan for western Atlantic bluefin tuna.

6.a.34 The Delegate of the United Kingdom stated that Bermuda is developing a fishery within its EEZ that has by-catch of bluefin tuna. The quotas for developing countries should be held to less than 50 MT and these countries be exempt from regulations. This exemption should be extended to Bermuda. The Resolution proposed by the U.K. for a quota exemption for developing fisheries in the western Atlantic is attached as Appendix 3 to Annex 6-3.

6.a.35 The Delegates from the Spain, the United States and Japan all stated they would like more time to look at the request.

6.a.36 The Chairman suggested that Bermuda follow current measures and wait for the SCRS 1996 assessment.

6.a.37 The Delegate of the U.K. stated he would need time to consider the Chairman's suggestion.

6.a.38 The Delegate of France responded to Canada's earlier remarks on the increase in catch of eastern Atlantic bluefin tuna. He mentioned this might be due, in particular, to a *de facto* increase of effort, due to exceptional climatic conditions and a change in the strategy of the French purse seiners. He then explained the dramatic increase in catch 1993 (4,500 MT) and 1994 (11,800 MT). According to the 1994 Recommendations regarding bluefin tuna catch reductions in the east Atlantic, the reductions can be calculated based on 1993 or 1994 catches, whichever were higher. The high statistics of 1994 could be due to landings that were received in other ports of call which might have led to double counting. He noted that there was an increase in total weight of catch, but a 25% decrease in the number of fish caught and that the target of large fish is important. In his view, the reference year upon which to base catch reductions should not be the crucial issue. Instead, the real problem is the catch of juveniles weighing less than 6.4 kg. There is no data on Age 0 fish. He stressed that responsible management of the resource requires as a corollary responsible trade. He stressed the need to enhance non-Contracting Party compliance. He suggested that amending the 1994 recommendation establishing the reference year for bluefin tuna catch reductions in the east Atlantic, and suggested using, as far as France is concerned an average of 1993 and 1994 catch levels (approximately 8,000 MT) which would reduce the French quota to approximately 6,000 MT in 1998. The Delegate underscored France's willingness to apply this reduction, i.e. 25% beginning in 1996. And gave a definitive figure for France's 1995 Mediterranean catch at 5,380 MT. He noted that France does not yet have an exact figure for its Atlantic catch, but it will be approximately 300-400 MT.

6.a.39 The Delegate of Spain stated that there may be problems in assigning catches to the proper flag country due to European Union regulations which allow any EU vessel to land in any EU port. He further noted this could create difficulties in monitoring the catch of the flag state's vessels. He added, however, that this should not hamper the responsibility of the flag state with regard to the control of the catches made by its vessels. In addition, he agreed that there is an obvious problem with the catch of juvenile bluefin tuna. He expressed concern about the changes and modifications caused in the stock by the catch of 30,000 spawners by the purse seine fleets. This needs to be considered in any management scheme. The concern stems from the increase of catch of large spawning stock. Management measures need to address the issue of juveniles and the increase of catch of large spawning stock. The Delegate of Spain indicated that, with a view towards attaining a 25% reduction, in accordance with last year's Recommendation, Spanish catches in 1994 had been less than those of 1993.

6.a.40 The Delegate of the United States expressed concern about the disposition of the U.S. recovery proposal for western bluefin tuna. The United States is a responsible member of the Commission. He stated that it is clear that there is mixing between eastern and western stocks and that there is need to determine the generative sources of the western Atlantic stocks and how the stocks will be affected. Notwithstanding France's comments he stressed the U.S. view that SCRS be asked to give recommendations on what should be done on stock rebuilding and the nations that fish in the eastern Atlantic should respond with what they will do in accordance with the SCRS recommendation. There was little compliance with the 6.4 kg minimum size and there was a dramatic increase in catch, even though SCRS gave its strongest warning of having "grave concerns". The reductions pursuant to the recommended level of catches did not achieve the outcome SCRS recommended. He stated that the U.S. does agree with France that minimum size and trade is a problem and suggested a ban on the catch of bluefin tuna less than 6.4 kg, and that there be no tolerance and no sale of fish under minimum size.

6.a.41 The Delegate of Japan stated his concerns about the increase in catch of eastern Atlantic bluefin in 1994. The 1994 catch of 34,500 MT is an increase of 7,400 MT from 1993. The purse seine fishery of one nation was noted in the SCRS Report to have increased its catch to 11,800 MT, which was an increase of 7,073 MT from the previous year. He also stated his concerns about a member country longline fishery that increased their catch from 0 in 1993 to 700 MT in 1994. The 25% reduction as planned is not sufficient to reduce mortality adequately and he stated that Japan would prefer that countries that have contributed the most to the over-harvest assume the greatest burden in the reduction plan. He stated that for these nations the 25% reduction should be from 1993 levels, not 1994 levels. The Delegate expressed appreciation for the latitude of the French delegation, but expressed some reservation to France's proposal. Japan also expressed concern about Honduras, Belize and Taiwan, and that the total catch by non-Contracting Parties altogether reached 12,500 MT in 1994. The Delegate stated his appreciation of the conservation measures adopted by the GFCM and suggested they be used as a model for SCRS. He noted that the GFCM had asked ICCAT to study if the prohibition of purse seine gear during the spawning season would be useful. Japan recommended that the current ICCAT regulation to prohibit longlining during the spawning season in the Mediterranean also be applied to the purse seine fishery.

6.a.42 The Delegate of Canada commented on the statement made by France explaining the problems with their catch estimates and asked for verification/clarification of France's catch. The proposal put forward to use an average of 1993 and 1994 seems contrary to discussions that have occurred. The Delegate expressed concern for support of a measure which is an increase of 50% over the 1993 catch and stressed the reduction of 25% for catches combining 1993 and 1994 is insufficient to cut down the mortality rate. Such a measure undermines conservation in this fishery. The Delegate agreed the catch of small fish is a serious matter and that the Commission needs to address the catch of small fish.

6.a.43 The Delegate of France clarified the manner in which catch statistics may have led to double counting. The Delegate then noted that taking large numbers of juveniles would result in a substantially smaller spawning stock.

6.a.44 Dr. Suzuki commented on the 1994 statistics. He noted the need to prevent the further decline of the spawning stock, and the need to reduce the entire catch to a level of some 20,000 MT in the eastern Atlantic. A 25% reduction of 1994 figures will not reduce the catch to the recommended 20,000 MT. The recommendation to reduce by 25% was based on the projections made in 1994 with regard to the then current catch levels. He noted it would be better to reduce from 1993 levels, otherwise benefits are not guaranteed. He agreed there is a problem regarding the catch of small bluefin tuna and spawning bluefin tuna. Purse seiners catch large fish, but they do take a sizeable amount of small fish as well. He stressed that consideration of the protection of juvenile bluefin tuna is more important for the conservation of the stock.

6.a.45 The SCRS Chairman summarized the SCRS opinion that by accepting France's proposal to average 1993 and 1994 catch levels and to base the 25% reduction on that average would not meet the reduction recommendation put forward by SCRS. The French Delegate noted the opinion of the SCRS Chairman.

6.a.46 The Delegate of Spain stated that the Recommendations adopted last year aimed at reducing by 25% with regard to 1993 or 1994 catch levels. The Chairman agreed with Spain's comment.

6.a.47 The Delegate of the Republic of Korea commented that Korea's catch in 1977 of tuna and tuna-like species was 39,000 MT. In 1984, Korea's catch was 15,000 MT. In 1994, Korea had a bluefin catch of 684 MT out of a total catch of 1,805 MT. The Delegate stated that these levels should remain. The Delegate proposed the reduction of 25% should be from 1994 catch statistics, as they are more correct than 1993 statistics, due to the implementation of the Statistical Document Program. The Delegate of Korea proposed that conservation and management measures be based on 1994 catch statistics.

6.a.48 The Delegate of the United States stated that in 1994 this Recommendation was adopted to reduce the catch from 1993 or 1994 levels, but noted that the SCRS Chairman has stated that taking the reduction of 25% from 1994 will lead to no recovery.

6.a.49 The Delegate of France clarified the reduction would be 12,000 to 6,000 and would apply in 1996.

6.a.50 The Delegate of Spain stated the need to find a solution to this issue and noted that the assessment of bluefin tuna will be ready for next year's annual meeting. The management measures were put in place for two years. He stressed the need for all Contracting Parties to be aware of their management responsibilities, and determine the appropriate application of the SCRS recommendations. The Delegate asked France to repeat its 1995 figures, to get an idea of statistics for a normal year. The Delegate of France responded with its definitive numbers for the Mediterranean and the provisional numbers for the Atlantic. France's catch in the Mediterranean for 1995 was 5,380 MT and the provisional numbers for the eastern Atlantic are 300-400 MT.

6.a.51 The Delegate of United States asked France to clarify its reference to 6,000 MT and specifically asked if the 6,000 figure was a baseline or if it would be reduced by 25%. The Delegate of France responded that the figures for the 1995 season clearly show that 6,000 is the baseline number.

6.a.52 The Chairman, speaking as the Delegate of Morocco, stated that the reference point using the average of 1993 and 1994 might lead to difficulties. There may be a need to differentiate between major and minor fishing nations. Morocco could not accept 1993 or the average of 1993 and 1994 to be taken as an exclusive calculation base.

6.a.53 The Observer from Taiwan stated that the Recommendation entered into force on October 2, 1995, and Taiwan's fleet is fishing in compliance with these management measures. It would be very difficult for Taiwan if the measures were changed. He indicated that Taiwan will follow the 1994 Recommendations.

6.a.54 The Delegate of Spain stated his understanding that Taiwan is in compliance with the measures adopted aiming at a reduction of 25% on 1993 or 1994 levels. The Delegate of Taiwan responded saying the Recommendations should apply to 1993 or 1994, whichever is higher.

6.a.55 The Delegate of Spain stated in looking at the bluefin landings table for Atlantic longline catches of 5 MT and 329 MT for the Mediterranean, asked if Taiwan would be applying the 25% on those numbers. The Delegate explained Spain's interpretation of France's proposal to use 1993 or an average of 1993 and 1994 giving the nation the option to use whichever is the higher number.

6.a.56 The Chairman stated that for countries with minor catches of bluefin tuna, the use of 1993 or 1994 catches, whichever are higher, is appropriate. However, for nations with major bluefin catches, there is a need for a consensus before moving on time or area closures. The Chairman recommended the interested delegations create an *ad hoc* group to discuss the reference point.

6.a.57 The Delegate of Japan stated that Japan, at the time of adoption of the 1994 Recommendation had been aware that the catches of some countries for 1994 might be higher than those for 1993. However, in fact, catch statistics have shown an unexpected and substantial increase in 1994. The Delegate reiterated the nations that contributed the most to the increase in harvest levels should bear the biggest burden with regard to reductions.

6.a.58 The Delegate of Spain presented a short statement, which is attached as Appendix 4 to Annex 6-3.

6.a.59 A discussion ensued on the development of the *ad hoc* group. It was decided the membership of the group should be left open, in order to allow any interested country to be involved in the discussions.

6.a.60 The Delegate of the United States inquired about the procedure for presenting a scientific proposal asking SCRS to give advice on the value of a longline index on bluefin tuna, specifically, the Delegate asked whether it should be presented in Panel 2, at the PWG, or directly to the SCRS. It was agreed the proposal should be sent directly to SCRS.

6.a.61 The Delegate of the United States discussed its proposed resolution for an Atlantic bluefin tuna recovery program, which is attached as Appendix 5 to Annex 6-3. The proposal reflects earlier discussion on the value of charging SCRS to develop a recovery plan for eastern and western bluefin tuna along with the bluefin stock assessment.

6.a.62 The Delegate of Spain reiterated his country's concern regarding the conceptual problem of the existence of a single stock. He commented that there is not a single stock and that there needs to be a distinction between the stocks.

6.a.63 The Delegate of United States explained the intention was not to imply a single stock, and agreed to make the necessary amendments to the proposal to indicate that two completely separate and distinct recovery programs should be developed.

6.a.64 The Delegate of Canada stated his support for the U.S. recovery program proposal. The Delegate suggested that the proposal be more precise in its request to SCRS, by providing management objectives and request SCRS to provide options for the recovery program to be based on several time frames.

6.a.65 The Delegate of Portugal stated his support of the U.S. proposal and the relevancy of Canada's comments, but suggested that it should be left up to SCRS to determine the best type of recovery program.

6.a.66 The Delegate of Spain agreed with Canada's statement. He indicated that the differences between the stock status of the western Atlantic and eastern Atlantic and Mediterranean should be taken into account during the development of the recovery program.

6.a.67 The Delegate of United States restated that the intention is for the SCRS develop two separate recovery programs before the 1996 annual meeting.

6.a.68 The Delegate of Canada stated that two separate documents should be prepared as guidance for SCRS and suggested the documents be as clear as possible.

6.a.69 It was agreed that a joint proposal would be drafted and discussed by the *ad hoc* group.

6.a.70 The SCRS Chairman, Dr. Suzuki, stated that the proposal's options should be as clear as possible and suggested the minimum option be to stop further decline of the spawning stock. Maintaining the 1994 Recommendation that would allow a 25% reduction from 1994 catch levels would not meet the estimated recovery. He noted that SCRS recommendations are not always respected by the Commission. The recommendations developed by the Commission should be based on the best available scientific data. The Chairman urged the Delegates to heed SCRS suggestions.

6.a.71 The Delegate of Japan reiterated that the GFCM had asked ICCAT study if the prohibition of purse seine gear during the spawning season would be useful, and he urged its adoption by ICCAT.

6.a.72 The ICCAT Executive Secretary stated that document COM/95/24 contained a summary of the GFCM meeting, as well as their Resolution (95/1) which reinforces ICCAT's regulatory measures for eastern Atlantic bluefin tuna in the Mediterranean. (The GFCM Resolution 95/1 is attached as Appendix 6 to Annex 6.3.) The Council did request ICCAT to consider the possibility of extending this to other fishing methods.

6.a.73 The Delegate of France mentioned that this issue had been evoked at the GFCM meeting and that the GFCM referred the matter to ICCAT to determine whether the prohibition would be useful for the stock. The Delegate underlined that there is a need for a prior scientific assessment to determine the effectiveness of the proposal.

6.a.74 The Delegate of Spain stated that he had chaired the GFCM meeting. GFCM does not have a committee that can analyze the proposal and its effect on spawning and holding stocks. It is unknown if time/area closures will protect parent stocks. Information is lacking regarding accurate assessments and accurate fleet size estimates. He suggested it would be useful if SCRS could get this information.

6.a.75 The Chairman supported SCRS involvement in the study.

6.a.76 The Delegate of France reiterated the Chairman's point on the purpose of creating an informal group to resolve the outstanding agenda items. He noted that one of the issues resolved by the group involved France. The compromise reached by the group is reflected in Annex 4-5. He stated that it consists of an agreement to help France take into account its current level of fishing and pointed out that fishing levels cannot continue to increase when the Commission has management measures in place to replenish the stock. He noted that the reference year of 1994 was supported by some countries, but in regard to France's 1994 catch level, 7,000 MT is being used as the reference point in order to decrease France's catch appropriately. The Delegate stressed that this is a higher reduction than France asked for at the first session.

6.a.77 The Delegate of France also stated that his country had agreed to these satisfactory provisions, which will be done over a three year period with the total catch coming from both the Mediterranean and the Atlantic fisheries. He stressed that this is a sacrifice and that Spain and the United States were instrumental in getting this issue resolved.

6.a.78 The Delegate of Spain reiterated France's statement and agreed the Recommendation was reached by consensus. This consensus was tantamount in getting a reference point that falls within the 1994 Recommendation for bluefin tuna. The Delegate asked if it would now be appropriate to discuss the other outstanding agenda items. He noted his concern over the current situation of increasing catch levels and the need to find a solution to this problem. He stressed that the recommendation to apply a 25% reduction on either 1993 or 1994 catch levels, whichever catch was higher, was to produce real solutions. He noted that the determination to use either 1993 or 1994 catch levels was based on the lack of data available at the time of the recommendation. He stressed that this did not mean that there should be any major increases in catch. The Delegate appealed to the Contracting and non-Contracting Parties that have significantly increased their catch to show their sense of responsibility and apply the appropriate reduction levels. He noted that a letter will be sent and will include the recommended range of acceptable reductions. He stated his desire to be consistent with procedure and noted that the appeal cannot be made into a resolution, but stressed, that Contracting and non-Contracting Parties should be responsible and implement the appropriate conservation measures recommended for the species. The Delegate noted that he did not believe it was appropriate to mention the particular figures to be used in the letter, but that a range of reduction levels would be given and that a more in-depth process to implement the measures would be done next year. He stressed that he can only accept decreases, not increases in catch levels, and this will show our commitment to recovery.

6.a.79 The Delegate of the United States agreed with Spain's statement. He noted the exemplary action taken by France in its desire to implement conservation measures and stated that France's action was a good example for other countries that increased their catches.

6.a.80 The Delegate of Spain clarified that the letter he discussed earlier in the PWG Meeting was not going to be sent to any members of the Commission. He stated that he did not want to reveal the names of countries that had significantly increased their catches, but in general, all countries should be held responsible for the conservation measures set forth by the Commission.

6.a.81 The Chairman recognized consensus on this agenda item and recommended the adoption of the Recommendation.

6.a.82 The Delegate of France summarized the previous discussion and agreed to the proposals presented by Spain and the United States. He stated for the record, that France never had the intention to constitute an artificial historical reference, and noted that France itself had recommended a reduction of its catches.

6.a.83 The Delegate of Japan commended France for their actions. He noted a reference in the document and asked for clarification on why paragraph 9 of the 1994 Resolution was included in addition to paragraphs 2 and 3.

6.a.84 The Delegate of France stated that Japan was correct and that he had no problem deleting the reference.

6.a.85 The Chairman again recommended the adoption of the document with the amendment deleting paragraph 9. He then asked the Panel to discuss the proposed resolution for Atlantic bluefin tuna recovery programs. He noted the difficulty in reaching an agreement on this issue and asked if there is now a consensus.

6.a.86 The Delegate of the United States stated that proposed resolution was a refined proposal. He noted the intent of the proposal was to call upon SCRS to give the Commission advice on recovery options. He stated that the current version of this resolution contained changes that should satisfy all interested Parties. The Delegate made specific reference to the underlined portions of the document, briefly explained the scientific discussion of the mixing between eastern and western bluefin tuna, and clarified that the MSY level included a 50% probability.

6.a.87 The Delegate of Canada stated his support of the United States proposal. He noted that it was a helpful step to getting better management for both east and west bluefin tuna. He stated that the proposal now has specific requests for the SCRS and should produce clear results. The Delegate asked for clarification on the terminology of the word "nets" and whether or not the terminology would include purse seine nets or did this need to be clarified.

6.a.88 The Delegate of United States stated that in the U.S. view the language would include purse seine vessels as a response to the GFCM request for information regarding the use of this gear type in spawning areas during June and July.

6.a.89 The Delegate of France agreed with the United States and added that the term "net" is general on purpose. The general term takes into account all types of fishing nets, thereby alleviating the need to list every type of net.

6.a.90 The Delegate of Canada stated his agreement with France's explanation as long as it included purse seine gear.

6.a.91 The Chairman resolved that this Resolution was adopted and would be forwarded to the Commission for final approval (see Annex 4-4). He also noted that there was one more item on the agenda concerning the request made by the United Kingdom.

6.a.92 The Delegate of United Kingdom explained the changes to his originally proposed resolution relating to the Provisions agreed to in 1982 and 1984 and the request of the United Kingdom to have an incidental catch of 50 MT, similar to the concessions given to Brazil and Cuba. The recommendation was changed to allow this dependent territory to have a domestic fishery within its EEZ and to give Bermuda an incidental catch of up to 4 MT during 1996, with the acknowledgement that the matter of management of bluefin tuna will be reviewed at the 1996 annual meeting.

6.a.93 The Delegate of United States welcomed the United Kingdom as a new ICCAT member and noted that the actions taken by the U.K., as a new ICCAT Contracting Party, should show other non-Contracting Parties that joining ICCAT is needed to get the best conservation and management for bluefin tuna. He stated that western bluefin tuna was over-fished and was in need of conservation. He noted that the western bluefin tuna fishery was a fully subscribed fishery that was managed by quotas. The Delegate stated that the Commission needs to deal with the issue of incoming Parties and to resolve the issue of how to handle new entrants coming into a fully subscribed fishery. He suggested that there be a waiting period for new entrants that do not have an historical catch. He noted that Bermuda had a historical catch of only one year. The Delegate presented these refinements to the proposal: that there be no directed fishery, that the catch allowance be for only one year, and that there would be no guarantee that a catch allowance would be forthcoming in the future. The Delegate then questioned Bermuda's need for 4 MT.

6.a.94 The Delegate of United Kingdom explained the request of 4 MT and stated that even with data on recent catch history levels of the longline fishery within its EEZ, the incidental catch has been as high as 3.5 MT. He stressed how difficult it would be to realistically reduce this incidental catch to 2 or 3 fish.

6.a.95 The Delegate of Canada expressed his appreciation and welcomed the participation of United Kingdom in ICCAT. He stated that Canada has had discussions with the United Kingdom delegation and understands their interest to develop their fishery and commended the United Kingdom on their responsible approach. The Delegate noted his support of their proposal to have a 4 MT incidental catch within their own zone.

6.a.96 The Delegate of France stated that he can understand the need to develop fisheries within the EEZ of archipelagos of the United Kingdom and that he can support the U.K. proposal.

6.a.97 The Delegate of Japan stated that he was a member of the informal discussions and reiterated a concern that was expressed about using the word "developing" and that it may infer that the fishery could lead to a more developed state. The Delegate suggested the use of the phrase for the title of the recommendation "an exemption for small scale fishery". If this is accepted, Japan agreed to support the proposal.

6.a.98 The Delegate of the United Kingdom expressed thanks to France, Canada and Japan and stated he would accept their proposals.

6.a.99 The Delegate of the United States thanked the U.K. for the explanation on why 4 MT was needed and stated their acceptance of that level of incidental catch.

6.a.100 The Delegate of United Kingdom thanked the United States for accepting the 4 MT incidental catch level and responded to the United States request to address their concerns. He stated that items 1 and 2 in the U.S. proposal were taken care of in the U.K. proposal. He noted that the U.K. is aware that the level of incidental catch was only for one year and that it will be readdressed next year. He stated that the U.K. (Bermuda) could not accept the United States third proposal because it condemns them forever to only an incidental catch. He noted that he understood that the U.K. (Bermuda) would not be able to receive an allocation until the bluefin tuna stock had recovered enough to support additional allocation and that this should be discussed in 1996.

6.a.101 The Delegate of Japan noted that he shared the concerns stated by the United States Delegate. He stated that the United Kingdom became a new member and chose to present a proposal that would be reviewed by the Panel instead of going ahead with its own fishery. The Delegate noted his appreciation for these actions. He stated that he believed the United Kingdom understands that the fishery should not be expanded too much. He noted the concern and disagreement of the United Kingdom with precluding future allocations. However, he did agree that it would be necessary to impose certain conditions on the developing fishery for small-scale fishermen. The Delegate stated that if the United Kingdom can accept the amendment Japan had proposed earlier, he could support their proposal.

6.a.102 The Delegate of United States noted their appreciation of the need not to foreclose the fishery, although at this time it would seem inappropriate for the fishery to be expanded. He stated that if this can be agreed to by the United Kingdom and the other Delegates, the United States will drop its third initiative.

6.a.103 The Delegate of United Kingdom thanked Japan and the United States for their comments and stated that they are aware of the status of western bluefin tuna and that they would not expect an increase in quota any time before the recovery of the stock.

6.a.104 The Delegate of the United States stated his acceptance of the recommendation.

6.a.105 The Chairman stated that in his opinion a consensus had been reached and that the U.K. should redraft the proposal to reflect the accepted amendments.

6.a.106 Discussion of the re-draft occurred during the third session of Panel 2. The re-draft, with all of the amendments was adopted and referred to the Commission for consideration (see Annex 4-7).

6.b Northern Albacore

6.b.1 The Chairman asked if there were any questions on the SCRS report.

6.b.2 The Delegate of Spain asked that SCRS give a breakdown of data by gear type. He noted that there is a need for the data in order to develop appropriate conservation and management measures. He did not support the listing of some gears in the "others" category as the term is unclear. He stated that when the catch reaches significant levels, data by gear type is really important.

6.b.3 The Delegate of Portugal agreed with Spain and stated that this information was necessary for this fishery and all others.

6.b.4 The Delegate of France had no objections to the proposal. He noted that there have been changes in the French fleet, specifically that vessels could have more than one gear type.

6.b.5 The Chairman reiterated the need for a breakdown by gear type.

6.b.6 The Delegate of Spain stated the damaging effect driftnets have on albacore stocks and asked for a ban of this gear. The Delegate further stated that he did not find it a coincidence that the albacore catch levels in the late 1980s to early 1990s decreased with the use of this gear type. He stressed the damage done by this gear is serious.

6.b.7 The Delegate of France explained that France has frozen the number of vessels allowed in the fishery, with the establishment of an unprecedented monitoring level. The end of 1995 French driftnet catch would reach 3,200 MT, while the catch level was 4,000 MT for 1994. Hence, there would be a 30% decrease in 1995 as compared to 1994.

6.b.8 The Delegate of the United Kingdom stated he agreed with France and not with Spain.

6.b.9 The Delegate of Spain asked the U.K. how it stands with regard to the breakdown requested on data according to gear type.

7. Research

7.1 The Panel was referred to Item 9 of the Commission Plenary session.

8: Date and place of next Panel meeting

8.1 The next meeting of Panel 2 will be held at the same time and same place as the next Commission Meeting in 1996.

9. Other items

9.1 No other items were discussed.

10. Election of Panel Chairman

10.1 The Delegate of Japan stated it was his honor to propose that the Delegate of Morocco continue to be Chairman of the Panel. The Delegates from Canada, France, United States and Spain all seconded this proposal. Morocco was unanimously re-elected Chairman of Panel 2.

10.2 The Chairman stated that he felt completely honored and would try his utmost to meet the Panel's expectations.

11. Adoption of Report

11.1 The Report was adopted by the Panel and forwarded to the Commission for final approval. The Panel also adopted the Resolution for Atlantic Bluefin tuna Recovery Programs (Annex 4-4), the Recommendation for Supplemental Management Measures for Eastern Atlantic Bluefin Tuna (Annex 4-5), and the Recommendation for Quota Exemption for Small-Scale Domestic Fisheries in the Western Atlantic (Annex 4-7), which were also forwarded to the Commission for final approval.

12. Adjournment

12.1 The 1995 meeting of Panel 2 was adjourned.

Report of the Meeting of Panel 3

1. Opening

1.1 The meeting of Panel 3 was opened by the Panel Chairman, Mr R. Stone (United States), who welcomed the Panel members. The Chairman explained that he was chairing this session since Mr. L. Weddig, who had chaired the Panel for many years, no longer on the U.S. delegation. The Chairman noted that the Panel would have to elect a new Chairman during this meeting.

