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

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**R E P O R T  
for biennial period, 2002-03  
PART I (2002) - Vol. 1  
English version**

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## INTERNATIONAL COMMISSION FOR THE CONSERVATION OF ATLANTIC TUNAS

### **CONTRACTING PARTIES**

*(as of December 31, 2002)*

Algeria, Angola, Barbados, Brazil, Canada, Cape Verde, China, Côte d'Ivoire, Croatia, Equatorial Guinea, European Community, France (St. Pierre & Miquelon), Gabon, Ghana, Guinea Conakry, Honduras, Iceland, Japan, Korea (Rep.), Libya, Mexico, Morocco, Namibia, Panama, Russia, Sao Tomé & Príncipe, South Africa, Trinidad & Tobago, Tunisia, United Kingdom (Overseas Territories), United States, Uruguay, Vanuatu, Venezuela

### **COMMISSION OFFICERS**

#### *Commission Chairman*

M. MIYAHARA, Japan  
(since October 27, 2002)

#### *First Vice-Chairman*

A. SROUR, Morocco  
(since October 27, 2002)

#### *Second Vice-Chairman*

C. DOMINGUEZ-DIAZ, EC-Spain  
(since October 27, 2002)

#### **Panel No.**

#### **PANEL MEMBERSHIP**

#### **Chair**

<i>-1- Tropical tunas</i>	Angola, Brazil, Canada, Cape Verde, China, Côte d'Ivoire, European Community, Gabon, Ghana, Honduras, Japan, Korea (Rep.), Libya, Mexico, Morocco, Namibia, Panama, Russia, Sao Tome & Principe, Trinidad & Tobago, United Kingdom (Overseas Territories), United States, Venezuela	United Kingdom (Overseas Territories)
<i>-2- Temperate tunas, North</i>	Algeria, Canada, China, Croatia, European Community, France (St. Pierre & Miquelon), Iceland, Japan, Libya, Mexico, Morocco, Panama, Tunisia, United Kingdom (Overseas Territories), United States	European Community
<i>-3- Temperate tunas, South</i>	European Community, Japan, Korea (Rep.), Namibia, South Africa, United Kingdom (Overseas Territories), United States	South Africa
<i>-4- Other species</i>	Algeria, Angola, Brazil, Canada, China, Côte d'Ivoire, European Community, France (St. Pierre & Miquelon), Gabon, Japan, Mexico, Morocco, Namibia, South Africa, Trinidad & Tobago, United Kingdom (Overseas Territories), United States, Uruguay, Venezuela	United States

### **SUBSIDIARY BODIES OF THE COMMISSION**

STANDING COMMITTEE ON FINANCE & ADMINISTRATION (STACFAD)

#### *Chairman*

J. JONES, Canada  
(since November 21, 1997)

STANDING COMMITTEE ON RESEARCH & STATISTICS (SCRS)

Sub-Committee on Statistics: P. PALLARÉS (EC-Spain), Convener  
Sub-Committee on Environment: J.M. FROMENTIN (EC-France), Convener  
Sub-Committee on By-catches: H. NAKANO (Japan), Convener

J. Gil PEREIRA, EC-Portugal  
(since October 12, 2001)

CONSERVATION & MANAGEMENT MEASURES COMPLIANCE COMMITTEE

F. WIELAND, EC  
(since November 19, 2001)

PERMANENT WORKING GROUP FOR THE IMPROVEMENT OF ICCAT  
STATISTICS AND CONSERVATION MEASURES (PWG)

K. BLANKENBEKER, United States  
(since November 19, 2001)

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## FOREWORD

The Chairman of the International Commission for the Conservation of Atlantic Tunas presents his compliments to the Contracting Parties of the International Convention for the Conservation of Atlantic Tunas (signed in Rio de Janeiro, May 14, 1966), as well as to the Delegates and Advisers that represent said Contracting Parties, and has the honor to transmit to them the "*Report for the Biennial Period, 2002-2003, Part I (2002)*", which describes the activities of the Commission during the first half of said biennial period.

This issue of the Biennial Report contains the Report of the Final Session of the 17<sup>th</sup> Regular Meeting of the Commission (initially held in Murcia, Spain, in November 2001 and continued in Bilbao Spain in October-November 2002), the Report of the 13<sup>th</sup> Special Meeting of the Commission (Bilbao, Spain, October 28-November 4, 2002) and the reports of all the meetings of the Panels, Standing Committees and Sub-Committees, as well as some of the Working Groups. It also includes a summary of the activities of the Secretariat and a series of National Reports of the Contracting Parties of the Commission, relative to their activities in tuna and tuna-like fisheries in the Convention Area.

The Report for 2002 has been published in three volumes. *Volume 1* includes the Secretariat's Administrative and Financial Reports, the Proceedings of the Commission Meetings and the reports of all the associated meetings (with the exception of the Report of the Standing Committee on Research and Statistics -SCRS). *Volume 2* contains the Secretariat's Report on Statistics and Research and the Report of the Standing Committee on Research and Statistics (SCRS) and its appendices. *Volume 3* contains the National Reports of the Contracting Parties of the Commission.

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

MASANORI MIYAHARA  
Commission Chairman

## *ERRATA*

### **REPORT FOR THE BIENNIAL PERIOD, 2002 -2003, PART I (2002)**

#### **Proceedings of the 13<sup>th</sup> Special Meeting of the Commission**

##### **Erratum 1:**

**ANNEX 4.5 CLOSING STATEMENTS (page 95) [insert page number for each language]**

**Please insert the following:**

##### **- México**

Mexico is pleased to have participated as a full member in the 13th Special Meeting of ICCAT.

No doubt, the results attained on this occasion are a highly positive element to advance in the sustainability of the fisheries, the integral development of our fishing communities and, in general, to advance conformación of true responsible fishing in the region.

We consider that our participation has completed various of its objectives, principally those related to reinforcing the ties with the Commission and all the countries that it comprises, and with contributing in a constructive manner to the decision-making process.

Since various years ago, the Government of Mexico has been carrying out sustainable fishing, based on a policy that is consistent with the programs of conservation and protection of the species that live in its jurisdictional waters. To do this, it has established the necessary actions for the recovery of the tuna stocks in the Atlantic.

The tuna fishery in Mexico, in the Pacific as well as in the Atlantic, is regulated by means of strict conservation and management measures, which are verified by a program of observers on-board the vessels of 100% of the fishing trips, resulting in precise information on the catches of these vessels.

Our country has a statistical registry that, among other factors, provides information on the catch level, size, fishing effort, and characteristics of the maneuvers. The information collected each year has been presented to the Commission since we have been participating as a Cooperating Party and from now on we will also comply with our obligations as a Contracting Party.

If virtue of that expressed above, with full knowledge of the distribution and state of bluefin tuna and swordfish within our Exclusive Economic Zone, we have repeatedly requested the Commission to assign us a quota of 120 tonnes of bluefin tuna and 2000 tonnes of swordfish.

However, during this 13th Special Meeting, without following exactly the criteria for the allocation of fishing possibilities adopted at the 2001 meeting, the criteria of historical catches has prevailed principally.

The quotas granted to Mexico, of 25 tonnes for bluefin tuna and 110 tonnes for swordfish, do not fulfill the needs of our country.

We consider that it is strict justice to re-evaluate the quotas assigned to Mexico. Our country is one that has responsibly administered those resources. To do so, it has the pertinent regulatory arrangements (disposiciones normativas pertinentes), in accordance with those emanating from this Commission. Within its jurisdictional waters, Mexico has an important bluefin tuna spawning area, which has been protected. Further, it has cooperated in the work carried out within the framework of this organization.

As we pointed out at the start of this meeting, Mexico maintains that the historical rights should not be the principal criterion that defines the assignment of quotas.

In this sense, we express our interest that for the next distribution of quotas each and every one of the allocation criteria already approved by the Commission be applied. Thus, in the near future, the right of coastal States, such as Mexico, to develop their fisheries, the distribution of the fisheries resources within the Exclusive Economic Zone of the coastal States, the state of the fisheries, and the compliance with the management measures established by the Commission, all have to be recognized, among other aspects.

**Erratum 2:**

**Appendix 7 to ANNEX 10 Billfishes Compliance Table for 2002 (page 226) [insert page number for each language]**

**The fourth footnote should read:**

In Mexico, billfish are reserved for sport fishing, the national regulations require that billfishes be released live and there is 100% observer coverage on the vessels of this fishery.

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## **REPORT FOR THE BIENNIAL PERIOD, 2000-2001, PART II (2001)**

### **PROCEEDINGS OF THE 17<sup>TH</sup> REGULAR MEETING OF THE COMMISSION, CONCLUSION** *(Bilbao, Spain, October 27, 2002)*

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

This special session of the continuation of the 17<sup>th</sup> Regular Meeting of the Commission was opened on Sunday, October 27, 2002 by the Chairman, Mr. José Ramón Barañano. The Chairman explained that at last year's session in Murcia, the meeting was suspended on the last day without the completion of all the Agenda Items and the adoption of the Report. While most of the outstanding Agenda Items were dealt with by correspondence during the inter-sessional period, Agenda Items 17 (Other matters) and 18 (Election of Commission Officers) would be considered in today's session. The Agenda is attached as **Annex 1**. The List of Participants is included as **Annex 2**.

#### **2. Consideration of Agenda items not discussed during the 2001 meeting**

##### ***17. Other matters***

The Delegate of Japan explained that although in 2001 they were nominated to chair Panel 3, Japan is unable to accept this request. They therefore nominated South Africa to Chair Panel 3. The United Kingdom (Overseas Territories) seconded this proposal. The Chairman declared that the nomination of South Africa was approved by consensus, and he congratulated South Africa on the appointment. The Delegate of South Africa thanked the Commission for their confidence in him, and assured the Plenary that he would do his best.

##### ***18. Election of Commission Officers***

The Chairman indicated that the Commission has to appoint new officers for the 13<sup>th</sup> Special Meeting here in Bilbao and the 18<sup>th</sup> Regular Meeting in Dublin. The appointments will take place immediately after the adjournment of this session of the 17<sup>th</sup> Regular Meeting. Mr. Barañano invited Delegates to make proposals.

The Delegate of the EC nominated Mr. Masanori Miyahara of Japan to be the next Chairman of the Commission, and the Delegates of Morocco and China seconded this proposal. The Chairman declared that Mr. Miyahara is the new Chairman of the Commission by consensus, and he extended his congratulations.

The Delegate of Brazil nominated Mr. Abdellah Srouf of Morocco to be the next First Vice-Chairman of the Commission and the Delegate of Canada seconded this proposal. The Chairman declared that Mr. Srouf is the new First Vice-Chairman of the Commission by consensus, and he extended his congratulations.

The Delegate of the United States nominated Mr. Carlos Domínguez Díaz of EC-Spain to be the next Second Vice-Chairman of the Commission, and the Delegate of Côte d'Ivoire seconded this proposal. The Chairman declared that Mr. Domínguez is the new Second Vice-Chairman of the Commission by consensus, and he extended his congratulations.

Several Delegates expressed appreciation for Mr. Barañano's efforts for the past two years through a period that has been especially difficult and challenging for the Commission. Mr. Barañano thanked the Delegates for their kind words, and for their support.

#### **3. Adoption of Report and adjournment**

The remainder of the Report from the 17<sup>th</sup> Regular Meeting of the Commission was adopted and the meeting was adjourned.

**Agenda**  
**(Proceedings of the 17<sup>th</sup> Regular Meeting of the Commission, Conclusion)**

1. Opening of the meeting
2. Consideration of Agenda items not discussed during the 2001 meeting
  17. *Other matters*
  18. *Election of Commission Officers*
3. Adoption of report and adjournment

**List of Participants**  
**(Proceedings of the 17<sup>th</sup> Regular Meeting of the Commission, Conclusion)**

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## REPORT FOR THE BIENNIAL PERIOD, 2002-2003, PART I (2002)

### SECRETARIAT REPORTS

#### 2002 ADMINISTRATIVE REPORT (SEC/2002/016)<sup>1</sup>

##### 1. Contracting Parties to the Convention

In 2002, the Legal Services Department of the Food and Agriculture Organization of the United Nations (FAO) notified the Secretariat on May 24, October 30, and November 7 that the Governments of Mexico, Iceland, and Vanuatu, respectively, had deposited instruments of adherence to the International Convention for the Conservation of Atlantic Tunas. In accordance with Article XIV, paragraph 3, Mexico, Iceland and Vanuatu are now full members of the Commission.

As of December 31, 2002, the International Commission for the Conservation of Atlantic Tunas is comprised of 34 Contracting Parties, as follows: Algeria, Angola, Barbados, Brazil, Canada, Cape Verde, China, Côte d'Ivoire, Croatia, Equatorial Guinea, European Community, France (St. Pierre & Miquelon), Gabon, Ghana, Guinea Conakry, Honduras, Iceland, Japan, Korea, Libya, Morocco, Mexico, Namibia, Panama, Russia, St. Tome and Principe, Trinidad and Tobago, Tunisia, South Africa, United Kingdom (Overseas Territories), United States, Uruguay, Vanuatu and Venezuela.

As regards the Panels, in 2002, in virtue of Article 12, paragraph 5, of the Rules of Procedure, Mexico will be a member of Panels 1, 2 and 4; Iceland will be a member of Panel 2.

##### 2. Approval, ratification or acceptance of the Madrid Protocol to the ICCAT Convention

In accordance with its Article 3, the Protocol adopted in Madrid in June, 1992, will enter into force, for all the Contracting Parties, on the 90th day following the deposit with the Director General of FAO of the last instrument of approval, ratification or acceptance by three-quarters of the Contracting Parties, which should include all the Parties classified by the United Nations Conference on Trade and Development as of June 5, 1992, as developed market economy countries.

In March, 2000, France deposited an instrument of approval with the Director General of FAO, which completes the list of developed market economy countries. Approval, ratification or acceptance is still pending from **one** of the countries that was not part of this category on June 5, 1992: Angola, Cape Verde, Côte d'Ivoire, Equatorial Guinea, and St. Tome and Principe. After repeated communications with these countries regarding this matter, the Executive Secretary again contacted them on September 10, 2002, and sent a letter to these Contracting Parties in which he urged them to adhere to the Protocol as soon as possible so that it could enter into force, and which would be of interest to all.

In May 2002, Mexico accepted the Madrid Protocol upon becoming a Contracting Party to the Convention.

As of November 2002, the following Contracting Parties had officially ratified or accepted the Protocol (some of these automatically accepted upon becoming Contracting Parties to the Convention):

Republic of Korea	Acceptance on June 11, 1993
Canada	Ratification on September 22, 1993
South Africa	Acceptance on September 30, 1993
United States of America	Ratification on August 24, 1994
Russian Federation	Acceptance on September 14, 1994

<sup>1</sup> The Administrative Report presented at the Commission Meeting in 2002 has been updated to December 31, 2002.

Guinea Conakry	Acceptance on April 13, 1995
United Kingdom	Acceptance on November 10, 1995
People's Republic of China	Acceptance on October 24, 1996
Morocco	Ratification on December 9, 1996
Brazil	Ratification on January 15, 1997
Uruguay	Acceptance on July 24, 1997
Croatia	Acceptance on October 20, 1997
European Community	Acceptance on November 14, 1997
Tunisia	Acceptance on December 16, 1997
Libya	Acceptance on January 14, 1998
Venezuela	Acceptance on May 5, 1998
Japan	Acceptance on May 27, 1998
Panama	Acceptance on December 28, 1998
Trinidad & Tobago	Acceptance on March 30, 1999
Namibia	Acceptance on November 10, 1999
France	Approval on March 6, 2000
Gabon	Acceptance on October 26, 2000
Barbados	Acceptance on December 13, 2000
Honduras	Acceptance on January 30, 2001
Algeria	Acceptance on February 16, 2001
Ghana	Acceptance on November 23, 2001
Mexico	Acceptance on May 24, 2002
Vanuatu	Acceptance on October 25, 2002
Iceland	Acceptance on October 30, 2002

### 3. ICCAT Regulations and Resolutions

#### 3.1 Voting procedure

Unfortunately, the 17<sup>th</sup> Regular Meeting of ICCAT had to be temporarily suspended, without having made certain decisions necessary for the normal functioning of the Commission and for an adequate management of the fishery resources regulated by ICCAT.

Consequently, the Chairman considered it necessary that the Commission, in an exceptional case and in application of Article 9, paragraph 8, of the Rules of Procedure, decide through correspondence on the manner in which to proceed for the consideration of the Recommendations, Resolutions, and other matters discussed at the 17<sup>th</sup> Regular Meeting of ICCAT.

The Chairman made a proposal on the manner in which to proceed, and the result of the voting on this procedure was as follows: (a) it was agreed by a wide majority to considered adopted and valid all those recommendations, resolutions and other decisions adopted by consensus at the 17<sup>th</sup> Regular Meeting of ICCAT; (b) it was agreed to submit to a mail vote the recommendations, resolutions and other decisions that could not be reviewed at that meeting and that the Contracting Parties comment on each one of these individually; and (c) it was agreed to give additional time to continue discussions on the conservation measures concerning East Atlantic and Mediterranean bluefin tuna, which were discussed at the Plenary but could not be submitted to a vote due to the lack of the necessary quorum.

With regards to (c) above, the Chairman gave until February 25 so that the Contracting Parties concerned (particularly the members Panel 2) could continue discussing the East Atlantic and Mediterranean bluefin tuna conservation measures and make the necessary efforts to develop a proposal that reach a consensus of the Contracting Parties. As no consensus was reached by that date, it was opted to submit to a vote the "Draft ICCAT Recommendation Concerning Catch Limits of Bluefin Tuna in the East Atlantic and Mediterranean", pending from the last meeting. The result of this voting demonstrated the need to clarify the procedures and rules for voting in the future, and no agreement was reached on this recommendation. Therefore, the Chairman decided to postpone consideration of the proposal until the 2002 Commission meeting and requested the Contracting Parties and the Cooperating Non-contracting Parties, Entities and Fishing Entities to take the necessary measures not to exceed in the 2002 fishing season the catch limits of the previous year.

The texts of the Recommendations and Resolutions adopted after this voting process are included in the *Report for Biennial Period, 2000-2001, Part II (2001), Vol. 1.*

### 3.2 Implementation of Recommendations and Resolutions

On February 22, 2002, the Secretariat officially transmitted, to the Contracting Parties and non-Contracting Parties, Entities or Fishing Entities that have Atlantic coastlines or that fish tunas in the Convention area, and to the international fishery organizations, the texts of the Recommendations and Resolutions adopted by consensus at the meeting, requesting their cooperation. On August 21, 2002, following the six-months' grace period since their transmission, the Recommendations adopted by the Commission in November 2001 entered into force.

Following the mail vote on the Recommendations that could not be adopted at the meeting and which were adopted by majority, these were transmitted to the Contracting Parties and non-Contracting Parties, Entities or Fishing Entities mentioned above, also requesting their cooperation, on March 22, 2002. Following the six-months' grace period, these recommendations and resolutions entered into force on September 21, 2002.

### 4. ICCAT Port Inspection Scheme

As of November, 2002, the following Contracting Parties have accepted the ICCAT Scheme of Port Inspection, which was adopted by the Commission at its First Special Meeting (Madrid, 1978) and has been in effect since 1983: Brazil, Côte d'Ivoire, France, Gabon, Panama, Sao Tome and Principe, South Africa, United States, and Venezuela.

At its 15th Regular Meeting (Madrid, November 1997), the Commission adopted a *Recommendation for a Revised ICCAT Port Inspection Scheme* (Ref. 97-10). The revised Scheme, which entered into force on June 13, 1998, supersedes the previous ICCAT Port Inspection Scheme.

### 5. ICCAT inter-sessional meetings and Working Groups

In accordance with Commission decisions, the following meetings took place in 2002:

- GFCM-ICCAT Joint Meeting on the Stocks of Large Pelagic Species in the Mediterranean (*Sliema, Malta - April 15 to 19*)
- White Marlin Stock Assessment Session (*Madrid, Spain - May 13 to 18*)
- Meeting of the *Ad Hoc* Working Group on Measures to Combat IUU Fishing (*Tokyo, Japan - May 27 to 30 am*) (PWG-006)
- 2<sup>nd</sup> Meeting of the Working Group to Develop Integrated Monitoring Measures (*Tokyo, Japan - May 30 pm to June 1*) (COC-007)
- Bluefin Tuna Stock Assessment Session (*Madrid, Spain - July 22 to 30*)
- Swordfish Stock Assessment Session (*Madrid, Spain - September 9 to 13*)
- Bigeye Tuna Stock Assessment Session (*Madrid, Spain - September 16 to 20*)
- Meetings of the Special Groups (*Madrid, Spain - September 23 to 28*)
- SCRS Plenary Sessions and Sub-Committees (*Madrid, Spain - September 30 to October 4*)

### 6. Meetings at which ICCAT was represented

Comments and summaries of the meetings at which ICCAT was represented (see Report for Biennial Period, 2002-03, Part I (2002), Vol. 2) are given in the Report on Statistics and Coordination of Research.

- 4<sup>th</sup> Meeting of the Scientific Committee of the Indian Ocean Tuna Commission (IOTC) (*Mahe, Seychelles, December 4 to 7, 2001*). Pilar Pallarés (EC-Spain) represented ICCAT.
- 6<sup>th</sup> Session of the Indian Ocean Tuna Commission *Victoria, Seychelles - December 10 to 14, 2001*). Fernando Curcio-Ruigomez (EC - Spain) represented ICCAT.
- Expert Consultation of the Regional Fisheries Management Bodies on the Harmonization of Catch Certification (*La Jolla, California, United States - January 9 to 11, 2002*). Pascuale Scida (United States) represented ICCAT.
- North Atlantic Blue Shark Discussion Meeting (*Dublin, Ireland - January 24-25, 2002*). Joao Gil Pereira (SCRS Chairman, EC-Portugal), Hideki Nakano (NRIFSF-Japan), and Victor Restrepo (ICCAT Secretariat) represented ICCAT.
- 1<sup>st</sup> International Symposium on Domestication of Bluefin Tuna (*Cartagena, Spain - February 3 to 8, 2002*). Victor Restrepo (ICCAT Secretariat) represented ICCAT.
- Inter-Sessional Meeting of CWP Agencies (*Rome, Italy - March 21- 22, 2002*). Victor Restrepo (ICCAT Secretariat) represented ICCAT.
- FAO Technical Consultation on Improving Information on Status and Trends of Capture Fisheries (*Rome Italy - March 25 to 28, 2002*). Victor Restrepo (ICCAT Secretariat) represented ICCAT.
- First Workshop of the FAO TCP Project for the Preparation for Expansion of Domestic Fisheries for Large Pelagic Species by CARICOM Countries (*Barbados - June 24 to 26, 2002*). David Die (University of Miami, United States) represented ICCAT.
- FIGIS/FIRMS Methodological Workshop (*Rome, Italy - July 1 to 5, 2002*). Carlos Palma (ICCAT Secretariat) represented ICCAT.
- 5<sup>th</sup> Session of the Scientific Advisory Committee, General Fisheries Commission for the Mediterranean (*Rome, Italy - July 1 to 4, 2002*). Victor Restrepo (ICCAT Secretariat) represented ICCAT.
- 27<sup>th</sup> General Fisheries Commission for the Mediterranean (*Rome, Italy - November 19 to 22, 2002*). Victor Restrepo (ICCAT Secretariat) represented ICCAT.
- International Conference on Illegal, Unreported and Unregulated Fisheries (IUU) (*Santiago de Compostela, Spain - November 25-26, 2002*). Adolfo Ribeiro Lima and Victor Restrepo (ICCAT Secretariat) represented ICCAT.
- 5<sup>th</sup> Session of the Indian Ocean Scientific Committee (IOTC) (*Victoria, Seychelles - November 26 to 29, 2000*). Pilar Pallarés (EC-Spain) represented ICCAT.

## **7. Bigeye Year Program (BETYP)**

From October 2001 to September 2002, conventional tagging was carried out only in the Gulf of Guinea and in the Canary Islands, and a “pop-up” tagging cruise was carried out in the Azores. During this period, the improvement of Ghanaian fishery statistics continued, with genetic hard parts studies, as well as the development of a program of integrated modeling.

## **8. Tagging lottery**

The annual lottery for participants in the ICCAT International Cooperative Tagging Program for Tuna and Tuna-like Species was held in Madrid, Spain on September 30, 2002, at the time of the SCRS Meeting. Three US\$500 and one US\$1000 prizes were awarded, corresponding to four categories, as follows:

- *Tropical tunas* (426 tags entered in the lottery); Winner: Tag #PE-009626, for a skipjack tuna tagged by France and also recovered by France; the recovery date is not known.

- *Temperate tunas* (67 tags): Winner: Tag #CR-001285, for a swordfish tagged by Spain and also recovered by Spain, after approximately 1,020 days at liberty.
- *Billfishes* (105 tags): Winner: Tag #BF-152890, for a sailfish tagged by the United States and recovered by Cuba, after approximately 1,143 days at liberty.
- *Bigeye tuna* (83 tags): Winner: Tag #CT-004097, for a bigeye tuna tagged by Senegal and also recovered by Senegal; the exact date of recovery is not known, but the fish was at liberty for approximately 20 months.

## 9. Commission Chairman's letters to various Parties and Fishing Entities

In accordance with the Commission's decision, on April 9, 2002, the Commission Chairman, Mr. J. R. Barañano, sent the following letters regarding the *Resolution by ICCAT Concerning an Action Plan to Ensure the Effectiveness of the Conservation Program for Atlantic Bluefin Tuna* (Ref. 94-3), *Resolution by ICCAT Concerning an Action Plan to Ensure the Effectiveness of the Conservation Program for Atlantic Swordfish* (Ref. 95-13), the *Resolution by ICCAT Concerning the 4 Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area* (Ref. 98-18), and the *Recommendation by ICCAT Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries* (Ref. 96-14), and other matters:

### *Contracting Parties*

- **Equatorial Guinea:** on the continuation of trade measures after reviewing Equatorial Guinea's situation with respect to Resolutions 98-18 and 96-14
- **Honduras:** on the lifting of bluefin and swordfish sanctions and the continuation of bigeye sanctions.
- **Panama:** Identification with regard to resolution 98-18

### *Cooperating non-Contracting Parties, Entities or Fishing Entities*

- **Chinese Taipei:** on its status as a Cooperating Party, Entity or Fishing Entity
- **Philippines:** on its status as a Cooperating Party, Entity or Fishing Entity
- **Mexico:** on its status as a Cooperating Party, Entity or Fishing Entity

### *Non-Contracting Parties, Entities or Fishing Entities*

- **Belize:** on non-compliance with ICCAT's conservation and management measures
- **Bolivia:** identification with respect to Resolution 98-18
- **Cambodia:** notification of bigeye tuna trade sanctions
- **Denmark (with respect to the Faroe Islands):** regarding bluefin tuna fishing activities
- **Grenada:** regarding its swordfish fishing activities
- **Iceland:** regarding its bluefin tuna and swordfish fishing activities
- **Indonesia:** identification with respect to resolution 98-18
- **Malta:** regarding its bluefin tuna fishing activities
- **Seychelles:** requesting information on IUU fishing
- **Sierra Leone:** identification with respect to the Bluefin & Swordfish Action Plans & resolution 98-18
- **St. Vincent and the Grenadines:** on the lifting of bigeye tuna trade sanctions
- **Togo:** requesting information on swordfish fishing
- **Turkey:** regarding its bluefin tuna fishing activities
- **Vanuatu:** identification with respect to resolution 98-18.

Appendix 8 to ANNEX 11 summarizes these actions.

## 10. Secretariat publications - 2002

Annex 1 shows the List of Documents prepared by the Secretariat for the 2002 meetings.

The following publications were issued:

- Statistical Bulletin, Vol. 31 (part printed and part on diskette)
- Report for Biennial Period, 2000-2001, Part II (Vols. 1 and 2): English

- Report for Biennial Period, 2000-2001, Part II (Vols. 1 and 2): French
- Report for Biennial Period, 2000-2001, Part II (Vols. 1 and 2): Spanish
- Collective Volume of Scientific Papers, Vol. LIV (print ed copies and on CD)

## 11. Secretariat staff

In January 2002, Mrs. María José García-Orad Carles joined the Secretariat staff to fill a post in the Spanish Department. In July, Mrs. Cristel Navarret joined the Secretariat staff to fill a post in the French Department. In July, Mrs. Elisabeth Carel, of the French Department, ceased in her functions in slightly before her retirement date. In September, Dr. Julie M. Porter joined the Secretariat in the post of Scientific Editor. Ms. Africa Martín, administrative assistant, joined the Secretariat staff in November.

As of December 31, 2002, the Secretariat staff was comprised of the following: Executive Secretary (D-1), 1 Assistant Executive Secretary (P-5), 1 Scientific Editor (P-4), 1 Biostatistician (P-3), 1 Systems Analyst (P-3), 5 multi-lingual staff in the language departments (1 in GS-7 and 4 in GS-4) and 1 in the Statistics Department (GS-5), 4 Clerks (1 in GS-5, 1 in GS-2, and 2 in GS1), 2 local contracts (in the Statistics Department and Administration).

In addition, for the BETYP Program there is a Program Coordinator (P-4) and an accounting assistant charged to that Program's budget.

### ***Executive Secretary***

*Adolfo R. Lima*

### ***Assistant Executive Secretary***

*Victor R. Restrepo*

### ***Department of Statistics***

*Papa Kebe*

Department Head. Also responsible for the computer facilities and email management.

*Carlos Palma*

Biostatistician. Responsible for the development of the relational data bases and the analysis of trade statistics

*Jenny Cheatle*

Statistics Secretary. Also responsible for ASFA bibliographic entries and the maintenance of the compliance lists.

*Juan Luis Gallego*

Responsible for data entry and network backups.

### ***Publications Office***

*Julie M. Porter*

Scientific Editor. Responsible for the review and editing of the Secretariat publications.

### ***Department of Administration***

*Juan Antonio Moreno*

Responsible for financial and administrative matters. Also manages office equipment and supplies.

*Africa Martín*

Administrative assistant.

### ***Language Departments***

*Philomena M. Seidita* (English); *Christel Navarret* and *Christine Peyre* (French); *Marisa de Andrés* and *María José García-Orad* (Spanish): Mainly responsible for all translation work (reports, meeting announcements, etc). Among other tasks, they also share the responsibility of compiling the scientific documents for the *Collective Volume* series; the organization of the *Biennial Reports* (SCRS and Commission); maintain the files of correspondence with regional fisheries organizations; contacts with the Spanish Ministry of Foreign Affairs and the general archive; tracking the entry into force of the ICCAT regulations and the Statistical Document Programs, and the lists of the IUU fishing vessels.

### ***Reception***

*Felicidad García*

Receptionist. Also handles the logistical organization of the meetings.

### ***Mailing, Publications***

*Cristobal García*

Also responsible for the library and the archive of old documents.

*Juan Angel Moreno*

**List of ICCAT Secretariat Documents Prepared for the 2002 Meetings**

***2002 Standing Committee of Research and Statistics***

SCF001	Tentative Agenda, Standing Committee on Research and Statistics Organization of SCRS Meeting
SCF020	SCRS 2002 List of Documents
SEC/2002/017	Statistical Correspondents
SCRS/2002/037	Notes on the collection and provision of fisheries data related to tuna caging: a perspective from the ICCAT Secretariat - ICCAT Secretariat
SCRS/2002/055	On a proposed partnership between ICCAT and FIGIS-FIRMS - Restrepo, V. and C. Palma
SCRS/2002/101	Update of Bluefin Tuna Catch at Size Data Base - Statistics Department
SCRS/2002/110	ICCAT Relational Database System: Current Status and Future Development) - Palma, C.
SCRS/2002/135	Update of Atlantic Swordfish Catch-at-Size Data Base - Statistics Department
SCRS/2002/158	Update of the Atlantic Bigeye Tuna Catch at Size Data Base - Statistics Department
SCRS/2002/160	Use of Delay-Difference Models to Assess Atlantic Bigeye Tuna - Restrepo, V. and P. Pallarés
SCRS/2002/174	Report on the BETYP Activities from October 2001 up to September 2002 – Fisch, G.

***13<sup>th</sup> Special Meeting of the Commission***

PLE-001	Tentative Commission Agenda Annotated Agendas 13 <sup>th</sup> special Meeting of the Commission Guidelines for the Presentation of Documents/Drafts
PA1-002	Tentative Agenda for Panels 1 to 4
COC-003	Tentative Agenda of the Compliance Committee
PWG-004	Tentative Agenda of the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG)
STF-005	Tentative Agenda of the Standing Committee on Finance and Administration (STACFAD)
STF-008	2003 Budget and Contracting Party Contributions
STF-009	Proposed Changes to ICCAT Staff Regulations and Rules
COC-010	Compliance Tables and Notes on the Compliance Tables for 2002
COC-011	ICCAT Vessel Registry
COC-012	Information Submitted Through National Reports in Accordance with ICCAT Regulations
PWG-013	ICCAT Statistical Documents Programs: BFT, BET, SWO
PWG-014	Information Regarding the Chairman's Special Letters and Subsequent Responses, and a Summary of Historical Actions Taken by the Commission
PWG-015	Proposed Changes to the 2001 ICCAT List of LSTLVs Believed to be Engaged in IUU fishing
PLE-021	Proposed Process for Staffing of Executive Secretary of ICCAT
PLE-033	Panel Membership
PWG-035	Summary of Information for 2002 PWG Actions
STF-070	Projected BETYP Activities 2003-2004
PWG-075	List of Large-scale Longline Vessels Believed to be Engaged in Illegal, Unregulated and Unreported Fishing Activities in the ICCAT Convention Area and Other Areas (for approval by the Commission in 2002)
SEC/02/010	Compendium of Management Recommendations and Resolutions Adopted by ICCAT for the Conservation of Atlantic Tunas and Tuna-like Species
SEC/02/011	Revised Compendium of ICCAT Recommendations and Resolutions (Draft of Consolidated Text)
SEC/02/012	Secretariat's Report on Statistics and Coordination of Research in 2000-2001
SEC/02/014	Unreported Catch Estimates
SEC/02/015	2001 Financial Report
SEC/02/016	2001 Administrative Report

## 2002 FINANCIAL REPORT (SEC/2002/015)<sup>1</sup>

### 1. Auditor's Report - Fiscal Year 2001

The Executive Secretary transmitted a copy of the Auditor's Report to the governments of all the Contracting Parties in June 2002. The General Balance at the close of Fiscal year 2001 (**Statement 1**, attached) showed a balance in Cash and Bank of 39,640,216 Pesetas (238,242.50 €), corresponding to the available in the Working Capital fund of 22,682,069 Pesetas (136,321.98 €), to advances on future contributions accumulated at the close of Fiscal Year 2001 for a total of 834,148 Pesetas (5,013.33 €), and to the available in funds for other programs 16,123,999 Pesetas (96,907.19 €).

The accumulated pending contributions at the close of Fiscal Year 2001 (corresponding to 2001 and to previous years) amounted to 256,578,171 Pesetas (1,542,065.86€).

### 2. Financial status of the 1<sup>st</sup> half of the biennial budget - Fiscal Year 2002

All the financial operations of the Commission corresponding to Fiscal Year 2002 were maintained in Euros. The accounting entries that originated in U.S. dollars are also registered in Euros, applying the official exchange rates facilitated monthly by the United Nations.

The 2002 Regular Budget (1,615,001.55 €) was approved by the Commission at its 17<sup>th</sup> Regular Meeting (Murcia, Spain, November 2001). The General Balance Sheet (attached as **Statement 2**) shows the income and expenditures to the close of Fiscal Year 2002; details are provided in **Tables 1 to 6**.

**Table 1** shows the status of the contributions of each Contracting Party to the close of Fiscal Year 2002.

Of the total budget approved, income received towards 2002 contributions amounted to 1,085,701.82 € at the close of the fiscal year. Only 16 of the 31 Contracting Parties included in this Budget have paid their total contribution (Algeria, Barbados, Canada, Croatia, Equatorial Guinea, European Community, France-Overseas Territories, Japan, Korea, Libya, Namibia, Panama, Russia, South Africa, Tunisia, and the United States). Angola paid 99.74% of its 2002 contribution (20,914.04 €); the People's Republic of China paid 67.66% (29,297.51 €); Morocco paid 50.00% (21,416.00 €) and the United Kingdom (Overseas Territories) paid 69.28% (23,829.65 €). Advances received in 2001 from Korea (990.23 €) and Tunisia (4,023.10 €) have been applied toward partial payment of their 2002 contributions. Advances have also been received from Barbados (105.86 €), Korea (990.23 €), Japan (5,109.87 €) Libya (114,537.98 €), Namibia (30,715.89 €) and Tunisia (4,830.04 €), which will be applied to the payment of future contributions.

The contributions to the 2002 Regular Budget pending payment from the Contracting Parties as of the close of Fiscal Year 2002 amounted to 529,299.74 €, which represents 32.77% of the Budget.

The total accumulated debt from budgetary and extra-budgetary contributions at the close of Fiscal Year 2002 amounted to 1,865,190.10 €, which includes, among others, the extra-budgetary contributions from new Contracting Parties to the Commission, Mexico and Vanuatu, and the debt from Benin, Cuba and Senegal, which are no longer Contracting Parties to ICCAT.

**Table 2** shows the liquidation of budgetary expenses to the close of Fiscal Year 2002, broken down by chapters.

Following herewith are some general comments, by chapter:

**Chapter 1 - Salaries:** The salaries and remuneration for 12 members of the ICCAT Secretariat staff were charged to this chapter: one classified in D-1, one in P-5, one in G-7, one in G-5, four in G-4, one in G-2 and two in G-1, and one local contract.

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<sup>1</sup>The Financial Report presented at the 2002 meeting was revised and updated to the close of Fiscal Year 2002.

The total for Chapter 1 includes the updating of the remuneration schemes to those currently in effect for staff classified in the United Nations categories, including step (tenure) raises and the revision in salaries carried out in agreement with the Chairman of the Standing Committee on Finance and Administration (STACFAD) in July 2002, to update the salaries in accordance with the distribution of new responsibilities for the Secretariat staff. Also charged to this chapter was the final payment to Dr. P. M. Miyake for repatriation after his retirement as Assistant Executive Secretary.

**Chapter 2 - Travel:** The expenses charged to this Budget chapter amounted to 31,076.16 € and correspond to those for travel and per diem for Secretariat participation at the following meetings: inter-session meetings of the Commission (19,368.32 €), travel related to the preparation of the Commission meeting (4,048.84 €), travel to Contracting Parties relative to the Commission's work (1,361.36 €), trips of invited external experts (599.20 €), and trips to participate in meetings of other international organizations (5,698.44 €).

**Chapter 3 - Commission Meetings:** This chapter includes expenses of the Commission meeting in Bilbao. The Authorities of the Basque Government assumed the extraordinary expenses incurred due to holding the ICCAT annual meeting outside the headquarters city. Besides, they sent a special contribution of 18,030.00 € to meet the payment of unbudgeted expenses of this meeting.

**Chapter 4 - Publications:** Expenses charged to this chapter to the close of Fiscal Year 2002 included the purchase of material for publications: paper, toner (1,366.02 €); reproduction of publications (11,681.29 €); expenses for binding by a printing company of the following publications: Statistical Bulletin, Biennial Report, 2000-2001, Part II, Volumes 1 and 2, in the three official languages of the Commission, and the Collective Volume of Scientific Papers, 5 volumes (16,777.08 €).

**Chapter 5 - Office Equipment:** The expenses charged to this chapter to the end of Fiscal Year 2002 include the purchase of a Gestetner photocopier (6,493.57 €) and some furniture for the Secretariat (2,699.38 €).

**Chapter 6 - Operating Expenses:** The expenses charged to this chapter to the end of Fiscal Year 2002 amounted to 128,012.79 €, which correspond to communications: mail, phone, and fax (59,229.63 €), bank expenses (2,120.07 €), external audit (8,107.90 €), office maintenance contracts, garage rental, and office cleaning (26,386.36 €), representational expenses (10,684.40 €), and office material and document reproduction (21,484.43 €). The increase in expenditures in this chapter is due to the important increase in postal rates for the mailing of official ICCAT correspondence, to the increase in phone and fax rates and the rental of the Mita, Gestetner and Rank Xerox photocopiers.

**Chapter 7 - Miscellaneous:** This chapter includes various expenses of a minor nature, such as minor repairs at the Secretariat.

#### **Chapter 8 - Coordination of Statistics and Research:**

*A) Salaries:* Salaries and remuneration for five Secretariat staff members (one classified in P-4, two in P-3, one in G-5, and one local contract) were charged to this sub-chapter. The observations made under Chapter 1 as regards the salary schemes currently in force for 2002 for U.N. classified staff also apply to this sub-Chapter.

This sub-chapter also includes the salary and Spanish Social Security costs of one staff member who chose to continue in this special regime. Also included is the revision in salaries carried out in agreement with the Chairman of the Standing Committee on Finance and Administration (STACFAD) to update the salaries in accordance with the distribution of new responsibilities for the Secretariat staff.

*B) Travel to improve statistics:* Expenses charged to this sub-chapter to the close of Fiscal Year 2002 amounted to 16,961.52 € and correspond to travel and per diem for Secretariat participation in the following meetings: trips related to the SCRS inter-sessional meetings (6,964.43 €), travel to participate in meetings of other organizations (7,737.68 €), and travel to improve statistics (2,259.41 €).

*C) Statistics/Biology:* Expenses charged to this sub-Chapter to the close of Fiscal Year 2002 include external translation work and Secretariat staff overtime for the preparation of scientific meetings (14,234.93 €), the purchase of tagging materials from Floy Tag (3,248.00 €), work carried out for the preparation of the Revised Compendium of ICCAT Recommendations and Resolutions (18,025.00 €), and the payment of ICCAT tagging rewards (1,012.50 €).

*D) Computer-related items:* The amount incurred in this sub-chapter to the close of Fiscal Year 2002 amounted to 20,265.30 €, corresponding to the purchase of computers and memory expansion for one computer.

- *Data base maintenance:* At the close of Fiscal Year 2002, expenses charged for this item amounted to 15,749.90 €, corresponding to the purchase of computers (12,949.60 €), the renewal of the MSDN subscription (2,461.00 €), and the acquisition of Acrobat software (339.30€)
- *Telephone line/Internet domain:* Expenses incurred to the end of Fiscal Year 2002 for this item amounted to 11,575.66€, corresponding to connection fees and Internet maintenance.

*E) Scientific meetings (including SCRS):* Expenses charged to this sub-chapter amounted to 63,298.54 €, and corresponding to the annual SCRS meeting in Madrid. This amount includes the payment to the Hotel Reina Victoria (where the plenary sessions of this scientific committee were held), payment for the interpreters, sound equipment, Secretariat staff overtime, and diverse material for the meetings.

*F) Bluefin Year Program (BYP):* The Contracting Parties financed a budget of 13,618.93 € as an ICCAT budgetary contribution towards this Program. Chinese Taipei sent a contribution in November 2002 amounting to US\$ 5,000 (5,085.00 €), which increased the Program funds for use towards 2003 activities. The breakdown of the deposits and expenses is given in the table concerning this Program.

*G) Bigeye Year Program (BETYP):* The Contracting Parties decided not to allocate any special contribution to the Program this year. The breakdown of deposits and expenditures is given in Appendix 5 to the 2002 SCRS Report, prepared by the BETYP Program Coordinator.

*H) Billfish Research Program:* The Contracting Parties financed a budget of 10,523.72 € as an ICCAT budgetary contribution towards this Program. Chinese Taipei sent a contribution in November 2002 amounting to US\$ 5,000 (5,085.00 €), which increased the Program funds for use towards 2003 activities. The Program fund was also incremented by a contribution of US\$ 2,500 (2,522.50 €) from the Billfish Tournament Network in December 2002. The breakdown of deposits and expenditures is shown in the table regarding this Program.

*I) Miscellaneous:* As of the close of Fiscal Year 2002, there were no expenses charged to this sub-chapter.

**Chapter 9 - Contingencies:** The expenditure incurred in this chapter as of the close of Fiscal Year 2002 amounted to 21,831.29 € and corresponded to the final liquidation to Mrs. Elisabeth Carel, who left the Secretariat, and to the installation expenses of Dr. Julie Porter, the new ICCAT Scientific Editor.

**Table 3** shows budgetary and extra-budgetary income received by the Commission during Fiscal Year 2002. Budgetary income amounted to 1,080,688.49 €, from Contracting Party contributions paid in 2002 towards the 2002 Budget, from contributions corresponding to previous budgets paid by South Africa (14.81 €), Angola (416.74 €), United Kingdom-Overseas Territories (2,407.53 €), Namibia (29.41 €), Ghana (65,522.80 €), People's Republic of China (702.49 €), Brazil (39,630.12 €), Russia (17.24 €), and Equatorial Guinea (79,494.35 €), and from other income (extra-budgetary) received in 2002.

This extra-budgetary income received during this year included: contributions from Barbados (11,045.86 €), Mexico (30,536.77 €), Honduras (10,220.00 €) and Iceland (6,611.42); observer fees; voluntary contribution from the Basque Government; bank interest; return of Value Added Tax (VAT), reimbursement for publications; contribution from Japan (Tokyo meetings) and positive differences in currency exchange.

**Table 4** shows the composition and balance of the Working Capital Fund at the close of Fiscal Year 2002. The Fund shows a positive accounting balance of 51,145.80 €, which represents 3.17% of the 2002 Budget. The percentage of the annual budget that corresponds to this Fund has been decreasing in recent years, mainly because the Commission only receives, on average, 70-75% of the budgetary contributions.

**Table 5** shows cash flow during Fiscal Year 2002, as regards income received and expenses incurred.

**Table 6** shows the status of Cash and Bank to the close of Fiscal Year 2002, with a balance of 297,564.37 €, which correspond to the total available in the Working Capital Fund (51,145.80 €) as well as the funds available for other Programs (90,128.70 €), and advances on future contributions (156,289.87 €).

**3. Billfish Research Program**

	<i>Euros</i>	
<b>Balance at start of Fiscal Year 2002</b>		<b>33,218.09</b>
<b>DEPOSITS</b>		
Financed by ICCAT	10,523.72	
Contribution from Chinese Taipei	5,085.00	
Contribution from Billfish Tournament Network	<u>2,522.50</u>	
<b>Total Deposits</b>		<b>18,131.22</b>
<b>EXPENSES</b>		
Program expenses	19,192.18	
Bank charges	<u>113.33</u>	
<b>Total Expenses</b>		<b>-19,305.51</b>
<b>BALANCE AT CLOSE OF FISCAL YEAR 2002</b>		<b>32,043.80</b>

**4. Bluefin Year Program (BYP)**

	<i>Euros</i>	
<b>Balance at start of Fiscal Year 2002</b>		<b>63,689.10</b>
<b>DEPOSITS</b>		
Financed by ICCAT	13,618.93	
Contribution from Chinese Taipei	<u>5,085.00</u>	
<b>Total Deposits</b>		<b>18,703.93</b>
<b>EXPENSES</b>		
Program expenses	24,292.86	
Bank charges	<u>15.27</u>	
<b>Total Expenses</b>		<b>-24,308.13</b>
<b>BALANCE AT CLOSE OF FISCAL YEAR 2002</b>		<b>58,084.90</b>

**5. ICCAT inter-sessional meetings in Japan**

The Government of Japan invited and assumed the expenses for the ICCAT *Ad Hoc* Working Group on Measures to Combat IUU Fishing (Tokyo, May 27 to 30) and the Second Meeting of the ICCAT Working Group to Develop Integrated Monitoring Measures (Tokyo, May 30 to June 1). The breakdown is as follows:

<b>INCOME</b>	
Special contribution from Japan	US\$75,962.00
Contribution from Japan left over from Murcia Criteria Meeting	<u>15,000.00</u>
<b>Total Income</b>	<b>90,962.00</b>
<b>EXPENSES</b>	
<b>Total Expenses</b>	<b><u>-85,897.71</u> *</b>
<b>BALANCE AVAILABLE</b>	<b>US\$ 5,064.29</b>

<sup>7</sup> The expenses included the following: Interpreters' honorariums, travel and per diem, Secretariat staff travel, per diem and overtime, bank expenses, payment to Hoso Service Center (Japan) and payment of international communications (Japan).

In accordance with instructions from the Delegate of Japan, the remaining balance will be applied toward Japan's 2003 contribution to ICCAT.

**STATEMENT 2. GENERAL BALANCE AT THE CLOSE OF FISCAL YEAR 2002 (Euros)**

<i>ASSETS</i>			<i>LIABILITY</i>
<b>Available:</b>			<i>Euros</i>
			Acquired holdings (net)
<b>BBVA:</b>			
Acct. 0200176725 (Euros)			5,621.43
Acct. 0200173290 (Euros)			97,205.79
Acct. 2010012035 (US\$)	\$ 153,398.45		154,779.04
<b>Barclays:</b>			Available in funds for Programs:
Acct. 21000545 (Euros)			30,445.21
Acct. 41000347 (US\$)	\$ 6,959.25		7,021.88
<b>Banco Luso Español:</b>			- Billfish Research Program
Acct. 0150255223 (Euros)			2,040.26
			- Bluefin Year Program (BYP)
			Advances on future contributions
Cash on hand (Pesetas)			450.76
<b>Total Available (Euros)</b>			Accumulated pending contributions
(Exchange rate: 1US\$ = 1.009 Euros)			<b>297,564.37</b>
<b>Receivables:</b>			
Past due contributions			<b>1,865,190.10</b>
<b>Fixed Assets:</b>			
Acquired before 2002		190,577.24	
Acquired during 2002		16,124.70	
Retired during 2002		0.00	
<b>Total Fixed Assets, in use</b>		<b>206,701.94</b>	
Accumulated depreciation		-143,335.87	
Fixed Assets (net)			<b>63,366.07</b>
<b>Guaranty deposit</b>			<b>370.01</b>
<b>TOTAL ASSETS</b>			<b>2,226,490.55</b>
			<b>TOTAL LIABILITIES</b>

**TABLE 1. STATUS OF CONTRACTING PARTY CONTRIBUTIONS (Euros) (to the close of Fiscal Year 2002)**

<i>Contracting Party</i>	<i>Balance due at start of Fiscal Year 2002</i>	<i>2002 Contracting Party contributions</i>	<i>Contributions paid in 2002 or applied to the 2002 Budget</i>	<i>Contri in 2 o</i>
<b>A) Regular Commission Budget:</b>				
Algeria	0.00	30,500.93	30,500.93	
Angola	416.74	20,969.04	20,914.04	
Barbados <sup>(1)</sup>	0.00	7,244.92	7,244.92	
Brazil	166,549.28	99,286.28	0.00	
Canada	0.00	30,133.31	30,133.31	
Cape Verde	180,045.65	19,891.73	0.00	
China, People's Rep.	702.49	43,303.47	29,297.51	
Côte d'Ivoire	0.00	22,974.92	0.00	
Croatia	0.00	15,613.19	15,613.19	
European Community	0.00	502,557.55	502,557.55	
Equatorial Guinea	79,494.35	6,787.79	6,787.79	
France (St.Pierre & Miquelon)	0.00	20,364.82	20,364.82	
Gabon	75,999.50	14,504.26	0.00	
Ghana	584,940.94	197,800.63	0.00	
Guinea Conakry	58,071.65	6,787.79	0.00	
Honduras	0.00	6,787.79	0.00	
Japan <sup>(3)</sup>	0.00	85,357.82	85,357.82	
Korea <sup>(2)</sup>	0.00	20,762.83	20,762.83	
Libya <sup>(4)</sup>	0.00	24,605.86	24,605.86	
Morocco	0.00	42,830.48	21,416.00	
Namibia <sup>(5)</sup>	29.41	30,701.48	30,701.48	
Panama	0.00	24,927.44	24,927.44	
Russia	17.24	22,617.18	22,617.18	
Sao Tome & Principe	86,517.25	13,670.76	0.00	
South Africa	14.81	28,323.45	28,323.45	
Trinidad & Tobago	4,525.50	23,969.92	0.00	
Tunisia <sup>(6)</sup>	0.00	24,201.99	24,201.99	
United Kingdom (Overseas Territories)	2,407.53	34,397.54	23,829.65	
United States	0.00	115,544.06	115,544.06	
Uruguay	29,960.39	14,942.64	0.00	
Venezuela	73,750.65	62,639.69	0.00	
<i>Sub-total (A)</i>	<i>1,343,443.38</i>	<i>1,615,001.56</i>	<i>1,085,701.82</i>	
<b>B) New Contracting Parties:</b>				
Barbados (13-Dec-2000)	11,045.86	0.00	0.00	
Honduras (30-Jan-2001)	25,157.00	0.00	0.00	
Mexico (24-May-2002)	0.00	30,567.34	30,536.77	
Iceland (30-Oct-2002)	0.00	6,611.42	6,611.42	
Vanuatu (25-Oct-2002)	0.00	3,295.28	0.00	
<i>Sub-total (B)</i>	<i>36,202.86</i>	<i>40,474.04</i>	<i>37,148.19</i>	
<b>C) Withdrawals of Contracting Parties:</b>				
Benin (31-Dec-1994)	50,508.83	0.00	0.00	
Cuba (31-Dec-1991)	66,317.48	0.00	0.00	
Senegal (31-Dec-1988)	45,593.31	0.00	0.00	
<i>Sub-total (C)</i>	<i>162,419.62</i>	<i>0.00</i>	<i>0.00</i>	
<b>TOTAL (A+B+C):</b>	<b>1,542,065.86</b>	<b>1,655,475.60</b>	<b>1,122,850.01</b>	

(1) Advance from Barbados (105.86 €) will be applied towards payment of future contributions.

(2) Advance from Korea received in 2001 (990.23 €) has been applied in its entirety towards partial payment of its 2002 contribution. An advance of 990.23 € has also been received, which will be applied to

(3) Advance from Japan (5,109.87 €) (surplus from the ICCAT inter-sessional meetings in Japan), which will be applied towards payment of future contributions, in accordance with instructions from the He

(4) Advance from Libya (114,537.98 €) will be applied towards the payment of future contributions.

(5) Advance from Namibia (30,715.89 €) will be applied towards payment of future contributions.

(6) Advance from Tunisia received in 2001 (4,023.10 €) has been applied in its entirety towards partial payment of its 2002 contribution. An advance of 4,830.04 € has also been received, which will be app

**TABLE 2. LIQUIDATION OF BUDGETARY & EXTRA-BUDGETARY EXPENDITURES (Euros) (to the close of Fiscal Year 2002)**

<i>Chapters</i>	<i>2002 Budget</i>	<i>Expenditures to the end of Fiscal Year 2002</i>
<b>1. Budget and budgetary expenditures:</b>		
Chapter 1. Salaries	691,753.89	646,594.60
Chapter 2. Travel	40,237.76	31,076.16
Chapter 3. Commission Meetings (annual & inter-sessional)	108,182.18	105,261.09
Chapter 4. Publications	48,982.48	29,824.39
Chapter 5. Office Equipment	7,512.65	9,192.95
Chapter 6. Operating Expenses	105,177.12	128,012.79
Chapter 7. Miscellaneous	<u>6,010.12</u>	<u>5,480.34</u>
<i>Sub-total Chapters 1-7</i>	<i>1,007,856.20</i>	<i>955,442.32</i>
Chapter 8. Statistics and Research		
8A- Salaries	367,419.65	321,031.85
8B- Travel to improve statistics	34,047.34	16,961.52
8C- Statistics/Biology	42,972.37	36,520.43
8D- Computer-related items	21,666.49	20,265.30
- Data base maintenance	15,025.30	15,749.90
- Telephone line/Internet Domain	9,015.18	11,575.66
8E- Scientific meetings (including SCRS)	72,121.45	63,298.54
8F- Bluefin Year Program (BYP)	13,618.93	13,618.93
8G- Bigeye Year Program (BETYP)	0.00	0.00
8H- Billfish Research Program	10,523.72	10,523.72
8I- Miscellaneous	<u>5,709.62</u>	<u>0.00</u>
<i>Sub-total Chapter 8</i>	<i>592,120.05</i>	<i>509,545.85</i>
Chapter 9. Contingencies	<u>15,025.30</u>	<u>21,831.29</u>
<b>TOTAL BUDGETARY EXPENDITURES (Chapters 1 to 9)</b>	<b><u>1,615,001.55</u></b>	<b><u>1,486,819.46</u></b>
<b>2. Extra-budgetary expenditures</b>		
Expenses Meeting in Japan		92,226.75
Negative difference in currency exchange		13,434.57
<b>TOTAL EXTRA-BUDGETARY EXPENDITURES</b>		<b>105,661.32</b>
<b>TOTAL EXPENDITURES INCURRED IN 2002</b>		<b><u>1,592,480.78</u></b>

**TABLE 3. BUDGETARY & EXTRA-BUDGETARY INCOME RECEIVED (Euros) (to the close of Fiscal Year 2002)**

<b>1.1 Contributions received in 2002 towards the 2002 Budget:</b>		
Libya	(23 January)	24,605.86
South Africa	(07 March)	28,323.45
Canada	(02 April)	30,133.31
Japan	(17 April)	85,357.82
Barbados	(19 April/ 27 September)	7,244.92
France (St. Pierre & Miquelon)	(09 May)	20,364.82
United States	(14 May)	115,544.06
Angola	(14 May)	20,914.04
United Kingdom (Overseas Territories)	(21 May/ 1 & 3 July)	23,829.65
Namibia	(28 May)	30,701.48
Tunisia	(31 May)	20,178.89
European Community	(26 June)	502,557.55
Algeria	(01 July)	30,500.93
Korea	(29 July)	19,772.60
China, People's Rep.	(09 September)	29,297.51
Panama	(16 September)	24,927.44
Croatia	(18 September)	15,613.19
Morocco	(28 October)	21,416.00
Russia	(28 October)	22,617.18
Equatorial Guinea	(30 December)	6,787.79
<b>1.2 Contributions received in 2002 towards previous budgets:</b>		
South Africa	(07 March)	14.81
Angola	(09 May)	416.74
United Kingdom (Overseas Territories)	(21 May)	2,407.53
Namibia	(28 May)	29.41
Ghana	(19 August/29 November)	65,522.80
China, People's Rep.	(09 September)	702.49
Brazil	(28 October)	39,630.12
Russia	(28 October)	17.24
Equatorial Guinea	(30 December)	79,494.35
<b>1.3 Extra-budgetary contributions from new Contracting Parties received in 2002:</b>		
Barbados	(19 April)	11,045.86
Mexico	(28 October)	30,536.77
Honduras	(29 October)	10,220.00
Iceland	(23 December)	6,611.42
<b>1.4 Other extra-budgetary income:</b>		
Observer fees at ICCAT Meetings		52,909.38
Voluntary contributions (Basque Government)		18,030.00
Bank interest		943.55
Refund from VAT		3,891.27
Reimbursement for publications		319.29
Contribution from Japan (Tokyo Meeting)		92,226.75
Positive differences in currency exchange		6,633.00

**TOTAL INCOME RECEIVED IN 2002**

**TABLE 4. COMPOSITION AND BALANCE OF THE WORKING CAPITAL FUND (Euros) (at the close of Fiscal Year 200**

Balance available in the Working Capital Fund (at the start of Fiscal year 2002)

**a) Liquidation of income and expenditures of the Budget for Fiscal Year 2002**

*Deposits:*

- Contributions paid in 2002 and/or in advance for application  
to the 2002 Budget 1,085,701.82

*Deductions:*

- Real budgeted expenditures (Chapters 1 to 9) in Fiscal Year 2002 -1,486,819.46

**b) Other income and expenditures not included in Budget for Fiscal Year 2002**

*Deposits:*

- Extra-budgetary contributions paid in 2002 towards previous budgets 188,235.49  
- Extra-budgetary contributions from new Contracting Parties 58,414.05  
- Other extra-budgetary income 174,953.24  
421,602.78

*Deductions:*

- Extra-budgetary expenditures -105,661.32

**BALANCE AVAILABLE AT THE CLOSE OF FISCAL YEAR 2002**

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**TABLE 5. CASH FLOW (to the close of Fiscal Year 2002) (Euros)**

<i>INCOME &amp; ORIGIN</i>			<i>EXPENSES &amp; APPLICATION</i>
Balance in Cash and Bank (at the start of Fiscal Year 2002)		<b>238,242.50</b>	Available in Program funds at the close of Fiscal applied in Fiscal Year 2002
<b>Income:</b>			
Contributions paid in 2002 and/or in advance for their application to the 2002 Budget	1,085,701.82		Advances on contributions to the close of Fiscal y applied in Fiscal Year 2002
Contributions pending from previous budgets paid in 2002	188,235.49		Budgetary expenses for Fiscal Year 2002 (Chapte Extra-budgetary expenses
Extra-budgetary contributions from new Contracting Parties received in 2002	58,414.05		<b>Available at the close of Fiscal Year 2002:</b>
Other extra-budgetary income received in 2002	174,953.24		Available in the Working Capital Fund
Advances on future contributions received in 2002 (Barbados, Korea, Japan, Libya, Namibia and Tunisia)	<u>156,289.87</u>	<b>1,663,594.47</b>	Advances received pending application to future c at the close of Fiscal Year 2002 (Barbados, Korea, Japan, Libya, Namibia and Ti
<b>Balance at close of Fiscal Year 2002 for Programs:</b>			<b>Available in Programs:</b>
Billfish Research Program	32,043.80		Billfish Research Program
Bluefin Year Program (BYP)	<u>58,084.90</u>	<b>90,128.70</b>	Bluefin Year Program (BYP)
<b>TOTAL INCOME &amp; ORIGIN</b>		<b>1,991,965.67</b>	<b>TOTAL EXPENSES &amp; APPLICATION</b>

**TABLE 6. STATUS OF CASH & BANK (at the close of Fiscal Year 2002) (Euros)**

<i>SUMMARY</i>		<i>BREAKDOWN</i>
Balance in Cash and Bank	297,564.37	Available in the Working Capital Fund
		Total advances received
		Available in Funds for other Programs
<b>TOTAL CASH IN CASH &amp; BANK</b>	<b>297,564.37</b>	<b>TOTAL AVAILABLE</b>

**PROCEEDINGS OF THE 13<sup>TH</sup> SPECIAL MEETING OF THE INTERNATIONAL COMMISSION  
FOR THE CONSERVATION OF ATLANTIC TUNAS**

*(Bilbao, Spain – October 28 to November 4, 2002)*

**1. Opening of the meeting**

1.1 The 13<sup>th</sup> Special Meeting of the Commission was opened on Monday, October 28, 2002, by the new Chairman, Mr. Masanori Miyahara. He welcomed the participants, emphasized the importance of completing our work this year and suggested that the beautiful city of Bilbao could provide the needed inspiration to improve the way we do our work. Mr. Miyahara introduced Mr. Gonzalo Saenz de Samaniego Berganza, Minister of Agriculture and Fisheries of the Basque Government.

1.2 Mr. Saenz de Samaniego indicated that the Basque Authority is pleased to host the 13<sup>th</sup> Special Meeting of the Commission, and welcomed all delegates to Bilbao. He drew attention to the importance of commercial fisheries to the Basque Country, and also stressed the need for good sound scientific knowledge as the foundation of the work in ICCAT. He emphasized that the Basque Authority wishes to contribute and cooperate in the activities of ICCAT. He reiterated his welcome and hoped that the delegates enjoyed their stay in Bilbao.

1.3 Following the departure of the Minister, Mr. Miyahara welcomed Mexico as a new member of ICCAT. He then outlined his goal to ensure that as much time as possible be devoted to substantive issues. To that end, he outlined four items: (1) given the large number of stocks under review this year, priorities must be established; (2) to facilitate the establishment of priorities and to streamline the meeting progress, he would like to call Meetings of Heads of Delegation, and Meetings of Chairs; (3) the schedule will be adhered to so that time outside the formal meetings can be effectively used; and (4) all draft Resolutions and Recommendations must be received by the end of Saturday, though if there are still serious issues pending and a meeting of Head Delegates deems necessary, this deadline will be extended to 5 pm on Sunday for the identified one or two issues.

1.4 The introductory and opening addresses of the Commission Chairman and the Minister are attached as **ANNEX 1**.

**2. Adoption of Agenda and arrangements**

2.1 The Agenda, which had been circulated previously, was reviewed. It was agreed to move the use of the objection procedure to Other Matters, and a new item regarding by-catch was also added to Other Matters. This revised Agenda (**ANNEX 2**) was adopted by consensus.

2.2 The Chairman then reviewed the schedule of work and presented a revised schedule. This was agreed to by the Plenary. The final schedule of work can be seen in **ANNEX 2**.

2.3 Ms. A. Saunders (Canada) was nominated to serve as Rapporteur for items 7 and 16.1. The Secretariat served as Rapporteur for all other Agenda items.

**3. Introduction of Contracting Party Delegations**

3.1 The Chairman suggested in accordance with his aim to streamline the proceedings, that there would be no verbal opening statements by Contracting Parties, though the Chairman indicated that delegates could submit opening statements to be attached to the report (see **ANNEX 4.1**). The following Contracting Parties were in attendance: Algeria, Angola, Brazil, Canada, People's Republic of China, Côte d'Ivoire, Croatia, Equatorial Guinea, European Community, France (St. Pierre and Miquelon), Ghana, Honduras, Iceland, Japan, Korea, Mexico, Morocco, Namibia, Russian Federation, Sao Tome & Principe, South Africa, Trinidad and Tobago, Tunisia, United Kingdom (Overseas Territories), United States of America, and Venezuela. On October 30, FAO provided notification that Iceland had become a member. The List of Participants is attached as **ANNEX 3**.

3.2 During the opening session, the Delegate of Mexico briefly spoke, as new members. He indicated how pleased Mexico is to be a Contracting Party after many years of collaborating with ICCAT. Mexico recognizes the important challenges facing the Commission, and emphasized the rights of coastal states, sustainable

development of living resources in the Atlantic, and Mexico's interest especially in the North Atlantic swordfish fishery.

#### **4. Introduction and admission of Observers**

Again, there were no opening statements by Observers, though the Chairman indicated that Observers could submit opening statements to be attached to the report (see **ANNEX 4.2-4.4**). The Executive Secretary identified the observers in attendance. Delegates from Chinese Taipei and the Philippines as Cooperating non-Contracting Parties, Entities or Fishing Entities were admitted as Observers. Observers were also admitted from Belize, Cuba, Denmark (in respect of the Faroe Islands), Indonesia, Malta, Netherlands Antilles, Norway, Seychelles, St. Vincent and the Grenadines, Turkey, and Vanuatu, and from CARICOM, International Council for the Exploration of the Sea, International Whaling Commission, Greenpeace, ITSAS Geroa, Ocean Wildlife Campaign, Wrigley Institute of Environmental Studies, and the World Wildlife Fund. FAO was also in attendance. The list of Observers is included in the List of Participants (**ANNEX 3**).

#### **5. Report of the Working Group to Develop Integrated Monitoring Measures**

##### *– Consideration of the General Outline*

5.1 This Agenda item was deferred to the Compliance Committee.

5.2 During the Second Plenary Session, the Report of the Working Group to Develop Integrated Monitoring Measures (see **ANNEX 6**), including the *General Outline of Integrated Monitoring Measures* (see **ANNEX 7**), was adopted by consensus.

##### *– Future plans*

5.3 During the Final Plenary Session, the Chairman of the Compliance Committee, Mr. F. Wieland, noted that the report of the Working Group to Develop Integrated Monitoring Measures (Tokyo, May 2002) indicated that while progress has been made, the task given to the Working Group has not yet been completed. It was therefore proposed that the Commission authorize the Working Group to Develop Integrated Monitoring Measures to continue its work in 2003. The Commission agreed, and the European Community informed the Plenary that they would be pleased to host an inter-sessional meeting in late May or early June 2003.

#### **6. Report of the Working Group to Develop Measures to Combat IUU Fishing**

##### *– Consideration of recommendations proposed by the Working Group*

6.1 During the Opening Plenary Session, this Agenda item was deferred to the Permanent Working Group. However, it was noted that a joint session of the Compliance Committee and the PWG would be useful, and the Chairman agreed to make the arrangements.

6.2 During the Second Plenary Session, the Report of the Working Group to Develop Measures to Combat IUU Fishing (see **ANNEX 5**) was adopted by consensus. The Chairman indicated that the future plans of this group would be discussed at a later session.

6.3 During the Final Plenary Session, the Chairman of the Compliance Committee, Mr. F. Wieland, reported on the very productive work of the 2002 Joint Meeting of the Compliance Committee and the Permanent Working Group (see **ANNEX 12**).

6.4 The Commission adopted the following Recommendations and Resolutions, by consensus:

- *Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels Over 24 Meters Authorized to Operate in the Convention Area* (**ANNEX 8.22**)
- *Recommendation by ICCAT to Establish a List of Vessels Presumed to Have Carried Out Illegal, Unreported and Unregulated Fishing Activities in the ICCAT Convention Area* (**ANNEX 8.23**)

- *Resolution by ICCAT Concerning the Implementation of the Recommendation Concerning the ICCAT Record of Vessels (ANNEX 8.24)*
- *Resolution by ICCAT Concerning the Measures to Prevent the Laundering of Catches by Illegal, Unreported and Unregulated (IUU) Large-Scale Tuna Longline Fishing Vessels (ANNEX 8.25)*
- *Resolution by ICCAT Concerning Cooperative Actions to Eliminate Illegal, Unreported and Unregulated Fishing Activities by Large-Scale Tuna Longline Vessels (ANNEX 8.26)*
- *Resolution by ICCAT Regarding Process and Criteria For ICCAT IUU Trade Restrictive Measures (ANNEX 8.27)*

6.5 Statements by Japan, regarding the Recommendation concerning the Record of ICCAT Vessels (see ANNEX 8.22) as well as the Recommendation concerning the List of IUU Vessels (see ANNEX 8.23) are attached in ANNEX 4.6.

