

# REPORT OF THE 6<sup>TH</sup> MEETING OF THE WORKING GROUP ON INTEGRATED MONITORING MEASURES

*(Madrid, Spain – February 22-23, 2010)*

## **1. Opening of the meeting**

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

## **2. Election of Chair**

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

## **3. Appointment of Rapporteur**

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

## **4. Adoption of Agenda and meeting arrangements**

The EU submitted two documents for discussion during the meeting: “Draft Recommendation by ICCAT on a Tuna and Tuna-like Species Catch Documentation Program” [MON-05/2010] and the “Draft Recommendation by ICCAT on an Electronic Catch Document Pilot Program” [MON-06/2010]. The Chair suggested discussing these documents under Agenda item 8. “Necessary preparatory actions for the implementation of Kobe II Course of Actions”. The Agenda was adopted and is attached as **Appendix 1**. The List of Participants is attached as **Appendix 2**.

## **5. Consideration and development of Port State Measures**

The EU presented a document entitled “Draft Recommendation by ICCAT on Port State Measures to Prevent, Deter, and Eliminate Illegal, Unreported, and Unregulated Fishing”, [MON-07/2010] on port state measures, which is based on the FAO Technical Consultation to Draft Legally-Binding Instrument on Port State Measures to Prevent, Deter, and Eliminate Illegal, Unreported and Unregulated Fishing.

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

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

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

In addition, the proposal specifies that vessels must give advance notification of 72 hours prior to arrival in port, while also allowing flexibility for the port State to decide on a different time period in certain circumstances. Vessels must receive formal authorization by the port State before commencing to use the port facilities, to give

time to the port States to verify the information provided by the vessels. Port States are also required to inspect at least 5% of landings and transshipments that occur in the CPC's port during the reporting year.

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

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

The Working Group agreed to submit the “Draft Recommendation by ICCAT on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing” [MON-07C/2010] attached as **Appendix 3** to the PWG for consideration of adoption at the annual meeting in Paris, France, in November, 2010.

## **6. Issues relating to Observer Programs for scientific purposes**

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

The United States submitted the document “Draft Recommendation by ICCAT to Establish Minimum Standards for Fishing Vessel Scientific Observer Programs” [MON-08/2009]. A version of this document was first introduced by the United States under the documents entitled COC-309/2009 and 309A/2009 during the Compliance Committee meeting at the annual meeting in Recife, Brazil in 2009. Those documents were referred by the Compliance Committee to the PWG for discussion. Following discussion of the U.S. proposal in the PWG, the United States indicated it would incorporate the comments made by the CPCs into a revised document and submit the revision to this Working Group. The U.S. proposal, MON-08/2010, is the revised proposal that incorporates those comments.

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

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

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

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

Participants discussed the text line by line and reached agreement on almost the entire document. However, one item regarding how to address vessels that cannot safely carry on-board observers in the document remains in

brackets. The Working Group agreed to submit the “Draft Recommendation by ICCAT to Establish Minimum Standards for Fishing Vessel Scientific Observer Programs [MON-08C/2010] to the PWG for consideration of adoption at the annual meeting in Paris, France, in November 2010. This proposal is appended to this report as **Appendix 4**.

## **7. Boarding and Inspection Scheme**

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

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

The Chair invited the EU to introduce the “Draft Recommendation by ICCAT on a Tuna and Tuna-like Species Catch Documentation Program” [MON-05/2010] and the “Draft Recommendation by ICCAT on an Electronic Catch Document Pilot Program” (see **Appendix 6**) [MON-06/2010] and requested that the two documents be considered together. The EU stated the impetus behind these documents was the fact that it is crucial for market States to exercise their responsibilities in the fight against trade of products resulting from IUU fishing activities. In this regard, the EU emphasized the need to enlarge the scope of catch documentation programs to other species than bluefin tuna, bigeye tuna or swordfish.

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

The United States requested more time to review the proposal in detail as the document establishes a very broad scope in terms of the species covered. This might make the process of negotiating an agreement more complicated as ICCAT has already established such documents for bigeye tuna and swordfish and a lack of experience with the other species included in the EU document. In addition, the United States noted there will be a Kobe II workshop which will discuss, in particular, the establishment of a CDS for bigeye tuna that would be consistent across all tuna RFMOs. Since four out of the five tuna RFMOs fish for and trade in bigeye tuna, it is imperative that the RFMOs collectively avoid the creation of four different documents for that species. The United States also stated it does not believe there is a need for MON-06/2010 as the existing measure by ICCAT on an Electronic Statistical Document Pilot Program [Rec. 06-16] already allows for electronic CDS.

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

Japan confirmed that per the outcome of the San Sebastian meeting (Kobe II), a discussion on improvement of the CDS and a harmonized statistical document system for bigeye tuna is planned for the upcoming Kobe II workshop in Japan. Japan welcomed the document and agreed it is time to expand the CDS to other species of tuna, but there is a need for more technical development as there are two fundamental issues in applying this regulation to trade. The first issue is fresh fish. Such fish must use some tagging requirement for all fresh fish. For example, all fresh bluefin tuna product must be tagged. There is a need to monitor such trade but monitoring

could delay trade and hence cause deterioration of the fresh product. The second major issue is how to address purse seine products, which are frozen at sea in blocks. This process makes sorting by species not possible until the time of delivery to the cannery. Therefore, the total catch amount required to be recorded on the CDS and species composition must be completed by the canneries and factories.

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

“The government official must be employed by a competent authority of the CPC government or other individual or institution authorized by the CPC”

Brazil requested that Part I paragraph 2.a) be bracketed and that all of Part II be bracketed (see **Appendix 5** [MON-05B/2010]). The proposal was referred to the Commission for consideration.

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

## **9. Recommendations to the Commission on actions required**

- General Outline of Integrated Monitoring Measures Adopted by ICCAT [Ref. 02-31]\_[MON-03/2010]

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

- Draft Recommendation by ICCAT on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing [MON-07C/2010] (see **Appendix 3**)
- Draft Recommendation by ICCAT to Establish Minimum Standards for Fishing Vessel Scientific Observer Programs [MON-08C/2010] (see **Appendix 4**)
- Draft Recommendation by ICCAT on a Tuna and Tuna-like Species Catch Documentation Program [MON-05B/2010] (see **Appendix 5**)
- Draft Recommendation by ICCAT on an Electronic Catch Document Pilot Program [MON-06/2010] (see **Appendix 6**)

## **10. Other matters**

No other matters were discussed.

## **11. Adoption of the Report**

It was agreed to adopt the report by correspondence

## **12. Adjournment**

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

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

**Appendix 1**

**AGENDA**

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

**Appendix 2**

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**DRAFT RECOMMENDATION BY ICCAT ON PORT STATE MEASURES  
TO PREVENT, DETER AND ELIMINATE ILLEGAL, UNREPORTED  
AND UNREGULATED FISHING [MON-07C/2010]**

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

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

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

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

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

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

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

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

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

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

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

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

**GENERAL PROVISIONS**

**1. Use of terms**

For the purposes of this Recommendation:

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

- b) “fishing” means searching for, attracting, locating, catching, caging, taking or harvesting fish, or any activity which can reasonably be expected to result in the attracting, locating, catching, caging, taking or harvesting of fish in the ICCAT Convention area;
- c) “fishing related activities” means any operation in support of, or in preparation for, fishing, including the landing, packaging, processing, transshipping or transporting of fish that have not been previously landed [offloaded or transshipped] at a port, as well as the provisioning of personnel, fuel, gear and other supplies at sea;
- d) “port” includes offshore terminals and marine areas of the port, and other installations [as well as any other port facility] for landing, transshipping, packaging, processing, refuelling or resupplying;
- e) “illegal, unreported and unregulated fishing” refers to the activities set out in paragraph 1 of the recommendation by ICCAT further amended by ICCAT to establish a list of vessels presumed to have carried out illegal, unreported and unregulated fishing activities in the ICCAT Convention area [Rec. 09-10];
- f) “regional fisheries management organization” means an intergovernmental fisheries organization or arrangement, as appropriate, that has the competence to establish conservation and management measures;
- g) “vessel” means any vessel used or intended for use for the purposes of the commercial exploitation of fish, through fishing and fishing related activities, including processing vessels and vessels engaged in transshipment.