2. Adoption of Agenda

2.1 The Agenda was adopted without any changes, and is attached as **Appendix 1 to Annex 6-3**.

3. Nomination of Rapporteur

3.1 Mr. A. Penney (South Africa) offered to act as rapporteur for the meeting of Panel 3.

4. Review of Panel membership

4.1 There are currently four members of Panel 3: Japan, South Africa, Spain and the United States.

4.2 The Delegate of Korea, attending the Panel meeting as an observer, noted that Korea is a member of Panels 1, 2 and 4, and had served as a member of Panel 3 from 1973 to 1983. He explained that Korea had an interest in many tuna species, including those discussed in Panel 3, and was therefore considering re-joining the Panel in the near future. The Chairman thanked Korea for their interest and expressed the hope that all other countries interested in southern temperate tunas would consider participating in the activities of Panel 3.

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

5.1 It was noted that the 1995 SCRS Report had been presented in detail by the Chairman of the SCRS, Dr. Z. Suzuki, under Agenda Item 9 of the Commission Meeting.

5.2 The Chairman asked whether Panel members had any questions to address to Dr. Suzuki on the contents of the SCRS Report concerning southern bluefin tuna or southern albacore. Panel members had no questions.

6. Measures for the conservation of stocks

6.a Southern Bluefin Tuna

6.a.1 The Panel recognised that southern bluefin tuna was principally being managed by the recently established Convention for the Conservation of Southern Bluefin Tuna (CCSBT). The Panel members made no further recommendations on the management of this species.

6.b Southern Albacore

6.b.1 The Delegate of South Africa presented a statement (attached as **Appendix 7 to Annex 6-3**) requesting all participants in the fishery for southern albacore to make every effort to implement and enforce the 1994 Recommendation for a limit on catches of southern albacore from 1995 onwards (see **Annex 20** to the 1994

6.b.2 The Chair thanked South Africa for the valuable observations in their statement, and asked if there were any further comments on management of southern albacore. There were no further proposals concerning the management of southern albacore.

7. Research

7.1 The Chairman asked Dr. Suzuki to comment on SCRS recommendations concerning research on the species of concern to Panel 3. Dr. Suzuki noted that no stock assessment had been conducted for southern albacore at the 1995 SCRS meeting. However, a recommendation had been made by the Albacore Species Group to conduct a detailed stock assessment on albacore during 1996.

7.2 Although this has yet to be confirmed, it was noted that Taiwan had invited the Albacore Species Group to hold this meeting in Taiwan. Dr. Suzuki expressed that this would be an ideal venue for the meeting, as the southern albacore resource appears to be over-exploited, and Taiwan was an important participant in this fishery.

8. Date and place of next Panel meeting

8.1 The Panel agreed to hold its next meeting during the 1996 Commission meeting.

9. Other Matters

9.1 No other matters were discussed.

10. Election of Panel Chairman

10.1 The Chairman noted that the Panel needed to elect a new Chairman and asked Panel members to make proposals for candidates for the Chair.

10.2 The Delegate of Spain proposed that the U.S. continue to Chair Panel 3. This proposal was seconded by South Africa. The Chairman noted that he personally would be retiring at the end of the year. However, he assured the Panel that the U.S. would be pleased to provide a Chairman for this Panel, and he thanked the Panel members for their support.

11. Adoption of Report

11.1 The draft Report of Panel 3 was reviewed during the Panel's second session. There were no proposed changes to the report, which was therefore adopted.

12. Adjournment

12.1 The 1995 meeting of Panel 3 was adjourned after adoption of the report.

Report of the Meeting of Panel 4

1. Opening

1.1 The meeting of Panel 4 was opened by Mr. I. Nomura (Japan), Chairman of the Panel.

2. Adoption of the Agenda

2.1 The Panel reviewed and adopted the Agenda, which is attached as Appendix 1 to Annex 6-3.

3. Election of Rapporteur

3.1 Dr. R. Lent (United States) was designated Rapporteur.

4. Review of Panel Membership

4.1 Panel 4 is currently comprised of 10 members: Angola, Brazil, Canada, France, Japan, Portugal, Republic of Korea, Spain, United States, and Venezuela.

4.2 The United Kingdom, on behalf of the Government of Bermuda, confirmed its interest in becoming a member of Panel 4. The Chair officially admitted the United Kingdom as a member of Panel 4.

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

5.1 The Chairman announced that since Dr. Z. Suzuki, Chairman of the SCRS, had already made a complete presentation of the SCRS Report at the Plenary Session of the Commission, the discussion of this Agenda item should be limited to questions to Dr. Suzuki for purposes of clarification.

5.2 The Delegate of Canada asked what the level of replacement yield of the north Atlantic stock would be in 1997 if catches were maintained at 1996 quota levels. Dr. Suzuki answered that the replacement yield preliminarily estimated for 1997 would be about 8,000 MT.

6. Measures for the Conservation of Stocks

6.a Bigeye Tuna

6.a.1 The Delegate of Japan stated that his country was very concerned about the rapid increase in bigeye tuna catch in recent years. He pointed out the upward trend in catches to levels exceeding MSY, with a total catch in 1994 of over 110,000 MT. The Delegate of Japan stated that the rapid growth in landings stems from the increase of purse seine fishing since 1990 and the dramatic increase of Taiwanese longline fisheries. He also indicated that purse seiners catch much smaller fishes than longline fisheries, partly due to the use of drifting artificial Fish Aggregating Devices (FADs), and emphasized that about 65% of the total number of bigeye tuna caught in 1994 were less than the minimum size of 3.2 kg set by the ICCAT Recommendation. The Delegate of Japan stated that the percentage would be much higher for purse seine fisheries alone. FADs have an adverse impact in terms of yield per recruit and on spawning potential. The Delegate of Japan suggested that purse seine fisheries should be regulated by certain management measures, including a closed season and closed areas, and a limit on the use of FADs in purse seine fisheries. He also requested that the SCRS study the impact of high catches by purse seine fisheries on bigeye tuna and other tunas, and the species composition of catch. The Delegate of Japan also requested that purse seine fisheries contribute to alleviating the current resource problems by reducing catch to half the current level, which could be accomplished by complying strictly with the minimum size limitation. He further expressed his grave concern about

the dramatic increase of Taiwan's bigeye tuna catch and indicated its support for the initiative which the U.S. had taken in the PWG in addressing the bigeye tuna fishery, and also other tuna fisheries, of Taiwan. The statement by Japan is attached as **Appendix 8 to Annex 6-3**.

6.a.2 The Delegate of Spain indicated that he shared the concern of the Delegate of Japan, and he was quite alarmed by the sharp increase in the catch level of the longliners. He pointed out that the SCRS, in its Report, expressed its concern not only as regards the mortality of immature fish, but also as regards the increase of close to 20% in the longline catches. Regarding the catch of small fish, he pointed out that there was a similar situation, since it seems to be a consequence of a change in fishing strategy and the utilization of artificial floating objects. He considered it necessary that an exhaustive observation program be set up, whose objective would be to determine the impact of artificial flotsam on juveniles and to provide a reliable scientific base for an eventual regulation of the use of these artificial objects, and, if necessary, their prohibition over the medium term. With the proposal he believed that the concerns of Japan as regards juvenile mortality associated with fishing using artificial objects would diminish. The Delegate of Spain pointed out that the SCRS recommendation to maintain catches below MSY, would affect everyone, and should therefore be taken into account in seeking solutions to the problems relating to this fishery. The statement by Spain is attached as **Appendix 10 to Annex 6-3**.

6.a.3 The Delegate of the United States supported the statements by Japan and Spain, and asked whether Japan had a specific proposal, resolution, or recommendation to offer in this regard. The United States was interested in studying such a proposal with a possible view to supporting it.

6.a.4 The Delegate of Portugal also supported Japan and Spain.

6.a.5 The Delegate of France generally supported the points raised by the Spanish delegation. He stated that this was a very complex problem that had been raised many times, notably that of a multi-species fishery. The Delegate of France noted that flotsam had increased juvenile catches; however, the SCRS Report also showed shifts in fishing areas. The Delegate of France asked whether there was any relation between the shift in fishing areas and the catch of juveniles. He emphasized the need to continue research in this area, and to support the recommendations which appeared in paragraph YFT-6 of the SCRS Report. The Delegate of France also noted these movements do not seem to have caused considerable changes in catch rates of juvenile yellowfin tuna.

6.a.6 The Delegate of Japan responded to the question by the United States by indicating that they would draft a resolution and circulate it.

6.a.7 The Delegate of Japan proposed the Resolution on Bigeye Tuna (attached as **Appendix 9 to Annex 6-3**). He presented an overview of the trends in fleet effort and landings of bigeye tuna in the world. In the IATTC area, Japan established a longline operation for bigeye tuna. After that, Korean and Taiwan joined this fishery and placed pressure on bigeye tuna stocks. On the other hand, under strong pressure by the dolphin safe movement, purse seiners changed their target from a dolphin-related one to schools associated with log and FADs, which resulted in the great increase in their landings of juvenile bigeye and yellowfin tunas. Under those circumstances, the decline in the bigeye stocks will continue. Many longliners operating in the IATTC area have shifted their operations to the Atlantic for bigeye. Another important history in the world tuna fisheries was the shift from the Atlantic to the Indian Ocean of the operations of French and Spanish purse seiners fishing for yellowfin and skipjack tunas. These purse seiners mainly target schools associated with FADs or other floating objects and catch a considerable amount of juveniles. The Taiwanese longliners replaced Japanese operations and continued the longline fishery in the Indian Ocean for yellowfin tuna, but their operations in these fishing grounds have recently been discontinued because of the decline in the stocks. The Taiwanese fishery might have been shifting its operations from the Indian Ocean to the Atlantic Ocean for bigeye tuna. At the same time, part of the French and Spanish purse seiners have come back from the Indian Ocean to the Atlantic Ocean. These phenomena are closely related to the juvenile catch of the purse seine fishery. The Delegate of Japan emphasized that we should not repeat such an illogical and irrational utilization of the stocks in the Atlantic Ocean. He noted again the high catch of juvenile bigeye tuna associated with the Spanish and French purse seiners operating with FADs. The Delegate of Japan noted his concern that in the near future, there will be no bigeye tuna operations in the Atlantic. Finally, he noted the difficult situation of Taiwan in the international community, which resulted in his Taiwanese colleagues being very isolated. He stated that we should give them some status in the world fishing communities so that they can then recognize their responsibilities. As Taiwan was leading in longline catches in the Atlantic, he strongly urged Taiwan to share the management responsibility in the Atlantic Ocean.

6.a.8. The Delegate of Japan presented the redrafted the Resolution on Bigeye Tuna, which incorporated an amendment to paragraph 2. He noted that the measures could include time/area closures, limits on the use of FADs, and limitation of catch. Regarding the second paragraph, the Delegate from Japan noted that the Commission had already asked SCRS to investigate the impact of FADs, and this year would further ask SCRS to provide an evaluation, not theory, on the impact of the use of FADs. Regarding paragraph 3, The Delegate of Japan observed that he had learned from the SCRS report that 65% by number and 50% by weight are undersized fish. He indicated that if the minimum size recommendations for bigeye tuna were strictly followed, the purse seine catch could be reduced substantially.

6.a.9 The Delegate of Spain indicated his country's concern about the subject of juveniles, and also expressed their shared concern for the marked increase in longline catches. Regarding juveniles, he indicated a willingness to carry out an observation campaign directed towards considering the impact of FADs, with the aim of establishing specific measures for the use of these devices.

6.a.10 The Delegate of France reiterated that it would be important to study the effects of considerable shifts in fishing zones on the catch of juvenile fish. Regarding the Resolution presented by Japan, he indicated it presented some aspects that were difficult to accept, as expressed by the Spanish speaker, and that he was willing to work with Japan to find more acceptable wording.

6.a.11 The Delegate of the United States thanked the Delegates of Japan for their Resolution, particularly since the SCRS report had emphasized problems in this fishery resulting from the increase in catch of small fish, as well as the overall increase in catch levels.

6.a.12 The Observer of Taiwan stated that while supporting the Resolution presented by Japan concerning purse seiners, he disagreed with the statement by Japan regarding Taiwan's fishery. He cited landing figures and indicated that the increase in catch has been contributed to by several countries, including Contracting Parties and non-Contracting Parties. The Delegate expressed that since there is no management recommendation currently in effect, with the exception of the 3.2 kg minimum size limit, any amount of catch of bigeye greater than 3.2 kg in size does not constitute a violation of ICCAT's current management measure.

6.a.13 The Delegate of Canada expressed support for the resolution put forth by Japan. Canada felt strongly about the fact that 65% of the total fish caught in 1994 was below minimum size. The Delegate of Canada stated that this was a serious situation which must be addressed, and the proposal moved in that direction. Because the SCRS recommended that catch levels be reduced below MSY, Canada supported the proposal.

6.a.14 The Delegate of France stated his concern over the SCRS findings, and expressed interest in participating in the elaboration of a Resolution that would be acceptable to all parties. He noted, however, that while purse seiners are the focus of many concerns, in fact their landings are less important than those of longliners, even those of Japanese vessels. He also noted that while bigeye is the major concern, this is a multi-species fishery, and any recommendations arising from future research and management discussions should take this into account.

6.a.15 The Delegate of Portugal supported the proposal by Japan. They wished to recall the SCRS document which indicated that since 1993, the total bigeye tuna catch had substantially exceeded all current MSY estimates. He also noted that the level of fishing in 1994 would reduce population sizes to a level which would not support MSY, as well as reducing the catch in the near future due to over-fishing. The Delegate of Portugal also noted that the problem related both to size and to over-fishing in general.

6.a.16 In response to a question from the Delegate of France, Dr. Suzuki, Chairman of the SCRS, indicated that there is, on average, 65% of juveniles under 3.2 kg. The SCRS Chairman identified three categories of bigeye tuna fisheries: (1) The longline (target), fishery; (2) The baitboat (target and by-catch) fisheries, of which there are two types: (a) temperate or subtropical fisheries conducted by Portugal and partly by Spain, and (b) tropical waters by Ghana and some other countries; and (3) Purse seining in tropical waters. The largest bigeye tunas are taken by longliners, at an average of about 45 kg. The average size of bigeye tuna taken by temperate baitboats is about 25-30 kg, while bigeye taken by tropical purse seiners averaged around 5 kg. Thus, the SCRS chairman noted that most of the catch of undersized bigeye tuna comes from purse seine and tropical baitboat fisheries, while no fish smaller than 3.2 kg are taken by longliners, and the average size of fish for the majority of the catch is considerably larger. Regarding the second question to SCRS concerning the multi-species nature of the purse seine fishery, Dr. Suzuki indicated three species taken by purse seiners in the tropical waters: yellowfin and skipjack tunas are target species for this fishery, while bigeye tunas are incidentally caught. The increase in catch of undersized bigeye tuna is associated with skipjack fisheries, and not directly related to yellowfin tuna. The SCRS Chairman noted that skipjack

catches also increased quite significantly with the use of FADs. He concluded by indicating that bigeye tuna are overfished, yellowfin tuna stocks are close to or at the MSY level, while skipjack still appears to be moderately exploited.

6.a.17 The Chairman summarized the preceding discussion by noting that some countries did not accept the Resolution proposed by Japan, while others supported it, focusing on the juvenile fish issue. The Chairman also took note of the interest on the part of Spain and France in working with Japan in a smaller group in an effort to develop an acceptable wording. The Chairman invited other countries to join in these efforts.

6.a.18 The Delegate of France stated that he could not support the Resolution proposed by Japan as it was currently drafted, since the SCRS Report emphasized that total catch exceeded MSY due to rapid increases in the catch of purse seiners and longliners. The Delegate of France noted that only in the last sentence of the section did the SCRS Report indicate that the decrease in the total landings should be accompanied by a decrease in juvenile catches. The Delegate of France thus emphasized that the Resolution proposed by Japan only takes into account one of these two issues.

6.a.19 The Chairman indicated that further discussion of the Resolution would be left for the smaller, informal group.

6.a.20 The Delegate of Japan suggested that Taiwan, while not a member of Panel 4, should be permitted to participate in this discussion. The Chairman indicated that, concerning bigeye, Taiwan should participate in the smaller, informal discussion group with the other countries. Taiwan agreed to this suggestion, as did the other countries.

6.a.21 The Delegate of Spain presented a statement on bigeye tuna (see Appendix 10 to Annex 6-3) and also an alternative Resolution to that which the Japanese Delegation had presented on bigeye tuna the latter including modifications so that all the elements of the SCRS recommendation would be taken into account.

6.a.22 The Delegate of France stated that it supported the draft Resolution submitted by Spain.

6.a.23 The Delegate of Japan indicated that he felt there was a more urgent need for a reduction in purse seine catch of bigeye tuna than that which was indicated in this version presented by Spain, however in order to reach an agreement, Japan gave its support to this version. The Resolution was adopted and forwarded to the Commission for its consideration (Annex 4-8).

6.a.24 The Delegate of Spain expressed concern that the SCRS recommendations were different in the distinct language versions and requested, since this indication was not made in previous interventions, that the SCRS Chairman confirm that the recommendations did not refer to specific years, but to maintaining the catch levels below MSY.

6.a.25 The Chairman of the SCRS, Dr. Suzuki, pointed out that in the English version there was no reference to an interval of years, but only to maintaining catch at levels below MSY.

6.a.26 The Delegate of Spain, after the confirmation by the SCRS Chairman that there were no reference years in the recommendation, modified its statement on bigeye tuna, which now read "reduce the total catch to below MSY". There was full agreement on this modification.

6.b Swordfish

6.b.1 The Assistant Executive Secretary, Dr. Miyake, distributed a table of revised swordfish landings statistics. The ICCAT Secretariat admitted that there was an error in the previous table, and that the catch statistics for the south Atlantic for Spain for 1993 were incorrect. Dr. Miyake apologized for the error. He explained the policy of SCRS regarding data corrections. The table attached to the Report reflected data which the SCRS had analyzed. There had been some updating of the catch data, but these were not included in the table as they were not the statistics used in the stock assessment.

6.b.2 The Delegate of Canada introduced a statement in support of the proposed Canadian Recommendation on Swordfish (both of which are attached). See Appendix 11 and Appendix 12 to Annex 6-3.)

6.b.3 The Delegate of Spain expressed concern regarding this proposal, particularly as it seemed to indicate that no specific measures were taken to comply with swordfish conservation recommendations, although two Contracting Parties (Spain and the United States) had reduced their landings by 37%, reduction far superior than the 15% established in the Recommendation. Precisely because of the in-compliance of the Recommendation by other Contracting Parties, as indicated in the 1994 SCRS Report, the swordfish stock has not benefited from these reductions and, as a result, that same year other solutions had to be sought, such as adopting a new Resolution which included such measures as the establishment of TACs.

6.b.4 The Delegate of France reiterated that his country had no interest in this fishery, but asked about the nature of the stock, as for so many years the stock assessments have shown declining stocks, the level of catches seemed to indicate that this resource was surprisingly resistant. He also took note of the wide range of variations for the MSY estimate, from 5,000 MT to 16,000 MT.

6.b.5 The Delegate of the United States indicated that his country's concern for this fishery is so deep that he had called a special meeting of the countries interested in this fishery. He also indicated that the management of the swordfish stock is a case study in how things go wrong in ICCAT. The Delegate of the United States indicated that problems arose when conservation and sacrifices were imposed on the fishermen in the United States, while other countries took that opportunity to increase their catches, behavior that undermines the effectiveness of ICCAT actions. The Delegate of the United States stated that Panel 4 countries must work together in a cooperative spirit with all countries, and share the burden of conservation. He indicated that the U.S. fishermen were now experiencing the first closure of their fishery, and that during this time, consumer demand was continuing, supplied in many cases by imports from countries that are non-Contracting Parties not respecting ICCAT conservation requirements. He added that the proposal by Canada could be a step towards such cooperation but felt that the timing was not appropriate. The Delegate of the United States indicated the need to first resolve the equity problem, which had not been adequately addressed at the 1994 meeting due to the urgent need to concentrate on the reduction in total landings. The Delegate of the United States thus emphasized the need for the negotiation of allocations based on historical shares. He noted that another issue which needed to be addressed was the control of non-Contracting Parties fishery operations, as had been addressed in the PWG by adding swordfish to the trade measures portfolio. The Delegate of the United States also noted the need for a recovery plan from SCRS. Thus, he suggested a rational plan to develop these various components over the next year, and the establishment of a TAC for major and minor fishing countries as well as non-Contracting Parties.

6.b.6 Dr. Suzuki addressed the question of the Delegate from France by noting that despite the very pessimistic projection by SCRS, the catch of swordfish had been maintained by increasing fishing mortality, although there was some decrease in the catch of smaller fish due to the introduction of the minimum size regulation.

6.b.7 The Chairman concluded that there was no support for the Canadian proposal, at this time, but that it could be considered in the future after other steps had been taken. There was no further discussion on this proposal.

6.b.8 The Delegate of Spain indicated Spain's support for the U.S. suggestion to discuss the allocation issue.

6.b.9 The Delegate of Canada appreciated the comments made by Spain and the United States on the proposal put forth by Canada, and agreed that there was a need to address the long-term sharing agreement. He said that he would not repeat the arguments of recent years concerning the proposals made in 1990 or 1991, as that discussion had been held many times before. The Delegate of Canada expressed continued concern that while shares were being negotiated, and while the problem of small fish was being negotiated, the stocks would continue to decline between now and next year.

6.b.10 The Delegate of the United States offered two additional proposals regarding swordfish. The first was a resolution the SCRS to develop a set of options for a recovery program, while the second was a proposal to consider a recommendation addressing the issue of minimum size, the latter emanating from the U.S. position as a major importer of swordfish. The Delegate of the United States indicated that this measure would enable the United States to prohibit the sale in the United States of undersized fish.

6.b.11 The Delegate of Japan suggested that since the Panel 4 members had had little time to read or discuss the two proposals from the United States, that some time must be provided to review them.

6.b.12 The Delegate of the United States appreciated that delegations would need to study these proposals more carefully, and that a number of countries wished to conduct smaller-group negotiations regarding the long-term allocation issues.

6.b.13 The Delegate of Canada agreed to meet in a smaller group regarding the two proposals and the long-term allocation. He thought that agreement could be reached on the two specific proposals before the end of the meeting. He hoped that the long-term allocation could be agreed by 1996, but that nevertheless it was important to initiate discussions now.

6.b.14 Regarding the U.S. proposal for a resolution to establish a recovery program for swordfish, the Delegate of Spain confirmed that following discussions in the smaller group, the document had been modified. Following distribution of the modified document, the floor was opened for discussion.

6.b.15 The Chairman recommended that Panel 4 adopt the U.S. proposal for a resolution for a recovery program for swordfish, and the proposal was adopted and forwarded to the Commission for its consideration (see Annex 4-9).

6.b.16 The Delegate of Japan responded to the U.S. proposal regarding undersized swordfish, noting that it would allow any Contracting Party to choose either the present Recommendation with tolerance, or the modified Recommendation with no tolerance. Were Japan to select the original Recommendation, while other countries chose the no tolerance alternative, Japan could legally land the small fish, but could not sell them in the countries which had selected no tolerance. Nevertheless, Japan indicated its willingness to continue discussions on this matter in the small group meeting.

6.b.17 The Delegate of the United States indicated that they would continue to work with Japan and other countries in the smaller group. He also noted that the measurement would be taken from the tip of the lower jaw to the fork of the tail and appropriate equivalent size measurements, as necessary.

6.b.18 The Delegate of Spain wished to confirm whether this proposal could include a suggestion made by Spain to ensure that the Contracting Party that opted for this system would put forth measures in order to monitor discards, to be used in SCRS analyses.

6.b.19 The Chairman noted that this proposal would continue to be discussed in smaller groups, and that these discussions would include the delegations of Japan and Spain.

6.b.20 The Delegate of the United States explained the revised version of the proposed undersized swordfish recommendation. The two changes made were: (1) clarification of the measurement method and (2) record-keeping for discards. Discussion then opened on the new version of the swordfish minimum size proposal.

6.b.21 The Delegate of Canada supported the recommendation as amended by the United States and as explained by the U.S. Delegate, and noted that these changes had been discussed and agreed to by the Canadian delegation.

6.b.22 The Delegate of Spain thanked the United States for making the changes which Spain had requested and also indicated his support for this revised draft recommendation.

6.b.23 The Chairman declared the draft recommendation adopted and forwarded to the Commission for its consideration (see Annex 4-10).

6.b.24 Regarding the long-term allocation, the Delegate of Canada noted that there had been discussions, but no formal agreement had yet been reached, hence the discussions would continue.

6.b.25 The Delegate of the United States agreed with Canada's summary of the situation. However, he indicated that the United States did not wish to withdraw the proposal, even if agreement could not be reached.

6.b.26 The Delegate of Spain supported the U.S. delegation, and stressed the importance of reaching an agreement this year on the long-term allocation scheme. He pointed out that considerable effort would need to be made in order to reach agreement during this session.

6.b.27 The Chairman indicated that a draft recommendation had been circulated regarding a long-term allocation scheme for Atlantic swordfish, and the floor was opened to discussion on this proposal.

6.b.28 The Delegate of Canada indicated that this agreement was a result of long and difficult negotiations on how to divide the north Atlantic swordfish quota starting in 1997. He also noted the addition of a policy for addressing overages and underages, which was set on a three-year basis for all countries except Japan, which was set on a five-year basis.

6.b.29 The Chairman thanked all countries who had made great efforts to reach a consensus.

6.b.30 The Delegate of Japan said that they had been very reluctant to discuss this issue, particularly given the fact that the Japanese catch swordfish as a by-catch in the bigeye tuna fishery. He noted the high proportion held by the four biggest countries, but added that, in the spirit of cooperation, Japan agreed to this solution. He also emphasized the five-year overage/underage policy for Japan, which reflects the particular nature of their by-catch fishery. The Chairman (speaking as a Delegate) noted the Japanese concession in moving from 8%, by-catch regulation, to a cap.

6.b.31 The Delegate of Korea noted that the allocation of swordfish allowed 94% for the major countries, and only 6% for a total of 17 other countries, and proposed that other countries should have at least 10%.

6.b.32 The Delegate of the United States expressed his appreciation for the very long and difficult discussions in the small group meetings. He noted this was a very difficult issue and that he did not expect to achieve this historical result on a major accomplishment for ICCAT. The Delegate of the United States expressed his appreciation for the delegates of Japan in accepting the cap and quota applicable to Japan.

6.b.33 The Delegate of Spain noted that as for the other speakers, he believed that a historical result had been achieved, after very intense and difficult negotiations, and that it was possible because responsibility and pragmatism prevailed. He thanked Japan for their efforts.

6.b.34 The Delegate of Brazil stated that although they did not fish in the north Atlantic, they were concerned about the lack of a provision for countries to enter the fishery. Thus, he suggested a change of wording, from "extending indefinitely" to "revise regularly to accommodate other countries." The Delegate of Brazil also echoed Korea's concern.

6.b.35 The Chairman noted that intensive and arduous discussions on this issue had been initiated several days prior to the beginning of the Panel 4 meeting, and that it would be very difficult to imagine revising this document, if we were serious about presenting a text which would not be objected to by a major fishing nation. He noted the statements by the two nations that were displeased with the proposed recommendation, but said that they had an opportunity to participate in the smaller group discussions. He said that he preferred, as Chairman, to conclude the discussion on this issue, at least at the level of Panel 4 of this year's session, rather than delay any decision. The Chairman also noted that he did not want to make a decision by vote, and preferred that the Recommendation could be forwarded to the Commission while noting the reservations of the two nations.

6.b.36 The Delegate of the United States said that the Chairman had spoken very wisely, and that it would be very problematic if agreement was not reached at this time. He pointed out to Korea and Brazil, that if the reference year was considered, the share for "Others" in that year was 6.37%. Reductions have been taken since that time by the major fishing nations, so the limitations on "Others" is not unfair given the circumstances.