– *Future plans*

6.6 The *Resolution by ICCAT Regarding Process and Criteria For ICCAT Illegal, Unreported And Unregulated Trade Restrictive Measures* (see ANNEX 8.27) adopted by the Commission, proposes an inter-sessional meeting in 2003, to further develop criteria and procedures for the fair, transparent and consistent application of ICCAT measures, including trade restrictive measures, to prevent, deter and eliminate illegal, unreported and unregulated fishing. It was recommended that this meeting be held in conjunction with another inter-sessional meeting. The European Community informed the Plenary that they would also be pleased to host this inter-sessional meeting in late May or early June 2003 in conjunction with the inter-sessional meeting discussed under Agenda item 5. Three documents that were presented at the 2002 Commission meeting have been deferred until the aforementioned inter-sessional meeting (see ANNEX 9):

- Draft Resolution by ICCAT for a Bluefin Tuna, Swordfish and Bigeye Tuna Action Plan (see ANNEX 9.1).
- Draft Resolution by ICCAT Concerning Compliance in the Fisheries of Bluefin Tuna, Swordfish and Bigeye Tuna (see ANNEX 9.2).
- Draft Resolution by ICCAT on the Introduction of Supplementary Procedure on ICCAT Trade-related Schemes (and the accompanying Explanatory Memorandum) (see ANNEX 9.3).

6.7 It was agreed that the Report of the Joint Meeting of the Compliance Committee and the PWG would be adopted by mail. The Report, as adopted, is attached as ANNEX 12.

## **7. Management procedures**

– *Consideration of proposals to regulate vessel chartering*

7.1 During the Opening Plenary Session, the Commission Chairman had noted that there were two proposals regarding the regulation of vessel charters discussed in 2001, and he had asked Delegates to come up with a single proposal that was discussed in the Third Plenary Session.

7.2 The Delegate of France (in respect of St. Pierre & Miquelon) presented a draft Recommendation on vessel chartering. He noted that the purpose of the recommendation was to allow chartering within the framework of fisheries development and to ensure that ICCAT measures would be respected during chartering activities. He stated that while the proposal was made jointly with Canada, there had also been consultations with other delegations. Namibia questioned the reference to chartering arrangements being consistent with a “development schedule of the chartering nation.” At the suggestion of the United Kingdom (in respect of its Overseas Territories) this was resolved by removing the reference to chartering arrangement periods being “as short as possible.” Concern was also expressed by Brazil and Namibia that the proposal excluded the possibility of chartering vessels from responsible non-Contracting Parties. The United States, France (St. Pierre & Miquelon) and the EC all highlighted the need for the flag Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities of chartered vessels to be required to apply ICCAT conservation and management measures. The EC also questioned what criteria would be used to determine members of this new category of “responsible” non-Contracting Parties. These concerns were resolved by the addition of language in paragraph 3 requiring non-Contracting Parties providing vessels for chartering to agree to apply ICCAT conservation and management measures and, in paragraph 13, the obligation on flag Contracting Parties and

Cooperating non-Contracting Parties, Entities or Fishing Entities to notify this agreement to ICCAT's Executive Secretary at the time the chartering arrangement is made. With the additional notation in paragraph 3, at the suggestion of Canada, that all flag Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities concerned are required to effectively exercise their duty to control their vessels to ensure compliance with ICCAT measures, the text was accepted. However, adoption was postponed pending discussion of other proposals.

7.3 During the Final Plenary Session, the Commission adopted the following Recommendation on vessel chartering, by consensus:

– *Recommendation by ICCAT on Vessel Chartering (ANNEX 8.21)*

## **8. Report of the Standing Committee on Research and Statistics (SCRS)**

8.1 The Chairman requested that the SCRS Chairman present the stock assessment results in the relevant Panels. He asked that a brief review of the general recommendations be presented and discussed in the Second Plenary Session.

8.2 The Report of the Standing Committee on Research and Statistics was presented by Dr. J. Pereira, SCRS Chairman. Dr. Pereira explained that 2002 had been a year with a very heavy assessment load. There were assessments for white marlin, East and West Atlantic bluefin tuna, North and South Atlantic swordfish, and Atlantic bigeye tuna.

8.3 In addition, the 6<sup>th</sup> GFCM/ICCAT Meeting on Stocks of Large Pelagic Fishes in the Mediterranean was held in Malta. This joint session focused on updating the Mediterranean data, in particular bluefin tuna. The SCRS Chairman explained that were a number of recommendations from the GFCM/ICCAT meeting that were adopted by the SCRS. The Chairman stressed to the Commission that it is very important for ICCAT to obtain tuna farming data in order to compile more complete tuna catch statistics and thus to conduct adequate stock assessments. He explained that the Committee recommended that the Commission take immediate action to establish reporting procedures for all countries involved, either in the capture of tunas destined for farming or in the practice of farming itself.

8.4 Dr. Pereira also explained that the *Ad Hoc* Working Group on SCRS Organization met and, among other topics, discussed the usefulness of peer review in improving the quality of the work of the SCRS. The *Ad Hoc* Working Group also proposed the work schedule for 2003-2005, which was adopted by the SCRS and is contained in Section 18.1 of the SCRS Report.

8.5 Dr. Pereira reported on the special research programs: the Bigeye Tuna Year Program (BETYP), the Bluefin Tuna Year Program (BYP), and the Enhanced Research Program for Billfish. All three programs have made substantial improvement on the knowledge of these species and the Chairman referred the Commission to the results and budgets of these programs contained in the SCRS Report.

8.6 The SCRS Chairman also informed the Commission that the Reports of the Sub-Committees on Environment, By-Catch, and Statistics are appended to the SCRS Report. The SCRS plans a special workshop on the influence of the Environment on Tuna in 2004. The Sub-Committee on By-Catch plans to conduct stock assessments for two shark species in 2004; and the Sub-Committee on Statistics plans two meetings to improve statistics in 2003 (Ghanaian statistics, data exchange and ageing protocols).

8.7 Dr. Pereira explained that the entire suite of recommendations from the SCRS could be found in the various Detailed Reports and meeting reports, and that those with direct implications for the Commission could be found in Section 16 of the SCRS Report. Without going into the details of all of the recommendations highlighted in the SCRS Report, the SCRS Chairman did note that if the research recommendations are to be carried out, this will mean an increased workload for both national scientists and for the Secretariat. Dr. Pereira made a plea to Commissioners to provide the necessary financial and human resources to do the work. He also emphasized that the Commission should facilitate scientists in accessing the necessary data.

8.8 The 2003 meeting schedule includes assessments for Mediterranean swordfish, yellowfin, and North and South Atlantic albacore. In addition there will be a meeting to investigate the interactions between fishing gear and fish habitat with regards to their influences on catch rates.

8.9 The SCRS Chairman again referred the Commission to the complete SCRS Report for all of the details of the SCRS deliberations.

8.10 Many Delegates congratulated the SCRS Chairman on the high standard of work of the SCRS, and for the clear advice in the SCRS Report.

8.11 There was, however, considerable discussion about the need for good statistics in order to do the work of the SCRS. The Delegate of Canada noted that of the six assessments conducted in 2002, two (South Atlantic Swordfish and East Atlantic Bluefin Tuna) could not complete analytical assessments because of a lack of data. This lack of data affects the work of the Commission, and the ability to put appropriate management measures in place. Canada's full statement is attached in **ANNEX 4.6**. Several other Delegates emphasized that providing accurate data in a timely fashion is a fundamental responsibility of fleets. The absence of good data results in increased uncertainty in the ICCAT stock assessments, and means the Commission has to work under heavy uncertainty.

8.12 The Chairman of the Commission extended his heartfelt thanks to the SCRS for its excellent work, and the SCRS Report was adopted by consensus. (see *Report for Biennial Period, 2002-03, Part I (2002), Vol. 2*).

## **9. Report of the Compliance Committee and consideration of any proposed recommendations therein**

9.1 During the Final Plenary Session, Mr. F. Wieland, Chairman of the Compliance Committee, indicated that the topics of integrated monitoring measures and illegal, unreported and unregulated fishing activities had been summarized under Agenda items 5 and 6. The Compliance Committee further reviewed National Reports, and the issue of satellite vessel monitoring systems (VMS) was deferred to the proposed inter-sessional meeting of the Working Group on Integrated Monitoring Measures (see Agenda item 5).

9.2 Mr. Wieland explained that the Committee also reviewed and adopted the Compliance Tables, which are attached to the Committee's report. He noted that in doing so, the Committee reached agreement on a number of interpretive issues concerning existing regulations. In order to streamline the 2003 meeting, it was also proposed that guidelines for the preparation of the compliance tables should be issued; these should be adhered to, including submission deadlines. It was indicated that, at next year's meeting, work should be organized in such a way that changes to the draft compliance tables can only be made on the first day of the meeting. The Commission endorsed these proposals and adopted the Compliance Tables by consensus. These are attached as **Appendix 7 to ANNEX 10**.

9.3 Mr. Wieland also indicated that the Committee proposed that the import ban on Equatorial Guinea be maintained. The Commission approved this action.

9.4 The Committee proposed that the Commission Chairman send a letter of concern to Ghana regarding non-compliance as regards the FAD Moratorium, and indicate that trade measures could be taken in the future. The Commission approved this action and it was agreed that such a letter should be immediately sent as the Moratorium begins on 1 November (see **Appendix 8 to ANNEX 10**).

9.5 The Committee proposed that the first identification status would be continued for Panama.

9.6 Within the Committee, it was agreed that the trade sanctions on Honduras should be lifted, but there was no consensus on a motion that the Commission should also decide first identification at this juncture. In anticipation of the outcome of the 2003 inter-sessional meeting to develop criteria and procedures for the fair, transparent and consistent application of ICCAT measures, the Commission agreed to lift the sanctions on Honduras, and to closely monitor this situation. Honduras made the commitment to eliminate IUU vessels from their registry. Their statement is attached in **ANNEX 4.6**. The Commission adopted the following Recommendation by consensus:

- *Recommendation by ICCAT Concerning the Importation of Bigeye Tuna and its Products from Honduras (ANNEX 8.18)*

9.7 Various delegations thanked Mr. Wieland for an excellent job as the Chairman of the Compliance Committee.

9.8 It was agreed that the Report of the Compliance Committee would be adopted by mail. The Report of the Compliance Committee, as adopted, is attached as **ANNEX 10**.

## **10. Reports of Panels 1 to 4 and consideration of any proposed recommendations therein**

10.1 The Reports of Panels 1, 2, 3 and 4 were presented by the respective Panel Chairpersons during the Final Plenary Session. The Commission reviewed the Reports, and Recommendations and Resolutions proposed by the Panels and adopted the following measures by consensus:

### **Panel 1**

- *Recommendation by ICCAT on Bigeye Tuna Conservation Measures (ANNEX 8.1)*

### **Panel 2**

- *Recommendation by ICCAT on North Atlantic Albacore Catch Limits (ANNEX 8.5)*
- *Recommendation by ICCAT Concerning Conservation of Western Atlantic Bluefin Tuna (ANNEX 8.7)*
- *Recommendation by ICCAT Concerning a Multi-Year Conservation and Management Plan for Bluefin Tuna in the East Atlantic and Mediterranean (ANNEX 8.8)*
- *Recommendation by ICCAT to Develop a Plan Aimed at Reducing the Catches of Juvenile Bluefin Tuna in the Mediterranean (ANNEX 8.9)*
- *Recommendation by ICCAT on Bluefin Tuna Farming (ANNEX 8.10)*
- *Recommendation by ICCAT to Establish a Working Group to Develop Integrated and Coordinated Atlantic Bluefin Tuna Management Strategies (ANNEX 8.11)*
- *Resolution by ICCAT on Fishing for Bluefin Tuna in the Atlantic Ocean (ANNEX 8.12)*

### **Panel 3**

- *Recommendation by ICCAT on the Southern Albacore Catch Limit and Sharing Arrangement for 2003 (ANNEX 8.6)*

### **Panel 4**

- *Recommendation by ICCAT Relating to the Rebuilding Program for North Atlantic Swordfish (ANNEX 8.2)*
- *Recommendation by ICCAT on South Atlantic Swordfish Catch Limits (ANNEX 8.3)*
- *Resolution by ICCAT for the Evaluation of Small Swordfish Mortality (ANNEX 8.4)*
- *Recommendation by ICCAT To Amend the Plan to Rebuild Blue Marlin and White Marlin Populations (ANNEX 8.13)*

10.2 Panel 1 emphasized the importance of the meeting with Ghanaian authorities for the improvement of Ghanaian statistics (meeting proposed by the SCRS). The Delegate from Mexico indicated their willingness to host the Yellowfin Stock Assessment Session. The Delegate from South Africa indicated their willingness to host an inter-sessional for prioritizing and weighting of the allocation criteria for southern albacore.

10.3 Japan noted the serious effort and hard work by the People's Republic of China and Chinese Taipei to eliminate IUU fishing, and noted for the record, that Japan may transfer part of its bigeye tuna quota in 2003 to them (see **Appendix 5 to ANNEX 13**).

10.4 Canada and the United States expressed concern about the magnitude of the newly established East Atlantic bluefin tuna catch limits (**ANNEX 8.8**), as they exceed sustainable levels, and their statements are attached as **Appendices 8 and 9 to ANNEX 13**.

10.5 The Commission adopted all of the Recommendations and Resolutions presented by the four Panels, by consensus. The Report of Panel 3 was adopted at the time of the meeting, whereas it was agreed that the reports

of Panels 1, 2 and 4 would be adopted through correspondence. The Reports of Panels 1 to 4, as adopted, are attached as **ANNEX 13**.

#### **11. Report of the Permanent Working Group for the Improvement of ICCAT Statistics and consideration of any proposed recommendations therein**

11.1 Ms. K. Blankenbeker, Chair of the PWG, presented the Working Group's Report to the Fourth Session to the Commission Plenary, and reviewed the six Recommendations and one Resolution that were being brought forward to the Commission for adoption. The Commission adopted all of the following, by consensus:

- *Recommendation by ICCAT Concerning the Importation of Atlantic Bluefin Tuna, Atlantic Swordfish, and Atlantic Bigeye Tuna and Their Products from Belize*(**ANNEX 8.16**)
- *Recommendation by ICCAT Regarding Bolivia Pursuant to the 1998 Resolution Concerning the Unreported and Unregulated Catches of Tuna by Large-Scale Longline Vessels in the Convention Area* (**ANNEX 8.17**)
- *Recommendation by ICCAT for Trade Restrictive Measures on Sierra Leone* (**ANNEX 8.19**)
- *Recommendation by ICCAT Concerning the Trade Sanction Against St. Vincent and the Grenadines* (**ANNEX 8.20**)
- *Recommendation by ICCAT to Change the Terms of Reference of the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG)*(**ANNEX 8.28**)
- *Resolution by ICCAT for a Data Workshop* (**ANNEX 8.30**)

11.2 The PWG Chair noted that the PWG had agreed to extend the Cooperating Status of Chinese Taipei and the Philippines. The Commission agreed with this decision and requested the Secretariat to draft and send these letters.

11.3 The PWG Chair noted that the PWG had agreed to the updated *List of Large-Scale Longline Vessels Believed to be Engaged in Illegal, Unreported and Unregulated Fishing Activities in the ICCAT Convention Area and Other Areas* (attached as **Appendix 7 to ANNEX 11**). The Commission adopted this list, by consensus.

11.4 Ms. Blankenbeker noted that the Working Group conducted a case-by-case review of compliance by non-Contracting Parties, Entities or Fishing Entities as summarized in the "Summary Table of Information for 2002 PWG Actions" (attached as **Appendix 13 to ANNEX 11**). The Commission adopted these decisions.

11.5 Based on discussions, the PWG drafted 14 letters (attached as **Appendix 12 to ANNEX 11**), pursuant to the ICCAT Bluefin Tuna Action Plan [94-3], the Swordfish Action Plan [95-13], and the 1998 Resolution Concerning Unreported and Unregulated Catches [98-18]. The Commission adopted all of the following, by consensus:

Letters seeking information on swordfish exports to:

- Costa Rica (**Appendix 12.11 to ANNEX 11**)
- Senegal (**Appendix 12.12 to ANNEX 11**)
- Singapore (**Appendix 12.13 to ANNEX 11**)
- Togo (**Appendix 12.14 to ANNEX 11**)

Warning letter seeking information on catches, under the 1998 UU catches Resolution, to:

- Thailand (**Appendix 12.9 to ANNEX 11**)

Letters of identification, pursuant to the 1998 UU catches Resolution, to:

- Georgia (**Appendix 12.4 to ANNEX 11**)
- Indonesia (**Appendix 12.5 to ANNEX 11**)
- Seychelles (**Appendix 12.6 to ANNEX 11**)
- Vanuatu (**Appendix 12.10 to ANNEX 11**)

Letters for possible lifting of sanctions to:

- Belize (bluefin tuna, swordfish, bigeye tuna), and consideration, at the 2003 meeting, of its application to ICCAT Cooperating Status (**Appendix 12.1 to ANNEX 11**)

- St. Vincent and the Grenadines (bigeye tuna)(**Appendix 12.8 to ANNEX 11**)

Letter continuing sanctions to:

- Cambodia (bigeye tuna, under the 1998 UU Catches Resolution) (**Appendix 12.3 to ANNEX 11**)

Letters imposing sanctions to:

- Bolivia (bigeye tuna, under the 1998 UU Catches Resolution), and identification pursuant to the Swordfish Action Plan (**Appendix 12.2 to ANNEX 11**)
- Sierra Leone (bluefin tuna, swordfish, bigeye tuna, under the 1998 UU Catches Resolution) (**Appendix 12.7 to ANNEX 11**)

11.6 Several delegates complemented the Chair for her excellent leadership. In addition, they reiterated the need for an inter-sessional meeting in 2003, to develop criteria and a process for the fair, transparent and consistent application of ICCAT measures, including trade restrictive measures, to prevent, deter and eliminate illegal, unreported and unregulated fishing (see Agenda item 6).

11.7 The proposed Recommendations and Resolution, the vessel list, the summary of the 2002 actions, and the special letters were adopted by the Commission by consensus, with the remainder of the report to be adopted by mail. The Report of the PWG, as adopted, is attached as **ANNEX 11**.

## **12. Report of the Standing Committee on Finance and Administration (STACFAD)**

12.1 During the Final Plenary Session, Mr. J. Jones, Chairman of STACFAD, summarized the Committee's work. He noted that a total budget of €1,679,601.62 had been approved by the Committee as well as the corresponding Contracting Party contributions to finance the budget, which were forwarded to the Commission for final adoption. The Commission adopted the 2003 Budget and Contracting Party Contributions, by consensus (see **Tables 1-3 to ANNEX 14**).

12.2 The STACFAD Chairman presented the Proposed Process for Staffing of Executive Secretary of ICCAT, and this document was adopted by the Commission, by consensus (attached as **Appendix 4 to ANNEX 14**; see also Agenda item 13).

12.3 The STACFAD Chairman also pointed out changes to Article 16.1 of the "ICCAT Staff Regulations and Rules". These were also adopted by the Commission, by consensus, and are attached as **Appendix 2 to ANNEX 14**.

12.4 Mr. Jones noted that STACFAD had been informed that the status of the ratification of the Madrid Protocol remained unchanged: ratification by one of five Contracting Parties is still required. The STACFAD Chairman expressed his hope that in the 2004 fiscal year that the new financial contribution scheme will finally be in place. This, however, requires immediate ratification by the final Contracting Party.

12.5 The STACFAD Chairman stated that there are still outstanding contributions and reminded delegates of Article X.8 of the ICCAT Convention: *"The Commission may suspend the voting rights of any Contracting Party when its arrears of contributions equal or exceed the amount due from it for the two preceding years."* Several delegations also expressed their concern that some Contracting Parties are seriously in arrears as regards their contributions. The Delegate of the European Community requested that letters be sent from the Commission Chairman to Contracting Parties in arrears, to emphasize the need to meet their financial obligations. It was also requested that such letters should be made available to all Parties. The STACFAD Chairman agreed and noted that in future, this may be a matter for other bodies, perhaps the Compliance Committee.

12.6 While the above-mentioned documents were adopted at the time of the meeting, it was agreed that the STACFAD Report itself would be adopted by mail. The Report of STACFAD, as adopted, is attached as **ANNEX 14**.

## **13. Procedures for the selection of the next Executive Secretary**

The process for the selection of the next Executive Secretary was first discussed at the first Heads of Delegation Meeting on Tuesday, October 29, 2002. This Agenda item was fully discussed by STACFAD, and

the results can be found in the STACFAD Report (see ANNEX 14). The *Process for Staffing of Executive Secretary of ICCAT* (Appendix 4 to ANNEX 14) was adopted by the Commission, by consensus (see Agenda item 12).

#### **14. Decisions for improving the organization of Commission meetings**

14.1 During the opening session of Plenary, the Chairman noted that many of the suggestions made in 2001 to improve the organization of the Commission meetings had already been implemented during the course of 2002. He welcomed further positive and constructive suggestions to further improve the organization of the Commission meetings, and indicated that this Agenda item would be further discussed in the Final Plenary Session.

14.2 At that time, the Commission Chairman indicated that following the 2002 Commission meeting, he wished to further consider the results of improvements in organization made for this Commission meeting, and to solicit input for further improvements. Following the 2002 Commission meeting, the Commission Chairman will send a letter to all Head Delegates, both informing them of his suggestions and requesting additional suggestions to improve the organization of Commission meetings. The Chairman will incorporate these suggestions, in consultation with the Secretariat, in the organization of the 2003 Commission meeting.

#### **15. Plans for a revised compendium of ICCAT conservation and management measures**

15.1 A small group met during the Commission meeting to discuss a revised compendium of ICCAT conservation and management measures, chaired by Mr. C. Dominguez. During the Opening Plenary Session, the Commission Chairman noted that work to develop a Terms of Reference is on going, and he asked Mr. Dominguez to report to a later Plenary session.

15.2 Based on discussions with various interested Parties, the following Resolution was adopted by the Commission:

– *Resolution by ICCAT Regarding Consolidation of its Resolutions and Recommendations* (ANNEX 8.29)

15.3 As there was concern by several delegates about the number of meetings to be held in the inter-sessional period, it was proposed that this meeting be held in conjunction with another meeting. Therefore, the Commission agreed that the date and location of this session would be decided by correspondence with Head Delegates.

#### **16. Other matters**

##### ***16.1 Use of objection procedure***

16.1.1 Two proposals regarding the objection procedure were presented at the 2001 Commission meeting. During the Opening Plenary Session of the 2002 meeting, the Chairman requested that delegates consider this information so that it could be discussed in a later Plenary session.

16.1.2 As instructed by the Commission Chairman, the two proposals presented at the 2001 meeting were combined into one Resolution and were considered at the Second Plenary Session. Canada introduced this joint proposal (Canada, EC, Japan, USA) and emphasized that the proposal was intended to promote effective conservation and management of ICCAT stocks, by encouraging Parties who resort to the use of the objection procedure to do so in a responsible manner. In no way would this Resolution reduce the sovereign right of each Party to object, but lodging an objection does not waive the responsibility of the objecting Party to cooperate in the conservation and management of stocks regulated by ICCAT. Further, adopting of this Resolution provides increased transparency to the work of this Commission.

16.1.3 The United States and the EC supported the proposal and the need to have a balance between the right to object and the need to have effective conservation and management measures. Brazil indicated it could not support the proposal as it purported to place conditions on a right granted by the Convention. It was the Delegate of Brazil's view that any alterations to the right to object must be effected by means of a Convention amendment. Morocco and Mexico shared Brazil's concerns. As no consensus was reached on this issue at that time, the Agenda item was left open until the next Plenary session.

16.1.4 During the Final Plenary Session, the Commission Chairman noted there was still no firm agreement on a Resolution regarding the presentation of objections in the context of promoting effective conservation and management measures adopted by ICCAT. The draft Resolution, which was not adopted, is attached as **ANNEX 9.4**.

16.1.5 The Delegate of South Africa indicated that South Africa, however, was very encouraged by the direction of the discussions. He advised the Commission that South Africa would be withdrawing its objection on the *Recommendation by ICCAT Regarding Compliance in the South Atlantic Swordfish Fishery* (Ref. 97-8), and would confirm this in writing to the Secretariat.

16.1.6 The Commission Chairman thanked South Africa for this positive decision and closed the discussion.

## **16.2 By-catch**

16.2.1 At the Opening Plenary session, the United States requested an opportunity to present a draft proposal on marine turtles, and the Chairman agreed to discuss this at a later Plenary session.

16.2.2 During the Final Plenary Session, two proposals regarding incidental catch of seabirds and sea turtles, respectively, were introduced and discussed. The question was asked of the SCRS Chairman if the SCRS has the expertise to deal with these species. The SCRS Chairman indicated that while the SCRS plans to carry out shark assessments in 2004, in the case of seabirds and turtles there is no immediate expertise. He also indicated that to increase the mandate of the SCRS to include seabird and sea turtle incidental catches, would have considerable impact on both the Secretariat and on the national scientists. A new database would be required, and to do this with the existing resources would dilute the current priorities. Dr. Pereira also indicated that there are already serious challenges with the current fishery statistics, and that creating databases on vessels would also have a large impact on the work of the SCRS and data processing. He urged the Commission to think carefully about the data priorities and the impacts of new mandates on the current priorities.

16.2.3 The Commission adopted the following Resolution, by consensus:

- *Resolution by ICCAT on Incidental Mortality of Seabirds* (**ANNEX 8.14**)

16.2.4 However, the Commission concluded that other priorities during the 2002 meeting allowed little time for the full consideration of the proposed draft Resolution on Sea Turtles. At the urging of the United States, and based on the commitment from the EC to provide comments on the text, the Commission agreed that the proposal could be revised for adoption by mail (attached as **ANNEX 9.5**).

## **17. Date of the next meeting of the Commission**

17.1 The European Community, on behalf of the Government of Ireland, reconfirmed its offer to host the 2003 Meeting of the Commission in Dublin, Ireland. The dates for the next Commission meeting were established as November 17 to 24, 2003. The dates for the next SCRS meeting were set for October 6 to 10, 2003, in Madrid.

17.2 The United States of America offered to host the 2004 Meeting of the Commission.

## **18. Adoption of the report and adjournment**

18.1 While 29 Resolutions and Recommendations, plus various other decisions, were adopted at the meeting, the Commission agreed that the remainder of the Proceedings as well as the reports of all auxiliary bodies, as indicated, would be adopted by correspondence. The entire Proceedings, as adopted, appears in this volume.

18.2 Several delegates thanked the Commission Chairman for his excellent leadership, and noted a genuine sense of cooperation by all of the delegates at the 2002 Commission meeting. The Commission Chairman expressed sincere appreciation to the Secretariat, the Interpreters, the Basque Government who hosted the meeting, and all delegates for their hard work.

18.3 Closing statements can be found in **ANNEX 4.5**.

18.4 The 13<sup>th</sup> Special Meeting of ICCAT was adjourned.

## INTRODUCTORY AND OPENING ADDRESSES

### **By Mr. Masanori Miyahara, Commission Chairman**

Good morning to everybody. I would like to welcome all of you to this important meeting and wish you a pleasant stay in this beautiful city of Bilbao.

On behalf of the Commission, I would like to express great appreciation to the Autonomous Government of the Basque Region for its generous invitation to host this meeting and for their hard preparation work.

This year again we have an agenda full of important issues related to the conservation and sustainable management of tuna and tuna-like species in the Convention area. As last year's experience showed us, we need to improve the way we do things in order to fulfill this increasingly difficult mandate. That is, we need to adapt to the new times. I invite you to look for inspiration in this beautiful city around us, Bilbao, which is a city of change, a city that has adapted to post-industrial times.

It is my pleasure to give the floor to Mr. Gonzalo Saenz de Samaniego, Counsellor of Agriculture and Fisheries of the Basque Government, to open this meeting. Thank you

### **By Mr. Gonzalo Saenz de Samaniego, Counsellor of Agriculture and Fishing of the Basque Government**

Mr. Chairman of the International Commission for the Conservation of Atlantic Tuna, Mr. Executive Secretary, Distinguished Delegates, Ladies and Gentlemen:

We are pleased to be able to welcome the 13<sup>th</sup> Special Meeting of the International Commission for the Conservation of Atlantic Tuna (ICCAT) to our little country, Euskadi. We know firsthand the fundamental work that is carried out by this organization, starting with the coordination of fishery research and stock assessments to the development of scientific management advice and the formation of a consensus to adopt decisions and to put into practice the regimes for the management of these species. In addition to this, the important work carried out to disseminate valuable knowledge to the scientific community as well as to the fishing industry and to society in general.

All this work is essential to attain sustainable fisheries and subsequently efficient and competitive fleet activities that apply responsible fishing practices.

The importance of the tuna fishing sector in the Basque Region is beyond any doubt. About 77 Basque vessels fish temperate tunas (albacore and bluefin) using baitboats, and more than 100 small vessels fish using trawl, and have maintained a stable and responsible fishery for many years. We can say that more than 2,500 direct jobs fundamentally depend on the prosperity of the albacore and bluefin resources. Thus you can understand that are very interested in the work of this Commission.

On the other hand, Basque boat owners realized the enormous potential of the oceanic tropical tuna resources way back in the 1950s and, demonstrating a proverbial foresight and an enterprising attitude, developed one of the major fleets of freezer purse seiners (27 vessels in the Basque Region, with over 30,000 MT gross registered tonnage, and more than 600 direct jobs), which now operate in all the oceans of the world.

The Basque Government unmistakably supports the activity of the fishing industry and develops policy aimed at attaining sustainable fisheries and an economically viable sector with responsible fishing practices.

The fisheries and the fishing activity itself are facing important challenges for the future. Uncontrolled fishing has given way to an increase in fishing pressure on the world's living marine resources. Tunas are not an exception. Regrettably various stocks managed by this Commission are signs of this. The Basque Government we firmly supports the actions led by ICCAT to eradicate illegal, unregulated and unreported fishing (IUU).

We favor the utilization of gears that respect the environment and are compatible with carrying out fisheries that are both responsible and profitable. For this reason, we are in favor of the search for an adequate equilibrium between the potential of the fishery resources and the capacity of the fleets that exploit them. We must firmly reject the classical error of tending to overestimate the goodness of the state of the resource and, on the other hand, tend to underestimate the capacities of our fleets, particularly taking into account the rapid development in technological advancements.

Nowadays, there are various international instruments that are a compulsory reference for solving the problems that affect the fisheries. The United Nations Convention on the Law of the Sea, the Agreement on the Conservation and Management of Straddling Stocks and Highly Migratory Stocks, the Code of Conduct for Responsible Fishing and various international plans of action adopted by FAO. The success of these instruments, including the wise application precautionary approach in the management of the fisheries depends to large extent on the quality of the scientific advice of regional fisheries management organizations such as ICCAT. This advice must be based on the best scientific principles and should be correct, rigorous and credible, facilitating as a last resort the sustainability of the resources as well as the fleets that exploit them.

The Basque Government's Department of Agriculture and Fishing tries to work closely, inasmuch as it can based on the relative importance of the fishing activity of our fleet, with other countries to strengthen the pillars of ICCAT's work by collecting data, stock assessments and scientific management advice. For many years our scientists have been actively participating in the work carried out by the Commission's Standing Committee on Research and Statistics (SCRS) and we continue supporting, even more strongly if possible, our contribution to the SCRS. We are firmly convinced that a promising future for fishing unavoidably depends on adequate scientific advice that results in adopting effective decisions for correct management of the fisheries.

ICCAT's strength has been built on pillars of information and scientific advice for the management of the fisheries and by maintaining its integrity and credibility as an independent organization. ICCAT has been able to mobilize the scientific resources of the various countries that share the exploitation of the tunas stocks in its area of competence to collect and process data, create models, analyze the results, provide management advice and monitor and control the management regimes. All of this can be improved, but what has been accomplished up to now permits us to be optimistic about the future in that the application of the precautionary approach within the context of the study of the eco-systems, which integrates information on the fisheries and the environment in which tunas live, represents a new challenge for this organization. We are sure that ICCAT will be able to meet these and other new challenges with the help and collaboration of all of us.

Finally, I would like to welcome you all to Bilbao and wish you a pleasant stay with us.

**By Mr. Masanori Miyahara, Commission Chairman**

Good morning again to everybody. First of all, I would like to welcome Mexico as a new Contracting Party to ICCAT.

We must quickly get to work. As I said before, this year again we have an agenda full of important issues. Unfortunately last year, the shortage of time caused tremendous difficulty to the Commission meeting. We cannot afford to make the same mistake this year. That is why I would like to use as much time as possible for substantial discussion on the issues whereby minimizing the formality of the meeting.

Let me suggest a few things at the beginning of the meeting for efficient and fruitful discussions for these eight days here in Bilbao.

First, we should have priorities of the issues. Almost all the major stocks under the Commission's purview are subject to review this year. But practically, it is impossible for us to complete all the reviews this week. I would like to address this question of priorities at a meeting of head delegates, which is scheduled from 9:00 to 9:30 tomorrow morning.

Second, I would like to call, from time to time, meetings of head delegates and meetings of Panel and Committee Chairs to facilitate the discussions.

Third, I would like to adhere to the meeting schedules so that time outside the meetings will be effectively used for discussions among the concerned Parties or for drafting work of the Parties. Therefore, please come back to the meetings at the time scheduled.

Fourth, I would like to set up a deadline for the submission of draft recommendations and resolutions for the end of Saturday, except for one or two items still under serious negotiation among the Parties. On Saturday afternoon, I will call a meeting of chairs and decide those one or two exceptional items, if necessary. But in any event, those proposals beyond the deadline should be submitted to the Secretariat by 5:00 pm on Sunday afternoon. These are my requests. If any of you have a problem with the deadlines, let me know later.

That is all I wanted to say at the beginning of this special meeting of the ICCAT. Perhaps I should have given you more warmhearted welcome or cultural or weather talks for this occasion. But I am not good at beautiful remarks of that kind. Please forgive me for the lack of diplomacy.

It's now time to start business.

## COMMISSION AGENDA

1. Opening of the meeting
2. Adoption of Agenda and arrangements
3. Introduction of Contracting Party Delegations
4. Introduction and admission of Observers
5. Report of the Working Group to Develop Integrated Monitoring Measures
  - Consideration of the General Outline
  - Future plans
6. Report of the Working Group to Develop Measures to Combat IUU Fishing
  - Consideration of recommendations proposed by the Working Group
  - Future plans
7. Management Procedures
  - Consideration of proposals to regulate vessel chartering
8. Report of the Standing Committee on Research and Statistics
9. Report of the Compliance Committee and consideration of any proposed recommendations therein
10. Reports of Panels 1 to 4 and consideration of any proposed recommendations therein
11. Report of the Permanent Working Group for the Improvement of ICCAT Statistics and consideration of any proposed recommendations therein
12. Report of the Standing Committee on Finance and Administration
  - Status of the ratification/acceptance of the 1992 Madrid Protocol
  - Considerations pursuant to Article X.8 of the Convention
  - Proposed revision to staff rules
  - Commission Budget for 2003
13. Procedures for the selection of the next Executive Secretary
14. Decisions for improving the organization of Commission meetings
15. Plans for a revised compendium of ICCAT conservation and management measures
16. Other matters
  - 16.1 Use of objection procedure
  - 16.2 By-catch
17. Date of the next meeting of the Commission
18. Adoption of the report and adjournment

## Chairman's Timetable

	MON. 28 OCT.	TUE. 29 OCT.	WED. 30 OCT.	THU. 31 OCT.	FRI. 1 NOV.	SAT. 2 NOV.	SUN. 3 NOV.	MON. 4 NOV.
0900-1030 <i>Coffee</i>	PLE	Heads (9-9:30) PA3	Chairs (0845-0900) COC	STF	PA1,3	COC	1000-1230 PA4 PA1	STF PA2 PA4 PWG PWG/COC
1050-1300 <i>Lunch</i>	PA2	STF	COC/PWG	PWG	PWG	PWG		
1430-1600 <i>Coffee</i>	PA4	PWG	PA4 inform <sup>1</sup> PA2 inform <sup>1</sup>	Heads (1430-1500) COC		Heads (1430-1500) PWG PLE	PWG/COC PLE	COC PLE
1620-1800	PA1 Chairs	COC/PWG (IUU Report)	PWG/COC Drafting <sup>1</sup> (+ive list)	---	PWG/COC Drafting <sup>2</sup> - 1700 (-ive list & chartering)	PWG/COC PLE PA2	PA2	PLE
			6 PM deadline for corrections to Compliance tables	Compliance table deadline extended to end of Thurs	PA3 completed	Work to <b>8 PM</b>  End of day deadline for Resolutions & Recommendations	5 PM Extended deadline for Res & Rec for serious issues as decided by Heads on Sat.	

<sup>1</sup> Informal meetings, with translation.

<sup>2</sup> Informal drafting session in Japanese Delegation room.

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## STATEMENTS TO THE PLENARY SESSIONS

### 4.1 OPENING STATEMENTS BY CONTRACTING PARTIES

#### – Algeria

Algeria thanks the Government of the Basque Region for accepting to host the 2002 meeting of ICCAT in the lovely city of Bilbao and takes this opportunity of this solemn occasion to welcome Mexico to the ICCAT family.

The rational management and responsible exploitation of the fisheries constitute a priority within the framework of Algerian fishery policy and guidelines for durable development. It is thus in this spirit that Algeria adhered to ICCAT in 2000 with a firm willingness to contribute to the improvement of our knowledge of the Atlantic tuna stocks and their management in an equitable and durable manner.

There is no doubt that the full implementation by the Parties, all the Parties, of the ICCAT resolutions is the only guarantee of the effectiveness and success of our collective efforts. In effect, how can we judge the relevance and the effectiveness of the measures and resolutions if they are not sufficiently implemented?

Aware of the struggle it represents for all, ICCAT's success in its difficult work to develop an exploitation scheme for these marine resources that is cosmopolitan, responsible and universally adopted and implemented, Algeria has made every effort since its recent adherence to be in conformity with the ICCAT resolutions, their legal, administrative and technical provisions relative to the so called "Highly Migratory Species". Some of these efforts are still to be done in this sense and Algeria reiterates before this solemn assembly its commitment to persevere in this work.

In conclusion, Algeria thanks the ICCAT Secretariat for its remarkable work and expresses its intention to cooperate in these tasks, with a spirit of good will and compromise with all the delegations here present and wishes you all a pleasant stay in this wonderful city of Bilbao.

#### – Brazil

The Brazilian Delegation would like to thank the authorities of Bilbao as well as the Spanish Government for hosting the 13<sup>th</sup> Special Meeting in this beautiful city. We would also like to thank the ICCAT Secretariat for setting up this conference with the usual skill and competence.

Unfortunately the Commission's last regular meeting failed to reach its goals. Therefore, this Special Meeting represents one more change for ICCAT Contracting Parties to reach agreement on several issues of utmost importance for the conservation of Atlantic tuna. We all must do our best to avoid missing such an opportunity and wasting negotiating efforts this time.

This is the first ICCAT meeting after the World Summit on Sustainable Development. The Johannesburg Summit converged the political will of our Governments to keep developing actions towards the protection and sustainable use of environmental resources. In this regard, it is worth mentioning the specific references made to the actions required to achieve sustainable fisheries. All countries agreed to maintain or restore fish stocks to levels that can produce the maximum sustainable yield where possible not later than 2015. Moreover, it is also worth mentioning that countries agreed to encourage relevant regional fisheries management organizations and arrangements to give due consideration to the rights, duties and interests of coastal States and the special requirements of developing States when addressing the issues of the allocation of shares of fishery resources for straddling stocks and highly migratory fish stocks.

In the light of these commitments, the Brazilian Delegation comes to Bilbao convinced that two aspects must be taken into account in all upcoming negotiations: (a) no total allowable catch to be agreed upon should be

raised above levels recommended by the Standing Committee on Research and Statistics, and (b) no allocation of quotas should be settled without taking into due consideration the allocation criteria already agreed upon by the Commission.

The Brazilian Delegation acknowledges the instrumental role this Commission must play in acquiring and sustaining elevated levels of confidence among its Contracting Parties. The respect and credibility that ICCAT attained is, no doubt, due to competence, hard work and a spirit of cooperation. This spirit must prevail in our work here in Bilbao and must drive us all towards fruitful outcomes and meaningful progress in the next coming days.

Brazil, as usual, is ready to cooperate.

– **Canada**

On behalf of the Canadian Delegation, I wish to express our pleasure to be here in this historic part of Spain, and to thank the Department of Agriculture and Fisheries of the Basque Government for hosting the 13<sup>th</sup> Special Meeting of the Commission.

Once again the Commission is facing difficult and challenging times. Canada, as well as a number of other Parties around this table, is very disappointed that we have been unable to find the will and wisdom to address fundamental issues of conservation and compliance. This seriously preoccupies me as well as Canadian fishermen. The poor state of most of ICCAT fish stocks requires us to use new approaches – where conservation of the resource and stock rebuilding are priorities.

Canada has a number of key issues we will be raising at this year's meeting. The Commission continues to authorize fishing to occur at unacceptable levels, in contradiction of Parties' obligations under the Convention, which is likely to have adverse effects on the stocks, and hence on interests of all States whose vessels fish ICCAT stocks, including on Canadian fishing interests.

Canada has a strong interest in the health of the eastern stock, particularly since recent tagging studies and the Standing Committee on Research and Statistics (SCRS) indicate that mixing between the eastern and western stocks is much greater than previously believed. The continuation of such unsustainable fishing jeopardizes not only the eastern Atlantic stock but also compromises the considerable conservation sacrifices being made by Canadian fishermen to rebuild western bluefin.

Canada is also extremely concerned that the SCRS has been unable to undertake the necessary assessment of east Atlantic bluefin tuna and south Atlantic swordfish in 2000 and 2002 owing to the failure of many Contracting Parties that fish these stocks to provide data on catch. The provision of such data is one of the most fundamental obligations that Contracting Parties have accepted under the Convention.

While ICCAT has progressively adopted more specific management measures to regulate harvest levels and harvest practices, many are not effectively implemented by Contracting Parties. These measures are a response to significant, and in some cases, to alarming declines in the fish stocks ICCAT is responsible for managing in a sustainable manner. Nonetheless, there is all too little enforcement activity in ICCAT. Furthermore, many Contracting Parties in ICCAT are in arrears with respect to their membership dues. It is becoming increasingly difficult for the Commission to function in this environment. Membership carries with it both rights and obligations.

Canada views measures against Flag of Convenience vessels as necessary not only to restore the integrity of ICCAT as an international organization, but also to demonstrate to an increasingly skeptical Canadian industry that their sacrifices will indeed have a future payoff in the form of healthy future stocks. However, improvements should be made to these to ensure that ICCAT adopts a consistent, transparent and rigorous approach to the application of trade sanctions.

Finally, following the awkward ending of last year's annual meeting, the Commission needs to function more efficiently, given the increasingly complex nature of the issues it needs to address.

Canada is committed to work cooperatively with all Parties to try and address the important matters that face us at this meeting. We must work together for the benefit of fishing communities in our countries.

**– Côte d'Ivoire**

Côte d'Ivoire would like to express its satisfaction at being able to take part in the 13<sup>th</sup> Special Meeting of the Commission. First of all, I want to congratulate the newly elected Chairman, and wish him every success in his work. I also want to thank ICCAT for the pleasure and the opportunity to participate in this meeting being held in the beautiful city of Bilbao, as well as the Government of Spain and the Authorities of Bilbao who have offered us their hospitality as hosts of this meeting.

For my country, and I am sure for many others here present, the importance of the tuna resources and their contribution to food security and GDP is already sufficiently demonstrated. However, it is confirmed that these resources are declining from year to year and require more attention, as well as adequate management of the tuna fisheries and, in general, all the fisheries. This problem occurs every more frequently and we should intensify our surveillance so as to at least maintain the stocks at their current level. My wish would be that management be done in a manner such that the stocks are strengthened and increase. This requires great sacrifice by all.

At this meeting, among other matters, the reports of the *ad hoc* Working Groups on the development of measures to combat IUU fishing and on integrated monitoring measures should be reviewed. In my opinion, both Groups have carried out a difficult task to arrive at these important results and it is hoped that the Commission will study them with a view towards their possible adoption. If the Commission deems it necessary to carry out supplemental work, this should be assigned to a group designated for that purpose, whose mandate will be to update such work. No effort should be spared in this sense, so that the Commission has adequate management measures available.

It is confirmed that ICCAT has already adopted many measures that, if they had been totally respected, would have resulted in reaching the aims of our organization. However, vessels flying flags of convenience continue to undermine all these management measures, with the risk of annulling the efforts of many years. It is essential that solutions be found that are appropriate, well directed and energetic and which will serve to combat IUU vessels.

As regards the allocation criteria, reached after arduous work, we believe that the time has come to apply them to the species that will be under quotas this year.

Côte d'Ivoire supports this initiative and is determined to contribute to the success of the work so that the results of the 13<sup>th</sup> Special Meeting of the Commission will be fruitful.

**– Croatia**

We would like to reiterate our appreciation to the Executive Secretary for his continuous cooperation and the Government of Bilbao for hosting this ICCAT meeting.

The Republic of Croatia is facing difficulties due to the constant pressure from farmers and fishermen for an increase in the catch quota. As almost the entire Croatian bluefin tuna catch is used for farming purposes and the farming activity is continuously increasing, the annual quota of 876 t is one of major limiting factors for the future development of this activity. Due to the limited quota and lack of giant bluefin tuna in the Adriatic, Croatian farmers are forced to buy other members' quota so that 1,100 t of bluefin tuna have been imported in Croatia in 2001, and an estimated 1,700 t in 2002. Croatia is also facing problems coming from the disproportion between the low quota and the high number of vessels licensed in previous years.

The Croatian bluefin fishery continues to be under quota, season, gear restrictions and size limits, and the National Fishery Information System for collecting catch data provides all the data required. However, due to the fact that almost the entire catch is transferred to cages, which results in no landing of fish, many regulations have become difficult to apply. We are facing the biggest difficulties regarding the recommendations on size limits (Rec. 74-1 BFT). As this recommendation has been in effect since 1975 and in view of the importance of juvenile fish for farming purposes we are calling for necessary actions to provide precise instructions on how to apply

We would also like to re-state our suggestion from last year's meeting regarding the current closed season for the bluefin tuna purse seine fishery in the Adriatic Sea from 1-31 May (Rec. 98-6). Bearing in mind the recent findings and catch composition data for the major part of the fishing season in the Adriatic, the closed season is ineffective in its aim to protect juveniles. As this recommendation was established by the Commission we expect the Commission to change it by establishing the same closed season for the bluefin tuna purse seine fishery from 16 July-15 August for the entire Mediterranean Sea fishing area, including the Adriatic Sea (See SCRS 2002 Report, Other matters).

Croatia is willing to continue contributing and collaborating with ICCAT and all the Contracting Parties towards responsible and sustainable management of bluefin tuna in the Mediterranean and the Adriatic Sea in particular. As one of the pioneers of bluefin tuna farming activities in the Mediterranean we are collecting data and providing research activities in order to contribute to establishing possible new standards for future control measures.

#### **– European Community**

The European Community would firstly like to thank the Spanish Government, the Basque Government and the City of Bilbao for hosting this 13<sup>th</sup> Special Meeting of ICCAT. Bilbao is a very appropriate venue for this meeting given its long-standing history and tradition in the fishing industry. We certainly look forward to sampling the highly reputed gastronomy of this city and region.

This meeting is being held at a turning point for ICCAT. The unfortunate lack of results of last year's Annual Meeting in Murcia is now behind us. We should learn from that experience and avoid any repetition of a similar kind. The demands set on the Commission make it necessary to reconsider the way in which it functions. There is a need to define clear priorities that need to be addressed at each subsequent annual or special Meeting. We welcome the steps that have already been taken by the Executive Secretary and the President of the Commission to streamline the organization and the running of this meeting.

For the Community, the priority issues that need to be addressed this year relate to IUU activities and the effects that this activity has in undermining effective management and conservation of the stocks. We are of the view that an important step in addressing this matter would be to have a positive list of vessels that are authorized to fish in the ICCAT Area. In addition, this should be complemented by a negative list of IUU vessels, as well as comprehensive non-discriminatory trade sanctions that would be applied in a transparent way.

As regards stock management, we are of the view that ICCAT should agree and adopt multi-annual TACs and quota sharing arrangements for a number of key species at this meeting. The EC views that the priority species that should be addressed in this way are Eastern Bluefin Tuna, Southern Swordfish and Northern Swordfish. The EC is convinced that by adopting such an approach it will bring about more discipline in the fishery in the medium term, but also provide transparency and stability for the industry. Regarding the other stocks managed by ICCAT, we would anticipate a rollover of the existing management regimes to next year when again a similar exercise would be carried out for other selected species.

We are extremely concerned that the Recommendations regarding the Moratorium on fishing on Fish Aggregating Devices (FADs) in the Gulf of Guinea has again not been respected. This was introduced initially on a voluntary basis and respected fully by Community vessels. It was then formalized through the Commission Recommendation. It has been recognized by the SCRS to be an effective measure, the effect of which is being undermined by those that are acting in contravention of ICCAT rules. ICCAT cannot accept that this situation continues and should not be reticent to take appropriate action against ICCAT members who are in breach of their own obligations.

Finally, I would like to congratulate the Chairman both on behalf of the EC, and personally, for his election as our President for the next two years. As I intimated earlier, this organization is at a turning point, and I am certain that his guidance, wisdom and ability will ensure that the challenges and changes that we face will be effectively addressed. We, the EC, look forward to working closely with the new Chairman and the other Members of ICCAT to address the multiplicity of challenges that are now facing us.

## **– Honduras**

Honduras was sanctioned by ICCAT in August 1997 since its flag vessels did not comply with the 1994 Bluefin Tuna Action Plan Resolution, and then it was sanctioned in June 2000 pursuant to the Swordfish Action Plan.

Our country had about 269 flag vessels at that time, but because of the last sanction, we started to take corrective measures by canceling 228 vessel licenses (2000).

In January 2001 Honduras became a Contracting Party to the Commission, which at its Regular Meeting held that same year recognized the noteworthy efforts made by our country and by adopting a recommendation to lift the bluefin and swordfish import restrictions. However, no consensus was reached to lift the bigeye sanctions.

At the meeting three days ago (Wednesday, October 30, 2002) this delegation was unpleasantly surprised upon reading document PWG-075 where Honduras appears as the flag state of 57 vessels that carried out IUU activities. That very same day we managed to prove that these vessels were no longer part of the Honduran fleet. However, on the revised list in document PWG-075A, 15 vessels continued to appear on that list (see list) after having confirmed that they had been definitively cancelled in 2000, so that our country's name would not show on the new list as a flag state of any vessel carrying out IUU activities. We would like to add that the new Government of Honduras is requiring 100% of the requirements established by ICCAT (24 hour Satellite Vessel Monitoring System, etc.) at the time of registration of an international fishing vessel.

We also want to commit ourselves to investigate the international fishing vessels that have current licenses to check that they are not carrying out IUU activities. If so proven we will immediately cancel their license.

For the flagging of new vessels we will carry out a rigorous investigation to certify that these have not participated, directly or indirectly, in illegal fishing activities.

All of this shows that Honduras is fully complying with the ICCAT recommendations and that if we had any defect this year up to now this is due to the change in government (which in our country signifies a change in the majority of the civil servants) which has resulted in some of the misinformation on the part of the authorities who, however, being well aware of commitments that the country acquired, are more than ready to comply with those commitments.

It is also worth adding that as almost all the under-developed countries of the world, we are facing the biggest economic crisis of our history, aggravated by the tremendous damage caused by natural phenomena, such as Hurricane Mitch, and above all because in recent years the prices of our major export products (coffee, bananas, shrimp) have dropped significantly.

This situation obliges us to look for new alternatives, and as mentioned above, we are considering the development of a national tuna industry to generate employment, revenue, and foreign currency. For this, we consider that granting licenses and flagging solely and exclusively to vessels that unload the products of their catches at Honduran ports would permit us to implement an observer program and port inspection. Thus, we will have almost complete control on the statistics of our fleet, which will guarantee, in the best way possible, compliance with the regulations established by ICCAT.

All of that explained herein serves as justification to prove that there are no longer any reasons to merit the continued sanction of our country, for which we ask the Commission to issue a resolution to lift the sanction on bigeye imports.

As a legal base, we cite the case of Panama (Recommendation 99-9) that was in a similar situation and this Commission lifted their sanction.

## **– Iceland**

Iceland is a State whose economy is overwhelmingly dependent on the exploitation of living marine resources. That includes the bluefin tuna stock. It is therefore necessary for us to take part in international co-operation on the management of this stock, which occurs both within and beyond our national jurisdiction. We

have certain rights, duties as well as interests regarding tuna fisheries in the Atlantic, and must insist that other states that utilize the resources managed by ICCAT take account of our rights, duties as well as interests.

Iceland has participated in the work of ICCAT for some years now in the capacity of an observer. We have consistently been encouraged to join ICCAT as full members, but we have also consistently been told that joining would result in giving up our sovereign right to utilize the stock of bluefin tuna that occurs within Icelandic national jurisdiction.

This situation changed last year when ICCAT's Working Group on Allocation Criteria finished its work. This changed the situation, making it possible for Iceland to join ICCAT in the expectation of getting our fair share of the fisheries.

With this in mind, it has been decided that Iceland will become a full member of ICCAT, effective from later this week. We trust that this meeting will result in ICCAT adopting conservation and management measures that will recognize the right of coastal states to develop their fisheries. These measures must also take into account the biological status of the stocks. Ensuring that the catches are sustainable is necessary for the long-term prosperity of the communities that rely on utilizing the living marine resources.

#### **– Japan**

On behalf of the Japanese Delegation, I am pleased to make some opening remarks at the 13th Special Meeting of ICCAT. First of all, I would like to express our sincere appreciation to the Autonomous Basque Community for hosting this year's Commission meeting. It is our great pleasure to meet with our old and new friends and also to work with these friends around this table for the conservation and sustainable use of tuna and tuna-like species in the Convention area. We are also looking forward to staying in this beautiful city of Bilbao.

As all of you may recall, the last Commission meeting in Murcia could not finish the work during the session, and the Commission adopted necessary measures through mail voting. I would like to underscore that we should not repeat such proceedings in this meeting. In this regard, it is important that every Member cooperates with each other in a constructive manner in order to finish all the important work in time. For this purpose, we should prioritize the issues by the order of urgency and necessity in this meeting and concentrate our efforts on these issues if we are to have satisfactory results.

I would like to take this opportunity to mention the following specific issues that Japan regards to be of prominent import:

First, it is time for ICCAT to take decisive action to prevent, deter, and eliminate IUU fishing activities. For over four years we have engaged in strenuous efforts to this end. Although the efforts made significant progress, there are still more than 100 FOC large-scale tuna longliners exploiting tuna resources without respecting internationally agreed rules. The effectiveness of ICCAT conservation and management measures continues to be undermined considerably. Since these IUU fishing vessels easily change their flag and/or name in order to circumvent the restrictions, it is now apparent that conventional measures based on a "negative vessel list" do not work effectively any more. Therefore, we need a breakthrough to overcome this situation. Reflecting the result of the IUU-WG in Tokyo and the careful deliberations that followed among the members, Japan believes that new and decisive measures based on a "positive vessel list" which includes only the vessels legitimately registered and authorized to fish tunas in the Atlantic, should be established in this meeting. It must be noted that further delay of introducing this new scheme would not only offer FOC-IUU vessel owners/operators room for survival but also aggravate the situation to a level where our past progress is negated completely.

Second, we have to work out effective conservation and management measures for the respective species under the competence of ICCAT. Above all, management measures for eastern bluefin tuna and southern swordfish are among the highest priorities to be discussed in this meeting. Every concerned Party, Entity, or Fishing Entity is obliged to conclude the prolonged debate over the TACs, allocations and other restrictions on these two stocks. Otherwise, we ourselves will endanger the sustainability of stocks on which our constituencies socially, economically, and culturally depend. I would also like to point out that the flag nations' failure to submit the necessary data will increase the uncertainty of the stock assessments on these species.

There are other important issues to be discussed in this meeting (e.g., objection, chartering, compliance, trade action plans, improvement of Commission functions). Needless to say, all of these are the elements that are necessary to keep the functions of ICCAT on the right track.

Finally, you might share my view that all of us are on the same boat under the name of ICCAT. This means that all of us are part of the crew on the boat heading for the same destination, and that no one should be a free-rider. I firmly believe that we can successfully conclude this voyage if we, members of the international community, make utmost efforts toward our common goals.

#### **– Korea**

It is a great honor for us to take part in the 13th Special Meeting of ICCAT as representatives of the Republic of Korea in this beautiful city of Bilbao. The Korean delegation would also like to express its utmost gratitude to the Spanish Government and the Community of Bilbao for hosting the Meeting. My thanks should go to the ICCAT Secretariat for their hard work in the preparation of the Meeting.

As we are well aware ICCAT, with respect to tuna fisheries, has performed an important role as one of the leading regional organizations in the world. The scientific and well-organized operating systems of ICCAT have given us a good example in the conservation and management of tuna and tuna-like species.

The Republic of Korea has been participating in ICCAT meetings for more than 30 years as a Contracting Party, making every effort to comply fully with the ICCAT regulations in a cooperative manner. Korea would also like to suggest that non-Contracting Parties should also participate in conserving and managing effectively tuna and tuna-like species and become a Contracting Party.

We know that ICCAT has strived to contribute to every possible effort in the conservation and management of tuna and tuna-like species by developing various integrated monitoring measures.

The Korean delegation would like to extend its appreciation to the endeavor of the Working Group in consolidating the General Outline that has synthesized and unified the existing measures and we hope that this General Outline will be useful in utilizing tuna fisheries effectively.

Korea also thinks it is advisable that ICCAT should develop measures to combat IUU fishing as soon as possible in order to utilize tuna and tuna-like species in a sustainable manner.

The Korean delegation, in principle, admits that the objection procedure should be necessary for the minority to secure its right. However, because there is a possibility of overusing this objection procedure by the minority we should be very cautious in admitting this procedure. When a Contracting Party uses the objection procedure, it should provide sufficient reasons for doing so and should not undermine the ICCAT conservation and management measures.

With respect to quota allocation, we should remember the following phrase of the ICCAT Criteria for the Allocation of Fishing Possibilities which adopted at the 17th Regular Meeting "the allocation should be applied to all stocks in a gradual manner, over a period of time to be determined by the relevant Panels, in order to address the economic needs of all parties concerned including the need to minimize economic dislocation". Therefore, the abrupt increase or decrease of quota allocation is not desirable.

We hope this meeting will be a fruitful one.

#### **– Mexico**

On behalf of the Government of Mexico I would like to express our pleasure to participate, as full members, in this 13<sup>th</sup> Special Meeting of the International Commission for the Conservation of Atlantic Tunas. Furthermore, I would like to thank the Government of Spain and particularly the authorities and the people of Bilbao for their hospitality.

The Government of Mexico is committed to the sustainable use of fishery resources. Thus, it promotes and strives towards the development of fishing based on criteria aimed at confronting problems and challenges, such

as over-fishing and the excess of fleet capacity, as well as the need for continual international cooperation and coordination to reestablish the sustainability of worldwide fishing.

In this context, Mexico is no stranger to the Commission, as an Observer and later as a Cooperating Party, for more than 20 years it has closely followed and has cooperated in its work. Besides, it has provided statistical information on catches made by its fleet in the Gulf of Mexico, it has participated in various scientific and Commission meetings, and it has honored the commitment of applying the conservation and management measures adopted by the Commission, in order to guarantee the sustainable use of the fisheries under its mandate.

On this occasion, in which we are participating for the first time as a full member, we have come with the purpose of reinforcing our ties with the Commission and with all its Contracting Parties. By our presence we also seek to contribute in a constructive manner to the decisions aimed at the sustainability of the fisheries, the integral development of our fishing communities and, in general, to advance in shaping true responsible fishing in the region.

Our membership in this important organization reaffirms Mexico's commitment to participate in multi-lateral fora in order to collaborate in the sustainable development of the fisheries, through the application of conservation and management measures based on the best scientific advice.

Mexico considers it fundamental that the rights and obligations of countries be recognized, as established by the 1982 United Nations Convention on the Law of the Sea and other instruments adopted by the international community, such as the Code of Conduct for Responsible Fishing.

In this perspective, we consider it fundamental to recognize the rights of coastal States to develop their fisheries in a sustainable manner. In the case of highly migratory species, we recognize the importance of cooperating with other coastal States and with those whose fleets fish on the high seas, with a view to the utilization and conservation of these species.

With the help of the rights established by the Law of the Sea Convention and considering that the resources occur in its jurisdictional waters, Mexico wishes to reiterate its interest in having a blue marlin quota of 120 t and a swordfish quota of 200 t.

Mexico maintains that historical rights should not be the only or the major criterion to define quota allocations, and considers that other fundamental factors in this allocations should be the distribution of the resources within the Exclusive Economic Zone of the coastal States, compliance with conservation and management measures, and the state of the resources. In this sense, it considers that one of the most important challenges currently facing the Commission is to reach consensus to adopt a fair and equitable scheme for the allocation of quotas.

Mexico also wishes to express its concern about the use of fishing methods that negatively affect the sustainability of the resources.

In tuna fishing in the various seas of the world, the increased use of fish aggregating devices (FADs) has resulted in the excessive catch of juveniles. It should be recalled that in the case of the eastern Atlantic this type of fishing affects close to 55% of the total catch of bigeye tuna. This, without a doubt, has exerted strong pressure on the resources and the capacity to sustain the stocks.

Respectfully, Mexico would like to propose that, in the short-term, the necessary work be carried out to define and adopt additional measures that reduce discards and the juvenile catches, and regulate the use of Fish Aggregating Devices.

Mexico reiterates the importance of applying the principle of common but differentiated responsibility, adopted by the international community, so that those that have contributed to the depletion of the resources contribute in the same measure towards achieving the recovery of these stocks.

We are convinced that, in the case of the highly migratory species, agreement of all the coastal States of the region and those whose fleets fish in the area is needed to assure the rational utilization and effective conservation of living marine resources. Therefore, we reaffirm that we should confront our compromise towards

responsible fishing through multi-lateral cooperation and the application of management measures based on the best scientific advice, and not by means of imposing trade sanctions.

We would like to reiterate Mexico's interest to carry out joint and coordinated actions with the Contracting Parties of the Commission to: improve knowledge on the living marine resources under ICCAT mandate, establish measures to assure selectivity of the catch, and consolidate national efforts in scientific research and management.

Finally, we would like to point out the Government of Mexico's commitment to continue cooperating in the Commission's efforts to reach solutions that reflect the interests and concerns of all interested parties, with the objective of attaining the sustainable use of the living marine resources of the Atlantic.

#### **– Namibia**

Namibia has been a member of ICCAT since 1999. At that time, Namibia had begun to develop its tuna fisheries and joint ICCAT even if Namibia did not approve of the allocation procedures of the Commission. However, Namibia recognized that international law required Namibia to join ICCAT and therefore the Namibian Government took the decision to join.

Considerable changes have taken place within ICCAT during the short time Namibia has been a member. There I am, in particular, referring to the new criteria for the allocation of fishing possibilities that ICCAT adopted at last year's meeting. There is no denying that Namibia has great hopes that these new criteria will lead to a more fair allocation of quotas for the species that are managed by ICCAT. By fair, I am referring to a situation where the developing coastal states, through whose waters tuna travel, receive their fair share of the tuna resources in the Atlantic Ocean. Namibia was disappointed last year that the use of the new criteria was unsuccessful. This year, ICCAT needs to apply the criteria in as many fisheries as possible; otherwise the credibility of ICCAT is at risk.

Many obligations follow membership to an organization like ICCAT. Namibia regrets that implementing many of these has proven more difficult for Namibia than initially anticipated. However, Namibia is determined to fulfill its international obligations in fisheries matters and in Namibia we are currently working hard to establish the procedures to fully implement all of ICAT conservation and management measures that apply to Namibia.

#### **– São Tomé and Príncipe**

São Tomé and Príncipe is pleased to be at this 13th Special Meeting of ICCAT in Bilbao. We would like to take this opportunity to thank ICCAT and present our sincere expression of appreciation to the Autonomous Basque Community for hosting this year's Commission meeting.

As we were not present at the opening of the meeting, we should like to present our country, the Democratic Republic of São Tomé and Príncipe, tiny islands off the West Coast of Africa and, again, let us say hello to everyone at this 13<sup>th</sup> Special Meeting of ICCAT. Sao Tomé and Príncipe has participated in most of the ICCAT meetings as a full member and we will continue to do so.

Regarding the problem of IUU fishing raised by Japan, we would like to say that this is an opportunity for ICCAT as an organization to take action to prevent, to stop and at last to eliminate all IUU fishing activities.

As far as my country is concerned, these fishing boats are destroying our resources. We are a small island, developing State with no means to trap these fishing vessels, and they know that. For this reason we support Japan and the European Community in bringing this issue to the attention of ICCAT.

#### **– South Africa**

Last year's ICCAT meeting was a pivotal meeting in ICCAT's history. In many respects it was a disastrous meeting, bringing us dangerously close to complete failure of management regimes for the ICCAT target species of most concern, swordfish and bluefin tuna. After a long and difficult negotiation process, the *ICCAT Criteria*

*for the Allocation of Fishing Possibilities* were adopted at the start of the last year's meeting. Understandably, there was an expectation that this would rapidly lead to negotiation of broadly acceptable sharing arrangements for these primary target species. Unfortunately, the opposite proved true, and we reached a crisis at the end of the meeting, precipitated by a complete deadlock on sharing negotiations for these stocks.

ICCAT must address this issue effectively if we are to fulfil our mandate to manage Atlantic tunas responsibly. ICCAT efforts to encourage membership have been successful beyond expectation. However, this has created an urgent need to address the requirements of new members, as well as the developing fisheries of existing members, and to balance these with the established access rights of longer-standing members. Failure to do so threatens ICCAT's credibility, and seriously undermines our ability to achieve our primary management objective, to limit catches within sustainable levels. However, efforts to reach agreement on broader access arrangements must not contribute to further over-exploitation of the stocks. There has been a disturbing tendency to repeatedly increase TACs during recent efforts to develop sharing arrangements, in an effort to accommodate new members without reducing allocations to existing participants. This amounts to nothing less than ICCAT-sanctioned over-fishing, in complete violation of our convention.

An equally disturbing trend for some time now has been the tendency to reduce effort on certain stocks by repeatedly moving fleets to other regions, and switching effort over-capacity to other stocks. The current effort capacity of the world's large, industrialised distant-water fleets substantially exceeds the sustainable effort level for many tuna resources. Substantial subsidisation of these fleets also frees them from the usual bio-economic constraints that might limit their cost-effectiveness in distant-water fishing operations. As a result, these fleets have the capacity to rapidly over-exploit resources in areas distant from their homeports, thereby directly reducing opportunities for smaller-scale fleets from coastal states in those regions. The past ICCAT practice of then rewarding these distant-water fleets with most of the quota allocations, based on past performance, has been the direct and immediate cause of the sharing crisis we now face, particularly for South Atlantic swordfish.

Finally, but no less importantly, now that efforts to increase membership of ICCAT are succeeding in drawing in most of the active tuna fishing nations, members must accept their responsibilities to fully implement and comply with ICCAT management measures. For decades now, ongoing and substantial catches of undersized fish by ICCAT member fleets have contributed to greatly reduced productivity of the resources concerned. The resultant reduced yield-per-recruit is a major factor hindering the re-building of these stocks and, ultimately, reducing the overall yields that could be achieved. ICCAT members are again swinging the spotlight away from themselves, and focussing it on non-members. Certainly, the IUU and vessel chartering issues are crucially important, and must be addressed. However, as ICCAT membership increases, the need to focus attention on the fishing behaviour of members themselves, and to ensure that this is compliant with all of ICCAT's management recommendations, clearly remains our primary responsibility.

#### **– Trinidad and Tobago**

It is indeed a privilege and honor for me to be present at this meeting representing the Government of Trinidad and Tobago. At the 17<sup>th</sup> Regular Meeting held in Murcia, Spain, Trinidad and Tobago reported to the Commission that we had received technical assistance from the ICCAT Secretariat. As a result of this assistance a partial revision of Trinidad and Tobago's statistics based on catches from the national fleet of locally owned and flagged vessels, was accepted by the Commission. On the development of this situation, I wish to report that it has been confirmed at the 2002 SCRS Meeting that there has been no double reporting of statistics in respect of the previously locally owned and foreign flagged vessels. Consequently the further revised statistics in respect of the previously locally owned and foreign flagged vessels have been accepted by the SCRS and incorporated into the ICCAT database. We take this opportunity to thank the Secretariat for its assistance in this matter.