## 2. Objective

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

## 3. Application

1. Each CPC shall, in its capacity as a port State, apply this Recommendation in respect of vessels not entitled to fly its flag that are seeking entry to its ports or are in one of its ports, except for:
  - a) vessels of a neighboring CPC with an overall length of less than 12 metres, or without a superstructure, or of less than measured 20 GT, that are engaged in artisanal fishing for subsistence, provided that the port State and the flag State cooperate to ensure that such vessels do not engage in IUU fishing, or fishing related activities in support of such fishing;
  - b) [container] vessels that are not carrying fish or, if carrying fish, only fish that have been previously landed, [offloaded or transshipped at port] provided that there are no clear grounds for suspecting that such vessels have engaged in fishing related activities in support of IUU fishing.
2. A CPC may, in its capacity as a port State, decide not to apply this Recommendation to vessels chartered by its nationals exclusively for fishing in areas under its national jurisdiction and operating under its authority therein. Such vessels shall be subject to measures by the CPC which are as effective as measures applied in relation to vessels entitled to fly its flag.

## 4. Relationship with international law

[Nothing in this Recommendation shall prejudice the rights, jurisdiction and duties of CPCs under international law. In particular, nothing in this Recommendation shall be construed to affect the sovereignty of CPCs over their internal, archipelagic and territorial waters or their sovereign rights over their continental shelf and in their exclusive economic zones, and the exercise by CPCs of their sovereignty over ports in their territory in accordance with international law, including their right to deny entry thereto as well as to adopt more stringent port State measures than those provided for in this Recommendation.]

## **5. Integration and coordination at the national level**

Each CPC shall, to the greatest extent possible:

- a) integrate or coordinate fisheries related port State measures with its broader system of port State controls;
- b) integrate port State measures with other measures to prevent, deter and eliminate IUU fishing and fishing related activities in support of such fishing; and
- c) take measures to exchange information among its relevant national agencies and to coordinate the activities of such agencies in the implementation of this Recommendation.

## **6. Cooperation and exchange of information**

1. In the implementation of this Recommendation and with due regard to appropriate confidentiality and data protection requirements, the CPCs shall cooperate and exchange information with the ICCAT Secretariat and the relevant flag States, as appropriate, by:
  - a) requesting information from, and providing information to, relevant databases;
  - b) requesting and providing cooperation to promote the effective implementation of this Recommendation.
2. Each CPC shall, to the greatest extent possible, ensure that its fisheries related information systems allow for the direct electronic exchange of information on port State measures with other CPCs and with the ICCAT Secretariat, in order to facilitate the implementation of this Recommendation.
3. The CPCs shall cooperate through ICCAT Secretariat in the effective implementation of this Recommendation.

## **7. Competent authorities**

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

## **ENTRY INTO PORT**

### **8. Designation of ports**

1. Each CPC wishing to grant access to its port by vessels not entitled to fly its flag shall designate and publicize any of its ports to which vessels may request entry pursuant to this Recommendation. Each CPC shall provide a list of its designated ports to the ICCAT Secretariat within two months from the date of entry into force of this Recommendation a list of designated ports. Any subsequent changes to this list shall be notified to the ICCAT Secretariat at least 15 days before the change takes effect.
2. Each CPC shall, to the greatest extent possible, ensure that every designated port has sufficient capacity to conduct inspections pursuant to this Recommendation.
3. The ICCAT Secretariat shall establish and maintain a register of designated ports based on the lists submitted by the port State CPCs. The register shall be posted on the ICCAT website.

## 9. Advance request for port entry

Each CPC shall require the master of a vessel or its authorized representative to provide the information in Annex 1 at least 72 hours in advance of the requested port entry to the competent authority of the port State CPC. However, a port State CPC may make provision for longer or shorter notification period, taking into account, *inter alia*, the type of fishing product and the distance between the fishing grounds and its ports, and providing that the port State CPC must have enough time to examine the above mentioned information. In such a case, the port State CPC concerned shall inform the ICCAT Secretariat, which shall post the information on the ICCAT website.

## 10. Port entry, authorization or denial

1. After receiving the relevant information pursuant to **point 9.1**, as well as such other information as it may require to determine whether the vessel requesting entry into its port has engaged in IUU fishing, or fishing related activities in support of such fishing, the port State CPC shall decide whether to authorize or deny the entry of the vessel into its port and shall communicate this decision to the master of the vessel or to its representative.
2. In the case of authorization of entry, the master of the vessel or the vessel's representative shall be required to present the authorization for entry to the competent authority of the port State CPC upon the vessel's arrival at port.
3. In the case of denial of entry, the port State CPC shall communicate its decision to the flag CPC of the vessel, and to the ICCAT Secretariat, to be posted on the secure part of the ICCAT website. The ICCAT Secretariat shall communicate this decision to all CPCs and to other regional fisheries management organizations.
4. Without prejudice to **paragraph 1**, when the port State CPC has sufficient proof that a vessel seeking entry into its port has engaged in IUU fishing, or fishing related activities in support of such fishing, in particular the inclusion of a vessel on the list of vessels having engaged in such IUU fishing or fishing related activities adopted by ICCAT, the port State CPC shall deny that vessel entry into its ports.
5. Notwithstanding **paragraph 3 and 4**, the port State CPC may allow entry into its ports of a vessel referred to in those points exclusively for the purpose of inspecting it and taking other appropriate actions in conformity with international law which are at least as effective as denial of port entry in preventing, deterring and eliminating IUU fishing, and fishing related activities in support of such fishing.
6. Where a vessel referred to **paragraphs 4 or 5** is in port for any reason, the port State CPC shall deny such vessel the use of its ports for landing, transshipping, packaging, processing and for other port services including, *inter alia*, refueling and resupplying, maintenance and dry docking. **Points 12.3 and 12.4** apply *mutatis mutandis* in such cases. Denial of such use of ports shall be in conformity with international law.