6.b.37 The Delegate of Spain noted that he wanted to echo the United States as well as the recommendation of the Chairman. He noted that this text would go on record in the proceedings, and would also contain the remarks made by the delegations.

6.b.38 The Delegate of the United Kingdom, while realizing that swordfish stocks were under tremendous pressure and that traditional users have reduced their catch, asked the small working group to explain to the others how the relative percentage allotments were determined. He expressed concerns similar to those of Brazil, and for small island states.

6.b.39 The Delegate of the United States noted that the quotas applicable in 1996 were regarded as emergency allocations, in the sense that there was little time to consider this issue. He stated that adjustments to the shares should reflect the collective views of the countries involved in the negotiations as to what is the appropriate historical share of the fishery, based on long and short term history, and using weighting factors.

6.b.40 The Delegate of Japan asked how the catch of other countries would be calculated and controlled.

6.b.41 The Chairman suggested revising the Recommendation as follows: "extending beyond 1997 until otherwise agreed," rather than "indefinitely."

6.b.42 The Chairman noted that this problem was not new, since negotiations are usually initiated by those countries who are actively fishing. He stated that there are statements on the record indicating that some countries' requests are not being met, while noting that nothing would happen if the Panel could not come to agreement. The Chairman proposed putting this Recommendation forward for adoption, and that the Commission could further discuss that issue. He noted that countries that are not entirely in agreement with this Recommendation could raise the issue the following year.

6.b.43 The Delegate of the United Kingdom said that he had had very little time to study the document, and in looking at it again with the Chairman's proposed amendment to delete the words "extending indefinitely", the United Kingdom could accept the proposal.

6.b.44 The Chairman said that the record would state that this Recommendation did not go to the Commission as easily as others, and the Recommendation was adopted by Panel 4 and forwarded to the Commission for its consideration (see Annex 4-11).

6.c Billfishes

6.c.1 The Delegate of the United States introduced the proposal for billfish by-catch release and noted that there had been considerable correspondence about this proposal which related to catches for scientific purposes of blue and white marlin and sailfish (Appendix 13 to Annex 6-3). The revised proposal called for a 12-year scientific program to address the release of live billfish taken in the Convention Area by longline fisheries. The Delegate of the United States noted that billfish are overexploited, according to the SCRS. He emphasized the importance of this recreational fishery to the United States, with an economic impact of over \$15 billion, and that billfish are also important to other countries. The Delegate of the United States noted that longline by-catch has the largest impact on these stocks, but that time/area closures would be disruptive to the commercial fishery.

6.c.2 The Delegate of Japan noted that his country had been contacted earlier by the United States regarding this proposal, and that despite efforts on both sides, agreement had not been reached. The Japanese longline industry decided to institute a cooperative tagging program on a voluntary basis. The Delegate of Japan stated that his delegation could not accept the U.S. draft Resolution in its current form due to the fact that it only referred to the longline fishery and because the program would be mandatory, which would cause problems for enforcement.

6.c.3 The Delegate of Brazil reaffirmed his country's interest in billfish, caught both recreationally and commercially in Brazil, where there is concern over the status of the stocks. His delegation had some doubts about the merits of the proposal, however, due to the dependence on fishermen, who might declare all caught billfish as dead. There were also doubts about the survival rate of caught and released billfishes.

6.c.4 The Delegate of Spain asked why the proposal was called a scientific program. He also asked about the funding and objectives of this program, and whether the term "science" is overused.

6.c.5 The Delegate of the United States noted that because these fish would be tagged, they would provide scientific information when caught in the future and the tags recovered.

6.c.6 The Delegate of the Republic of Korea said that the proposal would cause difficulties for the commercial fishermen, and asked that this proposal be adopted on a voluntary basis.

6.c.7 The Delegate of France, stated that he was in favor of this proposal, and asked if it was necessary to account for the fish released and those identified as having been caught by the releasing countries, in order to be taken into account in the calculation of the financial contribution to ICCAT.

6.c.8 The Delegate of the United Kingdom recalled the SCRS results for billfish, and welcomed the U.S. proposal for a 12-year program. Regarding the voluntary or obligatory nature of the program, he hoped that countries would encourage participation.

6.c.9 The Delegate of Spain expressed sympathy with the explanation of the importance of this proposal, and with the concern expressed by Japan regarding the compulsory nature of the program, which could result in financial losses. He also noted that some fish may have a much higher recreational value than the market value. Finally, he suggested creating financial incentives for tag recovery, which is a scheme that has worked in other cases.

6.c.10 The Delegate of Portugal noted the concern about the stocks and the need for conservation measures, the burden of which would be shared between commercial and recreational fishermen. He considered the use of economic incentives could be a viable option.

6.c.11 The Assistant Executive Secretary, Dr. Miyake, asked about the relation between this scientific program and the current billfish research program.

6.c.12 The representative of Taiwan agreed with Japan that the program be conducted on a voluntary basis.

6.c.13 In response to the question from Dr. Miyake, the Delegate of the United States stated that this effort would be incorporated into the existing billfish program. The Delegate of the United States also noted that the main problem was the over-exploitation of these stocks, and that the impact of commercial fishing on recreational fishing should be taken into account, as well as *vice versa*. He also argued that since there were no recommendations made regarding this species by ICCAT, no country appeared to be willing to take management action, of which one option was releasing fish caught incidentally in the longline industry.

6.c.14 The Delegate of Japan noted that his country had long been providing statistics for the scientific work on these species. He stated that the main spawning grounds of these species are in the coastal areas, and that there may be some way of carefully selecting times and fishing areas to avoid taking these billfish. The Delegate of Japan also considered that if the scientists' report indicated that those stocks were very endangered, then the recreational fishery itself should be prohibited in the same selected areas. He also noted the lack of precise scientific information available.

6.c.15 The Delegate of the United States responded to Japan's suggestion regarding the recreational fishery by indicating that the current estimate is that worldwide recreational anglers release 80% of all billfish captured. He also noted that during 20 of the 25 years that ICCAT had been in operation, blue and white marlin have been over-exploited.

6.c.16 The Chairman summarized the discussion regarding the U.S. billfish proposal, indicating that while many countries had spoken, only one country had supported the United States without reservation. Several countries supported the proposal on the condition that it would operate on a voluntary basis, and others had requested clarification. He suggested that the United States raise the issue at the 1996 meeting, should it so desire.

6.c.17 The Delegate of the United States expressed continued concern about the lack of action, and felt that voluntary programs could be insufficient. As in the case of some other fisheries, the United States believed it was necessary to try to find a solution, and indicated a willingness to work with other countries to reach such an agreement.

6.c.18 The Chairman proposed that the United States continue to work with Japan and others, and if they arrived at a working compromise, they could again raise the issue at Panel 4.

6.c.19 The Chairman indicated that the Parties had agreed on a new draft resolution for a scientific program on billfish, which had been distributed and the floor was opened for discussion on this issue.

6.c.20 The Delegate of the United States introduced the revised resolution, which he noted was a scientific and voluntary program, and a significant step to address the conservation of this species.

6.c.21 The Delegate of Japan was very impressed with the cooperative spirit of the United States on this issue, and stated that since the new Resolution took into account almost all the concerns which Japan had expressed, the Japanese delegation fully supported the Resolution.

6.c.22 Since there were no other comments, objections or reservations on this Resolution, it was adopted and forwarded to the Commission for approval (see Annex 4-12).

6.d Atlantic Bonito

6.d.1 There were no matters for discussion on this species.

6.e Other Species

6.e.1 There were no issues for discussion on other species.

7. Research

7.1 The Chairman noted that the topic of research had been covered by the SCRS report.

8. Date and place of next Panel Meeting

8.1 The next meeting of Panel 4 will be held at the same time and place as the next Commission meeting.

9. Other matters

9.1. No other matters were raised.

10. Election of Panel Chairman

10.1 The Chairman raised the issue of the appropriateness of Japanese chairmanship of Panel 4, given the great interest that Japan had in many of the species dealt with by Panel 4. The Chairman asked the delegates of the member countries to consider this issue followed by subsequent discussion prior to taking action.

10.2 The Delegate of France said that he did not question the appropriateness of the Panel 4 Chairman being a Delegate from Japan, particularly in the case of this Chairman.

10.3 The Delegate of Spain shared France's support for the re-election Japan as Chairman.

10.4 The Delegate of Portugal said that his delegation was firmly convinced that the present chairmanship was excellent and supported France's motion.

10.5 The Delegate of Canada said that he was pleased to support the proposal made by France which was also supported by the other countries.

10.6 The Delegate of the United States said that the Chairman had been most fair and most competent, and that the U.S. Delegation saw no reason for the Chairman to step down, and supported France's proposal.

10.7 The Chairman stated that on behalf of Japan, he was honored by the support of the members of Panel 4.

11. Adoption of Report

11.1 The Report was not adopted due to the need for additional time to prepare translations and to review the Report. Thus, the Resolutions and Recommendations that were adopted in Panel 4 were forwarded to the Commission for approval, while the Report was to be adopted by postal vote.*

12. Adjournment

12.1 The meeting of Panel was adjourned.

* The Report of Panel 4 was adopted in its entirety, through correspondence, on April 23, 1996.

*Appendix 1 to Annex 6-3***AGENDA FOR PANELS 1 - 4**

Panel 1 (Tropical Tunas)
 Panel 2 (Temperate Tunas-North)
 Panel 3 (Temperate Tunas-South)
 Panel 4 (Other Species)

1. Opening
2. Adoption of Agenda
3. Nomination 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:

Panel 1

- a) Yellowfin
- b) Skipjack

Panel 2

- a) Bluefin (North)
- b) Albacore (North)

Panel 3

- a) Southern bluefin
- b) Albacore (South)

Panel 4

- a) Bigeye
- b) Atlantic bonito
- c) Swordfish
- d) Billfishes
- e) Other species

7. Research
8. Date and place of next Panel meeting
9. Other matters
10. Election of Panel Chairmen
11. Adoption of Report
12. Adjournment

Appendix 2 to Annex 6-3

**STATEMENT BY CANADA
 ON BLUEFIN TUNA IN THE EASTERN ATLANTIC**
 (attached to the Report of Panel 2)

Canada listened with interest to yesterday's SCRS report on the eastern Atlantic bluefin tuna.

Canada does not fish this stock but as a member of ICCAT we are concerned about the organization's credibility when advice and recommendations made by the SCRS are continually ignored, for any stock under ICCAT management.

This year the SCRS clearly states that they are gravely concerned about the status of this stock in light of the yield-per-recruitment analysis and the historically highest catch made in 1994. This should be of concern to all of us.

It is particularly distressing to have the SCRS remind us that they have been recommending, since 1974, that the level of mortality be reduced and yet, more than 20 years later, this still has not been accomplished.

I would also like to make reference here to the U.N. Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks. Although this new agreement is not yet signed we should be mindful of its thrust as many of our countries were actively involved in its negotiation. The preamble to this agreement recalls the commitment to responsible fisheries. Article 5 calls for the adoption of measures to ensure long-term sustainability and to ensure that

such measures are based on the best scientific evidence available and are designed to maintain or restore stocks at levels capable of producing maximum sustainable yield. Those are just a few of the elements of this agreement. And, I would think that as a responsible multilateral fisheries management body, ICCAT, as was pointed out yesterday, should abide by the principles and spirit of the agreement.

Your will recall that at last year's meeting we reached an agreement on management measures for the eastern Atlantic and Mediterranean that would, hopefully, lead to reductions in mortality. One of these measures was to reduce catches by 25% over the 1993 or 1994 levels. We now know that there was a 37% increase in catches in 1994 over the 1993 level. Does this mean that 1994 will now become the benchmark on which any fisheries plan will be based?

The SCRS also expresses concern about the high catch of small fish. A minimum size of 6.4 kg, has been in place since 1975 and continues to be ignored. This, again, should be of serious concern to all members.

I know that all the Parties sitting around this table are serious about conservation - if we weren't we wouldn't be here.

I also understand that most of us do not like to take measures that might severely disrupt our fishermen's ability to make a living.

However, there comes a time when we must put the future health of a stock as our priority, otherwise there will be no fish for our fishermen to make a living. This is the time for bluefin in the eastern Atlantic. I would urge those countries fishing this stock to take careful note of this recent SCRS report and seriously consider improving those measures agreed to last year so that ICCAT, in this instance, cannot be accused of merely paying lip service to conservation, but will actually be practicing it.

Appendix 3 to Annex 6-3

**RESOLUTION PROPOSED BY THE U.K.
FOR A QUOTA EXEMPTION FOR DEVELOPING FISHERIES
IN THE WESTERN ATLANTIC
(attached to the Report of Panel 2)**

NOTING the current management recommendations for the conservation of western Atlantic bluefin tuna as presented in Paragraph Seven of Document COM-95-26;

AND RECALLING the implementation of a strict quota measure for western Atlantic bluefin tuna;

RECOGNIZING that Bermuda, as a dependent territory of the United Kingdom, has a developing fishery within its own Exclusive Economic Zone and that fishery does have an incidental catch of bluefin tuna;

THEREFORE it is resolved that an exemption from the quota restrictions adopted for western Atlantic bluefin tuna be extended to include the developing fishery in the U.K. dependent territory of Bermuda, in keeping with the resolution established by ICCAT in 1982, and restated on several occasions since, that such fisheries of western Atlantic countries which catch less than 50 metric tonnes of bluefin tuna shall not be subject to the limitations imposed by current quotas.

**STATEMENT BY SPAIN
ON EAST ATLANTIC BLUEFIN TUNA**
(attached to the Report of Panel 2)

With regard to the report on the ICCAT Bluefin Tuna Statistical Document presented by Japan at the first session of the Permanent Working for the Improvement of ICCAT Statistics and Conservation Measures, the Spanish delegation had occasion to clarify and point out the following:

- The differences between the catches reported by Spain and the estimates of imports collected by Japan are due to the live weight conversion coefficient applied by Japan to some categories not included in the model Statistical Document, adopted within the framework of ICCAT.
- Because of these problems, the Permanent Working Group has sought a solution which includes the need for the SCRS to study this matter.
- Spain continues to cooperate with all the countries concerned to improve the application of the Statistical Document and assure that the data obtained reflect reality in a true and exact manner.

Appendix 5 to Annex 6-3

**RESOLUTION PROPOSED BY THE UNITED STATES
FOR A QUOTA EXEMPTION FOR DEVELOPING
FISHERIES IN THE WESTERN ATLANTIC**
(attached to the Report of Panel 2)

NOTING the current management recommendations for the conservation of western Atlantic bluefin tuna;

RECALLING the implementation of a strict quota measure for western Atlantic bluefin tuna;

AND RECALLING the concern of the SCRS at the Commission that western Atlantic bluefin tuna is severely over-fished;

RECOGNIZING that Bermuda, as a dependent territory of the United Kingdom, has a small-scale domestic fishery within its own Exclusive Economic Zone and that fishery does have an incidental catch of bluefin tuna;

THEREFORE, it is resolved that the domestic fishery in the U.K. dependent territory of Bermuda be allowed an incidental catch of up to two metric tonnes, from within its own Exclusive Economic Zone, of western Atlantic bluefin tuna during 1996, with the following conditions attached:

1. There shall be no directed fishery for bluefin tuna.
2. This incidental catch allowance will be for one year only and will be reviewed next year.
3. It is not anticipated that this incidental catch allowance will be expanded significantly in future years.

IN KEEPING with the tenet of responsible fishing, Bermuda will closely monitor this incidental catch of bluefin tuna and obtain scientific data on all bluefin landed by its vessels.

GFCM RESOLUTION N° 95/1

The General Fisheries Council for the Mediterranean, meeting in Alicante, Spain, From 22 to 26 May 1995,

Considering that:

- There is general international concern and evidence as to the depleted state of the stock of bluefin tuna, (*Thunnus thynnus*) whose migration range includes the Eastern Atlantic Ocean and Mediterranean Sea,
- The principal spawning ground for this stock is the Mediterranean Sea during the months of June and July, at which time it is vulnerable to capture,
- The International Commission for the Conservation of Atlantic Tunas (ICCAT) regularly evaluates the state of this bluefin tuna stock based on data supplied by its contracting States and from GFCM, and based on these evaluations, proclaimed at its Thirteenth Regular Meeting (Madrid, November 1993), a closed season for fishing with pelagic longlines in the Mediterranean that entered into force on 31 May 1994,
- The majority of coastal States of the Mediterranean are not members of ICCAT but are members of GFCM, and share a common concern with the state of bluefin tuna stocks.

Adopted the following recommendations:

FIRST: that during the period from 1 June to 31 July there will be no fishery using large pelagic longline vessels greater than 24 m in length for bluefin tuna in the Mediterranean,

that the members of GFCM whose nationals have been fishing for bluefin tuna in the Mediterranean using large pelagic fishing vessels greater than 24 m in length take steps to implement this recommendation before 1 June 1995 in accordance with the regulatory procedures of each country.

that, in accordance with the decisions of ICCAT adopted in 1989 and subsequent years concerning fishing activities by non-Contracting Parties, the Council requests the Secretariat to transmit this recommendation to non-Contracting Parties whose pelagic longline fishing vessels are currently fishing for bluefin tuna in the Mediterranean.

SECOND: that the members of GFCM take the necessary measures to prohibit any taking and landing of bluefin tuna (*Thunnus thynnus*) weighing less than 6.4 kg,

that notwithstanding the above regulation, the Contracting Parties may grant tolerances to boats which have incidentally captured bluefin weighing less than 6.4 kg, with the condition that this incidental catch should not exceed 15 percent of the number of fish per landing of the total bluefin catch of said boats or its equivalent in percentage by weight,

THIRD: that each contracting Party fishing bluefin tuna in the Mediterranean Sea take the necessary measures:

- to prevent any increase in the fishing mortality rate for the years 1995 and beyond,
- to prevent any catch by vessels under their jurisdiction in 1995 in excess of the level of catch in 1993 or 1994 (whichever is higher),
- to reduce, starting in 1996, by 25 percent (or such lower amount which may be specified by the SCommittee RS of ICCAT) their catches from the catch level specified in the previous paragraph, such reduction to be accomplished by the end of 1998,

- to cooperate in the development, by 1998, of a long-term recovery plan for bluefin tuna in the eastern Atlantic and the Mediterranean,
- to prevent catch of age 0 fish (less than 1.8 kg).

That the above measures should enter into force on 1 June 1995.

Appendix 7 to Annex 6-3

STATEMENT BY SOUTH AFRICA ON SOUTHERN ALBACORE

(Attached to the Report of Panel 3)

South Africa has invested a tremendous amount of research effort in the assessment of southern albacore over the past five years. We believe that this effort has paid dividends, and that the conclusions of our assessments have stood the close scrutiny of the Standing Committee on Research and Statistics, the participants in this Panel, the members of the Commission and observers from outside ICCAT. The results of these assessments have consistently indicated that the southern albacore resource is over-exploited, has a maximum sustainable yield of approximately 25 000 tons, and that the fishery passed the target biomass capable of providing MSY in 1988. Our conviction in the validity of these assessments led us to propose, at last year's meeting, a limit in catches to not more than 90% of the average 1989 to 1993 catches of southern albacore, in order to limit catches to replacement yield levels. This recommendation was accepted by this Panel and by the Commission.

South African catches of southern albacore decreased from 6,708 tons in 1993 to 5,270 tons in 1994, which was below the recommended catch limit for South Africa. It is therefore with some concern that we note that catches of southern albacore by other countries fishing in the southern Atlantic Ocean increased from 1993 to 1994. These increased catches were made by both contracting and non-contracting parties. As a result, the total catch of southern albacore increased to 33,486 tons, some 8,400 tons higher than the estimated MSY and RY levels.

Of course, we realize that the recommended catch reduction only came into force after these catches were made. However, these continued high, and increasing, catches clearly illustrate the existence of excess potential fishing effort in this fishery. This fishing effort is clearly capable of maintaining catches exceeding MSY, despite the continuing decline in biomass of this resource. Our assessments indicate that fishing mortality currently exceeds the level at which MSY can be maintained by almost 30%, and it is clear that the recommended catch reductions will only be achieved as a result of concerted and diligent efforts on the part of all participants in this fishery.

South Africa therefore welcomes the statement by Taiwan, contained in the 1995 SCRS report, that the Taiwan Fishing Authority has initiated steps to reduce Taiwan's annual southern albacore catch from 1995 onwards to less than 90% of her average 1989 to 1993 catches. South Africa has initiated similar steps, and is conducting bilateral discussions with Namibia and Taiwan in an effort to ensure a concerted implementation of the recommended catch reduction.

In conclusion, South Africa notes that ICCAT explicitly embodies the concept of MSY as a fundamental management target for Atlantic tuna resources. We find it disappointing that so many of those resources have clearly been fished to well beyond MSY levels, and that such over-exploitation continues to occur. We point out again, as we did last year, that we have the opportunity to prevent this happening to the southern albacore. We are at a point in time when a modest reduction in catches will allow this resource to recover to MSY levels, allowing all participants to benefit from maximal long term catches. We therefore strongly urge all participants in this fishery to make every effort to effectively implement and enforce the recommended catch limit for southern albacore from 1995 onwards.

STATEMENT BY JAPAN ON BIGEYE TUNA

(attached to the Report of Panel 4)

1. The Japanese delegation has been very concerned about the rapid increase of catch of bigeye tuna in recent years. Since 1992, the total catch of bigeye tuna has exceeded the MSY levels, 65,000-72,000 MT, especially in 1993 and 1994. The total catch in 1994 is over 110,000 MT and exceeds the levels of MSY. The reason for this rapid increase is the increase in purse seine fishing since 1990. The dramatic increase in the Taiwanese longline fisheries also contributed to this increase.
2. Furthermore, it is a critical problem that the purse seine fishery catches much more small fishes than the longline fishery. According to the SCRS Report, the use of drifting artificial fish aggregating devices (FAD) in the purse seine fisheries is a primary cause of this increase in the catch of juvenile fish, including bigeye. About 65% of the total number of bigeye caught in 1994 was below the minimum size, less than 3.2 kg, stipulated in the 1978 ICCAT Recommendation and this percentage would be much higher if we take the purse seine fishery only. It is abundantly clear that the use of FAD in the purse seine fishery has had adverse impacts on the bigeye tuna stocks in terms of reduced yield per recruit as well as effects on spawning potential. These small fishes would be foreclosed for opportunity to spawn.
3. In consideration of the above-mentioned points, first of all, the huge catch of small bigeye tunas by the purse seine fishery should be regulated by certain management measures including a closed season and closed areas to the purse seine fishery and the limitation of use of FAD in the purse seine fishery.

And also, the SCRS should be further requested to clearly elucidate the impacts that the huge amount of catches of small bigeye tuna by the purse seine fisheries using FAD would have on bigeye tuna and other tuna stocks as well as the species composition of the catch.
4. For this reason, we sincerely request that the purse seine fishery, a main contribution to the current resource problem, reduce its catch approximately to half the current level. This can be accomplished by complying strictly with the minimum size limitation of 3.2 kg.
5. Lastly, Japan sees with grave concern the recent dramatic increase in Taiwan's bigeye catch. We noted that in the discussion at the Permanent Working Group, the U.S. delegation proposed that a separate resolution be drafted to address the problem not only in the bigeye fishery but also in other tuna fisheries of Taiwan. We strongly support the U.S. initiative on this subject.

Appendix 9 to Annex 6-3

RESOLUTION PROPOSED BY JAPAN ON BIGEYE TUNA

(attached to the Report of Panel 4)

NOTING that since 1993, the total annual bigeye catch has substantially exceeded all the current MSY estimates, and the projections for this year indicate that the 1994 level of fishing will not only reduce the population size to far below that of the MSY level, but also the catch in the near future due to over-fishing;

NOTING FURTHER that an increase in the catch of small fish, which was brought about by the intensive operations on small fish associated with fish aggregating devices (FADs) by the purse seine fisheries, will lead to a reduction in yield per recruit;

EXPRESSING CONCERN that despite the bigeye minimum size regulation of 3.2 kg, in effect since 1980, it has been clear that the equatorial surface fleets (baitboat and purse seine) continue to land a large quantity of juvenile bigeye tuna less than 3.2 kg, and about 65% of the total number of fish caught in 1994 was below the minimum size;

RECOGNIZING that the SCRS strongly recommended reducing the catch to levels below MSY, this overall reduction in catch must be accompanied by a reduction in the catch of small fish;

NOW THEREFORE THE COMMISSION RESOLVES:

1. That conservation measures to avoid high catches of small fish by purse seiners should be introduced, including the establishment of time/area closure and a limitation on the use of FADs,
2. That SCRS should be further requested to elucidate more clearly the impact which very high catches of small fish by purse seine fisheries using FADs would have on bigeye tuna and other tuna stocks, as well as on the species composition of catches, and
3. That countries with purse-seine operations are urged to reduce substantially their catch vis-a-vis the current level through complying with the recommendation on the minimum size regulation on bigeye tuna.

Appendix 10 to Annex 6-3

STATEMENT BY SPAIN ON BIGEYE TUNA

(attached to the Report of Panel 4)

The Spanish delegation is very concerned about the state of the Atlantic bigeye stock, with catches in 1993 and 1994 that were above the MSY estimated by the SCRS in 1995 (65,000-72,000 mt). The increases in the longline and purse seine catches; during the recent period (1993-94) have contributed to the current state of over-exploitation.

This delegation wishes to point out that bigeye is taken by the purse seine fleet as by-catch since fishing effort is directed at yellowfin and skipjack, which are the target species.

In the same way, attention is called to the multi-species character of this fishery, which has consequently resulted in the introduction in 1980 of a bigeye management measure to reinforce that which was already in force for yellowfin, independently of the state of the bigeye stock at that time. This delegation does not doubt that at the present time a measure of this type is convenient, given the current state of the bigeye stock, although the current measure in force may not be the most adequate. Therefore, the SCRS should recommend a more appropriate management measure for this stock.

Another matter of concern is the general introduction, since 1991, of fishing with floating objects, by part of the tropical purse seine and baitboat fleets, which has resulted in an increase in the catch of juveniles.

Considering that the SCRS in its 1995 Report recommended: "to reduce the catch of this species to levels below MSY, as was recommended last year. This overall reduction in catch must be accompanied by the reduction in the catch of small fish."

For all of the above, the Spanish delegation considers:

1. It is absolutely necessary to reduce the total catch to below the MSY level; and
2. A control is essential on fishing carried out using floating objects. For this, a monitoring program of scientific observers is proposed during 1996-97 as the only means to provide SCRS with the necessary data to be able to carry out the necessary analysis in order to develop management measures on this new fishing method.