The pelagic fishery is extremely important to Trinidad and Tobago as a Small Island Developing State in terms of the provision of fish protein as well as the social and economic benefits. In view of this, we have made efforts to support the rebuilding programs for fish stocks including swordfish, and have taken concrete measures to improve our statistical reporting for proper management of these resources. Regarding implementation of the swordfish rebuilding program, Trinidad and Tobago is concerned about its accumulated overage for North Atlantic swordfish, which has arisen because of the obligation to reduce our 158 t catch level by 45% under the current agreed measures. We note the 2002 SCRS recommendation concerning the total allowable catches of North Atlantic swordfish. Given that the 1999 *Recommendation by ICCAT To Establish a Rebuilding Program for North Atlantic Swordfish* makes a provision for review of catch allocations based on the catch allocation

criteria adopted in 2001, Trinidad and Tobago hopes that such a review can be facilitated during this year's Meeting.

Trinidad and Tobago operates a port in Port of Spain for the transshipment of large pelagic species. Consistent with ICCAT's recommendations and resolutions regarding transshipment operations Trinidad and Tobago has placed before its Cabinet a Memorandum of Agreement (MOA) to be signed by Fishing entities and the Government to ensure that a proper monitoring and surveillance system is in place. The MOA would be given a force of law by the enactment of national legislation to ensure compliance by the relevant fishing entities and to penalize vessels whose operations are not in conformity with ICCAT's regulations.

Trinidad and Tobago has taken note of the Report of the meeting of the ICCAT *ad hoc* Working Group on Measures to Combat IUU fishing and supports ICCAT's program to deter, prevent and eliminate IUU fishing. However, we are of the view that clarification should be provided on the process of compilation of the list of IUU vessels to avoid misrepresentation.

We are experiencing difficulty with respect to implementation of a logbook program for the longline fishery and have instituted a modified system to enable critical catch and effort information to be captured in a trip reporting system that has met with support from the fishing industry. The logbook system is being phased in and Trinidad and Tobago expects to have full implementation of the logbook system in the near future.

Trinidad and Tobago has also initiated work towards implementation of an Observer Program that will be on-stream within the next year.

With respect to the report of the Working Group on Allocation Criteria, Trinidad and Tobago looks forward to the timely implementation of the recommendations and hopes that these criteria will assist ICCAT to ensure that stocks are allocated in a manner equitable to all parties.

We noted with concern that the 17<sup>th</sup> Meeting was adjourned without resolution of a number of issues. It is hoped that consensus on issues can be reached at this 13<sup>th</sup> Special Meeting.

I wish to express my gratitude for the opportunity to address this Commission and to thank the Government of the Basque Region for their graciousness in hosting this meeting.

#### **– Tunisia**

Tunisia wholeheartedly thanks the Spanish Government for having accepted to host this meeting and its work, which we trust will be successful.

As a Contracting Party of this Commission, our country has always supported the efforts put forth by ICCAT in matters of conservation of fisheries under its competence and particularly the bluefin tuna fishery.

When Tunisia reported its bluefin tuna catches to FAO in 1993 and 1994, it was not a member of ICCAT and had no idea what had been done at the Commission level to establish an allocation scheme based on catches made in the aforementioned years.

When in 1999 the SCRS gave the Contracting Parties the opportunity to verify their reported catches for 1993 and 1994, this verification was carried out by our country in a totally objective manner as shown by the result of the revision, that led to a rectification of about 3% as compared to the catches reported initially.

Since its adherence to ICCAT in 1997 and concerned about promoting the effectiveness of the measures adopted by the Commission, Tunisia decided not to allow any new investments aimed at the acquisition of new tuna fishing vessels, unless it involved the replacement of old vessels. Tunisia also urged the owners of 13 tuna vessels less than 24 m to reconvert to other fishing methods such as trawling.

These measures have been applied with the sole objective of lessening the possibilities of exceeding the limits established by ICCAT. It is also be pointed out that since 1951 our legislation only grants fishing permits to Tunisian flag vessels and prohibits the chartering of foreign vessels. At a cost of great sacrifice, this has resulted in our having a fishing fleet that is 100% national, for all gears, and including tuna fishing.

When ICCAT concentrated on the issue of quota allocation keys, our country considered this demarche was a step in the right direction towards resolving the sources of disagreement that were hampering efforts aimed at the effective improvement of the managed stocks.

However, in spite of the adoption of new allocation criteria, it has been confirmed that the contribution of this work has not had clear usefulness, since a proposal concerning bluefin tuna catch limits (the recommendation in Doc. PA2-158A) was discussed at last year's meeting without having been developed based on the agreed criteria.

My country, in spite of its membership in ICCAT, cannot adhere to any arbitrary management or accept any measure adopted in a discriminatory manner that jeopardizes acquired rights or that do not take into account our legitimate aspirations, as a developing country, towards a significant improvement in the level of its economic and social advancement, an improvement that has been possible thanks to the results obtained through the work of the Working Group on Allocation Criteria.

We sincerely want to country to continue working within the framework of ICCAT with the same enthusiasm that it has had since its adherence to this organization.

#### **– United Kingdom (in respect of its Overseas Territories)**

The United Kingdom, in respect of its Overseas Territories, participating in the 13<sup>th</sup> Special Meeting of the Commission in Bilbao, would like to thank the Government of Spain and the city of Bilbao for hosting this important event.

The United Kingdom, in respect of its Overseas Territories, represents six such territories: Anguilla, Bermuda, the British Virgin Islands, the Falkland Islands, St. Helena and its dependencies, and the Turks and Caicos Islands. Several of these territories are in the process of developing fisheries, and others have an established fishing industry. As the UK-Overseas Territories fish for a range of Atlantic tunas, we are represented on all four Panels at ICCAT meetings.

Although the total UK-Overseas Territories catch is relatively small in comparison to some other Contracting Parties, fishing represents a vital part of the local economy for many of the islands. As such, we are keen to participate fully in ICCAT's work towards a sustainable management regime for Atlantic tunas. The depletion of many stocks, exacerbated by the scourge of illegal, unreported and unregulated (IUU) fishing, is of great concern to the UK-Overseas Territories.

We are looking forward to constructive and imaginative discussions at this meeting, and hope that the deliberations will produce wise and prudent recommendations and resolutions. In particular, we are hopeful that in discussions concerning IUU fishing, allocation criteria, and chartering arrangements, the needs and contributions of developing fishing states in the ICCAT area will be given due consideration.

We welcome the coming into force of the United Nations Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks, and look forward to the ICCAT Contracting Parties giving all due consideration to the provisions therein. We also welcome the conclusions of the World Summit on Sustainable Development with respect to the management of fish stocks, and expect the Commission meeting to reflect agreements on the restoration of fish stocks agreed at that event.

It is to be hoped that through a concerted effort and a united approach, it will be possible to ensure an outcome that will benefit all Contracting Parties and those others who wish to fish in the Atlantic Ocean in a lawful, equitable manner.

#### **– United States**

We are delighted to be in the beautiful city of Bilbao and would like to thank the Basque Government for hosting the 13<sup>th</sup> Special Meeting of the Commission. Recognizing the historical importance of fishing to this region, it is a fitting location for this meeting of the Commission.

There are many important and challenging issues facing us at this 13<sup>th</sup> Special Meeting of the Commission. We sincerely appreciate the spirit of cooperation among parties that prevailed after the unusual suspension of last year's meeting. We are optimistic that this spirit of cooperation will continue at this year's Special Meeting of the Commission. Indeed, such cooperation is required if we are to meet the many challenges facing the Commission at this meeting. Paramount among these challenges is achieving the objective of the Convention, to maintain populations at levels that support maximum sustainable catch, which will require compliance by all parties fishing within the Atlantic and the elimination of IUU fishing. In addition, it is crucial that the Commission address problems with the timely reporting of accurate data.

The United States would like to note a few areas of particular concern for this year's meeting. First, we appreciate the efforts of SCRS to analyze various mixing alternatives when conducting the most recent assessments for bluefin tuna. Irrespective of stock model, the SCRS has indicated that "there is clear evidence that a substantial portion of the fish present in the western management area, cross the boundary and become vulnerable to the fishery in the eastern management area, particularly for the central Atlantic between 45 and 30 W, north of 10 N." This has clear implications for the rebuilding plan for the western Atlantic. As the SCRS concludes, "To the extent that western origin fish are subjected to a higher fishing mortality rate in the central Atlantic than is implicit in the western Atlantic Rebuilding Plan, the Plan will be jeopardized."

At the same time, advice of the SCRS clearly suggests that catches of bluefin tuna in the eastern Atlantic and Mediterranean must be reduced to sustainable levels. Because the central North Atlantic has been identified as an area of stock mixing, we hope to develop management measures to prevent an expansion of effort in this area.

Regarding swordfish, the United States is greatly encouraged by the results of the recent stock assessment for North Atlantic swordfish that show the 2002 biomass to be about 95% of that necessary to produce maximum sustainable yield. These results clearly demonstrate that short-term sacrifices can result in major benefits for all. The United States is committed to continue the rebuilding program, protecting the strong younger age classes so that they can mature into reproductively active adults, ensuring sustainability of the fishery. As the recovery continues there will be opportunities for new members to obtain an allocation to this fishery; however, such allocations must be consistent with the sacrifices for rebuilding made by those nations with a historical participation in the fishery.

The United States remains concerned about the status of white marlin and blue marlin. We realize that many parties have already taken significant steps to reducing fishing mortality on these stocks. However, the SCRS has advised us that the current management measures are not likely sufficient to rebuild these highly over-fished stocks. We recognize the difficulties associated with data collection for by-catch species. We hope all parties will work with the SCRS to improve data for the next assessment for this species, which should in turn improve the quality of scientific advice available to fishery managers. In the meantime, we intend to explore other possibilities to prevent further decline of marlin populations.

The United States sees IUU fishing as a continuing threat to the effectiveness of the Commission's management measures and we are determined to close markets to vessels that fish outside of the Commission's conservation regime. Finally, we would like to emphasize the importance of data collection and reporting as the most fundamental responsibility of Contracting Parties. ICCAT must develop means to ensure the collection of basic fisheries data collection and timely reporting of such data as they provide the foundation for the Commission's management decisions.

#### ***4.2 OPENING STATEMENTS BY OBSERVERS FROM COOPERATING NON-CONTRACTING PARTIES, ENTITIES OR FISHING ENTITIES***

##### **– Chinese Taipei**

On behalf of my delegation, I would like to join other delegations to express our sincere appreciation to the Government of Basque for hosting the meeting in the beautiful city of Bilbao. I would also like to thank the Secretariat for the fine arrangements for this meeting. In order to avoid the long meeting as occurred last year, all Contracting Parties as well as Cooperating non-Contracting Parties, Entities or Fishing Entities have to put forth a lot of effort to this meeting. I believe all participants expect satisfactory results of the meeting.

ICCAT is a long-established international fisheries management organization. Through the long-term endeavor of all the Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities, great contributions and achievements of conservation and management of tuna resources have been made. ICCAT resolutions or actions have often been followed by other international fisheries management organizations. Therefore, any measures adopted or action taken by ICCAT, for instance, mail voting, should be more prudent and deliberate in the future. Mail voting is a process in decision-making that should be handled with great care. For any unpopular proposal not winning the consensus in the Panel where voting was not possible, the Commission can only adopt it when at least two-thirds of all the Contracting Parties are supportive, in accordance with the ICCAT Convention. Mail voting should be discouraged, for there can be little room for genuine exchange of ideas among all Parties.

We are very pleased to note that after the meeting held last May in Tokyo the General Outline of the Monitoring Measures has been adopted. This Outline could serve as the basis for the continued work in spelling out the detailed regulations. The spirit of reciprocity for monitoring measures, especially the procedures of high seas inspection, shall be considerably addressed.

Responding to requests of the Tokyo May meeting to combat IUU fishing, Chinese Taipei has exchanged views with the United States and held many consultations with Japan. It was found that the actual number of IUU vessels should be far below that as indicated on the ICCAT IUU list, due to possible duplication of vessel names resulting from frequent flag hopping. It shows that the measures to combat IUU fishing by means of an IUU list is not as effective as expected. As an alternative, we believe that the establishment of a positive list, coupled with implementation of statistical documentation, could be more effective to deter IUU fishing, thereby achieving the goal of sustainable utilization of global tuna resources. We have provided a report to the Commission on our progress in dealing with the IUU issue, and will be happy to answer any question when this is reviewed by the Commission. We will keep working with Japan and all Parties concerned to solve this problem.

In closing, again I would like to extend my gratitude to the Government of Basque Region and the Government of Bilbao for their hospitality. We hope the issues concerned by all participants of this meeting could be fully discussed and conclude fruitful results.

#### ***4.3 OPENING STATEMENTS BY OBSERVERS FROM NON-CONTRACTING PARTIES, ENTITIES OR FISHING ENTITIES***

##### **– Belize**

You will recall that at the 17<sup>th</sup> Regular Meeting of ICCAT in Murcia in November 2001, we expressed our commitment to implement measures to eliminate the activities of fishing vessels that were identified as diminishing the effectiveness of ICCAT conservation measures, to adopt revised registration standards and to implement effective monitoring, control and surveillance methods to our fishing fleet. As the result, the Commission Chairman wrote to us on April 9, 2002 to the effect that “ICCAT is very encouraged by the efforts that Belize has recently undertaken...” Such encouragement is much appreciated.

Since that time, we have been co-operating with the Commission, other conservation organizations as well as the U.N. in updating them on our progress and responding to communications concerning vessels suspected of illegal, unregulated and unreported fishing activities. In this regard, reference is made to our faxes to you of May 23, June 24 and October 16, 2002 as well as the letter to the Secretary-General of the United Nations dated June 10, 2002.

Belize has made great advances during the last 12 months. We have de-registered 513 fishing vessels and submitted detailed statements concerning alleged IUU fishing vessels. In this regard, you are requested to refer to Doc. No. PWG-015 from which you will note that all the Belize registered vessels which had been identified/suspected by ICCAT as engaging in IUU fishing have either been deleted from our Registry or were never in our Registry or are not fishing in the ICCAT conservation area. We have introduced our High Seas Fishing Act that conforms to the FAO Compliance Agreement, the Fish Stocks Agreement and the IPOA. Details of these and other measures are contained in our submission to the Commission and PWG (Doc. No. PWG-032).

We have come to this meeting with three requests, namely, the lifting of existing sanctions against Belize, the granting of modest quotas and a request for Cooperating Status, details of which are contained in our submission to PWG (Doc. No. PWG-032).

We cannot over-emphasize the importance to our delegation to leave this meeting with concrete results with which we can underpin our policy of co-operation with ICCAT and other conservation organizations. Belize is a developing maritime nation, an integral part of which is its Shipping Registry from which it derives a substantial benefit in much needed foreign exchange. Furthermore, it considers that it has every right to wish to participate in fishing in the Atlantic within the confines of conservation measures.

#### **– Cuba**

The delegation from the Ministry of Industrial Fisheries would like to greet the Commission for Granting Quotas and congratulates it on its arduous and efficient work.

We cannot take advantage of this opportunity to let you know our interest in and willingness to comply with the ICCAT Resolutions and Recommendations, aimed at the conservation of Atlantic tuna, and to offer our cooperation to this end, as demonstrated during our membership, since its founding, in this Organization.

Fishing activities in the EEZ of the Cuban Republic are fully regulated by Cuban legislation, which guarantees responsible fishing and exercises exhaustive control over all the species caught in our waters.

In all the Organizations that regulate fishing activities that Cuba belongs to, its membership has been characterized by its seriousness and transparency. Cuba has a long fishing tradition in all the Oceans, in which it has carried out various fishing operations.

The fisheries carried out in our EEZ, independently of their not targeting species regulated by ICCAT, do not exclude the appearance of these species as by-catch, which, in some cases, could give a distorted image of reality.

It is true that the high seas tuna fleet no longer exists, which is why the longline and baitboat fisheries now only operate in our EEZ with reduced fishing effort, which contributes to some extent to the objectives of ICCAT. Nevertheless, we are currently trying to slowly increase our fisheries. As a result, there will be an increase in the catches of species under the ICCAT quota regime. In this sense, and in the interests of maintaining the transparency of our fishing operations, we should like to ask that the possibility of a quota assignment be considered, as follows: 60 t of bluefin tuna and 100 t of swordfish, bearing in mind that Cuba is a coastal developing State in which fishing has considerable social and economic importance.

We reiterate our willingness to provide ICCAT all the statistical and biological information derived from the fishing activities relating to the species in question.

#### **– Denmark (in respect of the Faroe Islands)**

We wish to thank ICCAT for once again inviting Denmark (in respect of the Faroe Islands) to attend its Commission meeting, thus recognizing the Faroe Islands as a co-operating partner concerning fisheries dealt with by ICCAT.

The Faroe Islands, a small nation in the North Atlantic, are overwhelmingly dependent on fisheries, and have to exploit all marine resources in their 200 miles Exclusive Fisheries Zone; the sustainable management of all marine resources is of vital importance.

According to international law as expressed by the United Nations Convention on the Law of the Sea (UNCLOS) the Faroe Islands have the sovereign right to exploit the living marine resources of its EEZ/Exclusive Fisheries Zone.

Since 1997 Faroese fisheries authorities have granted permits to Japanese vessel owners to carry out experimental fishery for Atlantic bluefin tuna in Faroese waters. The experimental fishery was expanded in 1998

to also including licensed Faroese vessels. The last two years, 2001 and 2002, no Faroese vessels have fished for bluefin tuna.

The tuna licenses have been issued on stringent terms, including reporting to the Faroese Fisheries Inspection Authorities, and full compliance with relevant ICCAT measures regarding the Atlantic bluefin tuna, including the Bluefin Tuna Statistical Document. The fishery has been supervised by the Fisheries Laboratory of the Faroe Islands, which has observers onboard. Licenses have only been granted to vessels, which could document that they possessed valid licences from their flag state (Japan) to fish for Atlantic bluefin tuna.

The experimental fishery has persuasively demonstrated that Atlantic bluefin tuna occurs in significant quantities in Faroese waters and can be harvested there in a sustainable manner, in a fishery targeting large fish. Based on these findings and in harmony with the international law of the sea, the Faroe Islands have the rights of a coastal state with regard to Atlantic bluefin tuna.

This status entitles the Faroe Islands to an appropriate share of any TAC fixed for the relevant tuna stock. It also confers upon the Faroese authorities the duty to take part in the efforts to secure a sustainable use of this stock, which is shared with a number of other countries, be they coastal states or high seas fishing states.

Denmark (in respect of the Faroe Islands) has noted the concern expressed by ICCAT in regard to fishing activities of non-contracting parties to ICCAT. As befits a fisheries dependent coastal state, dedicated to the principle of sustainable use of marine living resources, the Faroese authorities fully share such concerns.

Even if Denmark (in respect of the Faroe Islands) has noted with regret that so far membership of ICCAT has not been meaningful to the Faroe Islands, Faroese fisheries authorities have – as a proof of willingness to cooperate with ICCAT – refused vessels from non-contracting parties to ICCAT to transship their catches in Faroese ports. Likewise, Faroese authorities continue to request vessels fishing for tuna in Faroese waters to comply with relevant ICCAT recommendations. The Faroe Islands are carrying out and informing ICCAT on scientific research on the Atlantic bluefin tuna stock in Faroese waters.

Regarding ICCAT as an appropriate forum for international co-operation on the sustainable use of tuna resources, the option of Denmark (in respect of the Faroe Islands) joining ICCAT has been contemplated. This would be in keeping with a consistent policy of the Faroese fisheries authorities actively taking part in international regional co-operation on straddling and migrating fish stocks.

However, ICCAT membership would only be meaningful in a context where the other members were willing to respect the rights of coastal states in a position like the Faroe Islands to obtain a share in the TAC. It is evident, that the allocation key used so far by ICCAT for the Atlantic bluefin tuna does not fulfil this criterion. It has not taken into account the situation of the Faroe Islands as a coastal state and a newcomer to the fishery. As long as this anomaly has not been properly addressed by ICCAT, membership has been without perspective for the Faroe Islands.

Faroese fisheries authorities followed the work of the Working Group on Allocation Criteria carefully, and Denmark (in respect of the Faroe Islands) attended the meetings of the working group. We have noted with satisfaction that ICCAT has adopted the report of the working group which recommends allocation criteria which take into account the rights and legitimate interests of coastal states, in whose waters ICCAT species occur, as well as the needs of economies which are overwhelmingly dependent upon the exploitation of living marine resources. We feel confident that these principles will also be put into practice in the years to come.

Seen on this background Danish and Faroese authorities are now seriously considering membership in ICCAT by Denmark (in respect of the Faroe Islands).

#### – **Netherlands Antilles**

Thank you for the opportunity to be present here today at this Plenary Session of ICCAT. Also, as the Minister responsible for fisheries in our country, I am glad to be able to be here to share with you the policies and intentions of the Netherlands Antilles.

As you know, the Netherlands Antilles forms part of the Kingdom of the Netherlands but has a separate shipping register for our jurisdiction. Because of several factors in our favor, we are a credible register for many ship owners around the world. Not only do we have a constitutional and institutional framework to implement a proper international fisheries policy, we also actually have the administrative capability to enforce adequate inspection on the ships flying our flags.

However, with the growth of the scrutiny on international shipping and fishing, our country has been increasingly targeted by some countries and international institutions as being “a flag of convenience” which permits IUU fishing. This is contrary to actual practice in our country. I must say, that even if in one isolated case a ship did or does not respect the international rules, it does not mean that we are responsible. We make it our duty to enforce these rules in order to maintain the sovereignty of our flag.

But because of the erroneous image of our country, we are aware of the fact that we have to try harder to convince the international fisheries community that we are serious in what we do and what we want to achieve: namely, to maintain a quality register for all international fishing vessels carrying our flag and play a part in combating IUU fishing in order to preserve a sustainable fishing culture for all nations.

Therefore we have held several conversations with the relevant competent authorities of ICCAT, Spain, the Netherlands, the European Commission and the European Parliament in order to establish the appropriate courses of action.

In this context our government has recently decided to approach ICCAT as a cooperating party and to carry out the necessary adjustment in administrative policy, including the implementation of relevant elements of the FAO Action Plan. This has subsequently been supported by the Government of the Kingdom of the Netherlands, which on October 25 last has sent a letter to the Executive Secretary of ICCAT communicating our interest to become a cooperating party of ICCAT.

Notwithstanding the issue of the 90-day period raised by some members, I am convinced that the status of cooperating party will be most welcomed by all ICCAT members because it demonstrates the willingness of the Netherlands Antilles to work together with ICCAT and it shows the seriousness of our efforts against IUU fishing.

Several countries and international institutions have indicated to us their willingness to assist us in carrying out the necessary national measures to increase our capacity in administrative framework.

We are very grateful for their commitment to our process and have indicated to these parties the willingness to accept this technical assistance, and I am sure that with the intentions of our Government and the policies being implemented, the Netherlands Antilles will be acknowledged as an outstanding and respectable international fishing registry meriting the trust and confidence of the international fishing community including the regulatory institutions.

Finally, we shall continue to work together with other countries in achieving the highest standards and regulations possible, including a comprehensive system of control, such as the VMS satellite tracking system applied to ships flying our flags everywhere in the world.

#### – Norway

Bluefin tuna fishing is a long tradition in Norway, dating back to the 1920s. Norwegian fishermen have fished the large bluefin tuna that enter our waters. This fishery has been carried out by purse seiners during the summer and fall. For instance, in 1975 a total of 2,881 tunas were caught, amounting to a total of 772 t.

The tuna migrate into the Norwegian waters on regular basis; however the fishing activity in recent years has been rather limited.

Norwegian scientists had a leading role in the work in the ICES Bluefin Tuna Working Group, during its period of existence, and Norway has participated in the work of ICCAT as an observer since 1998. The recent development of this regional organization, and in the particular the new ICCAT criteria for allocation of fishing possibilities, recognizing the distribution and the biological characteristics of the stocks, makes it possible for Norway to join ICCAT as a full member.

The annual meeting should now be informed that our Minister of Fisheries, subject to approval of Parliament, has taken the decision for Norway to become a member of ICCAT. We expect that the procedure for Norway to become a member of ICCAT will be completed within the next few months.

In the meantime Norway expects that ICCAT in its proceedings will apply the new allocation criteria, thus recognizing Norway's legitimate rights as a coastal state to the bluefin tuna resource.

#### **– Seychelles**

The Republic of Seychelles wishes to convey its thanks to ICCAT for inviting Seychelles as an observer to this Commission Meeting in Bilbao. I would also like to express our gratitude to the Government of the Basque Region for hosting this meeting. Since many years now we have a close relationship tuna purse seiners from the Basque Region.

Seychelles is taking part in this meeting to show to the international community that it is committed towards responsible fishing. The fact that we are a small nation with two main resources, tourism and fishing, does not mean that we cannot have an important tuna fishing fleet.

We are taking our responsibilities very seriously and I can assure you that during the past six months we have put a stop to any further licensing of large-scale tuna longliners and we are closely monitoring those vessels that are on our register.

There are two further measures the Seychelles Government has introduced which I would like to put on record.

Firstly, since July 1, 2002 all Seychelles-flagged vessels operating outside Seychelles waters are obligated by law to have a vessel monitoring system on board and to transmit their positions every hour to our fisheries monitoring center.

Secondly, any Seychelles registered vessels since the beginning of this year need to have an authorization to fish if they operate outside Seychelles waters. Non-compliance entails deletion from the Seychelles registry.

It is therefore unacceptable and unfair to say that Seychelles-flagged vessels are IUU vessels as the use of VMS is a concrete measure that a Flag State can use to demonstrate that it is able to monitor the activities of its vessels as required in the Compliance Agreement and in the UN Implementing Agreement.

I would like furthermore to add that the vast majority of our vessels are owned and operated by Seychelles companies.

Finally, we would like to end by saying that we are receptive to the concerns of ICCAT and we would strive further to work further towards measures to improve the effectiveness of ICCAT conservation and management measures. For this reason, Seychelles is seriously considering joining ICCAT.

#### **– St. Vincent & the Grenadines**

St. Vincent and the Grenadines is pleased to address this the 13<sup>th</sup> Special Meeting of ICCAT in Bilbao. We are grateful for the invitation and opportunity to bring to the Commission our concerns, needs and measures taken by our country to regulate all Vincentian registered vessels fishing on the high seas.

We are making substantial efforts to fulfill our reporting and compliance obligations to ICCAT as a fishing nation, with a fundamental policy of sustainable use of all our resources, to gain full recognition as a cooperating party. To this end we have enacted legislation and have continued our effort to refine this legislation. We are currently monitoring vessels utilizing a satellite vessel monitoring system, and a number of vessels are currently reporting detailed statistics. We have embarked on an action plan for the regulation of all vessels (local and foreign), a plan that has been regarded as ambitious. However, we are satisfied that substantial work has been done by the government to ensure compliance with ICCAT conservation measures. It is now for this Commission to encourage continuance of such efforts and as well as the participation as members rather than observers.

Our fishing industry, local and high seas, is an important source of revenue as a developing coastal state with limited natural and financial resources. Our country recognizes the need to obtain reasonable quota and anticipates that our rights as a developing coastal state to fish resources in the ICCAT Convention area will be fully accommodated and respected. In this regard, we request that these deliberations take account of our needs as a small developing state by lifting sanctions for bigeye tuna and provide our vessels with the opportunity to rectify their activities to become fully compliant with ICCAT management measures, thereby facilitating their continued regulation. We also request that considerations be given to our need for reasonable quota as a cooperating party.

#### **– Turkey**

In 2002, Turkey started the ICCAT membership process. The Draft Law prepared for this purpose was presented to the Turkish Grand National Assembly (TGNA) on July 30, 2002.

Due to the unexpected early Parliamentary elections, the membership procedure was transferred to the Agenda of the next TGNA. Nevertheless, it is strongly believed that Turkey will apply for ICCAT membership in 2003.

Although Turkey is not a Contracting Party to ICCAT, she strictly applies the resolutions, measures and recommendations of ICCAT with her sustainable and responsible fishery policy. In this respect, recent annual bluefin tuna catches declined to 2,000-2,100 t and the number of bluefin tuna purse seiners has been reduced to below 30, while the catch was over 5,000 t and the number of purse seiners was in the 80s in 1997 and 1998. No data have been reported by other Mediterranean countries indicating such a remarkable reduction. Since Turkey respects the resolutions and recommendations of ICCAT, she has taken all the necessary measures, in spite of the socio-economic difficulties of the Turkish fishermen.

As an important development in 2002 like in some other Mediterranean countries, limited bluefin tuna farming projects have been started in Turkey. Despite the excessive application for obtaining licenses for bluefin tuna farming, the Ministry of Agriculture of Turkey has approved a very limited number of concessions, for the sake of protecting bluefin tuna stocks and has decreased the bluefin tuna catch in the Mediterranean. The bluefin tuna stocks in the farms will be kept in line with the ICCAT quotas in force. Turkey is determined to sustain her sensitivity on this matter.

As it can be clearly seen with the help of the attached catch and stock forms, those bluefin tuna farms were placed under control and disciplined. Bluefin tuna farms are continuously controlled and monitored by official authorities so that more accurate data can be collected.

On the other hand, Turkey has commenced a project concerning bluefin tuna spawning (egg and larval surveys). It is believed that this will be helpful for SCRS studies, if it is supported by ICCAT.

#### **– Vanuatu**

Greetings from the Government of the Republic of Vanuatu to the Secretariat and all delegates of this meeting.

The Republic of Vanuatu wishes to thank ICCAT for accepting its participation and presentation at this Bilbao meeting of the International Commission for the Conservation of Atlantic Tuna. Amongst the various matters to be deliberated upon in this meeting, the statement of the Republic of Vanuatu is made in regards to its achievements and progress in the area of measures against Illegal, Unreported and Unregulated (IUU) fishing activities. Also this statement addresses the issue of Flag of Convenience (FOC) and the steps taken by Vanuatu to ensure that it is not used or abused as an FOC.

Vanuatu, as a Cooperating non-Contracting Party to ICCAT is hopeful that its statements will be considered by this meeting in order to establish a long-term recognition of its developments for complying with the directives and measures of ICCAT. Furthermore, it should be noted by certain Contracting Parties that, whilst Vanuatu accepts their concerns, it reserves its right to deal with its own issues and has no intention to submit to those demands of certain countries in the context by which pressure has recently been applied.

The Government of Vanuatu now wishes to submit to the Commission the following statements of facts in relation to its efforts and the progress it has made in relation to ensuring compliance, catch reporting, active management, and legislative regulations over all of its commercial fishing vessels registered in Vanuatu.

*Issue of Sunrise No. 1 unloading its illegal catches*

Recent information provided to Vanuatu on the activity for the vessel Sunrise No.1 indicates evidence of transshipment activity that is unwarranted under the new Vanuatu fisheries management program. This vessel flies the flag of Vanuatu as a result of its registration prior to the new mandatory fisheries management scheme now in effect. It has refused and/or failed to comply with the current management requirements set by the Vanuatu Government with respect to active VMS monitoring, regular catch reporting and other management requirements, and therefore, it is currently considered as non-compliant or a rogue vessel.

Early this year *Sunrise No.1* attempted to apply for a Certificate of Origin form from Vanuatu Fisheries in order to unload its catch in Japan. The request was automatically rejected and refused for the reason that it is seen to be a 'rogue vessel not under management' and therefore was not eligible to be considered a Vanuatu flag fishing vessel.

Relevant authorities in Japan informed Vanuatu that *Sunrise No.1* was recently allowed to unload its catch in a port in Japan. Someone in Japan accepted the importation of catch for which authorization was already refused by the Vanuatu Government. Vanuatu claims no participation in this matter, but instead requests that the ICCAT seek clarification from Japan as to the occurrence of the event. Inquiries should be made in regards to the verification and origin of its catch and also whether *Sunrise No.1* met the requirements for entering and unloading its catch.

At the Tokyo meeting of ICCAT, the Vanuatu Government sought the cooperation of ICCAT members to identify, if any, a Contracting Party that has historical knowledge of this vessel and to produce the information necessary in order to expose this rogue vessel. It seems that now we can actually resolve this matter from the information received about this vessel, its catch, and the transshipment activity in question. The Vanuatu Government would like an explanation as to why *Sunrise No.1* was allowed to unload its catch even though the Certificate of Origin was refused by Vanuatu and why no actions were taken to inform Vanuatu of the activities of that vessel while in its port.

The Vanuatu Government feels it was improper and unjustified for Japan to request Vanuatu to eradicate its entire fleet of Vanuatu longline fishing vessels as a result of this *Sunrise No.1* incident.

As a matter of procedure and in the spirit of cooperation the Vanuatu Government is now taking action towards *Sunrise No.1*. The Vanuatu Government has forwarded a letter to its owner inviting him to register under the new mandatory management program. Failing this, the Vanuatu Government would like to assure the Commission that it will take all necessary steps to deregister this vessel from its international registry of which the same consequence will be applicable to all fishing vessels which refuse to comply with the requirements under the new management regime.

The Vanuatu Government would like to request that in the future, any Contracting Party that wishes to raise complaints against a Vanuatu vessel to direct its complaints through the proper forum of the Commission of the ICCAT Secretariat.

Equally important, the Vanuatu Government wishes to applaud all of the other efforts by Japan with respect to combating IUU activities and are pleased to see that the other 12 (Tunago and Fortuna) vessels on the 2001 IUU list are now marked to be de-listed as they should since they are all operating exclusively in the Western Pacific and all are actively participating in the new management regime.

*Recognition and fair treatment*

As much as the Vanuatu Government applauds the interests in the spirit of cooperation and international relations, it is our desire that the ICCAT Secretariat ensure that Cooperating Non-Contracting Parties such as Vanuatu are given fair treatment in the processes of ICCAT. The Vanuatu Government hopes that ICCAT can appreciate its progress and participation efforts to date and an environment has been established for future open

dialogue in combating future IUU activities.

#### *Compliance and management*

In its continuing efforts to promote Compliance and Regulatory regime for its commercial fishing industry, the Vanuatu Government and the Department of Fisheries has implemented the following standards and further legislative and regulatory changes are underway.

Management: Currently, any commercial fishing entity or corporation intending to obtain a fishing licenses under Vanuatu is required to satisfy a stringent set of management criteria before the issuing of the license. These management requirements include the acceptance of:

- VMS monitoring
- Catch & effort reporting
- Port Inspection
- High-seas boarding inspections
- Transshipment Certification Program
- Certificate of Origin Program
- Catch Landed Certificate

Vanuatu Transshipment Certification: An additional measure is the creation of a Vanuatu Transshipment Certification system. This process confirms that the exporting vessel (Vanuatu fishing vessel) is a certified vessel under management and is a vessel whose fishing activity is compliant with all the VMS monitoring and Catch Reporting scheme. The monitoring measures are evaluated against the offloading records whereby a Certificate by Vanuatu can be issued. We hope that any recipient of its catch should benefit from such disclosure of essential information regarding the vessel.

Certificate of Origin: The Government of Vanuatu has created a requirement to issue a Certificate of Origin only to those vessels that are Vanuatu fishing vessels and have consented to be enrolled under the management of any company registered in Vanuatu. The Vanuatu Government seeks the cooperation of each Contracting Party to ICCAT, whereby, on any instance upon which they locate a vessel carrying a Certificate of Origin of Vanuatu to contact the Government of Vanuatu in order for it to assist in ensuring compliance. Any effort in that regard will help us greatly and create a mutual understanding between parties and pave the way for continued efforts to combat IUU activities.

#### *Vessel monitoring system & reporting requirements*

The Vanuatu Government now has a fully operational Vessel Monitoring System. This has already proved highly successful in the Government's efforts to bring its registry under proper management controls. Currently, all commercial fishing vessels are required to be VMS tracked at a minimum of 4 polls per day, and all VMS and catch data for all fishing boats are actively being collected into the new management system. This statistical data will be used for Vanuatu's participation in the international commissions including ICCAT.

Furthermore, in the area of catch reporting, a new electronic Catch Reporting System has been developed and is in the initial stage of the first production installations. Previously IUU listed vessels by ICCAT have since adhered to being equipped with VMS and are ALL now actively monitored. Tunago, Fortuna and other fleets are also voluntarily participating in this pilot of this new technology.

Finally, the Vanuatu Government hereby invites the Secretariat to visit Vanuatu at a time convenient to itself for an introduction to progress made in respect to its newly developed management system..

#### *Vanuatu vessels are fishing in non-ICCAT waters for non-ICCAT fish species*

Vanuatu's fishing vessels under management are not operating in the Atlantic and the catches emanate from other regions, primarily western Pacific waters. Any vessel that does ultimately fish in ICCAT waters will be certified and compliant according to the requirements of ICCAT.

Secondly, Vanuatu's fishing vessels are targeting the Pacific albacore species exclusively, which is not a

predominant tuna species normally found in Atlantic waters.

*Economic benefits for Vanuatu from tuna industry*

As a Least Developed Country (LDC) and as a small Pacific Island Nation, Vanuatu relies on its commercial fishing industry for its economic and social development. The fishing industry provides a much needed employment to over 130 Ni-Vanuatu fishermen crew and also brings in much needed revenue to the country. The Vanuatu Government is determined to ensure that this industry continues to progress by meeting international standards.

*Instrument of adherence to ICCAT*

As this meeting convenes, the Government of the Republic of Vanuatu has formally executed the instrument of adherence to the Secretary General of the FAO in order for it to become a Contracting Party of ICCAT. It is also doing the same for membership to the Indian Ocean Tuna Commission (IOTC). This has been supported much by the Government, especially with the recent developments to improve our status as a distant-fishing nation and to lift our profile in international organizations such as ICCAT.

*De-listing of Vanuatu vessels from IUU List*

The Government of Vanuatu wishes to express its sincere appreciation to the Commission with respect to the recommendation for de-listing of the Vanuatu fishing vessels on the 2001 IUU list.

The Government of Vanuatu looks forward to receiving a favorable response in relation to the filing of the instrument to become a full Contracting Party to ICCAT.

**4.4 OPENING STATEMENTS BY OBSERVERS FROM INTER-GOVERNMENTAL AND NON-GOVERNMENTAL ORGANIZATIONS**

**– Food & Agriculture Organization of the United Nations (FAO)**

FAO is very grateful for the invitation extended by ICCAT's Secretariat to observe the 13<sup>th</sup> Special Meeting of the Commission. ICCAT and FAO have been keeping a close and effective working relationship and it is FAO's desire that this collaboration should be further enhanced.

Actually the collaboration between the two organizations has been remarkable evolved recently, such as collaboration in the field of fishery statistics in the framework of the Coordinating Working Party on Fishery Statistics (CWP), collaboration in the FIGIS-FIRMS project and collaboration between ICCAT and GFCM. All of those initiatives strengthen the interactions between us.

Fisheries make major contributions to food security both directly as a source of food, income and employment and indirectly in the production of meal and oil for animal feed. Global production from capture fisheries and aquaculture reached 130 million tones, the highest on record, in 2000 and provided more than 15 percent of total animal protein supplies. Thirty-five (35) million people are working for fisheries and international trade in fish products increased to a new record of US \$55.2 billion. However, recent trends suggest that key commercial fish stocks are being stretched to capacity, the proportion of low value species in reported catches has increased substantially and the level of traditional target species has gone down. This is an issue that we all need to work to address.

During the World Summit on Sustainable Development (WSSD) held in Johannesburg last August to September, the first substantial agreement reached was the one on fisheries. A provision calling for restoration of depleted fisheries stocks not later than 2015, where possible, was agreed. The agreement is also calling to strengthen regional cooperation and coordination between the relevant regional organizations and programs including regional fisheries management organizations.

It is not the first time for the international community to call for the importance of regional fisheries management organizations. The Agenda 21, which is an action plan agreed at the Rio Summit in 1992, the 1995 UN Fish Stocks Agreement and the 1995 FAO Code of Conduct for Responsible Fisheries highlight the pivotal

role of regional fisheries management organizations in implementing management measures designed to secure long-term sustainable and responsible outcomes.

The international concern and expectation is not surprising because fisheries in international waters are plagued by a number of problems that can best be solved only through collective action. Among those problems, IUU fishing is one of the most serious and needs urgent counter measures. In February 2001 during the Second Meeting of FAO and Non-FAO Regional Fishery Bodies or Arrangements, at which “Illegal, unreported and unregulated (IUU) fishing” was discussed, the Representative of ICCAT informed the meeting that it had taken measures to combat IUU fishing for several years. The Ad Hoc Working Group to Develop Measures to Combat IUU Fishing held in Tokyo, last May, was the outstanding example how ICCAT has been seriously and strongly dealing with the issue, including the full range of implementation of the International Plan of Action to Prevent, Deter and Eliminate IUU Fishing. ICCAT is undoubtedly one of the leading organizations that are tackling the issue of IUU fishing and the efforts and experiences of ICCAT are providing valuable examples for other regions and nations to follow. FAO will also continue to tackle this issue and strengthen its working relation with ICCAT on the issue.

The Third Meeting of Regional Fishery Bodies will be held in FAO Headquarters on March 3 and 4, 2003. As in previous years FAO looks forward to active participation of ICCAT at that Meeting.

I will carefully and conscientiously observe the proceedings of this meeting and report appropriately to the management of FAO Fisheries Department.

Taking this opportunity, FAO wishes to express again the appreciation for the assistance and cooperation received from ICCAT.

Finally, I hope that the meeting will be marked with success and that the outcome will serve to promote sustainable and responsible tuna fisheries in the Atlantic Ocean.

#### **– Caribbean Community (CARICOM)**

On behalf of the Caribbean Community (CARICOM), I wish to thank the Commission for its invitation to CARICOM to participate, as an Observer, in the 13th Special Meeting of the Commission. I also acknowledge the efforts of the Basque government to host this Meeting.

Many CARICOM Member States are Small Island Developing States, with limited natural resources. Given the relatively small land areas of CARICOM countries, the fisheries sector makes a significant contribution to food security, the alleviation of poverty, employment opportunities, and hence social stability. The development of large pelagic fisheries in CARICOM countries therefore constitutes a natural part of their economic development, and is being increasingly relied upon to replace revenues lost from recent significant declines in the agricultural and tourism sectors.

At this time, CARICOM considers it important to bring to the Commission’s attention the following observations regarding the development of management approaches being pursued by the Commission.

- i) The majority of existing large pelagic fisheries in CARICOM countries operate in coastal waters. These fisheries are largely artisanal and small-scale, employing comparatively simple fishing techniques, and harvesting whichever species are locally abundant. Due to the complex nature and distribution of artisanal fisheries, it is widely accepted that it is impossible to sample these fisheries adequately. In view of this, the Commission’s catch quota allocations should accommodate explicitly and sufficiently for those catches taken by these fisheries, which, in most instances, have been in existence for several decades.
- ii) Given that the artisanal and small-scale fisheries of CARICOM countries have a restricted range of operations in coastal waters, the harvest of certain amounts of juvenile fish is unavoidable. While such fisheries have little or no capacity to change their traditional fishing areas and methods, they provide an essential source of food and employment for many coastal communities in CARICOM countries. In view of this, the enforcement of the Commission’s minimum size regulations, and associated catch tolerance levels, should be stricter in the large-scale fisheries that operate further offshore, and which do have the capacity to modify their fishing areas and methods. This approach would take into account some of the special needs of developing States, and would place greater restrictions on those developed

States that do have the necessary resources to bear such restriction costs.

- iii) The Commission's stock rebuilding programs, when necessary, need to recommend compromises that are practical and which take into account differences in the status of developed and developing fisheries, particularly those in developing States. Developed fisheries already enjoy operating at full capacity, and their compromise must necessarily include catch quota reductions. In contrast, developing fisheries are seeking to expand their operational capacity. During stock rebuilding, developing fisheries, particularly those in developing States, should therefore be requested only to limit their fishing effort and catches to present levels, as this already represents a compromise for the States concerned. Imposing catch quota reductions on developing fisheries doubles the burden of conservation action required, and is unfair in view of the fact that the stock declines are really the result of excessive harvesting activities by the developed fisheries.

I hope that the Commission takes careful note of these observations during its present and future deliberations, and I thank you for your time and attention.

#### **– ITSAS GEROA Association**

We would like to thank the Commission for giving us the opportunity to assist as observers at this important meeting held here on the Spanish side of the Basque Region.

We declare ITSAS GEROA's confidence and trust in ICCAT as the main body guaranteeing the conservation of tunas in the Atlantic.

We emphasize the importance of the conservation of the tuna resources in the North Atlantic, with special regard to albacore and bluefin tuna, for the entire fishing community we are representing before ICCAT.

We again reiterate our concern about the status of over-exploitation of both of these resources.

We would like to emphasize that the uncontrolled development of large capacity fishing gears and poor or doubtful selectivity, such as driftnet and pelagic trawl, have contributed in large measure to this situation of over-exploitation.

In the same line, these fishing methods have substantially altered the sustainable fishing activity of the traditional fleets, causing a negative impact therewith.

ITSAS GEROA, in the context of the work developed by ICCAT, desires to declare that the exercise of fishing with responsible and selective gears should be considered major goal for the establishment of the allocation criteria and compliance. This task must close the door to irresponsible and illegal practices, and therefore we consider this issue to be a *sine qua non* requirement to establish allocations and parameters for serious concern.

#### **– Wrigley Institute for Environmental Studies (WIES)**

WIES, the USC Wrigley Institute for Environmental Studies, is a research organization dedicated to providing unbiased scientific advice for the sustainable and efficient utilization of our natural resources. In the past, our studies, based at the University of Southern California, USA, have been conducted in the physical sciences. However, in recent years, we have recognized a need for a better understanding of the policy making process and other political-economy aspects of resource use. We believe that the highly migratory species managed by ICCAT and other regional fisheries bodies are extremely valuable to many sectors of society and should be carefully managed to maximize benefits to all while minimizing any related costs. Because of this belief, we have instituted several new projects, some of which concern the biological aspects of the fisheries and others of which, like the study of ICCAT, belong in the social sciences. Our observers are here not to express opinions, *per se*, but to gather information. Our long-term goal is to facilitate your work by providing an unbiased and scientific perspective on the difficult task of managing tuna-like species in the Atlantic.

#### **4.5 CLOSING STATEMENTS**

– **Canada**

Canada came to this year's meeting with guarded expectations given the events of the past two years. During the past two years, ICCAT had moved some steps backward in the management of first southern swordfish and last year eastern bluefin. The absence of conservation measures to define and limit quota and catches reflected badly on this Commission. What we had done was to move backward on one of the fundamental principles of fisheries management.

This week we have made some significant strides forward.

We have not addressed all of our conservation issues. In particular, we are still fishing many stocks above sustainable levels and we continue to take too many juvenile fish. But we reestablished management regimes for southern swordfish and eastern bluefin.

But, this is not the end of our conservation efforts. This only gives us a second chance to prove that ICCAT can effectively manage the resources within our responsibility. We cannot and must not fail. We must use the near future to show that we can fish responsibly and within sustainable limits.

Finally, I commend the Chairman and all Parties this week for their spirit of respect, flexibility and compromise. We have made strides in management, strides in allocation and great strides in cooperation. Let us hope that the spirit of conservation, compromise and cooperation rekindled here in Bilbao continues into the future.

– **Belize**

We wish to express our disappointment at the result of your consideration of our submission dated October 18, 2002. We are particularly concerned at the lack of proper rules and procedures in respect to the following:

- The submission during meetings of serious and often erroneous allegations against Flag States concerning vessels allegedly on their Registers, which are unaccompanied by any details or evidence. We strongly recommend that in the future, all such allegations be submitted to the Flag State concerned together with the accompanying evidence at least 30 days prior to any meeting in order to enable it to investigate and respond thereto. The unsubstantiated allegations submitted by the EC Delegation on October 31, 2002 regarding the non-existence of the fishing vessels *Albatros* and the *Albatross II* (de-registered) are now the subject of an official inquiry in Belize, the results of which will be communicated to your organization as well as to other official bodies.
- Imposition or lifting of sanction or the identification of Flag States. For example, the grounds relating to the identification of Honduras at this meeting were totally out of order. In our view, it is not tenable that a Flag State should be identified on the grounds that "IUU vessels might return to that country's Registry". This allegation cannot be made at the whim of the accusing nation in order to discriminate against a particular Flag State, year after year and on the basis of no evidence. Furthermore, such an allegation, by its very nature, is not capable of being refuted.
- The absence of consistent and proper definition of "IUU", "suspected IUU" or "links with IUU" and the evidence requirements for proving same.

Certainty of fair treatment based on publicized and consistently applied rules is a fundamental prerequisite for the proper conduct of an organization's affairs. The more so since ICCAT's decision-making process appears to be dominated by a handful of delegations.

We trust that you will accept our recommendations in the constructive spirit with which they are submitted. We look forward to being informed as to whether or not ICCAT has addressed our concerns.

## – Cuba

As the Delegation of the Republic of Cuba, we are pleased to be at this 13<sup>th</sup> Special Meeting of the ICCAT Commission, in view of the kind invitation from the Executive Secretary, Dr. Adolfo Ribeiro Lima, to participate in the meeting as Observers.

After an absence of various years, for reasons of force majeure, we consider it an honor that you have accepted us at this important event.

The traditional cooperation of the Republic of Cuba, its scientists and its fishers in ICCAT's efforts aimed at the conservation of tunas and tuna-like species in our ocean is well recognized, as is the seriousness and dedication of our people in complying with the Regulations and Conventions of this organization.

As a coastal nation, we are in the condition and disposition to cooperate with our scientific force in any areas that ICCAT requests, as well as continuing to comply with the commitments that are established by ICCAT on its Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities, as set forth in the documents transmitted by ICCAT.

You all know that Cuba is a country in which the fishing activity plays an important role in the economy of the Cuban people, which had more than 100 fishers and other workers associated with the industrial activity of the tuna fishing sector.

Due to the new conditions and possibilities of our country, there is an increased need to fish the species regulated by ICCAT in our Exclusive Economic Zone and, in part, in international waters, an activity that had been interrupted for various reasons.

Our delegation wishes to inform the distinguished delegates that in recent years, various species regulated by ICCAT have been caught in our EEZ and, within our plans for development, it is expected to continue these fisheries the catches of which are destined mainly at national consumption.

Cuba has an adequate infrastructure to comply with the ICCAT requirements as concerns information and compliance with the regulations in effect, which was irrefutably shown during the years in which our country carried out this type of fisheries in the Atlantic and in our EEZ.

Finally, our delegation reconfirms its recognition of the Kingdom of Spain and its Government, as well as the Autonomous Basque Region for offering its beautiful city to hold this important meeting, where we have enjoyed your hospitality.

## 4.6 OTHER STATEMENTS

### – Japan regarding the Recommendation on the ICCAT Record of Vessels

With respect to the *Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels Over 24 meters Authorized to Operate in the Convention Area* (see ANNEX 8.22) Japan would like to make the following statement for the record:

In the course of the discussion Japanese delegation proposed to include in this recommendation a paragraph, with obligate the Commission and Contracting Parties to contact the relevant countries to inform them of this recommendation well before its implementation and to encourage them to become Members or to obtain cooperating status of the Commission. But the paragraph couldn't be included.

However, Japan would like to underscore such notification to non-members is very important and indispensable to obtain understanding on this matter and to ensure the consistency and accountability in light of international rules, such as WTO.

There, Japanese delegation would strongly ask all the Contracting Parties as well as the Secretariat to inform all the relevant countries of this recommendation well in advance and continue to encourage them to become Contracting Parties or Cooperating non-Contracting Parties, Entities or Fishing Entities.

I would ask this statement recorded in the report.

#### **– Japan on the Recommendation concerning the IUU Vessel List**

In adopting the *Recommendation by ICCAT to Establish a List of Vessels Presumed to Have Carried Out Illegal, Unreported and Unregulated Fishing Activities in the ICCAT Convention Area* (see **ANNEX 8.23**) Japan would like to register in the record the following understanding.

First, Paragraph 9 of the Recommendation stipulates that Contracting Parties shall take all necessary measures, under their applicable legislation, to implement the listed actions including prohibition of import of all tuna and tuna-like species caught by the vessels on the IUU list in the Convention Area. In interpreting the whole provision related to this trade restrictive action, Japan understands that this provision requires the measures pertaining to the three species covered by the statistical document programs, namely, swordfish, bluefin and bigeye tunas.

Second, although the scope of fishing vessels covered by this scheme is limited to non-contracting Parties initially, Japan understands in view of the paragraph 11 that expansion of the scope to Contracting Parties will be considered as a matter of priority at the next Commission meeting and be realized in the near future.

With this understanding, Japan would like to follow the consensus on the adoption of this Recommendation.

#### **– Canada on the SCRS**

One of the things that plagues this organization is the lack of timely data needed to carry out its mandate. Both the SCRS and the Commission suffer because of this.

Last year the Commission adopted a resolution extending the deadline for Task I and Task II data until July 31, except in cases when assessments were to be held earlier in the year, in which case the data were to be submitted two weeks prior to such meetings.

This year the SCRS conducted four assessments and in at least two cases, east Atlantic bluefin and south Atlantic swordfish, scientists were unable to undertake the necessary assessment up to 2001 due to a lack of data by a number of Parties. This is not a new problem. It has been going on for many years. This is not only intolerable, but it is now surely affecting the work of the Commission.

In many instances these same Parties are demanding allocations or increases in existing allocations, yet surely they must understand that with the privileges that come with membership in an organization such as ICCAT, come obligations. We cannot have one without the other. Parties use terms such as “fairness” and “rights” when arguing for quotas yet ignore the unfairness when some Parties comply with the submission of data while they themselves do not.

At the urging of Commission members, the Secretariat has enhanced its scientific capability over the past few years by hiring a number of highly educated and highly skilled scientists. We did this to improve the scientific basis for our management measures. Within the SCRS we have world-class scientists. Why do we deny them the data they need to do their jobs? When the SCRS cannot do its job, we are destined to do our job poorly.

#### **– Honduras on the elimination of IUU vessels from its Registry**

Honduras commits itself to the following points to eliminate IUU vessels from its registry:

- To make its best effort to cancel immediately these 25 vessels from its registry after investigation.
- Not to submit any large-scale tuna longline fishing vessels to the ICCAT Record at least until the end of the 2003 Commission meeting;
- To continue to scrutinize its registry for further deletion of registration of any IUU fishing vessels, if any; and
- Not to accept any IUU fishing vessels under its registry.

**REPORT OF THE ICCAT *AD HOC* WORKING GROUP ON  
MEASURES TO COMBAT IUU FISHING  
(Tokyo, Japan 27-30 May 2002)**

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

1.1 Dr. Victor Restrepo of the ICCAT Secretariat opened the Working Group meeting. He announced that Mexico had become a Contracting Party to ICCAT immediately prior to the meeting and welcomed the delegate of Mexico on behalf of the Commission. Opening remarks were presented by Mr. Hiroyuki Kinoshita, Director General of the Fisheries Agency of Japan. His presentation is attached as **Appendix A to ANNEX 5**.

1.2 The participant list is included in **Appendix 2 to ANNEX 5**. Opening statements presented by delegations are included in **Appendix 3 to ANNEX 5**.

### **2. Election of Chairperson**

The United States nominated Japan to Chair the Working Group and Morocco seconded the motion. Mr. Masanori Miyahara of Japan served as Chair of the meeting.

### **3. Adoption of Agenda**

The Agenda was adopted without changes (**Appendix 1 to ANNEX 5**).

### **4. Election of Rapporteur**

Ms. Erika Carlsen (United States) served as Rapporteur of the meeting.

### **5. Scrutiny of the trade data and other relevant information available to the Commission as well as information and evidence provided in accordance with the 2001 Resolution**

#### ***Small group meeting***

5.1 The Working Group held a small group meeting, open to all participants, to review relevant reports on IUU fishing activities. Two such documents were presented by Japan (“The nature of IUU fishing vessels: Chinese Taipei’s owners of legitimately-licensed fishing vessels who are or are believed to own and operate IUU fishing vessels” and China (“Report of China to ICCAT Working Group on IUU Fishing”)\*.

5.2 During the small group meeting, the Observer of Chinese Taipei pointed out that the relationships mentioned in the Japanese document were simply allegations that contained a number of errors. He indicated that, although several companies may have had the same address, this did not necessarily mean that they were a single business entity, that companies listed in the document were legally independent and that the Japanese document cannot serve as evidence for having substantial linkage. Participants made some corrections to the data and information presented in the Japanese document. The delegate of Japan stated that, while Japan had done its best to highlight the nature of IUU fishing activities with the data available to its authorities, it was the task of Chinese Taipei to further study the involvement of its residents in these activities. The Observer of Chinese Taipei emphasized that, under the current legal system, authorities could not investigate Chinese Taipei residents or companies, unless they were suspects to an alleged crime.

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\* These documents are not included here, but are available, upon request, from the ICCAT Secretariat.

5.3 After discussion, the small group concluded that the overall picture provided by the Japanese document had not changed as a result of the group's scrutiny. Hence, the small group concluded that the involvement of Chinese Taipei residents in IUU activities was very significant. The Observer of Chinese Taipei put a reservation over this conclusion.

5.4 Examination of the report prepared by China indicated that China had made efforts to terminate the business relationship between its licensed large-scale tuna longline vessels ("LSTLVs") and IUU vessel owners. Four vessels were still under investigation, whereas all other Chinese licensed longliners were proved by the government of China to have already cut -or would soon cut- such relationships.

5.5 Some general discussion ensued on the need for clear criteria for listing IUU vessels as well as on the difficulties in identifying IUU vessels. The Group noted with grave concern the problematic behavior of IUU vessels, such as frequent changes of names and flags, dual registration, same names on different vessels and false identification, to circumvent measures against them.

### ***Working Group discussions***

5.6 The Chairman presented a summary of the discussions held by the small group. In view of the lack of information Chinese Taipei should have presented in accordance with the *Resolution by ICCAT Concerning More Effective Measures to Prevent, Deter and Eliminate IUU Fishing by Tuna Longline Vessels* (Ref. 01-19), the Working Group strongly encouraged Chinese Taipei and Japan to:

- a) study further the involvement of Chinese Taipei's residents and licensed vessels in IUU tuna long-line fishing and other activities assisting IUU long-line fishing, in reference to the information and data Japan presented to the Working Group;
- b) work out effective measures to prevent such involvement, and
- c) report to the 2002 meeting of the Commission. The measures in (b) should facilitate Japan/Chinese Taipei joint action programs for scrapping and re-registering IUU-LSTLVs and should not reward IUU LSTLV owners and operators.

5.7 Several delegations including Brazil, Canada, China, the European Community, South Africa, and the United States stressed the importance of the above collaborative work between Japan and Chinese Taipei and indicated their willingness to assist in the process.

5.8 Referring to the *Resolution by ICCAT Concerning More Effective Measures to Prevent, Deter and Eliminate IUU Fishing by Tuna Longline Vessels* (Ref. 01-19), one delegation highlighted the need for Contracting Parties to collect and share information on the history and economic background of their LSTLVs.

## **6. Development of more effective measures to deter, prevent, and eliminate IUU fishing**

6.1 During discussions the question arose of whether the Working Group should address all types of IUU fishing activities. The Chairman indicated that, according to the *Resolution by ICCAT Concerning More Effective Measures to Prevent, Deter and Eliminate IUU Fishing by Tuna Longline Vessels*, the immediate scope of the Working Group's task should be limited to large-scale longline vessels, but added that discussions should bear in mind a possible future decision by the Commission to expand the scope to other types of vessels.

6.2 After extensive deliberation there was general agreement that current efforts taken by ICCAT to deal with IUU fishing activities should be improved by the adoption of new measures. The Working Group recommended that the Commission consider inclusion of the following concepts into Resolutions or Recommendations for possible adoption at its meeting in 2002:

### ***a) Control over residents***

- i) Without prejudice to the primary responsibility of the flag Contracting Party or Cooperating non-Contracting Party, Entity or Fishing Entity on the high seas, each Party, Cooperating non-Contracting Party, Entity or Fishing Entity should, to the greatest extent possible, take measures, or cooperate, to

ensure that nationals [or as appropriate residents] subject to their jurisdiction do not support or engage in IUU fishing. All Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities should cooperate to identify those nationals or residents who are the operators or beneficial owners of vessels involved in IUU fishing.

*b) Transshipment measures*

- i) Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities should ensure that their duly licensed fishing vessels have a prior authorization of transshipment and obtain the validated Statistical Document prior to the transshipment of their tuna and tuna-like species subject to the Statistical Document Programs. They should also ensure that transshipments are consistent with the reported catch amount of each vessel in validating the Statistical Document and require the reporting of transshipment.
- ii) Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities that import tuna and tuna-like species subject to the Statistical Document Programs should require transporters that intend to land such species in their ports, to ensure that the necessary documents are issued before the transshipment. They should obligate the transporters to submit necessary documents including a copy of the validated Statistical Document and the receipt of transshipment to the authorities immediately after the transshipment.
- iii) Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities should provide the Commission with the names and other appropriate information of their transport vessels in such a manner as required for large-scale fishing vessels.

6.3 Japan presented one document explaining the rationale and process used for drafting previous ICCAT lists of LSTLVs believed to be engaged in IUU fishing activities (see section 4.1 of **Appendix 4 to ANNEX 5**. Proposals, in particular on registration of transport vessels to ICCAT as indicated in a document presented by Chinese Taipei (“Statement by Chinese Taipei Responding to Japanese Explanatory Memorandum on the Lists of Large-scale Longline Vessels Believed to be Engaged in Illegal, Unregulated and Unreported Fishing Activities in ICCAT Convention Areas and Other Areas”), were used by the Chairman as reference when discussing measures against IUU activities. Japan also presented three proposals related to this Agenda item: a draft resolution concerning comprehensive measures to combat IUU fishing; a document outlining the process and criteria that could be followed when creating new IUU LSTLV lists; and, a draft resolution to prevent “flag-hopping” of LSTLVs believed to be engaged in IUU fishing. These three Japanese proposals are attached for reference as sections 4.2, 4.3 and 4.4 in **Appendix 4 to ANNEX 5**, respectively.

6.4 In order to initiate early-on the drafting of the 2002 list of LSTLVs believed to be engaged in IUU fishing, the Working Group asked the Secretariat to send out a letter asking for proposed additions/deletions to the 2001 list, together with the appropriate justification. The draft letter is attached as **Appendix 5 to ANNEX 5**.

**7. Review of criteria presently used to enlist vessels on the ICCAT list of tuna longline vessels engaged in IUU fishing, and consideration of the procedure for taking sanction measures**

*Elaboration of a Negative (IUU) Vessel List*

7.1 The EC presented proposals relating to the elaboration of lists of vessels that carry out IUU fishing activities, separately for Contracting Parties (and Cooperating non-Contracting Parties, Entities or Fishing Entities) and for non-Contracting Parties. These proposals are attached for reference as section 4.5 of **Appendix 4 to ANNEX 5**. The EC stressed a need to identify, at the ICCAT level, a list of the vessels presumed to have carried out illegal, unreported and unregulated fishing activities in the ICCAT Convention area according to criteria and clear and transparent procedures as well as the legal consequences linked to this identification, taking into account the provisions of the FAO International Plan of Action on IUU Fishing.

7.2 Following general discussion, the Working Group noted that it is desirable to improve and clarify the current process for developing ICCAT’s IUU vessel list. On the scope of application of the IUU lists, however, various delegations expressed different points of view about the need to focus on LSTLVs (as opposed to all types of large-scale vessels) and about the need to differentiate between Contracting and non-Contracting Parties, Entities or Fishing Entities. Using one of the EC proposals as a starting point, the Working Group engaged in

considerable debate and ultimately developed a draft Recommendation to Establish a List of Vessels Presumed to Have Carried Out Illegal, Unregulated and Unreported Fishing Activities in the ICCAT Convention Area (see section 6.1 in **Appendix 6 to ANNEX 5**, that would apply initially to LSTLVs flying the flag of non-Contracting Parties, for consideration by the Commission at its 2002 meeting. The Secretariat noted that circulation of the information required by the draft Recommendation through electronic means would greatly facilitate the compilation of the list. Some delegations reiterated the FAO International Plan of Action concerning IUU fishing and the need to develop lists of IUU vessels, at the ICCAT level, to assure a rigorous collaboration with other regional fisheries organizations in the fight against IUU fishing.

7.3 One delegation expressed strong reservations about two aspects of the draft Recommendation stating that it contained two unacceptable loopholes. The first concern was that if the Recommendation applied only to non-Contracting Party vessels, then IUU vessel owners could simply shift the flag of their vessels to Contracting Parties in order to avoid being listed. The second concern was the exemption clause to the prohibition of granting a flag to vessels on the IUU list, because of the practical difficulties involved in preventing IUU vessel owners and operators from easily creating new companies in many flag States. In addition, there was concern about the possibility for de-listing vessels on the basis of a State's determination that a vessel flying its flag will not result in IUU fishing, without close review by ICCAT.

7.4 Some delegations expressed the view that, in order to support the adoption of this or any other Recommendation, it was necessary to assume that all Contracting Parties would act responsibly by not engaging in behavior that would diminish the effectiveness of the management measure, and that the Compliance Committee was the appropriate venue to identify any such misbehavior. The Working Group noted that due to a lack of time, it was not possible to thoroughly discuss the matter of IUU fishing in relation to Contracting Parties. The Working Group, however, emphasized that this is an urgent issue that should be addressed by the Commission during its 2002 meeting.

#### ***Elaboration of a Positive (Licensed) Vessel List***

7.5 Several delegations expressed the view that the Commission should consider the development of a comprehensive "positive" list: a list of all fishing vessels duly licensed to harvest tuna and tuna-like species in the ICCAT Convention Area. If such a list were properly developed, ICCAT could ban landings, transshipments and trade of such species harvested in the ICCAT Convention Area by vessels that were not on the list.

7.6 These delegations stated that, while the Commission should improve the criteria and procedures related to its current "negative" list of IUU vessels, a comprehensive positive list might ultimately be a more effective tool for combating IUU fishing. To that end, these delegations offered to work together prior to the 2002 Commission meeting to develop and circulate a proposal for the creation of such a positive list. The Working Group recommended that the Commission consider such a proposal along with the proposal for strengthening the current negative list (see previous section).

7.7 Some delegations noted that the 2001 *Recommendation by ICCAT Concerning Registration and Exchange of Information of Fishing Vessels Fishing for Tuna and Tuna-like Species in the Convention Area* [Ref. 00-17] already established the basis for a "positive" list and that improved compliance with this Recommendation should be a priority in developing of a comprehensive list of licensed vessels. One delegation expressed concern over the development of a positive list, mainly due to the lack of definition of criteria on the inclusion of the vessels flying the flag of a non-contracting party, with the risk of laundering the activities of IUU fishing. Japan introduced a draft Recommendation to Improve Registration of Large-Scale Tuna Longline Fishing Vessels, aimed at improving the registration of LSTLVs in conformance with the 2001 Recommendation. The Working Group briefly discussed the Japanese proposal, which is attached as section 6.2 in **Appendix 6 to ANNEX 5** for consideration by the Commission in October 2002.

#### ***Trade measures***

7.8 Canada tabled a proposal to establish criteria for the imposition and removal of trade restrictive measures to be used by the Compliance Committee and the PWG in developing recommendations for adoption by the Commission. In presenting its proposal, Canada expressed the view that trade measures are a useful tool to prevent, deter, and eliminate IUU fishing, but that the grounds and process by which they are imposed and removed should be improved to ensure fairness, transparency, and consistency. The Canadian proposal is attached for reference as section 4.6 in **Appendix 4 to ANNEX 5**.

7.9 The European Community presented two draft resolutions (see section 4.7 in **Appendix 4 to ANNEX 5**, for reference) for governing the adoption of trade measures. The EC explained that these proposals encompassed criteria, procedures as well as consequences, and that they were meant to provide ICCAT with a tool to promote compliance that is consistent, transparent, and non-discriminatory for both Contracting Parties (or Cooperating non-Contracting Parties, Entities or Fishing Entities) and non-Contracting Parties. Although there was agreement by several delegations that the consideration of trade measures by the PWG and the Compliance Committee could be made more transparent and consistent, discussions on the details of the EC proposals did not go forward because several delegations felt that they went beyond the scope of the mandate of the Working Group. However, several delegations indicated that the Commission should review the current process of setting trade measures, and that such review could involve consideration of the EC proposals. Some delegations, noting that the current system has been working reasonably well, cautioned that such a review should ensure that the existing compliance measures are not lost in the process.

7.10 The Chairman strongly encouraged the concerned parties to consult one another in advance of the 2002 Commission meeting regarding sections 4.6 and 4.7 of **Appendix 4 to ANNEX 5** as well as relevant Resolutions and Recommendations previously adopted by ICCAT.

7.11 Canada presented a table comparing the procedures involved in four ICCAT regulations that deal with the imposition of trade-restrictive measures. Japan presented another table detailing the steps that ICCAT has taken in implementing the Bluefin Tuna Action Plan and the IUU Resolution. While the Working Group did not discuss these documents in depth, they are attached to the report as reference documents (see sections 4.8 and 4.9 in **Appendix 4 to ANNEX 5**).