## 11. Force Majeure or distress

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

## USE OF PORTS

### 12. Use of ports

1. Authorization of a vessel to enter a port of a CPC shall not imply that the vessel is authorized to use that port.
2. Where a vessel has entered one of its ports, the port State CPC shall deny, pursuant to its laws and regulations and consistent with international law, including this Recommendation, that vessel the use of the port for landing, transshipping, packaging and processing for fish that have not been previously landed,

[offloaded or transhipped] and for other port services, including, *inter alia*, refueling and resupplying, maintenance and dry docking, if:

- [ a) the information provided by the vessel in Annex 1 is found to be false]
  - b) The port State CPC finds that the vessel does not have a valid and applicable authorization to engage in fishing and fishing related activities in the ICCAT Convention area;
  - c) the port State CPC receives clear evidence that the fish on board was taken in contravention of the ICCAT conservation and management measures;
  - d) the flag State does not [provide evidence] [confirm] within [14] days, on the request of the port State CPC, that the fish on board was taken in accordance with the ICCAT conservation and management measures; or
  - e) the port State CPC has reasonable grounds to believe that the vessel otherwise engaged in IUU fishing, or fishing related activities in support of such fishing, in the ICCAT Convention area, including in support of a vessel included in the list of IUU vessels referred to in **point 10.4**, unless the vessel can establish:
    - a. that it was acting in a manner consistent with relevant ICCAT conservation and management measures,
    - b. in the case of provision of personnel, fuel, gear and other supplies at sea, that the vessel that was provisioned was not, at the time of provisioning, included in a list of IUU vessels, as referred to in **point 10.4**.
3. Notwithstanding **paragraph 2**, the port State CPC shall not deny a vessel referred to in that paragraph the use of port services:
    - a) essential to the safety or health of the crew or the safety of the vessel, provided these needs are duly proven, or
    - b) where appropriate, for the scrapping of the vessel.
  4. Where a port State CPC has denied the use of its ports, it shall promptly notify the flag State and the ICCAT Secretariat, to be posted on the secure part of the ICCAT website. The ICCAT Secretariat shall communicate this decision to all CPCs and to other regional fisheries management organizations.
  5. A port State CPC shall withdraw its denial of the use of its port only if the port State CPC is satisfied that there is sufficient proof to show that the grounds on which the use was denied were inadequate or erroneous, or that such grounds no longer apply.
  6. Where a port State CPC has withdrawn its denial of the use of its port, it shall promptly notify those to whom a notification was issued pursuant to **paragraph 4**.

## INSPECTIONS AND FOLLOW-UP ACTIONS

### 13. Levels and priorities for inspection

1. Each port State CPC shall carry out inspections of at least [5 %] of landings and transhipments in its ports during each reporting year.
2. Inspections shall involve the monitoring of the entire discharge or transhipment and include a cross-check between the quantities by species recorded in the prior notice of landing and the quantities by species landed or transhipped. When the landing or transhipment is completed, the inspector shall verify and note the quantities by species of fish remaining on board.
3. In determining which vessels to inspect, the port State CPC shall give priority to:
  - a) vessels that have previously been denied entry or use of a port in accordance with this Recommendation;

- b) requests from other CPCs or regional fisheries management organizations that particular vessels be inspected, particularly where such requests are supported by evidence of IUU fishing, or fishing related activities in support of such fishing, by the vessel in question; and
- c) other vessels for which there are clear grounds for suspecting that they have engaged in IUU fishing, or fishing related activities in support of such fishing.

#### **14. Conduct of inspections**

1. Each port State CPC shall ensure that its inspectors carry out the functions set forth in *Annex 2* as a minimum standard.
2. Each port State CPC shall, in carrying out inspections in its ports:
  - a) ensure that inspections are carried out by properly qualified inspectors authorized for that purpose;
  - b) ensure that, prior to an inspection, inspectors are required to present to the master of the vessel an appropriate document identifying the inspectors as such;
  - c) ensure that inspectors examine all relevant areas of the vessel, the fish on board, the nets and any other gear, equipment, and any document or record on board that is relevant to verifying compliance with the ICCAT conservation and management measures;
  - d) require the master of the vessel to give inspectors all necessary assistance and information, and to present relevant material and documents as may be required, or certified copies thereof;
  - e) in case of appropriate arrangements with the flag State of the vessel, invite the flag State to participate in the inspection;
  - f) make all possible efforts to avoid unduly delaying the vessel to minimize interference and inconvenience, including any unnecessary presence of inspectors on board, and to avoid action that would adversely affect the quality of the fish on board;
  - g) make all possible efforts to facilitate communication with the master or senior crew members of the vessel, including where possible and where needed that the inspector is accompanied by an interpreter;
  - h) ensure that inspections are conducted in a fair, transparent and non-discriminatory manner and would not constitute harassment of any vessel; and
  - i) not interfere with the master's ability, in conformity with international law, to communicate with the authorities of the flag State.

#### **15. Results of inspections**

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

#### **16. Transmittal of inspection results**

1. The port State CPC shall transmit a copy of the inspection report to the flag State and to the ICCAT Secretariat within [three full working days] of the completion of the inspection and, as appropriate, as soon as possible to:
  - a) the flag State of any vessel that transhipped catch to the inspected vessel
  - b) those States for which there is evidence through inspection that the vessel has engaged in IUU fishing, or fishing related activities in support of such fishing, within the ICCAT Convention area, and
  - c) the State of which the vessel's master is a national.
2. The ICCAT Secretariat shall post the inspection report on the secure part of the ICCAT website. The ICCAT Secretariat shall communicate this decision to all CPCs and to other regional fisheries management organizations.

**17. Electronic exchange of information**

1. To facilitate the implementation of this Recommendation, each CPC shall, where possible, establish a communication mechanism that allows for direct electronic exchange of information relevant to this Recommendation, with due regard to appropriate confidentiality and data protection requirements.
2. Each CPC shall designate a competent authority that shall act as a contact point for the exchange of information under this Recommendation. Each CPC shall notify the pertinent designation to the ICCAT Secretariat, to be posted on the ICCAT website.
3. The ICCAT Secretariat shall and with due regard to appropriate confidentiality and data protection requirements, coordinate and facilitate the electronic exchange of information relevant to the implementation of this Recommendation between CPCs as well as coordinate with other global or regional electronic information-exchange mechanisms that may be established to assist with the implementation of port State measures to combat IUU fishing and fishing related activities.

**18. Training of inspectors**

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

**19. Port State actions following inspection**

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

**20. Information on recourse in the port State**

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

**ROLE OF FLAG STATES****21. Role of flag States**

1. Each CPC shall require the vessels entitled to fly its flag to cooperate with the port State CPC in inspections carried out pursuant to this Recommendation.

2. When a CPC has clear grounds to believe that a vessel entitled to fly its flag has engaged in IUU fishing, or fishing related activities in support of such fishing, and is seeking entry to or is in the port of another CPC, it shall, as appropriate, request that CPC to inspect the vessel or to take other measures consistent with this Recommendation.
3. Each CPC shall encourage vessels entitled to fly its flag to land, transship, package and process fish, and use other port services, in ports of States that are acting in accordance with, or in a manner consistent with this Recommendation.
4. Where, following port State inspection, a flag State CPC receives an inspection report indicating that there are clear grounds to believe that a vessel entitled to fly its flag has engaged in IUU fishing, or fishing related activities in support of such fishing, it shall immediately and fully investigate the matter and shall, upon sufficient evidence, take enforcement action without delay in accordance with its laws and regulations.
5. Each CPC shall, in its capacity as a flag State, report to the relevant port State CPC and to the ICCAT Secretariat on actions it has taken in respect of vessels entitled to fly its flag that, as a result of port State measures taken pursuant to this Recommendation, have been determined to have engaged in IUU fishing, or fishing related activities in support of such fishing. The ICCAT Secretariat shall communicate such actions to all CPCs.
6. Each CPC shall ensure that measures applied to vessels entitled to fly its flag are at least as effective in preventing, deterring, and eliminating IUU fishing, and fishing related activities in support of such fishing, as measures applied to vessels referred to in *point 3.1*.