**RECOMMENDATION PROPOSED BY CANADA
FOR THE MANAGEMENT OF ATLANTIC SWORDFISH**
(attached to the Report of Panel 4)

RECOGNIZING that fishing for swordfish in the Atlantic at the levels agreed to at the 1994 Commission meeting are projected to result in further stock decline because these levels are above replacement yield;

NOTING the recommendation of the SCRS that if the Commission desires to rebuild the north Atlantic stock, both fishing mortality rates and catch levels must be reduced considerably in the immediate future;

FURTHER NOTING that the SCRS points out that delays in achieving overall reductions in fishing mortality and catch are likely to result in the need for more severe reductions in the future in order to achieve recovery of the stock in the north Atlantic;

TAKING ACCOUNT of the serious concern expressed by the SCRS on the health of the south Atlantic stock based on high catches and declining CPUE trends;

OBSERVING that while there is uncertainty in stock structure of Atlantic swordfish and the possibility that the assumed north Atlantic stock does not include the entire catch from the biological stock and when boundaries are uncertain, in this case because of limited or imprecise data, it is important to implement appropriate measures which encompass several possible stock hypotheses;

BEARING IN MIND the draft agreement of the United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks which *inter alia* calls on States to not use the absence of adequate scientific information as a reason for postponing or failing to take conservation and management measures;

NOTING that this Agreement also calls for States to take measures to ensure that when reference points are approached, they will not be exceeded; in the event that they are exceeded, States shall, without delay, take action to restore the stocks;

CONSIDERING the SCRS recommendations that in order to arrest the declining trend in the north Atlantic, the level of harvest should not exceed replacement yield, estimated to be about 10,000 t in 1996, and that the catch in the south Atlantic not be allowed to increase beyond the levels referred to as "recent" by Panel 4 during the 1992 Commission meeting, where the reported catch in 1992 was 12,210 t;

The Commission recommends that in 1996:

- FIRST:** Effective management measures be implemented to reduce overall catches in the north Atlantic to the replacement yield;
- SECOND:** Effective management measures be adopted in the south Atlantic so that catches not be increased beyond the 1992 level of 12,210 t as recommended by the SCRS.

STATEMENT BY CANADA ON SWORDFISH
(attached to the Report of Panel 4)

As you know Canada has put forward a proposal for the management of swordfish and I would like to briefly explain it to the members of Panel 4 at this time. 1990 was the first year that the SCRS noted its concern about the general increasing trends in fishing mortality and said that the present yield could not be maintained over the long-term without either a decrease in fishing mortality or a continued increase in recruitment, which was unlikely. They recommended that action be taken to at least prevent the trend of increasing fishing mortality. At that time, although a number of delegations urged management action by the Commission, others questioned the uncertainty of the SCRS stock assessment work. As a result, nothing was done.

In 1991, members of Panel 4 considered that precautionary measures should be taken. Since that time the Commission has adopted a number of management measures to both reduce the overall catch and to reduce catches of small fish. For various reasons, these measures have not worked.

Last year, the SCRS was advising us that the replacement yield in 1995 was around 12,000t. At that time we adopted measures for 1995 in the north Atlantic that would hopefully bring catches down to the 15,000t range. Measures for 1996 were to further reduce catches to about 14,000t.

The SCRS is now advising us that the replacement yield will be closer to 10,000t in 1996. The SCRS further advises that if we do not revise our current management measures for 1996, the replacement yield in 1997 will be close to 8,300t. We are clearly on a dangerously steep downward slope. The SCRS is also concerned with the status of the stock in the south Atlantic and recommend that catches be held in the 12,000t range. In 1994 they were around 17,000t - the highest on record.

Given the uncertainty in the stock structure of swordfish, it is essential to have effective management measures north and south of 5 degrees latitude.

It is clear to us, Mr. Chairman, that the time has come for us to take very strict management measures for of swordfish in the Atlantic. We need to take this latest advice from our scientists very seriously. To not do so, would seriously jeopardize our credibility as responsible fish managers. To not do so would also go against all the principles that many of our countries fought for in the UN Conference on Straddling Stocks and Highly Migratory Fish Stocks. Although this agreement is not yet signed, we certainly want to respect the principles expressed in it. In particular, Mr. Chairman, I want to refer to the precautionary approach referred to in Article 6.

It is for these reasons, Mr. Chairman, that Canada believes that as an organization committed to conservation, ICCAT must do the right thing and must do it now.

During the past few days there have been many references to the patient being in the hospital and in bad shape. The fact is, we are the doctor to that patient. We must, therefore, assume our responsibilities and bring him back to health. We owe it to our fishermen to do so as soon as possible.

**RECOMMENDATION PROPOSED BY THE UNITED STATES
CONCERNING A SCIENTIFIC PROGRAM FOR THE CATCHES OF BLUE MARLIN,
WHITE MARLIN SAILFISH AND SPEARFISH**
(attached to the Report of Panel 4)

RECOGNIZING that the most recent assessments for Atlantic billfish show that blue marlin are over-exploited relative to MSY and white marlin are severely over-exploited;

NOTING that the most recent assessments for western Atlantic sailfish/spearfish indicate that these stocks are fully exploited and could be over-exploited;

MINDFUL that the Standing Committee on Research and Statistics has voiced concern regarding the status of Atlantic billfish stocks and is interested in establishing a scientific program to improve our understanding on these species;

THE COMMISSION RECOMMENDS:

- FIRST:** that a 12-year scientific program is hereby established under which all blue marlin, white marlin, sailfish, and spearfish taken alive in the Convention area by longline fisheries shall be released alive;
- SECOND:** that all Contracting Parties shall take steps to participate in the ICCAT scientific program for these species; and participate in the ICCAT scientific program for these species; and
- THIRD:** that where practical, released fish be tagged.

ANNEX 6-4

**REPORT OF THE MEETING OF THE
STANDING COMMITTEE ON FINANCE & ADMINISTRATION
(STACFAD)**

*First Session - November 11, 1995***1. Opening of the meeting**

1.1 The 1995 meeting of the Standing Committee on Finance and Administration (STACFAD) was held at the Hotel Chamartin, in Madrid. The meeting was opened and chaired by the Commission Chairman, Dr. A. Ribeiro Lima, in the absence of the Committee Chairman, Mr. D. Silvestre (France). The Delegate of France, on behalf of the Committee Chairman transmitted Mr. Silvestre's regrets that he could not be present at this meeting due to grave personal circumstances.

2. Adoption of Agenda

2.1 The Agenda was adopted without change and is attached as Appendix 1 to Annex 6-4.

3. Nomination of Rapporteur

3.1 Dr. J. Pereira (Portugal) was nominated to serve as rapporteur.

4. Administrative Report (1995 activities)

4.1 The ICCAT Executive Secretary, Dr. A. Fernandez, welcomed the STACFAD delegates and expressed his appreciation for their collaboration. He pointed out that the Commission is celebrating its 25th anniversary and that special events are scheduled to commemorate this special date in ICCAT's quarter century history.

4.2 Dr. Fernandez presented the Administrative Report (COM/95/9). He reviewed Commission membership and noted that Benin had withdrawn from the Commission, effective December 31, 1994. He reviewed the current Panel membership as well as the auxiliary bodies of the Commission. The Executive Secretary made special note of the two Protocols to the ICCAT Convention (Paris, 1984 and Madrid, 1992). He indicated that ratification of the Paris Protocol for the accession of the European Union to ICCAT was still pending by two ICCAT Contracting Parties. He also pointed out that only seven countries had ratified the Madrid Protocol, to change the contribution calculation scheme, which means that the new scheme cannot be applied yet. He also emphasized that ratification of this Protocol would substantially improve the financial health of the Commission.

4.3 The Executive Secretary briefly reviewed the ICCAT Regulations and Resolutions, with special mention of the "Resolution Concerning an Action Plan to Ensure Effectiveness of the Conservation Program for Atlantic Bluefin Tuna", and in particular paragraph (f) regarding trade measures. He outlined the meetings organized by ICCAT in 1995, and those meetings at which ICCAT was represented. As regards the coordination of research, the Committee was referred to document COM-SCRS/95/12.

4.4 Mention was made of the 1995 tagging lottery, held at the time of the 1995 SCRS Meeting. Prizes in 1995 corresponded to fishermen of Cape Verde, Spain and the U.S.

4.5 Special emphasis was made of the importance of cooperation with other countries and international fisheries organizations. Dr. Fernandez noted that many countries collaborate with ICCAT, and this year there were several contacts made with the Secretariat requesting information on membership, financial obligations which membership entails, etc. He noted that this increased interest may be due to the impact of Bluefin Tuna Statistical Document Program, the U.N. Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks, and the growing overall interest in international fisheries.

4.6 The Executive Secretary made special note of the continued collaboration of Taiwan in ICCAT scientific activities, and the recent receipt of a voluntary contribution amounting to US\$ 15,000 from the authorities of Taiwan.

4.7 Another point made by the Executive Secretary was the increase in the ICCAT publications in 1995, and he noted that in 1995 the SCRS and Commission Proceedings are being published in two separate volumes. Given the importance of the SCRS work last year, its documents and inter-sessional reports have been published in three volumes of the "Collective Volume" series (Red Book). He noted that the final report of the Albacore Research Program will be published in early 1996 in an enhanced format.

4.8 The Executive Secretary noted that the new Secretariat offices, facilitated by the Spanish authorities, have been operative for almost a year now. He noted that the Commission now has the offices which are worthy of this increasingly important fisheries organization.

4.9 Particular note was made of the improvements made in the Secretariat's computer equipment with the purchase of new hardware and software.

4.10 The Delegate of France thanked the Executive Secretary and his staff for all the impressive work they have carried out in the past year, as indicated from all the Secretariat's activities. He inquired about paragraph (f) of the "Resolution Concerning an Action Plan to Ensure Effectiveness of the Conservation Program for Atlantic Bluefin Tuna" and considered it appropriate that the word "non-Contracting" be inserted before Parties in the pertinent section of the Administrative Report.

4.11 The U.S. Delegate asked for information on the status of the ratification process of the Madrid Protocol from the Contracting Parties that had not yet ratified, since this will have significant budgetary repercussion when requests are made to our governments for ICCAT contributions next year.

4.12 The Chairman also expressed concern over this matter and requested those Contracting Parties to ratify the Madrid Protocol as soon as possible, since it would improve the Commission's financial situation considerably.

4.13 The Delegate of France anticipated that his country's ratification would be forthcoming within the next few weeks.

5. Auditor's Report - 1994

5.1 The Executive Secretary referred the Committee to the 1995 Financial Report (COM/95/10), which provided detailed information on the financial status of the Commission. He indicated that all the documentation referring to the Financial Report was available at the Secretariat. He also pointed out that the 1994 Auditor's Report had been distributed in May, 1995, and since no comments were received, it was considered approved. The Executive Secretary presented Mr. Bernardo Tahoces, the Commission's Auditor, who expressed his appreciation to the Commission for the confidence deposited in him over the years.

5.2 Dr. Fernandez noted that there were 29,791,056 pesetas in the Working Capital Fund at the end of Fiscal year 1994, or 21 % of the annual budget. This balance alleviated the problems encountered by the Secretariat early in the year to meet expenses before the receipt of the 1995 contributions.

6. Financial status of the 2nd half of the biennial budget - 1995

6.1 The Committee was again referred to the Financial Report (COM/95/10). The Executive Secretary reminded the Committee that since 1992, all the accounting records have been maintained in pesetas. He called the Committee's

attention to the outstanding debt owed to ICCAT, which currently amounted to 179,270,984 pesetas. He pointed out that only nine Contracting Parties (Brazil, Canada, Japan, Korea, Portugal, South Africa, Russia, Spain and the U.S) had paid their full 1995 contributions as of the time of the meeting. Of the total 1995 budget, about 36% was still pending payment.

6.2 The Executive Secretary pointed out that the main problem was not one of budget but one of cash flow.

6.3 Dr. Fernandez reviewed chapter by chapter the expenses incurred in 1995. The Committee was referred to the various statements attached to the Financial Report, which summarize the status of the second half of the biennial budget. He also referred to the balance in Albacore Research Program funds, which will be applied to cover the publication costs of the Program's Final Report, the state of Billfish Program Funds, which the Secretariat administers as a trust fund, and the Bluefin Year Program, for which no specific funds were allocated in 1995 by the Commission.

6.4 The Delegate of France stated that his country's 1995 contribution would be forwarded to ICCAT in early December.

6.5 The Delegate of Canada asked for more information on expenses charged to Chapter 9, Contingencies. He also expressed concern about the pending contributions and asked the Secretariat about the prospects for managing this shortfall in income.

6.6 In response to the inquiries from the Delegate of Canada, the Executive Secretary explained that 2,202,000 pesetas had been budgeted for Chapter 9, specifically to cover the expenses foreseen for the 25th anniversary celebration (interpreters, decoration, rental of material, etc.). He anticipated that the actual expenses would amount to about 1,700,000 pesetas.

6.7 The Executive Secretary further responded that since the 1995 contribution of France, which amounts to about 18.5 million pesetas, is expected to be received shortly, the balance foreseen in the Working Capital Fund would not be negative at the end of the Fiscal Year. However, there will be some financial difficulties to carry out Commission activities in the first quarter of 1996 until the initial contributions are received, if the level of the Working Capital Fund at the end of the Fiscal Year does not reach the level of 15% of the budget, as established by the Commission. He pointed out the Financial Regulations of the Commission stipulate that payment of contributions should be made early in the year.

7. Contributions pending payment from the Contracting Parties

7.1 The Committee was referred to Statement 2 of the Financial Report, which shows the status of member country contributions and pending balances.

8. Status of the Working Capital Fund

8.1 The Executive Secretary reviewed Statement 5 of the Financial Report and noted that the balance in the Working Capital Fund (as of October 23, 1995) amounted to 34,705,497 pesetas.

9. Financial status of the Albacore Research Program

9.1 As indicated earlier, the balance of 1,482,518 pesetas in Albacore Research Program Funds will be applied towards enhanced publication of Program's final report.

10. Financial status of the Program of Enhanced Research for Billfish

10.1 It was noted that deposits and expenses relative to the Billfish Program are mostly in U.S. dollars, but that these amounts are accounted for in pesetas. All expenses are authorized by the Program Coordinators, Drs. Brown and Prince. The Secretariat only administers this trust fund. The balance as of October 23 amounted to about \$16,650.

11. Budgetary implications of 1996 Commission activities:

11.1 The Executive Secretary referred to the Estimated Budget for 1996-1997 (COM/95/11 and COM/95/11-Annex). He pointed out that the proposed Budget had been circulated at least two months in advance of the meeting for the review of the Contracting Parties. He pointed out that an Annex to the proposed Estimated Budget had to be prepared in view of the SCRS' proposals for meetings, etc, and was circulated just before the STACFAD meeting.

11.2 Dr. Fernandez pointed out that the separation of the SCRS and Commission meetings resulted in an increase in meeting costs.

11.3 The Chairman informed the Committee that the Commission of the EU sees very positively the Tuna Symposium scheduled for June 10-18 in the Azores, and is analyzing ways in which to assist with its financing. He also indicated that the budgetary expenses not covered by the EC will be covered by the Regional Autonomous Government of the Azores. Thus, the Commission would not have to finance any part of the 1996 Symposium budget.

12. Proposal of the biennial budget for 1996-1997

12.1 The ICCAT Executive Secretary again referred to document COM/95/11, the Estimated Budget and its Annex, which he considered to be one of the most important points on the Committee's Agenda this year.

12.2 Dr. Fernandez explained that the proposed budget represented a zero increase in real terms, and a 5% increase in nominal terms (this percentage corresponds to the estimated annual inflation rate in the country of ICCAT headquarters). The total proposed budget amounts to 154,716,000 pesetas. He explained that this amount represented a global nominal increase of 5% over the 1995 budget, but that the increase was not linear, being distributed differently among the budget chapters, depending on the situation. He also explained proposed amounts budgeted for each chapter.

13. Contributions of the Contracting Parties to the 1996 budget

13.1 In the discussion of the contributions of the Contracting Parties, the Executive Secretary referred to Table 2 of the Estimated Budget (COM/95/11). This table gives information on the catch and canning figures provided by the member countries and which were used to calculate the contributions to finance the 1996-1997 budget. The member country contributions, based on the Executive Secretary's budgetary proposal are shown in Table 3 (1996) and Table 4 (1997) of COM/95/11.

13.2 It was pointed out that once a final total budget figure is decided upon by the Committee, the member country contributions will be re-calculated, and will also take into account any revisions in catch and canning figures and changes in Commission and Panel membership. Further discussion will take place at the next session of STACFAD.

13.3 The Delegate of Japan stated that the state of the bluefin resource has been worsening, in spite of the many regulations adopted by ICCAT. Therefore, Japan supported the Commission's adoption of the Bluefin Year Program (BYP) budget, as proposed by the SCRS. Japan also proposed that funds be allocated for the study of conversion factors, as was discussed at this year's meeting of the PWG.

13.4 The Delegate of Portugal suggested that, to reduce publication costs, the Commission should consider diffusion of its publications by electronic means instead of paper, which would also result in savings in data processing, equipment, etc.

13.5 The Executive Secretary indicated that electronic transmission was an option, but he recognized that not all the ICCAT Contracting Parties have such sophisticated equipment required.

13.6 The ICCAT Assistant Executive Secretary explained that there has been some streamlining of statistical publications, due to providing considerable data by e-mail or on computer support. He also informed the Committee that the Secretariat has been utilizing such procedures more extensively to transmit data and that next year's

distribution of basic catch data (i.e. the equivalent of the ICCAT Statistical Bulletin) will be by diskette, including user-friendly software. He stressed, however, that such procedure should not totally eliminate the hard copy publication of the very basic data, since such information is widely used by scientific laboratories, libraries, and industry.

13.7 The Delegate of Japan appreciated the generosity of the EC to cover the costs of the Symposium, but wished to hear other delegations' viewpoints on the need to hold the Symposium in 1996, because of the heavy inter-sessional meeting schedule which will impose a substantial work load on the scientists.

13.8 The SCRS Chairman pointed out that it was somewhat inconvenient to discuss this matter, since he had not presented the 1995 SCRS Report to the Commission. He noted the 1996 inter-sessional meeting schedule was one of the heaviest on record, with nine meetings proposed, including the Symposium. While all of the meetings proposed are important, the scientific Committee had recognized the need to alleviate the work load and travel of the scientists. For this reason, the Committee was studying ways to merge two or three of the proposed meetings.

13.9 The Delegate of Canada noted his country's cuts in spending. He indicated that choices have to be made as to essential activities and priorities. He also suggested that outside sources be sought to finance some of the Commission's activities.

13.10 The Chairman clarified that there was general acceptance by all the delegations that the separation of the SCRS meeting from the Commission meeting is beneficial for our work. He also noted that extending the Commission meeting by two days was also beneficial. He reiterated that as regards the 1996 Symposium, he was quite confident that the EC would pay most costs, and that the remainder would be assumed by the Regional Government of the Azores.

13.11 Dr. Lima also pointed out that the 5% increase in the budget as proposed by the Executive Secretary represented important restrictions in the Commission's activities. ICCAT's work on tunas is becoming more important, which enables the Contracting Parties to develop their research work in these areas.

13.12 The Executive Secretary reiterated that his budgetary proposal was very moderate, which in reality represented a freeze in real terms. He pointed out that there was a 7% devaluation of the peseta in March, 1995, which means that the purchasing power of the budget has been reduced in nominal terms.

13.13 The Delegate of France indicated that his country was ready to support the budget proposed. He noted, however, that he had no instructions this year concerning the recruitment of a biostatistician and other proposals contained in the Annex. Nevertheless, he indicated since so much work has been requested of the SCRS, the financial resources to carry out such research were essential, to assure the Commission's credibility in tuna research. He thanked the Regional Autonomous Government of the Azores and the EC for their generous support of the ICCAT Tuna Symposium. The Delegate of France also stressed the importance of using recycled paper in a conservation organization.

13.14 The Delegate of Portugal agreed with the considerations just expressed by the Delegate of France, and expressed his country's support for the proposed budget.

13.15 The U.S. Delegate indicated that his country was under strict budgetary restrictions. He noted the need to eliminate as many superfluous expenses as possible. He reiterated that the Commission's major problem continues to be the unpaid member country contributions, and the difficulty of collecting these debts. He appreciated the generosity of the EC and the Azorean Government for the financial support of the Tuna Symposium.

13.16 The Delegate of Japan noted the explanations given by other delegations on the importance of holding the Tuna Symposium in 1996 and expressed his country's support for this important event. He reiterated the need for financial provisions for the Bluefin Year Program activities. He noted his country's support, in general, of the proposed budget.

Second Session - November 15, 1995

Item 11. (Continued)

11.4 The Delegate of Gabon reiterated that his country had signed the Paris Protocol. He recognized the importance of the Madrid Protocol to change the contribution calculation scheme. He noted Gabon's difficulties to meet its financial commitments to ICCAT, but in spite of that, an order had recently been given to transfer 2,250,000 pesetas to ICCAT. He reassured that Gabon continues to be very interested in ICCAT's work.

11.5 The Chairman thanked Gabon for having signed the Paris Protocol, as did other delegations present at the meeting.

11.6 The Chairman clarified that the budget to be adopted this year does not include the 1996 Symposium, since its financing is practically guaranteed to be covered by the European Commission of the EU and the Autonomous Government of the Azores. He also anticipated that the next Commission meeting could take place in San Sebastian, Spain, and the extra expenses will be funded by the Basque Autonomous Government. Hence, these two items will not have any repercussions on the proposed budget.

11.7 The Executive Secretary referred the Committee to the revised Table 2 (catch and canning figures) and Table 3, the proposed 1996 budget, both of which now included the United Kingdom. He thanked the Chairman for his efforts concerning the financing of the Symposium and the 1996 meeting in San Sebastian. He indicated that the Commission budget includes an allocation for the annual meeting, but assumes that it will be held in Madrid. The extra expenses for holding the meeting outside of Madrid include transportation of staff and equipment, etc., which should be financed by the Basque Autonomous Government.

11.8 The Delegate of Spain also appreciated the excellent news announced by the Chairman concerning the Symposium and the 1996 Commission meeting. At the same time, she proposed that Agenda item 15 on observers also be discussed together with items 11, 12 and 13. She also welcomed the accession of the United Kingdom to ICCAT, particularly since their membership represents about a 2.5% overall reduction in the 1996 contributions of the Contracting Parties, in spite of the increase in the budget. The Delegate of Spain noted that other delegations that were contrary to the increase in the budget should consider this new situation when deciding on the budget allotment to carry out the proposals of the 1995 SCRS.

11.9 The Delegate of Canada congratulated the Chairman for his productive efforts in finding solutions to financing the Symposium and the 1996 Commission meeting. He also appreciated the news concerning the signing of the Paris Protocol, Gabon's forthcoming paying of its contribution to ICCAT, as well as the new membership of the United Kingdom. Notwithstanding the good news, he emphasized the problem of cash flow, which is crippled by arrears in contributions, and which has resulted in a substantial reduction in the Working Capital Fund.

Item 12. (Continued)

12.3 For illustrative purposes, the Delegate of Canada presented some calculations (based on the state of Commission accounts as of October 23, 1995). He noted that with the addition of the contribution of France, the Working Capital Fund will amount to about 53 million pesetas. However, deductions for expenses amounting to 44 million pesetas will reduce this balance to 9 million, of which 1.5 million to be used for publication of the Program's final report in an enhanced format. Hence, the Commission will start 1996 with only 9 million pesetas in the Working Capital Fund. He indicated that by applying the same pattern in 1996 as in 1995 as regards the contributions expected to be received (i.e. about 75% of the total budget of 154.7 million pesetas), the Commission will have an estimated shortfall of about 38 million pesetas for 1996 and thus a 29 million peseta deficit in the Working Capital Fund at the end of that Fiscal Year. By expending funds for all the 1995 SCRS proposals (24.5 million pesetas more), the Working Capital Fund deficit will then amount to 53.7 million pesetas at end of 1996. He reminded the Commission of the requirement that this Fund have a balance of 15% of the budget. Thus, the Commission would require an additional 23 million pesetas to replenish the Working Capital Fund, for a total cash requirement of 75 million pesetas. He believed that based on our cash flow problems, perhaps the Commission was budgeting beyond its capacity to fund.

12.4 The Delegate of Canada offered some solutions for the consideration of the Committee, such as the need to collect contributions in arrears, a reduction in unnecessary expenses, the need to seek more extra-budgetary contributions, the need to encourage new members, and an assessment of financial regulation #7 concerning the replenishing of the Working Capital Fund. Thus, the accession of the EU is a matter of imperative importance from a financial point of view. Solutions to ICCAT financial problems also require the entry into force of the Madrid protocol as soon as possible. In addition, payments of contributions must be made in the early part of the year.

12.5 Finally, the Delegate of Canada presented some suggestions for further discussion: (1) STACFAD should endorse the Resolution concerning the Paris Protocol as an urgent and pressing financial necessity requiring the earliest possible action and this should be supported by all the Contracting Party governments; (2) the 1996 budget should be reviewed in terms of prioritizing it into two parts: A: an amount equal to the 1995 budget to finance minimal activities, and B: taking into account the activities the Commission wants to carry out as group, and approving these only conditionally, dependent on the receipt of funds from other sources.

12.6 The Chairman noted emphatically that the Commission makes many demands, such as the request for better hotels for its meetings, additional facilities provided during the meetings, as well as more and more work to be done by the SCRS. All these requests require money. Since the scientific work is the heart of the Commission's activities, the lack of sufficient financial resources hinders ICCAT's work and its achieving the objectives of the Commission. If it were not for the outside financing of the Symposium, which is one of the most important scientific meeting on tunas in ICCAT's history, this event would not be held.

12.7 The Delegate of Spain, in responding to Canada's analysis of the 1996 budget, indicated that she agreed with some points made, such as the situation of the Working Capital Fund, the deficit problem, etc. However, she could not agree with his over catastrophic assessment of the Commission's financial outlook. She recalled that at past STACFAD meetings, Canada had proposed drastic measures, such as a 50% reduction in staff and the dispersment of the remainder of the staff around various offices of the Spanish administration. With the proposal by the Côte d'Ivoire for a change in the contribution calculation scheme, the Commission found an adequate solution to the problem of non-payment of contributions. Unfortunately, the Madrid Protocol to implement this scheme has not yet come about.

12.8 The Delegate of Spain strongly supported an endorsement by STACFAD for the immediate entry into force of the Madrid Protocol, by urging those countries that have not yet ratified, to do so as soon as possible. She further noted that the budget proposed represented a zero increase in real terms, but taking into account the difference in currency exchange, inflation and currency devaluation, consumer price index, etc., these factors can adversely affect purchasing power, which must be compensated for in estimating the necessary budget. She reiterated the Chairman's statement that the SCRS is the heart of the Commission and that if the Commission requests that more needs to be carried out, more financial resources are needed. The Commission's mandate to the SCRS often requires that inter-sessional meetings be held to carry out all the scientific analyses.

12.9 The Delegate of Spain indicated that her country could not support the proposal by Canada to separate the budget into two segments, whereby carrying out several scientific activities would be dependent on uncertain factors, such as the receipt of funds. She noted that if the budget only contemplates certain meetings, then the Committee should study carefully the SCRS priorities. However, she stressed that the Commission's obligation was to evaluate the stocks under its mandate, and thus such studies should be given priority.

12.10 The Delegate of France reiterated his country's support for the budget proposed for 1996. He also agreed with the Chairman's general analysis of the Commission's current situation. He reiterated the importance of the 1996 ICCAT Symposium and noted that the results of the Symposium will be beneficial to the SCRS's work. He urged the Committee to accept the invitation to hold the next Commission meeting in San Sebastian. The Delegate of France also strongly supported the comments made by Spain.

12.11 The Executive Secretary commented on the intervention of the Delegate of Canada and agreed, in general, with his analysis. As regards Canada's suggestion for a two-segment budget, one fixed and the other variable, Dr. Fernandez pointed out that the Commission's fixed expenses absorb a substantial part of the total budget (e.g. about 67% of the total budget is allocated for staff salaries and remunerations), and only about 33% of the budget would be available for other variables. It was interesting to note that the debt owed to the Commission for 1995 unpaid contributions amounts to about 36% of the budget. In these circumstances, there would be very little margin for flexibility in such a budget.