## **8. Recommendations to the Commission**

8.1 The Working Group's Recommendations to the Commission are indicated in paragraphs 6.2, 7.2, 7.4, and 7.6.

8.2 It was further recommended that the Commission review the current process for setting trade measures for transparency and consistency, while ensuring that the existing compliance measures are not lost in the process. Consultations, including consideration of sections 4.6 and 4.7 of **Appendix 4 to ANNEX 5**, among the concerned parties in advance of the 2002 Commission meeting, were strongly encouraged.

8.3 The Working Group also recommended that the Commission consider the results of further joint effort by Chinese Taipei and Japan (see par. 5.6 and section 6.2 of **Appendix 6 to ANNEX 5**) at its 2002 meeting.

## **9. Other business**

There was no other business.

## **10. Report adoption and closure**

10.1 The Chairman thanked all meeting participants and supporting staff for their hard work. The Secretariat thanked the government of Japan for its financial contribution that made this meeting possible and the concurrent meeting of the Working Group to Develop Integrated Monitoring Measures. The meeting was adjourned.

10.2 The Report of the Working Group was adopted by mail.

**Opening address by Mr. Hiroyuki Kinoshita,  
Director General of The Fisheries Agency Of Japan**

On behalf of the government of Japan, I would like welcome all of you to Tokyo for the ICCAT inter-sessional meeting. May is the most comfortable month of the year in Japan. Moreover, the World Cup begins this weekend in Japan. I hope you enjoy your stay in Japan.

The primary reason for you to come here is, no doubt, to be involved in the intensive review of and debate on the important and urgent issues of the ICCAT. Despite the efforts of the states concerned, we cannot be optimistic about the current and future stock status of tuna and tuna-like species in the Convention area. ICCAT conservation and management measures are not always functioning adequately as planned. Therefore, we have to identify the problems and seriously consider what measures should be taken to improve the situation. IUU fishing vessels flying flags of convenience are undermining the effectiveness of ICCAT resource conservation and management measures. The Commission has tried to take measures against these vessels for four years. To this end, Japan is cooperating with Chinese Taipei to implement the Japan/Chinese Taipei action plan to dispose of IUU longline tuna vessels. However, many IUU fishing vessels is still circumventing the measures against them and continuing IUU fishing operations. In order to combat this problem, we should develop a plan for decisive action against IUU vessels in this Working Group. This is not a stage to indulge in time-consuming discussion for the sake of discussion, but a stage to send a clear signal that those who operate in and make a profit on IUU fishing vessels no longer have any chance to survive. The states concerned with ICCAT should be fully united to develop and implement comprehensive measures by sharing information and ideas as much as possible.

In Japan, our Government is currently endeavoring to ensure the transparency and traceability of information on food products distributed in Japan. Japanese consumers have strong concerns about tunas, in particular: where and how tunas are harvested, by what states tunas are harvested, and how tunas are handled and transferred to the Japanese market. In addition to an adequate fisheries management system, adequate trade and distribution systems are required to conserve and sustainably utilize living marine resources including tunas. I would like to make it clear that, not only as a responsible fishing nation, but also as a responsible fish-importing nation, Japan is ready to discharge its due responsibility in the ICCAT.

In addition to the discussion on measures to combat IUU fishing, integrated monitoring of compliance with ICCAT conservation and management measures is to be discussed in these inter-sessional meetings. I hope the discussion on this pending item from the last meeting will reach a satisfactory conclusion in this meeting. I would like to conclude my opening remarks by expressing my wish that these working groups achieve fruitful results.

**Appendix 1 to ANNEX 5**

**Agenda**

1. Opening of the meeting
2. Election of Chairperson
3. Adoption of Agenda
4. Election of Rapporteur
5. Scrutiny of the trade data and other relevant information available to the Commission as well as information and evidence provided in accordance with the 2001 Resolution
6. Development of more effective measures to deter, prevent and eliminate IUU fishing
7. Review of the criteria presently used to enlist vessels on the ICCAT list of tuna longline vessels engaged in IUU fishing, and consideration of the procedure for taking sanction measures
8. Recommendations to the Commission
9. Other business
10. Report adoption and closure

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**Appendix 3 to ANNEX 5****Opening Statements*****BY CONTRACTING PARTIES******Brazil***

It is indeed a great pleasure for the Brazilian delegation to be here, in the beautiful and lively city of Tokyo, to participate in such an important meeting. We would like to take this opportunity to sincerely thank the Japanese Government for the initiative to hold this meeting as well as for hosting it.

The issue of IUU Fishing is not a simple one, as we all are very much aware of, but it is, certainly, one of the most urgent and relevant to be addressed by this Commission. The continued practice of IUU Fishing by several vessels in the Atlantic Ocean, not only jeopardizes ICCAT strenuous efforts to properly assess and manage the stocks under its mandate, but it also represents quite an unfair competition for those fleets that do comply with the established rules.

However difficult our task might be, we are pretty confident that, with determination and creativity, we will find innovative ways to make this commission much more able to prevent, deter and eliminate IUU Fishing for tunas and tuna-like fishes in the convention area. In order to accomplish this objective, we can rely on the hard work already done by the FAO, consolidated in the FAO IPOA on IUU Fishing. Although not binding, the IPOA is an already agreed and comprehensive international instrument that will certainly serve as a very useful guide to our discussions during the next few days.

Be assured that the Brazilian delegation will do its best to help this meeting to fully achieve its goals.

***Canada***

It is a pleasure for the Canadian delegation to be here in Tokyo and to have the opportunity to engage in discussions on Atlantic stocks in the Pacific.

Canada would like to congratulate you on your appointment. You have a challenging task ahead of you him, especially with the large number of lawyers attending this meeting not only from Canada, but also from other countries around the table. And every one of them has a different legal opinion to share with you!

We are confident that you will lead us through our discussions ably.

ICCAT has been a forerunner internationally in the fight against flags of convenience vessels and IUU fishing. Measures, such as trade sanctions, have been implemented against countries, which persist in allowing the registration of vessels under their flag that continue to violate ICCAT conservation and management measures. Flag of convenience vessels not only contribute to the problem of high seas over-fishing, they undermine ICCAT's efforts to sustainably manage these fish stocks in the Convention Area.

The provisions that ICCAT has put in place are valuable ones. They must be preserved. Canada believes that they must also be strengthened through the grounds and process by which ICCAT imposes and removes trade restrictive measures, so as to ensure fairness, transparency and consistency. At the last ICCAT annual meeting, we flagged this issue by circulating a document, which proposed the development and adoption of objective criteria for the imposition and removal of trade measures. Any measures implemented by ICCAT must be consistent with international obligations, including World Trade Organization requirements.

Canada wants to ensure that ICCAT can continue to rely on these valuable tools for combating IUU fishing. In the next few days, we will have the opportunity to review the data that has been compiled by Japan regarding the scope and breadth of IUU fishing. Understanding the nature of the problem is key to finding pragmatic solutions that address the complex problem of flags of convenience.

The European Community has put forward a number of very constructive and ambitious proposals, which we look forward to discussing. We hope that the comparison table we circulated of existing ICCAT Resolutions and Recommendations will facilitate our exchanges in this regard.

The challenges facing ICCAT are formidable ones. We look forward to fruitful discussions and we hope that we can come together to develop some innovative and practical solutions to address the difficult problem of IUU fishing.

Finally, we would like to thank you and your government for hosting both Working Group Meetings this week, and to commend your team for all its hard work in this regard.

### ***Côte d'Ivoire***

The Côte d'Ivoire is honored to take part in this meeting of the *ad hoc* working group in charge of developing measures aimed at combating illegal unreported and unregulated fishing (IUU) and also to develop integrated monitoring measures. I would like to express my appreciation, on the one hand, to ICCAT that has given my country the pleasure and the opportunity to participate in these two meetings that are taking place in Tokyo, a great city, and on the other hand, the Japanese Government and the authorities of the city of Tokyo who offered us their hospitality by accepting to host this meeting.

For my country, and I believe it is the same for many countries, the importance of the tuna resources and their contribution to the food security and the GDP do not need to be demonstrated. But, it should be noted that these resources decline from year to year and require more attention and good management of the tuna fisheries and all the fisheries in general.

For this, we know that many management measures have already been adopted by ICCAT that, if they were well observed, would permit attaining the objectives of this organization. Unfortunately, there are flags of convenience, these vessels without honor or laws that undermine all the measures of good management and which risk destroying the efforts of so many years. It is essential to find adequate, purposeful and energetic responses that are aimed at deterring and combating IUU vessels and lastly to finalize the development of integrated monitoring measures. With the allocation criteria, the organization has shown that it can whenever it wants.

Côte d'Ivoire, who supports this initiative, is determined to contribute to the success of the work and wishes this meeting every success.

### ***Korea***

First of all, on behalf of the Korean delegation, I would like to thank to the Japanese authorities and the ICCAT Secretariat for hosting and preparing this meeting

On behalf of Korea, I would like to take this opportunity in particular to point out that our view is that this Organization has been a leader in the field of tuna fisheries and on a path of dynamic change and continual improvement for the management in the ICCAT Area of Competence. Korean commercial fisheries organizations still keep a watchful eye on and an interest in all ICCAT activities.

We might recall that in our last meeting, there was a consensus to hold this inter-sessional meeting for developing measures to deal efficiently with all forms of IUU fishing. For the years to come, the Commission last November adopted the resolutions for IUU fishing and continues to work very hard to assist countries in meeting the 2001 goal of cutting the number of IUU fishing vessels to the zero sum level as early as possible in the ICCAT area of competence, which we will discuss further in depth.

Control of IUU fishing vessels remains a major constraint to the management of tuna fisheries. Korea believes that concerted action will be the most efficient way to address and effectively curtail IUU fishing in the ICCAT area of competence. The ICCAT Action Plan to target IUU fishing activities of party members as well as non-members, which are not consistent with the Commission's management and conservation activities, should move a step forward. Too little progress is being made in bringing about significant reductions in the number of IUU fishing vessels and, unless more determined efforts are made to speed up progress, the objectives of the Convention will not be reached. Therefore, it is absolutely indispensable for ICCAT to eliminate IUU fishing operations.

In this context, it has been indicated that any growth in IUU fishing is of very serious concern and immediate action in total removal is necessary to prevent stock collapse. Therefore, a policy that mostly enables ICCAT to react in a timely fashion to future stock trends is needed.

A trade program for tuna and tuna-like species in the ICCAT area of competence improves and provides information that can be of assistance in identifying IUU fishing activities. The role of the statistical document programs in relation to trade in fish and fish products and to fishery resources' sustainability has interested us over several years.

Lastly, due consideration to the recommendations and resolutions of the working groups should be carried out within the context of practicability, workability or feasibility in itself.

We hope this inter-sessional meeting of the ICCAT will be a productive and fruitful one.

***United Kingdom (in respect of its Overseas Territories)***

The United Kingdom, in respect of its Overseas Territories participating in the ICCAT Working Group on Measures to Combat IUU Fishing, would like to thank the Government of Japan for hosting this important inter-sessional meeting.

The United Kingdom, in respect of its Overseas Territories, represents six such territories: Anguilla, Bermuda, the British Virgin Islands, the Falkland Islands, St Helena and its dependencies Tristan da Cunha and Ascension Islands, and the Turks and Caicos Islands. As these are in the process of developing fisheries, there is particular concern relating to how indiscriminate fishing practices undermine the efficacy of ICCAT management measures and negatively affect the fish stocks in the Atlantic Ocean, thereby reducing the opportunities available to legitimate participants.

The continued scourge of IUU fishing has made it difficult for this regional fisheries management organization, and other such organizations, to accurately assess the state of the stocks. The end result of this has been to introduce uncertainty into our attempts to manage the tunas and tuna-like species in the Convention area.

We look forward to constructive discussions, and hope that all parties present approach this meeting with the positive attitude and flexibility which will be required in order to address this vexatious issue that has for so long negatively affected the work of the SCRS and Commission proper.

The United Kingdom, in respect of its overseas territories, is committed to participating as fully as possible at this meeting in an attempt to produce an outcome that will afford the Commission a basis for further positive action.

It is to be hoped that through a concerted effort and a united approach, it will be possible to ensure an outcome that will ultimately benefit all Contracting Parties and those others who seek to fish the Atlantic Ocean in a lawful, equitable manner.

***BY COOPERATING NON-CONTRACTING PARTIES, ENTITIES OR FISHING ENTITIES***

***Chinese Taipei***

On behalf of my delegation, I'd like to extend my sincere thanks to the Government of Japan for accommodating facilities for this meeting, and efforts made by the Secretariat to make this meeting possible.

In view of the international concerns on the sustainable utilization of tuna resources and the need to address the problem of IUU fishing, the FAO IPOA-IUU explicitly defines IUU fishing, and urges regional fisheries management organizations to identify vessels involving in IUU fishing through mutually agreed procedures and principles of equity, transparency and non-discrimination.

The system that supports IUU tuna fishing activities is just like a food chain. First there is the investor of the boat, the country that allows the boat to fly its flag, then there is the transporter, following which there is the importer and the retailer and the consumer, forming the complete food chain. Lacking any of them, the food chain

will break, and the activity will not be viable. It will be meaningless if anyone is trying to extract a part of this chain, and even mislead a part to be linked with subtle relationship by same address of vessel owners or similar name of vessel owners. What we really need is to solve the IUU fishing problem in a legally acceptable manner.

We appreciate the efforts made by our Japanese friends in compiling lists describing the relationship between our legitimately licensed vessels and IUU activities. There might be some kind of linkage, but, we must not ignore or be misled, under international practice and under our domestic legislation, that vessels having same name or same business address cannot serve as an evidence to determine that they are in fact having direct linkage in the illegal activity. To give a very simple example, intimate relationship such as married couple, when the husband commits a crime the wife is not automatically believed to have a relationship or linkage to the crime, unless there is concrete proof. Likewise, we cannot assume that two vessels having related names, or two companies having the same address, or two vessels believed to be represented by the same person, to be interrelated in a legal sense, if they are separate legal persons. ICCAT, as an international organization, should place the principle of legality as the top priority in adopting any resolution, rather than determining a legal affair based upon assumption and unilateral judgment.

We would also like to praise wholeheartedly the EC for their excellent efforts in drafting essential documents concerning the establishment of lists of vessels that carry out IUU fishing, and trade measures. Basically, we welcome the EC proposal that represents a well-balanced approach towards the use of trade measures or sanctions. In particular, the principles advocated in the IPOA-IUU of equality, transparency and non-discrimination on the application of trade measures or sanctions shall be highly honored and respected.

To comprehensively combat IUU fishing, it is necessary to call upon close cooperation among all trade States, port States, and flag States. The recent practices of some States have progressively deterred IUU fishing to some extent. Denial of port access or landing from IUU vessels by port States has adversely influenced operation of IUU vessels and effectively prevented expansion of IUU vessels. For example, South Africa has denied vessels on the IUU list of ICCAT to land their catch at its ports. The Government of South Africa's contribution needs to be acknowledged to enhance monitoring of our fleet. We've complied with the ICCAT certification systems of catch report and established vessel monitoring system via satellite tracking of vessels operating in the Atlantic Ocean. Information and reports such as transshipment of catch, unloading catch and uses of catch quota are required during the whole process of the fishing operation. Not only can this help us to monitor quota usage and manage vessel operations efficiently and diminish the mixture of legal catch and IUU catch, but it can also prevent possible fish laundering. The fishing nations concerned may consider the similar for managing their vessels.

A comprehensive scheme of monitoring and control through the whole fishing process is essential to effectively combat IUU fishing. International cooperation in information exchange and consistent measures taken by all trade States, port States, and flag States will be the key principle to deter IUU fishing.

I thank you for giving us the opportunity of sharing our experiences in fisheries management with all the delegates here. I hope this meeting will be successful and fruitful.

## ***BY NON-CONTRACTING PARTIES, ENTITIES OR FISHING ENTITIES***

### ***Seychelles***

The Republic of Seychelles wishes to convey its thanks to the ICCAT for inviting Seychelles as an observer at this Tokyo meeting. Furthermore, I would like to put on record our gratitude to the Government of Japan for hosting this meeting.

Our presence at this meeting should serve as a reflection of the Seychelles commitment to promote responsible fishing practices among its flag vessels. To that effect, Seychelles has already indicated to the Executive Secretary of the Commission its intention to collaborate, on a voluntary basis, with the Commission by providing any information on Seychelles flagged vessels that the Commission may require. In the same manner, Seychelles is willing to assist any Contracting Parties of the Commission, should the necessity arise.

We would like to place on record that Seychelles has over the last twelve months taken significant steps to ensure that vessels flying the Seychelles flag, and that are engaged in fishing in waters outside the Seychelles jurisdiction, do not compromise any conservation or management measures in force in their respective area of

operation. Vessels engaged in fishing activities outside the Seychelles exclusive economic zone are today required to be authorized by the competent authority in Seychelles. The recent commissioning of our national vessel monitoring center is further proof of our commitment to exert greater control over our flagged vessels. We expect that by July 1, 2002, our vessel monitoring systems center will monitor all Seychelles flagged fishing vessels. This will provide us with the necessary tool to keep track of our vessels, as well as providing us with the autonomy of being able to independently verify what are being reported, in terms of position reports, by our flagged vessels.

Whilst it must be recognized that our undertakings have been very challenging, especially for a small island developing State, we remain convinced that such endeavors are proof of our commitments to our international obligations.

In spite of our continuing effort to ensure that our flagged vessels do not engage in IUU fishing activities, we are disheartened by the lack of objectivity that the Commission has shown in listing our fishing vessels as IUU. This has resulted in the majority of our flagged vessel being denied access to the most important market, for tuna that have been legitimately caught by our flagged vessels. The Seychelles, therefore, strongly urges the Commission to re-evaluate the listings of Seychelles flagged vessels on the list of vessels believed to be engaged in IUU fishing activities that was approved at its 2001 Commission meeting.

Finally, Seychelles would urge all members of the Commission to bring to her attention, either on a bilateral basis or through the Commission, of any knowledge of Seychelles flagged vessels that are engaged in activities and/or fishing practices that would diminish the effectiveness of ICCAT conservation and management measures.

## Appendix 4 to ANNEX 5

### Proposals and information documents (attached for reference only)

#### 4.1 Japan's Explanatory Memorandum on the Lists of Large-Scale Longline Vessels Believed to be Engaged in Illegal, Unregulated and Unreported Fishing Activities in ICCAT Convention Areas and Other Areas

##### 1. Backgrounds of the lists

1) From the very beginning of its work against the IUU fishing activities, the Commission has been targeting a particular type of fishing activities, not general IUU activities. In 1998, Japan presented to the Commission the information on a large number of longline vessels operating outside the knowledge of the Commission and even their flag state authorities. The large-scale tuna longline vessels (LSTLV) registered to mostly small developing nations were reported to be controlled and operated by foreign residents, most of whom are Chinese Taipei's residents. Chinese Taipei and Japan made strenuous joint effort to set up the action programs to deal with Chinese Taipei's resident owners for elimination of their IUU LSTLV; the scrapping and re-registration programs were established in 2000. The Commission welcomed and gave a full support to the programs. While they are at a stage of implementation, the numbers of LSTLVs participating in the programs are still relatively low against the expectation.

2) The salient characteristics of this type of IUU fishing activities are as follows,

- i) The flag states do not have control over fishing activities of these LSTLVs; in almost all cases the fishery authorities of the flag states do not notice existence of those LSTLV in their registries and naturally do not give fishing licenses or authorization to those vessels.
- ii) Most of those LSTLVs are in reality owned and operated by the people residing abroad.
- iii) Their fishing activities are unreported and unnoticed and therefore extremely hard to grasp.
- iv) Those vessels are highly mobile and shift fishing grounds from the Atlantic to other oceans or vice versa very easily.

3) In recognition of the above characteristics of the IUU LSTLVs, the Commission gathered fragmental information on their fishing activities and produced lists of those vessels since 1999. But one should note here that the lists are not comprehensive or conclusive as shown in their title “List of Large-Scale Longline Vessels Believed to be Engaged in Illegal, Unregulated and Unreported Fishing Activities in ICCAT Convention Areas and Other Areas”. The lists should be taken as those partially covering the IUU LSTLVs; a significant number of IUU LSTLVs are presumed to be missing in the lists. Moreover, those IUU LSTLVs changed names and/or flags frequently to circumvent the ICCAT measures. As Japan reported to the Commission last year, they were presumed to be even using names of licensed vessels to hide the IUU catch (“fish laundering”).

4) In view of the “slippery” nature of fishing operations of the IUU LSTLVs, the Commission decided to keep the scope of lists as large as possible so as to involve all the relevant fragmental information collected. The Commission could list only the vessels with record of transshipment in the Atlantic but did not in the past, because no one can be assured that the fishing grounds of IUU LSTLV in question are limited to one ocean, based upon the information on the transshipment places. And if some of these listed LSTLVs were dropped from the current list because of the places of transshipment, they would likely come to the Atlantic or be used as cover for IUU catch of the listed LSTLVs. Upon receiving reasonable explanation with appropriate evidence provided, however, deletions and amendments have been made to the contents of the lists. Several measures against IUU fishing activities have been taken based on the information contained in the list. They showed certain level of success but are not effective enough. That is why the number of LSTLVs participating in the Japan/Chinese Taipei joint action programs is still low.

5) The lists of IUU-LSTLV were made after the above consideration.

The 1999 list: 345(sources: 287 from Japan, 58 from the USA)

The 2000 list: 302(sources: 219 from C.T., 157 from Japan, 22 from the USA)

The 2001 list: 397(sources: 200 from C.T., 291 from Japan, 23 from the USA)

Note: In 2001, the supplementary list was developed by the Commission with regard to the 178 vessels on the previous list that had no import history since January 2000.

## **2. Future work**

It is the firm belief of Japan that the current practice of producing the lists should be maintained unless effective means are implemented to track and monitor the IUU catches by LSTLVs. The effective means would be successful implementation of statistical documentation programs in conjunction with monitoring of transshipment activities. But the Commission should be very careful to change the current practice since IUU vessel owners and operators are closely watching a move of the Commission to find out a new hole to evade the measures against them. Japan would like to urge the Commission to continue the work of listing as in the past at least until its 2003 annual meeting where the performance of the statistical documentation programs and other related measures are evaluated properly. On the other hand, we should make it sure that any vessel on the list be deleted immediately once the flag state demonstrates that that vessel is duly licensed and not engaged any more in IUU fishing activities including laundering the harvest caught by other IUU vessels.

Note: The way to produce the list; based upon the available information, Japan listed the following vessels as believed to be IUU LSTLVs.

- (1) LSTLVs of non-Contracting Parties that are not registered to ICCAT but have an import record of Atlantic tunas or are believed to be able to fish Atlantic tunas;
- (2) LSTLVs of Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities which are not registered to ICCAT but have an import record of Atlantic tunas, or are believed to be able to fish Atlantic tunas, and
- (3) LSTLVs registered to Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities which are registered to ICCAT but have a record of IUU fishing vessels listed in past lists.

Those listed vessels often showed typical common characteristics of FOC IUU vessels owned by Chinese Taipei residents, i.e., Chinese character names while being registered to non-Chinese speaking flag states, owners address in Chinese Taipei and/or catch being dealt with at Japanese ports by particular importers solely used for Chinese Taipei.

#### 4.2 Japan's Draft Resolution by ICCAT Concerning the Comprehensive Measures to Prevent, Deter and Eliminate IUU Fishing by Large-scale Tuna Longline Fishing Vessels

Taking into account the need to implement the "FAO International Plan of Action to prevent, deter and eliminate Illegal, Unreported and Unregulated (IUU) fishing", which was adopted at the 24<sup>th</sup> session of the FAO Committee on Fisheries in 2001;

Taking into account that the Bluefin Tuna Statistical Document Program is currently being implemented, and that similar Programs on Bigeye and Swordfish are being established by the Commission and initiate their operation in this year;

Recalling that the Commission praised and strongly supported the joint program implemented by Japan and Chinese Taipei to eliminate large scale tuna longline vessels engaged in Illegal, Unregulated and Unreported (IUU) fishing by scrapping of Japanese origin vessels and the re-registration of Chinese Taipei built vessels to the Chinese Taipei registry while ensuring no increase in the total number of her tuna longline vessels.

Recognizing that since IUU fishing vessels change their names and flags frequently to evade sanction measures against them and that the lists of IUU fishing vessels based on the past trade data are still useful but should not be the sole tool to eliminate the IUU fishing vessels;

Expressing grave concern that a significant amount of catches by the IUU fishing vessels are believed to be transferred under the names of duly licensed fishing vessels;

Being aware that the majority of crew onboard the IUU tuna longline vessels are residents of Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities.

Recognizing with grave concern that many duly licensed fishing vessels Contracting Parties, Cooperating non-Contracting Parties, Entities, or Fishing Entities, *inter alia* those of Chinese Taipei, are reported to have business relations with IUU fishing activities in either direct or indirect manner;

Stressing the need for Chinese Taipei, Japan and the Parties concerned to investigate the relation between licensed vessel owners and IUU fishing activities and take necessary actions to prevent licensed vessel owners from being engaged in and associated with IUU fishing activities;

The International Commission for the Conservation of Atlantic Tunas (ICCAT) resolves that:

1. In order to prevent their residents subject to their jurisdiction from engaging in and/or being associated with IUU fishing activities by large-scale tuna longline vessels (hereinafter referred to as the "LSTLV"), Contracting Parties, Cooperating non-Contracting Parties, Entities and Fishing Entities should take the following measures:
  - (1) Without prejudice to the primary responsibility of the flag State on the high seas, Contracting Parties, Cooperating non-Contracting Parties, Entities and Fishing Entities should, to the greatest extent possible, take measures to monitor effectively the fishing activities conducted by their residents subject to their jurisdiction employing the LSTLV flying flags of other nations.

In order to compliment the measure taken by the flag States, in particular, a Contracting Party, Cooperating non-Contracting Party, Entity and Fishing Entity whose residents engage in fishing activities employing the LSTLVs on "the list of large-scale longline vessels believed to be engaged in Illegal, Unreported and Unregulated fishing activities in ICCAT convention areas and other areas" (as approved at the Commission Meeting, November 2001), should take every action to instruct these residents to register those LSTLVs to its own registry or to accept scrapping of those LSTLVs unless it is assured that IUU activities will not be engaged in by those vessels.

- (2) Contracting Parties, Cooperating non-Contracting Parties, Entities and Fishing Entities which are the flag Contracting Party or Cooperating non-Contracting Party, Entity or Fishing Entity of LSTLV should ensure that owners or operators of their duly licensed LSTLV have no legal, beneficial or financial interest in, or control of the owners or operators of the vessels believed to be IUU LSTLVs (hereinafter referred to as the "Substantial Linkage with IUU fishing").

In particular, with regard to the duly licensed vessels that are used LSTLVs imported from other States, the flag States should examine the registration history of these vessels, at least from 1997. If a vessel is found to be a former IUU fishing vessel, the flag States should take necessary measures to ensure that the vessel does not have the Substantial Linkage with IUU fishing.

Contracting Parties, Cooperating non-Contracting Parties, Entities and Fishing Entities concerned should cooperate with each other in investigating the history of the LSTLVs and identifying the Substantial Linkage between the current and the previous owners and/or operators of the LSTLVs.

- (3) To ensure the effectiveness of the measures taken under paragraph 1(2), when Substantial Linkage with IUU fishing is suspected regarding a duly licensed LSTLV, the flag State of that vessel should closely monitor fishing and other activities of that vessel so as not to allow that vessel to be used to cover or assist the IUU fishing activities. For this purpose, observers should be boarded on the suspected LSTLVs with at least 30% coverage.
  - (4) If the Substantial Linkage with IUU fishing is evidenced for a duly licensed LSTLV, its flag State should take necessary measures to cut the linkage. Those measures should include, if necessary and appropriate, temporary suspension of the fishing license and prevention of validation of statistical documents for that vessel. If no evidence is presented to show that the linkage was cut one year after such linkage was evidenced, the Commission should suspend the regional registration for that vessel.
  - (5) Contracting Parties, Cooperating non-Contracting Parties, Entities and Fishing Entities should, to the greatest extent possible, take measures to ensure that their residents do not board IUU LSTLVs and engage in IUU fishing activities. They should also take necessary measures to prevent their duly licensed LSTLVs from associating with IUU LSTLVs in the fishing and other related operations including supply of baits and gears.
2. The Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities should establish and implement the following measures to prevent the laundering of catches by IUU LSTLVs.
    - (1) The flag Contracting Party or Cooperating non-Contracting Party, Entity or Fishing Entity of LSTLV should require its duly licensed fishing vessels to obtain the validated Statistical Document prior to the transshipment of their tunas and tuna-like species subject to the Statistical Document Programs to cargo vessels. The flag State should also ensure to validate the Statistical Document so as to ensure consistency of a transshipped amount with the reported catch amount of each vessel.
    - (2) The states that import tunas and tuna-like species subject to the Statistical Document Programs should require transporters that intend to land tunas and tuna-like species in that state, to ensure that the necessary documents are issued before the transshipment. The state shall obligate the transporters that land the tunas and tuna-like species in the State, to submit necessary documents including a copy of the validated Statistical Document and the receipt of transshipment to the authority of the importing State immediately after the transshipment.
  3. The Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities shall, where necessary, take the following measures against those engaged in transactions of tunas and tuna-like species caught by IUU fishing vessels.
    - (1) The Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities should report to the Commission the names, addresses and other relevant information of importers, transporters, and others concerned who continue commercial transactions of tunas and tuna-like species caught by IUU fishing vessels despite the request by the government to refrain from doing such transactions.
    - (2) On receiving the reports referred to in paragraph 3(1), the Commission should publicize the information. The Commission should also request, where necessary, the Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities concerned, to urge their residents to refrain from commercial transactions with those identified in the information.
  4. The Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities should, consistent with their international obligations and domestic laws, deny port access by IUU LSTLVs except in a case of emergency.

5. The Commission should ask other regional fisheries organizations and States concerned with LSTLVs to cooperate with ICCAT, and to assist the measures established by ICCAT.
6. The Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities should report to the Commission at its 2003 meeting the measures taken by the flag States in accordance with this resolution and relevant recommendations and resolutions. The Commission should review those measures and their effects and consider introducing further necessary measure.

#### **4.3 Japan's Proposed Process and Criterion to Enlist the LSTLVs Believed to Engage in IUU Fishing Activities**

##### ***1. Name of the list***

“The lists of large-scale longline vessels believed to be engaged in Illegal, Unreported and Unregulated fishing activities in ICCAT convention areas and other areas”, the Commission produced in the last three years should be renamed as “the list of large-scale tuna longline vessels (LSTLVs) believed to engage or having possibility of engaging in IUU fishing activities in the Convention areas (hereinafter referred to as “the current list”)”. The lists should continue to be produced in such a manner as described in 2 below at least in 2002 and thereafter until new lists can be produced as provided in 3 below.

##### ***2. Process and criterion to produce the current lists***

- 1) Contracting Parties should submit to the Commission by July 31 each year lists of vessels that are found in the trade data and other information to the following criterion:
  - LSTLV not registered to the Commission but having fished or having possibility of fishing tuna and tuna-like species in the Convention areas.
- 2) Upon receipt of the lists submitted by the Contracting Parties, the secretariat should immediately circulate them to Contracting Parties and other flag states of the listed LSTLVs. The flag states may submit to the Commission by September 30 each year evidences demonstrating that their LSTLVs listed neither fished nor have possibility of fishing tuna and tuna-like species in the Convention areas
- 3) Upon receipt of such evidences, the secretariat should delete those LSTLVs with the evidences and produce a draft list containing all the LSTLVs on the submitted lists except for those deleted\*. The secretariat should submit the draft list and the deleted vessels to PWG for its review. The results of review by PWG may, if necessary, be referred to the Compliance Committee. The Commission should adopt the draft list as the current list based upon the results of review by the subsidiary bodies.

##### ***3. Development of new lists***

After successful implementation of the statistical documentation programs for Bigeye tuna and Swordfish, the Commission should develop new lists by oceans of operations from the current lists. But in such development, the Commission should ensure that the effectiveness of the current lists is not undermined.

#### **4.4 Japan's Presentation of its Proposed Resolution to Prevent “Flag-hopping”**

Japan explained the rationale of the proposal to create a 5-year import and register ban of IUU fishing vessels. The primary objective of this proposal is to assist the Japan-Chinese Taipei joint program on elimination of IUU fishing, which is designed to complete re-registration of Chinese Taipei-built IUU vessels to the Chinese Taipei registry by 2005 and scrapping of Japan-built IUU vessels by 2003, and which was supported unanimously by the Commission. Japan pointed out that the distribution of the document that shows relations between the Chinese Taipei's duly licensed fishing vessel owners with IUU fishing operations would result in swift changes of addresses and vessel names of most of IUU vessels to avoid easy detection of such relations. In order to send a strong

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\* Note: Simple registration of a listed LSTLV to the Commission should not be an evidence to delete that vessel from the list. When registering the LSTLV, the flag state must demonstrate that it will control and manage that vessel in accordance with the ICCAT conservation measures as well as the management standards the Commission adopted in 2002.

message to the IUU vessel owners that there is no way alternative to joining the re-registration program or scrapping program, Japan stressed the importance of the early adoption of this proposal by the Commission.

Responding to the suggestion to add paragraph 36.2 of FAO IPOA on IUU Fishing, Japan stated that it was extremely difficult to prove that there were no more relations with the previous IUU owners/operators, as was clearly stated by Chinese Taipei, and that Japan could not accept addition of paragraph 36.2 of IPOA as exemption clauses. Japan further pointed out that purchase of IUU fishing vessels would reward the IUU vessel owners while ICCAT requests Contracting Parties to refrain from purchasing tuna and tuna-like species caught by IUU fishing vessels.

*Japan's Draft Resolution of ICCAT to prevent "Flag Hopping" of Large-Scale Tuna Longline Vessels Believed to be Engaged in Illegal, Unregulated and Unreported Fishing Activities*

Recalling that the Commission adopted at its 1999 meeting a "Resolution Calling for Further Actions against Illegal, Unregulated, and Unreported fishing Activities by Large Scale Longline Vessels in the Convention Area and Other Areas" and at its 2001 meeting a "Resolution Concerning More Effective Measures to Prevent, Deter and Eliminate IUU Fishing by Tuna Longline Vessels", respectively;

Recalling that the Commission praised and strongly supported the joint program implemented by Japan and Chinese Taipei to eliminate large-scale long line vessels engaged in Illegal, Unregulated and Unreported fishing by scrapping of Japanese origin vessels and the re-registration of Chinese Taipei built vessels to Chinese Taipei registry while ensuring no in the total number of her tuna longline vessels.

Being aware that a substantial number of owners of IUU large-scale tuna longline vessels, most of whom are Chinese Taipei's business Entities, are still trying to continue IUU fishing by changing the flag of vessels and vessel name and/or ownership, and that IUU large-scale tuna longline vessels de-registered by existing flag countries are trying to find new hosts;

Recognizing the necessity and importance of cooperation by all Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities to achieve the effective implementation of these programs to eliminate all the IUU large-scale tuna longline vessels;

The International Commission for the Conservation of Atlantic Tunas (ICCAT) resolves that:

Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities should not, until 2005, import and register the large-scale tuna longline fishing vessels having a record of being on the IUU vessel lists produced by the Commission, except for the case of re-registration to Chinese Taipei.

#### **4.5 EC's Explanatory Memorandum**

At the 2001 Annual Meeting in Murcia, ICCAT reaffirmed its commitment to intensify its efforts in the fight against illegal, unreported and unregulated fishing (IUU), while underlining that the instruments available to ICCAT in this field need to be strengthened. In particular, certain Contracting Parties noted that the elaboration of a list of vessels conducting IUU fishing needed to be based on a duly regulated procedure, as well as on a number of clear and verifiable criteria governing the listing of vessels. It was only on this basis that the Contracting Parties could effectively and legitimately employ such an instrument to take actions in respect of the vessels concerned.

Thus, ICCAT adopted in Murcia a *Resolution Concerning Effective Measures to Prevent, Deter and Eliminate IUU Fishing by Tuna Longline Vessels*. This Resolution envisages the organization of a workshop in Tokyo which should "... review the criteria presently used to enlist vessels on the ICCAT list of tuna longline vessels engaged in IUU fishing, and consider a procedure for taking sanction measures and, as appropriate, revised criteria for listing IUU vessels."

In light of this mandate, the European Community hereby submits for the attention of Contracting Parties two draft proposals for ICCAT Recommendations relating to the elaboration of IUU vessel lists that would be applicable to Contracting Parties and to non-Contracting Parties, respectively.

These draft proposals are based on the following principles:

- In order to ensure a coherent approach, they apply to vessels fishing for all the species placed under the competence of ICCAT;
- They establish a definition of what should be understood by "IUU fishing activities" in the area of competence of ICCAT, on the basis of a number of non-cumulative criteria. These criteria differ depending on whether they apply to Contracting Parties or to non-Contracting Parties. With regard to Contracting Parties, these criteria rest in particular on the contravention by the vessels concerned of their obligations under the ICCAT Convention and in line with the conservation measures adopted by ICCAT. For the non-Contracting Parties, these criteria target the disregard by the vessels involved of the ICCAT co-operation policy with non-Contracting Parties, according to which vessels must operate in such a manner as not to compromise the effectiveness of the conservation measures adopted. In particular, the listing may take place if non-Contracting Parties fail to notify ICCAT of vessels flying their flag which have been licensed to fish in the ICCAT area: fail to declare the catches made by these vessels; or fail to respect the co-operation quotas allocated to them or any other applicable conservation measures;
- They are based on the implementation of ICCAT's existing mechanisms for data and information collection concerning fishing activities undertaken in the ICCAT Convention Area;
- Contracting Parties will have to establish, in accordance with the procedures laid down in the recommendations and resolutions of ICCAT, that vessels meet the criteria in order to be considered as engaged in IUU fishing and including them in the IUU list. This identification of vessels by Contracting Parties will be undertaken, in particular, through observations from the Flag State Party, through port inspections, through information from ICCAT statistical programs (trade information). The efficiency of such a new mechanism in the fight against IUU depends on active participation from Contracting Parties, either as Flag State, Port State, Coastal State, Importing or Exporting State.

The proposed procedure is structured in several stages involving, in particular, the draw-up of a draft list of IUU vessels by ICCAT's subsidiary bodies (Compliance Committee for Contracting Parties and PWG for non-Contracting Parties) which is submitted to all the Contracting Parties and non-Contracting Parties concerned for comments. Both the Compliance Committee and the PWG can withdraw from the draft list vessels previously included in the draft list if, on the basis of the comments and information received from the Flag State of the vessels involved, it is proved that the vessel did not take part in IUU fishing; that it has been already sanctioned with sufficient severity; or that it has changed owner.

Once this review process is completed by the competent subsidiary body, a provisional list is developed which is submitted to the Commission for adoption.

On adoption by the Commission of the list in accordance with the format attached to these recommendations, the Commission addresses itself to the Flag States of the listed vessels to draw their attention to the enlisting and request that due action is taken in respect of these vessels. The IUU list is revised each year by ICCAT.

The effects of the inclusion of a vessel on the IUU list adopted by ICCAT each year are also specified: these vessels are either denied access to port B for those flying the flag of non-Contracting Parties -or the landing of their catches- for those flying the flag of a Contracting party. With regard to all the vessels listed on the two IUU lists, chartering is also prohibited, as well as transshipment to and from these vessels.

In conclusion, the Community considers that the potential improvements brought about by these two draft proposals to ICCAT's mechanisms to fight IUU fishing, are the following:

- They establish, for the first time, criteria for the identification of the vessels taking part in IUU fishing;
- They establish a clearly structured procedure for the drafting of lists of IUU vessels as well as for the withdrawal of vessels included therein;
- They define the consequences for these vessels as a result of their inclusion on the list.

*Draft EC ICCAT Recommendation to establish a list of vessels flying the flag of a Contracting Party or of a non-Contracting Cooperating Party, Entity or Fishing Entity, which carry out*

*illegal, unregulated and unreported fishing activities in the Convention area*

Recalling that the FAO Council adopted on 23 June 2001 an international plan of action to prevent, deter and eliminate illegal, unregulated and unreported fishing (IPOA); that this Plan stipulates that the identification of the vessels carrying out IUU activities should follow agreed procedures and be applied in an equitable, transparent and non-discriminatory way.

Recalling that ICCAT has already adopted measures against IUU fishing activities.

Being concerned by the fact that IUU fishing activities in the ICCAT Convention Area continuing to increase, and that these activities diminish the effectiveness of the ICCAT conservation and management measures.

Recognizing that there is evidence of a high number of vessel owners engaged in such fishing activities have re-flagged their vessels to avoid compliance with ICCAT management and conservation measures, in order to evade the non-discriminatory trade measures that ICCAT has adopted.

Concerned by the fact that a considerable number of these vessels replaced their non-Contracting Party flag with a flag of a Contracting Party.

Considering the results of the Working Group that was held in Tokyo from 27 to 31 May 2002.

The International Commission for the Conservation of Atlantic Tunas (ICCAT) recommends that:

1. For the purposes of this recommendation, the fishing vessels flying the flag of a Contracting Party or of a non-Contracting Cooperating Party, Entity or Fishing Entity are presumed to have carried out illegal, unregulated and unreported fishing activities in the ICCAT Convention area, in particular when a Contracting Party or non-Contracting Cooperating Party, Entity or Fishing Entity establishes in accordance with the ICCAT recommendations and resolutions referred to in paragraph 2, that:
  - Either these vessels fish for tuna and tuna-like species in the ICCAT Convention area and are not registered on the ICCAT list of vessels authorized to fish tuna and tuna-like species in the Convention area,
  - Or these vessels have been involved repeatedly in one of the following activities:
    - a) These vessels fish tuna and tuna-like species in the Convention area, without quotas or catch allocations for the stocks which are subject to ICCAT conservation measures, or
    - b) These vessels do not record or do not declare their catches in the ICCAT Convention area, or make false declarations, or
    - c) These vessels fished during the closed fishing periods or in closed areas in contravention of ICCAT conservation measures, or
    - d) These vessels participated in transshipping activities with vessels flying the flag of a non-Cooperating non-Contracting Party, or
    - e) These vessels fishing or transshipping activities resulted in false statistical documents or such documents where presented with the view to validation, on the basis of wrong declarations, or
    - f) These vessels fished tunas or tuna-like species in the waters covered by the ICCAT Convention and under jurisdiction of a Contracting Party or non-Contracting Cooperating Party, Entity or Fishing Entity, without authorization, or infringed the Coastal States laws and regulations
2. All Contracting Parties and non-Contracting Cooperating Parties, Entities, Fishing Entities shall transmit every year to the Executive Secretary by 31 March, the list of vessels flying the flag of a Contracting Party or of a non-Contracting Cooperating Party, entity or fishing entity presumed to be carrying out IUU fishing activities in the Convention Area during the previous year. This information shall be contained in the annexed format and be accompanied by the supporting evidence concerning the allegation.

This list will be based on the information collected by Contracting Parties and non-Contracting Cooperating Parties, Entities and Fishing Entities in particular under:

- the Resolution aiming to ensure the respect of ICCAT conservation and management measures (94-9);
  - the Recommendation on transshipments and vessel sightings (97-11);
  - the Recommendation on the revision of the ICCAT port inspection program (97-10);
  - the Recommendation on the registration of vessels fishing tuna and tuna-like species in the Convention area and the exchange of information concerning them (00-17);
  - Bluefin Tuna, Swordfish and Bigeye Tuna Statistical Document Programs;
  - the Resolution concerning the unreported and unregulated catches of tuna by large longline vessels in the Convention area (98-18).
3. On the basis of the lists referred to in paragraph 2, the ICCAT Executive Secretary will draw up a draft IUU list and shall notify it to the Contracting Parties and non-Contracting Cooperating Parties, Entities or Fishing Entities before 30 April of each year. The Parties, non-Contracting Cooperating Parties, Entities or Fishing Entities will transmit, as appropriate, their comments before 30 June to ICCAT.

Contracting Parties, non-Contracting Cooperating Parties, Entities or Fishing Entities will keep under close scrutiny the vessels included in the draft IUU list in order to identify their activities and possible changes of name, of flag and of registered owner.

4. On the basis of the information received, the ICCAT Executive Secretary shall draw up a provisional list before 31 July, which he will transmit to the Contracting Parties and non-Contracting Cooperating Parties, Entities and Fishing Entities concerned.
5. The Compliance Committee shall examine, each year, this provisional list as well as the information referred to in paragraph 3.

The Compliance Committee shall remove vessels from the provisional list if the Flag State either, demonstrates that the vessels flying its flag did not take part in IUU fishing activities or, shows that these vessels have been sanctioned with sufficient severity or, proves that the vessel has changed owner and that the new owner can establish the previous owner no longer has any legal, financial, or real interests in the vessel, or exercises control over it.

6. Following the examination referred to in paragraph 5, the Compliance Committee shall submit to the Commission for approval, the provisional list of the vessels identified as carrying out IUU fishing activities in the ICCAT Convention area. This list will be established in pursuant to the format referred to in annex, with vessels organized by Flag State.
7. On adoption of the list, the Commission shall request Contracting Parties, non-Contracting Cooperating Parties, Entities and Fishing Entities whose vessels appear on the IUU list to take all the necessary measures to eliminate these IUU fishing activities, including if necessary, the withdrawal of the registration or of the fishing licenses of these vessels, and to inform the Commission of the measures taken in this respect by detailing them in their National Report.
8. Contracting Parties and non-Contracting Cooperating Parties, Entities and Fishing Entities shall take all the necessary measures, under their applicable legislation:
- a) so that the fishing vessels, the mother-ships and the cargo vessels flying their flag do not participate in any transshipment activity with vessels registered on the IUU list;
  - b) so that IUU vessels that enter their ports voluntarily, are not authorized to land or to transship therein;

- c) to prohibit the chartering of a vessel included on the IUU list;
  - d) to refuse to grant their flag to vessels registered on the IUU list, except if the vessel has changed owner and the new owner has provided sufficient evidence demonstrating that the previous owner or operator has no further legal, beneficial or financial interest in, or control of, the vessel,
  - e) to prohibit the imports of tuna and tuna-like species from vessels included in the IUU list;
  - f) to encourage importers, transporters and other sectors concerned, to refrain from negotiating and from transshipping tuna and tuna-like species caught by vessels included in the IUU lists.
  - g) to collect and exchange with others Contracting Parties or non-Contracting Cooperating Parties, Entities or Fishing Entities any appropriate information with the aim of searching, control and prevent false tunas and tuna-like species importing declarations from vessels included in the IUU list.
9. The ICCAT Executive Secretary will take any necessary measure to assure publicity for the IUU vessels list adopted by ICCAT pursuant to paragraph 7, through electronic means, by placing it on the ICCAT web site.

*Draft EC Recommendation of ICCAT to establish a list of vessels flying the flag of a Non-Contracting Party which carry out illegal, unregulated and unreported fishing activities in the ICCAT Convention area*

Recalling that the FAO Council adopted on 23 June 2001 an international plan of action to prevent, to deter and eliminate illegal, unregulated and unreported fishing (IPOA), that this plan stipulates that the identification of the vessels carrying out IUU activities should follow agreed procedures and be applied in an equitable, transparent and non discriminatory way.

Recalling that ICCAT has already adopted measures against IUU fishing activities.

Being concerned by the fact that IUU fishing activities in the ICCAT Convention area continuing to increase, and that these activities diminish the effectiveness of the ICCAT conservation and management measures.

Recognizing that there is evidence of a high number of vessel owners engaged in such fishing activities have re-flagged their vessels to avoid compliance with ICCAT management and conservation measures, and to evade the non-discriminatory trade measures that ICCAT has adopted.

Considering the results of the Working Group that was held in Tokyo from 27 to 31 May 2002.

The International Commission for the Conservation of Atlantic Tunas (ICCAT) recommends that:

1. For the purposes of this recommendation, the fishing vessels flying the flag of a non-Contracting Party are presumed to have carried out illegal, unregulated and unreported fishing activities in the ICCAT Convention area, in particular when a Contracting Party or non-Contracting Cooperating Party, Entity or Fishing Entity establishes, pursuant to the ICCAT recommendations and resolutions referred to in paragraph 2, that:
  - a) Their vessels fish tunas and tuna-like species in the ICCAT convention area and are not registered on the ICCAT list of vessels authorized to fish tuna and tuna-like species in the Convention area, or
  - b) Their vessels fish, tuna and tuna-like species in the Convention area, without quotas or catch allocation for the stocks which are subject to ICCAT conservation measures, or
  - c) Their vessels do not record or do not declare their catches made in the ICCAT Convention area, or make false declarations, or
  - d) Their vessels fished during closed fishing periods or in closed areas in contravention of ICCAT conservation measures, or
  - e) Their vessels transshipped with vessels included in the IUU lists, or

- f) Their vessels fish tunas or tuna-like species in the waters of the ICCAT convention and under the jurisdiction of a Contracting Party or non-Contracting Cooperating Party, Entity or Fishing Entity, without authorization and/or infringes its laws and regulations, or
  - g) These vessels are without nationality and fish tunas or tuna-like species in the ICCAT Convention area.
2. All Contracting Parties and non-Contracting Cooperating Parties, Entities, Fishing Entities shall transmit every year to the Executive Secretary before 31 March, the list of vessels flying the flag of a non-Contracting Party presumed to be carrying out IUU fishing activities in the Convention area during the previous year, as in the annexed format, accompanied by the supporting evidence concerning the presumption of IUU fishing activity.

This list will be based on the information collected by Contracting Parties and non-Contracting Cooperating Parties, Entities and Fishing Entities in particular under:

- the Resolution aiming to ensure the respect of the ICCAT conservation and management measures (94-9);
  - the Recommendation on transshipments and on vessel sightings (97-11);
  - the Recommendation on the revision of the ICCAT port inspection program (97-10);
  - the Recommendation on the vessel registration fishing tuna and tuna-like species in the Convention area and the exchange of information concerning them (00-17);
  - Bluefin Tuna, Swordfish and Bigeye Tuna Statistical Document Programs;
  - the Resolution concerning the unreported and unregulated catches of tuna by large longliners in the Convention area (98-18).
3. On the basis of the lists referred to in paragraph 2, the ICCAT Executive Secretary shall draw up a draft IUU list and shall notify it the Contracting Parties and non-Contracting Cooperating Parties, Entities and Fishing Entities, as well as Non-Contracting Parties whose vessels are included on these lists before 30 April of each year. Contracting Parties, non-Contracting Cooperating Parties, Entities or Fishing Entities will transmit, as appropriate, their comments before 30 June to ICCAT.

Parties, non-Contracting Cooperating Parties, Entities or Fishing Entities will closely scrutinize these vessels included in the draft IUU list in order to determine their activities and possible changes of name, of flag and of registered owner.

4. On the basis of this information, the ICCAT Executive Secretary shall draw up a provisional list before 31 July that he will transmit to the Contracting Parties and non-Contracting Cooperating Parties, Entities and Fishing Entities concerned.
5. The Permanent Working Group for the Improvement of Statistics and ICCAT conservation measures (PWG) shall examine, each year, the provisional list as well as the information referred to in paragraph 3.

The PWG shall remove vessels from the provisional list if the Flag State either, proves that the vessels flying its flag did not take part in IUU fishing activities or, shows that these vessels have been the subject of prosecution or have been sanctioned or, proves that the vessel has changed owner and that the new owner can establish the previous owner no longer has any legal, financial, or real interests in the vessel, or exercises control over it.

6. Following the examination referred to in paragraph 4, the PWG shall submit to the Commission for approval, the provisional list of the vessels identified as carrying out IUU fishing activities in the ICCAT Convention area. This list will be established in pursuant to the format referred to in annex, with vessels organized by flag State.
7. On adoption of the list, the Commission shall request non-Contracting Parties whose vessels appear on the IUU list to take all the necessary measures to eliminate these IUU fishing activities, including if necessary, the withdrawal of the registration or of the fishing licenses of these vessels, and to inform the Commission of the measures taken in this respect.

8. Contacting Parties and non-Contracting Cooperating Parties, Entities and Fishing Entities shall take all the necessary measures, under their applicable legislation:
  - a) so that the fishing vessels, the mother-ships and the cargo vessels flying their flag do not participate in any transshipment with vessels registered on the IUU list;
  - b) so that IUU vessels are not permitted to enter port [except in the event of force majeure or distress];
  - c) to refuse to grant their flag to vessels registered on the IUU list, except if the vessel has changed owner; and the new owner has provided sufficient evidence demonstrating that the previous owner or operator has no further legal, beneficial or financial interest in, or control of, the vessel,
  - d) to prohibit the imports of tuna and tuna-like species from vessels included in the IUU list;
  - e) to encourage the importers, transporters and other sectors concerned, to refrain from negotiating and from transshipping tuna and tuna-like species caught by vessels included in the IUU lists.
  - f) to collect and exchange with others Contracting Parties or non-Contracting Cooperating Parties, Entities or Fishing Entities any appropriate information with the aim of searching, control and prevent false tunas and tuna-like species importing declarations from vessels included in the IUU list.
9. The ICCAT Executive Secretary will take any necessary measure to assure publicity of the IUU vessels list adopted by ICCAT pursuant to paragraph 7, through electronic means, by placing it on the ICCAT web site.

#### **4.6 Canada's Criteria for the Imposition and Removal of Trade Restrictive Measures for Consideration at the ICCAT Working Group Meeting on IUU, May 26-29, 2002**

ICCAT measures have been developed that allow the Commission to recommend, where necessary, non-discriminatory trade restrictive measures, consistent with international obligations. These include the following resolutions:

- 94-3 Bluefin Tuna Action Plan
- 95-13 Swordfish Action Plan
- 98-18 Unreported and Unregulated Tuna Catches by Large-Scale Longliners in the Convention Area

Canada recognizes that these measures are a useful tool to prevent, deter and eliminate IUU fishing, including the activities of flag of convenience vessels in the ICCAT Convention area. However, Canada believes that improvements can be made to the grounds and process by which ICCAT imposes and removes trade restrictive measures, so as to ensure fairness, transparency, and consistency.

Therefore, it would be desirable to develop and adopt criteria for the imposition and removal of trade measures.

The above noted resolutions provide for the Commission to recommend trade measures where vessels entitled to fly the flag of a Contracting Party, non-Contracting Party, Entity or Fishing Entity have fished in a manner that diminishes the effectiveness of ICCAT's conservation and management measures. Canada believes that by identifying the activities, which would constitute a diminishment of the effectiveness of ICCAT's conservation and management measures, the Commission could significantly enhance the program of non-discriminatory trade restrictions.

We suggest that these activities would include:

- a. mis-reporting catches to ICCAT and/or the failure to provide information and data to the Commission;
- b. fishing without or after attainment of a quota or allocation of fishing effort;
- c. harvesting undersized fish, contrary to ICCAT conservation and management measures;
- d. fishing in closed areas or during closed times contrary to ICCAT conservation and management measures;
- e. use of prohibited fishing gear contrary to ICCAT conservation and management measures;
- f. the lack of effective control of vessels entitled to fly their flag;
- g. multiple activities which together constitute a serious disregard of ICCAT conservation and management measures.

#### 4.7 EC's Explanatory Memorandum

At the 2001 Annual Meeting in Murcia, ICCAT decided on the organization of a workshop in Tokyo to review ICCAT's policy for the adoption of Trade Measures against Contracting or non-Contracting Parties that fail to take action to put an end to activities by their vessels that are likely to compromise the effectiveness of the conservation measures adopted by ICCAT.

The workshop was mandated to:

- identify the shortcomings of the current policy;
- identify and list in a structured way the criteria, both in terms of principle and duration, on the basis of which commercial sanctions can legitimately be imposed, as well as the criteria justifying the lifting of these sanctions;
- elaborate an arrangement on this basis facilitating the harmonization of the criteria and procedures laid down in ICCAT's current instruments, namely:
  - the Bluefin Tuna Action Plan,
  - the Swordfish Action Plan,
  - the *Recommendation on Compliance with the Bluefin tuna and Swordfish Action Plans*,
  - the Action Plan concerning IUU fishing by longliners targeting Bigeye tuna.

It was indeed noted that the differences between these instruments in terms of the principles and procedures applied, reduced the ability of a powerful tool, such as trade sanctions, to ensure the effectiveness of the conservation measures adopted by ICCAT.

Against this background, the European Community proposes two draft resolutions governing the adoption of trade measures in respect of Contracting Parties and non-Contracting Parties, respectively. These two Resolutions would replace, if adopted, the above-mentioned ICCAT measures.

They are based on the following principles:

- As regards their scope, these proposals apply to the three species currently covered by ICCAT current instruments: Bluefin tuna, Swordfish and Bigeye tuna Action Plans;
- With regard to identifying criteria, both Resolutions establish a list of non-cumulative criteria. These criteria differ depending on whether they apply to Contracting or to non-Contracting Parties. In both cases, failure to report data, the inclusion of vessels on ICCAT's IUU lists, and the failure to take action (repeatedly, in the case of Contracting Parties) against vessels carrying out harmful fishing activities, constitute basic identifying criteria. However, it will be necessary to establish additional criteria with regard to non-Contracting Parties to take account of the current ICCAT co-operation regime.

These other criteria refer, in particular, to fishing without co-operation quotas; to landing of catches taken in breach of ICCAT conservation measures; to fishing during closure periods or in closed areas; and to the fact that the non-Contracting Party in question would not effectively discharge its responsibilities under relevant international instruments.

- Finally, with regard to procedures, the following stages are envisaged:
  - The relevant subsidiary body of ICCAT (Compliance Committee for the Contracting Parties, PWG for the non-contracting Parties) identifies the Parties whose vessels fish in a manner that is likely to compromise the effectiveness of the conservation measures adopted by ICCAT. With regard specifically to non-Contracting Parties, this review by the PWG will have to be preceded by a request for co-operation issued to the NCP concerned by the Executive Secretary;
  - The Commission addresses to the Parties so identified, a request to take the measures necessary to put an end to such activities and to inform ICCAT of action taken in this respect;

- The competent ICCAT body reviews the response given by such Parties to the requests made by the Commission. In the light of the results of this review, the Commission may, where appropriate, recommend to Contracting Parties that they take non-discriminatory measures restricting the trade of the relevant species from the Contracting or non-Contracting Parties which have failed to take action to discontinue harmful fishing activities, as verified by ICCAT;
- The Commission can finally recommend that the Parties lift existing trade restrictions if, at the time of the annual review undertaken by subsidiary bodies, it is ascertained that the Contracting or non-Contracting Parties concerned, have adopted and implemented the measures necessary to put an end to the aforementioned harmful fishing activities;

In addition to trade sanctions, non-Cooperating non-Contracting Parties will be put on a list which will be given wide publicity and which will entail consequences for vessels flying their flag, such as, prohibition to enter into ports of Contracting Parties or to conduct transshipments.

*EC Draft ICCAT Resolution Concerning Compliance in the  
Fisheries of Bluefin Tuna, Swordfish and Bigeye tuna*  
(Trade measures for Contracting Parties and non-Contracting Cooperating Parties,  
Entities and Fishing Entities)

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

Considering the need for action to ensure the effectiveness of the ICCAT objectives relating to the conservation and management of bluefin tuna, swordfish and bigeye tuna;

Considering the obligation of all Contracting Parties and non-Contracting Cooperating Parties, Entities and fishing Entities to respect the ICCAT conservation and management measures;

The International Commission for the Conservation of Atlantic Tuna (ICCAT)

Has decided the following:

1. For the purposes of this Resolution, the Contracting Parties and non-Contracting Cooperating Parties, Entities and Fishing Entities are considered as having carried out fishing activities that have diminished the effectiveness of the conservation measures for bluefin tuna, swordfish and bigeye tuna:
  - a) if the Parties do not submit Task I data to the Commission, or
  - b) if vessels flying the their flag are repeatedly included on the ICCAT IUU list, or
  - c) if the Parties repeatedly fail to fulfill their obligations to take the necessary measures to ensure that vessels flying their flag do not undertake activities which contravene ICCAT conservation measures.
2. The Compliance Committee will identify each year the Contracting Parties and non-Contracting Cooperating Parties, Entities and Fishing Entities whose vessels have fished for bluefin tuna, swordfish and bigeye tuna in a manner that has diminished the effectiveness of ICCAT conservation measures. This identification will be based, *inter alia*, on the compliance tables, trade information on these species obtained from national statistics and the ICCAT statistical document programs, on the ICCAT list of IUU vessels, as well as any other information obtained in the ports and in the fishing grounds.
3. The Commission shall request the Contracting Parties and non-Contracting Cooperating Parties, Entities and Fishing Entities identified under the terms of paragraph 2, to take all the necessary measures to avoid the diminishing of the effectiveness of the ICCAT conservation and management measures and to advise the Commission of actions taken in that regard, mainly by outlining in their National Report the measures taken and implemented.
4. The Compliance Committee shall review each year the measures taken by the Contracting Parties and non-Contracting Cooperating Parties, Entities and Fishing Entities identified and advised under paragraphs 2

and 3. It will determine which Contracting Parties and non-Contracting Cooperating Parties, Entities and Fishing Entities did not modify their fishing activities in accordance with paragraph 3.

5. To ensure the effectiveness of the ICCAT recommendations for the conservation of bluefin tuna, swordfish and bigeye tuna, the Commission will, if necessary, recommend that the Contracting Parties and non-Contracting Cooperating Parties, Entities and Fishing Entities take non-discriminatory trade restrictive measures, consistent with international law, with regard to the bluefin tuna, swordfish and bigeye tuna products in any form coming from the Contracting Parties and non-Contracting Cooperating Parties, Entities and Fishing Entities identified in conformity with paragraph 4.
6. If the Commission considers, as a result of the review referred to in paragraph 4, that the Parties can demonstrate that they have adopted and implemented the necessary measures to end their vessels fishing activities, which were identified as diminishing the effectiveness of the ICCAT conservation measures concerning bluefin tuna, swordfish and bigeye tuna, it will recommend that Contracting Parties and Co-operating non-Contracting Parties, Entities or Fishing Entities, lift as soon as possible the import restrictions which were imposed under paragraph 5.

*Draft EC resolution for a Bluefin Tuna, Swordfish and Bigeye Tuna Action Plan*  
(Trade measures for non-Contracting Parties)

Noting that the objective of the ICCAT is to maintain the tuna and tuna-like species in the Atlantic at levels that will permit harvesting at maximum sustainable yield;

Considering the need for action to ensure the effectiveness of the objectives of the ICCAT concerning the conservation and the management of bluefin tuna, swordfish and bigeye tuna;

Considering that a considerable number of vessels fishing bluefin tuna, swordfish and big-eye are registered in States that are not Contracting Parties to ICCAT;

Aware of the sustained efforts by Contracting Parties to ensure the enforcement of ICCAT's conservation and management measures, and to encourage non-Contracting Parties to abide by these measures;

Noting that ICCAT's ability to manage the bluefin tuna, swordfish and bigeye resources on a sustainable basis is reduced by fishing activities contrary to the recommendations of ICCAT, and also noting the need to take measures complementary to the ICCAT framework to ensure the effectiveness of those recommendations:

The International Commission for the Conservation of Atlantic Tunas (ICCAT)

Has decided the following:

1. The Contracting Parties and non-Contracting Cooperating Parties, Entities and Fishing Entities shall submit every year to the Executive Secretary before 31 March, the list of the fishing vessels flying the flag of a non-Cooperating non-Contracting Party, Entity, fishing Entity which are identified to be targeting bluefin tuna, swordfish and bigeye in the Convention Area.
2. The Executive Secretary shall write to the non-Contracting Parties of these vessels to request their full co-operation with the Commission regarding the enforcement of the conservation measures and encourage them to become ICCAT Contracting Parties or non-Contracting Cooperating Parties, Entities and Fishing Entities.
3. For the purposes of this Resolution, non-Contracting Parties, Entities or Fishing Entities shall be considered as having been engaged in fishing activities which diminish the effectiveness of the ICCAT conservation measures, in particular:
  - a) if they do not co-operate with the ICCAT to provide the relevant data to the Commission, or

- b) if vessels flying their flag fish for the species referred to in paragraph 1, without quotas or catch allocation for these stocks which are subject to conservation measures, or
  - c) if vessels flying their flag are included on the IUU list of vessels adopted by the Commission, or
  - d) if the vessels fish for tuna or tuna-like species in waters covered by the ICCAT Convention and under the jurisdiction of a Contracting Party or non-Contracting Cooperating Party, Entity or Fishing Entity, without authorization, or infringes its laws and regulations, or
  - e) if vessels flying their flag fish during either fishing closure periods or in the closed areas in contravention with the ICCAT conservation measures, or
  - f) if they authorize vessels flying their flag to fish in the ICCAT Convention area without effectively discharging their international obligations under the terms of international instruments.
4. The Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG) shall identify each year the non-Contracting Parties, Entities or Fishing Entities whose vessels fished bluefin tuna, swordfish, or bigeye tuna in a manner that diminish the effectiveness of the ICCAT conservation measures. This identification will be based, *inter alia*, on the catch data compiled by the Commission, trade information on these species obtained from national statistics and the ICCAT statistical document programs, on the list of the IUU vessels adopted by the ICCAT, as well as any other information obtained in the ports and on the fishing grounds.
  5. The Commission will request non-Contracting Parties, Entities, Fishing Entities identified under the terms of paragraph 4, to take all the necessary measures so as not to diminish the effectiveness of the ICCAT conservation and management measures and to inform ICCAT of the steps they have undertaken to address this.
  6. The Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG) shall examine each year the measures taken by the non-Contracting Parties identified and advised under paragraphs 4 and 5, and shall determine which non-Contracting Parties did not modify activities in accordance with paragraph 5.
  7. The Commission will establish a list of non-Contracting Parties identified pursuant to paragraph 6 and considered as non-Cooperating non-Contracting Parties to ICCAT. The ICCAT Executive Secretary will notify this list to all Contracting Parties and non-Contracting Cooperating Parties, Entities or Fishing Entities;
  8. To ensure the effectiveness of the ICCAT conservation measures on bluefin tuna, swordfish and bigeye tuna, the Commission shall recommend that the Contracting Parties and non-Contracting Cooperating Parties, Entities or Fishing Entities take non-discriminatory trade restrictive measures, consistent with the international law, on bluefin tuna, swordfish and bigeye tuna products in any form, originating in the non-Contracting Parties, identified under paragraph 6.
  9. Should the Commission consider, as a result of the examination referred to in paragraph 6, that the non-contracting Parties demonstrate that they adopted and implemented the necessary measures to put an end to the fishing activities of their vessels, which were identified as undermining the effectiveness of the conservation measures of ICCAT on bluefin tuna, swordfish and bigeye tuna, it shall recommend that the Contracting Parties and the Cooperating non-Contracting Parties, Entities and Fishing Entities lift, as soon as possible, the import restrictions which had been imposed through the mechanisms in paragraph 7.
  10. Contracting Parties and non-Contracting Cooperating Parties, Entities or Fishing Entities will take all necessary measures through their legislation:
    - a) in order that fishing vessels, mother vessels and cargo vessels flying their flag do not transfer or receive transshipment from vessels flying the flag of a non-Contracting non-Cooperating Party;
    - b) to prohibit vessels flying the flag of a non-Contracting non-Cooperating Party from entering their ports, unless reasons of force majeure or distress;

- c) to prohibit the registration (flagging) of vessels flying the flag of a non-Contracting non-Cooperating Party, except where the ownership of the vessel has subsequently changed and the new owner has provided sufficient evidence demonstrating that the previous owner or operator has no further legal, beneficial or financial interest in, or control of, the vessel;
- d) to ensure that importers, transporters and others sections of the fishing sector refrain from negotiating and transshipping tunas and tuna-like species caught by vessels flying the flag of a non-Contracting non-Cooperating Party;
- e) to collect and exchange with others Contracting Parties or non-Contracting Cooperating Parties, Entities or Fishing Entities any appropriate information with the objective of identifying, controlling and preventing false importing declarations tunas and tuna-like species from vessels flying the flag of a non-Contracting non-Cooperating Party;
- f) to prohibit chartering of vessels flying the flag of a non-Contracting non-Cooperating Party.