## REQUIREMENTS OF DEVELOPING STATES

### 22. Requirements of developing States

1. CPCs shall give full recognition to the special requirements of developing States CPCs in relation to the implementation of port State measures consistent with this Recommendation. To this end, CPCs shall, either directly or through the ICCAT Secretariat, provide assistance to developing States CPCs in order to, *inter alia*:
  - a) enhance their ability to develop a legal basis and capacity for the implementation of effective port State measures;
  - b) facilitate their participation in any international organizations that promote the effective development and implementation of port State measures; and
  - c) facilitate technical assistance to strengthen the development and implementation of port State measures by them, in coordination with relevant international mechanisms.
2. CPCs shall give due regard to the special requirements of developing port States CPCs, to ensure that a disproportionate burden resulting from the implementation of this Recommendation is not transferred directly or indirectly to them. In cases where the transfer of a disproportionate burden has been demonstrated, CPCs shall cooperate to facilitate the implementation by the relevant developing States CPCs of specific obligations under this Recommendation.
3. CPCs shall, either directly or through the ICCAT Secretariat, assess the special requirements of developing States CPCs concerning the implementation of this Recommendation.
4. CPCs shall cooperate to establish appropriate funding mechanisms to assist developing States CPCs in the implementation of this Recommendation. These mechanisms shall, *inter alia*, be directed specifically towards:
  - a) developing national and international port State measures;
  - b) developing and enhancing capacity, including for monitoring, control and surveillance and for training at the national and regional levels of port managers, inspectors, and enforcement and legal personnel;

- c) monitoring, control, surveillance and compliance activities relevant to port State measures, including access to technology and equipment; and
  - d) assisting developing States CPCs with the costs involved in any proceedings for the settlement of disputes that result from actions they have taken pursuant to this Recommendation.
5. Cooperation with and among developing States CPCs in implementing this Recommendation may include the provision of technical and financial assistance through bilateral, multilateral and regional channels, including South-South cooperation.
6. CPCs shall establish an *ad hoc* working group to periodically report and make recommendations to the CPCs on the establishment of funding mechanisms including a scheme for contributions, identification and mobilization of funds, the development of criteria and procedures to guide implementation, and progress in the implementation of the funding mechanisms. The *ad hoc* working group shall also take into account, *inter alia*.
- a) the assessment of the needs of developing States CPCs;
  - b) the availability and timely disbursement of funds;
  - c) transparency of decision-making and management processes concerning fundraising and allocations; and
  - d) accountability of the recipient developing States CPCs in the agreed use of funds.
7. CPCs shall take into account the reports and any recommendations of the *ad hoc* working group and take appropriate action.

### **23. Final provision**

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

## Information to be Provided in Advance by Vessels Requesting Port Entry

<b>1. Intended port of call</b>								
<b>2. Port State</b>								
<b>3. Estimated date and time of arrival</b>								
<b>4. Purpose(s)</b>								
<b>5. Port and date of last port call</b>								
<b>6. Name of the vessel</b>								
<b>7. Flag State</b>								
<b>8. Type of vessel</b>								
<b>9. International Radio Call Sign</b>								
<b>10. Vessel contact information</b>								
<b>11. Vessel owner(s)</b>								
<b>12. Certificate of registry ID</b>								
<b>13. IMO ship ID, if available</b>								
<b>14. External ID, if available</b>								
<b>15. ICCAT or other RFMO number</b>								
<b>16. VMS</b>	No	Yes: National		Yes: RFMO(s)		Type:		
<b>17. Vessel dimensions</b>	Length		Beam		Draft			
<b>18. Vessel master name and nationality</b>								
<b>19. Relevant fishing authorization(s)</b>								
<i>Identifier</i>	<i>Issued by</i>	<i>Validity</i>	<i>Fishing area(s)</i>	<i>Species</i>	<i>Gear</i>			
<b>20. Relevant transshipment authorization(s)</b>								
<i>Identifier</i>		<i>Issued by</i>		<i>Validity</i>				
<i>Identifier</i>		<i>Issued by</i>		<i>Validity</i>				
<b>21. Transshipment information concerning donor vessels</b>								
<i>Date</i>	<i>Location</i>	<i>Name</i>	<i>Flag State</i>	<i>ID number</i>	<i>Species</i>	<i>Product form</i>	<i>Catch area</i>	<i>Quantity</i>
<b>22. Total catch onboard</b>						<b>23. Catch to be offloaded</b>		
<i>Species</i>	<i>Product form</i>	<i>Catch area</i>	<i>Quantity</i>			<i>Quantity</i>		
<b>[24. Master or representative signature]</b>								

### Port State Inspection Procedures

Inspectors shall:

- a) verify, to the extent possible, that the vessel identification documentation onboard and information relating to the owner of the vessel is true, complete and correct, including through appropriate contacts with the flag State or international records of vessels if necessary;
- b) verify that the vessel's flag and markings (e.g. name, external registration number, International Maritime Organization (IMO) ship identification number, international radio call sign and other markings, main dimensions) are consistent with information contained in the documentation;
- c) verify, to the extent possible, that the authorizations for fishing and fishing related activities are true, complete, correct and consistent with the information provided in accordance with Annex 1;
- d) review all other relevant documentation and records held onboard, including, to the extent possible, those in electronic format and vessel monitoring system (VMS) data from the flag State or ICCAT Secretariat or other relevant regional fisheries management organizations (RFMOs). Relevant documentation may include logbooks, catch, transshipment and trade documents, crew lists, stowage plans and drawings, descriptions of fish holds, and documents required pursuant to the Convention on International Trade in Endangered Species of Wild Fauna and Flora;
- e) examine, to the extent possible, all relevant fishing gear onboard, including any gear stowed out of sight as well as related devices, and to the extent possible, verify that they are in conformity with the conditions of the authorizations. The fishing gear shall, to the extent possible, also be checked to ensure that features such as the mesh and twine size, devices and attachments, dimensions and configuration of nets, pots, dredges, hook sizes and numbers are in conformity with applicable regulations and that the markings correspond to those authorized for the vessel;
- f) determine, to the extent possible, whether the fish on board was harvested in accordance with the applicable authorizations;
- g) examine the fish, including by sampling, to determine its quantity and composition. In doing so, inspectors may open containers where the fish has been pre-packed and move the catch or containers to ascertain the integrity of fish holds. Such examination may include inspections of product type and determination of nominal weight;
- h) evaluate whether there is clear evidence for believing that a vessel has engaged in IUU fishing or fishing related activities in support of such fishing;
- i) provide the master of the vessel with the report containing the result of the inspection, including possible measures that could be taken, to be signed by the inspector and the master. The master's signature on the report shall serve only as acknowledgment of the receipt of a copy of the report. The master shall be given the opportunity to add any comments or objection to the report, and, as appropriate, to contact the relevant authorities of the flag State in particular where the master has serious difficulties in understanding the content of the report. A copy of the report shall be provided to the master; and
- j) arrange, where necessary and possible, for translation of relevant documentation.