12.12 The SCRS Chairman expressed concern about the 1996 budgetary implications of the SCRS proposals for 1996. He believed that it was most important that all the meetings proposed by the SCRS be covered by the budget. While the proposed budget does not include provision for three of the meetings requested by SCRS (GFCM/ICCAT, Billfish, and Albacore), he reiterated the importance of these to the scientific committee's work. Therefore, he urged the Committee to allocate sufficient funds for these meetings as well.

12.13 The U.S. Delegate agreed with the comments made by Canada. He pointed out that the increase in the 1996 budget (i.e. 154.7 million pesetas) is in reality a 10% increase over 1995, if the total estimated expenditures for 1995 (140.7 million pesetas) are considered. He believed that the shortfall of 14 million pesetas should be added to our proposed budget of 154.7 million pesetas. The Committee should consider a two-tiered structured budget. He pointed out that the Staff Regulations and Rules include a number of requirements that are not taken into account, such as the need for funds to cover the eventual repatriation expenses of certain staff members upon retirement, etc. Thus, there is a potentially unidentified liability that could amount to the hundreds of thousands of dollars, or about 10-15% of the budget. This liability should be funded on an on-going basis, rather than on a one-time basis. The Delegate of the U.S. also noted that future consideration should be given to these important points at the 1996 STACFAD meeting, particularly in view of the expected entry into force of the Paris and Madrid Protocols, which might require some restructuring of the Commission's budget. The U.S. proposal on the budget is attached as Appendix 2 to Annex 6-4.

Third Session - November 16, 1995

Item 12. (Continued)

12.14 The Third Session of STACFAD was opened by the Chairman who requested the Executive Secretary to make a general summary of the budget proposal. Dr. Fernandez referred to documents COM/95/11 (the proposed budget) and its Annex, which includes the proposals from the SCRS. He also referred to the revised catch/canning tables distributed and the 1996 contributions, based on the basic budget of 154.7 million pesetas, both of which include the United Kingdom. He provided information on the estimated costs for these SCRS proposals.

12.15 The Chairman's then requested the member country delegations to express their final position as regards the 1996 proposed budget. The Delegate of South Africa supported the basic budget proposal, which included a 5% increase over the 1995 total budget. Spain reiterated its support of the basic budget and indicated their willingness to accept an extra increase in order to finance all the SCRS proposals. The Delegate of Portugal also accepted the basic budget and supported financing of all SCRS activities in 1996, and congratulated the Executive Secretary for the excellent manner in which he administered Commission funds, in spite of the extreme cash flow difficulties. The Delegates of Russia, Japan, the United Kingdom, Korea, and Morocco also accepted the basic budget proposal.

12.16 The Delegate of Brazil indicated that his country can only support the basic budget, but would have difficulties for any further increase.

12.17 The U.S. Delegate, while supporting the basic budget proposal, emphasized the important of replenishing the Working Capital Fund. He also stressed that with regard to travel, the Secretariat's participation in ICCAT meetings or those of its subsidiary bodies should have the highest priority, and participation in other meetings be authorized only if funds permit.

12.18 The Executive Secretary clarified that the proposed basic budget did not contemplate all the meetings proposed by the SCRS, since these proposals were made after the budget had been distributed to the Contracting Parties. However, the basic budget does take into account participation in at least three inter-sessional scientific meetings. He indicated that in order to finance all the proposals for meetings made by SCRS, an estimated \$11,000 would be needed over the basic budget.

12.19 The Delegate of France indicated that while he could accept the budget proposal, he did not have instructions from his government this year to accept any additional increase, including the hiring of a biostatistician. He also congratulated the Executive Secretary on his high quality administration of the Commission's funds.

12.20 The Delegate of Canada noted that his mandate was to accept a budget similar to that of 1995, i.e. a maximum 5% increase over 1995 expenses. However, he indicated that he would be able to support the basic budget of 154.7 million pesetas submitted to the Committee by the Executive Secretary, even though it actually represents

a 10% increase over 1995 expenses. He reiterated his earlier comments on the need to prioritize budgetary items, and that these items should include the scientific activities proposed by the SCRS, before us.

12.21 The Delegate of Angola sympathized with the financial difficulties of the Commission, but expressed some reservation on the proposed budget.

12.22 Dr. Fernandez expressed his appreciation to the Committee for the goodwill shown. He hoped to be able during the year to make some savings on the various budget chapters and assured the Committee that he would do his best to include the SCRS activities within the basic budget. He stressed the need for early receipt of the 1996 contributions to assure adequate cash flow. He requested the Committee to transmit this message to their respective authorities.

12.23 The Executive Secretary also thanked, in particular, France and Portugal for their strong support and kind compliments regarding the Secretariat's administration of funds in spite of the problems with income.

12.24 The Delegate of Spain asked for some clarification about the re-shuffling of budgetary funds between the different chapters and asked for specifics about which chapters would be increased and which would be decreased, as well as the priorities that were being assigned to SCRS activities, based on this concept.

12.25 Dr. Fernandez responded that his interpretation of the debates today was that there was a general consensus for the official basic budget of 154.7 million pesetas, but that one Contracting Party, Angola, had expressed some reservation. He also noted since that there was no general agreement on Annex 1 to the budget (i.e. the extra options), these cannot be considered in their entirety in the budget agreed.

12.26 He further indicated that with some internal adjustments, the travel for ICCAT SCRS inter-sessional meetings could be financed. He provided the example of chapter (8.c) port sampling, which has an allocation of 1.9 million pesetas, and for which the full amount would most likely not be needed for such sampling. Such re-allocation could be applied for travel to the Canary Islands to investigate some data problems there. Furthermore, if no important matters arise that required his participation at a U.N., CCSBT or FAO meeting, those funds in Chapter 2 could be applied to SCRS proposed activities.

12.27 The Delegate of Spain thanked the Executive Secretary for his clarifications and stressed the importance of reaching an agreement on the priorities within the budget.

12.28 The Chairman stated that the main priorities of the Commission are its scientific activities and he asked the SCRS Chairman to prioritize the inter-sessional meetings proposed at the 1995 SCRS Meeting.

12.29 The Delegate of Canada expressed his trust that the Executive Secretary's will administrate the budget in the most efficient way, and in accordance with STACFAD's advice, assign the scientific activities as priority items, which will prove beneficial to fisheries science. As an example, he indicated that ICCAT participation in the ceremonial signing of the U.N. agreement was not a priority item, and had no scientific benefit to ICCAT.

12.30 Dr. Suzuki reiterated the fundamental importance of all the inter-sessional meetings proposed by the SCRS and the presence of the Assistant Executive Secretary at all of these meetings, because of his in-depth knowledge of the tuna fisheries. He indicated that without such presence at these meetings, the scientists' work is severely hampered. He indicated that enhanced publications and translations of the SCRS reports were second priority items.

12.31 The Executive Secretary pointed out that the two basic questions were the basic budget just adopted and all the additional activities requested but which have not been adopted. He indicated that prioritizing should be done by the Committee. He also reiterated that unless sufficient funds are received in a timely manner, then he could not guarantee carrying out all the proposed activities.

12.32 The Delegate of Spain indicated that the amount of money required to fulfill all the SCRS proposed activities was minimal in comparison to the rest of the activities of this Commission.

12.33 After all these discussions, the Committee considered the basic budget of 154,716,000 pesetas as adopted for 1996 (attached as Table 1), as well as the corresponding member country contributions for 1996 (attached as Table 3).

Fourth Session - November 17, 1995

Item 11. (Continued)

11.10 As requested at the previous session, the SCRS Chairman responded to the prioritization of the SCRS activities proposed for 1996. Dr. Suzuki emphasized that all the inter-sessional meetings proposed by SCRS were of considerable important to the Commission's overall scientific work. He referred to the tentative meeting schedule distributed earlier to the Committee and noted that it indicated the priorities which the SCRS had tentatively assigned to these meetings. He indicate that there were four groups of meeting, in order of priority: (1), the GFCM/ICCAT meeting, related to the by-catch and BFT and Shark Working Group meetings; (2) the billfish and BYP larval meeting; (3) the albacore meeting; and (4) the Symposium.

11.11 The Executive Secretary noted that he had discussed the inter-sessional meetings with the SCRS Chairman and it was understood that all these meetings, except the Tuna Symposium, could be accommodated for with the available resources. He noted that one difficulty could be with the albacore meeting in Taipei, but that the Taiwanese authorities had indicated they would contribute to the expenses of a member of the Secretariat to attend this meeting. Dr. Fernandez also stated that he would not be doing any traveling in 1996 to be charged to the 1996 Budget, to assure that sufficient funds are available for the scientific meetings, and he emphasized that these accommodations could all be covered by the proposed basic budget of 154.7 million pesetas.

11.12 The Delegate of Spain congratulated the Executive Secretary for all his efforts in assuring that the SCRS proposals are satisfied inasmuch as possible, and for the sacrifices involved as it affects him most directly. He also stressed the importance of all the Contracting Parties paying their contributions as early in the year as possible.

Item 12. (Continued)

12.34 The Chairman reiterated the adoption of 1996 budget, amounting to 154,716,000 (Table 1) pesetas and the corresponding country contributions (Table 3), based on the 1993 catch and canning figures (Table 2), all of which include the United Kingdom.

12.35 The Executive Secretary then reminded the Committees of the need to formally adopt the budget for the second half of the 1996-1997 biennial period, even though the 1997 budget would be considered provisional and subject to thorough review and discussion at the 1996 meeting. He referred the Committee to Table 1 of the basic budget proposal, which shows the 1997 budget, broken down by budget chapters. He indicated that this total budget, which was distributed well in advance of the meeting, amounted to 162,452,000 pesetas (a 5% across-the board increase over the 1996 budget).

12.36 Some discussion ensued on the total budget figure for 1997, but a consensus was reached among the countries, to adopt the 1997 budget (see Table 1) and contributions (attached as Table 4) as proposed by the Executive Secretary on a provisional basis, to be re-discussed at the next Commission Meeting.

14. Staff Regulations and Rules

14.1 The Executive Secretary summarized the background of this item for the Committee. He indicated that the new Staff Regulations and Rules were adopted provisionally for one year at the 1994 Meeting, with the exception of Article 33 (Retirement). The Delegates were asked to present any comments and/or suggestions during the course of the year, but none were received.

14.2 The U.S. Delegation proposed a text for the wording of Article 33. The Committee reviewed the U.S. proposal, which was unanimously approved by the Committee (attached as Appendix 3 to Annex 6-4). With this modification to Article 33, the revised Staff Regulations and Rules were considered adopted. The Executive Secretary thanked the Committee for its generosity.

15. Other financial and administrative matters. Observer fees

15.1 The U.S. Delegation, which had presented a proposal for the review of the Committee regarding the observer fees currently in effect (attached as Appendix 4 to Annex 6-4), provided some background on this proposal to the Committee. He indicated that the U.S. had specifically requested the addition of this item to the 1995 Agenda. He noted that the U.S. State Department had carried out an independent study on the observer fee policy in other international fisheries organizations, and pointed out that only one other organization, the International Whaling Commission, charged an observer fee. He stressed that the high ICCAT observer fee might be interpreted as some lack of transparency of our organization. He recognized there are costs involved, but that the observer fee should be reduced considerably. He pointed out that the U.S. proposal was not intended to restructure the whole observer issue, but only focused on the fee question, not to eliminate it, but to reduce it to \$500.

15.2 The Executive Secretary pointed out that the Observer Guidelines were adopted at the 1993 Meeting, as a result of a working group in which the U.S. had participated, and which was set up to study this matter in depth. To arrive at the final figures of \$2,000, the total cost for annual meetings (i.e. 12 million pesetas) was divided among the number of Contracting Parties (at that time 22). The resulting amount came to about \$4,000, which the group considered excessive and in a spirit of compromise, decided to reduce it by 50%, or \$2,000.

15.3 Dr. Fernandez, in view of information he had, indicated that several organizations charge observer fees, such as the IWC (\$650), ICES (\$955), CITES (\$500: \$250 for participation and \$250 for documents). He also pointed that since 1988, ICCAT has been charging an observer fee, which was assessed at \$1,000.

15.4 The Delegate of France was strongly opposed to the idea that the principle of the \$2,000 observer fee was considered a restrictive measure. A restrictive measure was literally closing the door to observers. The French delegation was not in favor of reducing the current observer fee at this time, particularly in view of the financial restraints which the Commission faces.

15.5 The U.S. Delegate appreciated the comments from the other delegations present and reiterated that the \$2,000 observer fee was excessive. He indicated that perhaps ICCAT should carry out an in-depth independent study on this issue.

15.6 The Delegate of South Africa asked the Executive Secretary if he could determine the real cost per participant. He stated that, in view of the Commission's financial difficulties, increases in meeting costs should be studied. He felt that observer participation was important and valuable to ICCAT's work, but any observer fee should adequately cover the real cost of such participation.

15.7 The Executive Secretary responded to South Africa's inquiry and informed the Committee that considering a total meeting cost for meetings of 12.6 million pesetas and an average of 180 participants (SCRS and Commission Meetings) the per capita cost would amount to about 70,000 pesetas (\$547). Since the observer fees is based on the cost per each two-member delegation, the estimated cost would then be about \$1,100.

15.8 The Delegate of Japan supported the comments made by the French delegation.

15.9 The Delegate of South Africa suggested an amendment to the U.S. proposal, i.e. reducing the observer fee to \$1,000.

15.10 The Chairman summarized that there were three proposals before the Committee concerning observer fees: maintain the \$2,000 fees, reduce to \$1,000, and reduce the fee to \$500. To expedite the discussion, he requested the delegates' final position on this matter.

15.11 Spain agreed, at least for the time being, to maintain the \$2,000 observer fee. The Delegate of Russia expressed reservation, pending further consultations. Japan, Portugal, U.K., Brazil, Korea, Uruguay, France, Canada and Angola all supported maintaining the \$2,000 observer fee at this time, but agreed that the matter should be studied further at the 1996 meeting.

15.12 The Chairman concluded that the \$2,000 observer fee would be maintained for the time being and that this matter would be studied at the next meeting.

16. Date and place of the next meeting of STACFAD

16.1 The Committee will meet at the same time and place as the 1996 Commission meeting.

17. Election of Chairman of STACFAD

17.1 The Delegate of South Africa congratulated Dr. Lima, the Acting Chairman of STACFAD for the excellent way he handled these difficult discussions. At the same time, he nominated Dr. Lima for the Chairmanship of STACFAD.

17.2 Dr. Lima's nomination was supported unanimously by the Committee and many delegations also expressed their appreciation and congratulations to him for his efficient chairing of the Committee's meetings and looked forward to working closely with him at the 1996 STACFAD meeting.

18. Adoption of Report

18.1 The text of the 1995 STACFAD Report was adopted through correspondence at a later time.

19. Adjournment

19.1 The 1995 Meeting of STACFAD was adjourned.

Table 1. Basic Budget adopted for the 1996-1997 Biennial Period (1000 Pts.)

Chapters	Basic Budget Adopted for 1996		Basic Budget Adopted for 1997		
	1995 Budget	(Pts.)	% Var. over 1995	(Pts.)	% Var. over 1996
1. Salaries	79,500	85,805	7.9%	90,095	5.0%
2. Travel	4,316	4,316	0.0% (a)	4,532	5.0%
3. Commission Meeting	6,193	8,193	32.3% (b)	8,603	5.0%
4. Publications	3,647	3,829	5.0%	4,020	5.0%
5. Office Equipment	850	893	5.1%	938	5.0%
6. Operating Expenses	11,394	12,192	7.0% (c)	12,802	5.0%
7. Miscellaneous	1,395	1,465	5.0%	1,538	5.0%
Sub-total 1-7	107,295	116,693	8.8%	122,528	5.0%
8. Coordination of Research					
a) Salaries	18,079	18,548	2.6%	19,475	5.0%
b) Travel to improve statistics	1,239	1,301	5.0%	1,366	5.0%
c) Port Sampling	1,823	1,914	5.0%	2,010	5.0%
d) Biostatistical Work	2,508	2,634	5.0% (d)	2,766	5.0%
e) Electronic Equipment	1,823	1,914	5.0%	2,010	5.0%
f) Data Processing	4,584	2,600	-43.3% (e)	2,730	5.0%
g) Scientific meetings (incl. SCRS)	7,060	7,413	5.0%	7,784	5.0%
h) Miscellaneous	668	699	4.6%	734	5.0%
Sub-total 8	37,784	37,023	-2.0%	38,874	5.0%
9. Contingencies	2,202	1,000	-54.6%	1,050	5.0%
TOTAL	147,281	154,716	5.0%	162,452	5.0%

(a) Although there is no "home leave" in 1996, provision for possible additional travel (Symposium, CCBST, UN, FAO, etc.) has been included.

(b) Increment is due to the two additional meeting days (+40%) for the 1996 Commission meeting.

(c) The change in the Commission headquarters has resulted in an increase in communication and maintenance costs.

(d) Includes an outside contract for biostatistical work.

(e) Includes annual cost for leasing and maintenance of new computer (see item 1.8, section 8F).

Table 2. Catch and Canning Figures of Member Countries (in MT)

Countries	1992			1993			1994		
	Catch	Canning	Total	Catch	Canning	Total	Catch	Canning	Total
Angola	500 ***	199 **	699	452 *	180 **	632	282 (p)		282
Brasil	29251 *	2173 **	31424	31981 *	2376 **	34357	33064 (p)		33064
Canada	2086	0	2086	2906	0	2906	2265	0	2265
Cap Vert	3072 *		3072	3190 *		3190	1697 (p)		
Cote d'Ivoire	11286 *	1400	12686	154 *	1400 **	1554			0
Espana	160356 *	44920	205276	164414	41300	205714	142068 (p)		142068
France	72900 *	20395 **	93295	100028 *	27985 **	128013	96907 (p)		96907
Gabon	0	0	0	18	0	18	360	0	
Ghana	47197	128	47325	41296	128 **	41424	37969		37969
Guinea Ecuatorial	360 *		360	390 *		390			
Guinee, Rep. de	0		0	0		0	330	0	
Japan	52325	0	52325	53359	0	53359	55366 (p)		
Korea	1866	0 **	1866	785	0 **	785	1805		1805
Maroc	4525 (a)	189	4714	2837 (a)	0	2837	3635 (+)	0	3635
Portugal	16348	13346	29694	19936	12632	32568	14274 (p)	15427	29701
Russia	4748 *	27 **	4775	3299 *	19 **	3318	3668 (p)		
S.Tome & Principe	554		554	338 *		338			0
South Africa	6495	28	6523	7194	31 **	7225	5615		5615
U. K.	201	0	201	539	0	539	548	0	548
U.S.A.	28278	56351	84629	27283	55069	82352	29581	45477	75058
Uruguay	374	8	382	357	0 **	357	283		283
Venezuela	33228	19935	53163	44172	26501 **	70673	42632	10454	53086
Total	475950	159099	635049	504928	167620	672548	472349	71358	543707

* From Statistical Bulletin.

** Secretariat estimates.

*** Only partial data are available.

(a) Landings from African transshipment ports are not added.

(p) Preliminary data.

(+) Total TASKI catch for 1994 = 5837 MT.

Table 3. Member country contributions to the 1996 Commission Budget

Country	Panels # (A)	Panel % (B)	Total Budget (Convertible Pesetas) = 154,716,000				(as of November 17, 1995)		Based on 1993 figures		
			Catch MT (C)	Canning MT (D)	MT (E)	% (F)	Fee Conv. Pts (G)	Panel Conv. Pts (H)	Panel Conv. Pts (I)	Conv. Pts (J)	Total Conv. Pts (K)
Angola	2	4.688	452	180	632	0.094	128,000	256,000	2,289,438	91,843	2,765,280
Brasil	2	4.688	31,981	2,376	34,357	5.108	128,000	256,000	2,289,438	4,990,073	7,663,510
Canada	3	6.250	2,906	0	2,906	0.432	128,000	384,000	3,052,583	422,075	3,986,658
Cap Vert	1	3.125	3,190	0	3,190	0.474	128,000	128,000	1,526,292	463,324	2,245,616
Cote d'Ivoire	1	3.125	154	1,400	1,554	0.231	128,000	128,000	1,526,292	225,707	2,007,999
Espana	4	7.813	164,414	41,300	205,714	30.587	128,000	512,000	3,815,729	29,878,442	34,334,171
France	3	6.250	100,028	27,985	128,013	19.034	128,000	384,000	3,052,583	18,592,880	22,157,463
Gabon	1	3.125	18	0	18	0.003	128,000	128,000	1,526,292	2,614	1,784,906
Ghana	1	3.125	41,296	128	41,424	6.159	128,000	128,000	1,526,292	6,016,531	7,798,822
Guinea Ecuatorial	0	1.563	390	0	390	0.058	128,000	0	763,146	56,645	947,790
Guinee, Rep. de	0	1.563	0	0	0	0.000	128,000	0	763,146	0	891,146
Japan	4	7.813	53,359	0	53,359	7.934	128,000	512,000	3,815,729	7,750,001	12,205,731
Korea	3	6.250	785	0	785	0.117	128,000	384,000	3,052,583	114,015	3,678,599
Maroc	2	4.688	2,837	0	2,837	0.422	128,000	256,000	2,289,438	412,053	3,085,491
Portugal	3	6.250	19,936	12,632	32,568	4.842	128,000	384,000	3,052,583	4,730,262	8,294,845
Russia	1	3.125	3,299	19	3,318	0.493	128,000	128,000	1,526,292	481,867	2,264,159
S.Tome & Principe	1	3.125	338	0	338	0.050	128,000	128,000	1,526,292	49,092	1,831,384
South Africa	1	3.125	7,194	31	7,225	1.074	128,000	128,000	1,526,292	1,049,380	2,831,672
U. K.	3	6.250	539	0	539	0.080	128,000	384,000	3,052,583	78,286	3,642,869
U.S.A.	4	7.813	27,283	55,069	82,352	12.245	128,000	512,000	3,815,729	11,961,021	16,416,750
Uruguay	0	1.563	357	0	357	0.053	128,000	0	763,146	51,852	942,997
Venezuela	2	4.688	44,172	26,501	70,673	10.508	128,000	256,000	2,289,438	10,264,704	12,938,142
Total	42	100	504,928	167,620	672,548	100	2,816,000	5,376,000	48,841,333	97,682,667	154,716,000

A: Panel membership.

B: % annual and panel membership (G+H).

C: Catch (live weight).

D: Canned production (net weight).

E: Total (C+D).

F: Percentage distribution of E.

G: Pesetas equivalent to \$1000 annual membership fee (at the time of calculation).

H: Pesetas equivalent to \$1000 for each panel membership (at the time of calculation).

I: 1/3 of (Total less G+H) distributed according to col. B %.

J: 2/3 of (Total less G+H) distributed according to col. F %.

K: Total (G+H+I+J)

Table 4. Member country contributions to the 1997 Commission Budget

Country	Panels # (A)	Panel % (B)	Total Budget (Convertible Pesetas) = 162,452,000				(as of November 17, 1995)		Based on 1993 figures		
			Catch MT (C)	Canning MT (D)	MT (E)	% (F)	Fee Conv. Pts (G)	Panel Conv. Pts (H)	Panel Conv. Pts (I)	Conv. Pts (J)	Total Conv. Pts (K)
Angola	2	4.688	452	180	632	0.094	128,000	256,000	2,410,313	96,692	2,891,004
Brasil	2	4.688	31,981	2,376	34,357	5.108	128,000	256,000	2,410,313	5,253,533	8,047,845
Canada	3	6.250	2,906	0	2,906	0.432	128,000	384,000	3,213,750	444,359	4,170,109
Cap Vert	1	3.125	3,190	0	3,190	0.474	128,000	128,000	1,606,875	487,786	2,350,661
Cote d'Ivoire	1	3.125	154	1,400	1,554	0.231	128,000	128,000	1,606,875	237,624	2,100,499
Espana	4	7.813	164,414	41,300	205,714	30.587	128,000	512,000	4,017,188	31,455,928	36,113,116
France	3	6.250	100,028	27,985	128,013	19.034	128,000	384,000	3,213,750	19,574,525	23,300,275
Gabon	1	3.125	18	0	18	0.003	128,000	128,000	1,606,875	2,752	1,865,627
Ghana	1	3.125	41,296	128	41,424	6.159	128,000	128,000	1,606,875	6,334,184	8,197,059
Guinea Ecuatorial	0	1.563	390	0	390	0.058	128,000	0	803,438	59,635	991,073
Guinee, Rep. de	0	1.563	0	0	0	0.000	128,000	0	803,438	0	931,438
Japan	4	7.813	53,359	0	53,359	7.934	128,000	512,000	4,017,188	8,159,177	12,816,364
Korea	3	6.250	785	0	785	0.117	128,000	384,000	3,213,750	120,035	3,845,785
Maroc	2	4.688	2,837	0	2,837	0.422	128,000	256,000	2,410,313	433,808	3,228,121
Portugal	3	6.250	19,936	12,632	32,568	4.842	128,000	384,000	3,213,750	4,980,005	8,705,755
Russia	1	3.125	3,299	19	3,318	0.493	128,000	128,000	1,606,875	507,308	2,370,183
S.Tome & Principe	1	3.125	338	0	338	0.050	128,000	128,000	1,606,875	51,684	1,914,559
South Africa	1	3.125	7,194	31	7,225	1.074	128,000	128,000	1,606,875	1,104,784	2,967,659
U. K.	3	6.250	539	0	539	0.080	128,000	384,000	3,213,750	82,419	3,808,169
U.S.A.	4	7.813	27,283	55,069	82,352	12.245	128,000	512,000	4,017,188	12,592,525	17,249,712
Uruguay	0	1.563	357	0	357	0.053	128,000	0	803,438	54,589	986,027
Venezuela	2	4.688	44,172	26,501	70,673	10.508	128,000	256,000	2,410,313	10,806,648	13,600,960
Total	42	100	504,928	167,620	672,548	100	2,816,000	5,376,000	51,420,000	102,840,000	162,452,000

A: Panel membership.

B: % annual and panel membership (G+H).

C: Catch (live weight).

D: Canned production (net weight).

E: Total (C+D):

F: Percentage distribution of E.

G: Pesetas equivalent to \$1000 annual membership fee (at the time of calculation).

H: Pesetas equivalent to \$1000 for each panel membership (at the time of calculation).

I: 1/3 of (Total less G+H) distributed according to col. B %.

J: 2/3 of (Total less G+H) distributed according to col. F %.