**4.8 Canada's Table Comparing Trade Measure Instruments**

<b>Comparison of ICCAT resolutions and recommendations dealing with imposition of trade-restrictive measures</b>			
<b>Bluefin Tuna Action Plan (94-3) Swordfish Action Plan (95-13) (provisions dealing with non-Contracting Parties)</b>	<b>Bluefin Tuna Action Plan (94-3) Swordfish Action Plan (95-13) (provisions dealing with Contracting Parties)</b>	<b>Compliance in Bluefin and North Atlantic Swordfish Fisheries (96-14), extended to South Atlantic Swordfish (97-8)</b>	<b>UU Resolution (98-18)</b>
Most provisions apply to the conduct of non-Contracting Parties.	One paragraph applies to the conduct of Contracting Parties.	Applies to conduct of Contracting Parties.	Applies to conduct of Contracting Parties, non-Contracting Parties, Entities and fishing Entities.
Non-binding resolution. However, recommendations by which action is taken against non-Contracting Parties pursuant to the Plans are binding.	Non-binding resolution. No action has been taken against Contracting Parties pursuant to these plans.	Binding recommendation. Objections lodged by Brazil, Uruguay and South Africa to extension to South Atlantic Swordfish.	Non-binding resolution. However, recommendations by which action is taken pursuant to the resolution against specific Contracting Parties or non-Contracting Parties are binding.
Responsible ICCAT body: PWG (Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures)	Responsible ICCAT body: Bluefin Plan specifies Infractions Committee (Predecessor of the Compliance Committee). Swordfish Plan specifies "Commission, through its appropriate subsidiary body".	Responsible ICCAT body: Compliance Committee	Responsible ICCAT body: Compliance Committee (Contracting Parties), PWG (non-Contracting Parties)
Applies to bluefin tuna and swordfish.	Applies to bluefin tuna and swordfish.	Applies to bluefin tuna and swordfish.	Applies to activities of longline vessels fishing for tuna and tuna-like species.
Outcome envisioned by resolution: nondiscriminatory trade restrictive measures consistent with Contracting Parties' international obligations	Outcome envisioned by resolution: any necessary new measures to ensure compliance (does not specify trade-restrictive measures)	Outcome envisioned by recommendation: explanation of reasons for over-harvest and actions taken by contracting party to prevent further over-harvest, reduction in quota in subsequent management period, trade restrictive measures "if necessary", other "appropriate" measures. Trade restrictive measures are to be import restrictions on the species, be consistent with each party's international trade obligations and which has been over-fished and be of such duration and conditions as determined by the	Outcome envisioned by resolution: "effective measures" including nondiscriminatory trade restriction measures on the subject species consistent with international trade obligations.

<b>Comparison of ICCAT resolutions and recommendations dealing with imposition of trade-restrictive measures</b>			
<b>Bluefin Tuna Action Plan (94-3) Swordfish Action Plan (95-13) (provisions dealing with non-Contracting Parties)</b>	<b>Bluefin Tuna Action Plan (94-3) Swordfish Action Plan (95-13) (provisions dealing with Contracting Parties)</b>	<b>Compliance in Bluefin and North Atlantic Swordfish Fisheries (96-14), extended to South Atlantic Swordfish (97-8)</b>	<b>UU Resolution (98-18)</b>
		Commission.	
Grounds for taking steps pursuant to the Plans, including imposition of trade measures: “vessels have been fishing... in a manner which diminishes the effectiveness of the relevant conservation recommendations of the Commission”.	No grounds specified.	Grounds for action: 1) over-harvest in a management period results in reduction of catch limit in the next management period by the amount of over-harvest and “other appropriate actions”, 2) over-harvest in two consecutive management periods results in “appropriate measures” which “may include but are not limited to” a reduction in catch limit by a minimum of 125% of excess harvest and trade restrictive measures (if necessary)	Grounds for action: “large-scale longline vessels have been fishing tuna and tuna-like species in a manner which diminishes the effectiveness of the ICCAT conservation and management measures”
Sources of information to be reviewed to determine if grounds exist: “catch data compiled by the Commission, the trade information obtained through national statistics [and the Bluefin Tuna Statistical Document Program - BF Action Plan only], and other relevant information obtained in ports and at the fishing grounds”.	No sources of information specified beyond an annual review of implementation of conservation measures.	Source of information on landings: Task I data.	Source of information for determining grounds for action exist: specified information to be submitted by Contracting Parties, Cooperating non-Contracting Parties, Entities and fishing Entities on imports and landings of frozen tunas and tuna-like fish products; national statistics, the Bluefin Tuna Statistical Document Program, “other relevant information obtained in ports and at the fishing grounds”.
Process leading to imposition of trade measures: 1) identification (based on review of information sources above) of non-Contracting Parties who meet the grounds noted above (in practice this is a “warning” letter); 2) request for rectification of activities; 3) identification of non-Contracting	No process specified beyond an annual recommendation by Commission of any necessary new measures to be taken to ensure compliance by Contracting Parties. The Recommendation against Equatorial Guinea provides that the import restrictions will be lifted “upon the decision of the Commission that fishing	Process: 1) review of Task I data; 2) explanation by contracting party of reason for the over-harvest and actions taken or to be taken to prevent further over-harvest; 3) reduction of catch limit by amount of excess and possible other measures; 4) review of Task I data following year; 5) explanation of second consecutive year of	Process: 1) identification (based on review of information sources above) of Contracting Parties, cooperating non-Contracting Parties, Entities and fishing Entities who meet the grounds noted above (in practice this is a “warning” letter); 2) request to take all necessary measures to rectify behavior, including revocation of

<b>Comparison of ICCAT resolutions and recommendations dealing with imposition of trade-restrictive measures</b>			
<b>Bluefin Tuna Action Plan (94-3) Swordfish Action Plan (95-13) <i>(provisions dealing with non-Contracting Parties)</i></b>	<b>Bluefin Tuna Action Plan (94-3) Swordfish Action Plan (95-13) <i>(provisions dealing with Contracting Parties)</i></b>	<b>Compliance in Bluefin and North Atlantic Swordfish Fisheries (96-14), extended to South Atlantic Swordfish (97-8)</b>	<b>UU Resolution (98-18)</b>
Parties who have not rectified their activities; 4) imposition of trade measures on bluefin or swordfish products in any form from that non-contracting party; 5) (not provided for in resolution but developed by practice) annual review to determine if situation has improved to an extent where trade measures may be removed. Recommendations placing trade restrictive measures on non-Contracting Parties provide that “Contracting Parties lift the import prohibition on [country]..., upon the decision of the Commission and receipt of notification from the ICCAT Executive Secretary that fishing practices of [country] have been brought into consistency with ICCAT measures.	practices of Equatorial Guinea have been brought into compliance with ICCAT conservation and management measures”.	over-harvest and actions taken to prevent over-harvest; 6) appropriate measures, possibly including reduction of catch limit by 125% or more and trade-restrictive measures.	vessels registration and fishing licenses; 3) identification of Contracting Parties, non-Contracting Parties, Entities and fishing Entities that have not taken appropriate actions to rectify behavior; 4) effective measures, including trade restrictive measures to be recommended by Commission; 5) annual review and removal of measures if behavior has been rectified.
Non-Contracting Parties cannot object to application of trade measures.	Contracting Parties have the right of objection per Article VIII of the Convention.	Contracting Parties have the right of objection per Article VIII of the Convention.	Contracting Parties have the right of objection per Article VIII of the Convention. Non-Contracting Parties do not have a right of objection.

## 4.9 Japan's Summary of Actions Taken with Respect to the BFT Action Plan and the IUU Action Plan

## Extract of steps taken under the BFT Action Plan adopted in 1994

<i>State</i>	<i>Year</i>	<i>Stage</i>	<i>Problem</i>	<i>Improvement</i>	<i>Note</i>
Panama	1995	Identified	Catch and export record, fishing witnessed		
	1996	Sanction imposed (with moratorium)	Export continued, fishing in closed season, no proof of improvement	Respond to ICCAT to cooperate, considered to be Member, commit to compliance	
	1999	Sanction lifted	9 FOC remained, fishing reported	Join ICCAT, removal of FOC, submit catch data, fishing reduced, no validation of Stat. Doc. from 1997	Joined ICCAT in 1998
Honduras	1995	Identified	Catch and export record, fishing witnessed	Responded to Japan not to validate Stat. Docs.	
	1996	Sanction imposed	Catch and export record, fishing witnessed, no concrete action, no proof of improvement	One courtesy response to ICCAT	
	2001	Sanction lifted (review the activity in following year by Compliance Committee)	Export continued, 7 FOC remained	Join ICCAT, reduction of registration (from 269 in 2000 to 7 in 2001)	Joined ICCAT in 2001
Belize	1995	Identified	Catch and export record, fishing witnessed		
	1996	Sanction imposed	Catch and export record, fishing witnessed, no response to ICCAT, no proof of improvement		
Equatorial Guinea	1999	Sanction imposed	Record of export, catch not reported, no response for 5 years		Joined ICCAT in 1987
Singapore	1999	Identified	Catch record, no response to ICCAT		
Philippines	1999	Identified	Fishing witnessed, no improvement	Respond to the Commission to comply with ICCAT	
Sierra Leone	2001	Identified	249 t of import in 2001 (zero in 1999)		

**Extract of steps taken under the IUU Action Plan adopted in 1998**

<i>State</i>	<i>Year</i>	<i>Stage</i>	<i>Problem</i>	<i>Improvement</i>	<i>Note</i>
Belize	1999	Identified	IUU registered		
	2000	Sanction imposed	Catch in the Convention area, export increased, no response to ICCAT		Non-member
Cambodia	1999	Identified	IUU vessels registered		
	2000	Sanction imposed	Catch in the Convention area, export continued, no response to ICCAT		Non-member
Honduras	1999	Identified	IUU vessels registered		
	2000	Imposition of sanction considered (with moratorium)	Catch in the Convention area, no reduction of export	40 of 100 IUU vessels removed	Non-member
	2001	Imposition of sanction decided	catch and export continued	41 IUU vessels removed	
St. Vincent	1999	Identified	IUU vessels registered		
	2000	Sanction imposed	Catch in the Convention area, export continued, no response to ICCAT		Non-member
	2001	Sanction continued (to be lifted in 2003)	Catch and export continued, more time required to complete the measure	Implementing the removal of IUU vessels, attend the Commission as an observer	
Equatorial Guinea	1999	Identified	IUU vessels registered		Joined ICCAT in 1987
	2000	Sanction imposed	Catch in the Convention area, export continued, no improvement		
Kenya	1999	Identified	IUU vessels registered, no response		
Philippines	1999	Identified	IUU vessels registered		
Singapore	1999	Identified	IUU vessels registered		
Trinidad & Tobago	1999	Identified	IUU vessels registered		Member
Guinea	1999	Identified	IUU vessels registered		Member
Bolivia	2001	Identified	IUU vessels registered, export substantially increased		
Indonesia	2001	Identified	IUU vessels registered, export substantially increased		Bilateral negotiation
Vanuatu	2001	Identified	IUU vessels registered, export substantially increased		
Panama	2001	Identified	Export substantially increased, catch and landing reported, IUU vessels registered and returned		
Sierra Leone	1999	Identified	IUU vessels registered		
	2001	Identified	IUU vessels registered, export reported		Not sanctioned in 2000

**Appendix 5 to ANNEX 5****Draft Secretariat Letter to Expedite Compilation of IUU Vessel List**

During the past few years, the Commission has prepared a *List of Large-Scale Longline Vessels Believed to be Engaged in Illegal, Unregulated and Unreported Fishing Activities in the ICCAT Convention Area and Other Areas* (“IUU List”; the 2001 list is attached) in an effort to identify and combat fishing activities that may undermine the effectiveness of conservation measures taken by the Commission.

During a meeting last May, the ICCAT Ad Hoc Working Group on Measures to Combat IUU Fishing (Tokyo, Japan - May 27-30, 2002) recommended that the ICCAT Secretariat solicit information relevant to the modification of the above-mentioned list well in advance of the 2002 Commission meeting.

Therefore, I request that you inform us, by July 31, 2002, of any proposed additions to or deletions from the list. Please ensure that your proposals for additions and/or deletions are accompanied by evidence that can be used by the Commission in the preparation of the 2002 IUU List.

**Appendix 6 to ANNEX 5****Proposals to be forwarded to the Commission for consideration at its 2002 meeting****6.1 Draft Recommendation of ICCAT to Establish a List of Vessels Presumed to Have Carried Out Illegal, Unregulated and Unreported Fishing Activities in the ICCAT Convention Area**

Recalling that the FAO Council adopted on 23 June 2001 an International Plan of Action to prevent, to deter and eliminate illegal, unregulated and unreported fishing (IPOA). This plan stipulates that the identification of the vessels carrying out IUU activities should follow agreed procedures and be applied in an equitable, transparent and non-discriminatory way.

Recalling that ICCAT has already adopted measures against IUU fishing activities and, in particular, against large-scale tuna longline vessels.

Concerned by the fact that IUU fishing activities in the ICCAT Convention area continue, and these activities diminish the effectiveness of the ICCAT conservation and management measures.

Further concerned that there is evidence of a high number of vessel owners engaged in such fishing activities which have re-flagged their vessels to avoid compliance with ICCAT management and conservation measures, and to evade the ICCAT-adopted non discriminatory trade measures.

Determined to address the challenge of an increase in IUU fishing activities by way of countermeasures to be applied in respect to the vessels without prejudice to further measures adopted in respect of flag States under the relevant ICCAT instruments.

Considering the results of the Working Group, which was held in Tokyo from 27 to 31 May 2002.

Conscious of the need to address the issue of large-scale tuna longline vessels as a matter of priority and to extend coverage to other IUU fishing activities [by non-Contracting Party vessels and, as appropriate, Contracting Party, Cooperating non-Contracting Party, Entity, and Fishing Entity vessels] at a later stage.

The International Commission for the Conservation of Atlantic Tuna (ICCAT) recommends that:

1. For the purposes of this recommendation, the fishing vessels flying the flag of a non-Contracting Party are presumed to have carried out illegal, unregulated and unreported fishing activities in the ICCAT Convention area, *inter alia*, when a Contracting Party or Cooperating non-Contracting Party, Entity or Fishing Entity presents evidence that such vessels:

- a) Harvest tunas and tuna-like species in the ICCAT Convention area and are not registered on the ICCAT list of vessels authorized to fish for tuna and tuna-like species in the Convention area, or
  - b) Harvest, tuna and tuna-like species in the Convention area, whose flag state is without quotas, catch limit or effort allocation under relevant ICCAT conservation and management measures, or
  - c) Do not record or report their catches made in the ICCAT Convention area, or make false reports, or
  - d) Take or land undersized fish in contravention of ICCAT conservation measures, or
  - e) Fish during closed fishing periods or in closed areas in contravention of ICCAT conservation measures, or
  - f) Use prohibited fishing gear in contravention of ICCAT conservation measures, or
  - g) Transship with vessels included in the IUU list, or
  - h) Harvest tuna or tuna-like species in the waters under the national jurisdiction of the coastal States in the Convention area without authorization and/or infringes its laws and regulations, without prejudice to the sovereign rights of coastal States to take measures against such vessels, or
  - i) Are without nationality and harvest tunas or tuna-like species in the ICCAT Convention area, or
  - j) Engage in fishing activities contrary to any other ICCAT conservation and management measures.
2. Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities shall transmit every year to the Executive Secretary before 31 March, the list of vessels flying the flag of a non-Contracting Party presumed to be carrying out IUU fishing activities in the Convention area during the previous year, as in the annexed format, accompanied by the supporting evidence concerning the presumption of IUU fishing activity.

This list shall be based on the information collected by Contracting Parties and non-Contracting Cooperating Parties, Entities and Fishing Entities, *inter alia*, under:

- *Resolution by ICCAT on Compliance with the ICCAT Conservation and Management Measures (94-9)*;
  - *Recommendation by ICCAT on Transshipments and Vessel Sightings (97-11)*;
  - *Recommendation by ICCAT for a Revised ICCAT Port Inspection Scheme (97-10)*;
  - *Recommendation by ICCAT Concerning Registration and Exchange of Information of Fishing Vessels Fishing for Tuna and Tuna-Like Species in the Convention Area (00-17)*; or
  - *Resolution by ICCAT Concerning the Effective Implementation of the ICCAT Bluefin Tuna Statistical Document Program (94-5)*; *Recommendation by ICCAT Concerning the ICCAT Bigeye Tuna Statistical Document Program (01-21)*; and *Recommendation by ICCAT Establishing a Swordfish Statistical Document Program (01-22)*
  - *Resolution by ICCAT Concerning the Unreported and Unregulated Catches of Tunas by Large-scale Longline Vessels in the Convention Area (98-18)*.
3. On the basis of the information received pursuant to paragraph 2, the ICCAT Executive Secretary shall draw up a draft IUU list and shall transmit it together with all the evidence provided to Contracting Parties and Co-operating non-Contracting Parties, Entities and Fishing Entities, as well as to non-Contracting Parties whose vessels are included on these lists before 30 April of each year. Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities, and non-Contracting Parties, will transmit their comments, as appropriate, including evidence showing that the listed large-scale tuna longline vessels neither have fished in contravention to ICCAT conservation and management measures nor had the possibility of fishing tuna and tuna-like species in the Convention area, before 30 June to ICCAT.

Upon receipt of the draft IUU list, Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities shall closely monitor these vessels included in the draft IUU list in order to determine their activities and possible changes of name, flag and/or registered owner.

4. On the basis of the information received pursuant to paragraph 3, the ICCAT Executive Secretary shall draw up a provisional list that he will transmit by 31 July to the Contracting Parties and Cooperating non-Contracting Parties, Entities and Fishing Entities, and to the non-Contracting Parties concerned together with all the evidence provided.
5. Contracting Parties and Cooperating non-Contracting Parties, Entities and Fishing Entities may at any time submit to the ICCAT Executive Secretary any additional information, which might be relevant for the establishment of the IUU list. The ICCAT Executive Secretariat shall circulate the information at latest 30 days before the annual meeting to the Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing entities and to the non-Contracting Parties concerned together with all the evidence provided.
6. The Permanent Working Group for the Improvement of Statistics and ICCAT Conservation Measures (PWG) shall examine, each year, the provisional list, as well as the information referred to in paragraphs 3 and 5. The results of this examination may, if necessary, be referred to the Compliance Committee.

The PWG shall [recommend to the Commission to] remove a vessel from the provisional list if the flag State [proves] that:

- a) The vessel did not take part in any IUU fishing activities described in paragraph 1, or
  - b) It has taken effective action in response to the IUU fishing activities in question, including prosecution and imposition of sanctions of adequate severity, or
  - c) [The vessel has changed ownership and the new owner can establish that the previous owner no longer has any legal, financial, or real interests in the vessel, or exercises control over it or]
  - d) [The flag State has taken measures to ensure the granting of the right to the vessel to fly its flag will not result in IUU fishing.]
7. Following the examination referred to in paragraph 6, the PWG shall submit to the Commission for approval, the provisional list of the vessels identified as carrying out IUU fishing activities in the ICCAT Convention area. This list will be established pursuant to the format referred to in Annex I, with vessels grouped by flag State.
  8. On adoption of the list, the Commission shall request non-Contracting Parties, whose vessels appear on the IUU list, to take all the necessary measures to eliminate these IUU fishing activities, including if necessary, the withdrawal of the registration or of the fishing licenses of these vessels, and to inform the Commission of the measures taken in this respect.
  9. Contracting Parties and Cooperating non-Contracting Parties, Entities and Fishing Entities shall take all necessary measures, under their applicable legislation:
    - a) So that the fishing vessels, the mother-ships and the cargo vessels flying their flag do not participate in any transshipment with vessels registered on the IUU list;
    - b) So that IUU vessels that enter ports voluntarily are not authorized to land or transship therein;
    - [c) To prohibit the chartering of a vessel included on the IUU list;]
    - d) To refuse to grant their flag to vessels included in the IUU list, [except if the vessel has changed owner; and the new owner has provided sufficient evidence demonstrating the previous owner or operator has no further legal, beneficial or financial interest in, or control of, the vessel, or having taken into account all relevant facts, the flag State determines that granting the vessel its flag will not result in IUU fishing;]
    - [e) To prohibit the imports of tuna and tuna-like species from vessels included in the IUU list;]
    - f) To encourage the importers, transporters and other sectors concerned, to refrain from transaction and transshipment of tuna and tuna-like species caught by vessels included in the IUU lists;
    - g) To collect and exchange with others Contracting Parties or Cooperating non-Contracting Parties, Entities or Fishing Entities any appropriate information with the aim of searching, controlling and preventing false import/export certificates regarding tunas and tuna-like species from vessels included in the IUU list.

10. The ICCAT Executive Secretary will take any necessary measure to ensure publicity of the IUU vessels list adopted by ICCAT pursuant to paragraph 8, [in a manner consistent with any applicable confidentiality requirements,] and through electronic means, by placing it on the ICCAT web site. Furthermore, the ICCAT Executive Secretary will transmit the IUU vessels list to other regional fisheries organizations for the purposes of enhanced co-operation between ICCAT and these organizations in order to prevent, deter and eliminate illegal, unreported and unregulated fishing.
11. This recommendation shall apply initially to large-scale tuna longline vessels [flying the flag of non-contracting parties]. The Commission shall, at its annual meeting in 2003, review and, as appropriate, revise this recommendation with a view to its extension to other types IUU fishing activities [of non-Contracting Party vessels and, to Contracting Party, Cooperating non-Contracting Party, Entity and Fishing Entity vessels].
12. [Without prejudice to the rights of flag states and coastal states to take proper action consistent with international law, the Contracting Parties, Cooperating non-Contracting Parties, Entities and Fishing Entities should not take any unilateral trade measures or other sanctions against vessels provisionally included in the draft IUU list, pursuant to paragraph 3, or which have been already removed from the list, pursuant to paragraph 6, on the grounds that such vessels are involved in IUU fishing activities.]

## **6.2 Draft Recommendation by ICCAT to Improve Registration of Large-scale Tuna Longline Fishing Vessels**

Recalling that the Commission adopted the *Recommendation Concerning Registration and Exchange of Information of Fishing Vessels Fishing for Tuna and Tuna-Like Species in the Convention Area* at its 2000 meeting,

Further recalling that the Commission adopted the *Resolution Concerning Management Standard for the Large-Scale Tuna Longline Fishery* at its 2001 meeting,

Recognizing the need to improve the process of registration,

The International Commission for the Conservation of Atlantic Tunas (ICCAT) recommends that;

1. The Contracting Parties, Cooperating non-Contracting Parties, Entities and Fishing Entities shall submit annually information required by the *Resolution Concerning Management Standard for the Large-Scale Tuna Longline Fishery* at the time of submission of their list of licensed large scale tuna longline vessels (hereinafter referred to as the "LSTLV") to the Commission according to the *Recommendation Concerning Registration and Exchange of Information of Fishing Vessels Fishing for Tuna and Tuna-Like Species in the Convention Area*.
2. The Commission shall review annually the information on management standard provided by paragraph 1 above and if it finds lack or inadequacy of the management measures, advise measures and/or actions to that Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities to improve its management of LSTLV. Such advice may include cooperation among the Contracting Parties concerned.
3. The Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities that is advised shall report back to the Commission before August 31 of the following year the measures and/or actions taken according to the advice for the Commission's review.
4. The Commission shall inform the above to the non-Contracting Parties concerned and seek cooperation.

**REPORT OF THE SECOND MEETING OF THE ICCAT  
WORKING GROUP TO DEVELOP INTEGRATED MONITORING MEASURES**  
(Tokyo, Japan -- May 30 and 31, 2002)

### 1. Opening of the meeting

1.1 Dr. Victor Restrepo of the ICCAT Secretariat opened the meeting and invited the delegations to proceed to the election of the Chairperson of the Working Group.

1.2 The List of Participants is attached as **Appendix 2 to ANNEX 6**. An opening statement was presented by Korea and is attached as **Appendix 3 to ANNEX 6**.

### 2. Election of the Chairperson

The Chair of the Compliance Committee, Mr. Friedrich Wieland (European Community), was elected Chairperson of the Working Group.

### 3. Adoption of the Agenda

The Chair asked the delegations for comments on the Tentative Agenda. The Agenda was adopted and distributed at the session (attached as **Appendix 1 to ANNEX 6**).

### 4. Election of the Rapporteur

Mr. Christopher Leggett (Canada) was elected Rapporteur.

### 5. Revised Mandate of the Working Group

Delegations took note of the decision taken by the Commission to include “compliance and enforcement aspects” in the mandate of this Working Group (see paragraph 5.1 of the Report of the 17<sup>th</sup> Regular Meeting of ICCAT held in Murcia, Spain, 12 to 19 November, 2001).

### 6. Elements for Integrated Monitoring (continued from First Meeting in May 2001)

6.1 Delegations discussed the text of the *General Outline of the Monitoring Measures Proposed by the Working Group to Develop Integrated Monitoring Measures* that was adopted at the first meeting of the Working Group (Brussels, May 17 & 18, 2001).

- After some debate, the square brackets were lifted from the text of paragraphs 1(i)(d); 1(vii); 3 (title); 3(ii), (iii) and (vi); and 4 (second bullet). Paragraph 3(vi) was deleted.
- Following these discussions, the Working Group proceeded to a second reading of the General Outline and, at the recommendation of various delegations, additional drafting changes were made. The revised General Outline (attached as **ANNEX 7** to the Commission Proceedings) was adopted and submitted for approval by the Commission at its next meeting.

6.2 The European Community presented its proposal on a draft scheme of control and enforcement in respect of fishing vessels fishing in the ICCAT Convention Area. It emphasized that the proposed scheme was meant to be a

document to build upon, and issues raised in other working groups, as well as in the further course of this exercise, will have to be taken into account.

6.3 This proposal elicited some discussion, and delegations expressed a number of queries regarding this draft scheme. However, due to time constraints, a full discussion of the proposal was not possible.

## **7. Future work program**

7.1 The Working Group discussed the organization of future work regarding the establishment of integrated monitoring measures. All participants concurred that this was a complex issue that required further consideration.

7.2 Noting that progress was made but that the task given to the Working Group has not yet been completed, it is recommended that the Commission authorize the Working Group continue its work.

7.3 In his closing remarks, the Chair noted that sound conservation presupposes effective control and enforcement, and that this exercise was consequently of particular importance. The Chair therefore strongly encouraged Parties to consult with one another in advance of the 2002 Commission Meeting regarding effective ways to secure progress in this important field.

## **8. Other business**

No other business was discussed.

## **9. Report adoption and closure**

9.1 The Second Meeting of the ICCAT Working Group to Develop Integrated Monitoring Measures was adjourned on Friday, May 31, 2002.

9.2 The Chairman thanked everyone for their work.

## **Appendix 1 to ANNEX 6**

### **Agenda**

1. Opening of the meeting
2. Election of the Chairperson
3. Adoption of the Agenda
4. Election of the Rapporteur
5. Revised mandate of the Working Group
6. Elements for integrated monitoring (continued from First Meeting in May 2001)
7. Future work program
8. Other business
9. Report adoption and closure

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**Appendix 3 to ANNEX 6**

**Opening Statement by Korea**

On behalf of the Korean delegation, I am pleased to participate in this inter-sessional meeting.

Korea has long pursued the conservation and sustainable utilization of tuna and tuna-like species in the ICCAT area of competence. Korea believes this inter-sessional meeting would make notable progress with respect to the integrated monitoring measures and hold further substantive deliberation on the future of ICCAT.

Sustainable fisheries require informed decisions and actions at all levels and everyone should work in an increasingly transparent manner to maximize the benefits that can be obtained for tuna fisheries. Many countries have taken steps to implement the provisions of ICCAT's many Recommendations and Resolutions and as a result have increased their management efficiency while at the same time protecting our common resources in the ICCAT area of competence. Furthermore, the integrated monitoring scheme is one of the fundamental tools to ensure the effective implementation of conservation and management measures.

In this context, we should consider adopting the effective management and conservation policy, respected by all the Parties, for the sustainable utilization of tuna and tuna-like species in the Atlantic Ocean.

If any parties fail to observe the Recommendations and Resolutions of the ICCAT or abstain any activities that diminish or undermine the effectiveness of ICCAT's efforts to manage and conserve tuna stocks, then the Commission should consider taking possible countermeasures including trade restrictive measures against the violators without any further warning letters or identification letters and, at the same time, in prompt accordance with the Action Plan. This is one of the best strategic and planning processes that have ever been in place in this Organization and it will transform ICCAT into one of the most modern regional fisheries bodies in the World. We should, however, keep in mind that when taking effective measures it be done so in a mutually agreeable manner.

Taking into account all the above mentioned, Korea is very much concerned about the conservation and management of the tuna stocks and will make every effort for total cooperation with ICCAT.

Korea hopes that the objectives of this inter-sessional meeting are accomplished and this will lead to the sustainable development of fisheries activities in the ICCAT Area of Competence along with the many of Recommendations and Resolutions that might play an important role as over-arching tools for sustainable activities of other regional fisheries bodies.

Let us hope that this IMM session of the inter-sessional meeting will be a successful one.

## GENERAL OUTLINE OF INTEGRATED MONITORING MEASURES ADOPTED BY ICCAT

### *NEEDS AND PRINCIPLES*

The monitoring measures should respond to the peculiarities of the different ICCAT areas and fisheries.

These measures should be applied by the Contracting Parties and *mutatis mutandis* by Cooperating non-Contracting Parties, Entities or Fishing Entities.

Effective monitoring measures should embody a number of principles, namely:

- i.* Consistency with the ICCAT Convention and existing relevant international law.
- ii.* Evaluation of the current ICCAT measures and possibly complementing them with new measures.
- iii.* The general obligation to co-operate and a commitment to implement the following measures with transparency, taking into account requirements for confidentiality.
- iv.* Two types of measures should be applied:
  - Measures applicable to all fisheries. Measures concerning vessels would apply only to vessels beyond a certain size.
  - Measures applicable on a case-by-case basis to certain fisheries, taking cost-effectiveness into account.
- v.* Contribution to the improvement of the collection and timely transmission of statistics, for scientific as well as monitoring purposes.
- vi.* Provision of a means to ensure compliance by both Contracting and non-Contracting Parties, and to prevent, deter and eliminate illegal, unreported and unregulated (IUU) fishing in the ICCAT Convention Area.
- vii.* The special requirements of developing States should be fully recognized and active co-operation should be established to facilitate the implementation of the measures by them.

Under these circumstances, the ICCAT monitoring measures should consist of the following basic components:

#### **1. Flag State duties**

The following monitoring measures should be taken by the flag States in regard to vessels entitled to fly their flags in the ICCAT Convention area:

- i.* Control of their vessels by:
  - a) adopting measures so that their vessels comply with and do not undermine ICCAT conservation and management measures;
  - b) authorizing their vessels to fish in the ICCAT Convention Area by means of fishing authorizations, licenses, or permits;
  - c) ensuring they do not authorize vessels to fish in the ICCAT Convention Area unless they are able to effectively exercise their responsibilities in respect of such vessels, including monitoring and controlling their fishing activities;

- d) ensuring that their vessels do not conduct unauthorized fishing within areas under the national jurisdiction of other States, through appropriate cooperation with coastal States concerned, and other relevant means available to the flag State;
- e) requiring their vessels fishing on the high seas to carry the license, authorization or permit on board at all times and to produce it on demand for inspection by a duly authorized person.
- ii. Establishment of a national record of fishing vessels entitled to fly their flags and authorized to fish in the ICCAT Convention Area, which should include vessels of other States authorized under charter agreements, and transmission of this information to ICCAT.
- iii. Regulation of transshipment.
- iv. Measures regarding the operation and control of chartering.
- v. Requirements for recording and timely reporting of vessel position, catch of target and non target species, fishing effort and other relevant fisheries data including an estimate of discards, unless ICCAT stipulates otherwise. These data should be verified for certain fisheries by observer programs, where these programs have been adopted by the Commission.
- vi. Implementation of a vessel monitoring system (VMS).
- vii. Investigation of, follow-up to, and report on actions taken in response to an alleged violation by a vessel.

## **2. Obligations of the Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities**

The obligations of the Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities should include:

- i. Provision to ICCAT, in the manner and at such regular intervals as may be required by ICCAT, of compliance reports and information concerning its fishing activities, including fishing area and fishing vessels, in order to facilitate the compilation of reliable fishing statistics (catch, effort, size samples, etc.), and the effective implementation of ICCAT's compliance program.
- ii. Compliance with all ICCAT conservation and management measures.

## **3. Compliance and enforcement**

The Contracting Parties, through the Commission, should establish an observation and inspection program to ensure compliance with ICCAT conservation and management measures.

The program may *inter alia* comprise the following elements:

- i. High seas inspection.
- ii. Procedures for an effective investigation of an alleged violation of ICCAT conservation and management measures, and for reporting to the Commission on the actions taken, including procedures for exchanging information.
- iii. Provisions for appropriate action to be taken when inspections reveal serious violations as well as the expedient and transparent follow-up of such actions in order to uphold the Flag State's responsibility within the intended program.
- iv. Port inspections.
- v. Monitoring of landings and catches, including statistical follow-up for management purposes.

*vi.* Specific monitoring programs adopted by ICCAT, including boarding and inspection.

*vii.* Observer programs.

**4. A program to promote compliance by vessels of non-Contracting Parties, Entities or Fishing Entities**

Further to existing measures, ICCAT should examine measures consistent with international law to deter activities of such vessels which undermine the effectiveness of ICCAT conservation and management measures.

- Implementation of all the relevant elements of the FAO International Plan of Action to Prevent, Deter, and Eliminate Illegal, Unreported and Unregulated Fishing.
- Prohibition of landings and transshipments of ICCAT species by vessels of non-Contracting Parties, Entities or Fishing Entities, sighted in the ICCAT Convention Area, that do not comply with the relevant ICCAT conservation and management measures.

**RECOMMENDATIONS AND RESOLUTIONS ADOPTED BY ICCAT IN 2002**

[02-01]

**RECOMMENDATION BY ICCAT  
ON BIGEYE TUNA CONSERVATION MEASURES**

ANNEX 8.1

*RECALLING* that in 1997 the Commission urged parties to reduce catches of bigeye tuna to levels below maximum sustainable yield (MSY);

*RECOGNIZING* that in 1998 the Commission requested that the Standing Committee on Research and Statistics (SCRS) develop stock rebuilding scenarios to levels that support MSY;

*RECALLING* the 1998 *Recommendation by ICCAT on the Bigeye Tuna Conservation Measures for Fishing Vessels Larger than 24 Meters Length Overall (LOA)* limiting the number of fishing vessels, which will fish for bigeye tuna in the Convention Area, to the average number of its fishing vessels actually having fished for bigeye tuna in the Convention Area for the two years of 1991 and 1992;

*CONSIDERING* that the objective of the Convention is to maintain the stocks at levels which would permit MSY, and that the SCRS estimates that MSY is between 79,000 t and 105,000 t;

*FURTHER CONSIDERING* that the SCRS recommends that, starting in 2003, the level of total catch in the Atlantic be maintained at the 2001 catch level, in order to restore the biomass of bigeye tuna to a level which would allow MSY to be attained;

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

1. Each Contracting Party and Cooperating non-Contracting Party, Entity or Fishing Entity shall, in 2003, limit their catch of Atlantic bigeye tuna to the average catch of Atlantic bigeye tuna taken by all their vessels in 1991 and 1992.
2. Notwithstanding the paragraph above,
  - a) China shall limit, in 2003, its catch of bigeye tuna to 5,000 t, while the overall number of its vessels registered with the Commission be frozen at 60 for 2003 and thereafter, unless the Commission decides otherwise.
  - b) The Commission shall request Chinese Taipei to limit, in 2003, its catch of Atlantic bigeye tuna to 16,500 t and the number of its fishing vessels fishing for Atlantic bigeye tuna to 125.
  - c) The Commission shall request the Philippines to limit, in 2003 and thereafter, the number of its fishing vessels fishing for Atlantic bigeye tuna to five (5).
3. The provision of paragraph 1 will not apply to Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities whose reported 1999 catch, as provided to the SCRS in 2000, was less than 2,100 t.
4. Underages/overages of the 2003 catch limit for bigeye tuna may be added to/must be subtracted from the 2004 and/or 2005 catch limits for bigeye tuna.

**[02-02] RECOMMENDATION BY ICCAT RELATING TO THE REBUILDING PROGRAM FOR NORTH ATLANTIC SWORDFISH ANNEX 8.2**

*RECOGNIZING* that the Commission's Standing Committee on Research and Statistics (SCRS) has indicated in its 1999 stock assessment that the North Atlantic Swordfish stock was over-exploited ( $B < B_{MSY}$ ,  $F > F_{MSY}$ , i.e., current biomass is 65% of the biomass at MSY and that current fishing mortality is 1.34 times that of the MSY level), and that the expected 1999 catch level of 11,800 t, with a greater than 50% probability, will result in a decline in stock status;

*NOTING* that in the most recent assessment carried out in 2002 the base case indicates that the decline in the North Atlantic swordfish biomass appears to have been arrested due to the recent reduction in reported catch;

*NOTING FURTHER* that there are positive signs from the fishery in terms of catch rates after just two years of management action under the strict quota scenarios introduced in 1997;

*NOTING* that the high recruitments observed in the years after 1996 have produced a considerable improvement in the state of the stock so as to reach levels slightly below the  $B_{MSY}$  and that these recruitments should allow for additional increases in spawners and to provide a more optimistic outlook, if these year classes are not heavily harvested;

*RECALLING* the 1998 *Resolution by ICCAT for the Development of Recovery Scenarios for North and South Atlantic Swordfish* [98-17];

*RECALLING* that the objective of the Convention is to maintain stocks of fish at levels which permit the maximum sustainable yield (MSY);

*NOTING* that dead discards of swordfish may occur due to compliance with minimum size and the catch of fish damaged by predators;

*RECALLING* that the rebuilding plan must account for all sources of fishing mortality, and that dead discards of North Atlantic swordfish reported to ICCAT have averaged 500 t over the past three years;

*RECALLING* that the 1995 Recommendation establishing percentage shares of Total Allowable Catch (TAC) for nations fishing for North Atlantic Swordfish did not include the amount of each nation's dead discards reported to SCRS in the calculation of national quota shares, nor have such dead discards counted against national quotas since 1995;

*STRESSING* the immediate need to improve conservation of juvenile fish;

*DESIRING* to achieve by 2009, with greater than 50% probability, stock and catch levels consistent with the objectives of the Convention;

*CONSIDERING* that following its assessment of the North Atlantic swordfish stock in 2002, the SCRS has noted that since the last assessment in 1999 there has been a strong recruitment and concludes that the objectives of the rebuilding program will be reached with catch levels (including discards) of 14,000 t during the 2003 to 2009 period;

*TAKING INTO ACCOUNT* the *Criteria for the Allocation of Fishing Possibilities* adopted by ICCAT at the annual meeting in 2001;

*NOTING* that the new allocation criteria should be applied in a progressive manner;

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

1. The Contracting Parties, and non-Contracting Parties, Entities or Fishing Entities whose vessels have been actively fishing for swordfish in the North Atlantic shall implement a 10-year rebuilding program, starting in 2000 and continuing through 2009, with the goal of achieving  $B_{MSY}$ , with greater than 50% probability.
2. For this purpose, a total allowable catch (TAC) of 14,000 t shall be set for years 2003, 2004 and 2005.
3. The allocation of the annual TAC for 2003, including dead discards, shall be as indicated below:
  - a) A dead discard allowance shall be deducted from the 2003 TAC as follows:

YEAR	DEAD DISCARD ALLOWANCE
2003	100 t

The dead discard allowance shall be eliminated with effect from 2004. The TAC, after deducting this tolerance for dead discards, is the amount of catch that can be retained;

- b) "Other Contracting Parties and Others" receive a quota of 1,185 t as detailed below.
- c) The remainder of the TAC, after subtracting the allowance for dead discards and the quotas specified in point b shall be shared as follows for 2003, 2004 and 2005:

European Community	52.42%
United States	30.49%
Canada	10.52%
Japan	6.57%

**ALLOCATION OF CATCH THAN CAN BE RETAINED  
AND TOTAL DEAD DISCARD ALLOWANCE**

<b>Contracting Parties</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>
European Community	6,665	6,718	6,718
United States (1) (2)	3,877	3,907	3,907
Canada (2)	1,338	1,348	1,348
Japan	835	842	842
<b>Other Contracting Parties</b>			
Morocco	335	335	335
Mexico	110	110	110
Brazil	50	50	50
Barbados	25	25	25
Venezuela	85	85	85
Trinidad & Tobago	125	125	125
UK (Overseas Territories)	35	35	35
France (St. Pierre et Miquelon)	35	35	35
China	75	75	75
<b>Others</b>			
Chinese Taipei	310	310	310
<b>Total Catch</b>	<b>13,900</b>	<b>14,000</b>	<b>14,000</b>
Dead Discard Allowance	100	0	0

- (1) The United States may harvest up to 200 t of its annual catch limit within the area between 5 degrees North latitude and 5 degrees South latitude.
- (2) For each year of this catch quota allocation, the United States will transfer 25 t to Canada. This transfer does not change the relative shares of Parties as reflected in the above allocation.

4. For 2003 the distribution of the allowance for dead discards shall be 80% for the US and 20% for Canada. If a Contracting Party's fishing activity results in an amount of dead discards in excess of the Contracting Party's allowance, it must deduct the amount in excess of the allowance from its allocation of catch that can

be retained the following year. If a Contracting Party's fishing activity results in fewer dead discards than its allowance, the difference between the amount of dead discards and the allowance shall be added to the total catch that may be retained by all Contracting Parties, non-Contracting Parties, Entities or Fishing Entities in subsequent years, as calculated by the Commission.

5. Notwithstanding paragraph 2 of the 1996 *Recommendation by ICCAT Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries* which is also applicable to the South Atlantic Swordfish fisheries, all unused portion (if this is specified in the pertinent management recommendation) or excess of the annual quota/catch limit shall be deducted from/may be added to, according to the case, the respective quota/catch limit during or before the adjustment year, in the following way:

	<b>Catch Year</b>	<b>Adjustment Year</b>
North Atlantic Swordfish	2003	2005
	2004	2006
	2005	2007

6. Provisions of the *Recommendation by ICCAT Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries* adopted at the 1996 Commission Meeting, and of paragraph 5, above, shall be applied to the implementation of the individual quotas in paragraph 3 and for over-harvests that occurred in 2001 and/or 2002, for each Contracting Party, non-Contracting Party, Entity or Fishing Entity. Each year is considered a separate management period, as that term is used in the *Recommendation by ICCAT Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries*, except for Japan, for which the management period is five years (2002 – 2006).
7. If Japan's landings exceed its quota in any year, the overage shall be deducted in subsequent years so that total landings for Japan shall not exceed its total quota for the five-year period commencing in 2002. When annual landings by Japan are less than its quota, the underage may be added to the subsequent years' quota, so that total landings by Japan do not exceed its total for the same five-year period. Any underages or overages from the first five-year management period shall be applied to the second five-year management period. Japan's quota for 2003, 2004 and 2005 will be 835 t, 842 t and 842 t, respectively.
8. Japan shall be allowed to count up to 400 t of its swordfish catch taken from the part of the North Atlantic management area that is East of 35°W and South of 15°N, against its uncaught South Atlantic swordfish quota;
9. Japan shall implement a national observer program on 8% of vessels operating in the North Atlantic by end of 2005.
10. In 2003 and 2004, the Japanese catch, including discards, shall be reviewed by the SCRS and provided to the Commission, based upon the best available scientific information including new observer data for the Japanese fleet as well as data from other sources.
11. All Contracting Parties, non-Contracting Parties, Entities or Fishing Entities catching swordfish in the North Atlantic shall endeavor to provide annually the best available data to the SCRS, including catch, catch at size, location and month of capture on the smallest scale possible, as determined by the SCRS. The data submitted shall be for broadest range of age classes possible, consistent with minimum size restrictions, and by sex when possible. The data shall also include discards and effort statistics, even when no analytical stock assessment is scheduled. The SCRS shall review these data annually.
12. In year 2005, and thereafter every three years, SCRS shall conduct a stock assessment and provide advice relative to paragraphs 2 and 3.
13. In order to protect small swordfish, Contracting Parties, non-Contracting Parties, Entities or Fishing Entities shall take the necessary measures to prohibit the taking of and landing of swordfish in the entire Atlantic Ocean weighing less than 25 kg live weight, or in alternative, 125 cm lower jaw fork length (LJFL); however, the Contracting Parties, non-Contracting Parties, Entities or Fishing Entities may grant tolerances to boats which have incidentally captured small fish, with the condition that this incidental catch shall not exceed 15 percent of the number of swordfish per landing of the total swordfish catch of said boats.

14. Notwithstanding the provisions of paragraph 13, any Contracting Parties, non-Contracting Parties, Entities or Fishing Entities may choose, as an alternative to the minimum size of 25 kg/ 125 cm LJFL, to take the necessary measures to prohibit the taking by its vessels in the Atlantic Ocean, as well as the landing and sale in its jurisdiction, of swordfish (and swordfish parts), less than 119 cm LJFL, or in the alternative 15 kg, provided that, if this alternative is chosen, no tolerance of swordfish smaller than 119 LJFL, or in the alternative 15 kg, shall be allowed. A Party that chooses this alternative shall require appropriate record keeping of discards.
15. Notwithstanding the provisions of Article VIII, paragraph 2, of the Convention, with respect to the annual individual quotas established above, the Contracting Parties, non-Contracting Parties, Entities or Fishing Entities whose vessels have been actively fishing for North Atlantic swordfish shall implement this recommendation as soon as possible in accordance with the regulatory procedures of each Contracting Party, non-Contracting Party, Entity or Fishing Entity.
16. This Recommendation replaces the 1999 *Recommendation by ICCAT to Establish a Rebuilding Program for North Atlantic Swordfish* [99-2].

[02-03]

**RECOMMENDATION BY ICCAT  
ON SOUTH ATLANTIC SWORDFISH CATCH LIMITS**

ANNEX 8.3

*CONSCIOUS* that the Standing Committee on Research and Statistics (SCRS) indicates that total catches in the South Atlantic stock have been reduced since 1995, as was recommended by the SCRS, although some countries have increased their reported catch levels;

*CONSIDERING* that the SCRS indicates that the contradictory catch per unit of effort (CPUE) trends from target and by-catch fisheries give no reliable results from the base case production model and therefore reliable estimates of MSY ;

*CONSCIOUS* that the SCRS recommends that catch should remain at about the same level of the past few years;

*RECALLING* that for South Atlantic swordfish, management based on autonomous quotas have continued for the recent two years and needs to be developed immediately into a catch limit system with sharing arrangement of Total Allowable Catch (TAC), adopted at the 2000 Commission meeting required the Commission to negotiate and adopt a sharing arrangement for the TAC for South Atlantic swordfish at its 2001 meeting;

*FURTHER RECALLING* that the 2001 Commission meeting adopted the *Criteria for the Allocation of Fishing Possibilities*;

*CONSCIOUS* of the desirability of introducing a multi-annual approach in order to conserve the fish stocks effectively as well as permitting a gradual programmed development of the swordfish fisheries of certain Parties;

*FURTHER RECALLING* the need to apply the *Criteria for the Allocation of Fishing Possibilities*, adopted by the Commission in 2001, with a view to share in a fairer and equitable manner the South Atlantic swordfish stock;

*RECALLING* that the application of the new allocation criteria policy must be undertaken on a gradual basis permitting adaptation by all Parties involved in the fisheries and that this recommendation constitutes a major thrust in the introduction of this approach within ICCAT;

*RECOGNIZING* that this multi-annual approach for the management of the South Atlantic swordfish reflects the thrust of the allocation criteria for the period concerned

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

1. For 2003, 2004, 2005 and 2006, TAC and the catch limits are as follows:  
(Unit: t)

	2003		2004		2005		2006	
T A C	15,631		15,776		15,956		16,055	
Brazil (1)	4,086	26.14%	4,193	26.58%	4,296	26.92%	4,365	27.19%
European Community	5,950	38.07%	5,850	37.08%	5,850	36.66%	5,780	36.00%
South Africa	890	5.69%	1,009	6.40%	1,070	6.71%	1,140	7.10%
Namibia	890	5.69%	1,009	6.40%	1,070	6.71%	1,140	7.10%
Uruguay	850	5.44%	850	5.39%	850	5.33%	850	5.29%
United States (2)	100	0.64%	100	0.63%	100	0.63%	120	0.75%
Côte d'Ivoire	100	0.64%	100	0.63%	100	0.63%	100	0.62%
China	315	2.02%	315	2.00%	315	1.97%	315	1.96%
Chinese Taipei	925	5.92%	825	5.23%	780	4.89%	720	4.48%
United Kingdom	25	0.16%	25	0.16%	25	0.16%	25	0.16%
Japan (2)	1,500	9.60%	1,500	9.51%	1,500	9.40%	1,500	9.34%

(1) Brazil may harvest up to 200 t of its annual catch limit within the area between 5 degrees North latitude and 15 degrees North latitude.

(2) The Japanese and the U.S. underages in 2000 may be carried over to 2003 in addition to their quotas specified in this table.

2. The TAC and the catch limits for 2006 in paragraph 1 shall be reviewed and if necessary, revised based upon the results of stock assessment to be conducted in the 2005 SCRS meeting. Should adjustments to the TAC for 2006 be required following this assessment, the relative shares of the Parties for 2006 shall remain unchanged from those in the current recommendation.
3. Japan shall endeavor to limit its total catch of southern swordfish to 8% by weight of its total longline catch in South Atlantic Ocean.
4. When the Japanese catch of southern swordfish reaches 1,500 t in one year, the Commission shall consider a different appropriate catch limit for continuation of the bigeye fishery, taking account of the sharp reduction of the Japanese share from that in the *Recommendation by ICCAT Concerning the Establishment of Percentage Shares of Total Allowable Catch (TAC) and 1998-2000 Catch Quotas for South Atlantic Swordfish* [97-7].
5. Japan shall be allowed to count up to 400t of its swordfish catch taken from the part of the North Atlantic management area, that is east of 35 degrees W and south of 15 degrees N, against its uncaught South Atlantic swordfish quota.

[02-04]

**RESOLUTION BY ICCAT  
FOR THE EVALUATION OF SMALL SWORDFISH MORTALITY**

**ANNEX 8.4**

*HIGHLIGHTING* that about 75 percent of the current stock biomass of North Atlantic swordfish is comprised of age 1 - 4 fish;

*RECOGNIZING* that the mature swordfish population, which declined dramatically during the 1990s, remained virtually unchanged from its historic low until the beginning of 2001;

*CONSIDERING* that recent strong year classes have not yet substantially recruited to the spawning population;

*RECALLING* the repeated advice of the Standing Committee on Research and Statistics (SCRS) for Contracting Parties to reduce their catches of undersized swordfish for the purpose of increasing the yield and spawning stock biomass in accordance with repeated Recommendations of the Commission; and

*EMPHASIZING* that precaution dictates against allowing large increases in the total allowable catch of North Atlantic swordfish to result in a substantial increase in the mortality of immature swordfish;

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

1. The SCRS should monitor and analyze the effects on the mortality of immature swordfish, the stock, and fishing activities of the new management measures for North Atlantic swordfish for 2003 and 2004. The SCRS should report the results of the analysis to the Commission at the 2005 meeting.
2. The Commission should consider the result of the SCRS analysis and adopt, if necessary, additional measures at the 2005 meeting of the Commission.

[02-05]

**RECOMMENDATION BY ICCAT  
NORTH ATLANTIC ALBACORE CATCH LIMITS**

**ANNEX 8.5**

*CONSIDERING* that, to maintain the stability of the spawning stock biomass of northern albacore, the Standing Committee on Research and Statistics (SCRS) recommends that for 2003 catches do not exceed their current level of 34,500 t;

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

1. The establishment of a Total Allowable Catch (TAC) of 34,500 t for 2003.
2. This catch limit shall be allocated among the ICCAT Contracting Parties according to the following table:

<b>Party</b>	<b>2003 Quota</b>
European Community	28,712 t
United States	607 t
<b>TOTAL</b>	<b>29,319 t</b>

3. With the exception of Venezuela, which is allocated a quota of 270 t, and Japan, Contracting Parties other than those mentioned in paragraph 2 above shall limit their catches to 200 t.
4. Japan shall endeavor to limit its total northern albacore catches to a maximum of 4% in weight of its total bigeye tuna longline catch in the Atlantic Ocean
5. For the non-Contracting Parties, Entities or Fishing Entities, the catch limit for 2003 shall be 4,459 t\*.
6. All underages or overages of the quota/annual catch limit of northern albacore shall be deducted from or may be added to the quota/catch limit for the year 2004 and/or 2005.
7. The 1998 *Recommendation by ICCAT Concerning the Limitation of Fishing Capacity on Northern Albacore* remains in force.

**[02-06] RECOMMENDATION BY ICCAT ON THE SOUTHERN ALBACORE CATCH LIMIT AND SHARING ARRANGEMENT FOR 2003 ANNEX 8.6**

*NOTING* that the current best estimate of the replacement yield of the southern albacore resource is 29,200t;

*NOTING FURTHER* the failure of the 2001 catch monitoring arrangement to limit southern albacore catches within the established Total Allowable Catch (TAC) level during 2001;

*RECOGNIZING* the need to develop and agree on sharing arrangements for southern albacore based on the 2001 *ICCAT Criteria for the Allocation of Fishing Possibilities*;

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

1. The total catch limit for albacore caught in the Atlantic Ocean south of 5° N be set at 29,200 t for 2003, this being the current best estimate of the replacement yield of the stock.
2. For the purpose of this recommendation, Brazil, Namibia, South Africa and Chinese Taipei be considered to be Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities fishing actively for southern albacore. All other Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities shall be considered to be not actively fishing for southern albacore, whether taking albacore as a target species or by-catch.
3. The catch limit for southern albacore caught by those Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities fishing actively for southern albacore be set at 27,500 t for 2003.
4. Those Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities fishing actively for southern albacore make every effort to improve their catch reporting systems to ensure the reporting of all southern albacore catches during 2003 to the ICCAT Secretariat within two months of those catches having been made.
5. The ICCAT Secretariat notify all those Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities referred to in paragraph 2 above when a cumulative catch level of 22,000 t is reached, that being 80% of their catch limit of 27,500 t.
6. Those Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities referred to in paragraph 2 above immediately initiate multi-lateral discussions when the 22,000t warning level is reached, in order to decide on steps to be taken to prevent total catches by those Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities from exceeding their 27,500t catch limit.
7. Those Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities referred to in paragraph 2 above immediately implement measures to stop fishing for southern albacore when their established catch limit of 27,500 t is reached, so as to ensure that the limit is not exceeded.
8. Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities not actively fishing for southern albacore and having caught, on average, less than 100 t of southern albacore per year during 1992-1996 be subject to a catch limit of 100 t.
9. Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities not fishing actively for southern albacore and having caught, on average, more than 100t of southern albacore during 1992-1996, but excluding Japan, shall be subject to an annual catch limit of 110% of their respective average 1992 - 1996 catches of albacore in the Atlantic Ocean south of 5°N.
10. Japan endeavor to limit its total catch of southern albacore to 4% by weight of its total longline bigeye tuna catch in the Atlantic Ocean south of 5°N.

11. No provision shall be made for carry-over of any under-harvests made under this sharing arrangement.
12. Those Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities fishing for southern albacore participate in inter-sessional activities to develop and agree on sharing formulae based on the *ICCAT Criteria for the Allocation of Fishing Possibilities* adopted in 2001. These activities should include an exchange of sharing formulae proposals and, if possible, an inter-sessional meeting to discuss and finalize proposed sharing formulae before the 2003 meeting of Panel 3.
13. The southern albacore catch limit and sharing arrangement be reviewed and revised at the 2003 ICCAT Commission meeting, based on the outcome of the updated southern albacore assessment to be conducted in 2003, and the inter-sessional process to develop sharing formulae based on the ICCAT allocation criteria.
14. This recommendation replaces, in its entirety, the 2001 *Recommendation by ICCAT on Revision and Sharing of the Southern Albacore Catch Limit*.

[02-07]

**RECOMMENDATION BY ICCAT CONCERNING  
CONSERVATION OF WESTERN ATLANTIC BLUEFIN TUNA**

ANNEX 8.7

*RECALLING* that since 1982 the Commission has managed Atlantic bluefin tuna in two management areas with a management boundary line at 45 degrees W. longitude (north of 10 degrees N.), and that since 1982 the fishery in the Western Atlantic management area has been controlled by restrictive catch limits,

*FURTHER RECALLING* that in 1998 the Commission adopted a 20-year Rebuilding Program for the western Atlantic management area ([98-7], 1998 *Recommendation by ICCAT to Establish a Rebuilding Program for Western Atlantic Bluefin Tuna* – hereinafter referred to as the 1998 Recommendation);

*NOTING* that the most recent Standing Committee on Research and Statistics (SCRS) assessment of western Atlantic bluefin tuna indicates that the spawning stock biomass should increase in the future for all of the realistic catch levels considered by SCRS, and for both recruitment scenarios,

THE INTERNATIONAL COMMISSION FOR CONSERVATION OF ATLANTIC  
TUNAS (ICCAT) RECOMMENDS THAT THE 1998 *RECOMMENDATION  
BY ICCAT TO ESTABLISH A REBUILDING PROGRAM FOR WESTERN  
ATLANTIC BLUEFIN TUNA* [98-7] BE AMENDED AS FOLLOWS:

1. Change Paragraph 1 to set the annual Total Allowable Catch (TAC), inclusive of dead discards, for the western Atlantic management area to 2,700 t, effective beginning in 2003,

2. Replace Paragraph 2 with:

The annual TAC, maximum sustainable yield (MSY) target, and a 20-year rebuilding period may be adjusted based upon subsequent SCRS advice. No adjustment to the annual TAC or the 20-year rebuilding period shall be considered unless SCRS advice indicates that the TAC under consideration will allow the MSY target to be achieved within the rebuilding period with a 50 percent or greater probability.

3. After Paragraph 4b add:

4c In recognition of Mexico's conservation efforts in this fishery and its incidental catch of bluefin tuna in their longline fishery in the Gulf of Mexico, Mexico shall receive a by-catch quota (for catch that can be retained) of 25 t to be caught consistent with Paragraph 16 of the 1998 Recommendation,

4d The USA and Canada shall receive a quota (for catch that can be retained) of 25 t and 15 t, respectively, to account for by-catch related to their directed longline fisheries in the vicinity of the management area boundary.

4. Change Paragraphs 4c, 4d, 4e, and 4f (as currently numbered in the 1998 Recommendation) by including quota for Mexico, and quota to account for retained by-catch by the USA and Canada related to their directed longline fisheries in the vicinity of the management boundary area in those quotas that are subtracted from the TAC before applying the allocation percentages for the USA, Canada and Japan.

5. Notwithstanding paragraphs 4c, 4d, 4e and 4f (as currently numbered in the 1998 Recommendation), for 2003 and 2004 (thereafter the allocation formula as stated in the 1998 Recommendation shall apply) the TAC shall be allocated as follows:

- a. After subtracting (a) the quota to account for retained by-catch by the USA and Canada related to their directed longline fisheries in the vicinity of the management boundary area, (b) the quotas for United Kingdom (in respect of Bermuda), France (in respect of St Pierre et Miquelon), and Mexico, and (c) the allowance for dead discards, the remainder of the TAC shall be allocated (as catch that can be retained) as follows:

United States	57.48 %
Canada	23.75 %
Japan	18.77 %

b. The allocation of retained catch for a TAC of 2,700 t in 2003 and 2004 shall be as follows:

United States	1,489.60 t
Canada	620.15 t
Japan	478.25 t
United Kingdom (in respect of Bermuda)	4 t
France (in respect of St Pierre et Miquelon)	4 t
Mexico	25 t

6. At the end of Paragraph 4g (as currently numbered in the 1998 Recommendation), add:

Contracting Parties should review their methodology for estimating dead discards, make revisions in estimates of dead discards, as appropriate, and report to SCRS.

**[02-08] RECOMMENDATION BY ICCAT CONCERNING A MULTI-YEAR CONSERVATION AND MANAGEMENT PLAN FOR BLUEFIN TUNA IN THE EAST ATLANTIC AND MEDITERRANEAN ANNEX 8.8**

*TAKING INTO ACCOUNT* that the Standing Committee on Research and Statistics (SCRS) considers that, according to the quality of the data and the results of the 2002 assessment, it was not in a position to formulate or propose short-term management recommendations, and regretting the increasing degree of uncertainty in the statistics on catch and sizes;

*NOTING* that the SCRS has however pointed out that the current catches or higher catches can be sustained if total fishing mortality or fishing mortality on juveniles could be considerably reduced;

*CONVINCED* of the urgent need to improve scientific knowledge on the stock of East Atlantic bluefin tuna;

*INSISTING* on the need to immediately improve the protection of juveniles and to adjust the minimum sizes for East Atlantic bluefin tuna;

*TAKING INTO ACCOUNT* the 2001 *Criteria for the Allocation of Fishing Possibilities*;

*CONVINCED* that this policy constitutes a decisive step in defining a management strategy for tunas over the medium-term and will result in stability in the management of these fisheries;

*NOTING* that the new allocation criteria should be applied in a progressive manner;

*DESIRING* to achieve a fair and equitable allocation of the Total Allowable Catches (TACs) among all the Parties that fish bluefin tuna in the East Atlantic;

*DESIRING* to assure the implementation of effective measures aimed at halting the decline in the stock of East Atlantic bluefin tuna;

*CONSIDERING* that the implementation of a multi-year program of conservation and management over the medium term will assist the management of the bluefin tuna fishery, reducing fishing mortality and the fishing mortality on juveniles.

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

1. Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities whose vessels actively fish bluefin tuna in the East Atlantic implement a multi-year conservation and management program for 2003 to 2006.

*Catch limits*

2. Total allowable catches (TACs) are fixed at 32,000 t for the years 2003, 2004, 2005 and 2006.
3. To establish a fair and equitable allocation of parts of the quotas in the bluefin tuna fishery in the East Atlantic and Mediterranean, an allocation scheme, for a period of four years starting in 2003, shall be established as follows:

	2003	2004	2005	2006
Algeria	1,500	1,550	1,600	1,700
China (People's Republic)	74	74	74	74
Croatia	900	935	945	970
European Community	18,582	18,450	18,331	18,301
Iceland (1)	30	40	50	60
Japan	2,949	2,930	2,890	2,830
Korea	pm	pm	pm	pm
Tunisia	2,503	2,543	2,583	2,625
Libya	1,286	1,300	1,400	1,440
Morocco	3,030	3,078	3,127	3,177
Chinese Taipei	pm	pm	pm	pm
Others	1,146	1,100	1,000	823

\*pm: Fishing possibilities attributed to Korea and Chinese Taipei based on their traditional shares of 1.5% and 1.5% will only be activated in a given year when they individually have fished their current level of underages.

(1) Underages in the Icelandic fishery in any given year shall be transferred to the European Community.

4. Notwithstanding paragraph 2 of the 1996 *Recommendation Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries* which is also applicable to the South Atlantic swordfish fishery, any unused part (if this is specified in the pertinent management recommendation) or excess of the annual quota/catch limit shall be deducted from or added to, according to the case, the respective quota/catch limit during or before the adjustment year in the following manner:

	Year of Catch	Adjustment Year
East Atlantic/Mediterranean Bluefin Tuna	2003	2005
	2004	2006
	2005	2007
	2006	2008

5. The provisions of the *Recommendation Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries* adopted at the 1996 Commission meeting and the provisions established in paragraph 3 shall be applied for the implementation of the individual quotas under paragraph 3 and for any Contracting Party and Cooperating non-Contracting Party, Entity or Fishing Entity. Each year shall be considered as an independent management period such as this term is used in the *Recommendation Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries*.
6. The TAC and the catch limits for 2006 in paragraph 1 shall be reviewed and, if necessary, revised based upon the results of stock assessments in 2005 by the SCRS. Should adjustments to the TAC for 2006 be required following this assessment, the relative shares of the Parties for 2006 shall remain unchanged from those in the current recommendation.

*Closed fishing seasons*

7. Bluefin tuna fishing shall be prohibited in the Mediterranean by large-scale pelagic longline vessels over 24m in length during the period from 1 June to 31 July.
8. Purse seine fishing in the Mediterranean shall be prohibited during the period between 16 July and 15 August in order to protect juveniles.

*Minimum size*

9. Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities shall take the necessary measures to prohibit the catch, landing or transshipment of bluefin tuna (*Thunnus thynnus thynnus*) weighing less than 6.4 kg.

Notwithstanding this provision, the Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities shall have the possibility to grant tolerances for landing by vessels that have incidentally caught bluefin tuna weighing less than 6.4 kg with the condition that the total of these incidental catches is less than 10% in number of fish per landing of the total bluefin tuna catches of these vessels or their equivalent in percentage in weight.

It is prohibited to retain on board, land or sell bluefin tuna under 4.8 kg in the Mediterranean.

*Data collection*

10. The Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities shall respect the guidelines established for the transmission of annual nominal catch data (Task I) for the vessels that fly their flag, as established in the ICCAT *Field Manual for Sampling and Statistics*\*. The Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities shall adopt the necessary measures to guarantee the reporting of their total landings, transshipments and caging of bluefin tuna carried out by the vessels that fly their flag.
11. The Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities shall provide the SCRS with specific data on bluefin tuna caught within the framework of the sport fishery in order to assess the impact of sport fishing on this species and to make recommendations.
12. The Commission shall consider and, if necessary, adopt at its 2003 meeting, appropriate effective measures to control expansion of fisheries, in particular in the “others” category, which exceed the catch limits set by this recommendation.

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\*Note from Secretariat:

The Secretariat annually notifies Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities of reporting requirements and deadlines (see also [www.iccat.es](http://www.iccat.es)).

[02-09]

**RECOMMENDATION BY ICCAT TO DEVELOP A PLAN  
AIMED AT REDUCING THE CATCHES OF JUVENILE  
BLUEFIN TUNA IN THE MEDITERRANEAN**

**ANNEX 8.9**

*CONSIDERING* that Commission has, since 1975, established various general recommendations aimed at protecting juvenile bluefin tuna weighing less than 6.4 kg, 3.2 kg, and 1.8 kg, setting different tolerance levels according to the minimum size-weight established, as well as defining closed seasons in the Mediterranean (including the Adriatic).

*CONFIRMING* that the Standing Committee on Research and Statistics (SCRS) in its recent assessment in 2002 estimated that in the year 2000, 36% and 40% of the bluefin tuna caught in the overall Mediterranean were less than 3.2 kg or 6.4 kg, respectively, and that it is possible that catches of age 0 fish are being underestimated.

*CONSIDERING* that the SCRS identifies the lack of size data on many fisheries as one of the sources of uncertainty in its assessments, for which a significant portion had to be estimated by SCRS itself through substitutions among fleets and, therefore, the Committee does not have confidence in the analytical assessments based on such data.

*CONFIRMING* that since January 2002 some countries in the Mediterranean area have prohibited the use of drift nets to catch bluefin tuna, among other species,

*CONFIRMING* that the SCRS recommends doing everything possible to assure compliance with the current minimum size/weight limit of 6.4 kg in order to contribute to the increase in the spawning biomass and to the stock yields, and also reiterates the need to adopt effective measures to avoid the catch of age 0 and 1 fish.

*CONSIDERING* the great variety of gears and fleets that operate in the Mediterranean, industrial as well as artisanal, which constitutes a highly complex framework for scientific monitoring and compliance with the measures in force to protect juveniles in general.

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

1. Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities shall assure the maintenance or development of adequate schemes to provide scientific information in the formats requested by ICCAT and in smallest time-area possible on the size distributions of the catches taken by the various fishing gears, including fish destined for farming.
2. Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities shall develop in 2003-2004, within the scope of their respective jurisdictions, specific plans directed at reducing their catches of juvenile bluefin tuna in their Mediterranean fisheries with the objective of reaching at least the tolerance levels indicated in the current ICCAT recommendations for the protection of juvenile bluefin tuna which according to SCRS recommendations, would lead to a reduction of at least 60% in the number of fish caught below 6.4 kg in the Mediterranean. Such plans and the results obtained shall be presented to the Commission in 2005.
3. Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities shall develop in 2003-2004 specific scientific programs to identify the various fisheries that fish bluefin tuna as well as the size distribution of their respective catches, including historical catches in their estimates, if these are available. The results of these scientific projects shall be presented to the SCRS in 2005.
4. Based on this scientific information and other information available, the SCRS shall inform the Commission in 2005 on the availability and improvements in the size data for scientific purposes, for the various Mediterranean gears-fleets. Besides, the SCRS shall evaluate the overall data on the catch levels of juveniles by fishing gear(s), with time-area stratification, if necessary, for more adequate detailed information. This information could be incorporated in the new East Atlantic bluefin tuna assessment aimed at developing possible recovery scenarios.
5. Based on this information from the SCRS, the Commission shall, in 2005, consider additional measures or alternatives for the protection of juvenile bluefin tuna in the Mediterranean.