## ICCAT Port Inspection Report Form

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

<b>27. Relevant fishing authorization(s)</b>						
<i>Identifier</i>	<i>Issued by</i>	<i>Validity</i>	<i>Fishing area(s)</i>	<i>Species</i>	<i>Gear</i>	
<b>28. Relevant transshipment authorization(s)</b>						
<i>Identifier</i>		<i>Issued by</i>		<i>Validity</i>		
<i>Identifier</i>		<i>Issued by</i>		<i>Validity</i>		
<b>29. Transshipment information concerning donor vessels</b>						
<i>Name</i>	<i>Flag State</i>	<i>ID no.</i>	<i>Species</i>	<i>Product form</i>	<i>Catch area(s)</i>	<i>Quantity</i>
<b>30. Evaluation of offloaded catch (quantity)</b>						
<i>Species</i>	<i>Product form</i>	<i>Catch area(s)</i>	<i>Quantity declared</i>	<i>Quantity offloaded</i>	<i>Difference between quantity declared and quantity determined, if any</i>	
<b>31. Catch retained onboard (quantity)</b>						
<i>Species</i>	<i>Product form</i>	<i>Catch area(s)</i>	<i>Quantity declared</i>	<i>Quantity retained</i>	<i>Difference between quantity declared and quantity determined, if any</i>	
<b>32. Examination of logbook(s) and other documentation</b>				<i>Yes</i>	<i>No</i>	<i>Comments</i>
<b>33. Compliance with applicable catch documentation scheme(s)</b>				<i>Yes</i>	<i>No</i>	<i>Comments</i>
<b>34. Compliance with applicable trade information scheme(s)</b>				<i>Yes</i>	<i>No</i>	<i>Comments</i>
<b>35. Type of gear used</b>						
<b>36. Gear examined in accordance with paragraph e) of Annex 2</b>			<i>Yes</i>	<i>No</i>	<i>Comments</i>	
<b>37. Findings by inspector(s)</b>						
<b>38. Apparent infringement(s) noted including reference to relevant legal instrument(s)</b>						
<b>39. Comments by the master</b>						
<b>40. Action taken</b>						
<b>41. Master's signature</b>						
<b>42. Inspector's signature</b>						

### **Guidelines for the Training of Inspectors**

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

1. Ethics;
2. Health, safety and security issues;
3. Applicable national laws and regulations, areas of competence and conservation and management resolutions of the ICCAT, and applicable international law;
4. Collection, evaluation and preservation of evidence;
5. General inspection procedures such as report writing and interview techniques;
6. Analysis of information, such as logbooks, electronic documentation and vessel history (name, ownership and flag State), required for the validation of information given by the master of the vessel;
7. Vessel boarding and inspection, including hold inspections and calculation of vessel hold volumes;
8. Verification and validation of information related to landings, transshipments, processing and fish remaining onboard, including utilizing conversion factors for the various species and products;
9. Identification of fish species, and the measurement of length and other biological parameters;
10. Identification of vessels and gear, and techniques for the inspection and measurement of gear;
11. Equipment and operation of VMS and other electronic tracking systems; and
12. Actions to be taken following an inspection.

**DRAFT RECOMMENDATION BY ICCAT TO ESTABLISH MINIMUM  
STANDARDS FOR FISHING VESSEL SCIENTIFIC  
OBSERVER PROGRAMS [MON-08C/2010]**

*RECALLING* that Article IX of the Convention requires Contracting Parties to furnish, on the request of the Commission, any available statistical, biological and other scientific information needed for the purposes of the Convention;

*FURTHER RECALLING* the 2001 *Resolution on the Deadlines and Procedures for Data Submission* [01-16], in which the Commission established clear guidelines for the submission of Task I and Task II data;

*TAKING ACCOUNT OF* the observations in the report of the Independent Review Panel on the performance of ICCAT about the completeness and reliability of data for many ICCAT fisheries and its recommendation that Commission members and cooperating non-members collect and transmit to the Secretariat in a timely way accurate Task I and Task II data;

*ACKNOWLEDGING* that poor quality data impacts the ability of the SCRS to complete robust stock assessments and provide management advice as well as the ability of the Commission to adopt effective conservation and management measures;

*DETERMINED* to ensure the collection of data accounting for all sources of mortality in ICCAT fisheries, for both target species and by-catch, to improve the certainty of future scientific advice while taking into account ecosystem considerations;

*ACKNOWLEDGING* the discussion and recommendations of the Future of ICCAT Working Group concerning the importance of observer programs in developing and implementing an ecosystem approach to management;

*WELCOMING* the planned future work of the SCRS Subcommittee on Ecosystems and the Sharks Working Group to advise on minimum observer coverage levels needed to ensure sufficient data and information are available to support robust species estimates, particularly of by-catch species;

*RECOGNIZING* that observer programs are used successfully at both the national and Regional Fisheries Management Organization (RFMO) level for the purposes of collecting scientific data;

*TAKING INTO ACCOUNT* the needs of developing States with regard to capacity building;  
*RECOGNIZING* the United Nations General Assembly Sustainable Fisheries Resolution 63/112, which encourages the development of observer programs by regional fisheries management organizations and arrangements to improve data collection;

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

1. Notwithstanding additional observer program requirements that may be in place or adopted by ICCAT in the future for specific fisheries for the collection of scientific information, each Contracting Party and Cooperating non-Contracting Party, Entity, or Fishing Entity (CPC) shall ensure the following with respect to its domestic observer programs:
  - a) A minimum of 5% observer coverage of fishing effort [of vessels [15] [20] meters or greater in length overall] in each of the pelagic longline, purse seine, and, as defined in the ICCAT glossary, baitboat fisheries, as measured in number of sets or trips for purse seine fisheries; fishing days, number of sets, or trips for pelagic longline fisheries; or in fishing days in baitboat fisheries;
  - b) Representative temporal and spatial coverage of the operation of the fleet to ensure the collection of adequate and appropriate data as required under this recommendation and any additional domestic CPC observer program requirements, taking into account characteristics of the fleets and fisheries;

- c) Data collection on all aspects of the fishing operation, including catch, as specified in paragraph 2 below.
2. In particular, CPCs shall require observers to:
- a) record and report upon the fishing activity, which shall include at least the following:
    - i. data collection that includes quantifying total target catch and by-catch (including sharks, sea turtles, marine mammals, and seabirds), size composition, disposition status (i.e., retained, discarded dead, released alive), and the collection of biological samples for life history studies (e.g., gonads, otoliths, spines, scales);
    - ii. fishing operation information, including
      - area of catch by latitude and longitude;
      - fishing effort information (e.g., number of sets, number of hooks, etc.);
      - date of each fishing operation, including, as appropriate, the start and stop times of the fishing activity;
    - iii. other scientific work as recommended by SCRS and agreed by the Commission.
  - b) observe and record the use of by-catch mitigation measures and other relevant information;
  - c) present to their CPC, as feasible and appropriate, any proposals the observer considers appropriate to improve the efficiency of conservation measures and scientific monitoring.
3. In implementing these observer requirements, CPCs shall ensure use of robust data collection protocols, including, as necessary and appropriate, the use of photography, and that observers are properly trained and approved before deployment. Toward that end, CPCs shall ensure that their observers have the following qualifications to accomplish their responsibilities:
- a) sufficient knowledge and experience to identify species and collect information on different fishing gear configurations;
  - b) satisfactory knowledge of the ICCAT conservation and management measures;
  - c) the ability to observe and record accurately data to be collected under the program;
  - d) the ability to collect biological samples;
  - e) not be a crew member of the fishing vessel being observed; and
  - f) not be an employee of a fishing vessel company involved in the observed fishery.

In addition, CPCs shall ensure their observed flag vessels permit appropriate access to the ship and its operations to allow the observer to carry out its responsibilities effectively.