K: Total (G+H+I+J)

STACFAD AGENDA

1. Opening of the meeting
2. Adoption of Agenda
3. Nomination of Rapporteur
4. Administrative Report (1995 activities)
5. Auditor's Report - 1994
6. Financial status of the 2nd half of the biennial budget - 1995
7. Contributions pending payment from the Contracting Parties
8. Status of the Working Capital Fund
9. Financial status of the Albacore Research Program
10. Financial status of the Program of Enhanced Research for Billfish
11. Budgetary implications of 1996 Commission activities:
 - Research and statistics
 - Inter-sessional meetings
 - ICCAT Tuna Symposium
 - Publications
 - Next meeting of the Commission
 - Others
12. Proposal of the biennial budget for 1996-1997
13. Contributions of the Contracting Parties to the 1996 budget
14. Staff Regulations and Rules
15. Other financial and administrative matters. Observer fees
16. Date and place of the next meeting of STACFAD
17. Election of the Chairman of STACFAD
18. Adoption of Report
19. Adjournment

U.S. PROPOSAL ON BUDGET

1. Develop the FY 96 payment schedule based on the 154.7 M budget, plus an additional 14.1 M contribution, theoretically to restore the Working Capital Fund to 15% of the budget, i.e. 23 M.
2. Authorize expenditures at a straight-line budget of budget of 140 M.
3. If contributions are received in FY 96, from countries which did not contribute in FY 95, then the authorized expenditure level is increased to a total of 147 M or the equivalent of the increased contributions, whichever is less. In other words, the first 7 M available above 140 M would fund program requirements.
4. If the total of the Working Capital Fund and FY 96 contributions exceed 147 M, the next 23 M should go to restoring the Working Capital Fund.
5. If the Working Capital Fund is restored to 23 M, authorize expenditures up to the fully approved budget of 154 M.
6. Additional contributions beyond the 154 M would become part of the Working Capital Fund for unfunded liabilities.
7. STACFAD should task the Executive Secretary with reporting on unfunded liabilities at the next Commission meeting.
8. STACFAD should postpone developing a more structure response until the next meeting, at which time we will have a better idea of the funding requirements and the potential income based on the Madrid and Paris Protocols.

U.S. PROPOSAL ON STAFF RULES

Mandatory retirement age of 62 years is in accordance with the FAO regulations. There is no reason to change this age, since everything else is according to the FAO regulations.

In application of this article, special consideration should be given to staff hired before 1993, since they were contracted under the old Staff Rules, which defined no mandatory retirement age. The special consideration will be exemption for three years. This exemption shall be written into the Staff Rules, as follows:

The following sentence should be added at the end of paragraph 33.1 of the revised Staff Rules:

"Staff members hired before 1993 shall be exempt from the mandatory retirement provision for a period of three years from the final effective date of the revised Staff Rules."

**PROPOSAL BY THE UNITED STATES
ON AN AMENDMENT OF THE GUIDELINES AND CRITERIA
FOR GRANTING OBSERVER STATUS AT ICCAT MEETINGS**

RECOGNIZING the increasing trend towards transparency in the operations of international organizations, as reflected in Chapter 17, Agenda 21, of the United Nations Conference on Environment and Development (Rio de Janeiro, 1992);

NOTING that Article 12, paragraph 2, of the United Nations Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, upon entry into force, will require sub-regional and regional fishery organizations and arrangements to enact procedures with respect to the participants of non-governmental observers that are "not unduly restrictive";

AWARE that existing sub-regional and regional fishery and fishery-related organizations and arrangements, with the exception of the International Whaling Commission, do not levy observer fees;

RECALLING that at its Sixth Special Meeting (Madrid, 1988), the Commission revised the Guidelines and Criteria for Granting Observer Status at ICCAT Meetings, and imposed a \$2,000 fee for observers from non-governmental organizations;

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

Article 6 of the Guidelines for Granting Observer Status at ICCAT Meetings is amended to replace the term "\$2000" with the term "\$500" wherever it appears.

ANNEX 6-5

**REPORT OF THE FOURTH MEETING OF THE
PERMANENT WORKING GROUP FOR THE IMPROVEMENT OF
ICCAT STATISTICS AND CONSERVATION MEASURES (PWG)**
(Madrid, November, 1995)

1. Opening of the Meeting

1.1 The Fourth Meeting of the PWG was opened by the Chairman, Mr. Brian Hallman (U.S.A). The Chairman noted the member countries in attendance. They included: Canada, France, the United States, Korea, Portugal, Japan, Russia, Spain, and South Africa. Observers present included the Inter-American Tropical Tuna Commission, Taiwan, and the European Union.

2. Election of Rapporteur

2.1 Ms. Kim Blankenkemper (United States) served as rapporteur.

3. Adoption of Agenda

3.1 The Agenda was adopted without changes and is attached as **Appendix 1 to Annex 6-5**.

4. Review of the implementation of the ICCAT Bluefin Tuna Statistical Document Program (BTSD)*a. Secretariat Actions*

4.1 The Assistant Executive Secretary, Dr. Miyake, reported that the Secretariat had prepared two documents relevant to this agenda item, COM/95/31 and COM/95/32.

4.2 Document COM/95/32 reviews progress made and actions taken since the last PWG meeting. At the last PWG meeting, a resolution was adopted concerning the interpretation and application of the BTSD program. The resolution made clarifications to various aspects of the program, such as application (i.e., the program is to be used for northern bluefin tuna in the Atlantic and Pacific) and definition of waiver. This resolution was sent to all countries with a history of exporting northern bluefin tuna to ICCAT Contracting Parties.

4.3 Mexico had insisted that ICCAT grant it a waiver of the Bluefin Tuna Statistical Document, arguing that it has observers on its tuna boats. After receipt of this interpretive resolution, Mexico notified ICCAT of the government agencies to be used to validate the BTSD when Mexico exports bluefin tuna to any Contracting Party. New Zealand had also requested a document waiver when it exports bluefin tuna because of the extreme difficulty in distinguishing northern bluefin tuna from southern bluefin tuna, which is the major component of the New Zealand catch. In addition, New Zealand argued that it catches and exports northern bluefin tuna only on very rare occasions and mixed in packages primarily containing southern bluefin tuna. At the last PWG meeting, it was decided that no waiver of the BTSD requirement would be given and New Zealand was informed as such. New Zealand again requested special consideration of its circumstances. The letter making this request is attached to ICCAT document COM/95/32.

4.4 The PWG had recommended that countries that import bluefin tuna submit a biannual report with summaries of imports. Two reports were received from Japan, covering the later half of 1993, all of 1994 and the first half of

1995. These reports were circulated to the Contracting Parties. The Secretariat also received a summary of imports to Korea for the first half of 1995, which was attached to COM/95/32. This report was not circulated previously since it was just received from Korea.

4.5 In 1993 and 1994, the Secretariat sent out a questionnaire to all countries that have a history of exporting bluefin tuna to ICCAT Contracting Parties requesting the names of those authorized to validate the documents for export purposes. The responses to the questionnaire are summarized in Tables 1 (Contracting Parties) and 2 (non-Contracting Parties) of COM/95/32. Different tables were used because Contracting Parties may allow government authorities or an authorized non-government entity to validate the document, but non-Contracting Parties may only have validation performed by government authorities.

4.6 Information on official seals used by validating agencies was sent to present importers; however, there has been a problem in that the seals provided to ICCAT at times do not match the seals used to validate the BTSD. The Secretariat has notified countries of this discrepancy.

4.7 The Secretariat also presented ICCAT document COM/95/31, which provided an analysis of the comparison of import data with catch data.

4.8 The Assistant Executive Secretary noted that since the start of the BTSD program, an increased number of countries are providing more accurate data. In fact, some countries (both Contracting and non-Contracting Parties) that never provided data in the past are now doing so. This notable improvement in reporting statistics illustrates that there is merit in the program. More countries are now showing genuine interest in learning about bluefin tuna regulations and in providing accurate data, particularly as the possibility of trade sanctions now exists. The Secretariat has received several inquiries over the year regarding bluefin tuna recommendations, which is an indicator of the effectiveness of the BTSD program.

4.9 ICCAT document COM/95/31 summarized Japan's reporting of bluefin tuna imports by country of origin, as compared with reported landings. Of note are the negative figures in Table 2 of COM/95/31, which show a disparity in total reported catches and total imports of bluefin tuna by Japan for some countries. However, it was noted that bluefin tuna that may have been caught in 1993 could then have been exported in 1994 and that this could account for some of the differences in these figures. In addition, some fishing vessels, especially those of EU countries, can unload their catches in foreign ports of EU countries; thus, it is possible that bluefin tuna may have been exported from a foreign port to Japan and reported as part of the catch of the wrong country.

4.10 Information regarding the month when catches take place is not very well known, but some Contracting Parties export bluefin tuna from the Mediterranean area, the catches of which are made by longline vessels. There is a suspicion that some of this catch is taking place during the closed season (June/July). Also, the data derived from the BTSD program are pointing out that some countries that have no reported vessels fishing for bluefin tuna catches are showing exports of bluefin tuna to Japan.

b. Contracting Party actions

4.11 The Spanish Delegate noted that the 1994 Spanish catches of bluefin tuna that were reported to ICCAT amount to 5,873 MT and that this figure was provided to ICCAT at the 1995 SCRS meeting. This correction, which included data through September 30, 1995, was not included in document COM/95/31.

4.12 The Spanish Delegate agreed that the BTSD Program was working well in its early stages; however, regarding 1994 exports attributed to Spain, he noted that there should be some clarification of the discrepancy between Spain's reported bluefin catches and import data. First, the net weight of the Spanish bluefin catches and imports Japan coincide, with a margin of difference of about 1.95%, which is almost insignificant. Considering the import data provided by Japan, the margin of error is about 2%. The Spanish Delegate stated that Spain was working on this problem in order to find the reasons for these discrepancies and that Spain recently had submitted a document to the Secretariat based on these data. The Spanish delegation offered to provide more copies to PWG members if needed.

4.13 The Spanish delegate pointed out that the coefficient factor used by Japan to convert net weight to live weight changes Spanish exports to Japan to 9,483 MT. It was noted that Japan included not only the four original product forms provided by the BTSD Program but also others, such as belly meat, in which a conversion coefficient

of 12.5 is used and that this conversion factor changes data significantly. The Spanish Delegate stated that Japan's conversion coefficient is too high and accounts for the big difference in the data. The Spanish Delegation provided a table comparing the data on net weight and live weight of bluefin tuna. The Delegate stressed that these calculations used the conversion factors found in the ICCAT "Field Manual" and gave a more balanced result. It was also noted that there is a domestic market in Spain for bluefin tuna. The Spanish Delegate asked that the Secretariat and Japan clarify the establishment and use of 12.5 as a conversion factor.

4.14 The Assistant Executive Secretary stated that determining an appropriate conversion factor is very difficult and very technical and should be addressed. He then questioned if French purse seiners caught 11,800 MT of bluefin tuna in the Mediterranean in 1994 and exported only 500 MT. He noted that there were many Japanese freezer boats in the area and that they thought a large number of fish. He stated that he understood that EU countries have no restrictions regarding unloading at other EU ports and that some Japanese freezer vessels were sitting in Spanish and other EU ports buying and exporting French bluefin tuna.

4.15 The Delegate of France stated that he could not enlighten the PWG on the transshipment point but could generally comment that this figure of 11,800 MT raised other questions and resulted from an assessment carried out by the French Scientific Institute. He stated that the figure was an estimate based on extrapolations. There was a considerable gap between catch figures and estimated catches, and France was still endeavoring to clarify how such an estimate was reached. The catch information France has on the 1994 fishing season shows that France caught between 8,000 and 8,200 MT in the area but that it will take some time to determine the final figures. The Delegate noted that there was no increase in nominal effort in 1994, but there was a real increase in effective effort (e.g., longer fishing season) and that other factors could be involved in what appears to be an exceptional harvest year for France. While 11,800 MT would be a record catch for France, the Delegate of France stressed the need to be cautious. He noted that the 11,800 MT is not the final figure transmitted from the French authorities.

4.16 The French Delegate agreed with the Secretariat that the import figure reported by Japan is extremely low (i.e. 500 MT), and probably not accurate. He inquired as to the source of the apparent dysfunction.

4.17 The Delegate of Japan gave a general summary of the BTSD Program results. He noted that the Program had been in effect since September, 1993, for frozen products and since June, 1994, for fresh and chilled bluefin tuna products. In 1994, 33% (1,007 of 3,080) of the bluefin tuna statistical documents collected were validated by non-Contracting Parties. In 1995, up to 30 June, 3,402 documents were collected and of these 2,026 were validated by non-Contracting Parties (or 56% of the total). By weight, in 1994, 3,775 MT of 16,473 MT (or 23% of the total) and in 1995, up to June 30, 2,182 MT of 4,625 MT (or 47% of the total) were imported from non-Contracting Parties. The Delegate of Japan offered to provide a written summary of the above information to the Secretariat and his offer was accepted.

4.18 Regarding non-Contracting Party activities, the Delegate of Japan noted the following:

Belize: In 1994, 145 MT of bluefin tuna was imported by Japan from Belize for the first time. It was caught by one longline vessel in the Mediterranean. In September 1995, 400 MT of bluefin tuna caught by two longline vessels in the Mediterranean was imported. All of the shipments were accompanied by a BTSD that were validated by officials of the Belize government; however, Belize had not provided validation information to ICCAT. Therefore, Japan contacted Belize bilaterally, received assurance that the documents were valid, accepted the shipments, and informed Belize of the need to notify ICCAT of authorized validating agencies.

Honduras: In 1993, 104 MT of bluefin tuna were imported to Japan, but Honduran officials indicated that Honduras would not provide government validation for its vessels. Japan did not import any bluefin tuna from Honduras in 1994. In addition, the Japanese inspector sighted a large pelagic longline vessel ("Suma Tuna") fishing in the Mediterranean spawning grounds during the closed season in 1995. Japanese inspectors were informed that this vessel was Honduran flagged.

Panama: In 1994, Japan imported 1,130 MT of bluefin tuna caught by seven Panamanian longline vessels in the Mediterranean and east Atlantic and exported through Las Palmas and Malta to Japan. In 1995, up to September, 153 MT of bluefin tuna were imported by Japan from Panama. According to ICCAT statistics, Panama has reported no Mediterranean or east Atlantic catches of bluefin tuna since the late 1980s.

Taiwan: 709 MT of bluefin tuna caught in 1994 were imported through Las Palmas or Cape verde. Longline catches were reported as 333 MT in 1993 and 334 MT in 1994, respectively. The bluefin tuna statistical documents show that Japan has imported more in one year than Taiwan's combined catch figure for 1993 and 1994.

4.19 Regarding Contracting Party activities, Japan noted the following:

Guinea: In 1994-95, bluefin tuna statistical documents revealed that a vessel with the same name as the Honduran vessel ("Suma Tuna") was flying the flag of Guinea. It is unknown whether or not these are the same vessel or separate vessels. In 1994, a total of 282 MT of bluefin tuna were imported to Japan for the first time. All bluefin tuna were caught in the Mediterranean and east Atlantic by longline vessels and exported through Las Palmas. The statistical documents show that six vessels operated in the Mediterranean and one in both the east Atlantic and the Mediterranean. Eight statistical documents were collected after July, 1995, and 360 MT of bluefin tuna caught and were imported. ICCAT catch statistics show that no reported Guinean bluefin tuna catches.

Equatorial Guinea: In July, 1995, a total of 111 MT of bluefin tuna were imported by Japan for the first time. Equatorial Guinea had one longline vessel operating in the Mediterranean which exported bluefin tuna through Las Palmas. ICCAT has received no catch statistics from Equatorial Guinea regarding its bluefin tuna fishery.

Canada: In 1994, Japan imported 3 MT of bluefin tuna from Canada, which might have been caught in the east Atlantic; however, there were no reported catches by Canada in that part of the Atlantic.

Portugal: In 1994, 434 MT of bluefin tuna were imported by Japan. The catch was made by longliners in the east Atlantic. ICCAT catch statistics show only 4 MT caught in 1993 and 8 MT in 1994. Japan's imports exceed these amounts. In addition, a Japanese inspector sighted a large pelagic longline vessel ("Daniel 2") operating in the Mediterranean in June, 1995, during the closed season. In 1995, Japan imported bluefin tuna caught by the same vessel sighted on the spawning grounds during the closed period and collected bluefin tuna statistical documents validated by Portugal.

Spain: In 1994, Japan imported 9,483 MT of bluefin tuna from Spain. This figure was derived by using the conversion factors used by SCRS. According to ICCAT statistics, Spain caught 7,096 MT of bluefin tuna in 1993 and 5,813 MT in 1994. According to the data from the Bluefin Tuna Statistical Document Program for 1994, 6,204 MT were caught by purse seiners in Mediterranean and the rest was caught by trap (2,047 MT) and longline (1,070 MT) in the east Atlantic. ICCAT statistics show that, for the same year, purse seiners caught 1,725 MT in the Mediterranean. In the east Atlantic, 1,136 MT were taken by trap and 178 MT were taken by longline.

United States: In 1994, Japan imported 1,060 MT of bluefin tuna from the U.S. This represents 71% of the U.S. reported catch of bluefin tuna in the western Atlantic. Also, 5 MT of bluefin tuna were reported as originating in the east Atlantic or Mediterranean, even though the U.S. reported no catch from that part of the Atlantic. Seventeen (17) of the 20 bluefin tuna statistical documents had relevant tag numbers. In 1995, two statistical documents showed some U.S. catches, with valid tag numbers, coming from the eastern Atlantic.

4.20 The Delegate of Japan noted that some non-Contracting Party vessels, such as those of Honduras, had been changing their flags to those of Contracting Parties and that others may do so in the future. Therefore, ICCAT and its Contracting Parties will be able to control these vessels. This should be considered one of the accomplishments of the Program.

4.21 The Japanese Delegate noted that Contracting Parties have an obligation to control their fishing vessels. Due to the status of the eastern Atlantic bluefin stock, current ICCAT recommendations in the eastern Atlantic and Mediterranean call for the reduction of catches by 25% from 1993 or 1994 levels, whichever is greater, by 1998. Because all Contracting Parties are being called upon to control fishing, the Delegate of Japan stressed that the BTSD Program must be properly implemented and sighting information must be submitted. This Program will help to identify the non-Contracting Parties that are diminishing the effectiveness of the ICCAT conservation program.

4.22 The Delegate of Japan stated that he would provide the Secretariat with information concerning validation authorities that was obtained through bilateral contacts. He also noted that Japan had asked these countries (e.g., Belize) to transmit the names of the BTSD validation authorities directly to ICCAT. Lastly, Japan agreed to provide the PWG with a written report of its summary as soon as possible.

4.23 The Delegate of the United States explained that he had brought for distribution a report on U.S. implementation of the BTSD program. Also, he noted that, in terms of table 1 in document COM/95/32, the United States had submitted information on non-governmental entities authorized to validate bluefin tuna statistical documents for Pacific bluefin tuna and offered to follow up on this with the Secretariat.

4.24 The Dr. Miyake noted that the Secretariat had received a letter in 1994 from the U.S. Department of Commerce stating its responsibility for the BTSD program, including validation. Additionally, in August, 1995, a letter was received regarding the U.S. tagging system. He noted that the U.S. tagging program for bluefin tuna from the Atlantic was adequate and that Pacific bluefin tuna will not be tagged.

4.25 The Delegate of Portugal congratulated the Group on the detailed level of the discussions. She noted that such discussions indicated that the Program was starting to give results and suggested that discussion of the conversion factor and other minor details show that ICCAT is moving forward in the appropriate direction. As regards the data on Portugal's exports to Japan, the Delegate noted that there is a wide discrepancy between Portuguese catches and Japan's import data. The delegate explained that some of this difference could be explained by using a different conversion factor—as in the case of Spain. In addition, it was noted that some problems may be caused because EU vessels can land in any port of the EC, which could result in double counting. The Delegate also indicated that Portugal was having problems in managing its statistics and that it was reviewing its procedures in order to determine if more actions to control its fleet or improve its data sharing arrangements were required. It was explained that Portugal was attempting to discuss this situation with fisheries managers in Portugal's autonomous regions after this meeting.

4.26 Regarding the report by Japan that the vessel "Daniel 2" was seen fishing during the closed season in Mediterranean, the Portuguese Delegate stated that it was unclear if the vessel was the same one that operated under Portuguese flag, but that Portugal would investigate and take appropriate action if it was learned that the vessel was Portuguese and fishing during the closed season.

4.27 The Delegate of Korea intervened to clarify information provided in the COM/95/32, Table 1. He stated that Korea's export authorizing body was correctly reported as the National Fisheries Products Inspection Service, but that as of April 1, 1995, the importing authority was changed from the Korean Customs Administration to the National Fisheries Inspection Service.

4.28 The Delegate of Canada stated that the type of analysis being provided was very good and showed that the Program will be very beneficial in determining how much is being caught in this fishery. Regarding Table 2 of COM/95/31, the Delegate expressed a concern regarding why the Canadian reported Task I catch of 392 MT while imports to Japan are reported as 321 MT. Regarding the report by Japan that Canadian vessels may have been fishing in the eastern Atlantic, the Delegate noted that Canada does not license any vessels to fish in the eastern part of the Atlantic and that it was likely that the person completing the bluefin tuna statistical document made a mistake. Nevertheless, the Delegate stated that Canada would investigate the issue.

4.29 The Spanish Delegate returned to the question of the conversion factor and asked for clarification on what factor should be used to convert net weight to live weight. He noted that Spain would prefer to use only those factors contained in the ICCAT "Field Manual". He explained that since the statistical document did not contain a separate category for belly meat, it should be eliminated. In addition, he asserted that the conversion factor for belly meat was controversial and therefore should not be used by Japan in its analyses, as it gave misleading results. The Delegate of Spain explained that if the category were allowed to remain, the conversion factor of 1.16 was more appropriate and should be used.

4.30 Upon a request by the Chairman to clarify its proposal, the Spanish Delegate reiterated that the separate category of "belly meat" not be used by Contracting Parties since the bluefin tuna statistical document already contained an "other" category and that only the conversion factors specified in the ICCAT "Field Manual" be used.

4.31 The Delegate of South Africa stated that the PWG should concentrate on what this Bluefin Tuna Statistical Document Program has accomplished up to now. He pointed out that it became clear from the summaries presented that the Program has resulted in a substantial improvement in data and specifically, that past estimates were largely under-estimated. He proposed that a firm recommendation be made stating that the specific problem associated with which conversion factors to use be investigated. He also suggested that the effect of non-Contracting Party operations and landings at ports of other parties be investigated. He recommended against deleting the belly meat column at this time.

4.32 The Japanese Delegate explained his country's view that the purpose of the BTSD Program was to monitor trade and asked that other delegations not misunderstand the intention behind its presentation. The Delegate stressed that Japan was not attempting to point out non-compliance by other Contracting Parties, but rather trying to present the facts based upon the data, the conversion of which was done by agreed procedures.

4.33 The Delegate of Japan noted with interest the Spanish intervention and suggested that Japan and Spain have an informal discussion about the discrepancies. However, the Delegate pointed out that Japan could not agree to eliminate any categories as this would distort the trade figures. Regarding the use of a conversion factor of 12.5 for belly meat, the Delegate noted that this is the same factor being applied by the SCRS, and therefore Japan is being consistent with ICCAT standards and procedure. The Japanese Delegate stated that some discrepancy is likely in this type of situation, but that is not wise to ignore valuable information. He strongly recommended that all categories be maintained and that the belly meat conversion factor continue to be used, pending the development of a more appropriate figure.

4.34 The Assistant Executive Secretary noted that the specifications given for the bluefin tuna statistical document do not contain a belly meat category, but that for accurate estimates, this product category can not be ignored. He stated that the exporting country should comply with the importing country's statistical document if it wishes to continue to export to that country. He explained to the delegates that when the "Field Manual" was published there was no separate belly meat product; therefore, a thorough investigation of this factor has not been made. He agreed with the proposal by South Africa that the belly meat conversion factor be investigated further.

4.35 The Spanish Delegate agreed that the BTSD Program should accurately reflect bluefin tuna trade data and also agreed with the view of South Africa. He noted that Spain has made considerable effort in terms of this Program and for this reason Spain is keenly interested in improving the Program. He stressed, therefore, the difficulty in calculating the live weight of a fish when you only have a part of the fish. He noted that Spain does not catch bluefin tuna for the sole purpose of using the belly meat and that belly meat is a by-product of the fish. He pointed out that if calculations are made regarding the number of fish based on belly meat, then double counting of fish is likely. This will mean that once an appropriate factor is developed, statistics collected and converted using the factor of 12.5 would have to be corrected. He restated Spain's belief that belly meat should not be a separate category, but rather that belly meat be listed under the "other" category and that the "Field Manual" conversion factors be used.

4.36 The delegate of the U.S. indicated understanding of Spain's view regarding the possibility of double counting and noted that catch levels are already being reported in Task I statistics. He stressed the need for clarification and supported the idea that this be investigated and rectified if necessary.

4.37 Dr. Miyake noted that there are no good conversion factors for the "other" category. He stated that since bluefin tuna can be exported in many different forms, no official conversion factors have been developed.

4.38 The Chairman noted that even if belly meat were deleted as a category, there would still be problem as it would fall into the "other" category.

4.39 The Delegate of Spain proposed that the conversion factors provided in the "Field Manual" be used to convert for round and gilled and gutted weight, and that for all weight conversions provisional factors be used until a suitable factor is found.

4.40 The Chairman proposed that SCRS be tasked to provide conversion factors for those categories for which there are currently no good estimates. In the interim, delegates could agree that conversion factors contained in the ICCAT "Field Manual" be used and that, for other categories, the conversion factors be used provisionally.

4.41 The Delegate of Japan stated that while double counting could exist, he did not think it likely. He explained that there was no possibility of double counting between round weight, gilled and gutted, and dressed weight. Further, since Japan has a clear record of imports in belly meat form, this information should remain in the bluefin tuna statistical document and not be ignored. He agreed that an appropriate conversion factor should be studied and agreed upon, especially as this is a new product form that was not foreseen when the BTSD Program was established.

4.42 The Chairman summarized the proposed decision that the categories remain as they are currently and, for those categories for which there is no firm conversion factor agreed upon by ICCAT, provisional factors would be used. In the meantime, the PWG would request that SCRS provide more suitable conversion factors for these other categories.

4.43 The Assistant Executive Secretary noted that double counting was possible if, for example, the belly meat of a given fish were exported to Japan and the rest of the fish were exported to Italy for canning and both countries then reported the bluefin as an import. He noted, however, that this will likely not occur.

4.44 The Chairman noted that any statistical anomalies that might exist were not necessarily a problem in that catches do not necessarily have to equal imports into one country. He stated that, in all likelihood, such situations could be explained.

4.45 The Delegate of Spain clarified that he did not think that belly meat data should be omitted from the statistical document, but that it should be included under the "other" category so that the lower, and in Spain's view, more correct, conversion factor would be used.

4.46 The SCRS Chairman pointed out that the SCRS did not anticipate this type of export or processing and that the scientific Committee would provide a more reliable conversion factor; however, he cautioned that its development might take some time since the factor may differ depending on the size of the fish, the season in which it was caught, the fishing gear used, etc. He noted that there might also be other types of processing for export that could develop. He supported the South African proposal and noted that the SCRS will be happy to respond to any kind of new requirement to improve BTSD Program.

4.47 The Delegate of Japan approved of the idea that the SCRS investigate the conversion factors for belly meat and any other product forms and asked the SCRS Chairman to clarify which conversion factor he was suggesting should be used provisionally for belly meat.

4.48 Dr. Miyake reiterated that the conversion factors in the ICCAT "Field Manual" were published six or seven years ago, and that these conversion factors have been well studied and established. In the last three years, the SCRS has been trying to estimate unreported catches of bluefin tuna from Contracting Parties and from non-Contracting Parties based on import statistics to Japan. Since imported products are in different forms, such as dressed, filleted, belly meat, etc., different factors are used to make estimates. For belly meat products for which no factors are given in the "Field Manual", the SCRS provisionally used 12.5, after preliminary investigation from the industry people.