**[02-10] RECOMMENDATION BY ICCAT ON BLUEFIN TUNA FARMING ANNEX 8.10**

*TAKING INTO ACCOUNT* the increasing development of bluefin tuna farming activities, especially in the Mediterranean;

*RECALLING* the conclusions of the 6<sup>th</sup> GFCM/ICCAT meeting on the stocks of large pelagics in the Mediterranean relative to the effects of bluefin tuna farming and on the solutions that could be studied to regulate this activity;

*CONSIDERING* the advice of the 2001 Standing Committee on Research and Statistics (SCRS) on effects of bluefin tuna farming in the Mediterranean on the collection of data and consequently on stock assessment procedures;

*DESIRING* to gradually implement effective management measures that permit the development of bluefin tuna farming in a responsible and sustainable manner in relation to the management of the bluefin tuna stock;

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

1. Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities whose flag vessels fish or transfer quantities of bluefin tuna to cages for farming of the bluefin tuna shall undertake the necessary measures:
  - a) to require that the captains of vessels carrying out the transfer operations of bluefin tuna for farming maintain vessel logs and report the quantities transferred and the number of fish as well as the date, place of harvest and name of the vessel and the company responsible for the farming, in one of the official languages of the Commission.
  - b) to establish scientific observer programs of Contracting Parties or Cooperating non-Contracting Parties, Entities or Fishing Entities covering at least 10% of their flag vessels that carry out transfer operations of bluefin tuna for farming. The program shall be designed so as to provide an estimate of the total quantities of bluefin tuna for farming and an estimate of the sizes of the bluefin tuna placed in cages, as well as information on the date, time and area of harvest and fishing method.
  - c) to require the reporting of the total amount of the transfers of bluefin tuna for farming, carried out by their flag vessels, and include this information in the Task I data.
  - d) to set up and maintain a record of their flag vessels that fish for, provide or transport bluefin tuna for farming purposes (name of the vessel, flag, license number, gear type) i.e., fishing boat, transport vessel, vessels with pools, etc.
2. Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities under whose jurisdiction are located the farms for bluefin tuna in the Convention area shall adopt the necessary measures to:
  - a) ensure that a report is presented, in one of the official languages of the Commission, on each fishing or transport vessel that participated in the transfer of tuna to cages for fattening, including the quantities of bluefin tuna destined for farming. This report shall include information relative to the quantities (in kg) of fish transferred to the cages, the number of fish, the date, the name and location of the vessel and harvest, as well as its flag and license number.
  - b) recommend that the tuna farms and the scientific institutes obtain data on the size of the fish caught as well as the date, time and area of harvest and the fishing method used, in order to improve statistics for stock assessment purposes.
  - c) ensure the reporting of the quantities of bluefin tuna placed in cages and estimates of the growth and mortality while in captivity and the amounts sold.

- d) set up and maintain a registry of the farming facilities managed by their citizens.
3. The Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities that export farmed bluefin tuna products shall ensure that the description of these products includes "Farming" in the "Gear Code" column of the ICCAT Bluefin Tuna Statistical Document (BTSD) or in the right hand column "Description of Fish Re-exported", on the ICCAT Bluefin Tuna Re-export Certificate.
4. The information specified in paragraphs 1 and 2 shall be transmitted by the relevant Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities annually to the Executive Secretary prior to August 31.
5. The Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities mentioned in this recommendation as well as the Contracting Parties that import bluefin tuna shall cooperate, particularly through the exchange of information.
6. The Commission shall request non-Contracting Parties that farm bluefin tuna in the Convention Area to cooperate in the implementation of this recommendation.
7. Based on the reports referred to in paragraph 4, on the BTSD reports and Task I data, the Commission shall review the effectiveness of these measures.

**[02-11] RECOMMENDATION BY ICCAT TO ESTABLISH A WORKING GROUP TO DEVELOP INTEGRATED AND COORDINATED ATLANTIC BLUEFIN TUNA MANAGEMENT STRATEGIES ANNEX 8.11**

*RECALLING* that the current boundary between eastern and western management areas was established for the purpose of managing spatially distinct fishing grounds and spawning areas;

*RECOGNIZING* that one of the elements of uncertainty surrounding the assessment relates to the boundary between the eastern and western management areas for bluefin tuna that may impact negatively on the effectiveness of management actions throughout the Atlantic and Mediterranean;

*BEARING IN MIND* that evidence on mixing of the bluefin tuna of uncertain origin (eastern or western) is a key source of uncertainty to enable more precise assessments to be made, and it could reduce, to some unknown extent, the effectiveness of ICCAT management measures;

*NOTING* that the 2001 ICCAT Workshop on Bluefin Tuna Mixing (SCRS/01/020) concluded that “it is unlikely that any management unit boundary between the Western and Eastern Atlantic will be effective in separating bluefin tuna of Gulf of Mexico (Western Atlantic) and Mediterranean Sea (Eastern Atlantic) origin, into non-overlapping populations”, and that the Standing Committee on Research and Statistics (SCRS) in 2002 stated that “the Committee lacked a quantitative basis for recommending a change in the management area boundary or the implications of the change;”

*FURTHER RECALLING* that the SCRS Response in 2002 to the Commission on Bluefin Tuna Mixing recommended research to better quantify the origin of fish, mixing and its implications in the central Atlantic;

*RECOGNIZING*, however, that much of the relevant research is being conducted in diverse locations, and there is a need to synthesize all available information within a unified framework.

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

1. A Working Group, comprised of scientists and managers, shall be established to evaluate all available biological information relevant to the issue of stock structure and mixing, and to develop operational options for implementing alternative approaches for managing mixed populations of Atlantic bluefin tuna including but not limited to those developed by SCRS;
2. In developing options, the Working Group shall consider scientific information on the biology of bluefin tuna, historical data on fisheries, and the feasibility of alternative scenarios;
3. The Working Group shall meet no later than November 2003 and as necessary thereafter, and report to the Commission at its meeting in 2004.

[02-12]

**RESOLUTION BY ICCAT ON FISHING FOR  
BLUEFIN TUNA IN THE ATLANTIC OCEAN**

**ANNEX 8.12**

*RECALLING* that a Working Group to Develop Integrated and Coordinated Atlantic Bluefin Tuna Management Strategies will be held in 2003, and;

*BEING CONCERNED* about a possible adverse effect of a large shift of fishing effort in the Atlantic on future bluefin tuna conservation programs:

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

For 2003 and 2004, Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities should not increase their catch by large-scale tuna longline vessels from the 1999/2000 level in the area north of 10 degrees N, and between 30 degrees W and 45 degrees W.

**[02-13] RECOMMENDATION BY ICCAT TO AMEND THE PLAN ANNEX 8.13  
TO REBUILD BLUE MARLIN AND WHITE MARLIN POPULATIONS**

*RECALLING* that in 2000, ICCAT established a two-phase plan to rebuild blue marlin and white marlin populations (2000 *Recommendation by ICCAT to Establish a Plan to Rebuild Blue Marlin and White Marlin Populations*, hereinafter referred as the 2000 Recommendation). Phase one established measures to commence in 2001 and apply through 2002, and phase two required the Commission to adopt at the 2002 meeting, if necessary, a program to rebuild white marlin and blue marlin to levels that would support maximum sustainable yield (MSY). The Plan also required the Standing Committee on Research and Statistics (SCRS) to conduct stock assessments of Atlantic blue marlin and white marlin in 2002.

*FURTHER RECALLING* that in 2001, ICCAT amended the 2000 Recommendation, which extended the management measures through 2002, postponed the blue marlin assessment to 2003, and replaced the phrase “the 1999 landing levels” with “landing levels for either 1996 or 1999, whichever is greater” (2001 *Recommendation by ICCAT to Amend the Plan to Rebuild the Blue Marlin and White Marlin Populations*, hereinafter referred to as the 2001 Recommendation);

*NOTING* that the current (2002) SCRS advice is that Recommendations from previous years have some potential for stabilizing the stock biomass near current levels; however, lower catch levels might provide greater potential for increasing stock biomass;

*RECOGNIZING* the highly migratory nature of blue marlin and white marlin, which results in differences in the abundance of these fish in time and space;

*ACKNOWLEDGING* that the 2000 and 2001 Recommendations included general plans for the monitoring of effort and/or time-area closures and/or other measures practical to apply by the various Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities to reach Convention objectives.

*GIVEN* that there are significant uncertainties associated with the 2002 white marlin stock assessment due to lack of data,

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

1. Phase 1 of the plan outlined in the 2000 *Recommendation by ICCAT to Establish a Plan to Rebuild Blue Marlin and White Marlin Populations* (the 2000 Recommendation as amended by the 2001 Recommendation) be amended such that Phase 1 shall continue through the year 2005 with the specific modifications stated below:

Paragraph 3 is amended to read: “Through 2005, the annual amount of blue marlin that can be harvested and retained for landing by pelagic longline and purse seine vessels must be no more than 50% of the 1996 or 1999 landing levels, whichever is greater. During Phase 1, for white marlin, the annual amount of white marlin that can be harvested by pelagic longline and purse seine vessels and retained for landing must be no more than 33% of the 1996 or 1999 landing levels, whichever is greater. All blue marlin and white marlin brought to pelagic longline and purse seine vessels alive shall be released in a manner that maximizes their survival. The provisions of this paragraph shall not apply to marlin that are dead when brought along the side of the vessel and that are not sold or entered into commerce.”

Paragraph 4c is amended by replacing the phrase “for the period 2001 through 2002” with “through the year 2005.”

2. During Phase 1, Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities are encouraged to conduct research on blue marlin and white marlin, as recommended by the SCRS, including, but not limited to: habitat requirements of white marlin, studies on post-release survival rates of released fish, further verification of historical fishery data and validation; life history characteristics of marlin, and development of models for abundance estimation and stock assessment. The Commission continues to be

concerned about commercial exploitation as a result of the utilization of white marlin and blue marlin, and encourages Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities to take actions as practicable to address this concern

3. The Commission shall consider at its 2003 meeting a program to improve catch data for blue marlin and white marlin, taking into account the outcomes of the data workshop scheduled to be held in 2003. This program may include a statistical document program where appropriate and feasible.
4. In 2005, the SCRS shall conduct stock assessments for blue marlin and white marlin, and examine and report on management alternatives to implement the general plans described in the Preamble.
5. Operative paragraph 2 (referring to Phase 2 of the Plan) in the 2001 *Recommendation by ICCAT to Amend the Plan to Rebuild Blue Marlin and White Marlin Populations* be amended as follows:

Paragraph 7 is amended to read: "The SCRS shall conduct stock assessments of Atlantic blue marlin and white marlin in 2005, with a data preparatory meeting one year in advance;"

Paragraph 8 is amended to read: "For blue marlin and white marlin, the SCRS shall, at the 2005 Commission meeting, present its evaluation of specific stock recovery scenarios that take into account the new stock assessments, any new information and any re-evaluation of the historical catch and effort time series."

Paragraph 9 is amended to read: "Following the next assessments, the Commission shall, if necessary based on SCRS advice, develop and adopt programs to rebuild the Atlantic stocks of blue marlin and white marlin to levels that would support MSY. The rebuilding programs shall include a timetable for recovery to a scientifically derived goal consistent with the objectives of the Convention, with associated milestones and biological reference points. This objective could be reached through plans of monitoring of effort and/or time-area closures and/or other measures practical to apply by the various Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities, taking the specific characteristics of their fisheries into account."

[02-14]

**RESOLUTION BY ICCAT  
ON INCIDENTAL MORTALITY OF SEABIRDS**

**ANNEX 8.14**

*TAKING INTO ACCOUNT* the FAO International Plan of Action for Reducing the Incidental Catch of Seabirds in Longline Fisheries;

*RECOGNIZING* the need to evaluate the incidental mortality of seabirds during longline fishing operations for tunas and tuna-like species;

*NOTING* that fisheries other than longline fisheries targeting tuna and tuna-like species may also contribute to the incidental mortality of seabirds;

*FURTHER NOTING* that other factors, such as swallowing marine debris, are also responsible for seabird mortality.

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

1. Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities should inform the Standing Committee on Research and Statistics (SCRS), if appropriate, and Commission of the status of their National Plans of Action for Reducing Incidental Catches of Seabirds in Longline Fisheries. All are strongly urged to implement, if appropriate, the International Plan of Action for Reducing Incidental Catches of Seabirds in Longline Fisheries if they have not already done so.
2. Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities should be encouraged to collect and voluntarily provide SCRS with all available information on interactions with seabirds, including incidental catches in all fisheries under the purview of ICCAT.
3. When feasible and appropriate SCRS should present to the Commission an assessment of the impact of incidental catch of seabirds resulting from the activities of all the vessels fishing for tunas and tuna-like species, in the Convention Area.

[02-16]

**RECOMMENDATION BY ICCAT CONCERNING  
THE IMPORTATION OF ATLANTIC BLUEFIN TUNA,  
ATLANTIC SWORDFISH, AND ATLANTIC BIGEYE TUNA  
AND THEIR PRODUCTS FROM BELIZE**

ANNEX 8.16

*RECALLING* the adoption in 1994 of the *Resolution by ICCAT Concerning an Action Plan to Ensure Effectiveness of the Conservation Program for Atlantic Bluefin Tuna* (hereinafter referred to as the Bluefin Tuna Action Plan), the adoption in 1995 of the *Resolution by ICCAT Concerning an Action Plan to Ensure the Effectiveness of the Conservation Program for Atlantic Swordfish* (hereinafter referred to as the Atlantic Swordfish Action Plan), and the adoption in 1998 of the *Resolution Concerning the Unreported And Unregulated Catches of Tuna by Large-Scale Longline Vessels in the Convention Area* (hereinafter referred to as the 1998 Resolution);

*RECALLING* as well as the decisions by the Commission to identify Belize in 1995 pursuant to the Bluefin Tuna Action Plan, in 1998 pursuant to the Atlantic Swordfish Action Plan, and in 1999 pursuant to the 1998 Resolution;

*NOTING* the adoption in 1996 of the *Recommendation by ICCAT Regarding Belize and Honduras Pursuant to the 1994 Bluefin Tuna Action Plan Resolution*, the adoption in 1998 of the *Recommendation by ICCAT regarding Belize and Honduras Pursuant to the 1995 Swordfish Action Plan Resolution*, and the adoption in 2000 of the *Recommendation by ICCAT Regarding Belize, Cambodia, Honduras, and St. Vincent and the Grenadines Pursuant to the 1998 Resolution Concerning the Unreported and Unregulated Catches of Tuna by Large-Scale Longline Vessels in the Convention Area*, pursuant to which Contracting Parties took appropriate action to the effect that the import of Atlantic bluefin tuna, Atlantic swordfish, and Atlantic bigeye tuna, respectively, from Belize has been prohibited;

*RECOGNIZING* the significant progress that the Government of Belize has recently taken to initiate a broad program of reform to achieve full compliance with ICCAT measures, including deleting a substantial number of vessels from its register that were identified as diminishing the effectiveness of ICCAT conservation and management measures, adopting revised national legislation, and developing and implementing licensing, monitoring, control, and surveillance methods to its fleet;

*CONCERNED* nonetheless that additional steps still remain to be taken for Belize to address fully the concerns in the above-mentioned resolutions;

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

1. Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities shall lift the import prohibition on Atlantic bluefin tuna and its products from Belize that was imposed pursuant to the *Recommendation by ICCAT Regarding Belize and Honduras Pursuant to the 1994 Bluefin Tuna Action Plan Resolution*.
2. Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities shall lift the import prohibition on Atlantic swordfish and its products from Belize that was imposed pursuant to the *Recommendation by ICCAT Regarding Belize and Honduras Pursuant to the 1995 Swordfish Action Plan Resolution*.
3. Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities shall lift the import prohibition on Atlantic bigeye tuna and its products from Belize that was imposed pursuant to the *Recommendation by ICCAT Regarding Belize, Cambodia, Honduras, and St. Vincent and the Grenadines Pursuant to the 1998 Resolution Concerning the Unreported and Unregulated Catches of Tuna by Large-Scale Longline Vessels in the Convention Area*.
4. The suspension of the import prohibitions imposed under the Recommendations above shall take effect on 1 January 2004, unless the Commission decides, on the basis of documentary evidence, at its 2003 meeting that Belize has not completed necessary actions to bring its fishing practices for Atlantic bluefin tuna, Atlantic swordfish, and Atlantic bigeye tuna into conformity with ICCAT conservation and management measures.

**[02-17] RECOMMENDATION BY ICCAT REGARDING BOLIVIA ANNEX 8.17  
PURSUANT TO THE 1998 RESOLUTION CONCERNING THE  
UNREPORTED AND UNREGULATED CATCHES OF TUNABY  
LARGE-SCALE LONGLINE VESSELS IN THE CONVENTION AREA**

*RECOGNIZING* the authority and responsibility of ICCAT to manage populations of tuna and tuna-like species in the Atlantic Ocean and its adjacent seas, at the international level;

*NOTING* the need for all non-Contracting Parties, Entities or Fishing Entities fishing for such species in the Atlantic Ocean or its adjacent seas to join ICCAT or cooperate with ICCAT's conservation and management measures;

*EXPRESSING CONCERN* with regard to the over-fished status of bigeye tuna in the Atlantic Ocean;

*RECOGNIZING* that large-scale longline vessels registered in Bolivia are fishing in the Atlantic Ocean and have bigeye tuna as their primary target;

*RECALLING* the adoption in 1998 of the *Resolution by ICCAT Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area* (hereinafter referred to as the 1998 Resolution);

*RECALLING FURTHER* that the 1998 Resolution establishes procedures by which:

1. The Commission may identify Contracting Parties and non-Contracting Parties, Entities or Fishing Entities whose large-scale longline vessels have been fishing for tuna and tuna-like species in a manner which diminishes the effectiveness of ICCAT conservation and management measures;
2. Identified Contracting Parties and non-Contracting Parties, Entities or Fishing Entities are notified and given the opportunity to rectify the situation;
3. The Commission shall identify those Contracting Parties and non-Contracting Parties, Entities or Fishing Entities referred to above, which have not effectively rectified this situation; and
4. The Commission will recommend effective measures, if necessary including non-discriminatory trade restrictive measures on the subject species (bigeye tuna), consistent with their international obligations, to prevent those longline vessels of identified Contracting Parties and non-Contracting Parties, Entities or Fishing Entities from continuing fishing operations for tunas and tuna-like species in a manner which diminishes the effectiveness of ICCAT conservation and management measures.

*NOTING* that these procedures closely parallel the procedures established in the 1994 *Resolution by ICCAT Concerning an Action Plan to Ensure the Effectiveness of the Conservation Program for Atlantic Bluefin Tuna* and the 1995 *Resolution by ICCAT Concerning an Action Plan to Ensure the Effectiveness of the Conservation Program for Atlantic Swordfish*;

*CALLING ATTENTION* to the 2001 decision by the Commission, based on trade and landing data as well as associated information submitted by Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities to identify five countries, including Bolivia, pursuant to the 1998 Resolution and that the Commission duly notified such countries of the identifications;

*CAREFULLY REVIEWING* the information regarding efforts by the Commission to obtain the cooperation of Bolivia since the 2001 meeting, including information that vessels of this country have taken insufficient action to rectify the situation and continued to operate in a manner that diminishes the effectiveness of ICCAT conservation and management measures by, *inter alia*, dramatically increasing exports of bigeye tuna in 2002;

*NOTING* that this Recommendation does not prejudice the rights and obligations of Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities based on other international agreements; Therefore,

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

1. Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities take appropriate measures, consistent with provisions of the 1998 Resolution, to the effect that the import of Atlantic bigeye tuna and its products in any form from Bolivia be prohibited, effective from the time this Recommendation enters into force.
2. The Commission again requests Bolivia to cooperate with ICCAT by ensuring that the vessels in question fish in a manner consistent with ICCAT conservation and management measures and by providing catch statistics to ICCAT in accordance with ICCAT procedures.
3. The Commission continues to encourage participation by Bolivia in all ICCAT meetings.
4. Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities lift the import prohibitions adopted by this recommendation upon the decision of the Commission and receipt of notification from the ICCAT Executive Secretary that fishing practices of Bolivia have been brought into conformity with ICCAT measures.

[02-18] **RECOMMENDATION BY ICCAT CONCERNING THE IMPORTATION OF BIGEYE TUNA AND ITS PRODUCTS FROM HONDURAS** **ANNEX 8.18**

*RECALLING* the adoption in 1998 of the *Resolution by ICCAT Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area*,

*FURTHER RECALLING* the adoption in 2000 of the *Recommendation by ICCAT Regarding Belize, Cambodia, Honduras and St. Vincent and Grenadines Pursuant to the 1998 Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area* (hereinafter referred to as the 2000 Recommendation), pursuant to which Contracting Parties took appropriate action to the effect that the import of Atlantic bigeye tuna and its products in any form from Honduras has been prohibited;

*RECOGNIZING* the significant progress that the Government of Honduras has recently made to reduce substantially the activities of its fishing vessels that were identified as diminishing the effectiveness of ICCAT conservation and management measures related to Atlantic bigeye tuna;

*HIGHLIGHTING* in this regard recent communication from the Government of Honduras that explains specific actions taken, in particular effecting sharp reductions in the number of tuna fishing vessels registered in Honduras;

*WELCOMING* that on January 30, 2001 Honduras became a Contracting Party to ICCAT;

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

1. Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities shall lift the import prohibition on Atlantic bigeye tuna and its products that was imposed on Honduras pursuant to the 2000 Recommendation.
2. Notwithstanding the provisions of Article VIII, paragraph 2, of the Convention, the Contracting Parties and Cooperating Non-Contracting Parties, Entities or Fishing Entities shall implement this recommendation as soon as possible in accordance with their regulatory procedures.

[02-19]

**RECOMMENDATION BY ICCAT FOR TRADE  
RESTRICTIVE MEASURES ON SIERRA LEONE**

**ANNEX 8.19**

*RECALLING* the 1994 *Resolution by ICCAT Concerning an Action Plan to Ensure Effectiveness of the Conservation Program for Atlantic Bluefin Tuna* [94-3], the 1995 *Resolution by ICCAT Concerning an Action Plan to Ensure the Effectiveness of the Conservation Program for Atlantic Swordfish* [95-13], and the 1998 *Resolution by ICCAT Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area* [98-18]; and,

*FURTHER RECALLING* its deliberations in 2002 regarding the fishing activities of Sierra Leone pursuant to these resolutions, specifically, that catches by Sierra Leone of bluefin tuna, bigeye tuna, and swordfish from within the Convention area have continued in 2001 despite previous identifications pursuant to the aforementioned Bluefin Tuna Action Plan, Atlantic Swordfish Action Plan, and the 1998 Resolution; and,

*CONCLUDING* that such fishing activities by Sierra Leone have continued in 2001 in a manner that diminishes the effectiveness of ICCAT conservation and management measures;

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

1. Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities take appropriate measures consistent with the provisions of the 1998 Resolution to the effect that the import of Atlantic bigeye tuna, Atlantic swordfish and Atlantic bluefin tuna and their products in any form from Sierra Leone be prohibited effective from the time this Recommendation enters into force.
2. Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities lift the import prohibitions on Sierra Leone upon the decision of the Commission and receipt of notification from the ICCAT Executive Secretary that fishing practices of Sierra Leone have been brought into conformity with ICCAT measures.
3. The Commission again request Sierra Leone to cooperate with ICCAT by ensuring that vessels entitled to fly its flag are fishing in a manner which does not diminish the effectiveness of the ICCAT conservation and management measures and by providing catch statistics and other data in accordance with ICCAT procedures.
4. The Commission encourage participation by Sierra Leone in ICCAT meetings.

[02-20]

**RECOMMENDATION BY ICCAT CONCERNING  
THE TRADE SANCTION AGAINST  
ST. VINCENT AND THE GRENADINES**

**ANNEX 8.20**

*RECALLING* the 1998 *Resolution Concerning the Unreported And Unregulated Catches of Tuna by Large-Scale Longline Vessels in the Convention Area*;

*ALSO RECALLING* the 2001 *Recommendation by ICCAT Concerning the Importation of Bigeye Tuna and Bigeye Tuna Products from St. Vincent and the Grenadines* (hereinafter referred to as the Recommendation);

*RECOGNIZING* the continuing progress that the Government of St. Vincent and the Grenadines has made in implementing measures to achieve full compliance with ICCAT measures, including developing and implementing monitoring, control, and surveillance methods to its fleet;

*CONCERNED* nonetheless that additional steps still remain to be taken for St. Vincent and the Grenadines to address fully the concerns in the Resolution and Recommendation noted above;

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

1. Paragraph 2 of the *Recommendation by ICCAT Concerning the Importation of Bigeye Tuna and Bigeye Tuna Products From St. Vincent and the Grenadines* be amended to read:

"The suspension of the import prohibitions imposed under the Recommendation above shall take effect on January 1, 2004, unless the Commission decides, on the basis of documentary evidence, at its 2003 meeting that St. Vincent and the Grenadines has not completed necessary actions to bring its fishing practices for Atlantic bigeye tuna into conformity with ICCAT conservation and management measures."

2. Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities shall assist St. Vincent and the Grenadines with its efforts to ensure that the owners and operators of its large-scale fishing vessels have no history of illegal, unreported and unregulated fishing activities, or the previous owners and operators have no legal, beneficial or financial interest in, or control over its large-scale fishing vessels.

**[02-21] RECOMMENDATION BY ICCAT ON VESSEL CHARTERING ANNEX 8.21**

*RECOGNIZING* that, under the ICCAT Convention, Contracting Parties shall cooperate in maintaining the populations of tuna and tuna-like fish at levels that will permit the maximum sustainable catch;

*RECALLING* that, according to Article 92 of the United Nations Convention on the Law of the Sea, of 10 December 1982, ships shall sail under the flag of one State only and shall be subject to its exclusive jurisdiction on the high seas except as otherwise provided in relevant international instruments,

*ACKNOWLEDGING* the needs and interests of all States to develop their fishing fleets so as to enable them to fully utilize the fishing opportunities available to them under relevant ICCAT recommendations;

*MINDFUL* that the practice of charter arrangements, whereby fishing vessels do not change their flag, might seriously undermine the effectiveness of conservation and management measures established by ICCAT unless properly regulated;

*REALIZING* that there is a need for ICCAT to regulate charter arrangements with due regard to all relevant factors;

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

The chartering of fishing vessels, other than bareboat chartering, shall observe the following provisions:

1. Charter arrangements may be allowed, predominantly as an initial step in the fishery development of the chartering nation. The period of the chartering arrangement shall be consistent with the development schedule of the chartering nation.
2. Chartering nations shall be Contracting Parties to the ICCAT Convention.
3. Fishing vessels to be chartered shall be registered to responsible Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities or by other responsible non-Contracting Parties, Entities or Fishing Entities, which explicitly agree to apply ICCAT conservation and management measures and enforce them on their vessels. All flag Contracting Parties or Cooperating non-Contracting Parties, Entities or Fishing Entities concerned shall effectively exercise their duty to control their fishing vessels to ensure compliance with ICCAT conservation and management measures.
4. Both the chartering Contracting Party and the flag Contracting Parties or Cooperating non-Contracting Parties, Entities or Fishing Entities shall ensure compliance by chartered vessels with relevant conservation and management measures established by ICCAT, in accordance with their rights, obligations and jurisdiction under international law.
5. Catches taken pursuant to the chartering arrangement of vessels that operate under these provisions shall be counted against the quota or fishing possibilities of the chartering Contracting Party.
6. All catches taken under the chartering arrangement shall be recorded by both the flag Contracting Parties or Cooperating non-Contracting Parties, Entities or Fishing Entities and the chartering Contracting Party separately from catches taken by other vessels. The chartering Contracting Party shall report to ICCAT catches and other information required by SCRS.
7. Vessel Monitoring Systems (VMS) and, as appropriate, tools for differentiation of fishing areas, such as fish tags or marks, shall be used, according to the relevant ICCAT measures, for effective fishery management.
8. There shall be observers on board at least 10% of the chartered vessels, or during 10% of the fishing time of the chartered vessels.

9. The chartered vessels shall have a fishing license issued by the chartering nation, and shall not be on the ICCAT IUU list as established by the *Recommendation by ICCAT to Establish a List of Vessels Presumed to Have Carried Out Illegal, Unreported and Unregulated Fishing Activities in the ICCAT Convention Area* [02-23].
10. When operating under charter arrangements, the chartered vessels shall not, to the extent possible, be authorized to use the quota or entitlement of the flag Contracting Parties or Cooperating non-Contracting Parties, Entities or Fishing Entities. In no case, shall the vessel be authorized to fish under more than one chartering arrangement at the same time.
11. Unless specifically provided in the chartering arrangement, and consistent with relevant domestic law and regulation, the catches of the chartered vessels shall be unloaded exclusively in the Ports of the chartering Contracting Party or under its direct supervision in order to assure that the activities of the chartered vessels do not undermine ICCAT conservation and management measures. The chartering company must be legally established in the chartering Contracting Party.
12. Any transshipment at sea shall be consistent with the 1997 *Recommendation by ICCAT on Transshipments and Vessel Sightings* [97-11]. Any transshipment at sea shall also be previously and duly authorized by the chartering nation and shall occur only under the supervision of an observer on board.
13. a) At the time the chartering arrangement is made, the chartering Contracting Party shall provide the following information to the Executive Secretary:
  - i) the name (in both native and Latin alphabets) and registration of the chartered vessel;
  - ii) the name and address of the owner(s) of the vessel;
  - iii) the description of the vessel, including the length, type of vessel and the type of fishing method(s);
  - iv) species of fish covered by the charter and quota allocated to the chartering Party;
  - v) the duration of the chartering arrangement;
  - vi) the consent of the flag Contracting Party or Cooperating non-Contracting Party, Entity or Fishing Entity; and
  - vii) the measures adopted to implement these provisions.
- b) At the time the chartering arrangement is made, the flag Contracting Party or Cooperating non-Contracting Party, Entity or Fishing Entity shall provide the following information to the Executive Secretary:
  - i) its consent to the chartering arrangement; and
  - ii) the measures adopted to implement these provisions.
  - iii) its agreement to comply with ICCAT conservation and management measures.
- c) Both the chartering Contracting Party and the flag Contracting Party or Cooperating non-Contracting Party, Entity or Fishing Entity shall inform the Executive Secretary of the termination of the charter;
- d) The Executive Secretary of ICCAT shall circulate all the information without delay to all Contracting Parties.
14. The chartering Contracting Party shall report to the Executive Secretary of ICCAT by July 31 each year, and for the previous calendar year, the particulars of charter arrangements made and carried out under this recommendation, including information of catches taken and fishing effort deployed by the chartered vessels, in a manner consistent with confidentiality requirements.
15. Each year the Executive Secretary of ICCAT shall present a summary of all the chartering arrangements to the Commission which, at its annual meeting, shall review compliance with this recommendation.
16. Without prejudice to the annual review provided for in paragraph 15, the Commission, at its annual meeting in 2006, shall review and, as appropriate, revise this recommendation.

**[02-22] RECOMMENDATION BY ICCAT CONCERNING THE ESTABLISHMENT OF AN ICCAT RECORD OF VESSELS OVER 24 METERS AUTHORIZED TO OPERATE IN THE CONVENTION AREA ANNEX 8.22**

*RECALLING* that ICCAT adopted at its 2000 meeting a *Recommendation by ICCAT Concerning Registration and Exchange of Information of Fishing Vessels Fishing for Tuna and Tuna-like Species in the Convention Area*,

*FURTHER RECALLING* that ICCAT adopted at its 1994 meeting a *Resolution by ICCAT Regarding the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas*,

*FURTHER RECALLING* that the Commission has been taking various measures to prevent, deter and eliminate the illegal, unreported and unregulated (IUU) fisheries conducted by large-scale tuna fishing vessels,

*NOTING* that large-scale fishing vessels are highly mobile and easily change fishing grounds from one ocean to another, and have high potential of operating in the Convention area without timely registration with the Commission,

*RECALLING* that the FAO Council adopted on June 23, 2001 an International Plan of Action (IPOA) aiming to prevent, to deter and to eliminate illegal, unreported and unregulated fishing, that this plan stipulates that the regional fisheries management organization should take action to strengthen and develop innovative ways, in conformity with international law, to prevent, deter and eliminate IUU fishing and in particular to establish records of vessels authorized and records of vessels engaged in IUU fishing,

*CONSIDERING* the deliberations of the ICCAT Working Group that was held in Tokyo from May 27 to 31, 2002.

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

1. The Commission shall establish and maintain an ICCAT record of fishing vessels larger than 24 meters in length overall (hereinafter referred to as "large scale fishing vessels" or "LSFVs") authorized to fish for tuna and tuna-like species in the Convention Area. For the purpose of this recommendation, LSFVs not entered into the record are deemed not to be authorized to fish for, retain on board, transship or land tuna and tuna-like species.
2. Each Contracting Party, Cooperating non-Contracting Party, Entity or Fishing Entity (hereinafter referred to as "CPCs") shall submit electronically, where possible, to the ICCAT Executive Secretary by July 1, 2003, the list of its LSFVs that are authorized to operate in the Convention Area. This list shall include the following information:
  - Name of vessel, register number
  - Previous name (if any)
  - Previous flag (if any)
  - Previous details of deletion from other registries (if any)
  - International radio call sign (if any)
  - Type of vessels, length and gross registered tonnage (GRT)
  - Name and address of owner(s) and operator(s)
  - Gear used
  - Time period authorized for fishing and/or transshipping

CPCs shall indicate, when initially submitting their list of vessels according to paragraph 2, which vessels are newly added or meant to replace vessels currently on their list submitted to ICCAT by August 31, 2002 pursuant to Recommendation 00-17.

The initial ICCAT record shall consist of all the lists submitted under this paragraph.

3. Each CPC shall promptly notify, after the establishment of the initial ICCAT record, the ICCAT Executive Secretary of any addition to, any deletion from and/or any modification of the ICCAT record at any time such changes occur.
4. The ICCAT Executive Secretary shall maintain the ICCAT record, and take any measure to ensure publicity of the record and through electronic means, including placing it on the ICCAT website, in a manner consistent with confidentiality requirements noted by CPCs.
5. The flag CPCs of the vessels on the record shall:
  - a) authorize their LSFVs to operate in the Convention Area only if they are able to fulfill in respect of these vessels the requirements and responsibilities under the Convention and its conservation and management measures;
  - b) take necessary measures to ensure that their LSFVs comply with all the relevant ICCAT conservation and management measures;
  - c) take necessary measures to ensure that their LSFVs on the ICCAT record keep on board valid certificates of vessel registration and valid authorization to fish and/or transship;
  - d) ensure that their LSFVs on the ICCAT record have no history of IUU fishing activities or that, if those vessels have such history, the new owners have provided sufficient evidence demonstrating that the previous owners and operators have no legal, beneficial or financial interest in, or control over those vessels, or that having taken into account all relevant facts, their LSFVs are not engaged in or associated with IUU fishing
  - e) ensure, to the extent possible under domestic law, that the owners and operators of their LSFVs on the ICCAT record are not engaged in or associated with tuna fishing activities conducted by LSFVs not entered into the ICCAT record in the Convention Area; and
  - f) take necessary measures to ensure, to the extent possible under domestic law, that the owners of the LSFVs on the ICCAT record are citizens or legal entities within the flag CPCs so that any control or punitive actions can be effectively taken against them.
6. CPCs shall review their own internal actions and measures taken pursuant to paragraph 5, including punitive and sanction actions and in a manner consistent with domestic law as regards disclosure, report the results of the review to the Commission at its 2003 meeting and annually thereafter. In consideration of the results of such review, the Commission shall, if appropriate, request the flag CPCs of LSFVs on the ICCAT record to take further action to enhance compliance by those vessels to ICCAT conservation and management measures.
7.
  - a) CPCs shall take measures, under their applicable legislation, to prohibit the fishing for, the retaining on board, the transshipment and landing of tuna and tuna-like species by the LSTVs which are not entered into the ICCAT record.
  - b) To ensure the effectiveness of the ICCAT conservation and management measures pertaining to species covered by Statistical Document Programs:
    - i) Flag CPCs or, if the vessel is under a charter arrangement, the exporting CPC shall validate statistical documents only for the LSFVs on the ICCAT record,
    - ii) CPCs shall require that the species covered by Statistical Document Programs caught by LSFVs in the Convention Area, when imported into the territory of a Contracting Party be accompanied by statistical documents validated for the vessels on the ICCAT record and,
    - iii) CPCs importing species covered by Statistical Document Programs and the flag States of vessels shall cooperate to ensure that statistical documents are not forged or do not contain misinformation.
8. Each CPC shall notify the ICCAT Executive Secretary of any factual information showing that there are reasonable grounds for suspecting LSTVs not on the ICCAT record to be engaged in fishing for and/or transshipment of tuna and tuna-like species in the Convention Area.

9.
  - a) If a vessel mentioned in paragraph 8 is flying the flag of a CPC, the Executive Secretary shall request that CPC to take measures necessary to prevent the vessel from fishing for tuna and tuna-like species in the Convention Area.
  - b) If the flag of a vessel mentioned in paragraph 8 cannot be determined or is of a non-Contracting Party without cooperating status, the Executive Secretary shall compile such information for future consideration by the Commission.
10. The Commission and the CPCs concerned shall communicate with each other, and make the best effort with FAO and other relevant regional fishery management bodies to develop and implement appropriate measures, where feasible, including the establishment of records of a similar nature in a timely manner so as to avoid adverse effects upon tuna resources in other oceans. Such adverse effects might consist of excessive fishing pressure resulting from a shift of the IUU LSFVs from the Atlantic to other oceans.
11. The 2000 *Recommendation by ICCAT Concerning Registration and Exchange of Information of Fishing Vessels Fishing for Tuna and Tuna-like Species in the Convention Area* [00-17] is hereby repealed.

[02-23]

**RECOMMENDATION BY ICCAT TO ESTABLISH  
A LIST OF VESSELS PRESUMED TO HAVE CARRIED OUT  
ILLEGAL, UNREPORTED AND UNREGULATED FISHING  
ACTIVITIES IN THE ICCAT CONVENTION AREA**

ANNEX 8.23

*RECALLING* that the FAO Council adopted on June 23, 2001 an International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IPOA-IUU). This Plan stipulates that the identification of the vessels carrying out IUU activities should follow agreed procedures and be applied in an equitable, transparent and non-discriminatory way.

*RECALLING* that ICCAT has already adopted measures against IUU fishing activities and, in particular, against large-scale tuna longline vessels.

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

*FURTHER CONCERNED* that there is evidence of a high number of vessel owners engaged in such fishing activities which have re-flagged their vessels to avoid compliance with ICCAT management and conservation measures, and to evade the ICCAT-adopted non discriminatory trade measures.

*DETERMINED* to address the challenge of an increase in IUU fishing activities by way of counter-measures to be applied in respect to the vessels without prejudice to further measures adopted in respect of flag States under the relevant ICCAT instruments.

*CONSIDERING* the results of the Working Group, which was held in Tokyo from May 27 to 31, 2002.

*CONSCIOUS* of the need to address, as a matter of priority, the issue of large-scale fishing vessels conducting IUU fishing activities.

*NOTING* that the situation must be addressed in the light of all relevant international fisheries instruments and in accordance with the relevant rights and obligations established in the World Trade Organization (WTO) Agreement.

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

1. For the purposes of this recommendation, the fishing vessels flying the flag of a non-Contracting Party are presumed to have carried out illegal, unreported and unregulated fishing activities in the ICCAT Convention Area, *inter alia*, when a Contracting Party or Cooperating non-Contracting Party, Entity or Fishing Entity presents evidence that such vessels:
  - a) Harvest tunas and tuna-like species in the ICCAT Convention Area and are not registered on the ICCAT list of vessels authorized to fish for tuna and tuna-like species in the Convention area;
  - b) Harvest, tuna and tuna-like species in the Convention Area, whose flag State is without quotas, catch limit or effort allocation under relevant ICCAT conservation and management measures;
  - c) Do not record or report their catches made in the ICCAT Convention area, or make false reports;
  - d) Take or land undersized fish in contravention of ICCAT conservation measures;
  - e) Fish during closed fishing periods or in closed areas in contravention of ICCAT conservation measures;
  - f) Use prohibited fishing gear in contravention of ICCAT conservation measures;
  - g) Transship with vessels included in the IUU list;

- h) Harvest tuna or tuna-like species in the waters under the national jurisdiction of the coastal States in the Convention Area without authorization and/or infringes its laws and regulations, without prejudice to the sovereign rights of coastal States to take measures against such vessels;
  - i) Are without nationality and harvest tunas or tuna-like species in the ICCAT Convention Area and/or
  - j) Engage in fishing activities contrary to any other ICCAT conservation and management measures.
2. Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities shall transmit every year to the Executive Secretary before July 15, the list of vessels flying the flag of a non-Contracting Party presumed to be carrying out IUU fishing activities in the Convention Area during the current and previous years, accompanied by the supporting evidence concerning the presumption of IUU fishing activity.

This list shall be based on the information collected by Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities, *inter alia*, under:

- 1994 *Resolution by ICCAT on Compliance with the ICCAT Conservation and Management Measures* [94-9];
  - 1997 *Recommendation by ICCAT on Transshipments and Vessel Sightings* [97-11];
  - 1997 *Recommendation by ICCAT for a Revised ICCAT Port Inspection Scheme*[97-10];
  - 2000 *Recommendation by ICCAT Concerning Registration and Exchange of Information of Fishing Vessels Fishing for Tuna and Tuna-Like Species in the Convention Area* [00-17]; or
  - 1992 *Recommendation by ICCAT Concerning the ICCAT Bluefin Tuna Statistical Document Program* [92-1]; 2001 *Recommendation by ICCAT Concerning the ICCAT Bigeye Tuna Statistical Document Program* [01-21]; and 2001 *Recommendation by ICCAT Establishing a Swordfish Statistical Document Program* [01-22]
  - 1998 *Resolution by ICCAT Concerning the Unreported and Unregulated Catches of Tunas by Large-scale Longline Vessels in the Convention Area* [98-18].
3. On the basis of the information received pursuant to paragraph 2, the ICCAT Executive Secretary shall draw up a draft IUU list and shall transmit it together with all the evidence provided to Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities, as well as to non-Contracting Parties whose vessels are included on these lists before August 15 of each year. Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities, and non-Contracting Parties, shall transmit their comments, as appropriate, including evidence showing that the listed vessels neither have fished in contravention to ICCAT conservation and management measures nor had the possibility of fishing tuna and tuna-like species in the Convention Area, before September 30 to ICCAT.
- Upon receipt of the draft IUU list, Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities shall closely monitor these vessels included in the draft IUU list in order to determine their activities and possible changes of name, flag and/or registered owner.
4. On the basis of the information received pursuant to paragraph 3, the ICCAT Executive Secretary shall draw up a provisional list that he shall transmit 2 weeks in advance of the Commission Meeting to the Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities, and to the non-Contracting Parties concerned, together with all the evidence provided.
5. Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities may at any time submit to the ICCAT Executive Secretary any additional information, which might be relevant for the establishment of the IUU list. The ICCAT Executive Secretariat shall circulate the information at latest before the annual Commission meeting to the Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities and to the non-Contracting Parties concerned, together with all the evidence provided.
6. The Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG) shall examine, each year, the provisional list, as well as the information referred to in paragraphs 3 and 5. The results of this examination may, if necessary, be referred to the Compliance Committee.

The PWG shall remove a vessel from the provisional list if the flag State demonstrates that:

- a) The vessel did not take part in any IUU fishing activities described in paragraph 1, or
  - b) Effective action has been taken in response to the IUU fishing activities in question, including *inter alia*, prosecution and imposition of sanctions of adequate severity.
7. Following the examination referred to in paragraph 6, the PWG shall submit to the Commission for approval, the provisional list of the vessels identified as carrying out IUU fishing activities in the ICCAT Convention area.
  8. On adoption of the list, the Commission shall request non-Contracting Parties, whose vessels appear on the IUU list, to take all the necessary measures to eliminate these IUU fishing activities, including if necessary, the withdrawal of the registration or of the fishing licenses of these vessels, and to inform the Commission of the measures taken in this respect.
  9. Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities shall take all necessary measures, under their applicable legislation:
    - a) So that the fishing vessels, the mother ships and the cargo vessels flying their flag do not participate in any transshipment with vessels registered on the IUU list;
    - b) So that IUU vessels that enter ports voluntarily are not authorized to land or transship therein;
    - c) To prohibit the chartering of a vessel included on the IUU list;
    - d) To refuse to grant their flag to vessels included in the IUU list, except if the vessel has changed owner; and the new owner has provided sufficient evidence demonstrating the previous owner or operator has no further legal, beneficial or financial interest in, or control of, the vessel, or having taken into account all relevant facts, the flag Contracting Party or Cooperating non-Contracting Party, Entity or Fishing Entity determines that granting the vessel its flag will not result in IUU fishing;
    - e) To prohibit the imports, or landing and/or transshipment, of tuna and tuna-like species from vessels included in the IUU list;
    - f) To encourage the importers, transporters and other sectors concerned, to refrain from transaction and transshipment of tuna and tuna-like species caught by vessels included in the IUU list;
    - g) To collect and exchange with other Contracting Parties or Cooperating non-Contracting Parties, Entities or Fishing Entities any appropriate information with the aim of searching, controlling and preventing false import/export certificates regarding tunas and tuna-like species from vessels included in the IUU list.
  10. The ICCAT Executive Secretary shall take any necessary measure to ensure publicity of the IUU vessels list adopted by ICCAT pursuant to paragraph 8, in a manner consistent with any applicable confidentiality requirements, and through electronic means, by placing it on the ICCAT web site. Furthermore, the ICCAT Executive Secretary shall transmit the IUU vessels list to other regional fisheries organizations for the purposes of enhanced cooperation between ICCAT and these organizations in order to prevent, deter and eliminate illegal, unreported and unregulated fishing.
  11. This recommendation shall apply initially to large-scale fishing vessels flying the flag of non-Contracting Parties. The Commission shall, at its annual meeting in 2003, review and, as appropriate, revise this recommendation with a view to its extension to other types of IUU fishing activities of non-Contracting Party vessels and, to Contracting Party, Cooperating non-Contracting Party, Entity or Fishing Entity vessels.
  12. Without prejudice to the rights of flag Contracting Parties or Cooperating non-Contracting Parties, Entities or Fishing Entities and coastal states to take proper action consistent with international law, the Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities shall not take any unilateral trade measures or other sanctions against vessels provisionally included in the draft IUU list, pursuant to paragraph 3, or which have been already removed from the list, pursuant to paragraph 6, on the grounds that such vessels are involved in IUU fishing activities.

[02-24]

**RESOLUTION BY ICCAT CONCERNING THE  
IMPLEMENTATION OF THE RECOMMENDATION  
CONCERNING THE ICCAT RECORD OF VESSELS**

**ANNEX 8.24**

*RECOGNIZING* that the Commission adopted at its 2002 meeting the *Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels Over 24 meters Authorized to Operate in the Convention Area* [02-22];

*BEING CONCERNED* that there remains a hundred large-scale tuna longline vessels (LSTLVs) that are believed to continue illegal, unreported and unregulated (IUU) fishing in the Convention Area and other areas.

*FURTHER RECOGNIZING* a need to take measures to prevent those IUU fishing vessels from being entered in the ICCAT Record before the said Recommendation is entered into force;

*REAFFIRMING* Contracting Parties' and Cooperating non-Contracting Parties', Entities or Fishing Entities' right to determine which fishing vessels over 24 m will be included on their list of vessels, including new vessels or ones to replace old vessels.

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

1. With respect to the LSTLVs, the Executive Secretary should:
  - Compare the list which was submitted to him by August 31, 2002 in accordance with paragraph 1 of the 2000 *Recommendation by ICCAT Concerning Registration and Exchange of Information of Fishing Vessels Fishing for Tuna and Tuna-like Species in the Convention Area* [00-17] (hereinafter referred to as the List) and the initial ICCAT Record to be established by the *Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels Over 24 Meters Authorized to Operate in the Convention Area* adopted at the 2002 Commission meeting,
  - Identify the LSTLVs newly appeared on the initial ICCAT Record (both net increase from the List and replacements of those previously on the List), and
  - Present the result to the 2003 Commission meeting.
2. The Compliance Committee and Permanent Working Group (PWG) should scrutinize the information in paragraph 1 above to examine possible involvement of the remaining IUU LSTLVs on the ICCAT Record.

**[02-25] RESOLUTION BY ICCAT CONCERNING THE MEASURES TO PREVENT THE LAUNDERING OF CATCHES BY ILLEGAL, UNREPORTED AND UNREGULATED (IUU) LARGE-SCALE TUNA LONGLINE FISHING VESSELS ANNEX 8.25**

*RECALLING* ICCAT's 1997 *Recommendation by ICCAT on Transshipments and Vessel Sightings* and 1998 *Recommendation by ICCAT Concerning the Ban on Landings and Transshipments of Vessels from Non-Contracting Parties Identified as Having Committed a Serious Infringement*;

*TAKING INTO ACCOUNT* the need to implement the FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IPOA-IUU), which was adopted at the 24<sup>th</sup> session of the FAO Committee on Fisheries in 2001;

*TAKING INTO ACCOUNT* that the Bluefin Tuna Statistical Document Program is currently being implemented, and that similar Programs for Bigeye Tuna and Swordfish established by the Commission are coming into effect;

*EXPRESSING GRAVE CONCERN* that a significant amount of catches by illegal, unreported and unregulated (IUU) fishing vessels are believed to be transferred under the names of duly licensed fishing vessels;

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

1. Contracting Parties, Cooperating non Contracting Parties, Entities or Fishing Entities (hereinafter referred to as the "CPCs") should ensure that their duly licensed large-scale tuna longline fishing vessels have a prior authorization of at sea or in port transshipment and obtain the validated Statistical Document, whenever possible, prior to the transshipment of their tuna and tuna-like species subject to the Statistical Document Programs. They should also ensure that transshipments are consistent with the reported catch amount of each vessel in validating the Statistical Document and require the reporting of transshipment.
2. CPCs that import tuna and tuna-like species caught by large-scale tuna longline fishing vessels and subject to the Statistical Document Programs should require transporters (which include container vessels, mother vessels, and the like) that intend to land such species in their ports, to ensure that Statistical Documents are issued, whenever possible before the transshipment. Importing CPCs should obligate the transporters to submit necessary documents, including a copy of the validated Statistical Document and other documents, as required under domestic regulation, such as the receipt of transshipment, to the importing CPCs' authorities immediately after the transshipment.

**[02-26] RESOLUTION BY ICCAT CONCERNING COOPERATIVE ACTIONS TO ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED FISHING ACTIVITIES BY LARGE-SCALE TUNA LONGLINE VESSELS ANNEX 8.26**

*RECALLING* that ICCAT adopted at its 1999 meeting a *Resolution by ICCAT Calling for Further Actions against Illegal, Unregulated and Unreported Fishing Activities by Large-Scale Longline Vessels in the Convention Area and Other Areas*, in which ICCAT urged Japan and Chinese Taipei to scrap or to re-register to Chinese Taipei those vessels,

*RECALLING* that ICCAT, at its 2000 meeting, praised and strongly supported the Joint Programs implemented by Japan and Chinese Taipei to eliminate illegal, unreported and unregulated (IUU) large-scale tuna longline vessels (LSTLVs) in its *Supplemental Resolution by ICCAT to Enhance the Effectiveness of the ICCAT Measures to Eliminate Illegal, Unregulated and Unreported Fishing Activities by Large-Scale Tuna Longline Vessels in the Convention Area and Other Areas*,

*RECOGNIZING* that the ICCAT *Ad Hoc* Working Group on Measures to Combat IUU Fishing in Tokyo 2002 stressed the importance of the collaborative work between Chinese Taipei and Japan to study further the involvement of Chinese Taipei's residents and licensed vessels in IUU fishing and other activities assisting IUU fishing, and to work out effective measures to prevent such involvement,

*RECOGNIZING* that ICCAT adopted at its 2002 meeting a *Recommendation by ICCAT Concerning Establishment of an ICCAT Record of Vessels Over 24 Meters Authorized to Operate in the Convention Area [02-22]* (the Recommendation),

*CONCERNED* that still around 100 IUU LSTLVs exist, while the Japan/Chinese Taipei Joint Program resulted in contracts for scrapping of 43 vessels and agreements for re-registration of 34 vessels,

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

1. Japan and Chinese Taipei should further work together to eliminate the remaining IUU LSTLVs owned and/or operated by Chinese Taipei's residents.
2. Japan should work closely with the flag States of LSTLVs and if appropriate take joint action, so as to implement the Recommendation smoothly and satisfactorily and to achieve the objective of paragraph 1 above.
3. The Commission urges Chinese Taipei to consider adopting appropriate domestic legislation to improve its ability to control its residents that invest in or otherwise support or engage in IUU fishing.
4. Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities should urge and may instruct their residents to refrain from engaging in and/or associating with activities that may support IUU tuna longline fishing vessels and with any other activities that undermine the effectiveness of ICCAT conservation and management measures.

**[02-27] RESOLUTION BY ICCAT REGARDING PROCESS AND CRITERIA FOR ICCAT IUU TRADE RESTRICTIVE MEASURES ANNEX 8.27**

*CONSIDERING* the desirability of continuing to implement the Food & Agriculture Organization International Plan of Action on Illegal, Unreported and Unregulated (IPOA-IUU) Fishing in ICCAT;

*RECOGNIZING* that ICCAT has developed a number of valuable tools for preventing, eliminating and deterring IUU fishing;

*FURTHER RECOGNIZING* that ICCAT should continue to strive to ensure fairness, transparency and consistency in these measures and their application;

*STRESSING* that any measures implemented by ICCAT need to be consistent with international law, including World Trade Organization (WTO) requirements;

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION  
OF ATLANTIC TUNAS RESOLVES THAT:

1. A Working Group meeting of Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities should be convened in 2003, preferably in conjunction with another inter-sessional meeting, to develop criteria and a process for the fair, transparent and consistent application of ICCAT measures, including trade restrictive measures, to prevent, deter and eliminate IUU fishing.
2. In carrying out its task, the Working Group should:
  - a) review the processes for the imposition or removal of trade restrictive measures under existing ICCAT instruments;
  - b) further develop and elaborate criteria and consistent procedures allowing for the imposition or removal of trade restrictive measures in a fair, transparent and nondiscriminatory manner and in accordance with international law, including principles, rights and obligations laid down in WTO Agreements;
  - c) consider all relevant factors, including possible differences between Contracting Parties and non-Contracting Parties;
  - d) develop and elaborate, as appropriate, additional measures for the listing or de-listing of IUU fishing vessels to other types of IUU fishing activities that are not yet covered by existing ICCAT instruments; and
  - e) report to the Commission at its annual meeting in 2003.
3. As a minimum, the Working Group should consider, *inter alia*:
  - Appendix 4.6 of the Report of the ICCAT Ad Hoc Working Group on Measures to Combat IUU Fishing (Tokyo, Japan, May 27-30, 2002): Canada's Criteria for the Imposition and Removal of Trade Restrictive Measures for Consideration at the ICCAT Working Group Meeting on IUU<sup>1</sup>;
  - Appendix 4.7 of the same Report. EC's Explanatory Memorandum<sup>1</sup>;
  - Draft Resolution by ICCAT for a Bluefin Tuna, Swordfish and Bigeye Tuna Action Plan<sup>2</sup>;
  - Draft Resolution by ICCAT Concerning Compliance in the Fisheries of Bluefin Tuna, Swordfish and Bigeye Tuna<sup>2</sup>; and
  - Draft Resolution by ICCAT on the Introduction of Supplementary Procedure on ICCAT Trade-Related Schemes, and the Explanatory Memorandum of same<sup>2</sup>.

<sup>1</sup> See ANNEX 5 in the *Report for Biennial Period, 2002-03, Part I (2003), Vol. 1.*

<sup>2</sup> See ANNEX 9 in the *Report for Biennial Period, 2002-03, Part I (2003), Vol. 1.*

**[02-28] RECOMMENDATION BY ICCAT TO CHANGE THE TERMS OF REFERENCE OF THE PERMANENT WORKING GROUP FOR THE IMPROVEMENT OF ICCAT STATISTICS AND CONSERVATION MEASURES (PWG) ANNEX 8.28**

*CONSIDERING* the need to update the terms of reference for PWG:

THE INTERNATIONAL COMMISSION FOR THE  
CONSERVATION OF ATLANTIC TUNAS RECOMMENDS THAT:

The 1992 *Resolution by ICCAT to Establish a Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures and the Terms of Reference of the Working Group* [92-2] be amended as follows:

1. To obtain, compile and review all available information on the fishing activities of non-Contracting Parties, for species under the purview of ICCAT, including details on the type, flag and name of vessels and reported or estimated catches by species and area;
2. To obtain, compile and review all available information on landings and transshipments of species under the purview of ICCAT caught by non-Contracting Parties, including details on the name and flag of the vessels, the quantities landed and transshipped, and the countries' landing ports through which the product was shipped;
3. To obtain, compile and review all available trade data regarding species under the purview of ICCAT and other related information to be obtained from trade statistics of the Contracting Parties and from implementation of the ICCAT Statistical Document Programs;
4. To consider the effectiveness and practical aspects of the implementation of the ICCAT Statistical Document Programs;
5. To review and make recommendations for improvement of ICCAT statistics regarding catches of species under the purview of ICCAT in light of trade data and related information mentioned in point 3 above;
6. To develop recommendations to control the transfer at sea of species under the purview of ICCAT between vessels from different countries;
7. To consider and outline measures to prevent the re-flagging of vessels of Contracting Parties for the purpose of avoiding fisheries management measures established by the Commission; and
8. To recommend measures to the Commission based upon the findings of the Working Group's activities. Parties will ensure that these measures conform to their trade obligations.

[02-29]

**RESOLUTION BY ICCAT REGARDING CONSOLIDATION  
OF ITS RESOLUTIONS AND RECOMMENDATIONS**

**ANNEX 8.29**

*RECOGNIZING* the desirability of improving the coherence and accessibility of its recommendations and resolutions;

*ALSO RECOGNIZING* that the complexity of this work may have many implications, such as those of a legal, procedural or practical nature;

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION  
OF ATLANTIC TUNAS RESOLVES THAT:

1. A Working Group meeting of interested Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities should be held [date] in [location]\* to consider the development of a Compendium of ICCAT recommendations and resolutions.
2. The Working Group should consider the structure for such a Compendium as well as any overall issues entailed in reflecting the resolutions and recommendations in a Compendium, including how best to preserve their respective non-binding and binding nature.
3. The Working Group should determine if the draft Compendium prepared by the Secretariat is an appropriate structure for a future Compendium and whether it accurately reflects the ICCAT recommendations and resolutions currently in force. The Working Group should recommend to the Commission alterations of an editorial nature to improve the structure and/or drafting of the text and remove inconsistencies and redundancies.
4. The Working Group should also identify issues raised by its review where further guidance is required from the Commission and make recommendations to the Commission on how these issues may be addressed.
5. The Working Group should also recommend to the Commission a process for the incorporation of new decisions taken by the Commission into the compiled text.

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\* Note from Secretariat: The 2002 Commission agreed that the date and location would be decided by correspondence with Head Delegates.

[02-30]

**RESOLUTION BY ICCAT FOR A DATA WORKSHOP**

**ANNEX 8.30**

*RECOGNIZING* that collection and submission of accurate fishery data such as basic catch, effort and size frequency data by time and area to ICCAT for the species covered by the Convention is indispensable for better scientific work including stock assessments which provide the basis for proper conservation and management measures adopted by ICCAT;

*EXPRESSING* concern that the quality of such fishery data continues to deteriorate for some fisheries and for some fisheries relevant data have never been available to the Commission;

*RECOGNIZING* the urgent need for the Commission to collect adequate fishery data in a timely manner to conduct better stock assessments;

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

1. An *ad hoc* joint Workshop of ICCAT scientists and managers be convened in 2003, perhaps in conjunction with another inter-sessional meeting, with the view to improving collection and provision of data related to fishing, including farming, of the species covered by the Commission by Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities and other non-Contracting Parties.
2. The Workshop should:
  - a) review data deficiencies for each species under the purview of ICCAT,
  - b) consider the credibility of catch data and the utility of using trade data collected under the Statistical Document Programs; and
  - c) develop recommendations to improve collection and reporting of catch data adequate to conduct or improve the work of SCRS, PWG, and the Compliance Committee.
3. All Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities and the Commission Chairman, SCRS Chairman, Compliance Committee Chairman, SCRS Species Group Rapporteurs, and Chair of the Sub-Committee on Statistics should be invited to participate. Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities are encouraged to include scientists and managers on their delegations.
4. The ICCAT Secretariat should provide technical and administrative support for the Workshop.

## RESOLUTIONS NOT ADOPTED

*Note by Secretariat: Annex 9 was not adopted by the Commission, but is included here to provide continuity for future meetings and discussions.*

**9.1 Draft Resolution by ICCAT for a Bluefin Tuna, Swordfish and Bigeye Tuna Action Plan.** (Trade measures for non-Contracting Parties, Entities or Fishing Entities). Proposed by EC (*Not adopted, but deferred to the 2003 Inter-sessional Meeting of the Working Group on Process and Criteria for the Establishment of IUU Trade Restrictive Measures; see Plenary Agenda item 6*).

Noting that the objective of the ICCAT is to maintain the tuna and tuna-like species in the Atlantic at levels which will permit harvesting at maximum sustainable yield;

Considering the need for action to ensure the effectiveness of the objectives of the ICCAT concerning the conservation and the management of bluefin tuna, swordfish and bigeye tuna;

Considering that a considerable number of vessels fishing bluefin tuna, swordfish and bigeye are registered in States that are not Contracting Parties to ICCAT;

Aware of the sustained efforts by Contracting Parties to ensure the enforcement of ICCAT's conservation and management measures, and to encourage non-Contracting Parties, Entities or Fishing Entities to abide by these measures;

Noting that ICCAT's ability to manage the bluefin tuna, swordfish and bigeye resources on a sustainable basis is reduced by fishing activities contrary to the recommendations of ICCAT, and also noting the need to take measures complementary to the ICCAT framework to ensure the effectiveness of those recommendations:

The International Commission for the Conservation of Atlantic Tunas (ICCAT) resolves that:

1. The Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities shall submit every year to the Executive Secretary before 31 March, the list of the fishing vessels flying the flag of a non-Cooperating non-Contracting Party, Entity or Fishing Entity which are identified to be targeting bluefin tuna, swordfish and bigeye in the Convention area.
2. The Executive Secretary shall write to the non-Contracting Parties of these vessels to request their full co-operation with the Commission regarding the enforcement of the conservation measures and encourage them to become ICCAT Contracting Parties or Cooperating non-Contracting Parties, Entities or Fishing Entities.
3. For the purposes of this Resolution, non-Contracting Parties, Entities or Fishing Entities shall be considered as having been engaged in fishing activities which diminish the effectiveness of the ICCAT conservation measures, in particular:
  - a) if they do not cooperate with the ICCAT to provide the relevant data to the Commission, or
  - b) if vessels flying their flag fish for the species referred to in paragraph 1, without quotas or catch allocation for these stocks which are subject to conservation measures, or
  - c) if vessels flying their flag are included on the IUU list of vessels adopted by the Commission, or
  - d) if the vessels fish for tuna or tuna-like species in waters covered by the ICCAT Convention and under the jurisdiction of a Contracting Party or Cooperating non-Contracting Party, Entity or Fishing Entity, without authorisation, or infringes its laws and regulations, or
  - e) if vessels flying their flag fish during either fishing closure periods or in the closed areas in contravention with the ICCAT conservation measures, or
  - f) if they authorise vessels flying their flag to fish in the ICCAT Convention area without effectively discharging their international obligations under the terms of international instruments.

4. The Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG) shall identify each year the non-Contracting Parties, Entities or Fishing Entities whose vessels fished bluefin tuna, swordfish, or bigeye tuna in a manner that diminishes the effectiveness of the ICCAT conservation measures. This identification will be based, *inter alia*, on the catch data compiled by the Commission, trade information on these species obtained from statistics of Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities and the ICCAT statistical document programs, on the list of the IUU vessels adopted by ICCAT, as well as any other information obtained in the ports and on the fishing grounds.
5. The Commission will request non-Contracting Parties, Entities or Fishing Entities identified under the terms of paragraph 4, to take all the necessary measures so as not to diminish the effectiveness of the ICCAT conservation and management measures and to inform ICCAT of the steps they have undertaken to address this.
6. The Permanent Working Group for the Improvement of ICCAT Statistics and Conservation measures (PWG) shall examine each year the measures taken by the non-Contracting Parties, Entities or Fishing Entities identified and advised under paragraphs 4 and 5, and shall determine which non-Contracting Parties, Entities or Fishing Entities did not modify activities in accordance with paragraph 5.
7. The Commission will establish a list of non-Contracting Parties, Entities or Fishing Entities identified pursuant to paragraph 6 and considered as non-Cooperating, non-Contracting Parties, Entities or Fishing Entities to ICCAT. The ICCAT Executive Secretary will notify this list to all Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities;
8. To ensure the effectiveness of the ICCAT conservation measures on bluefin tuna, swordfish and bigeye tuna, the Commission shall recommend that the Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities take non-discriminatory trade restrictive measures, consistent with the international law, on bluefin tuna, swordfish and bigeye tuna products in any form, originating in the non-Contracting Parties, Entities or Fishing Entities identified under paragraph 6.
9. Should the Commission consider, as a result of the examination referred to in paragraph 6, that the non-Contracting Parties, Entities or Fishing Entities demonstrate that they adopted and implemented the necessary measures to put an end to the fishing activities of their vessels, which were identified as undermining the effectiveness of the conservation measures of ICCAT on bluefin tuna, swordfish and bigeye tuna, it shall recommend that the Contracting Parties and the Cooperating non-Contracting Parties, Entities or Fishing Entities lift, as soon as possible, the import restrictions which had been imposed through the mechanisms in paragraph 7.
10. Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities will take all necessary measures through their legislation:
  - a) in order that fishing vessels, mother vessels and cargo vessels flying their flag do not transfer or receive transshipment from vessels flying the flag of a non-Cooperating non-Contracting Party, Entity or Fishing Entity;
  - b) to prohibit vessels flying the flag of a non-Cooperating non-Contracting Party, Entity or Fishing Entity from entering their ports, unless reasons of force majeure or distress;
  - c) to prohibit the registration (flagging) of vessels flying the flag of a non-Cooperating non-Contracting Party, Entity or Fishing Entity, except where the ownership of the vessel has subsequently changed and the new owner has provided sufficient evidence demonstrating that the previous owner or operator has no further legal, beneficial or financial interest in, or control of, the vessel;
  - d) to ensure that importers, transporters and others sections of the fishing sector refrain from negotiating and transshipping tunas and tuna-like species caught by vessels flying the flag of a non-Cooperating non-Contracting Party, Entity or Fishing Entity;
  - e) to collect and exchange with others Contracting Parties or Cooperating non-Contracting Parties, Entities or Fishing Entities any appropriate information with the objective of identifying, controlling and preventing false importing declarations of tunas and tuna-like species from vessels flying the flag of a non-Cooperating non-Contracting Party, Entity or Fishing Entity;

- f) to prohibit chartering of vessels flying the flag of a non-Cooperating non-Contracting Party, Entity or Fishing Entity.

**9.2 Draft Resolution by ICCAT Concerning Compliance in the Fisheries of Bluefin Tuna, Swordfish and Bigeye Tuna.** (Trade measures for Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities). Proposed by EC. *(Not adopted, but deferred to the 2003 Inter-sessional Meeting of the Working Group on Process and Criteria for the Establishment of IUU Trade Restrictive Measures; see Plenary Agenda item 6)*

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

Considering the need for action to ensure the effectiveness of the ICCAT objectives relating to the conservation and management of bluefin tuna, swordfish and bigeye tuna;

Considering the obligation of all Contracting Parties and Cooperating non-Contracting Parties, Entities and fishing Entities to respect the ICCAT conservation and management measures;

The International Commission for the Conservation of Atlantic Tuna (ICCAT) resolves that:

1. For the purposes of this Resolution, the Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities are considered as having carried out fishing activities that have diminished the effectiveness of the conservation measures for bluefin tuna, swordfish and bigeye tuna:
  - a) if the Parties do not submit Task I data to the Commission, or
  - b) if vessels flying the their flag are repeatedly included on the ICCAT IUU list, or
  - c) if the Parties repeatedly fail to fulfill their obligations to take the necessary measures to ensure that vessels flying their flag do not undertake activities which contravene ICCAT conservation measures.
2. The Compliance Committee will identify each year the Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities whose vessels have fished for bluefin tuna, swordfish and bigeye tuna in a manner that has diminished the effectiveness of ICCAT conservation measures. This identification will be based, *inter alia*, on the compliance tables, trade information on these species obtained from statistics of Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities and the ICCAT statistical document programs, on the ICCAT list of IUU vessels, as well as any other information obtained in the ports and in the fishing grounds.
3. The Commission shall request the Contracting Parties and Cooperating non-Contracting Parties, Entities and Fishing Entities identified under the terms of paragraph 2, to take all the necessary measures to avoid the diminishing of the effectiveness of the ICCAT conservation and management measures and to advise the Commission of actions taken in that regard, mainly by outlining in their National Reports or Reports of Cooperating non-Contracting Parties, Entities or Fishing Entities the measures taken and implemented.
4. The Compliance Committee shall review each year the measures taken by the Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities identified and advised under paragraphs 2 and 3. It will determine which Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities did not modify their fishing activities in accordance with paragraph 3.
5. To ensure the effectiveness of the ICCAT recommendations for the conservation of bluefin tuna, swordfish and bigeye tuna, the Commission will, if necessary, recommend that the Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities take non-discriminatory trade restrictive measures, consistent with international law, with regard to the bluefin tuna, swordfish and bigeye tuna products in any form coming from the Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities identified in conformity with paragraph 4.

6. If the Commission considers, as a result of the review referred to in paragraph 4, that the Parties can demonstrate that they have adopted and implemented the necessary measures to end their vessels fishing activities, which were identified as diminishing the effectiveness of the ICCAT conservation measures concerning bluefin tuna, swordfish and bigeye tuna, it will recommend that Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities, lift as soon as possible the import restrictions which were imposed under paragraph 5.

**9.3 Draft Resolution by ICCAT on the Introduction of Supplementary Procedure on ICCAT Trade-related Schemes.** Proposed by Japan, Canada and the United States. (*Not adopted, but deferred to the 2003 Inter-sessional Meeting of the Working Group on Process and Criteria for the Establishment of IUU Trade Restrictive Measures; see Plenary Agenda item 6*), and an Explanatory Memorandum Presented by Japan.