4. Each year, CPCs shall report information collected under domestic observer programs to the SCRS for stock assessment and other scientific purposes in line with procedures in place for other data reporting requirements and consistent with domestic confidentiality requirements, including, *inter alia*, catch rates, the coverage level achieved within their respective fisheries, and details on how coverage levels were calculated.
5. CPCs shall also provide a preliminary report to SCRS by 31 July 2011 on the structure and design of their domestic observer programs to be followed by an updated report on 31 July 2012. These reports shall include, *inter alia*, the following information:
- a) target level of observer coverage by fishery and how measured,
  - b) data required to be collected,
  - c) data protocols in place,
  - d) information on how vessels are selected for coverage to achieve the CPC's target level of observer coverage,
  - e) observer training requirements, including any training materials, such as a training manual,
  - f) observer qualification requirements.

Following the submission of the reports referred to in this paragraph, any changes to CPC observer programs shall be reported to the SCRS through CPC Annual Reports.

6. Beginning in 2012 and every three years thereafter SCRS shall:
  - a) report to the Commission on the coverage level achieved by each CPC by fishery;
  - b) provide the Commission with a summary of the data and information collected and reported pursuant to this recommendation and any relevant findings associated with that data and information;
  - c) review the minimum standards established for CPC observer programs as set out in this recommendation; and
  - d) make recommendations as necessary and appropriate on how to improve the effectiveness of observer programs in order to meet the data needs of the Commission, including possible revisions to this recommendation and/or with respect to implementation of these minimum standards by CPCs.
7. The Commission shall take due regard of the special requirements of developing states in the implementation of the provisions of this recommendation.
8. The Commission shall review this recommendation no later than its 2012 annual meeting and every three years thereafter, and consider revising it in light of information on CPC observer programs received pursuant to paragraphs 4 and 5 and SCRS advice pursuant to paragraph 6.
9. The ICCAT Secretariat shall facilitate the required exchange of information between each CPC concerned and the SCRS and the implementation of any other aspects of this recommendation as necessary and appropriate.

**DRAFT RECOMMENDATION BY ICCAT ON A TUNA AND TUNA LIKE SPECIES  
CATCH DOCUMENTATION PROGRAMME [MON-05B/2010]**

*RECOGNIZING* the impact that market factors have on the fishery;

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

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

*REITERATING* the responsibilities of flag States to ensure that their vessels conduct their fishing activities in a responsible manner, fully respecting ICCAT conservation and management measures;

*NOTING* the need for improved and strict control on all the components involved in the tuna and tuna like species fisheries;

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

*UNDERLINING* the complementary role that importing States also have in the control of the catches of tuna and tuna like species to ensure compliance with ICCAT conservation and management measures;

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

*COMMITTED* to taking steps that conform with international law, notably as regards the World Trade Organization (WTO), and to ensure that tuna and tuna like species entering markets of Contracting and Cooperating non-Contracting Parties, Entities or Fishing Entities of ICCAT and non-members of ICCAT is caught in the Convention area in a manner that does not diminish the effectiveness of ICCAT conservation and management measures;

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

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

**PART I**

**GENERAL PROVISIONS**

1. Each Contracting Party, Cooperating Non-Contracting Party and Fishing Entity (hereafter referred to as CPCs) shall take the necessary steps to implement an ICCAT Tuna and tuna like species Catch Documentation Programme for the purpose of identifying the origin of any tuna and tuna like species caught in the ICCAT Convention area.
2. For the purpose of this Programme:
  - [a] "Tuna and tuna like species" means skipjack (*Katsuwonus pelamis*), yellowfin (*Thunnus albacares*), albacore (*Thunnus alalunga*), bigeye tuna (*Thunnus obesus*), swordfish (*Xiphias gladius*), white marlin (*Tetrapturus albidus*) and blue marlin.]

- b) "Export" means:  
Any movement of tuna and tuna like species caught in the ICCAT Convention area by a fishing vessel flying the flag of a CPC to the territory of another CPC or non-Member to the ICCAT, or from the fishing grounds to the territory of a CPC which is not the flag CPC of the fishing vessel or to the territory of a non-Member to the ICCAT.
- c) "Import" means:  
Any introduction, including for transshipment purposes, of tuna and tuna like species caught in the ICCAT Convention area in their caught or processed forms into the territory of a CPC, which is not the CPC where the fishing vessel is flagged.
- d) "Re-export" means:  
Any movement of tuna and tuna like species in their caught or processed forms from the territory of a CPC where it had been previously imported.

## [PART II

### TUNA AND TUNA LIKE SPECIES CATCH DOCUMENTS

3. Each consignment of tuna and tuna like species caught in the ICCAT Convention area imported into or exported or re-exported from the territory of a CPC shall be accompanied by a validated Tuna and tuna like species catch document (TSCD) and, as applicable, a validated Tuna and tuna like species re-export certificate (TSRC). Any such import, export or re-export of tuna and tuna like species without a completed and validated TSCD or TSRC shall be prohibited.
4. Each CPC shall provide TSCD forms only to fishing vessels flying its flag authorized to catch tuna and tuna like species in the ICCAT Convention area. Such forms are not transferable to another fishing vessel. Each TSCD form shall have a unique document identification number. Document numbers shall be specific to the flag CPC and assigned to the fishing vessel.
5. Copies of TSCD shall accompany each exported part of split consignments or processed product, using the unique document number of the original TSCD in order to track them.
6. CPCs shall keep copies of documents issued or received for at least two years.
7. Export, import and re-export of fish parts other than the meat (i.e., heads, eyes, roes, guts and tails) shall be exempted from the requirements of this Recommendation.
8. The fishing vessel masters, or their authorized representative, or the authorized representative of the flag CPC shall complete the TSCD, if possible electronically, by providing the required information in appropriate sections and request its validation in accordance with paragraph 10, on each occasion that they land, tranship or export tuna and tuna like species.
9. A completed and validated TSCD shall include the relevant information identified in **Annex 1** forms attached. In cases where a section of the TSCD model does not provide enough room to completely track movement of tuna and tuna like species from catch to final import, the needed information section may be expanded as necessary and attached as annex. The competent authority of the CPC shall validate the annex as soon as possible, but not later than the next movement of tuna and tuna like species.
10. a) The TSCD must be validated by an authorized government official or authority of the flag CPC of the fishing vessel [or, if the fishing vessel is operating under a charter arrangement, by an authorized governmental official or authority of the chartering CPC].  
b) The flag [or chartering] CPC shall validate the TSCD for all tuna and tuna like species products only when all the information contained in the TSCD has been established to be accurate as a result of the verification of the consignment, and only when those products comply with all relevant provisions of the conservation and management measures.

- c) Validation under 10(a) shall not be required in the event that all tuna and tuna-like products available for sale are tagged by the flag or chartering CPC of the fishing vessel that caught them.
11. Where the tuna and tuna like species quantities caught and landed, intended for export, are less than 1 metric ton or three fish, the logbook or the sales note may be used as a temporary TSCD, pending the validation of the TSCD within seven days and prior to export.]