4.49 The Delegate of Japan asked if the 12.5 conversion factor for belly meat can continue to be used. Dr. Miyake responded that, in his view, the most important part of this process is the weight of products which should be the one retained in the data base. He stressed that the estimated import figure (converted to round weight) is not used to determine total catch of a country which has a reliable statistical system. That is, ICCAT does not use the import data supplied by Japan to estimate the Spanish catch. Instead, catch information provided by the very reliable catch collection system of Spain is maintained. He pointed out that discrepancies between nationally reported catch and import statistics could be explained by transshipments; thus, the import data provided by Japan does not necessarily reflect Spanish catch levels. He noted that in the case of non-Contracting Parties, such as Panama, import statistics have to be used to make estimates of total catches.

4.50 The Delegate of South Africa agreed with the Dr. Miyake's assessment and noted that discrepancies between import data and reported catches provide warning flags but do not necessarily indicate inaccuracy. He reiterated the need for further investigation by the SCRS of the conversion factor issue and pointed out the need to look at the effect of transshipment on catch reporting.

4.51 The Chairman proposed once again that the SCRS be requested to review the conversion factors, with an emphasis on those not included in the "Field Manual". In the meantime, for those factors not in the "Field Manual", he suggested that Contracting Parties use what is currently suggested by SCRS, as they appear to be the best factors available.

4.52 The Delegate of Japan agreed with the Chairman's proposal and explained that Japan was not criticizing Spain or its catch data collection system when it presented its import data. He apologized for any misunderstanding.

4.53 Subsequent discussion revealed that there was no consensus on how to proceed on this issue and the matter was referred to a small working group for discussion. This working group agreed that, for those countries who report catch statistics to ICCAT, only net weight by product categories would be reported. For those countries that do not report catch statistics to ICCAT, estimates of round weight will be made using conversion factors that have been used in the past.

c. Application of Waiver of BTSD Requirements

4.54 The Chairman reminded the delegates that New Zealand was again requesting a waiver of the requirement to complete a bluefin tuna statistical document—this time for northern bluefin tuna. He noted that the request made by New Zealand last year for a waiver of the requirement to complete the document when exporting southern bluefin tuna was granted, although the Commission stated at the time that a document for northern bluefin would still be necessary. This year, New Zealand is arguing that its vessels catch northern bluefin tuna only rarely; that it is extremely difficult to differentiate between a northern and southern bluefin (the latter comprises the majority of New Zealand's catch); and that, when exported, northern bluefin are mixed with southern bluefin tuna. The Chairman also stated that Italy has requested that the Commission allow its bluefin tuna statistical document to be validated by a non-government institution.

4.55 Dr. Miyake asked Japan as to whether it had received any exports from New Zealand containing both northern and southern bluefin tuna and, if so, how they were handled. Japan replied that such mixing has not been observed and that currently, there were no concerns on the part of Japan that northern bluefin tuna would be exported to Japan under the guise of southern bluefin.

4.56 Dr. Miyake cautioned against granting a waiver to New Zealand because of the possibility of creating a "loophole" in the bluefin statistical document system and suggested that, if necessary, Japan could work bilaterally with New Zealand to work out an import process. The Chairman agreed that granting a waiver would set a bad precedent.

4.57 The Delegate of Japan noted that Japan has a treaty obligation to ICCAT so that all imports of northern bluefin tuna are subject to ICCAT recommendations. He recommended against waiving the document exemption but suggested consideration could be given to waiving the government validation requirement.

4.58 The Chairman responded that he felt that the problem was slightly different in that currently there is no requirement that New Zealand complete a bluefin statistical document unless the export contains northern bluefin tuna. The Japanese Delegate stated that if northern bluefin tuna were to be exported from New Zealand, a statistical document would be required unless a waiver were granted and, further, that if New Zealand were to export a northern bluefin tuna as a southern bluefin, this would be in violation of the ICCAT Program.

4.59 The Chairman noted with concern New Zealand's claim that it cannot distinguish between northern and southern bluefin tuna without genetic testing. The Delegate of Japan responded that it is not difficult to distinguish between the two and that the market in Japan is very distinct for these two species. The Delegate again stressed that the "no waiver" principle should not be compromised.

4.60 Dr. Miyake noted that, in lieu of the bluefin tuna statistical document, New Zealand has offered to provide its own domestic documentation which provides almost all the information contained on the statistical document and that it will send missing information to ICCAT if necessary. Because the number of northern bluefin tuna that are taken by New Zealand appear to be quite small, acceptance of New Zealand's domestic document would not present a practical difficulty.

4.61 The Delegate of Japan noted that the two things that would not be automatically reported on this domestic inspection certificate were the area of harvest and the gear type. He noted that Japan understood that the area of harvest was either within or very near New Zealand waters. Regarding information on gear type, he noted that this information would be relatively easy for New Zealand to supply. He suggested that the PWG consider accepting the New Zealand document in place of the bluefin tuna statistical document.

4.62 The Delegate of France agreed that there should be no exemption to the reporting requirement and that if New Zealand had at its disposal all the information required by ICCAT, it seemed logical to ask New Zealand to complete the statistical document.

4.63 The Delegate of Japan withdrew his suggestion and supported France. The Delegate of the United States agreed that there should be no waiver of the requirement to provide specific catch information to ICCAT, but he wanted clarification as to why New Zealand's domestic document together with the other information required by ICCAT would not be acceptable. The Chairman clarified that the view was that New Zealand had the information readily available to complete the statistical document and therefore could easily complete the form.

4.64 The Delegate of Portugal stated that there is not one single ICCAT Bluefin Tuna Statistical Document, and that the existent ones are importing documents; therefore, the exporting country should follow the requirements of the importing country. Thus, Japan, Portugal, or any other importing country should be able to approve the document it will accept from a given country.

4.65 The Chairman indicated that there was consensus that New Zealand would not be granted a waiver of the requirement to complete the statistical document and requested the Secretariat to draft a letter informing New Zealand of the decision.

4.66 Regarding Italy's request for a waiver of the government authorization requirement, Dr. Miyake informed the delegates that Italy informed the Secretariat that it intended to authorize a regional governmental entity or its Chamber of Commerce to validate the statistical document. He noted that a non-Contracting Party's Chamber of Commerce is not a legitimate entity for this purpose, as non-Contracting Parties do not have ICCAT-accepted data retrieval or logbook systems.

4.67 There was consensus that the Secretariat should notify Italy that its Chamber of Commerce is not a valid authorizing agency.

5. Fishing by non-Contracting Parties

a. Review of information

5.1 The Chairman noted that some of this information had been discussed under the Agenda Item 4. The ICCAT Assistant Executive Secretary then introduced ICCAT document COM/95/28 but noted that it was not prepared specifically for the PWG. It contained responses to an ICCAT request that non-Contracting Parties cooperate with ICCAT by upholding ICCAT's recommendations. He noted that several countries responded to the request and that countries seemed to be much more cooperative since the adoption of the Resolution in 1994 that contains trade measure provisions. He also noted that Spain has information in its National Report on vessel sightings.

5.2 The Delegate of Japan noted that Japan also has sighting information. Specifically, Japan has photographs of vessels fishing in the Mediterranean during the closed season. The Delegate offered to provide each delegation with one copy of these photographs. He noted that of all the vessels sighted, the flag state is known for one only.

5.3 The Delegate of Spain also reported sightings of vessels fishing in the Mediterranean during the closed season and commented that the flags of the majority of these vessels are unknown. Spain also has in its National Report information from its 1994-95 port inspections.

5.4 The Chairman commented that the Spanish report seemed to indicate that vessels from Belize and Japan were fishing in the Mediterranean during the spawning season. He clarified that the Japanese vessels were only navigating through Mediterranean waters; however, Belize and Italy were observed fishing.

b. Identification of countries fishing contrary to ICCAT conservation measures

5.5 The Chairman noted that, per the provisions of the 1994 "Resolution by ICCAT on an Action Plan to Assure the Effectiveness of the Conservation Program for Atlantic Bluefin Tuna", the PWG should consider the identification of countries that are diminishing the effectiveness of ICCAT's conservation program. He reminded delegates that if such identification is made, the countries will be notified that they have one year to come into compliance. If they do not rectify their fishing activities within one year, the Commission can recommend that Contracting Parties take action, including trade measures.

5.6 The Delegate of the United States noted the historic nature of this Resolution and recalled that ICCAT has other Recommendations in effect that also refer to this Agenda item, including the Recommendation banning fishing for bluefin tuna during June and July in the Mediterranean spawning grounds by vessels greater than 24 meters in length, and the Recommendation requesting non-Contracting Parties to either join ICCAT or become a Cooperating Party. He noted that the latter was consistent with a provision of the recently concluded U.N. Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks. He commented that ICCAT has not been overwhelmed with new applicants for membership or by countries wanting to become a Cooperating Party; therefore, it is critical

to begin to apply the 1994 Resolution. He restated the need to identify countries operating in defiance of ICCAT measures, and to notify those countries (1) that they are undermining ICCAT's conservation efforts, and (2) that if they do not rectify their behavior, they risk trade sanctions. Lastly, he requested assistance by other delegations in identifying such a country or countries.

5.7 The Delegate of France noted that the United Kingdom had responded to the call by ICCAT to join. He also stressed the need for credibility before starting down such a path. He noted France's view that trade measures should be considered a last resort. He suggested as an alternative that Contracting Parties consider banning landings in ICCAT Contracting Party ports of vessels flying flags of convenience. He also stressed the need to keep in line with other organizations such as the World Trade Organization. He agreed that taking such steps might be necessary, but stated that they should be clearly defined.

5.8 The Delegate of Japan stated that the PWG should not let the Resolution rest without identifying a country or countries; however, he stressed that trade measures were a last resort and that other measures to achieve compliance should be exhausted before imposing sanctions. He also commented that to justify the identification of a country would require hard evidence. He noted that it is unclear exactly what should be considered sufficient evidence for making identifications, but that an identification should be made, if feasible.

5.9 The Canadian Delegate stated that it was critical to make the Bluefin Tuna Action Plan Resolution credible and effective. He indicated that time was of the essence. He explained that ICCAT adopted the Resolution because many other options had already been explored and ICCAT had reached the point of last resort. He stressed that the need for action was compounded due to the poor status of the resource and that more delays were not advisable.

5.10 The Delegate of Spain indicated a willingness to go along with the U.S. proposal and agreed that there was a need to put pressure on non-Contracting Parties who were acting contrary to ICCAT Recommendations. He stated that a problem existed in that not all Contracting Parties complied with ICCAT recommendations. He stressed that Contracting Parties should make every effort to make sure that the operations of their fleets comply with ICCAT Recommendations, and he noted that ICCAT cannot hold other countries responsible for what ICCAT Parties do not do. He stated that Spain intends to investigate the possibility that landings in Mainland Spain and in the Canary Islands are not being reported and to increase monitoring and inspection in all ports where catches are landed. He stressed that ICCAT Parties should make every effort to comply with ICCAT recommendations before ICCAT Parties expect non-Contracting Parties to do so.

5.11 The Delegate of Portugal agreed with Spain's comments and restated that Contracting Parties need to make every effort to improve their data and control. She agreed that the issue should be looked at in order to see what steps could be taken before imposing trade measures, but she noted that these two issues could be worked on at the same time.

5.12 The U.S. Delegate commented on the statements made by the other delegations. Regarding the remarks made by the Delegate of France, he agreed that the correct approach would be to look at complementary measures, such as a prohibition of landings by flags of convenience, in particular, of those vessels that are fishing on the high seas and in the middle of the Mediterranean. Regarding the comments made by the Delegates of Spain and Portugal, he agreed that Contracting Parties need to be sure that ICCAT Parties are following their own rules; however, in the meantime, non-Contracting Parties are still causing a problem. He stated that the solution would likely be similar to what the Delegate of Portugal had said, which was that ICCAT should take a dual approach. He explained that ICCAT Parties should look internally at compliance and, as a complementary measure, look externally at non-Contracting Parties. He suggested that ICCAT contact flag of convenience States and ask them not to fish in contravention to ICCAT Recommendations, and he further suggested that the countries to be contacted include Panama, Belize, and Honduras.

5.13 The Delegate of Japan supported the U.S. summary of approaches.

5.14 Dr. Miyake noted that certain recommendations by ICCAT were not being implemented by ICCAT Parties, such as the bluefin tuna minimum size regulation and the 1975 Recommendation specifying that there be no increase in the catch of bluefin tuna. He noted that, in the past, ICCAT has repeatedly sent letters to non-Contracting Parties asking them to comply. He stated that in 1996 ICCAT should be more forceful and point out that such vessels are fishing contrary to ICCAT Recommendations and evidence should be cited. He noted, however, that if Contracting Parties agree to recommend trade measures next year, it would be useful to have a model letter.

5.15 The Delegate of Spain indicated support for the Secretariat's proposal, but noted that there would likely be difficulty in sending letters to all non-Contracting Parties fishing contrary to ICCAT Recommendations because the flag state of 15 vessels sighted in the Mediterranean fishing during the closed season could not be identified. He suggested that the first step was to identify the flag states of these vessels.

5.16 The observer from Taiwan indicated that Taiwan had already introduced the following ICCAT major Recommendations into its domestic regulations: (1) seasonal closure from June 1 to July 31 in the Mediterranean Sea (effective since April, 1994); and limiting the catch of bluefin tuna in the eastern Atlantic and Mediterranean not to exceed the level in 1993 or 1994, whichever is highest (effective since March, 1995). He also noted that Taiwan introduced the ICCAT Bluefin Tuna Statistical Document Program in 1993. In addition, the observer noted that Taiwan has contributed \$5,000 for bluefin tuna research programs. The observer of Taiwan apologized that since Taiwan's Task I data were not submitted to the ICCAT Secretariat before September 30, 1995, the correct figures were not put into the SCRS Report. The Delegate clarified that Taiwan's 14 vessels harvested 724 MT of bluefin tuna in the Mediterranean Sea in 1994 according to the Bluefin Tuna Statistical Document Program.

5.17 The Chairman suggested proceeding with the drafting of a stronger letter to non-Contracting Parties that would reference the bluefin tuna Action Plan Resolution. He stated that the letter should make it clear that ICCAT was not invoking the trade provisions of the Resolution, but that it should allude to them. The letter should be approved by the PWG and tabled at the Commission meeting for discussion. The letter would go to Belize, Honduras, and Panama. In addition to sending a letter, the Chairman noted that there seemed to be agreement among ICCAT Parties that they would make a better effort to adhere to ICCAT Recommendations and investigate the vessels seen fishing in the Mediterranean spawning grounds during the closed season to try to determine their flag state.

5.18 It was agreed that the United States would draft the letter to the non-Contracting Parties to present to the PWG.

5.19 The Delegate of the U.S. proposed going a step further by (1) adopting a resolution that would ban the high seas fishing in the ICCAT area by flags of convenience vessels; (2) consider taking the trade measures step against Panama; (3) send a strong letter to Honduras and Belize similar to that outlined by the Chairman; and (4) request Taiwan to formally advise ICCAT that it will become a Cooperating Party and abide by ICCAT's Recommendations.

5.20 The Delegate of Portugal needed more time to study the implications of a resolution banning the fishing on the high seas of any non-Contracting Party. Initially, she expressed the view that such a resolution might not be compatible with the U.N. Convention on the Law of the Sea. She asked for clarification regarding whether such a ban would be permanent or simply reinforce other resolutions.

5.21 The Delegate of France agreed with the remarks made by the Delegate of Portugal and added that there would likely be a legal problem in defining flags of convenience and in establishing ICCAT's authority to enforce such a resolution.

5.22 The Delegate of Japan also stated that he had a legal problem with such a resolution as he does not feel ICCAT has the competency to ban high seas fishing. He agreed that such a measure would be very effective in getting countries to follow ICCAT conservation measures, however. The Delegate queried why the U.S. would distinguish Panama from the two other identified countries and stated that Japan would support an exchange of letters with Taiwan, which would formalize its relationship with ICCAT.

5.23 The Delegate of Spain noted that the intention of the proposal is to ensure the cooperation of all non-Contracting Parties fishing in the Mediterranean, but he agreed that there would likely be competency and legal problems. He stressed that the key was cooperation and that this should be the starting point.

5.24 The ICCAT Assistant Executive Secretary noted that attempts to ban flag of convenience vessels from fishing in the ICCAT Convention area would likely not work as such flag countries do not have an obligation to follow ICCAT recommendations. In addition, he noted that ICCAT also had difficulties with Contracting Parties, such as Guinea, which exported bluefin tuna to Japan but did not report that they have such a fleet.

5.25 The Delegate of Canada reasserted the need to move quickly on the issue of monitoring non-Contracting Parties' fishing activities. He agreed with the Delegate of Portugal that ICCAT should move forward on two tracks, but should not adopt a resolution banning high seas fishing by flags of convenience.

5.26 The U.S. delegate agreed to withdraw its proposal to ban high seas fishing.

5.27 The Chairman noted that the U.S. asked the PWG to consider identifying Panama as a country fishing in contravention to ICCAT and some had questioned why Belize and Honduras should not be identified as well. The U.S. Delegate clarified that the PWG should consider all three countries.

5.28 Dr. Miyake asked for clarification regarding the difference between Guinea and Belize as regards their fishing activities. The Chairman explained that the trade measures provision of the Action Plan Resolution only applied to non-Contracting Parties, even though the PWG should consider what should be done about non-compliance by Contracting Parties.

5.29 The Chairman noted that there seemed to be general support to identify Honduras, Panama and Belize. He suggested that a communication be prepared to these three countries notifying them that they have been identified by the Commission pursuant to the appropriate provisions of the bluefin tuna Action Plan Resolution. Such a letter was prepared and approved by the PWG, and it will be forwarded to the Commission for action. The Model Letter from the ICCAT Chairman to non-Contracting Parties Regarding Non-compliance with ICCAT Conservation Measures is attached as **Appendix 2 to Annex 6-5**.

5.30 Regarding the proposal that ICCAT request Taiwan to advise ICCAT that it will become a Cooperating Party and follow ICCAT Recommendations, the observer from Taiwan noted that no country should be excluded from the responsibilities under ICCAT whether it is a member or not. He stated that Taiwan is willing to become a Cooperating Party, as long as the interest of a country is dealt with on an equal basis and as long as Taiwan is informed of what is expected of it.

5.31 The U.S. Delegate noted that Taiwan's request to be treated equally was fair but that the answers were unclear. He noted that the total allowable catch of the western Atlantic stock of bluefin tuna was fully subscribed, so Taiwan should not fish there. Further, he mentioned that Taiwan should respect the minimum size for bluefin tuna, the Mediterranean spawning ground closures, and the agreement that each country fishing in the eastern Atlantic reduce its catch by 25% by 1998. However, the U.S. delegate noted that there were likely other requirements that he had overlooked; therefore, he suggested that a small group be set up to work out the details of what cooperation would mean for Taiwan.

5.32 The Chairman agreed that the PWG should draft a letter including some clear language advising Taiwan of what is expected of it with regard to ICCAT measures and that this draft should be given to Taiwan for reaction. He also stated that a compendium of current recommendations should be given to Taiwan. The Secretariat confirmed that a compendium of ICCAT recommendations had been circulated to Taiwan. The letter to Taiwan was drafted and agreed upon. The "ICCAT Chairman's Letter to Taiwan Regarding its Fishing Activities in the Atlantic Ocean and Mediterranean Sea" is attached as **Appendix 3 to Annex 6-5**.

5.33 The statement presented by the observer of Taiwan regarding the above-mentioned letter drafted by the PWG which is to be sent to Taiwan is attached as **Appendix 4 to Annex 6-5**.

5.34 The PWG decided that other non-Contracting Parties known to have increased their catches of bluefin tuna in the eastern Atlantic and Mediterranean Sea between 1993 and 1994, should also receive a letter from the Chairman of ICCAT requesting that they voluntarily accept the terms of the 1994 ICCAT Recommendation concerning the management of the stock. The identified countries included: Croatia, Greece, Italy, Libya*, Malta, Taiwan, and possibly Tunisia. It was agreed to include Taiwan as a recipient of this letter, so that there would be two letters to Taiwan. The text of the "ICCAT Chairman's Letter to non-Contracting Parties Whose Bluefin Tuna Catches Have Recently Increased Substantially in the Mediterranean Sea" is attached as **Appendix 5 to Annex 6-5**.

5.35 The observer from Taiwan considered the above letter as discriminatory and presented a statement (attached as **Appendix 6 to Annex 6-5**) concerning his country's implementation of ICCAT recommendations and Taiwan's bluefin tuna catches in recent years.

* Libya became a Contracting Party to ICCAT, effective November 27, 1995.

6. Measures to promote compliance with ICCAT conservation measures

6.1 The Delegate of South Africa asked the members of the PWG to consider his comments relative to his position as Chairman of the Infractions Committee. He noted that in discussions of PWG Agenda item 5, many countries noted that there are Contracting Parties that are out of compliance and item 6 would likely show much of the same. He expressed concern over the apparent overlap in responsibility between the PWG and the Infractions Committee. He stated that either item 6 is not appropriate for consideration by the PWG or the Infractions Committee is not needed. He suggested that a careful review of the terms of reference and objectives of both bodies should take place soon.

6.2 The Delegate of the United States stated his view that the Infractions Committee's primary responsibility is to oversee compliance by Contracting Parties and that the primary focus of the PWG is to oversee non-Contracting Party issues. He noted that while the problems facing each body may be somewhat similar, the solutions to those problems are quite different.

6.3 The Chairman commented that he understood that some overlap could occur but that measures to promote compliance were broader than infractions.

6.4 The U.S. Delegate noted that the PWG adopted a Resolution in 1994 on bluefin tuna that could provide for the imposition of trade measures. The Delegate pointed out that this year the review of the status of swordfish stocks have shown that the stock is in decline. Also of importance is that there are non-Contracting Parties increasing their catches and undermining Contracting Party efforts to conserve the stock. The U.S. Delegate commented that this problem has caused fishermen who are following the rules to feel ill used because they perceive their efforts at quota reductions as futile when the fish they are conserving are harvested by non-Contracting Parties. He stressed that members of ICCAT should not be handicapped in this way and requested that the delegates give due consideration to expanding the bluefin tuna Resolution that provides for trade measures, to swordfish and possibly other species. He noted that the trade measures aspect of the Resolution would be narrowly focussed, would comply with World Trade Organization rules, and would deal with a highly over-fished species. Thus, the U.S. delegate noted that this would be an appropriate step to take.

6.5 The Delegate of Japan stated that limiting the scope of such a resolution to bluefin tuna was unnecessary and that if the status of swordfish was poor then he could support the measure.

6.6 The Canadian Delegate supported the idea, particularly as swordfish stocks are currently not very healthy. He cautioned that the trade and distribution patterns are different for swordfish than for bluefin tuna but commented that this technical fact should not be a deterrent in establishing the principle.

6.7 The Delegate of Portugal stated that, in principle, Portugal was not against the idea but, consistent with its previous position, trade measures should be considered as the final alternative. The Delegate queried members on how much is known about the extent of the non-Contracting Party problem and whether other avenues should be pursued first. She commented that trade measures should not be resorted to all the time and that she would like to consider every aspect before making a judgement.

6.8 The U.S. Delegate agreed that trade measures should be a last step and that cooperation should be the first. However, he commented that there had been a considerable increase in catches by Non-Contracting Parties. He noted that the U.S. has had to close its swordfish season this year but that there continues to be consumer demand for swordfish. He pointed out that this demand is being satisfied by non-Contracting parties and that by adopting a resolution similar to the one for bluefin tuna, the process of true dialogue could begin. He commented that asking non-Contracting Parties to reduce their catches as Contracting Parties have done would be the first step. He noted the intention of the United States to combine these ideas into one resolution.

6.9 The Delegate of Canada pointed out that the bluefin tuna Action Plan Resolution already contained provisions for cooperation. Specifically, he noted that they were: (1) to notify a country and ask it to cease its fishing practices that are not in line with ICCAT recommendations; (2) to identify those countries that do not rectify their activities; and (3) to authorize the taking of actions, such as trade measures. He stressed that to wait to address this issue could severely damage swordfish stocks.

6.10 Regarding increases in catch by non-Contracting Parties, the U.S. Delegate noted that Trinidad and Tobago exported 165 MT to the United States in 1994 and in 1995 they had exported 296 MT. The U.S. Delegate stressed that it is unfair that some countries are increasing catches while others are reducing them.

6.11 The Delegate of Spain commented that he agreed with the concept in general terms and stated that accountability for the conservation of fish stocks must apply to Contracting Parties as well as to non-Contracting Parties.

6.12 The SCRS Chairman was asked to clarify catch statistics on swordfish in the north Atlantic by non-Contracting Parties. He was asked specifically if their total catches were comparable to those of Portugal. Dr. Suzuki replied that the combined catch of non-Contracting Parties for 1994 appeared to be lower (525 MT) than Portugal's catch, which was nearly 2,000 MT.

6.13 The Delegate of Portugal commented that it would be difficult to ascertain if a vessel was taking swordfish from the south Atlantic, north Atlantic, or Mediterranean and, therefore, it would be difficult to determine if non-Contracting Party vessels were contravening ICCAT's conservation program.

6.14 The U.S. Delegate noted the validity of Portugal's argument and stated the need to examine this issue when developing evidence against a country. He stated that compiling and examining import statistics should be considered as a mechanism for tracking non-Contracting Party catch levels. However, he stressed that this technical consideration should not stop the process of taking the first step of getting such a resolution adopted. He explained that this type of resolution would simply create a framework for future action and that any proposed future action would require well documented proof before it was taken.

6.15 Dr. Miyake noted that the U.S. idea of taking a precautionary step for the future is useful. Regarding swordfish statistics, he noted that the current statistics are better than those for bluefin tuna and that trade information provided by the United States has been used in the past to estimate unreported catches of non-Contracting Parties. He urged delegates to submit this type of information, if available.

6.16 The U.S. Delegate promised the Secretariat that the United States would provide as much of this type of information as possible and he noted that the SCRS figures for non-Contracting Party catches are lower than the U.S. import figures for 1993 and 1994. He stressed that the U.S. was concerned about the aggregate catch harvested by non-Contracting Parties as it demonstrates substantial uncontrolled exploitation.

6.17 The Chairman noted that this type of resolution could generate better information in the same way as the did bluefin tuna resolution.

6.18 The Delegate of France asked what the results of the Secretariat's sending notification of the adoption by ICCAT in 1994 of a Resolution addressing the issue of trade measures. The Secretariat responded that this information was presented to Contracting Parties in document COM/95/28. The Secretariat stressed the need to have a common approach with these types of resolutions such that first cooperation is sought, next the country is asked to join ICCAT, and then, if necessary the countries are advised of the potential use of trade measures.

6.19 The Delegate of Canada agreed that cautiousness was important and that this resolution would be establishing a framework. He stated that the resolution is not a threat in and of itself. It provides ICCAT an opportunity to evaluate a situation. He urged that delegates not lose a year by being too cautious.

6.20 The U.S. Delegate proposed adding some language to the resolution which would try to address the concerns of many delegations by directing the Secretariat that in dealing with non-Contracting Parties, specific requests for cooperation would be made. This would allow the framework to be set up at this meeting at the same time that ICCAT is working with other countries to achieve compliance.

6.21 The Delegate of Portugal noted that using one type of measure too often can decrease the chances of a favorable result and that, in reality, this resolution would address only 3% of the total north Atlantic swordfish catch. By first attempting to cooperate with these countries, the Delegate did not think ICCAT would be losing time with regard to the resource.