Recalling the Commission's 1994 *Resolution for an Action Plan to Ensure the Effectiveness of the Conservation Program for Atlantic Bluefin Tuna* (BFT Action Plan: 94-3), the 1995 *Resolution for Atlantic Swordfish Action Plan* (SWO Action Plan: 95-13), the 1996 *Recommendation regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries* (Compliance Recommendation: 96-14), and the 1998 *Resolution concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area* (UU Action Plan: 98-18);

Also recalling the 2001 *Resolution Concerning More Effective Measures to Prevent, Deter and Eliminate IUU Fishing by Tuna Longline Vessels* (01-19);

[Noting the adoption of *Recommendation Concerning the Establishment of an ICCAT Record of Vessels Over 24 Meters Authorized to Operate in the Convention Area* (02-22) in its 2002 meeting;]

Also noting that this situation must be addressed in the light of all relevant international fisheries instruments and in accordance with the relevant rights and obligations established in the World Trade Organization (WTO) Agreement.

The International Commission for the Conservation of Atlantic Tunas (ICCAT) resolves that;

- A. As far as the fishing activities are conducted by Illegal, Unreported and Unregulated (IUU) large-scale tuna longline vessels (LSTLVs), the UU Action Plan, instead of the BFT and SWO Action Plans, should be applied to the Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities (hereinafter "CPCs") and non-Contracting Parties, Entities or Fishing Entities without cooperating status (hereinafter "NCPs") exploiting Atlantic bluefin tuna and swordfish. For the purpose of this paragraph, the CPCs and NCPs which have already been sanctioned pursuant to the three schemes (94-3, 95-13, and 96-14) because of the fishing activities by their LSTLVs are deemed to be sanctioned pursuant to the UU Action Plan.
- B. The following supplementary procedures be applied in implementing the UU Action Plan:
  1. In making identifications and trade restrictive measures, the Compliance Committee and/or PWG should take into consideration any relevant matters, including the nature, circumstances, extent, and gravity of fishing activities that may have diminished the effectiveness of ICCAT conservation and management measures.
  2. The Compliance Committee and/or the PWG should identify CPCs and NCPs which diminish the effectiveness of ICCAT conservation and management measures if, *inter alia*, there is evidence that their LSTLVs:
    - a) Harvest tunas and tuna-like species in the ICCAT Convention area and are not included in the ICCAT Record of vessels authorized to operate in the Convention area,
    - b) Harvest tuna and tuna-like species in the Convention area, when the CPCs do not have any quotas, catch limit or effort allocation under relevant ICCAT conservation and management measures,
    - c) Do not record or report their catches made in the ICCAT Convention area, or make false reports,
    - d) Take or land undersized fish in contravention of ICCAT conservation measures,

- e) Fish during closed fishing periods or in closed areas in contravention of ICCAT conservation measures,
  - f) Use prohibited fishing gear in contravention of ICCAT conservation measures,
  - g) Conduct any other fishing activity in contravention of ICCAT conservation and management measures,
  - h) Are not controlled effectively by their flag CPC or NCP.
3. When the Commission requests the CPCs and NCPs under the first identification, “to take all necessary measures so as not to diminish the effectiveness of the ICCAT conservation and management measures,” the Commission should notify them of following:
    - a) the reason(s) for the identification with supporting evidence(s)
    - b) the opportunity for the identified CPC or NCP to submit its opinion to the Commission in writing [number] days prior to the Annual meeting of the Commission regarding the identification (e.g., evidence refuting the identification, action plan and implementation for the improvement and/or its result, etc.)
    - c) an invitation to the NCP to participate as an observer at the Annual meeting where the issue will be discussed
  4. The Executive Secretary should, by more than one means, transmit the Commission’s request to the authority of the identified CPC or NCP. The Executive Secretary should seek to obtain confirmation from the CPC or NCP under the first identification that it received the notification.
  5. The Contracting Parties should jointly and individually request the identified CPCs or NCPs to rectify their fishing activities so as not to diminish the effectiveness of ICCAT conservation and management measures.
  6. In reviewing the circumstances of the CPCs or NCPs under the first identification, those CPCs or NCPs that have or have not rectified their fishing activities in accordance with the request of the Commission should be classified into one of the following categories:
    - a) Trade restrictive measures
    - b) Continuation of identification status: subject to annual monitoring
    - c) Lifting of identification status
  7. The Commission should notify the CPCs and NCPs identified in paragraph 6 above of their status in accordance with the procedure specified in paragraph 3 and 4 above.
  8. In order for the Commission to recommend the lifting of the identification status of the trade restrictive measures, the Compliance Committee and/or the PWG should review annually whether the situation leading to the identification and the trade restriction measure has been rectified by the sanctioned CPC or NCP. Such decision should also take into consideration whether the achieved improvement will be properly maintained in the future by taking concrete actions.
  9. The CPC or NCP whose trade restrictive measure has been lifted should remain under the identification for the year following the lifting action. The fishing activities of such CPC or NCP should be reviewed annually so that the Commission can decide whether any measure would be necessary in the following year. The Commission should notify the CPC or NCP of its status in accordance with the procedure specified in paragraphs 3 and 4 above.
- C. The procedures described in the section B above should, *mutatis mutandis*, be applied to the consideration of measures against non-Contracting Parties under the Bluefin tuna and Swordfish Action Plan Resolutions .

***Explanatory Memorandum Presented by Japan on the above proposed Resolution***

1. At its Commission meeting in 2001 at Murcia, Spain, ICCAT resolved to hold the working group meeting to work out more effective measures against IUU fishing by large scale tuna longline vessels (LSTLVs). This resolution (01-19) mandated the working group to “review the criteria presently used to enlist vessels on the ICCAT list of tuna longline vessels engaged in IUU fishing, and consider a procedure for taking sanction measures and, as appropriate, revised criteria for listing IUU vessels.” It should be noted that the members’ task

was not to reconsider existing Action Plans on BFT<sup>1</sup>, SWO<sup>2</sup>, Compliance<sup>3</sup>, and UU<sup>4</sup>, but to review the procedures for those Action Plans for their more effective implementation. (A criterion for listing IUU vessels is another important issue, which will be discussed up in another document.)

2. These Action Plans enable the Commission to invoke trade restrictive measures against the Parties, when they have not improved the problematic situation during a certain period. These trade restrictive measures are considered to be the last resort after exhausting all the other means, while keeping consistency with each member's international obligations including GATT/WTO rules. It should be recognized that no serious problem has been identified in implementing these Action Plans, and that no substantial question regarding the scheme has been raised from non-members.

3. Nevertheless, a set of proposals to unify and replace the existing Action Plans was presented to the working group in May 2002 in Tokyo. Although they contain interesting points, Japan has difficulties in supporting these proposals at this stage. The proposals aim at drastic overall reform of the existing Action Plans, which are not only well beyond the mandate of the working group, but also has the risk of undermining the effectiveness of the existing scheme. It is questionable that expansion of the scope of Parties to be sanctioned is appropriate or necessary under the current situation. For example, the current scheme does not target coastal fishing activities in their EEZ, but if the proposal were adopted as it is, there would be the risk of automatically sanctioning such fishing activities as a result of its implementation.

4. It should be underscored that the real problem we are facing is the IUU fishing activities by LSTLVs. Both BFT and SWO Action Plans did not specify their focus. In fact, however, Panama, Belize, and Honduras were sanctioned as flag nations that had accepted IUU LSTLVs<sup>5</sup>; while other Parties with other types of fishing vessels were not even identified. We should also recall that the UU Action Plan was newly established in 1998 to cope with the re-flagging of IUU LSTLVs to ICCAT members after implementation of the BFT and SWO Action Plans.

5. **Figure 1** is a diagram that shows relationships and achievements of these Action Plans. The BFT and SWO Action Plans primarily target non-members, while over-quota of members will be sanctioned under the Compliance Recommendation. On the other hand, the UU Action Plan is applicable to bluefin tuna and swordfish as long as they are exploited by IUU LSTLVs. In this context, the scope of the UU Action Plan is overlapping with those of the BFT and SWO Action Plans; this overlapping area of the diagram here indicates the catches of bluefin tuna and swordfish by IUU LSTLVs.

6. The UU Action Plan can and should be applied to any Party whether it is a member or non-member as long as illegal fishing activities of LSTLVs take place. This is attributable to the unique nature of IUU LSTLVs that the nationality of a flag nation is abused to maintain illegal fishing activities by foreign operators without being noticed by the fisheries authority of the flag state. Because of this nature, strict measures have been taken against nations regardless of the ICCAT membership under the scheme.

7. In recent years, the Commission experienced a dilemma where the sanctions imposed against non-members under the BFT and SWO Action Plans had to be lifted simply because they acceded to ICCAT irrespective of whether or not the problem of IUU LSTLVs had been rectified. This dilemma happened because the primary focus of these Action Plans is activities of non-members. Taking account of the real problem for which the ICCAT Action Plans have been developed, however, the Commission should have applied the UU Action Plan to this case to avoid such a dilemma

8. There may be an argument that consideration should also be given to possible sanctions against the flag nation of other types of fishing vessels than LSTLVs and to the different treatment of members and

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<sup>1</sup>Resolution for an Action Plan to ensure the Effectiveness of the Conservation Program for Atlantic Bluefin Tuna, adopted at the 1994 Commission meeting (94-3).

<sup>2</sup>Resolution Atlantic Swordfish Action Plan, adopted at the 1995 Commission meeting (95-13).

<sup>3</sup>Recommendation Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries, adopted at the 1996 Commission meeting (96-14).

<sup>4</sup>Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large Scale Longline Vessels in the Convention Area, adopted at the 1998 Commission meeting (98-18).

<sup>5</sup>Equatorial Guinea, a member nation of ICCAT but accepted many IUU LSTLVs, was sanctioned in 1999 under the Compliance Recommendation.

non-members. However, these points are of less urgency, compared to the current problem of IUU-LSTLVs, and should be discussed separately.

9. As stated above, three Resolutions and one Recommendation should be maintained as they are. The current scheme consisting of three Resolutions and one Recommendation sufficiently meets the urgent needs for combating with IUU LSTLVs. This Japanese proposal is intended to incorporate supplementary elements such as additional procedures and criteria into the existing scheme, while maintaining the existing scheme. The proposal will enhance the accountability and transparency as well as improve the effectiveness of the scheme. In developing this draft resolution, particular considerations were given to the following points:

***A. Criteria on first identification***

In order to enhance the accountability and transparency, the conditions under which a Party is identified as diminishing the effectiveness of the ICCAT conservation and management measures (first identification) should be clarified. The Compliance Committee and/or PWG should identify the Party if their LSTLVs:

- a) Harvest tunas and tuna-like species in the ICCAT Convention area and are not registered on the ICCAT list of vessels authorized to fish for tuna and tuna-like species in the Convention area, and/or
- b) Harvest, tuna and tuna-like species in the Convention area, when the Party does not have any quotas, catch limit or effort allocation under relevant ICCAT conservation and management measures, and/or
- c) Do not record or report their catches made in the ICCAT Convention area, or make false reports, and/or
- d) Take or land undersized fish in contravention of ICCAT conservation measures, and/or
- e) Fish during closed fishing periods or in closed areas in contravention of ICCAT conservation measures, and/or
- f) Use prohibited fishing gear in contravention of ICCAT conservation measures, and/or
- g) Conduct other fishing activity which constitute a violation of ICCAT conservation and management measures, and/or
- [h] The lack of effective control of vessels entitled to fly their flag]

***B. Request to the identified Party***

Upon first identification, the Commission sends a letter requesting the identified Party to rectify its fishing activities. In order to improve the transparency and accountability of the scheme, such letters should specify the reason for the identification with evidence as well as the opportunity for the identified Party to submit its opinion to the Commission regarding the identification (e.g., evidence refuting the identification, action plans for the improvement and/or its result, etc.). In addition, certain rules should be established to ensure the notification of request and the receipt by the identified Party.

***C. Decision on sanction***

The scope of the Parties to be sanctioned (second identification) should remain unchanged; i.e., the Parties that did not rectify their fishing activities despite the request by the Commission need to be identified in the second stage.) A problem associated with the second identification is that the status of first identification does not necessarily continue once the Commission decides not to impose sanctions in the following year. There were some cases in the past where the Commission should have continued the first identification against the nation<sup>6</sup> to adequately monitor whether or not the nation in question fully rectified the situation. In order to avoid this problem, the Parties under first identification should be classified into three categories when the Commission decides on trade sanctions in the following year: (i) Second identification (imposition of sanctions), (ii) Continuation of first identification (continued monitoring), and (iii) Lifting of first identification. In the cases of (i) and (ii), the Commission should make the necessary notifications to the identified Party in accordance with the paragraph B above.

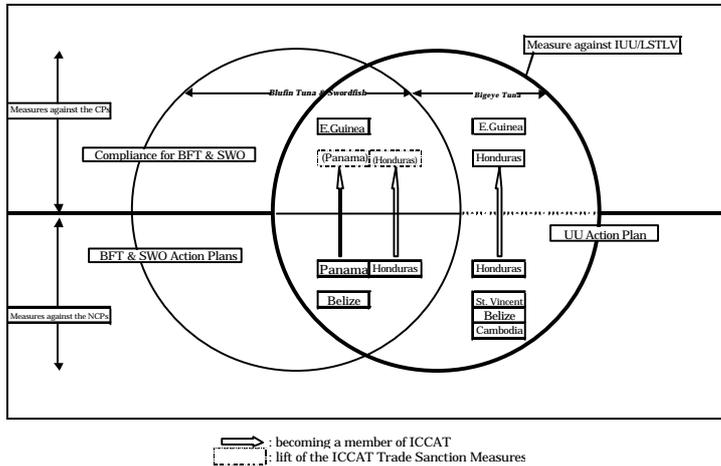
***D. Lifting or continuation of sanctions***

In light of the effectiveness of resource conservation, the Commission should not lift the sanction unless the situation leading to the first identification is completely rectified. In addition, even when the situation has been

<sup>6</sup> For example, Sierra Leone, first identified in 1999 under BFT Action Plan but was not sanctioned in 2000, was again first identified in 2001.

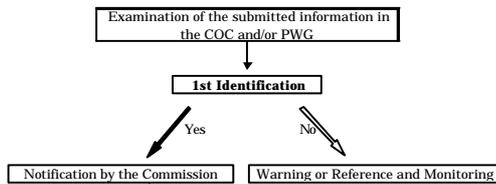
improved, the sanction should not be lifted unless the identified Party demonstrates that the improved situation will be maintained in the future so as to avoid a backlash of the situation<sup>7</sup>.

With respect to the Parties whose sanctions have been lifted, the first identification status should still be maintained so that the Commission can review the situation in the following year and, if necessary, take actions without delay.

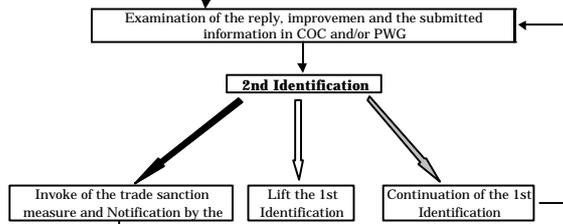


**Figure 1.** Present framework of the ICCAT Trade Sanction Measures

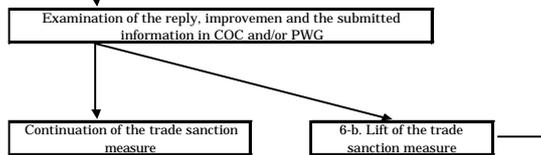
I. Measures of the first year



II. Measures of the second year



III. Measures of the third year and afterwards



**Figure 2.** Process of the ICCAT trade sanction measures.

<sup>7</sup> Panama, whose sanction under BFT Action Plan was lifted in 1999, was first identified under UU Action Plan in 2001 because of the returned IUU vessels.

**9.4 Draft Resolution by ICCAT Regarding the Presentation of Objections in the Context of Promoting Effective Conservation and Management Measures Adopted by ICCAT.** Proposed by Canada, EC, Japan and the United States (*Not adopted; see Plenary Agenda item 16.1*).

Recalling that according to the Convention, the objective of the International Commission for the Conservation of Atlantic Tunas (ICCAT) is to conserve the resources of tuna and tuna-like fishes of the Atlantic Ocean so as to maintain their populations at levels that will permit the maximum sustainable catch for food and other purposes;

Conscious of Article VIII of the convention which provides that Contracting Parties may present objections to recommendations adopted by the Commission that are designed to maintain the populations of tuna and tuna-like fishes at levels which will permit the maximum sustainable catch;

Concerned that the presentation of objections by ICCAT Contracting Parties has increased;

Considering that the presentation of an objection does not exempt a Contracting Party from the obligation to cooperate with Contracting Parties to ICCAT and pursue the objectives of ICCAT as regards the conservation of tuna and tuna-like fishes;

And further considering that in conformity with the aims of the Commission and in view of the rights accorded by Article VIII of the Convention and taking account of the fundamental obligation of all Contracting Parties not to undermine the ICCAT objectives, it is essential that the terms relating to the presentation of objections be clearly defined;

The International Commission for the Conservation of Atlantic Tunas (ICCAT) resolves that:

1. Each Contracting Party that presents an objection pursuant to Article VIII of the Convention will provide to the Commission, at the time of presenting its objection, the reasons for its objection and the alternative conservation and management measures that it will adopt to ensure that ICCAT objectives are not undermined.
2. At each Commission meeting thereafter while its objection is maintained, the Contracting Party concerned will communicate to the Commission the alternative conservation and management measures it has adopted to respect the objectives of ICCAT and their effectiveness.
3. The Executive Secretary should provide all Contracting Parties with the details of all information and clarifications that have been received in conformity to paragraphs 1 and 2.
4. Each year the Commission should consider the effectiveness of the measures identified in paragraph 2.

**9.5 Draft Resolution by ICCAT on Sea Turtles.** Proposed by Brazil, Canada, Japan and the United States (*Not adopted; see Plenary Agenda item 16.2.4*).

Given that some parties are already reporting data on incidentally caught sea turtles to the SCRS;

Noting the need to improve the collection of scientific data regarding all sources of mortality for sea turtle populations, including but not limited to, data from fisheries within the Convention Area;

Being aware that at the 24<sup>th</sup> COFI-FAO Session in March 2001, some members advocated that FAO should take the initiative for the issue of sea turtle conservation and management, taking into account the necessity for a holistic approach;

The International Commission for the Conservation of Atlantic Tunas (ICCAT) resolves:

1. To encourage the voluntary release of marine turtles that are incidentally caught alive, and share all available information such as procedures to reduce the incidental catch of turtles and to ensure the safe handling of all turtles that are released, in order to improve their survivability;

2. To encourage Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities to collect and voluntarily provide SCRS with all available information on interactions with sea turtles, including incidental catches, in all fisheries under the purview of ICCAT, and if feasible, other fisheries;
3. To encourage Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities to provide, if feasible and appropriate, information on other impacts on sea turtles in the Convention Area, such as the deterioration of nesting sites and swallowing of marine debris.
4. To seek, through the appropriate ICCAT body, the development of data collection and reporting methods for sea turtles.
5. To support efforts by FAO to address the conservation and management of sea turtles, through a holistic approach.

## REPORT OF THE MEETING OF THE CONSERVATION AND MANAGEMENT MEASURES COMPLIANCE COMMITTEE

### 1. Opening of the meeting

1.1 The Compliance Committee met during the 13<sup>th</sup> Special Meeting of the Commission at the Hotel Ercilla in Bilbao, Spain. The Committee was chaired by Mr. Friedrich Wieland (European Community).

1.2 Delegations from the following Contracting Parties attended all or part of this meeting: Algeria, Angola, Brazil, Canada, China, Côte d'Ivoire, Croatia, Equatorial Guinea, European Community, France (St. Pierre & Miquelon), Ghana, Honduras, Iceland Japan, Korea, Mexico, Morocco, Namibia, Russian Federation, Sao Tomé & Príncipe, South Africa, Trinidad and Tobago, Tunisia, United Kingdom (Overseas Territories), United States of America, and Venezuela.

1.3 The Chair welcomed Mexico and Iceland as full members of ICCAT.

1.4 Opening statements were presented to the Committee by Canada and the Observer from Greenpeace and these are attached herewith as **Appendices 2 and 3 to ANNEX 10**.

### 2. Adoption of the Agenda

2.1 The only change in the draft Agenda as circulated was to include the discussion of matters related to illegal, unreported and unregulated (IUU) fishing activities as a separate issue under point 8. Thus the remaining points on the Agenda were renumbered accordingly.

2.2 The revised Agenda was adopted (**Appendix 1 to ANNEX 10**).

### 3. Nomination of Rapporteur

Mr. Ignacio Escobar (European Community) was appointed Rapporteur of the Compliance Committee.

### 4. Report of the 2<sup>nd</sup> Meeting of the Working Group on Integrated Monitoring Measures and future plans

4.1 The Chairman made a brief summary of the document drafted in Tokyo on the general outline of the monitoring measures. The inspection scheme proposed by the European Community was discussed but was not approved due to the lack of time. The Chairman indicated that guidance for the continuation of this work was needed.

4.2 The Delegate of the European Community proposed that the Compliance Committee adopts the proposed scheme as ICCAT needs a complete set of measures for the implementation of conservation measures. The scheme includes mechanisms already in use and tested in other international fisheries organizations and the concepts adopted by the International Plan of Action on IUU Fishing (IPOA-IUU). It is not a static instrument, but one that gives ICCAT flexibility in implementing it. The European Community invited other Contracting Parties to participate in the improvement of the document and asked that another session of the working group be convened.

4.3 The Delegate of Japan asked for more time to review the document. Although Japan agreed on the need for such measures, they noted that the document raised legal concerns, and implied a sort of new convention within ICCAT.

4.4 The Delegate of France (St. Pierre & Miquelon) stated that any measures should take into consideration the regional characteristics of the different Contracting Parties, so that two types of measures should be envisaged: a general one, applicable to all Contracting Parties and specific ones according to each type of fishery.

4.5 Several delegations agreed that the issue was an important one but that the matter needed deeper discussion that could not take place at the present annual meeting.

4.6 The Chairman summarized the various interventions and acknowledged the need for an inter-sessional meeting, for which he invited all interested Parties to submit their ideas. There was support for a 2003 inter-sessional meeting of the Working Group to Develop Integrated Monitoring Measures, and this proposal was forwarded to the Commission.

4.7 The Report of the Second Meeting of the ICCAT Working Group to Develop Integrated Monitoring Measures was adopted (attached as **ANNEX 6**), as well as the *General Outline of Integrated Monitoring Measures* (attached as **ANNEX 7**) and forwarded to the Commission for approval.

## **5. National rules for the application of ICCAT measures**

5.1 The Secretariat presented a summary to the Committee of the information contained in the National Reports submitted by the Parties<sup>1</sup>. The Contracting Parties were asked to inform the Secretariat of any changes that should be made to the different tables. The Chairman recalled that this meeting was due to consider the evaluation of the Vessel Monitoring System pilot program.

5.2 The Delegate of the United States proposed that this issue be dealt with at the inter-sessional meeting on integrated monitoring measures. The Delegate of the European Community informed of its intention to table a proposal on a Vessel Monitoring Scheme later in the meeting.

5.3 The Delegate of the European Community stressed that the measures in question are well known to most delegations, as they are common practice in many other regional fishing organizations, that the original proposal dates back to 1997 and that it is an urgent matter for ICCAT.

5.4 In view of the observations made by several delegations concerning the complexity of both the Integrated Monitoring Scheme and the VMS pilot project, the Chair suggested to defer both items for discussion at an inter-sessional meeting.

5.5 The Delegate of Brazil indicated that the work of the said inter-sessional meeting should not be based on the document proposed by the European Community to establish a scheme of control and enforcement on fishing vessels that fish in the ICCAT Convention area, but on the report from the Tokyo meeting (attached as **ANNEX 6**).

5.6 The Delegate of Japan stressed that this EC document raised also legal concerns and is extremely complicated.

5.7 The Chair summarized the different interventions and recalled that there already exist Terms of Reference concerning the mandate of the Working Group to Develop Integrated Monitoring Measures.

## **6. Status of the compliance of Contracting Parties concerning statistics**

6.1 The ICCAT Secretariat presented the information, including the various tables contained in the "Report on Statistics and Coordination of Research in 2002-2001" (in the *Report for Biennial Period, 2002-03, Part I (2002), Vol. 2*), as well as compliance in transmitting information on time.

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<sup>1</sup> This report is on file at the ICCAT Secretariat.

6.2 The Delegates of Japan and the United States expressed concern over the continuing lack of data, as data collection was a fundamental obligation of Contracting Parties to ICCAT, and the provision of reliable data was necessary for stock assessments and allocation of fishing entitlements. Japan had proposed, in 2001, the creation of a working group to improve the collection of data and it was agreed that further consideration should be given to the creation of such a working group.

6.3 The Delegate of Côte d'Ivoire indicated that the blank cells concerning them were due to the fact that they no longer had a tuna fishing fleet. As for the data on swordfish, these concerned artisanal fisheries.

## **7. Status of the compliance of Contracting Parties concerning ICCAT conservation and management measures**

The Chairman stated that three sections were to be reviewed: (i) list of vessels, (ii) compliance tables, and (iii) sanctions to Contracting Parties.

### **7.1 List of vessels**

The Secretariat explained that the ICCAT vessel registry<sup>1</sup> is a recapitulation of two lists, that of vessels larger than 24 meters and that of vessels fishing for North Atlantic albacore (EC, Venezuela, United States and Chinese Taipei). The Secretariat noted that this list is stored in an electronic database.

The Delegate of the European Community requested a correction to Table 2 of the above-mentioned, i.e., the asterisk to be replaced with the figure 1,253 t.

The Delegates of Equatorial Guinea and Honduras presented statements regarding the vessel list, which are attached as **Appendices 4 and 5 to ANNEX 10**.

### **7.2 Catch compliance tables**

The ICCAT Secretariat revised the procedure for assembling the compliance tables, and noted it was the same as in 2001. New data were then submitted by Korea, Mexico, Morocco, and Venezuela concerning swordfish, and by Brazil with respect to discards.

Many delegations noted the difficulties in understanding the different tables and agreed that a great amount of time was consumed in the dealing with them, including the corrections to the same. The Delegates of the United States and Canada had understood that the Working Group on Compliance was to meet every year, and not only in 2001. The Delegate of Japan proposed that the tables be circulated by the Secretariat prior to the annual meeting so that corrections and an evaluation could be made on the very first day of the meeting. The Chair equally expressed his frustration on this issue, as he had presided over the Working Group created under Resolution 00-21 and could obtain no guidance from the attending Contracting Parties (see also section 7.2.11).

A review was made on a species by species basis.

#### **7.2.1 North Atlantic albacore**

7.2.1.1 The Delegate of the United States explained their difficulty in completing all the data due to the fact that they internally register data on a fishing year basis instead of a calendar year basis and requested the inclusion of an explanatory footnote to that end. The Delegate of the United States stated that solutions to this situation are being actively considered and that the fishing year figures are submitted to the Secretariat, albeit with a certain delay. In the interim, calendar year figures can be and have been provided.

7.2.1.2 The Secretariat clarified that the information shown in bold characters is that provided by Contracting Parties, whereas the information in normal characters has been obtained from Task I.

7.2.1.3 The Delegate of Japan mentioned that an unusually high catch was registered for St. Vincent and the Grenadines for 2001, as high as 5,662 t, and the Secretariat confirmed that this was indeed the figure provided by St. Vincent and used by the SCRS.

7.2.1.4 The Delegate of the European Community proposed that the carryover of the underage for 2001 could be divided among two years instead of one, so as to reduce any possible impact on the North Atlantic albacore stock.

7.2.1.5 The Delegate of the United States proposed that discussion on carryover of overages and underages take place in Panel 1 and expressed concern that underages of Contracting Parties with small quotas were being carried over, in abuse of the current regulations.

7.2.1.6 The Delegate of the European Community pointed out that several Contracting Parties with small quotas were actually carrying over their underages for several years.

7.2.1.7 The Observer from St. Vincent and the Grenadines explained that the precise data provided were in fact the results of their plan to improve their data collection system. Some of their vessels had shifted from the bigeye tuna fishery to North Atlantic albacore, unaware of the consequences. The concerned authorities had informed the fishers to put an end to this fishery.

7.2.1.8 The Delegate of Japan noted that the information provided by St. Vincent and the Grenadines was insufficient, as they would like to know the names of the vessels involved in that fishery, as well as the location and time fishing had occurred, especially since St. Vincent and the Grenadines has reported catches of North Atlantic albacore and, at the same time, has declared that its fishing vessels operate in the South Atlantic.

7.2.1.9 The Delegate of the European Community made it clear that with the North Atlantic albacore stocks subjected to a TAC, such events should not be accepted as a means to obtain future fishing allocations.

7.2.1.10 The Delegate of Venezuela criticized the allocation of fishing possibility by which its quota had been established. He stressed that Venezuela had been allocated a quota well under its historic average, that other Contracting Parties without this tradition had been allocated higher quotas, and that Venezuela requested the allocation of an additional 150 t quota.

7.2.1.11 The Delegate of Korea echoed this opinion on the allocation of fishing possibilities.

#### *7.2.2 South Atlantic albacore*

There was no discussion under this item.

#### *7.2.3 Billfishes*

7.2.3.1 The Delegate of Mexico requested a footnote on the Compliance Table to indicate that billfishes were reserved for sport fisheries and that national regulations mandated that billfishes be released live, that they place observers on board 100% of the vessels for this fishery, and that Mexico's quota is insufficient to meet their needs.

7.2.3.2 The Delegate of the European Community indicated that the relevant data would be provided to the Secretariat later during the course of the meeting

7.2.3.3 The Delegate of Japan asked for the correction of the figure for 2001, which should read 37.0 t.

7.2.3.4 The Delegate of Venezuela expressed concern that their quota allocation was well below their historical catches and summarized the different national measures implemented to comply with ICCAT rules.

#### *7.2.4 North Atlantic swordfish*

7.2.4.1 The Delegate of Mexico explained that their data stem from incidental catches while fishing for yellowfin tuna, and that they request the allocation of a quota in view of the fact that it is not a directed fishery, in accordance with their historical catches.

7.2.4.2 The Delegate of Canada noted overage in its fishing quota for 2001 that had been deducted from their 2002 quota. Canada further noted estimated dead discards of 49.9 t out of an allowance of 80 t in 2000 resulting in an underage of 30.1 t. The Delegate of Canada confirmed with the Secretariat that this amount had been added to Canada's quota, resulting in a quota for 2002 of 1019 t.

7.2.4.3 The Delegate of Japan indicated that they had tabled an explanation with their information on the Japanese five-year block quota for this species (attached as **Appendix 6 to ANNEX 10**).

7.2.4.4 The Delegate of France (St. Pierre & Miquelon) declared that they wished to be clearly mentioned as having a quota allocated under "others," as was agreed at the 2001 meeting.

7.2.4.5 The Delegate of China stated that they did not agree with the footnotes included by the Secretariat in this table and that he intended to address this issue in Panel 4.

7.2.4.6 The Delegate of Trinidad and Tobago indicated that their quota is also well below their historical catches, that they are making efforts to reduce their catches and that they would address the issue in Panel 4.

7.2.4.7 The Delegate of Brazil indicated that the figure corresponding to 2002 should be "0 t," as they had no quota allocation for that year, and that Recommendation 96-14 does not clearly state that overages are to be carried over to subsequent years. After brief discussion, the matter was referred to Panel 4.

#### *7.2.5 South Atlantic swordfish*

The Delegate of the United States noted the complexity of the different procedures for the carryover of overages and underages and asked the European Community whether they intended to carryover their underage for 2001, to which the Delegate of the European Community responded affirmatively.

#### *7.2.6 East Atlantic bluefin tuna*

7.2.6.1 The Delegate of Morocco complained of the difficulties to assess the compliance tables in general, thus complicating the calculation of adjustments and balances, and the lack of uniformity in the terms used in the different tables. The Secretariat indicated that the tables had been created on the basis of the interpretation of ICCAT Recommendations adopted in Murcia in 2001, where it was decided that quota adjustments and balances would be carried over in some cases and not in others. The Delegate of Morocco indicated that a footnote should be inserted in every exceptional case or adjustment, to clarify the situation. The European Community agreed that it is very difficult to develop such tables, particularly in the case of autonomous quota allocations by some Contracting Parties. The European Community considers that underages of autonomous quotas should not be carried over.

7.2.6.2 The Delegate of the United States again asked for clarification on the procedure for carryover of the overages and underages of quotas for this species.

#### *7.2.7 West Atlantic bluefin tuna*

The Delegate of Mexico recalled its request for a quota for this species and requested a footnote in the Compliance Tables indicating its request of 120 t to cover their incidental catch while fishing for yellowfin tuna. The Delegate noted that the data provided by Mexico for this species were not submitted on the *ICCAT Reporting Table for the Compliance Committee*, but as Task I data.

#### *7.2.8 Atlantic bigeye tuna*

7.2.8.1 The Delegate of Ghana said that they were not aware of the effort limitation in force, but that they would now abide by it. Ghana does not target bigeye tuna, but targets yellowfin tuna, and any catches of bigeye are merely incidental. Since these species are extremely difficult to identify, all catches were considered as being bigeye tuna. The moratorium was not implemented as far as the placing of observers is concerned due to a lack of funding, but observers were placed on as many vessels as was possible. They expected to receive some funding from ICCAT for 2001 that never came. Ghana had reviewed its internal regulations to penalize failures to comply

with regulations stemming from international fishing organizations. Ghana committed itself to comply with the moratorium for the 2002 fishing season and asked the Contracting Parties for their assistance and understanding.

7.2.8.2 The Delegate of the European Community was skeptical of the measures suggested by Ghana for the implementation of the moratorium, and underlined the fact that the efficiency of the efforts undertaken by the rest of the fleet of the Contracting Parties had been severely undermined by the Ghanaian attitude.

7.2.8.3 The Delegate of Mexico noted that the catches in their case were incidental, as their target was swordfish or billfishes and expressed that the problem of compliance with ICCAT measures had yet to be solved.

7.2.8.4 The Delegate of Honduras informed that a change in their administration generated a lack of coordination between several departments, but that this situation has been clarified and that they were now complying with all relevant ICCAT Recommendations and that, accordingly, sanctions should be lifted.

7.2.8.5 The Delegate of Equatorial Guinea reiterated his surprise of the fact that tuna fishing vessels were operating under its flag, as there were no vessels of such kind actually registered in this State. They had information that illegal offices outside Equatorial Guinea were delivering forged flag certificates. The Delegate of Equatorial Guinea suggested that sanctions against his country be maintained as it proved to be a helpful tool to deter these illegal activities.

7.2.8.6 The Observer from Belize indicated that its country had given no fishing licenses for bigeye tuna but would be interested in obtaining a quota for this species, though this request appears to be impossible at this time as Belize is presently subject to sanctions.

7.2.8.7 The Delegate of the European Community informed that the EC quota had not been fully consumed and asked to have the balance carried forward to 2003 instead of 2002, as requested in the case of North Atlantic albacore.

7.2.8.8 At the request of the Delegate of Mexico, the Secretariat informed the Committee of the catch limits for bigeye tuna in force for certain Contracting Parties, but admitted that the Recommendations for other Contracting Parties were not as clear as in the first case.

7.2.8.9 The Delegate of the United States expressed concern that important underages were intended to be carried over by certain Parties and that this may have detrimental consequences on the stock, and suggested that carryovers be limited by revising Recommendation 00-14.

7.2.8.10 The Delegate of China noted the great difference in the data provided by Ghana in SCRS and Task I, and asked that no decision be taken on sanctions against Ghana until the statistics improve.

7.2.8.11 The Chairman suggested that the discussion on carryover be left to the corresponding Panels.

#### *7.2.9 Minimum size review*

A debate took place among several delegations that emphasized the need for all Contracting Parties to provide the Secretariat with the relevant information concerning minimum size, as well as the need to explain the reasons that have given rise to overages and underages.

#### *7.2.10 Adoption*

7.2.10.1 The Compliance Tables were adopted and are attached as **Appendix 7 to ANNEX 10**.

7.2.10.2 Several delegations proposed that Task II data be entered on the tables by the Secretariat if no data on size limits were provided by any Contracting Party. The Delegate of the European Community opposed the use of scientific data for management purposes.

#### *7.2.11 Future work plan*

The Chairman proposed that in 2003 the Secretariat send the request for information in March. Contracting Parties would submit their data, at the latest, one month before the next annual meeting; then three weeks prior to the meeting the tables would be circulated to the Contracting Parties by the Secretariat. The latest date for changes to the tables would be the first day of the annual meeting.

### **7.3 Other compliance failures**

#### *Equatorial Guinea*

7.3.1 The Committee approved to maintain the sanctions on Equatorial Guinea subject to revision at the 2003 annual meeting.

#### *Ghana*

7.3.2 The Delegate of the European Community stressed that it was a case of grave and repeated non-compliance, that no clear indications of compliance had been seen, and suggested that imports for Ghanaian bigeye tuna be imposed as of now, that observers be placed on purse seiners, and that effort and catch be revised in 2003; sanctions would then be lifted if the Commission ascertains full compliance by Ghana. No identification would be needed, as Ghana has already admitted non-compliance for three consecutive years and their attitude is unfair to the rest of the fleets of other Contracting Parties operating in the area.

7.3.3 Several Contracting Parties discussed the legal grounds to impose such sanctions and it was agreed to send a letter to Ghana. The Chair circulated a draft letter for comments and after a short debate the Committee adopted the text of a letter to be sent by the President of the Commission to the Ghanaian authorities (attached as **Appendix 8 to ANNEX 10**).

#### *Honduras*

7.3.4 The Delegate of Honduras reviewed the different actions taken by his Government to redress the situation that originated from the sanctions for bigeye tuna, and accordingly requested that the said sanctions be lifted (see **Appendix 5 to ANNEX 10**).

7.3.5 Consensus was not reached as the Delegate of Japan insisted that Honduras be kept under the identified status regardless of the lifting of the sanctions. At the request of Japan, the draft Recommendation suggested by the Chair concerning the importation of bigeye tuna and its products from Honduras was referred to discussion in the Plenary (see **ANNEX 8.18**).

#### *Panama*

7.3.6 The Delegate of Japan proposed to maintain the identification status on Panama for a second year as they fear that otherwise IUU vessels could again register under that flag, as in the past.

7.3.7 Other Delegations raised legal concerns on the possibility of maintaining the identification for two consecutive years, and deferred further discussion to the Plenary.

## **8. IUU matters**

The Chairman proposed that this matter be considered in a joint meeting of the Compliance Committee and the Permanent Working Group, which would present its report directly to the Commission.

## **9. Other matters**

There were no other matters discussed by the Committee.

## **10. Adoption of the report and adjournment**

10.1 Due to time restrictions, the 2002 Report of the Compliance Committee was adopted by correspondence.

10.2 The United States presented a closing statement to the Compliance Committee, which is attached as **Appendix 9 to ANNEX 10**.

10.3 The 2002 Meeting of the Compliance Committee adjourned on November 4, 2002.

**Appendix 1 to ANNEX 10**

**Agenda**

1. Opening of the meeting
2. Adoption of the agenda
3. Nomination of Rapporteur
4. Report of the 2<sup>nd</sup> Meeting of the Working Group on Integrated Monitoring Measures and future plans
5. National rules for the application of ICCAT measures
6. Status of the compliance of Contracting Parties concerning statistics
7. Status of the compliance of Contracting Parties concerning ICCAT conservation and management measures
8. IUU matters
9. Other matters
10. Adoption of the report and adjournment

**Appendix 2 to ANNEX 10**

**Opening Statement by Canada to the Compliance Committee**

During the discussion in 1994, which led to the adoption of new terms of reference for the Compliance Committee, it was noted that for ICCAT to become more effective as an international conservation and management body, compliance by Contracting Parties and meaningful action against those non-compliant would be important. That observation is even more pertinent today.

The Compliance Committee is tasked with the mandate to assess the performance of Contracting Parties against the management measures agreed to by ICCAT. Many concerns are expressed at the PWG by many delegations regarding the actions of non-Contracting Parties. It is not time to focus on the actions of Contracting Parties to ensure that the standards we have set for others are matched by all of us here.

Over the years the Commission has recommended a number of measures for Contracting Parties, primarily relating to catch levels and minimum size limits. All these measures have been based on the scientific advice available and were adopted to protect stocks from over-exploitation and to ensure sustainability. Unfortunately, for many of these measures compliance is a constant concern.

Effects of non-compliance on the fishery resources are clear. Moreover, continued non-compliance calls into question the commitment of the organization to manage the resources under its authority and if left unchecked will erode the credibility of ICCAT. We continue to be scrutinized by many international organizations that have challenged the degree of our commitment to conservation and rational management.

It is difficult to point fingers at non-Contracting Parties for diminishing the effectiveness of our management regime when we ourselves are not prepared to adhere to our own management measures. It is also becoming more difficult for Canadian fishermen to accept that they should comply with certain ICCAT measures when others do not.

Non-compliance with ICCAT measures in many fisheries is a real concern for Canada for two reasons. First, as stated above, these actions call into question the very credibility of this organization. Second, it is clear that there is some mixing of the East and West Atlantic bluefin stocks and of the North and South Atlantic swordfish

stocks. While it is not known exactly what effects non-compliance in one area has on the status of the stock in the other, it is clear that non-compliance will diminish the investments made in conservation by other Parties in other areas.

There are two main issues that we should focus our attention on at this meeting: over-fishing of quotas (or fishing without quotas), and non-compliance with minimum fish sizes. We need to adopt measures that will provide realistic incentives to ensure that full compliance will be achieved.

### Appendix 3 to ANNEX 10

#### Opening Statement by the Observer from Greenpeace to the Compliance Committee

In recent years, ICCAT has been at the forefront of the fight against IUU fishing and has taken strong action against both Contracting and non-Contracting Parties, Entities or Fishing Entities whose vessels are engaged in IUU fishing activities. That has led some of the non-Cooperating non-Contracting Parties, Entities or Fishing Entities under sanctions to provide certain information on their IUU activities, to take measures to improve the situation and, in some cases, countries have become member of ICCAT. These actions can be considered as a positive development and is in line with the relevant provisions of the 1995 U.N. fish stocks agreement. However, it has created a difficult situation.

States that become member of a regional fisheries management organization, such as ICCAT, commit, at least in theory, to comply with all the conservation and management rules adopted by the RFMO. Certain States that have joined ICCAT had been identified as having vessels engaged in IUU fishing activities and sanctioned accordingly. It has been argued that these States should be given the benefit of the doubt and allowed to demonstrate their commitment to apply ICCAT rules adequately.

The case of Panama shows that becoming a member of ICCAT did not necessarily result in improving the situation. When Panama joined ICCAT, the trade-related measures were lifted. Last year, ICCAT had to re-identify Panama.

Accordingly, before ICCAT measures are lifted, Greenpeace urges ICCAT to keep such States as Panama under close scrutiny and to ascertain that they effectively exercise their duties and responsibilities of Flag States as required by international law.

#### *Non-Cooperating non-Contracting, Parties, Entities or Fishing Entities*

Notwithstanding Article 17.1 of the U.N. fish stocks agreement<sup>2</sup>, some States which are not members of and do not cooperate with relevant regional fisheries management organizations, fail completely to fulfill their duties as Flag States and vessels flying their flag fish in contravention of conservation and management rules.

Article 17.2 of the 1995 U.N. fish stocks agreement provides that a State which is not a member of a sub-regional or regional fisheries management organization or is not a participant in a sub-regional or regional fisheries management arrangement, and which does not otherwise agree to apply the conservation and management measures established by such organization or arrangement shall not authorize vessels flying its flag to engage in fishing operations for the highly migratory fish stocks which are subject to the conservation and management measures established by such organization or arrangement.

Vessels flying the flag of such States should be presumed to be engaged in IUU fishing activities unless the Flag State can demonstrate that the vessel has not been engaged in such activities.

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<sup>2</sup> A State which is not a member of a sub-regional or regional fisheries management organization or is not a participant in a sub-regional or regional fisheries management arrangement, and which does not otherwise agree to apply the conservation and management measures established by such organization or arrangement, is not discharged from the obligation to cooperate, in accordance with the Convention and this Agreement, in the conservation and management of the relevant straddling fish stocks and highly migratory fish stocks.

*Listing of vessels: "black" list vs. "white" list*

Greenpeace believes that both a "black" and a "white" (or "positive") lists are necessary and complementary.

ICCAT requires parties to submit lists of vessels over 24 meters flying their flag and authorized to fish in the Convention area. One would assume that such a basic requirement should not raise any difficulty and be fulfilled urgently.

The list of vessels which are believed to be engaged in fishing activities which diminish ICCAT's conservation measures, the so-called black list, serves the purpose of putting pressure on unscrupulous vessel operators as well as the State whose flag they fly. More importantly, it is the concrete basis for the identification of countries and the imposition of sanctions.

Greenpeace acknowledges that such a list is not easy to maintain and update, and can result in flag-hopping, changing names, etc, making it very difficult to track vessels and companies. However, it has also resulted in some of the Flag States taking action against companies and vessels, and generally attempting to demonstrate their willingness to improve the situation.

Greenpeace supports the establishment of clear and transparent criteria for black-listing and de-listing vessels. While in some cases it may be acceptable for a vessel to be removed from the list (for instance if a vessel was placed there by an erroneous sighting, such a vessel should qualify for de-listing) there are other circumstances under which removal should not be allowed.

*Charter arrangements*

Certain charter arrangements are providing an escape for IUU vessels that various national and international initiatives are trying to eliminate. There are numerous cases of fishing vessels being reflagged temporarily or permanently to avoid trade-related and other sanctions, thereby "laundering" fishing vessels and their catch.

It has been argued that authorizing such vessels to fly the flag of a "responsible" State could be a solution to eliminate IUU fishing. Considering the existing world-wide excess fishing capacity and the extremely poor state of fish stocks, vessels engaged in IUU fishing should be the first to be eliminated, instead of being rewarded and encouraged to continue fishing.

States should not grant their flag to such vessels. Norway, for instance, prohibits vessels having engaged in IUU fishing from flying its flag. Fishing permits and licenses should likewise be denied to vessels that have been involved in IUU fishing, and to those vessels that cannot demonstrate their ability to comply with ICCAT conservation measures

*Compulsory vessel markings*

Compulsory vessel marking is fundamental to the concrete implementation of monitoring, control and enforcement schemes. The least that can be said is that the markings of many fishing vessels do not conform to the FAO guidelines<sup>3</sup>, making it impossible to identify them for instance during aerial surveillance operations. The FAO guidelines provide a standardized system for the identification of vessels intending to fish or engaged in fishing or ancillary activities, operating, or likely to operate, in waters of States other than those of the Flag State, the proportions of the marks to be displayed, the placing of the marks and the colors to be used. It requires markings to be displayed "prominently at all times". Unfortunately, those guidelines are to be adopted by States only on a voluntary basis, though a number of regional fisheries organizations established recently (SEAFO, WCPFC) require their implementation.

Section 47.8 of the FAO IPOA on IUU fishing defines conditions under which an authorization is issued, including the marking of fishing vessels in accordance with internationally recognized standards, such as the

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<sup>3</sup> The Standard Specifications for the Marking and Identification of Fishing Vessels - endorsed by the FAO Committee on Fisheries in April 1989.

FAO Standard Specification and Guidelines for the Marking and Identification of Fishing Vessels. Vessels' fishing gear should similarly be marked in accordance with internationally recognized standards;

ICCAT must require the implementation of the FAO standards for the marking and identification of fishing vessels.

*Control of transshipping operations and transport vessels*

ICCAT has already realized the importance of strict measures for the monitoring and control of transshipments at sea, for this is a weak link in the chain of custody from the fishing vessel to the market. As surveillance operations on the high seas are rare, it is all too easy for IUU vessels to transfer their catch to transport vessels, which then mix the catch with other fish caught in compliance with ICCAT measures, essentially "laundering" the fish before it reaches the market.

ICCAT requires Contracting Parties to transfer to and receive from only vessels flying the flag of Contracting Parties (Recommendation 97-11). Recommendation 98-11 then prohibits the transshipment or landing of fish from vessels flying the flag of a non-Contracting Party, unless they can demonstrate that it has been caught in compliance with ICCAT conservation measures.

In 2000, Greenpeace submitted evidence of transshipping operations in contravention of ICCAT rules. In the case observed by Greenpeace, Panama did not take action against the transport vessel engaged in such illegal transshipping operations, even though it is a Contracting Party to ICCAT. Clearly, the existing ICCAT rules contain loopholes that need to be closed. The fact that the control of such transshipments depends primarily on the information contained in logbooks and cargo manifest documents provided by the skippers is simply not acceptable.

The FAO IPOA states that, measures should be taken to ensure that their fishing, transport and support vessels do not support or engage in IUU fishing and do not do business with vessels identified as engaged in IUU fishing. Such measures could include legislation that makes it a violation to conduct such business or to trade in fish or fish products derived from IUU fishing.

ICCAT must ensure strict control of transshipping operations with a variety of measures, including requiring vessel monitoring systems and observer coverage. Sanctions should be applied, such as port access denial for fish transport vessels that transship IUU-caught fish, as such activities undermine conservation and management measures just as much as IUU fishing activities themselves.

**Appendix 4 to ANNEX 10**

**Statement by the Director General of Fisheries of Equatorial Guinea  
to the Compliance Committee**

On behalf of the Government of Equatorial Guinea and the Delegation of Equatorial Guinea, we are honored to present our apologies for not having submitted on time the list of fishing vessels measuring more than 24 m in length, and which have licenses to catch tunas and tuna-species in the Convention area.

On the other hand, we would also like to express our rejection of the list of vessels that are attributed to Equatorial Guinea. In this respect, we would like to inform you of the following:

1. Our country does not have its own tuna fleet. In general, Equatorial Guinea does not have fishing vessels and only carries out traditional artisanal fishing.
2. There are some Community fishing vessels that have been fishing since 2001 under the EU/Equatorial Guinea Protocol of Agreement.
3. We want to make it clear that the list of fishing vessels, referred by the ICCAT Executive Secretariat from March 2, 1998 to July 2, 2001 are not Equatorial Guinea vessels, nor have they ever been flagged or

authorized by the Government of Equatorial Guinea. We can demonstrate, with the attached letter,<sup>4</sup> the measures that the Government has taken to CANCEL all the authorizations that supposedly may have existed.

4. The Department of Fisheries of Equatorial Guinea has learned that there are illegal and “mafioso” offices that operate out of Miami (USA) and Cyprus (Greece) that are issuing false vessel flagging authorizations in the name of Equatorial Guinea. This situation has in recent years innocently complicating matters for Guinea Equatorial.

## Appendix 5 to ANNEX 10

### Statements by Honduras to the Compliance Committee

#### – *Regarding fishing vessel lists*

The Delegation of Honduras, as a Contracting Party at the 13<sup>th</sup> Special Meeting of the International Commission for the Conservation of Atlantic Tunas (ICCAT), through which it addresses this important international forum, makes the following statement:

1. According to the international fishing registries of the General Director of the Merchant Marine, only the following vessels are included.

A copy of the list of international fishing vessels is attached.<sup>5</sup>

2. Following the complaint from the Commission concerning Honduran flagged fishing vessels fishing tuna in contravention to the ICCAT Convention, the Honduran Merchant Marine proceeded to the immediate cancellation of all the international fishing vessels listed by the Commission

A copy of the list of the cancelled international fishing vessels is attached.<sup>5</sup>

3. With regard to the list included in list of alleged IUU vessels, dated October 30, 2002, which was presented at the 13<sup>th</sup> Special Meeting of ICCAT, a meticulous comparative study was carried out with the current international fishing vessel registries of the Honduran Merchant Marine, and the following was observed:

That the majority of the vessels were definitively cancelled, other vessels that are shown on the list are not included in the registries on file at the General Director of the Merchant Marine, and the vessels that are shown with a double registry were cancelled from the Honduran vessel registry.

A photocopy of the list is attached.<sup>5</sup>

For the reasons expressed herein, we respectively request that Honduras’ name be withdrawn from the aforementioned list of alleged IUU vessels, since there is no reason for such inclusion.

#### – *Regarding sanctions*

As you know, the Commission has imposed trade sanctions on Honduras with regard to bluefin tuna and swordfish and has maintained the sanctions with regard to bigeye tuna, because of our having flagged a large number of vessels that are fishing in contravention to the regulations established by the Convention. To rectify this situation, a series of irrevocable measures have been taken to cancel or suspend all the international fishing vessels registered to Honduras. Furthermore, the firm decision of the General Directorate of the Merchant Marine of Honduras to eradicate illegal fishing and for the purpose of contributing to the conservation of the marine environment, the owners of all the international and national fishing vessels that carry out fishing activities in

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<sup>4</sup> The letter is available from the Secretariat.

<sup>5</sup> The lists of vessels provided by Honduras are available from the Secretariat.

international waters and are included in the vessel registry of the General Directorate of the Merchant Marine are required to have a satellite vessel monitoring system, for which they have to install MARGE buoys on each vessel.

Aware of its commitment as a Contracting Party to ICCAT and to the international maritime community, Honduras is prepared to implement all the management measures that emanate from the Commission. For this, Honduras is considering the development of a tuna industry that generates employment, revenue and much needed foreign income, and for which fishing licenses and flagging permits will only be granted to vessels that land all their fishing products in a national port. This will allow us to exert more control on the statistical data from the Honduran flag fishing vessels.

For the reasons expressed herein, we very respectfully request the Commission's Compliance Committee to consider the suspension of the sanctions imposed on Honduras.

Attached herewith to this request are copies of the resolutions adopted by the General Directorate of the Merchant Marine to eradicate illegal fishing

#### Appendix 6 to ANNEX 10

##### Simulation of Japanese Five -year Block Quota for North Atlantic Swordfish

<i>Block quota period 1997-2001 (Actual)</i>						Unit: t
	1997	1998	1999	2000	2001	Total
Quota (a)	706	688	669	636	636	3,335
Landings	1,291	1,338	652	0	0	3,281
Dead discards	0	0	382	504	438	1,324
Allowance	--	--	--	--	-215	-215
Total (b)	1,291	1,338	1,034	504	223	4,390
Balance (a-b)	-585	-651	-365	132	413	-1,056

Notes: 64% of swordfish captured were discarded dead in 2001 (438 t / 688 t).  
49% of dead discards from East of 35°W and South of 15°N (215 t / 438 t).

<i>Block quota period 2002-2006 (Estimated)</i>						Unit: t
	2002	2003	2004	2005	2006	Total
Quota (a)	636	636	636	636	636	3,180
Landings	0	0	0	0	0	0
Dead discards	600	600	600	600	600	3,000
Allowance	-294	-294	-294	-294	-294	-1,470
Total (b)	306	306	306	306	306	1,530
Balance (a-b)	330	330	330	330	330	1,650

Assume: 600 t of swordfish captured are discarded dead.  
49% of dead discards from E of 35°W and South of 15°N.

Allowance: Dead discards applied 1 t / 2 t against South Atlantic quota (max. 400 t).  
(588 t to be deducted from the South Atlantic quota each year).

<i>Net balance (Estimated)</i>						Unit: t
	2002	2003	2004	2005	2006	
Overage of First Block Quota + Balance of Second Block Quota	-726	-396	-66	264	594	

### Notes on the Compliance Tables for 2002

#### *Introduction*

Recommendation 98-14 obliges the Contracting Parties to provide information on statistics and compliance with the ICCAT recommendations.

On June 21, 2002 the Secretariat transmitted a detailed table to each Contracting Party, in electronic format, with the information by species and stock based on the tables adopted in 2001 in order to facilitate the later data entry.

Reminders were also sent after the deadline dates on August 28, 2002, for presentation of data. In spite of this, many Contracting Parties have not transmitted information to the Secretariat.

#### *Compliance tables*

- The following abbreviations are used in the tables:
  - CP = Contracting Parties
  - NCC = Cooperating non-Contracting Parties, Entities or Fishing Entities
  - NCO = Other non-Contracting Parties (different from the NCOs)
  - n/a = Not applicable
- All figures are shown in metric tons.
- The reference numbers of the Recommendations are shown on each table.
- In all the tables the **bolded** figures indicate that they were notified by the Contracting Party in a Reporting Table, in accordance with Recommendation 98-14. The quotas/catch limits were taken from the Recommendations except for those that are **shaded**, when the catch limit was informed by the country. The balances and adjusted quotas are from the Reporting Tables, when available, which is why they are not always the result of calculations.
- In cases where no Reporting Tables were received, the catch figures are taken from the current Task I, unless the pertinent Recommendation(s) indicate the contrary. The current catch refers to the last figure reported for the year in question.

The figures adopted last year were maintained, except in cases in which some Parties may have wanted to change their figures. The tables are divided into 9 tables that are attached to this document.:

- Albacore-North
- Albacore-South
- Billfish (WHM y BUM)
- Swordfish-North
- Swordfish-South
- Bluefin-East
- Bluefin-West
- Bigeye
- Minimum size

*Albacore-North:* In accordance with the recommendation (00-6), the Other Non-Contracting Parties (NCOs) and Philippines should share 6 t among them, and the catches of these fleets amounted to 5,777 t.

*Albacore-South:* The four active fisheries (Brazil, Namibia, South Africa and Chinese Taipei) have a common quota. The catches made by these four Parties exceed the 2001 catch limit by 6,485 t.

*Billfish*: The small artisanal fisheries referred to in Recommendation 97-09 are shown in bold and italics on the billfish table.

The 2001 informative balance is applied only to the landings of longliners and purse seiners in accordance with Recommendation 00-13, whereas the balance from previous years is applied to the landings of all the gears combined.

#### ***Swordfish-North***

*Canada*: The adjusted quota of this Contracting Party for 2002 includes 30.1 t of unused dead discard allowance from 2000.

*Trinidad and Tobago*: The catches of foreign flag longliners were reviewed by the SCRS, and were accepted and incorporated to the database, which affected the initial quota as well as the balances and adjusted quotas of this Contracting Party.

*Japan*: For 2001, Japan's adjusted quota includes 400 t that should be part of the U.S. unused quota, which could involve a reduction in the U.S. adjusted quota. The data on the U.S. adjusted quota for 2001 have, consequently, been corrected by the Secretariat (3,441 t instead of 3,841 t).

Japan's adjusted quota for 2002 has been left blank, since the Japanese South swordfish quota should therefore be adjusted to include the transfer of quota.

#### ***Swordfish-South***

Recommendations 00-04 and 01-02 did not establish quotas for 2001 and 2002, but, as a precautionary measure, the fleets involved should establish catch limits that do not exceed the TAC (14,620 t). In spite of this precautionary measure, the total of the catch limits exceeds the TAC.

#### ***Bluefin-East***

For 2002 there is no recommendation in force on this stock. The same table adopted last year has been maintained, with the updating of the new 2001 catches.

Japan's adjusted catch for 2000 has been changed. According to the Secretariat's calculations, the adjusted quota is 2,880 t, instead of 2,780 t reported by Japan.

#### ***Bluefin-West***

The 1999 and 2000 balance for the United States includes a 50% underage in the discard quota in accordance with Recommendation 98-07 (paragraph 4.g).

Mexico, which has recently become a Contracting Party (in 2002), does not have a quota.

#### ***Bigeye***

Resolution 01-01 does not establish catch limits for the Contracting Parties and Other Non-Contracting Parties whose catches are less than 2,100 t.

Resolution 01-01 limits the number of vessels of some fleets.



South Atlantic Albacore Compliance Table for 2002

Quota Type	Status	Party, Entity or Fishing Entity	Initial Catch limits / Quotas (t)										Reference Years Average (1992-1996)	Current Catch (t)										Informative Balance (t)																
			110% Average (1992-1996) (A)					4% of BET and/or SWO (South Atlantic, longline) (B)																(A) - Current Catch				(B) - Current Catch												
			1998	1999	2000	2001	2002	1998	1999	2000	2001	2002		1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	1998	1999	2000	2001	1998	1999	2000	2001									
<b>Total</b>			28200	28200	29200	29200																30268.0	27261.4	28159.2	35280.5	-30268.0	938.6	40.8	-6080.5											
Active fishers quota	Total		22000	27200	27200	27500	27500																29365.0	25513.4	26672.3	33985.0	-7365.0	1686.6	527.7	-6485.0										
	CP	BRASIL	TAC share					n/a					n/a										2710.0	3613.0	1227.0	923.0	819.0	652.0	3418.0	1873.4	3365.2	6680.0								
		NAMIBIA	TAC share					n/a					n/a										0.0	0.0	915.0	950.0	982.0	1199.0	1429.0	1162.0	2418.1	3419.0								
		SOUTH AFRICA	TAC share					n/a					n/a										6360.0	6881.0	6931.0	5214.0	5634.0	6708.0	8412.0	5101.0	3668.0	7236.0								
NCC	CHINESE TAIPEI	TAC share					n/a					n/a										23063.0	19400.0	22573.0	18351.0	18956.0	18165.0	16106.0	17377.0	17221.0	16650.0									
Others quota	CP	CHINA.PR	0.0	0.0	0.0	100.0	100.0	26.7					0.0											0.0	0.0	0.0	0.0	0.0	0.0	39.0	89.0	26.2	0.0	-39.0	-89.0	73.8	26.7			
		EC-Total	1914.7	1914.7	1914.7	1914.7	1914.7						1740.6											2451.0	2030.0	2188.0	1156.0	878.0	547.0	357.0	1040.0	791.0	866.9	1557.7	874.7	1123.7	1047.8			
		JAPAN	---	---	---	---	---	424*	364*	392*	298*	---											583.0	467.0	651.0	389.0	435.0	424.0	418.0	552.0	438.0	350.0					---	---	---	
		KOREA	9.5	9.5	9.5	100.0	100.0	6.5					8.6											5.0	20.0	0.0	0.0	18.0	4.0	7.0	0.0	18.3	1.4	2.5	9.5	-8.8	98.6	-0.5	---	---
		PANAMA	119.7	119.7	119.7	119.7	119.7	43.1					108.8											129.0	168.0	213.0	12.0	22.0	0.0	3.0	14.0	0.0	116.7	105.7	119.7		40.1			
		U.S.A	0.2	0.2	--	100.0	100.0						0.2											0.0	0.0	0.0	0.0	1.0	5.0	1.0	1.4	0.9	2.0	-0.8	0.0		98.0			
		UK-OT	44.0	44.0	44.0	100.0	100.0						40.0											28.0	38.0	5.0	82.0	47.0	18.0	1.0	0.6	58.0	49.0	43.0	43.4	-14.0	51.0			
		URUGUAY	43.8	43.8	43.8	100.0	100.0						39.8											31.0	28.0	16.0	49.0	75.0	56.0	110.0	78.0	90.0	-66.2	-34.2	-46.2					
		NCC	PHILIPPINES	0.0	0.0	0.0	100.0	100.0	32.6	n/a				0.0											0.0	0.0	0.0	0.0	0.0	0.0	5.0	4.0	0.1	-5.0	-4.0	-0.1		27.6	n/a	
	NCO	ARGENTINA	67.8	67.8	67.8									61.6											306.0	0.0	2.0	0.0	0.0	0.0	0.0	0.0	0.0	67.8	67.8	67.8				
BELIZE.SH.OB		0.4	0.4	0.4									0.4											0.0	0.0	0.0	2.0	0.0	0.0	0.0	0.0	8.0	1.7	0.4	-7.6	-1.2				
CAMBODIA		0.0	0.0	0.0									0.0											0.0	0.0	0.0	0.0	0.0	0.0	0.0	5.0	0.0	0.0	-5.0	0.0					
CUBA		1.8	1.8	1.8									1.6											5.0	3.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.8	1.8	1.8					
HONDURAS-OB.SH		0.4	0.4	0.4									0.4											0.0	0.0	0.0	2.0	0.0	7.0	1.0	6.0	0.0	-0.6	-5.6	0.4					
Recommendation(s) / Resolution(s)			97-5	98-9	99-6	00-7	01-6	97-5	98-9	99-6	00-7	01-6																												

\* JAPAN endeavor to limit its total South Atlantic albacore catches to no more than 4% of its total bigeye tuna catch in South of 5 degrees North (3.9% in 1998, 6.1% in 1999, 4.5% in 2000 and 4.7% in 2001). USA catch number in 2001 represent data from the calendar year. The USA will update the SCRS when fishing year data become available.

Billfishes (Blue Marlin, White Marlin) Compliance Table for 2002

Species	Status	Party, Entity or Fishing Entity	Initial Catch Limits (t)				Reference Years			Current Landings (t)					Informative Balance (t)				
			1999	2000	2001	2002	1996	1996 Landings (PS+LL)	1999 Landings (PS+LL)	1997	1998	1999	2000	2001	1999	2000	2001		
															Total	LL+PS			
WHM	CP	BARBADOS	11.3	11.3	8.3	8.3	15.0		25.3	40.8	33.5	25.3	25.0			-14.0	-13.8	8.3	
		BRASIL	56.3	56.3	51.8	51.8	75.0	70.4	157.0	105.0	216.0	156.6	61.0			-100.4	-4.8		
		CANADA	6.0	6.0	1.7	2.6	8.0	8.0	5.0	8.0	8.0	4.8	5.3	3.2	3.2	1.2	0.7	-1.5	
		CHINA.PR	6.8	6.8	9.9	9.9	9.0	9.0	30.0	11.0	15.0	0.0	0.0	19.8	19.8	6.8	6.8	-9.9	
		<i>COTE D'IVOIRE</i>	0.8	0.8	0.0		1.0			2.0	1.0	5.0	1.0	2.4		-4.3	-0.3	0.0	
		EC-Total	85.5	85.5	46.5	46.5	114.0	104.1	141.0	81.0	78.0	77.0	193.2			8.5	-107.7		
		GABON	304.5	304.5	0.0		406.0			0.0	0.0	0.0	0.0			304.5	304.5		
		GHANA	0.8	0.8	0.0		1.0			3.0	7.0	6.0	8.0	20.9	0.0	-5.3	-7.2	0.0	
		JAPAN	84.0	84.0	37.0	37.0	112.0	112.0	78.0	58.0	56.0	43.0	121.0	50.0	50.0	41.0	4.0	-9.0	
		KOREA	44.3	44.3	0.0	19.5	59.0	59.0		23.0	0.0	0.0	0.4	0.0	0.0	44.3	43.8	0.0	
		MEXICO	0.0	0.0	3.6	3.6	0.0		11.0	5.0	6.0	11.0	17.9	44.0	44.0	-11.0	-17.9	-40.37	
		SAO TOME & PRINCIPE	0.0	0.0	0.0	0.0	0.0			45.0	0.0	0.0	0.0			0.0	0.0		
		TRINIDAD & TOBAGO	0.0	0.0	0.0	0.0	0.0			0.0	0.0	0.0	0.0	2.3	2.3	0.0	0.0	-2.3	
		U.S.A	2.5	2.5	0.0	21.3	7.0	64.7		2.0	2.0	1.6	0.2	3.1	0.0	0.9	2.3	0.0	
		UK-OT	0.8	0.8	0.0	0.0	1.0			1.0	0.0	0.8	0.4	0.4	0.0	0.0	0.4	0.0	
		URUGUAY	0.0	0.0	0.0	0.0	0.0			50*	22.0	0.0	0.0			0.0	0.0		
		VENEZUELA	122.7	122.7	14.2	50.0	163.6	151.6	42.9	90.1	79.7	60.9	13.3	72.4	65.9	61.8	109.4	-51.7	
		NCC	CHINESE TAIPEI	424.5	424.5	153.5	186.8	566.0	566.0	465.0	441.0	506.0	465.0	437.0	152.0	152.0	-40.5	-12.5	1.5
			PHILIPPINES	0.0	0.0	4.0	4.0	0.0		12.0	0.0	1.0	12.0	0.0			-12.0	0.0	4.0
	NCO	BELIZE.SH.OB	0.0	0.0	0.3	0.3	0.0		1.0	1.0	0.0	1.0	0.0			-1.0	0.0		
GRENADA		0.0	0.0	0.0	0.0	0.0							15.1	0.0	0.0	0.0	0.0		
HONDURAS-OB.SH		0.0	0.0	0.0	0.1	0.0	0.4								0.0	0.0			
CAMBODIA		0.0	0.0	0.3	0.3	0.0		1.0	0.0	0.0	1.0	0.0			-1.0	0.0			
BUM	CP	BARBADOS	18.8	18.8	9.3	9.3	25.0		18.6	30.0	24.6	18.6	19.0		0.1	-0.3			
		BRASIL	248.3	248.3	254.5	254.5	331.0	308.0	509.0	193.0	486.0	507.5	312.0			-259.3	-63.8		
		CHINA.PR	46.5	46.5	100.5	100.5	62.0	62.0	201.0	78.0	120.0	0.0	0.0	91.6	91.6	46.5	46.5	8.9	
		<i>COTE D'IVOIRE</i>	117.8	117.8	0.0	0.0	157.0			222.0	182.0	275.0	206.0	196.0	0.0	-157.3	-88.3	0.0	
		EC-Total	159.8	159.8	100.0	103.0	213.0	206.0	200.0	161.0	215.0	206.0	164.0	18.1	7.6	-46.3	-4.3	92.4	
		GABON	6.0	6.0	0.0	0.0	8.0			0.0	0.0	0.0	0.0			6.0	6.0		
		GHANA	316.5	316.5	0.0	0.0	422.0			491.0	447.0	624.0	639.0	639.0		-307.5	-322.5		
		JAPAN	1259.3	1259.3	839.5	839.5	1679.0	1679.0	1138.0	1349.0	1185.0	915.0	452.0	315.0	315.0	344.25	1151.5	1676.0	
		KOREA	108.0	108.0	0.0	72.0	144.0	144.0		56.0	2.0	0.0	1.1	0.5	0.5	108.0	106.9	-0.5	
		MEXICO	9.8	9.8	17.5	17.5	13.0	13.0	35.0	13.0	27.0	35.0	67.7	37.0	37.0	-25.3	-57.95	-19.5	
		PANAMA	0.0	0.0	0.0	0.0	0.0			0.0	0.0	0.0	40.6			0.0	-40.6		
		SAO TOME & PRINCIPE	0.0	0.0	0.0	0.0	0.0			35.0	0.0	0.0	0.0			0.0	0.0		
		SOUTH AFRICA	0.0	0.0	0.0	0.0	0.0			0.0	0.0	0.0	0.0	0.6	0.6	0.0	0.0	-0.6	
		TRINIDAD & TOBAGO	8.0	8.0	9.0	10.3	10.7	20.5	18.0	76.6	70.0	32.5	9.1	17.0	14.0	-24.5	-1.1	-5.0	
		U.S.A	26.0	26.0	0.0	98.5	43.0	197.0		46.0	50.0	37.0	21.4	16.4	0.0	-11.0	4.6	0.0	
		UK-OT	11.3	11.3	0.0	0.0	15.0			3.0	5.0	1.0	2.0	2.0		10.3	9.3	0.0	
		URUGUAY	0.0	0.0	0.0	0.0	0.0			0.0	23.0	0.0	0.0			0.0	0.0		
		VENEZUELA	102.6	102.6	15.0	30.4	136.7	60.7	30.0	129.7	205.1	220.0	27.9	71.5	14.8	-117.4	74.6	0.2	
		NCC	CHINESE TAIPEI	495.0	495.0	243.0	330.0	660.0	660.0	486.0	1478.0	578.0	486.0	485.0	240.0	240.0	9.0	10.0	3.0
	PHILIPPINES		0.0	0.0	35.5	35.5	0.0		71.0	0.0	7.0	71.0	38.0			-71.0	-38.0	35.5	
NCO	BENIN	3.8	3.8	0.0	0.0	5.0			5.0	5.0	5.0	5.0			-1.3	-1.3			
	CUBA	32.3	32.3	0.0	0.0	43.0			0.0	12.0	0.0	0.0			32.3	32.3			
	GRENADA	19.5	19.5	0.0	0.0	26.0			47.0	47.0	100.0	100.0	103.5	0.0	-80.5	-80.5	0.0		
	NETHERLAND.ANT	30.0	30.0	0.0	0.0	40.0			40.0	40.0	40.0	40.0			-10.0	-10.0			
	ST.LUCIA	0.0	0.0	0.0	0.0	0.0							4.6	0.0	0.0	0.0	0.0		
SENEGAL	3.8	3.8	0.0	0.0	5.0			0.0	0.0	0.0	0.0			3.8	3.8				

Recommendation(s) / Resolution(s)	97-9	00-13	01-10	97-9
	98-10			98-10

WHM of Uruguay in 1997 includes other billfishes.  
 Brazilian catch in 2001 includes discards difficult to estimate.  
 JAPAN applied Rec 00-14 to year 2000 and 2001.  
 Mexican landings (WHM, BUM) are only retained dead by-catch. All live marlin are released.  
 USA shall limit its landings to 250 recreationally-caught WHM and BUM combined on an annual basis for the period 2001 to 2002.  
 USA catch number in 2001 represent data from the calendar year. The USA will update the SCRS when fishing year data become available.