### **PART III**

#### **TUNA AND TUNA LIKE SPECIES RE-EXPORT CERTIFICATES**

12. Each CPC shall ensure that each tuna and tuna like species consignment which is re-exported from its territory be accompanied by a validated TSRC.
13. The operator who is responsible for the re-export shall complete the TSRC by providing the required information in its appropriate sections and request its validation for the tuna and tuna like species consignment to be re-exported. The completed TSRC shall be accompanied by a copy of the validated TSCD relating to the tuna and tuna like species products previously imported.
14. The TSRC shall be validated by an authorized government official or authority.
15. The CPC shall validate the TSRC for all tuna and tuna like species product only when:
- a) all the information contained in the TSRC has been established to be accurate,
  - b) the validated TSCD(s) submitted in support to the TSRC had been accepted for the importation of the products declared on the TSRC,
  - c) the products to be re-exported are wholly or partly the same products on the validated TSCD(s) and
  - d) a copy of the TSCD(s) shall be attached to the validated TSRC.
16. The validated TSRC shall include the information identified in **Annex 2** forms attached.

### **PART IIIa**

#### **TAGGING PROGRAMS**

- 16a. CPCs may required their fishing vessels to affix a tag to each tuna and tuna-like species products preferably at the time of kill, but no later than the time of landing. Tags shall have unique country specific numbers and be tamper proof. The tag numbers shall be linked to the TSCD and a summary of the implementation of the tagging program shall be submitted to the ICCAT Secretariat by the CPC.

### **PART IV**

#### **COMMUNICATION AND VERIFICATION**

17. Each CPC shall communicate, if possible electronically, a copy of all validated TSCDs or TSRCs within five working days following the date of validation, or without delay where the expected duration of the transportation should not take more than five working days, to the following:
- a) the competent authorities of the CPC where the tuna and tuna like species will be imported, and;
  - b) the ICCAT Secretariat.

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

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

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

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

20. If, as a result of examinations or verifications carried out pursuant to paragraph 19, a doubt arises regarding the information contained in a TSCD or a TSRC, the final importing CPC and the CPC whose competent authorities validated the TSCD(s) or TSRC(s) shall cooperate to resolve such doubts.
21. If a CPC involved in trade of tuna and tuna like species identifies a consignment with no TSCD or no valid TSCD, it shall notify the findings to the exporting CPC and, where known, the flag CPC.
22. Pending the examinations or verifications under paragraph 19 to confirm compliance of the tuna and tuna like species consignment with the requirements in the present Recommendation and any other relevant measures adopted by ICCAT, the CPC shall not grant its release for import or export.
23. Where a CPC, as a result of examination or verifications under paragraph 19 and in cooperation with the validating authorities concerned, determines that a TSCD or TSRC is invalid, the import, export or re-export of the tuna and tuna like species concerned shall be prohibited.
24. The Commission shall request the non-Contracting Parties that are involved in import, export or re-export of tuna and tuna like species to cooperate with the implementation of the Programme and to provide to the Commission data obtained from such implementation.

## **PART V**

### **COMMUNICATION OF DATA**

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

This notification shall indicate the date at which this entitlement comes into force. A copy of the provisions adopted in national law for the purpose of implementing the tuna and tuna like species catch documentation program shall be communicated with the initial notification. Updated details on validating authorities, officials and national provisions shall be communicated to the ICCAT Secretariat in a timely fashion.

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

CPCs are encouraged to access this information to help verify the validation of TSCDs and TSRCs.

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

28. Notification pursuant to paragraphs 25, 26 and 27 shall be sent by CPCs to the ICCAT Secretariat, by electronic means, whenever possible.
29. CPCs shall provide to the ICCAT Secretariat a report each year by October 1 for the period from July 1 of the preceding year to June 30 of the current year to provide the information described in **Annex 3**.

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

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

**ICCAT Tuna and Tuna-like Species Catch Document**

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

<b>Numéro de certificat*/Certificate number*/Certificado n°*</b>		
<b>1. AUTORITÉ DE VALIDATION/VALIDATING AUTHORITY/AUTORIDAD VALIDADORA</b>		
<b>Nom/Name/Nombre</b>		
<b>Adresse/Address/Dirección</b>		
<b>Tel:</b>	<b>E-mail:</b>	
<b>Fax:</b>		
<b>2. NAVIRE DE PECHE/FISHING VESSEL/DATOS DEL BUQUE</b>		
Nom du navire de pêche*/Fishing Vessel Name*/Nombre del buque pesquero*		
Pavillon*, port d'attache et numéro d'immatriculation*/Flag - Home Port and Registration Number*/Pabellón – Puerto base y número de matrícula*		
Indicatif radio/Call Sign/Indicativo de llamada de radio	N° OMI/Lloyd (le cas échéant) IMO/Lloyd's Number (if issued) N° OMI/Lloyd (en su caso)	
N° de la licence de pêche Fishing licence No. N° de la licencia de pesca	Date de fin de validité Valid to Fecha de expiración	N° Inmarsat, n° fax, n° téléphone, adresse courrier électronique (le cas échéant) Inmarsat No. Telefax No. Telephone No. E-mail address (if issued) N° Inmarsat, n° fax, n° telefono, dirección correo electrónico (en su caso)
<b>3. DESCRIPTION DU PRODUIT (VOIR PAGE SUIVANTE) DESCRIPTION OF PRODUCT (SEE NEXT PAGE) DESCRIPCION DEL PRODUCTO (VEASE PAGINA SIGUIENTE)</b>		
<b>4. MESURES DE CONSERVATION ET DE GESTION APPLICABLES APPLICABLE CONSERVATION AND MANAGEMENT MEASURES MEDIDAS DE CONSERVACIÓN Y ORDENACIÓN APLICABLES</b>		
Références des mesures de conservation et de gestion applicables References of applicable conservation and management measures Referencias a las medidas de conservación y ordenación aplicables		
<b>5. CAPITAINE DU NAVIRE / MASTER OF FISHING VESSEL / DATOS DEL CAPITÁN</b>		
Nom du capitaine du navire de pêche Name of master of fishing vessel Nombre del capitán del buque pesquero	Signature/Signature/Firma	Cachet/Seal/Sello



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

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

Nom du capitaine du navire de pêche/Name of Master of Fishing vessel/Nombre del capitán del buque pesquero		Signature/Signature/Firma		Date/Date/Fecha
Date du transbordement Transshipment Date Fecha del transbordo	Zone du transbordement Transshipment Area Zona del transbordo	Position du transbordement Transshipment Position Posición del transbordo	Poids estimé (kg) Estimated weight (kg) Peso estimado (kg)	
Capitaine du navire receveur/Master of Receiving Vessel/Capitán del buque receptor		Signature/Signature/Firma		
Nom du navire/Vessel Name/Nombre del buque		Indicatif d'appel/Call Sign/Indicativo de llamada de radio	N° OMI/Lloyds (le cas échéant)/IMO/Lloyds Number (if issued)/N° OMI/Lloyds (en su caso)	