6.22 The U.S. Delegate stressed that the real issue is that as Contracting Parties are reducing their catches, those by non-Contracting Parties are increasing. He again noted that sound proof of wrongdoing would be required to

invoke the provisions of the resolution and that those provisions should be applied carefully, but that establishment of a mechanism was absolutely crucial. Also, he noted that there appeared to be catch data that are not being reported to the SCRS, so the problem was likely worse than it seemed. He asked all delegations to favorably consider the resolution. It was agreed that the PWG would return to this discussion later.

6.23 Upon reconvening, the U.S. Delegate pointed out the new wording on consultation and sufficiency of proof, which was added to address the concerns of Portugal and others. The Delegates pointed out that the monitoring of trade is not as adequate as with bluefin tuna and that Spain, the United States and Japan were all big importers of swordfish. The Delegate of the United States asked again that countries consider putting a framework in place so that the process of collecting information can begin.

6.24 The Delegate of Portugal noted that her country had three points that needed to be addressed: cooperation, proof, and proportionality. This last is still a problem, but she agreed to review the resolution. She noted, however, that reference in the resolution to the role of the PWG and the Infractions Committee might need to be changed as discussions develop regarding the question of competency.

6.25 The Delegate of Japan again stated his country's general support for the resolution as it closely follows the one for bluefin tuna.

6.26 The U.S. Delegate agreed that the proportionality question was important and stressed that this action is not intended for minor cases and, in fact, he noted that the concept of proportionality is embodied in the section of the resolution which indicates that "diminishing the effectiveness of ICCAT". Regarding the notion of expanding the mandate of the PWG, the Delegate stressed that the United States was not trying to do this. He noted that this resolution was almost identical to the bluefin tuna resolution, and he suggested that, as there is a need for further discussion of the competency question, perhaps it could be discussed at another point in the meeting, such as in Commission Plenary.

6.27 In an effort to address the competency question relative to this resolution, the Delegate of Spain suggested that the resolution not mention any other body than the Commission. The Delegate argued that this was a question of presentation and that since this resolution was intended for external distribution and countries receiving it would not know or care anything about ICCAT's structure, this change would give the Commission time to settle the competency question.

6.28 The U.S. Delegation agreed with this suggested change.

6.29 The Delegate of France agreed with the discussion, but requested more time to review the resolution before making a final decision.

6.30 The Delegate of Brazil noted that trade measures have legal as well as political implications, and he requested more time to consider this issue further.

6.31 In responding to Spain's comments regarding competency, the Delegate of Japan noted that the bluefin tuna resolution gives the PWG the authority to identify countries, but only the Commission has the authority to recommend trade measures. If this swordfish resolution is modified as Spain has suggested, the Delegate noted that the bluefin tuna resolution should probably be changed as well for the sake of consistency. He noted that he sees merit in the original wording but that he is open to either option. He stressed, however, that a clear decision needs to be made on which ICCAT body has the responsibility for the resolutions.

6.32 The Delegate of Canada supported the principle behind deleting references to a specific ICCAT entity from the resolution; however, he noted that the Commission should not be assigned the responsibility of identifications and the like, as it is more appropriate for smaller, less formal sub-groups of the Commission to do this. He cautioned that without resolution of this issue, the process could get stymied, but he agreed that the appropriate body to deal with this issue could be identified later.

6.33 The Delegate of Portugal agreed with Spain's suggestion of including a reference to the Commission place instead of the PWG.

6.34 The Chairman noted that any action proposed by the PWG must be approved by the Commission. He recognized that the Delegates of France and Brazil requested more time to review this resolution.

6.35 The Delegate of Spain agreed with the Delegate of Japan that the bluefin tuna resolution should be made consistent with the swordfish resolution, and he proposed to change it in such a way that it would not need to be renegotiated.

6.36 The Delegate of Japan noted his concern that if a resolution is passed but there is a lack of consensus on the jurisdiction question, such a lack of consensus could be used to prolong the discussion. The Delegate asked for a general understanding that this issue would be revisited. He noted again Japan's preference for maintaining the current language referencing the PWG but indicated a willingness to compromise.

6.37 The Delegate of Spain stated that the competency question should not be used to halt progress. He proposed starting at this annual meeting to settle the competency question.

6.38 The Delegate of the United States indicated flexibility on this issue, but asked that delegates try to settle this matter at this annual meeting. He also stated that he agreed that the resolutions for bluefin tuna and for swordfish be made consistent on this point. Regarding comments made by the Delegate of Brazil, the U.S. Delegate asked that Brazil give serious consideration to acceptance of the swordfish resolution. He noted that the issue has been discussed for over a year and that the resolution embodied the multilateral actions of consultation, notice, opportunity to rectify, and then trade measures. He stressed that trade measures would not be used for minor infractions and that they were non-discriminatory.

6.39 The Delegate of Spain commented that, with regard to the last U.S. statement, there was a difference between Contracting Parties and non-Contracting Parties in that the approach has been differentiated. He explained that as a member of ICCAT, a country assumes costs the non-Contracting Parties do not assume. While the resolution is technically not non-discriminatory because it only applies to non-Contracting Parties, he noted that, in reality, discrimination does not exist because such action simply brings non-Contracting Parties to the same standard as Contracting Parties.

6.40 The Delegate of the United States commented that the resolution does distinguish between ICCAT members and non-members; however, he explained that the remarks that were made about measures being non-discriminatory were to indicate that the United States would not apply sanctions against a non-Contracting Party if the same violation were being committed by a Contracting Party and ignored.

6.41 Regarding the competency question, the Chairman noted that the PWG was established to deal with the problem of non-Contracting Parties. He cautioned that delegates should proceed with caution before blending the PWG into another group or eliminating it entirely. He also cautioned that care should be taken that the competency question not cause the resolution to remain in "limbo". He stated that until the competency question is worked out, the PWG should retain control over issues arising from the bluefin tuna Action Plan Resolution and the similar swordfish resolution, if the latter resolution is accepted by the Commission. This proposal was accepted by the delegates.

6.42 The Chairman noted that there was consensus that the reference, in operative paragraphs (b) and (e), to the "Permanent Working Group, etc." be amended to "the Commission, through its appropriate subsidiary body", to align this wording with the Swordfish Action Plan Resolution. Hence, when this Resolution is forwarded to any Parties, and for all other uses (ICCAT publications, compendium of ICCAT Resolutions, etc.), the amended version would be utilized. This proposal was forwarded to the Commission for final approval.

6.43 Regarding the status of the swordfish trade measures resolution, the Chairman recalled that the Delegates of France and Brazil had requested more time to review the document and that the next step was to present the resolution to the Commission for approval.

6.44 The Delegate of Japan asked for discussion from the floor regarding this proposed step, and the U.S. moved that the PWG accept the resolution and present it to the Commission. The U.S. Delegate stated that he felt Brazil's statements were not an objection to going forward but only an expression of concern.

6.45 The Delegate of France agreed with the United States that this resolution should be presented to the Commission for decision. The "Resolution by ICCAT Concerning an Action Plan to Ensure the Effectiveness of its Conservation Program for Atlantic Swordfish" is attached as Annex 4-13 to the Proceedings of the Commission Meeting.

6.46 At the time of the last PWG Session, the Delegate of Brazil disagreed with the U.S. statement concerning Brazil's position on the swordfish action plan resolution. To clarify his position, the Delegate of Brazil submitted a statement on this issue, which is attached as **Appendix 7 to Annex 6-5**.

7. Measures to improve ICCAT-required fishery statistics

a. Review of Contracting Party logbook and information retrieval systems

7.1 The Chairman noted that time limitations at the 1994 meeting hindered the discussion of this item and that it was agreed that this issue would be discussed either at an inter-sessional meeting or at the PWG meeting in 1995. No inter-sessional meeting of the PWG was held in 1995.

7.2 The Assistant Executive Secretary reminded delegates that the idea behind this Agenda item was to see if Contracting Parties qualify for the waiver of the BTSD government validation requirement. In order to study this, Dr. Miyake explained that detailed descriptions of Contracting Party systems were needed. He noted that such information had not been requested or collected so that the delegates were not in a position to discuss this. In his view, this information should either be provided or this Agenda item should be dropped.

7.3 The Delegate of the United State indicated that he believed this item was important and that he would like to see information requested by ICCAT and provided by the Parties so that modifications can be made to the BTSD Program, if necessary. He noted, however, that this was likely not a top priority for delegations.

7.4 The Chairman agreed to keep this item on the Agenda for 1996 and requested all Contracting Parties to provide the Secretariat with a summary of their respective systems concerning the collection of catch data, for discussion at the 1996 meeting. He noted that, in this way, the Parties can analyze this information as time permits.

7.5 The Delegate of Spain agreed that this information should be provided and could assist in identifying areas that could be improved.

8. Register of high seas fishing vessels of the Contracting Parties

8.1 The Chairman recalled that this register was a suggestion made by Spain at the 1994 PWG meeting. He explained that Spain wanted ICCAT to develop a registry of vessels over 24 meters in length as a proactive measure to address terms of the FAO "flagging agreement".

8.2 The Delegate of Spain restated his country's view from last year that because completion of the FAO agreement is nearing, collection of this information should be made as soon as possible. He commented that ICCAT can provide its technical assistance in this area which would contribute to FAO's goals. He stated that this could be a way in which to encourage countries that do not have a register of vessels of 24 meters in length to develop one.

8.3 The Delegate of Japan asked if this activity would preempt or assist FAO and the Spanish Delegate stated that this activity would be to assist only.

8.4. The Chairman noted that Spain's position had changed from last year and that this request was appropriate.

9. Report of the ICCAT Working Group on Vessel Monitoring (*Seattle, Washington, May 17 & 18, 1995*)

9.1 The Chairman of the meeting of the ICCAT Working Group on Vessel Monitoring, Richard Stone, gave a brief report of the 1995 Working Group meeting. The complete report of the meeting is attached as **Annex 6-2**. He noted that there was a useful exchange of ideas during the meeting. He pointed out that there was some confusion as to which body the working group should report to, and that this needed to be decided. He also noted that in the report there were matters referred to various subsidiary bodies of ICCAT, such as an assessment by SCRS of the need for real-time data reporting, and an identification by the PWG of ICCAT management measures that the Vessel Monitoring Group could help fulfill. Also, the Working Group suggested that a workshop in the Spring of 1996 might be useful. As a specific suggestion, the Working Group encouraged all Contracting and non-Contracting Parties to use vessel monitoring systems for catch reporting purposes.

9.2 The Delegate of Japan thanked the U.S. for hosting the meeting and agreed that the information exchange was useful. He noted that the development of an electronic logbook was welcome news and that a vessel monitoring system was also useful for transmitting vessel position data. He reiterated Japan's view that the most practical use for vessel monitoring systems was in the bluefin tuna fishery as it could assist in the collection of data on a real-time basis and give accurate position reporting. Japan would support continuing in this direction with vessel monitoring systems. The statement by Japan on vessel monitoring is attached as Appendix 8 to Annex 6-5. The Delegate of Japan then introduced a resolution on this topic and requested support.

9.3 The Chairman agreed that the relationship of the Working Group on Vessel Monitoring to the PWG needed clarification, particularly as this item was on the agenda for the Commission Plenary as well. He commented that he thought the report of this Working Group would simply be part of the PWG report.

9.4 The Delegate of the United States stated that there was general consensus at the meeting of the Working Group on Vessel Monitoring that the Working Group was part of the PWG.

9.5 The Delegate of Portugal raised the concern that vessel monitoring systems could be used for inspection and control purposes and that this is not under the purview of the PWG. Portugal preferred that this Working Group report directly to the Commission.

9.6 The Delegates of France and Spain agreed with Portugal that the report should be submitted to the Commission. The Delegate of Japan stated that the issue of to whom the Working Group should report should be decided by the Commission. The Delegate noted that it does not really matter where the working group resides so long as it can function effectively; however, he stated the view that the problems this Working Group can solve fit well under the PWG.

9.7 The Assistant Executive Secretary noted that procedurally the Working Group on Vessel Monitoring was proposed by the PWG and agreed by the Commission. He noted that the Working Group fit within the mandate of the PWG. He asked for agreement to include only the essential information from the Group's report to the Commission, as the appendices were voluminous. There was no objection.

9.8 The Chairman noted that in the Report of the Working Group on Vessel Monitoring the PWG was asked to identify at this meeting practical management recommendations for which vessel monitoring systems would be useful and he asked if delegates could support the resolution by Japan. He noted that countries were indicating that further discussions on this issue should take place during the Commission Plenary and expressed the hope that the Commissioners would have time to discuss this issue and offer guidance. The Working Group's Report is attached as Annex 6-2 to the Commission Proceedings.

9.9 The Delegate of Canada supported reviewing the Japanese proposal in the PWG due to time constraints. The Delegate of Spain noted that this issue could be discussed at the Commission Plenary and perhaps in the Infractions Committee. The Delegate of France supported Spain. The matter was referred to the Commission Plenary (see Annex 4-3).

10. Other matters

10.1 It was noted that the term of the current PWG Chairman, Mr. B. Hallman, would expire at the end of this meeting. Therefore, an election was organized. The Commission Chairman proposed that Mr. Hallman be re-elected and this was seconded by the Delegate of Spain. Mr. Hallman accepted the position. Thus, he will serve another two-year term as PWG Chairman.

11. Future work and meetings of the Permanent Working Group

11.1 It was agreed that the PWG would meet at the time of the next annual meeting of ICCAT.

12. Adoption of Report

12.1 The PWG agreed to accept and use as a model for letters to be sent to Honduras, Belize and Panama the attached draft letter (see Appendix 2 to Annex 6-5). The PWG also agreed to accept the letter to Taiwan (see

Appendix 3 to Annex 6-5); the letter to other non-Contracting Parties not following ICCAT conservation measures (see Appendix 5 to Annex 6-5); and the Swordfish Action Plan Resolution (see Annex 4-13). It was decided that all the letters and the Resolution would be forwarded to the Commission for final approval.

12.2 Due to time constraints, it was agreed that formal adoption of the PWG Report would be done through correspondence.

13. Adjournment

13.1 As there were no further comments, the Chairman adjourned the 1995 meeting of the PWG.

Appendix 1 Annex 6-5

PWG AGENDA

1. Opening of the Meeting
2. Election of Rapporteur
3. Adoption of Agenda
4. Review of the implementation of the ICCAT Bluefin Tuna Statistical Document Program (BTSD)
 - a. Secretariat actions
 - b. Contracting Party actions
 - c. Applications for waiver of BTSD requirements
5. Fishing by non-Contracting Parties
 - a. Review of information
 - b. Identification of countries fishing contrary to ICCAT conservation measures
6. Measures to promote compliance with ICCAT conservation measures
7. Measures to improve ICCAT-required fishery statistics
 - a. Review of Contracting Party logbook and information retrieval systems
8. Register of high seas fishing vessels of the Contracting Parties
9. Report of the Working Group on Vessel Monitoring (Seattle, Washington, - May 17 & 18, 1995)
10. Other matters
11. Future work and meetings of the Permanent Working Group
12. Adoption of Report
13. Adjournment

**MODEL LETTER FROM THE ICCAT CHAIRMAN
TO NON-CONTRACTING PARTIES REGARDING
NON-COMPLIANCE WITH ICCAT CONSERVATION MEASURES**

Excellency:

Subsequent to its 1994 meeting, the International Commission for the Conservation of Atlantic Tunas announced that it had adopted a Resolution "Concerning an action plan to ensure effectiveness of the Conservation Program for Atlantic Bluefin Tuna". The action plan sets forth a process designed to seek the cooperation of nations not members of ICCAT with the Commission's conservation program for Atlantic bluefin tuna. This process requires the Commission to identify non-Contracting parties with vessels fishing for Atlantic bluefin tuna in a manner which diminishes the effectiveness of the relevant Conservation Measures of the Commission, and to request any Party so identified to rectify its fishing activities. As a last resort, this process can result in recommendations for Contracting Parties to take non-discriminatory trade restrictive measures, consistent with their international obligations, on the bluefin tuna products from non-member countries whose flag vessels continue to fish for Atlantic bluefin tuna in a manner which diminishes the effectiveness of the Commission's conservation measures for this species.

During its 1995 annual meeting, the Commission received evidence that _____ flag vessels have been fishing for Atlantic bluefin tuna in the Mediterranean in a manner inconsistent with ICCAT recommendations. Consequently, the Commission identified _____ as a nation with vessels fishing for bluefin tuna in a manner which diminishes the effectiveness of the ICCAT bluefin tuna conservation program. The Commission is hereby requesting the Government of _____ to rectify the activities of its flag vessels so as not to diminish the effectiveness of the ICCAT bluefin tuna conservation program, and to advise the Commission of actions taken in that regard.

During its 1996 annual meeting, ICCAT will review the situation and consider any actions which may have been taken by _____ to rectify its flag vessels fishing activities, and if it is determined that these activities have not been rectified, the Commission will recommend that Contracting Parties take non-discriminatory trade restrictive measures, consistent with their international obligations, on bluefin tuna products in any form from _____.

For your information, I am enclosing herewith copies of each of the regulatory measures as well as the resolutions relative to the activities of fishing vessels of non-contracting parties, which have been adopted by the Commission.

The Commission would be pleased to provide any further information or clarification on this issue, which your authorities may require.

Please accept the assurances of my highest consideration.

Chairman of the Commission

Appendix 3 to Annex 6-5

**ICCAT CHAIRMAN'S LETTER TO TAIWAN REGARDING
ITS FISHING ACTIVITIES IN THE ATLANTIC OCEAN & MEDITERRANEAN SEA**

Dear _____:

During its 1994 annual meeting, the Commission adopted a Resolution inviting those fishing in the Atlantic Ocean for species under ICCAT jurisdiction to become "Cooperating Parties", defined as a non-Contracting Party which voluntarily fishes in conformity with the conservation measures of ICCAT. During the 1995 annual meeting, Taiwan indicated an interest in becoming a Cooperating Party. The Commission would like to advise Taiwan of the specific conservation measures which its vessels would be expected to follow as vessels from a country which is a Cooperating Party.

The Commission understands that Taiwan conducts longline fisheries throughout the Atlantic Ocean. Its vessels therefore should adopt the following practices:

- 1) **Yellowfin tuna:** no increase in effective fishing effort above the 1992 level, throughout the Atlantic.
- 2) **Swordfish:**
 - A) North Atlantic: incidental catches should not exceed 8% of the total weight of the catch.
 - B) South Atlantic: catches shall not exceed the catches by Taiwan made in 1993 or 1994, whichever level is higher.
 - C) The minimum size allowed to be captured in all fishing areas is 25 kg, with a 15% incidental catch allowance of smaller fish per trip, by number.
- 3) **Bluefin tuna:**
 - A) Western Atlantic: no directed fishery allowed.
 - B) Eastern Atlantic and Mediterranean: the ICCAT Chairman is sending a separate letter with regard to those fisheries.
 - C) Other measures: no fishing by large (> 24 m) longline vessels in the Mediterranean from June 1 to July 31, and, throughout the Atlantic, the minimum size allowed to be captured is 6.4 kg, with a 15% incidental catch allowable for smaller fish per trip, by number.
- 4) **Southern albacore:** catches should not exceed 90% of the average catches by Taiwan over the period 1989 to 1993.
- 5) **Bigeye tuna:** in light of the 1995 Resolution adopted by the Commission recommending that catches of bigeye tuna be reduced to limits below the Maximum Sustainable Yield, Taiwan is urged to consider limiting its catches to 12,000 MT.
- 6) There are minimum size limits of 3.2 kg for yellowfin and bigeye tunas which are relevant to purse seine fisheries.

Enclosed is the complete compilation of the Commission's conservation measures. If Taiwan were to become a Cooperating Party, it would be expected to follow any new measures that might enter into effect for ICCAT Contracting Parties in the future.

We appreciate your cooperation in the ICCAT management program, which is essential to meeting our fishery conservation objectives.

Please accept the assurances of my highest consideration.

Chairman of the Commission

**STATEMENT BY TAIWAN TO THE CHAIRMAN'S LETTER
ON TAIWANESE FISHING ACTIVITIES IN THE
ATLANTIC OCEAN & MEDITERRANEAN SEA**

Taiwan, as one of the major nations with a long history of fishing activities in the Atlantic, is always very much concerned about the healthiness of the bigeye stock and has made every effort available to keep pace with the management recommendations announced by ICCAT, as long as they are equally applicable, not only to non-Contracting Parties, but to Contracting Parties as well.

Up to this very moment, the only ICCAT announced management recommendation that I can recall for bigeye is the 3.2 kg minimum size limit. If this is correct, the catch of bigeye greater than 3.2 kg in size in no way violates ICCAT's current management recommendations.

The delegations at this meeting are discussing to develop a letter urging Taiwan only to limit its bigeye catch to a level of 12,000 MT, which is determined in the absence of a general formulation announced by ICCAT. I strongly believe such specific action is discriminatory and unfair to Taiwanese fishermen. Therefore, the Taiwanese delegation, an observer at this meeting, does not support it.

Appendix 5 to Annex 6-5

**MODEL LETTER FROM THE ICCAT CHAIRMAN
TO NON-CONTRACTING PARTIES WHOSE BLUEFIN TUNA CATCHES
HAVE RECENTLY INCREASED SUBSTANTIALLY IN THE MEDITERRANEAN SEA**

Excellency:

During ICCAT's 1994 annual meeting, a regulation was adopted with respect to eastern Atlantic and Mediterranean bluefin tuna. Although _____ is not a Contracting Party of the organization, a copy of this recommendation was forwarded to your authorities, not only to ensure general awareness of the conservation and management measures adopted, but also in the interest of promoting the fullest cooperation by Non-Contracting Parties.

As you are well aware, there is growing concern for the status of the bluefin stock in this area, and ICCAT, as the responsible conservation and management body, has adopted different measures to ensure long-term sustainability of this very important fishery. As you well know, ICCAT recommendations are binding on its Contracting Parties. However, it is imperative to ensure that non-Contracting Parties cooperate by voluntarily accepting and applying the same measures. Otherwise, their effectiveness would be seriously undermined.

In addition, you may know that the GFCM decided, in its Resolution 95/1, to adopt in the Mediterranean Sea, starting June 1, 1995, the management measures established by ICCAT for bluefin tuna.

From the data available to ICCAT, a significant increase in _____ catches from 1993 to 1994 was detected. As you well know, the recommendation adopted targeted a capping of catches on either a 1993 or 1994 level, whichever was highest, together with a binding commitment from Contracting Parties to reduce by 25% over the 1996-1998 period.

Evidently, the underlying motivation of effecting a real reduction of 25% would be voided if the catch difference between 1993 and 1994 were excessive.

In _____'s case, catches went from _____ MT in 1993 to _____ MT in 1994, which represent a _____ % increase.

In light of the above, the Commission, at this year's meeting, has instructed the Secretariat to forward to you an appeal to voluntarily accept, not only the capping implied in the recommendation, but also to consider using as a reference level for the 25% reduction, an amount mid-way between the two years, so as to better implement the provisions of this recommendation.

I am sure, Excellency, that you will fully take into account the importance of this matter and take the necessary steps to cooperate with ICCAT in the responsible management and conservation of this resource.

Please accept the assurances of my highest consideration

Chairman of the Commission

Appendix 6 to Annex 6-5

**STATEMENT BY TAIWAN TO THE CHAIRMAN'S LETTER TO
NON-CONTRACTING PARTIES WHOSE BLUEFIN TUNA CATCHES HAVE
RECENTLY INCREASED SUBSTANTIALLY IN THE MEDITERRANEAN SEA**

In compliance with ICCAT, Taiwan has already introduced the following ICCAT major Recommendations into its domestic regulations: (1) Bluefin Tuna Statistical Document Program (effective since September, 1993); (2) season closure from June 1 to July 31 in the Mediterranean Sea (effective since April, 1994); and (3) limiting the catch of bluefin in the eastern Atlantic and Mediterranean Sea not to exceed the level in 1993 or 1994, whichever is higher (effective since March, 1995).

There were 14 Taiwanese vessels licensed to fish for bluefin tuna in the eastern Atlantic and Mediterranean Sea during the 1994 fishing season (from March to May) and the total catch of bluefin the 14 vessels was 724 MT, which is about 2.1% of the yearly total bluefin caught in this area.

As concerns the bluefin catch in recent years, figures drawn from the SCRS Report show that there were 10 countries (four Contracting Parties and six non-Contracting parties) whose catch increased in 1994 as compared to the 1993 catch level. The increased amounts are: 6,309 MT (France); 1,064 MT (Italy); 786 MT (Libya); 684 MT (Korea); 560 MT (Morocco); 456 MT (Portugal); 391 MT (Taiwan, ROC); 270 MT (Greece); 213 MT (Croatia); and 193 MT (Malta). It is thus evident that the contributors to the 1994 catch increase are not limited to non-Contracting Parties, but to Contracting Parties as well.

The delegations at this meeting are discussing to develop a letter informing only those non-Contracting Parties which had a significant percentage catch increase in 1994 to consider using an amount mid-way between the two years, 1993 and 1994, as a reference level for a 25% reduction for the period 1996 to 1998. I believe such action is discriminatory and unfair to the fishermen on non-Contracting Parties. Therefore, the Taiwanese delegation, as an observer at this meeting, does not support it.

Appendix 7 to Annex 6-5

**STATEMENT BY BRAZIL ON THE RESOLUTION CONCERNING
AN ACTION TO ENSURE THE EFFECTIVENESS OF ICCAT'S
CONSERVATION PROGRAM FOR ATLANTIC SWORDFISH**

Brazil has great interest in the fishery for swordfish and has been developing a fishery for this species since the end of the 1960s. Initially, swordfish were caught mainly as by-catch in the longline fisheries targeting other tuna species. In recent years, however, some vessels have started directed fisheries for swordfish.

Brazil is seriously concerned about the situation of the deterioration of the swordfish stocks, mainly in the south Atlantic. In this sense, Brazil is in agreement with other delegations on the need to take appropriate actions to ensure the enforcement of ICCAT's conservation and management measures and to encourage non-member nations to abide by these measures.

However, with regards to paragraph (f) of the Resolution, we consider the adoption of trade measures to force other countries to comply with the conservation and management measures a very delicate matter, which have legal and political implications and which should be carefully considered.

Brazil is still in the process of evaluating the need or convenience of adopting trade restrictive measures in this context.

STATEMENT BY JAPAN ON VESSEL MONITORING

1. Japan would like to thank the United States of America for hosting the Meeting of the ICCAT Working Group on Vessel Monitoring that was held in Seattle last May, and Mr. Stone who acted as Chairman for the meeting. We highly value this meeting, which was held after the Resolution that was adopted during last year's Special Meeting, as being very informative and significant.

2. As Mr. Stone said, many of the countries participating at that Working Group meeting had already started to conduct trials for the development and introduction of a system using satellite communications. Also, the introduction of an "electronic logbook" was also reported to be under development which was also striking news.

3. The application of a satellite communications-based vessel monitoring system was confirmed as a useful means for grasping catch and vessel position data on a real time basis.

4. The Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG) is now requested from that meeting to identify effective practical uses to be applied for the most important species for the Commission; Japan thinks the species in question should be bluefin tuna.

We think that it is important that a rapid collection of catch data on a real time basis including the fishing position, should be executed under the responsibility of the flag state.

5. Japan believes that it is important to encourage as many countries as possible to develop and introduce vessel monitoring systems, and we believe that it is necessary to continued the efforts of the Commission in that direction. Regarding future actions on this matter, we have prepared a draft resolution, and we would appreciate your support for it.