

Original: English

DRAFT RECOMMENDATION ON VESSEL SIGHTINGS

Proposal submitted by the United States

RECOGNIZING the ongoing efforts by ICCAT and its CPCs to combat Illegal, Unreported, and Unregulated fishing for ICCAT species;

AWARE that those efforts will be informed and supported by an effective mechanism for CPCs and their flagged vessels to gather and report information on sightings of foreign-flagged vessels or vessels without nationality that may be operating in the Convention Area in a manner contrary to ICCAT conservation and management measures;

NOTING, therefore, the utility of combining and updating the *Resolution by ICCAT on Compliance with the ICCAT Conservation and Management Measures* [Res. 94-09] and the *Recommendation by ICCAT on Transshipments and Vessel Sightings* [Rec. 97-11];

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

1. Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities (CPCs) shall collect, through their enforcement and surveillance operations in the Convention area, as much information as feasible when a foreign-flagged vessel or vessel without nationality is sighted by a vessel or aircraft as engaged in fishing or fishery related activities (e.g., transshipment) that may be contrary to any ICCAT conservation and management measure in force. An indicative list of information to be collected is included in the sighting information sheet (**Annex**), which may be used for transmitting information on vessel sightings to the Executive Secretary as specified below.
2. When a vessel is sighted pursuant to paragraph 1 the sighting vessel or aircraft shall without undue delay report the observation to the appropriate authorities of its flag CPC. That CPC shall, in turn, without undue delay notify the appropriate authorities of the flag CPC or flag non-CPC of the sighted vessel, and:
 - a) If the sighted vessel is flagged to a CPC, that CPC shall without undue delay take appropriate action with respect to the vessel in question. Both the CPC making the observation and the CPC of the sighted vessel shall provide all appropriate information on the sighting to the Executive Secretary, including details of any follow-up actions taken.
 - b) If the sighted vessel is flagged to a non-CPC, is of indeterminate flag or is without nationality, the CPC making the observation shall without undue delay provide to the Executive Secretary all appropriate information related to the sighting.

[...]
3. When a vessel is sighted pursuant to paragraph 1 and there are reasonable grounds to suspect the vessel is without nationality, a CPC is encouraged to board the vessel to confirm its nationality. If the vessel is confirmed to be without nationality, the sighting CPC is encouraged to inspect the vessel, consistent with international law and, if evidence so warrants, the CPC is encouraged to take such action as may be appropriate, in accordance with international law. Any CPC that receives a report or conducts a boarding of a vessel operating without nationality that is suspected of operating in a manner contrary to an ICCAT conservation or management measure shall immediately notify the Executive Secretary.

4. CPCs are encouraged, upon the consent of the flag State or vessel master, to board and collect information on vessels of non-CPCs conducting fishing or fishery related activities for tuna and tuna-like species and other species caught in association with these species, in waters of the Convention Area beyond national jurisdiction. Appropriate information collected from such boardings shall be reported to the Executive Secretary. If a CPC concludes, following boarding and inspection under this paragraph, that the non-CPC vessel was not, in fact, undermining ICCAT conservation measures, the vessel shall not be subject to the presumption under paragraph 1 of Rec. 98-11.
5. CPCs should encourage their fishing and support vessels that operate in the Convention Area to collect and report relevant information to their appropriate domestic authorities to support the vessel sighting process set forth in this Recommendation.
6. The Executive Secretary shall promptly forward any information received pursuant to this Recommendation to all CPCs and report it to the Commission for consideration at the next ICCAT annual meeting.
7. CPCs are encouraged to notify the Executive Secretary of their points of contact to facilitate cooperation and other appropriate actions under this recommendation. The Executive Secretary shall publish this information on the ICCAT website.
8. This recommendation replaces and repeals *Resolution by ICCAT on Compliance with the ICCAT Conservation and Management Measures* [Res. 94-09] and the *Recommendation by ICCAT on Transshipments and Vessel Sightings* [Rec. 97-11].

SIGHTING INFORMATION SHEET			
1. Date of Sighting:		Month	Day Year
2. Position of Vessel Sighted:			
Latitude		Longitude	
3. Name of the Vessel Sighted:			
4. Flag Country:			
5. Port (and Country) of Registry:			
6. Type of Vessel:			
7. International Radio Call Sign:			
8. Registration Number:			
9. ICCAT Serial Number:			
10. IMO Number:			
11. Estimated Length Overall and Gross Tonnage:		m	GT
12. Fishing Gear Description (if applicable):			
Type:		Estimated quantity (units)	
13. Nationality of Captain:		Officer:	Crew:
14. Vessel Situation (Please check):			
<input type="checkbox"/> Fishing		<input type="checkbox"/> Cruising	
<input type="checkbox"/> Supplying		<input type="checkbox"/> Transshipping	
		<input type="checkbox"/> Drifting	
		<input type="checkbox"/> Other (Specify)	
15. Type of Activities of the Vessel Sighted (Please <u>describe</u>):			
16. Other Relevant Information:			
17. THE ABOVE INFORMATION WAS COLLECTED BY:			
NAME:		TITLE:	
NAME OF VESSEL:		AIRCRAFT:	
DATE: (Month) (Day) (Year) SIGNATURE:			