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

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

**8. EXPORTATEUR / EXPORTER / DATOS DEL EXPORTADOR**

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

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

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

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

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

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

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

**ICCAT Tuna and Tuna-Like Species Re-Export Certificate**

CERTIFICAT DE REEXPORTATION DE LA CICTA POUR LES THONIDES ET ESPECES APPARENTEES / ICCAT TUNA AND TUNA LIKE SPECIES RE-EXPORT CERTIFICATE / CERTIFICADO DE REEXPORTACIÓN PARA TUNIDOS Y ESPECIES AFINES				
Numéro du certificat*/ Certificate Number*/Nº Certificado:				
<b>SECTION REEXPORTATION / RE-EXPORT SECTION / SECCIÓN REEXPORTACIÓN</b>				
<b>1. PAYS-ENTITE-ENTITE DE PECHE DE REEXPORTATION / RE-EXPORTING COUNTRY-ENTITY-FISHING ENTITY/ PAÍS-ENTIDAD-ENTIDAD PESQUERA REEXPORTADOR/A:</b>				
<b>2. LIEU DE REEXPORTATION* / POINT OF RE-EXPORT* / PUNTO DE REEXPORTACIÓN*:</b>				
<b>3. DESCRIPTION DES THONIDES ET ESPECES APPARENTEES IMPORTEES / DESCRIPTION OF IMPORTED TUNA AND TUNA LIKE SPECIES / DESCRIPCIÓN DE LOS TÚNIDOS Y ESPECIES AFINES IMPORTADOS:</b>				
Type de produit/Product Type/Tipo de producto	Poids net (kg)* Net weight (kg)* Peso neto (kg)*	CPC de pavillon Flag CPC CPC del pabellón	Date importation* Date of import* Fecha importación*	TSCD No*
F/FR	RD/GG/DR/FL/OT			
<b>4. DESCRIPTION DES THONIDES ET ESPECES APPARENTEES DESTINES A LA REEXPORTATION / DESCRIPTION OF TUNA AND TUNA LIKE SPECIES FOR RE-EXPORT / DESCRIPCIÓN DE LOS TÚNIDOS Y ESPECIES AFINES PARA REEXPORTACIÓN:</b>				
Type de produit*/Product Type*/Tipo de producto*	Poids net (kg)* Net weight (kg)* Peso neto (kg)*	Numéro TSCD correspondant à la section 3. Corresponding TSCD number from section 3. Número correspondiente de TSCD en sección 3		
F/FR	RD/GG/DR/FL/OT			
F= Frais/Fresh/Fresco, FR= Surgelé/Frozen/Congelado/, RD= Poids vif/Round weight/Peso vivo, GG=Eviscéré & sans branche/Gilled & Gutted/Eviscerado y sin agallas, DR= Poids manipulé/Dressed/Canal, FL=Filet/En filetes, OT=Autres/Others/Otros (Décrire le type de produit/Describe the type of the product/ Describir el tipo de producto):				
ETAT DE DESTINATION*/STATE OF DESTINATION*/ESTADO DE DESTINO*:				
<b>5. CERTIFICAT DU REEXPORTATEUR / RE-EXPORTER STATEMENT / DECLARACIÓN DEL REEXPORTADOR</b>				
Je certifie que l'information ci-dessus est, à mon vu et su, complète, véridique et correcte. I certify that the above information is complete, true and correct to the best of my knowledge and belief. Certifico que, a mi leal saber y entender, la información arriba consignada es completa, fidedigna y correcta.				
<b>Nom/Name/Nombre</b>	<b>Adresse/Address/Dirección</b>	<b>Signature/Firma</b>	<b>Date/Fecha</b>	
<b>6. VALIDATION DU GOUVERNEMENT / GOVERNMENT VALIDATION / VALIDACIÓN DEL GOBIERNO</b>				
Je déclare valide l'information ci-dessus, qui est, à mon vu et su, complète, véridique et correcte. I validate that the above information is complete, true and correct to the best of my knowledge and belief. Valido la información arriba consignada, que a mi leal saber y entender es completa, fidedigna y correcta.				
<b>Nom &amp; poste/Name &amp; Title/Nombre-Cargo</b>	<b>Signature/Firma</b>	<b>Date/Fecha</b>	<b>Cachet du l'autorité / Authority Seal / Sello de la Autoridad</b>	

**SECTION IMPORTATION / IMPORT SECTION / SECCIÓN IMPORTACIÓN**

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

Je certifie que l'information ci-dessus est, à mon vu et su, complète, véridique et correcte.

*I certify that the above information is complete, true and correct to the best of my knowledge and belief.*

Certifico que, a mi leal saber y entender, la información arriba consignada es completa, fidedigna y correcta.

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

<b>Nom/Name/Nombre</b>	<b>Adresse/Address/Dirección</b>	<b>Signature/Firma</b>	<b>Date/Fecha</b>
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**Point final d'importation\*/Final point of import/Punto de destino final de la importación\*:**

<b>Ville/City/Ciudad</b>	<b>Etat-Province/State-Province/Estado-provincia</b>	<b>CPC</b>
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NOTE: Si ce document est rempli dans une autre langue que l'anglais, veuillez y joindre la traduction en anglais

NOTE: Le document de transport valide et les copies des TSCD devront être joints.

NOTE: If a language other than English is used in completing this form, please attach the English translation to this form.

NOTE: Valid transport documents and copies of TSCD shall be attached.

NOTA: Si al cumplimentar el formulario se emplea un idioma que no sea el inglés, se ruega añadir la traducción en inglés a este documento.

NOTA: Se adjuntarán el documento de transporte válido y las copias de los TSCD.

**APPENDICE I. DECLARATION DE L'USINE DE TRANSFORMATION**

**APPENDIX I. STATEMENT BY THE PROCESSING PLANT**

**APENDICE I. DECLARACION DE LA FÁBRICA DE TRANSFORMACIÓN**

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

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

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

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

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

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

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

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

Responsable de l'usine de transformation Responsible person of the processing plant Persona encargada de la fábrica de transformación	Signature/Firma:	Date/Fecha:	Lieu/Place/Lugar:
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Approbation par l'autorité compétente/Endorsement by the competent authority/Refrendo de la autoridad competente :  
.....

Agent/Official/Agente	Signature et cachet Signature and seal Firma y sello	Date/Fecha:	Lieu/Place/Lugar
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**Report on the Implementation of the  
ICCAT Tuna and Tuna-like Species Catch Documentation Programme**

Reporting CPC:

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

1. Information extracted from TSCDs

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

2. Information on cases under Part IV paragraph 19

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

**DRAFT RECOMANDATION BY ICCAT ON AN ELECTRONIC  
CATCH DOCUMENT PILOT PROGRAMME [MON-06/2010]**

*Proposed by the EU*

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

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

*NOTING* that electronic systems could improve the ICCAT catch document programmes through expediting cargo handling, increasing the ability to detect fraud and deter IUU shipments, facilitating more efficient exchange of information between exporting and importing parties, and encouraging automated links between national catch reporting and customs processing systems,

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

1. Contracting Parties and Cooperating non-Contracting Parties, Entities and Fishing Entities (CPCs), to the extent they are able, should develop pilot projects to investigate the feasibility of electronic systems to improve the catch documentation programmes, consistent with their national laws. Pilot projects shall contain all of the information elements of the current paper systems and have the ability to produce paper copies upon request of national authorities from the exporting and importing parties.
2. CPCs implementing a pilot electronic system shall coordinate with importing and exporting partners prior to the proposed effective date of the pilot system to ensure that the electronic system meets the current requirements of the ICCAT catch documentation programmes, taking into consideration the respective national regulations of the importing and exporting parties and the need for electronic means of authenticating transactions and users of the system. The pilot electronic system should be flexible enough to accommodate any agreed changes to ICCAT's programmes in the future.
3. CPCs implementing a pilot electronic catch documentation programmes shall continue to accept valid paper documents from exporting parties, and issue paper documents to importing parties, for all such parties unable to participate in the pilot program and for all participating parties upon notification of either party.
4. A description of the pilot electronic system and details of its implementation shall be provided to the Secretariat for distribution to all parties. CPCs taking part in the pilot programme shall report observations on the advantages and problems, if any, to the Commission.
5. The ICCAT Recommendation 06-16 on an electronic statistical document pilot programme is repealed and replaced by this Recommendation.