**South Atlantic Swordfish Compliance Table for 2002**

			Initial Catch Limits / Quotas (t)								Reference Years		Current Catch (t)						Balance (t)				Adjusted Quota / Catch limit (t)						
Quota Type	Status	Party	1995	1996	1997	1998	1999	2000	2001	2002	1993	1994	1995	1996	1997	1998	1999	2000	2001	1998	1999	2000	2001	1998	1999	2000	2001	2002	
TAC			14620 14620 14620 14620 14620										13820.1 15157.5 13785.0 13703.5																
CP with quotas	CP	BRASIL	2013	2013	2013	2339.2	2339.2	2339.2	4720.0	4720.0	2013	1571	1975.0	1892.0	4100.0	<b>3846.8</b>	<b>4721.1</b>	<b>3409.1</b>	<b>4081.8</b>			<b>-1069.9</b>	<b>638.2</b>						
		EC-Total	7937	7937	7937	6233	6233	6233	6233	6233	<b>6974</b>	<b>7937</b>	<b>11670.0</b>	<b>10011.0</b>	<b>8902.0</b>	<b>6216.0</b>	<b>6139.0</b>	<b>6342.0</b>	<b>6181.0</b>	17.0	111.0	2.0	52.0	6233.0	6250.0	6344.0	6233.0	6235.0	
		JAPAN	5256	5256	5256	3764.6	3764.6	3764.6	3764.0	3764.6	5256	4699	3619.0	2197.0	<b>923.0</b>	<b>1091.0</b>	<b>802.0</b>	<b>727.0</b>	<b>557.0</b>	<b>2673.6</b>	<b>2962.6</b>	<b>3037.6</b>	<b>3207.0</b>						
		URUGUAY	260	260	260	694.5	694.5	694.5	800.0	1000.0	260	165	499.0	644.0	760.0	<b>886.0</b>	650.0	<b>713.0</b>											
		Total				419.1	419.1	419.1	480.0	480.0			290.0	558.0	479.0	631.0	1643.0	1282.7	1711.7	-211.9	-1223.9	-863.6		419.1	207.2	-804.8			
CP combined quota		CHINA.PR							480.0	480.0			29.0			<b>534.0</b>	<b>344.0</b>	<b>200.3</b>			<b>-29.0</b>	<b>-284.0</b>	<b>-344.0</b>	<b>279.7</b>	0.0	-29.0	-284.0		
		COTE D'IVOIRE	250	250	250	22.5	22.5	22.5			14	20	19.0	26.0	18.0	25.0	26.0	20.0	18.9	-2.5	-3.5	<b>2.5</b>		22.5	20.0	19.0			
		G.EQUATORIAL	250	250	250								2.0					0.0	0.0	<b>0.0</b>			0.0	0.0	0.0				
		GHANA	250	250	250	121.5	121.5	121.5			121	51	103.0	140.0	44.0	106.0	121.0	116.5	116.5	15.5	0.5	<b>5.0</b>		121.5	137.0	122.0			
		KOREA	250	250	250	85.5	85.5	85.5			198	164	164.0	7.0	18.0	7.0			9.7	78.5	85.5	<b>75.8</b>		85.5	164.0	171.0			
		NAMIBIA							2000.0	2000.0								<b>730.0</b>	468.7	751.0	0.0	-730.0	<b>-468.7</b>	<b>1249.0</b>	0.0	0.0	-730.0		
		PANAMA																105.0			0.0	-105.0	<b>0.0</b>		0.0	0.0	-105.0		
		SOUTH AFRICA	250	250	250	2.5	2.5	2.5	1500.0	1500.0	4	1	4.0	1.0	1.0	<b>169.0</b>	<b>76.0</b>	<b>230.0</b>	<b>562.0</b>			<b>-227.5</b>	<b>938.0</b>						
		UK-OT							100.0	100.0													<b>0.0</b>						
		U.S.A	250	250	250	384.0	384.0	384.0	384.0	384.0						<b>384.0</b>	396.0	<b>295.0</b>	<b>51.0</b>	<b>93.8</b>	89.0	<b>333.0</b>	<b>290.2</b>	<b>341.0</b>					
Other quota	NCC	CHINESE TAIPEI				1169.6	1169.6	1169.6			846	2829	3699.0	3034.0	2637.3	1149.3	1202.4	1311.2	1172.0	20.3	-32.8	-141.6		1169.6	1189.9	1136.8			
	NCO	ARGENTINA				2874.5	2874.5	2874.5	1169.6	1169.6	14	24	2876.0	2873.0	2562.0	1147.0	1168.0	1303.0	1167.0	1727.5	1706.5	1571.5	<b>2.6</b>	2874.5	4602.0	4581.0			
		BELIZE.SH.OB				1.0	1.0	1.0					1.0			17.0	8.2			0.0	0.0	0.0							
		BENIN				24.0	24.0	24.0			28	25	24.0	24.0	10.3	0.3	3.4			1.0	-16.0	-7.2							
		CAMBODIA																6.0	0.0	-6.0	0.0								
		CUBA				419.0	419.0	419.0			192	452	778.0	60.0	60.0					419.0	419.0	419.0							
		HONDURAS-OB.SH				5.0	5.0	5.0					6.0	4.0	5.0	2.0	8.0			3.0	-3.0	5.0							
		LITUANIA																	0.0	0.0	0.0								
		NIGERIA				9.0	9.0	9.0											9.0	9.0	9.0								
		TOGO				39.0	39.0	39.0			8	14	14.0	64.0						39.0	39.0	39.0							
Recommendation(s) / Resolution(s)			94-14	96-8	97-7	00-4	01-02																				97-7	97-7, 97-8	

BRASIL, URUGUAY and S. AFRICA objected to the Recommendation 97-8.

USA: 1996 catch figure (384 t) is based on fishing year and was agreed at the Intersessional meeting of Panel 4 in 1997 (Brazil).

USA has not adjusted 1999 and 2000 quota according to Recommendation 97-7.

USA catch number in 2001 represent data from the calendar year. The USA will update the SCRS when fishing year data become available

East Atlantic Bluefin Compliance Table for 2002

[Prepared: 16-06-2003, 14:06]

Quota Type	Status	Party, Entity or Fishing Entity	Initial Catch Limits / Quotas (t)							Reference Years			Current Catch (t)							Balance (t)					Adjusted Quota					
			1995	1996	1997	1998	1999	2000	2001	2002	1993	1994	max(93-94) (SCRS 97)	1995	1996	1997	1998	1999	2000	2001	1997	1998	1999	2000	2001	1998	1999	2000	2001	2002
TAC			32000 29500 29500																											
CP quotas	CP	ALGERIE				304	***	***	1097	1560	304	156.0	156.0	157.0	1947.0	2142.0	<b>2432.0</b>	<b>2407.0</b>												
		CHINA PR				82	76	76		97		137.0	93.0	49.0	85.0	<b>103.0</b>	<b>77.0</b>	<b>68.4</b>												
		CROATIA				1410	1058	950	1058	1410		1220.0	1360.0	1105.0	905.0	<b>970.0</b>	<b>930.0</b>	<b>983.0</b>												
		EC-Total	19943	14184	27748	20811	20165	18590				27303.0	29805.0	<b>28045.0</b>	<b>18230.0</b>	<b>16164.0</b>	<b>19475.0</b>	<b>17912.3</b>												
		G. CONAKRY	330	330	330	248				330	282	240.0	1990.0	362.0	368.0															
		G. EQUATORIAL (NEI)	0	0	0	0				0	0	300.0	71.0	904.0	267.0	76.0														
		JAPAN	3554	3554	3554	2666	3199	2949	3277	2611		<b>3310.0</b>	<b>3561.0</b>	<b>3631.0</b>	<b>3064.0</b>	<b>2793.0</b>	<b>3522.0</b>	<b>2344.0</b>												
		KOREA	688	688	688	516	672	619		688		663.0	683.0	613.0	66.0	5.6														
		LIBYA	1332	1332	1332	999	1300	1199	546	1332		1500.0	1308.0	1029.0	1331.0	1195.0	1549.3	1940.0												
		MAROC	1812	1812	1812	1359	2430	3028	494	1812		<b>1713.0</b>	<b>1621.0</b>	<b>2603.0</b>	<b>2430.0</b>	<b>2227.0</b>	<b>2923.0</b>	<b>3008.0</b>												
		PANAMA				1125			467	1500	1129	1517.0	3400.0	491.0	13.0															
		TUNISIE	2503	2503	2503	1877	2326	2144	2132	2503		1897.0	2393.0	2200.0	1745.0	2352.0	2184.0	2493.0												
Others quota		Total				2486	2291	2291																						
	NCC	CHINESE TAIPEI (spec.alloc.)				714	658	658	334	729		502.0	472.0	504.0	456.0	249.0	313.0	633.0												
		Remaining quota of NC				1772	1633	1633																						
	NCO	CYPRUS				14	14	14	14	10	14	10.0	10.0	10.0	21.0	31.0	60.8	90.0												
		FAROE-ISLANDS													67.0	104.0	118.0	0.0												
		ICELAND													2.0	27.0														
		ISRAEL			n / a									14.0																
		MALTA				344	344	344	151	343	344	353.0	243.0	249.0	244.0	269.0	376.0	218.6												
		NORWAY													5.0															
		SIERRA LEONE															92.6	118.0												
		TURKEY				1155	1155	1155	3084	3466	1155	4220.0	4616.0	5093.0	5899.0	1407.0	1070.0	2100.0												
		YUGOSLAVIA REP. FED.										2.0	4.0			4.4														
		Recommendation(s) / Resolution(s)	94-11			97-3		00-9			96-14										98-13									
			95-5			98-5																								

NOTES: Recommendation 98-5 objected by LIBYA and MOROCCO.  
 Figures for MOROCCO 1999 and 2000 are autonomous catch limits (Recommendation 98-5 established a catch limit of 820 t and 756 t for 1999 and 2000).  
 Recommendation 00-9 indicates that MOROCCO and LIBYA will establish a catch limit of 3028 t and 1570 t respectively, for 2001.  
 \*\*\* ALGERIA reported a self quota of 4000 t for 2000 and 2001. Current catches for 1995 to 1997 were taken from earlier reported Task I data.

West Atlantic Bluefin Tuna Compliance Table for 2002

Quota Type	Status	Party, Entity or Fishing Entity	Initial Catch Limits (t)					Current Catch (t)					Balance (t)					Adjusted Quota/Catch Limit (t)						
			1997	1998	1999	2000	2001	2002	1997	1998	1999	2000	2001	1997	1998	1999	2000	2001	1998	1999	2000	2001	2002	
TAC			2354.0	2354.0	2500.0	2500.0	2500.0	2500.0	2489.8	2588.0	2754.4	2162.1	2838.1											
Total catch that can be retained					2421.0	2421.0	2421.0	2421.0	2314.8	2468.0	2692.7	2086.1	2799.9											
Individual quotas	CP	BRASIL									13.0		0.2											
		CANADA	552.6	552.6	573.0	573.0	573.0	573.0	504.5	596.0	576.1	549.1	523.7	48.1										
		FRANCE (SP.M)			4.0	4.0	4.0	4.0			0.6	0.4	0.0											
		G.EQUATORIAL (NEI)									429.0													
		JAPAN	453.0	453.0	453.0	453.0	453.0	453.0	470.0	555.0	433.0	322.0	676.0	-17.0	-102.0	3.0	6.5	-216.5						
		MEXICO							2.0	8.0	14.0	28.7	10.0											
		U.S.A	1344.4	1344.4	1387.0	1387.0	1387.0	1387.0	1334.3	1308.0	1226.0	1185.0	1589.0	10.1	47.0	217.0	438.0							
		UK-OT	4.0	4.0	4.0	4.0	4.0	4.0	2.0	1.0	1.0	1.0	1.0	2.0	3.0	3.0	6.0	9.0						
Others	NCC	CHINESE TAIPEI			n / a				2.0															
Total discards allowance					79.0	79.0	79.0	79.0	175.0	120.0	61.7	76.0	38.2											
	CP	CANADA discards			5.6	5.6	5.6	5.6	6.0	16.0	10.7	46.0	13.2											
		JAPAN discards			5.6	5.6	5.6	5.6	8.0	0.0	0.0	0.0	0.0											
		U.S.A discards			67.7	67.7	67.7	67.7	161.0	104.0	51.0	30.0	25.0											
Recommendation(s)					96-4		98-7																	

\* USA in 1999 changed the calendar year to fishing year (June-May) and applied 37 t of the left over from 1998 to 1999 fishing year.  
 USA catch number in 2001 represents data from the calendar year. The USA will update the SCRS when fishing year data become available.  
 MEXICO: Requested 120 t quota over the last 6 years. Bluefin tuna are caught as by-catch.

Atlantic Bigeye Compliance Table for 2002

Status	Party, Entity or Fishing Entity	Initial Catch Limits / Quotas (t)					Reference Years				Current Catches (t)				Informative Balance (t)			
		1998	1999	2000	2001	2002	Avg (91-92)	1991	1992	1999 (SCRS/00)	1998	1999	2000	2001	1998	1999	2000	2001
CP	BARBADOS						0.0	0.0	0.0		18.0	18.0	6.0					
	BRASIL						570.0	350.0	790.0		2024.0	2372.2	2622.3					
	CANADA						46.5	26.0	67.0		263.0	327.0	241.0					
	CAP-VERT						128.0	151.0	105.0		1.0	2.0	0.0					
	CHINA.PR				7300.0	5100.0	0.0	0.0	0.0	7347.0	7347.0	6563.5	7210.0					90.0
	COTE D'IVOIRE						0.0	0.0	0.0		390.0	458.0	0.0					
	EC-Total				26672.0	26672.0	26672.0	26004.0	27340.0	21970.0	22221.4	17989.0	16504.0					10168.0
	GABON						0.0	0.0	0.0		184.0	150.0	121.0					
	GHANA				3478.0	3478.0	3478.0	4090.0	2866.0	11460.0	11460.0	5586.0	2358.0					1120.0
	JAPAN				32539.0	31439.0	32539.0	30356.0	34722.0	23690.0	24184.0	23812.0	19031.0					13508.0
	KOREA						834.0	802.0	866.0		124.0	43.4	1.3					
	LIBYA						254.0	0.0	508.0		400.0	400.0	31.0					
	MAROC						0.0	0.0	0.0		700.0	770.0	857.4					
	MEXICO						0.0	0.0	0.0		6.0	1.9	6.0					
	NAMIBIA						0.0	0.0	0.0		423.0	589.0	640.0					
	PANAMA						8724.5	7447.0	10002.0		318.0	995.3						
	RUSSIA FED.						0.0	0.0	0.0		8.0	91.0	0.0					
	SOUTH AFRICA						57.5	72.0	43.0		41.0	225.0	167.0					
	TRINIDAD & TOBAGO						131.5	263.0	0.0		8.1	5.2	11.0					
	U.S.A						893.5	974.0	813.0		1262.0	589.2	1085.0					
UK-OT						6.5	3.0	10.0		6.0	8.3	10.0						
URUGUAY						38.0	20.0	56.0		28.0	25.0	25.0						
VENEZUELA						373.2	476.3	270.0		140.0	226.2	708.0						
NCC	CHINESE TAIPEI	16500.0	16500.0	16500.0	16500.0	16500.0	12698.0	13850.0	11546.0	16837.0	16314.0	16837.0	16795.0	16429.0	186.0	-337.0	-295.0	71.0
	PHILIPPINES						0.0	0.0	0.0			2113.0	974.8	377.0				
NCO	ARGENTINA						11.0	22.0	0.0				0.0					
	BELIZE.SH.OB						0.0	0.0	0.0			46.9						
	BENIN						8.5	10.0	7.0		10.8							
	CAMBODIA						0.0	0.0	0.0		32.0							
	CONGO						12.0	12.0	12.0		8.0	8.0	8.0					
	CUBA						45.0	34.0	56.0									
	FAROE-ISLANDS						0.0	0.0	0.0		11.0	8.0	0.0					
	GRENADA						45.0	65.0	25.0									
	ICELAND						0.0	0.0	0.0		1.0							
	LIBERIA						27.5	13.0	42.0		57.0	57.0	57.0					
	NETHERLAND.ANT						0.0	0.0	0.0			2627.1						
	SENEGAL						5.0	5.0	5.0					900.0				
	SIERRA LEONE						0.0	0.0	0.0				5.9	2.0				
	ST.LUCIA						0.5	0.0	1.0					1.0				
	ST.VINCENT						0.5	0.0	1.0		1.0	1215.2	506.0					
TOGO						4.0	6.0	2.0										

Recommendation(s) / Resolution(s)	97-15	98-3	00-1	01-01
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Limit the number of vessels fishing for the Atlantic bigeye tuna to the following;  
 CHINA: 30 vessels [00-1]; CHINESE TAIPEI: 125 vessels [98-3]; PHILIPPINES: 5 vessels [00-1] for 2001.  
 CHINA: 60 vessels [01-1]; CHINESE TAIPEI: 125 vessels [01-1]; PHILIPPINES: 5 vessels [01-1] for 2002.  
 CHINA objected to recommendation 00-1 which set a catch limit of 4000 t.  
 CHINA: Catch limit for 2002 includes 1100 t from JAPAN (bilateral agreement). Japanese catch limit was adjusted accordingly.  
 USA catch number in 2001 represents data from the calendar year. The USA will update the SCRS when fishing year data become available.

**Compliance Table with Size Limits for Species with Size Regulations**

		2001 Catches (t)								Tolerance limits & reported estimates over tolerance limits								
		Species	BET	BFT		SWO			YFT		BET	YFT	SWO		BFT			
		Area	ALL	AT.E+MED	AT.W	AT.N	AT.S	MEDI	UNCL	AT.E	AT.W	ATL	ATL	AT.N	AT.S	AT.E +M	AT.W	
<b>Recommendations / Size Limits</b>	Number											79-1	72-1	90-2 (95-10)		74-1	91-1	
	Min Weight (kg)											3.2	3.2	25		6.4	30	
	Min Size (cm)											--	--	125 (119)		--	115	
	Tolerance (% of total)											15%	15%	15% (0%)		15%	8%	
	Tolerance Type (weight/number)											number	number	number		number	weight	
<b>Contracting Parties</b>	ALGERIE			2012.0				1081.0										
	ANGOLA									34.0								
	BARBADOS	6.0				19.0					142.0							
	BRASIL	2659.4		0.2			4081.6				6238.7	0%	0%		7.40%		0%	
	CANADA	241.2		536.9		1105.3					125.3	0%	0%	0.5% & 0%	0%	n/a	0%	
	CAP-VERT									1684.0								
	CHINA.PR	7210.0		68.1		101.7	200.3			585.6	470.2	0%	0%	0%	0%	0%	n/a	
	COTE D'IVOIRE						18.9											
	CROATIA			903.0														
	EC-Total	16504.0		17912.3	0.0	4810.4	6181.0	10832.0	0.0	63151.3	672.6							
	GABON	121.0								270.0								
	GHANA	14094.9								30641.9								
	JAPAN	19031.0		2221.0	436.0	508.0	557.0			1833.0	927.0	<15%	<15%	<15%	<15%	<15%	8%	
	KOREA	43.0																
	LIBYA	30.9		1940.5				5.6		208.0								
	MAROC	770.0		3008.0		523.0		3026.0										
	MEXICO	2.3			10.1	26.6					1084.3	0%	0%					0%
	NAMIBIA	639.8					750.8			165.0								
	SOUTH AFRICA	167.4					562.0			316.2								
	TRINIDAD & TOBAGO	11.0				75.0					122.0							
TUNISIE			2493.0				567.0											
U.S.A	1084.7			1614.2	2510.0	43.4		15.0		6703.1	0%	0%	5.6 MT				1.60%	
UK-OT	5.4					20.1			71.6		0%	0%	0%					
URUGUAY	25.0																	
VENEZUELA	707.7				20.7					18651.5								

## Appendix 8 to ANNEX 10

**Commission Chairman's Letter to Ghana  
Regarding Non-compliance with the Moratorium in the Gulf of Guinea**

At its 2002 Annual Meeting, the International Commission for the Conservation of Atlantic Tunas (ICCAT) reviewed both the fishing activities of Contracting Parties under *Recommendation by ICCAT on the Establishment of a Closed Area/Season for the Use of Fish-Aggregation Devices (FADs)* (Recommendation 99-1), as well as their compliance with this Recommendation.

This recommendation obliges all Contracting Parties to prohibit fishing over FADs during the period of 1 November of one year to 31 January of the following year in the area defined in paragraph 2 of the said Recommendation. Furthermore, Contracting Parties involved in that fishery are under an obligation to place observers on board throughout the whole period in question. These observers are asked to observe the respect of this prohibition and to collect biological data for the Standing Committee on Research and Statistics (SCRS) to evaluate the effectiveness of this closure. Contracting Parties involved in these fisheries are bound to present an annual report on their implementation of and their internal procedures to ensure compliance with these measures to the Executive Secretary.

Already at the 2001 annual meeting of ICCAT, Ghana was identified as not being in compliance with the said Recommendation. In actual fact, it was found that the declared Ghanaian catch of bigeye tuna had increased from a level of about 5,000 t in the early 1990s to more than 11,000 t in three of the four most recent years, which greatly exceeded Ghana's entitlement in these years. In addition, in accordance with her national report, Ghana's fleet fishing for tropical tunas has increased from 29 baitboats and no purse seiners to 26 baitboats and 10 purse seiners since 1990, in contravention of the *Recommendation by ICCAT on Supplemental Regulatory Measures for the Management of Atlantic Yellowfin Tuna* (Recommendation 93-4) and the *Recommendation by ICCAT on Bigeye Tuna Conservation Measures for Fishing Vessels Larger than 24 m Length Overall (LOA)* (Recommendation 98-3). The Commission was informed that this increase in catches had to be associated with repeated contraventions of the provisions of Recommendation 99-1 pertaining to the closed season and area for the surface fisheries in the Gulf of Guinea.

On that occasion, the Commission expressed concern about a continued failure of Ghana to comply with its obligations under Recommendation 99-1 and indicated that any continuation of this situation would entail consequences. Ghana was requested to redress this situation and Ghana undertook to do so.

During its 2002 annual meeting, the Commission re-examined this matter. In the light of available information, it was found that, in 2001/2002, Ghana has neither respected the moratorium in the Gulf of Guinea in accordance with Recommendation 99-1 nor complied with the other terms of this Recommendation. Ghana acknowledged that it was fully aware of the consequences. Furthermore, Ghana re-stated its intention to fully discharge its obligations under the ICCAT Convention in respect of Recommendation 99-1 and, in more general terms, in respect of the preservation of Atlantic tropical tunas in the Gulf of Guinea in 2002/2003. Ghana announced that it will confirm in writing the steps it will take to ensure both the respect of the moratorium in the Gulf of Guinea as well as a reduction of catches of bigeye tuna by the Ghanaian fleet in accordance with relevant ICCAT conservation and management measures. In particular, Ghana announced that, "from November 2002 to January 2003, there will be no fishing activities by any of the Ghanaian fleet on Fish Aggregating Devices (FADs) during the moratorium period as laid down in Recommendation 99-1". Ghana added that she "shall place observers on board her vessels to ensure that the moratorium is complied with and that the information required by SCRS is collected". Finally Ghana indicated that, if ever Ghana failed to implement relevant ICCAT measures by the end of this year's moratorium period, ICCAT may sanction Ghana.

Your attention is drawn to Article IX of the ICCAT Convention, pursuant to which the Contracting Parties agree to take all action necessary to ensure the enforcement of this Convention. Therefore, the Commission intends to decide, at its 2003 annual meeting, whether to recommend that Contracting Parties take appropriate non-discriminatory measures consistent with international law, to the effect that the import of Atlantic bigeye tuna and its products in any form from Ghana be prohibited unless Ghana demonstrates by that time that it has fully complied with its obligations under the ICCAT Convention and Recommendation 99-1.

In addition to that, the Commission will examine, at its 2003 annual meeting the appropriate level of catch and effort for the Ghanaian surface fleet in accordance with the terms of Recommendations 93 -4 and 98-3.

Trusting that you will give your full consideration to the above matter, I take this opportunity to assure you of my highest consideration.

## **Appendix 9 to ANNEX 10**

### **United States Closing Statement to the Compliance Committee**

The United States was encouraged with the progress of the Compliance Committee at the 13<sup>th</sup> Special Meeting of the Commission. There was a definite improvement in the process although once again, the ability of the Committee to fulfill its charge was hindered by late submissions of Compliance Tables by Contracting Parties. In some cases, a lack of data reporting prevented the Committee from evaluating compliance with the Commission's conservation recommendations. The Commission cannot allow failure to submit data to be a means to avoid the consequences of non-compliance.

In our view it should be the responsibility of the Chair of the Compliance Committee to call on those countries with over-harvests for an explanation of their over-harvest and any domestic measures implemented to correct the problem. It is not constructive to expect one or more parties to question other parties about over-harvests listed on the Compliance Annex; instead, there must be a thorough and objective review by the Chairman. We were encouraged by the explanations of some parties to implement domestic management measures to prevent future over-harvests; however, we felt the explanations forwarded by some parties were without merit. We maintain that a perceived inequity in allocation cannot be an acceptable justification for non-compliance. These matters should be addressed in the relevant panels.

We are concerned that provisions in some catch limit and quota recommendations allow excessive under-harvests to accumulate, even for minor harvesters. The accumulation of latent catch could undermine the Commission's conservation measures, and limits on the accumulation of under-harvests should be considered at next year's meeting, if not in the Compliance Committee, then in the relevant panels.

Compliance with minimum size recommendations remains a serious problem for many fisheries. We are extremely disappointed by the failure of several contracting parties to submit estimates of catches to enable the Committee to evaluate compliance with the Commission's minimum size conservation measures. We believe that in the absence of these data, the ICCAT Secretariat should be charged with providing estimates of the harvest of undersized fish based on Task II and catch-at-size data generated by the SCRS for those fisheries. These estimates, as well as self-reported estimates of harvests of undersized fish, should be used to identify those parties with potential excessive catches of undersized fishes. Ensuing discussions would provide an opportunity for the consideration of potential domestic measures to avoid the overexploitation of juvenile fishes.

**REPORT OF THE 11<sup>th</sup> MEETING OF THE  
PERMANENT WORKING GROUP FOR THE IMPROVEMENT  
OF ICCAT STATISTICS AND CONSERVATION MEASURES (PWG)**

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

The Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG) met at the Hotel Ercilla in Bilbao, Spain, on the occasion of the 13<sup>th</sup> Special Meeting of the Commission. The meeting was opened by the PWG Chair, Ms. Kimberly Blankenbeker (United States).

### **2. Adoption of the Agenda**

The Agenda was adopted as proposed (**Appendix 1 to ANNEX 11**). The Chair noted that there would be a joint session of the PWG and Compliance Committee during the course of the Commission meeting to address issues that concerned both groups under Item 5 of the Agenda.

### **3. Nomination of the Rapporteur**

Mr. David Kerstetter (United States) was appointed Rapporteur for the meeting.

### **4. Status of implementation of Statistical Document Programs**

4.1 A representative of the Secretariat referred to a summary document that describes the national implementation of ICCAT's Statistical Document Programs<sup>1</sup>. It was noted that Contracting Parties are obligated to provide samples of the original national seals and signatures to the Secretariat for the bluefin tuna, bigeye tuna, and swordfish documents as well as descriptions of the national validation procedures.

4.2 The United States noted that the "no" entry in Table 1 of the above-mentioned document, which referred to depositing "Original Seals and Signatures" with the Secretariat, should be footnoted to reflect that this provision did not apply to Contracting Parties participating in a tagging program, which effectively exempts them from the validation procedures under the terms of the original Recommendation (Ref. 94-5). The Delegate further noted that the Bluefin Statistical Document Program also applied to North Pacific bluefin tuna, which has occasional exports to Japan from the U.S. west coast and Hawaii and had separate validation procedures. He recalled transmitting those procedures to the Secretariat and agreed to work with the Secretariat to update the tables.

4.3 The Delegate of Morocco remarked that his delegation had the appropriate samples of original seals and signatures for the Bluefin Tuna Statistical Document Program with them at this meeting and would provide them to the Secretariat.

4.4 The Delegate of Japan presented a document describing import data from farmed bluefin tuna from the Bluefin Tuna Statistical Document Program (attached as **Appendix 2 to ANNEX 11**). During his presentation of this document, he provided several statistics on the growth and mortality of caged tuna. The Delegate noted that approximately 90% of all farmed bluefin tuna goes to the Japanese market. He remarked that the current Bluefin Tuna Statistical Document does not adequately account for the unique nature of farmed bluefin, and that the joint SCRS-GCFM work on farmed bluefin noted the need for more detailed data.

4.5 The Delegate of Japan also presented a draft recommendation for monitoring bluefin tuna farming in the Convention area. This proposal included several provisions that require increased levels of data collection by those participating in farming operations.

4.6 The Delegate of Croatia noted the increased research on its bluefin farming operations and invited

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<sup>1</sup> This report is on file at the Secretariat.

participants to examine the SCRS document (SCRS/01/92) that described floating-caged bluefin tuna growth and mortality indices. He also described on-going research on caged tunas with assistance from the Bluefin Tuna Year Program (BYP).

4.7 The Delegate of the United States shared the concern that the increasing levels of farmed bluefin tuna might make future catch data collection more difficult, and that these data were even more important given the current stringent management measures in place for both bluefin tuna stocks. He stated that the United States delegation would be providing several comments to Japan about its farming proposal. The United States also indicated its willingness to hold a future review by the Commission of the appropriateness of the monitoring tools, such as statistical documentation and specific weight conversion factors, which would be developed under this proposal. The Chair encouraged both delegations to work together on developing a new draft of the proposal.

4.8 A similar proposal on bluefin tuna farming was introduced in and adopted by Panel 2 (see **ANNEX 8.10**). Therefore, Japan withdrew its proposal from consideration.

4.9 The Delegate of the United States commented briefly on the status of the Swordfish Statistical Document, which is in the process of domestic rule making. He noted that many exporters to the United States were aware that it currently has a swordfish Certificate of Eligibility (COE) Program in place. This Program will remain in place while the statistical document program is being developed. Eventually, the COE will be replaced by the statistical document, but the United States currently remains flexible on the issue and can accept either form of documentation. He pointed out that swordfish COE data were available in the 2002 U.S. National Report to ICCAT.

4.10 The Delegate from Brazil noted that his Minister of Agriculture recently implemented a requirement for the use of statistical documents for all bigeye tuna and swordfish exports.

4.11 The Chair noted that the Terms of Reference for the PWG needed to be expanded to cover the development of statistical documents for all ICCAT species. With assistance from Canada, revised Terms of Reference were developed. The PWG agreed that these revised Terms of Reference would be forwarded to the Commission for approval. The *Recommendation by ICCAT to Change the Terms of Reference of the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures* is attached as **ANNEX 8.28**.

## **5. Consideration of the Report of the Working Group to Develop Measures to Combat IUU Fishing, including any draft recommendations and other possible actions/measures**

This agenda item was discussed in a joint session with the Compliance Committee, and the report is attached as **ANNEX 12**.

## **6. Review of cooperation by non-Contracting Parties, Entities or Fishing Entities and the determination of needed actions**

### ***6.1 Development of the list of LSTLVs believed to be engaged in IUU fishing***

6.1.1 A representative of the Secretariat reviewed a document which reported the proposed changes to the 2001 ICCAT List of Large-scale Tuna Longline Fishing Vessels (LSTLVs) which resulted from the Secretariat's correspondence in June 2002 to the Contracting Parties, Cooperating non-Contracting Parties, Entities, or Fishing Entities, as had been agreed at the May 2002 inter-sessional meeting in Tokyo, Japan.<sup>1</sup>

6.1.2 The representative also summarized the voluminous correspondence received by the Secretariat regarding the IUU vessels identified in the list of vessels adopted by ICCAT in 2001. Because of the volume of correspondence regarding the IUU list, the aforementioned document only summarized those responses received in reference to the specific June request for information. It was noted that some numbers of vessels were listed twice, which occurred as a result of multiple replies regarding the same vessel. In those cases where the correspondent had requested a change in the listed status of the vessel, a note was made in the table to include the rationale for the proposed change.

6.1.3 The Delegate of South Africa requested that two vessels be taken off the list, as they were both operating in national waters for a short experimental tuna longline fishery under the strict chartering rules of the South African

fisheries ministry. South African government documentation to this effect would soon be formally transmitted to the Secretariat. The Delegate reported that South African nationals owned all the chartering companies involved with this fishery. He replied to several questions from other Contracting Parties regarding permitting, VMS systems, observer coverage, target species, and fishing area of these vessels. He also noted that some confusion may have resulted from one of the vessels fishing in the Indian Ocean, but offloading in Cape Town, and hence within the ICCAT Convention Area. The Delegate also detailed circumstances of the *Vasco de Gama*, originally on the ICCAT list and in a similar situation.

6.1.4 After some discussion, there was general agreement that the vessels in question should remain on the ICCAT list with a footnote indicating the details of this situation. In particular, it was agreed that should these vessels in question become registered by South Africa, they will be removed from the list. The Delegate of South Africa assured the PWG that South Africa would not have a permanent commercial domestic longline tuna fleet that contained foreign-flagged vessels.

6.1.5 The Representative of France (St. Pierre & Miquelon) questioned whether the longliner that operated in the Indian Ocean was only fishing for tuna, or for other fish species as well. The Delegate of South Africa replied that the vessel was fishing on the high seas outside the South African EEZ and, as far as he was aware, only fishing for tunas and tuna-like species. The delegate of France (St. Pierre & Miquelon) noted concern that vessel might also be fishing for Patagonian toothfish given the area it was operating in and noted his intent to have additional bilateral discussion with South Africa on this matter.

6.1.6 The Observer from Belize reported that of the 91 vessels on the ICCAT IUU list purported to be flagged by Belize, 43 have since been removed from Belize's registry, 12 were duplicate registrations, and some were never registered to Belize. Of those that are registered, none are currently fishing in the Convention Area for species with quotas. He cautioned ICCAT to check details before compiling the list in the future, and requested that these vessels be deleted from the list. The full statement by the Observer from Belize is attached as **Appendix 3 to ANNEX 11**.

6.1.7 The Observer from the Seychelles stressed that his government is seriously addressing the problem of IUU fishing, and has implemented several new restrictive measures, including de-registering 12 vessels, a moratorium on new vessel registry, and requiring the submission of catch and effort data. He added that several of the vessels currently registered to his country would be de-listed in the near future. The rest, he reported, were owned by nationals of the Seychelles and monitored with VMS. The Observer also requested that all Seychelles-flagged vessels be removed from the list. Upon clarification by the Chair, the Observer listed the vessels that had been de-listed, which were noted by the Secretariat in the corrected version of the ICCAT IUU list. The statement by the Observer from the Seychelles is attached as **Appendix 4 to ANNEX 11**. The Chair noted that those vessels that had been deleted from the registry would be noted in the ICCAT IUU list as having been previously flagged by the Seychelles.

6.1.8 The Observer from Indonesia explained in detail the measures his government was using to attempt to control their involvement in IUU activities. The full statement by the Observer from Indonesia is attached as **Appendix 5 to ANNEX 11**. The Delegate from Japan presented a progress report on the IUU large-scale tuna longline vessels in Indonesia, which contains information pertinent to the IUU vessels of Indonesia.<sup>1</sup>

6.1.9 The Observer of from St. Vincent and the Grenadines commented that his government had also taken some steps to address the IUU problem and that all but one of the vessels on the ICCAT IUU list had been accounted for. He stated that the remaining vessels were in the registry, had the appropriate licenses, and reported their data; therefore these vessels were not IUU. The Observer requested that St. Vincent and the Grenadines-flagged vessels be removed from the list. The Observer concluded by thanking the Commission for its help with the vessel registry review.

6.1.10 The Delegate of Japan reported that vessels from St. Vincent and the Grenadines still had connections with IUU owners. The one vessel that was unaccounted for was noted by the United States and Chinese Taipei to have changed flags with different shipments. The Delegate of Japan stressed that while he appreciated the efforts of St. Vincent and the Grenadines to control their vessels, the important issue was the elimination of the connection between the vessels and known IUU owners.

6.1.11 The Delegate of Japan volunteered to work with other governments to help them set up frameworks to separate IUU vessels from legitimate ones. He agreed that some States are victimized by unscrupulous vessel owners, but stressed that de-registering vessels is not the solution to the problem since these vessels continue to fish within the

Convention area. The Delegate noted that ICCAT has now spent four years and taken several measures on this problem, but that there still remains about 100 IUU large-scale tuna longline vessels, including 70 newly built ones. He pointed out that these vessels were actively operating and desperately seeking ways to survive. He stressed the extreme difficulties in tracing vessel names and other relevant information in order to properly tackle the IUU problem.

6.1.12 The Delegate of Equatorial Guinea commented that his country had no formal vessel registry, nor any authority to grant fishing licenses for ICCAT species. The Delegate reported that Equatorial Guinea has formally attempted to cancel illegal licenses sold by various offices outside his country. He observed that Equatorial Guinea had only an artisanal fishing fleet, with no vessels fishing for tuna and no large vessels. All the previous large vessels were flagged to the EC when Equatorial Guinea had prior bilateral fisheries agreements with the EC on behalf of its Member States.

6.1.13 The Observer from Vanuatu noted that the justifications for adding a vessel to the IUU list were not very clear. He described several reasons for why Vanuatu believed that most of their vessels should not be included on the list, including fishing in non-Convention areas and using VMS. He did note that one vessel (the *Sunrise 1*) is currently fishing within the Convention area, and that measures are being developed by the government to prevent IUU fishing in the future. The Observer requested that Vanuatu-flagged vessels be removed from the list, with the exception of the *Sunrise 1*, and expressed his appreciation for the assistance given by the Commission in cleaning the situation (see ANNEX 4.3).

6.1.14 The Delegate of Honduras stated that of the 57 vessels in the Honduran registry, only 25 are fishing vessels, and none of these coincide with the names on the IUU list.

6.1.15 The Delegate of Brazil noted that the entire exercise to develop a vessel list resulted from the Commission not having any clear criteria for adding or removing vessels. To ensure transparency within ICCAT, he stressed the need to develop clear criteria and referenced the work done at the May 2002 inter-sessional meeting in Tokyo as a good start (see ANNEX 5).

6.1.16 The Delegate of Japan observed that, in footnote 5 of the list, the charters of several vessels to the Philippines would soon expire. He asked the Observer from the Philippines whether the charter contracts would be extended and where these vessels would be going. The Observer replied that the chartering contracts would be expiring at the end of the year without extension, and that he did not know the subsequent disposition of the vessels.

6.1.17 Given the information expressed by several Parties that they had de-registered certain vessels, the PWG agreed to delete these countries from the “flag” column of the list although the vessel names would remain.

6.1.18 Given concerns that the ICCAT list should be limited to vessels known to be fishing in the Atlantic, the Delegate of Japan reiterated Japan’s position that the vessel list include all oceans due to the mobility of the IUU fleet. He further noted that vessels must remain on the list as long as connections remain with IUU organizations. The Observer from St. Vincent and the Grenadines expressed doubt as to the definition of IUU being used to develop the vessel list. He also highlighted the level of responsibility of the markets, as opposed to the vessel flag states, for continuing to create the demand for these fisheries products.

6.1.19 The Delegate from the EC agreed with the issue identified by Brazil with the lack of definition of the term IUU, including the lack of clear consequences for those engaged in IUU activities. He also remarked that because not all vessels are legally registered with a flag state, although flying its flag, the structure of the list might result in false accusations of flagging IUU vessels. The Delegate suggested that the second column be renamed as simply “Flag” and this suggestion was agreed upon.

6.1.20 The Delegate from the EC also commented that under the UNCLOS, the legitimate assumption is that a vessel flying a particular flag is duly authorized. Therefore, when questions arise about a particular vessel, the questioning body is compelled to contact the flag state first. He noted that occasional misunderstandings could occur when the official flag states no longer have the registry of the vessel in question, but that this remains the correct process.

6.1.21 The Observer from Belize noted that several Parties have bilateral vessel scrapping programs but that information was rarely forthcoming to Belize from those Parties. The Observer requested information from Japan regarding a list of vessels participating in a scrapping or re-registration program. He further stated that Belize would not register any vessel on such a list.

6.1.22 The Observer from Ecuador described in some detail the events following the IUU identification of some Ecuadorian vessels in 2001. He noted that his attendance was intended to emphasize the legitimacy of the Ecuadorian registry and its strong support of international law. The letter to ICCAT from the Under-Secretary of Marine Resources of Ecuador is attached as **Appendix 6 to ANNEX 11**.

6.1.23 The Delegate of Japan reminded the Working Group that the IPOA-IUU specifically requires registering states to investigate previous flagging activity before granting vessels a flag.

6.1.24 Many interventions were made concerning issues regarding the list, such as the inclusion of all oceans. Several Observers responded that it was extremely difficult to have vessels removed, even if the flag state was abiding by all control recommendations. The Delegate of the EC noted that this process is made more difficult because it was developed prior to the IPOA on IUU Fishing.

6.1.25 The Delegate of United States observed that this list was not the same sort of a “black list” as envisioned by the 2002 inter-sessional meeting in Tokyo (see **ANNEX 5**). It should instead be considered as yet another piece of evidence to be used by the PWG in its deliberations. She warned against using this list in isolation in making those punitive recommendations, and noted that other factors should be considered as well.

6.1.26 In an effort to save time and consistent with past practice, the Chair suggested that a small working group be convened, including the Secretariat and interested Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities, in particular, those that provided information concerning the vessel list, to develop a revised version of the 2002 vessel list for further consideration by the PWG.

6.1.27 The Delegate of Canada supported the small group idea, and agreed that this list be considered a type of monitoring tool that might or might not feed into ICCAT’s process for taking trade restrictive measures. She also suggested that this list could be shared between regional fisheries management organizations for the continued monitoring of identified IUU vessels.

6.1.28 Upon reconvening to consider the revised list, additional comments were made. In particular, many Observers expressed dissatisfaction that their vessels remained on the list. The Chair called for a second small group session to consider possible solutions to the issue and invited Observers to participate.

6.1.29 Based on the discussions of the second small working group, another revision of the list was circulated for discussion. Representatives of Vanuatu, Seychelles, and St. Vincent and the Grenadines requested that footnotes be included in the final list concerning their vessels. Upon the addition of these footnotes, the PWG approved the final *List of Large-Scale Longline Vessels Believed to be Engaged in Illegal, Unreported and Unregulated (IUU) Fishing Activities in the ICCAT Convention Area and Other Areas (approved by the Commission in 2002)* and forwarded it to the Commission for adoption (attached herewith as **Appendix 7 to ANNEX 11**).

#### **6.2-4 Bluefin Tuna Action Plan; Swordfish Action Plan; and 1998 Resolution Concerning Unreported and Unregulated (UU) Catches of Tunas by Large-scale Longline Vessels in the Convention Area**

6.2-4.1 The PWG agreed to consider agenda items 6.2, 6.3, and 6.4 together.

6.2-4.2 A representative of the Secretariat introduced a document regarding the Commission Chairman’s special letters and subsequent responses, and a summary of historical actions taken by the Commission. This document encompassed both the Bluefin Tuna (Ref. 94-3) and Swordfish (Ref. 95-13) Action Plans as well as the UU catches Resolution (Ref. 98-18). It was noted that the new table included in the document was intended to summarize historical actions taken by the PWG pursuant to its trade instruments. The Parties were asked to scrutinize this table and to provide comments to the Secretariat. It was generally agreed that this historical table (attached as **Appendix 8 to ANNEX 11**)<sup>2</sup> was useful to the PWG’s deliberations and should be revised each year.

6.2-4.3 The Chair introduced a second table, summarizing information relevant to the PWG’s 2002 deliberations. She noted that data provided by Contracting Parties from several sources had been used to produce the table. She thanked the Secretariat for its hard work in producing this useful tool. She noted that the structure should facilitate discussion and decision relative to the application of ICCAT’s three trade instruments. She stressed that the goal was to have a completed table at the end of the PWG meeting that accurately summarized the actions being

<sup>2</sup> Letters referred to in this Appendix are on file at the Secretariat.

proposed and which could be adopted. A statement by the Observer from Malta relative to the summary table was presented and is included in **Appendix 9 to ANNEX 11**.

6.2-4.4 For the following non-Contracting Parties, no new information was available or information received was of a minor or ambiguous nature and thus no action in 2002 was warranted: Argentina, Denmark (in respect of the Faroe Islands), Grenada, Guinea Bissau, Kenya, Liberia, Malta, Mauritania, Mozambique, Norway, and Turkey. The PWG did agree that the fishing activities of vessels of Grenada, Liberia, Mauritania, and Mozambique should be monitored during the course of 2003 given previous information concerning these countries. Moreover, for Mauritania and Mozambique, EC transshipment and swordfish data, respectively, indicated possible problem fishing although the ocean of origin of the catch was unclear.

#### *Belize*

6.2-4.5 The Chair noted the extensive correspondence with Belize from ICCAT in the past, and that Belize was currently sanctioned under the Bluefin and Swordfish Action Plans and the UU catches Resolution.

6.2-4.6 The Observer from Belize restated that Belize had de-registered 513 vessels and that no vessel in Belize's registry was currently fishing for bluefin tuna. He restated his view that it was unfair that a nation that had taken the suggested corrective action was still subject to sanctions. The statement by Belize on bluefin tuna sanctions is attached as **Appendix 10 to ANNEX 11**.

6.2-4.7 The Delegate of Trinidad and Tobago noted the extensive efforts being made by Belize and she commented that there appeared to be a lack of clear proof of wrongdoing in the bluefin tuna fishery by that country. She suggested lifting the bluefin sanctions.

6.2-4.8 The Delegate of Japan noted appreciation for the recent actions by Belize, but pointed out evidence of at least one vessel fishing in the Atlantic and that trade data for bluefin tuna were impossible to collect since Belize was under sanction measures. He suggested a way forward might be to develop a measure that would allow for lifting of sanctions by early 2004 pending satisfactory review by ICCAT in 2003. He also stressed that Belize needs to eliminate all connections with IUU vessels.

6.2-4.9 The Delegate of Canada questioned the Observer from Belize on the fishing vessel *Albatros*. The Observer of Belize responded that the vessel in question was the *Albatross II* and that it was intended for scrap. He added that Belize had introduced a monitoring program to its fleet and was seeking to collect data. The statement by the Observer from Belize concerning this vessel is included in **Appendix 11 to ANNEX 11**.

6.2-4.10 Several Delegates expressed appreciation for the efforts made to date by Belize to control its fleet and eliminate IUU fishing. Many felt that it was too soon to determine whether these efforts had established full control of the fleet. The Delegate of South Africa queried whether a statement by the Observer from Belize meant that there were no Belize fishing vessels in the Atlantic or that vessels were operating in the Atlantic but not fishing for ICCAT species under quota. The Observer replied that the latter was correct.

6.2-4.11 The EC submitted documentation (report available from the Secretariat) that reported the denial of landings by vessels from several nations, including two vessels reported to be from Belize trying to off-load albacore. He agreed that it was possible that these vessels were no longer registered to Belize at the time of attempted landings, and reported that an investigation of Belize flagging led to an Honduran office in London.

6.2-4.12 Japan noted the Secretariat's report of the sighting of a vessel flagged to Belize at 47 degrees North by 17 degrees West. When questioned, the SCRS Chairman noted that this area in question was known to be both albacore and bluefin tuna fishing grounds.

6.2-4.13 In light of the efforts made by Belize to address ICCAT's concerns, the Delegate of the United States suggested a recommendation be drafted along the lines of the one adopted for St. Vincent and the Grenadines in 2001. Specifically, a recommendation that would contemplate the lifting of all sanctions against Belize in January 2004 if review in 2003 confirmed Belize's progress. This approach was accepted by the PWG by consensus and the *Recommendation by ICCAT Concerning the Importation of Atlantic Bluefin Tuna, Atlantic Swordfish, and Atlantic Bigeye Tuna and Their Products From Belize* (see **ANNEX 8.16**) was agreed upon and forwarded to the Commission

for adoption. In addition, a letter to Belize regarding the possible lifting of bluefin tuna, swordfish and bigeye tuna sanctions and consideration in 2003 of Belize's application for ICCAT Cooperating Status was drafted and adopted (attached as **Appendix 12.1 to ANNEX 11**).

#### *Bolivia*

6.2-4.14 The Delegate of Japan noted the rapidly increasing landings of bigeye tuna by Bolivian vessels during the past year and noted the number of vessels on the vessel list. The EC noted transshipment activity by Bolivian vessels in its ports.

6.2-4.15 Since Bolivia had been identified in 2001 under the UU catches resolution for its bigeye tuna fishing activities the representative of Japan proposed imposing sanctions under the UU Resolution.

6.2-4.16 The Delegate of the United States pointed out the existence of swordfish catch data. The representative suggested that, under the circumstances, the Commission should also identify Bolivia under the Swordfish Action Plan.

6.2-4.17 The PWG adopted a *Recommendation by ICCAT Regarding Bolivia Pursuant to the 1998 Resolution Concerning the Unreported and Unregulated Catches of Tuna by Large-scale Longline Vessels in the Convention Area* (attached as **ANNEX 8.17**) imposing bigeye tuna sanctions on Bolivia and further agreed with the U.S. proposal to identify Bolivia under the Swordfish Action Plan. A letter spelling out these two actions was also agreed by consensus and is in **Appendix 12.2 to ANNEX 11**.

#### *Cambodia*

6.2-4.18 The Parties took note that Cambodia is under bigeye tuna sanctions and that it had formally responded in 2002 to ICCAT's 2001 letter. Due to the sanctions, no new trade data were available for consideration. It was noted, however, that several Cambodian vessels appeared on the ICCAT vessel list adopted by ICCAT at the 2001 meeting. It was the consensus of the PWG that it was too soon to lift the bigeye tuna sanctions and that a letter should be sent pursuant to this matter (attached as **Appendix 12.3 to ANNEX 11**).

#### *Georgia*

6.2-4.19 The Delegate of Japan reported that it had imported bigeye tuna from Georgia for the first time in 2002 and that the amount was significant. He noted that at least one vessel registered to Georgia appears to be involved in this activity but that the vessel in question had a Singapore address on record. He noted that several vessels of Georgia will be added to the ICCAT IUU vessel list in 2002. The PWG agreed to identify Georgia for bigeye tuna fishing under the UU catches Resolution. A letter was also developed and agreed communicating this decision to Georgia (attached as **Appendix 12.4 to ANNEX 11**).

#### *Iceland*

6.2-4.20 The PWG noted that Iceland was a new member of the Commission and deferred any discussion of the fishing activities of this country to the Compliance Committee.

#### *Indonesia*

6.2-4.21 The Delegate of Japan reported on several recent consultations with the government of Indonesia concerning severing ties with IUU interests, specifically referencing the progress report on the IUU large tuna longline vessels in Indonesia that Japan had presented to the PWG. In light of these consultations, he proposed maintaining the status quo of identification for bigeye tuna harvests under the UU catches Resolution.

6.2-4.22 The Delegate of the EC reported that the EC market is being flooded with swordfish from various developing States, including Indonesia. He argued that these fish are likely from IUU vessels that do not follow the conservation measures and restrictions of the EC fleet. These imports have already exceeded 300 t in 2002 although the ocean of origin of this product is unclear. The Delegate suggested that, in principle, sanctions are an option, but he suggested moving cautiously with a conditional sanction, which would come into effect in 2004 if Indonesia did not demonstrate progress at the 2003 ICCAT meeting.

6.2-4.23 The Delegate of the United States noted that she could agree with the suggestion to adopt a recommendation containing a provision that the imposition of sanctions would be delayed until 2004 in order to give Indonesia time to make additional progress. She recalled that it had been used in previous similar situations in which non-Cooperating Parties, Entities or Fishing Entities had a known problem, but were making efforts to correct their deficiency. She suggested, however, that given available swordfish trade data and Indonesia's history with respect to IUU vessels, it would also be appropriate to identify Indonesia under the UU Catches Resolution relative to swordfish.

6.2-4.24 The representative of Japan reiterated that Indonesia was a victim of unscrupulous IUU vessel owners and now has only 17 vessels duly recognized as Indonesian and not affiliated with IUU vessels. In addition, the 17 have only fished in the Pacific and Indian Oceans.

6.2-4.25 The representative of Canada requested information on the disposition of those vessels that had left Indonesia's registry. As the Observer from Indonesia was not available to answer the question, it was left for consideration in 2003.

6.2-4.26 The debate resulted in agreement that the identification under the UU catches Resolution for bigeye tuna should remain in effect. In addition, Indonesia should be identified under the same resolution for swordfish. A letter transmitting these decisions to Indonesia was developed and agreed by the PWG. It is attached as **Appendix 12.5 to ANNEX 11**.

#### *Netherlands Antilles*

6.2-4.27 No data or information indicating fishing activities by vessels of the Netherlands Antilles were forthcoming; thus no action under the Action Plans or UU catches Resolution was necessary.

#### *Seychelles*

6.2-4.28 The Delegate of Japan noted that trade data indicated a significant increase in bigeye tuna harvests by the Seychelles between 2001 and 2002. He also noted that a large number of vessels flagged to Seychelles were included on the IUU vessel list adopted by the Commission in 2001. Although ICCAT received a response from the Seychelles, Japan proposed identification under the UU catches Resolution. The Delegate from France (St. Pierre & Miquelon) supported this proposal. The PWG agreed to identify the Seychelles under its UU catches Resolution for bigeye tuna and a letter was prepared transmitting this decision to the Seychelles government (attached **Appendix 12.6 to ANNEX 11**).

#### *Sierra Leone*

6.2-4.29 Given Sierra Leone's long history of fishing outside ICCAT's conservation regime, the previous identifications, data indicating continued fishing, including at least one vessel on the IUU vessel list adopted by the Commission in 2001, and the lack of response to ICCAT's repeated communications, the Delegate of Japan proposed that sanctions be imposed under the UU catches Resolution for bluefin. The Delegate of the United States suggested that, in light of the additional landings of other species, the sanctions be applied to bigeye, swordfish, and bluefin pursuant to the UU catches Resolution. The Delegate of the EC concurred with the suggestion of the United States. A *Recommendation by ICCAT for Trade Restrictive Measures on Sierra Leone* (see **ANNEX 8.19**) was adopted mandating the imposition of bluefin, bigeye, and swordfish sanctions against Sierra Leone. A letter notifying Sierra Leone of this decision was also agreed and is attached as **Appendix 12.7 to ANNEX 11**.

*St. Vincent and the Grenadines*

6.2-4.30 The Delegate of Japan raised serious concern with the high landings of northern albacore by St. Vincent and the Grenadines, noting that LSTLVs can easily change from targeting bigeye tuna to targeting albacore. He also noted that it is extremely difficult to avoid bluefin by-catch in the albacore fishery and he pointed out that several vessels of St. Vincent and the Grenadines still appear on the IUU vessel list adopted by the Commission in 2001. He, therefore, proposed continuing sanctions for another year.

6.2-4.31 In the letter notifying St. Vincent and the Grenadines of the action taken by ICCAT, the Delegate of Japan suggested including specific questions about that country's northern albacore fishery. He observed that, despite the past use of the UU catches Resolution for bigeye, bluefin, and swordfish, the Parties should consider expanding its scope to albacore.

6.2-4.32 The Delegate of Canada remarked that there are many responsibilities associated with issuing flags. She stated that control over fisheries must be more than adopting management measures but should include enforcement. Although noting appreciation for the steps taken by St. Vincent and the Grenadines to date to address the concerns of the Commission, including collecting and submitting data, she noted that St. Vincent and the Grenadines needed to demonstrate that they could implement measures they adopt. She highlighted that that country's northern albacore catch was one-fifth of the entire North Atlantic harvest. She expressed support for the position of Japan on this matter.

6.2-4.33 The Delegate of the EC commented that this example showed one of the limitations associated with developing trade-related mechanisms that address only one species.

6.2-4.34 The Delegate of the United States recalled the proposed actions by the government of St. Vincent and the Grenadines, noting that progress had certainly been made regarding fisheries control and reporting. However, she added, the level of demonstrated change was not sufficient, and she supported the position of Japan that one more year of sanctions be applied.

6.2-4.35 The Observer from St. Vincent and the Grenadines responded that his government had promised development of specific management measures and had delivered on those promises. He noted that past landing levels were unfortunate, but that they also reflected the lack of effective fisheries management by a previous St. Vincent and the Grenadines administration. The Observer added that his government would continue to work with the Commission regardless of the decision by the PWG.

6.2-4.36 The Delegate of Japan sympathized with the situation of St. Vincent and the Grenadines. He stressed that control of high seas fisheries is extremely difficult. He noted that VMS was not a panacea for these fisheries and highlighted that catches that are transshipped and are never landed in the home country's ports cannot be easily validated. Without having cooperation with market countries, such catch data are not reliable. Unless the enforcement capacities of flag states are improved, acceptance of foreign vessels by them is the same as accepting IUU fishing vessels. He warned that after the implementation of the positive listing scheme in July 2003, IUU vessels will be desperately searching for re-flagging opportunities for their survival, and stressed the importance of shutting the door tightly to deprive them of such flagging opportunities.

6.2-4.37 The PWG unanimously adopted a *Recommendation by ICCAT Concerning the Trade Sanction Against St. Vincent and the Grenadines* (see **ANNEX 8.20**) delaying the lifting of bigeye tuna sanctions until January 2004. The PWG will review the situation of St. Vincent and the Grenadines at the 2003 meeting to determine if the action to lift should be allowed to go into effect. The PWG also agreed on a letter notifying St. Vincent and the Grenadines of the decision to delay lifting and seeking additional information on the substantial increases seen in St. Vincent and the Grenadines' albacore catch (attached as **Appendix 12.8 to ANNEX 11**).

*Thailand*

6.2-4.38 The Delegate of the EC reported on one incident of attempted landing of swordfish in an EC port by a Thai vessel. He indicated his view that an isolated incident was not enough to warrant action under the action plans. The Delegate of Japan pointed out the bluefin catch in 2001 and 2002 from the statistical document information. He suggested this was reason enough for identifying Thailand under the UU catches Resolution.

6.2-4.39 The Delegate of Canada commented that a document, which had not been circulated to all Parties, had

shown that these landings were from one vessel (the *Green Bay*) operating in the Atlantic Ocean. There was considerable debate as to whether or not one vessel was enough to warrant identification under ICCAT trade instruments. Several delegates believed that there was enough evidence to do so, noting that the identification process was actually only a warning of sorts. Others felt that this type of isolated incident only called for a letter of information.

6.2-4.40 The PWG decided that a letter of warning should be drafted that would make specific reference to apparent harvests of Atlantic bluefin tuna, bigeye tuna, and swordfish and would seek clarification on the question of the fishing vessel *Green Bay*. Such a letter was agreed by consensus. It is attached as **Appendix 12.9 to ANNEX 11**.

#### *Vanuatu*

6.2-4.41 The PWG considered data from 2000 and 2001 indicating harvests of swordfish and bigeye tuna, respectively. The history of Vanuatu's fishing activities in the Atlantic was discussed. The Working Group commended the efforts by the Vanuatu government to gain control over their flag vessels and fisheries, noting in particular that Vanuatu had implemented a VMS program for its vessels. However, the Parties felt that demonstrated proof was needed that Vanuatu had addressed the concerns of the Commission. The PWG agreed to maintain the existing identification under the UU catches Resolution for bigeye tuna and to review the situation next year. The letter to Vanuatu is attached as **Appendix 12.10 to ANNEX 11**.

#### *Costa Rica, Senegal, Singapore, and Togo*

6.2-4.42 The Delegate of the EC presented swordfish import data that indicated harvests by vessels of Costa Rica, Senegal, Singapore, and Togo in 2001; however, the ocean of origin of the product was unclear. The EC proposed that a letter be sent seeking clarification of the location of catches, notifying these countries of ICCAT's Action Plan process, and urging them to cooperate. Such letters were drafted and agreed by the PWG, and are attached as **Appendices 12.11 to 12.14 to ANNEX 11**.

#### *Other issues*

6.2-4.43 In considering the complete package of special letters, the Delegate of the EC suggested that in the future they could be made much shorter by simply referencing the earlier letters from ICCAT rather than restating them.

6.2-4.44 The Delegate of Canada thanked the drafters of the letters and suggested that, in order to increase transparency, any data used by the PWG to make decisions on letters or recommendations be attached to the letters in question.

## **6.5 Consideration of requests for Cooperating Status**

### *Chinese-Taipei*

6.5.1 The Delegate of Japan noted that this issue was, at least in part, linked to the draft resolution concerning cooperative actions to eliminate illegal, unreported and unregulated fishing activities by large scale tuna longline vessels (later adopted as Resolution 02-26; **ANNEX 8.26**). He expressed the hope that Chinese Taipei would be able to support the draft resolution.

6.5.2 The Delegate of China recalled that the *Resolution by ICCAT on Becoming a Cooperating Party, Entity or Fishing Entity* (Ref. 01-17) called for an annual automatic renewal of cooperating status, including for Chinese Taipei. The Chair noted that a review by the PWG was still required.

6.5.3 As there was no substantive objection, the PWG unanimously agreed to allow cooperating status to continue for Chinese Taipei.

### *Philippines*

6.5.4 The Delegate of China supported the continuation of cooperating status by the Philippines. The Delegate of the EC concurred and noted that the import data it has reported appeared to be an isolated incident.

6.5.5 Since there was no substantive objection, the PWG unanimously agreed to allow cooperating status to continue for the Philippines.

### *Netherlands Antilles and Belize*

6.5.6 The PWG took note that requests from the Netherlands Antilles and from Belize for Cooperating Status had been sent to the Secretariat but had arrived after the 90-day deadline specified in the Cooperating Party, Entity, or Fishing Entity Resolution. Although wishing to be flexible, some Parties noted that they were unable to act on these requests without instructions from their home governments. The PWG agreed, therefore, that the applications for cooperating status would be considered at the 2003 Commission meeting unless withdrawn by the representative Party. The PWG further directed the Secretariat to notify the two governments of this decision in writing soon after the close of the 2002 ICCAT meeting.

## **7. Repercussions of the various international fishery agreements on the work of the PWG**

There were no issues discussed under this agenda item.

## **8. Measures to improve fishery statistics requested by ICCAT**

8.1 The Delegate of the United States introduced the document for a resolution for a data workshop. He stressed the need, as articulated for several years by the SCRS, for accurate and timely data submission and noted the utility of having managers and scientists sit down together to consider data needs. The Delegate suggested that the inter-session meeting called for in this proposed resolution be combined with other inter-session meetings, if possible, with broad participation and Secretariat support. The Delegates of Canada and Japan both stated their support for the data workshop as proposed.

8.2 There was general support for the resolution although it was recognized that ICCAT was already facing a number of inter-session meetings in 2003. The Delegate of the EC expressed some doubt about the need to have non-experts, such as the Chair of the Compliance Committee, at the workshop. It was explained that the data to be considered was important to the work of the Compliance Committee and that its officer should be represented at the meeting if possible. It was agreed to forward the *Resolution by ICCAT for a Data Workshop* to the Commission for adoption (see ANNEX 8.30).

## **9. Next meeting of the PWG**

The PWG agreed to meet at the time and place of the next Commission meeting, November 17 to 24, 2003, in Dublin, Ireland.

## **10. Other matters**

The Chair noted that the table on the Summary of Information for 2002 PWG Actions had been completed and circulated. With the consent of the Parties, it was presented for adoption by the Commission (attached as **Appendix 13 to ANNEX 11**), along with all the other documents, including recommendations, developed by the PWG. There was general consensus with the Chair's suggestion.

## **11. Adoption of Report**

Given the significant amount of paper generated by the PWG and the lateness of the day, the Chair proposed that the PWG report be adopted by mail, and this was agreed. The report of the PWG was adopted by correspondence.

## **12. Adjournment**

12.1 The Chair sincerely thanked the members of the PWG for their patience and hard work. She also expressed appreciation for the untiring and professional efforts of the rapporteur, the interpreters, and the Secretariat staff.

12.2 The 2002 meeting of the PWG was adjourned on Monday, November 4, 2002.

## **Appendix 1 to ANNEX 11**

### **Agenda**

1. Opening of the meeting
2. Adoption of the Agenda
3. Nomination of the Rapporteur
4. Status of Implementation of Statistical Document Programs
  - Bluefin tuna
  - Swordfish
  - Bigeye tuna
5. Consideration of the Report of the Working Group to Develop Measures to Combat IUU Fishing, including any draft recommendations and other possible actions/measures
6. Review of cooperation by non-Contracting Parties, Entities or Fishing Entities and determination of needed actions
  - 6.1 Development of the list of LSTLVs believed to be engaged in IUU fishing
  - 6.2 Bluefin Tuna Action Plan
    - Responses to Commission letters
    - Catch and trade information, vessel sighting reports, other information
    - Actions
  - 6.3 Swordfish Action Plan
    - Responses to Commission letters
    - Catch and trade information, vessel sighting reports, other information
    - Actions
  - 6.4 1998 Resolution Concerning Unreported and Unregulated Catches of Tunas by Large- scale Longline Vessels in the Convention Area
    - Responses to Commission letters
    - Review of additional data and information
    - Actions
  - 6.5 Consideration of requests for Cooperating Status
7. Repercussions of international fishery agreements on the work of the PWG
8. Measures to improve fisheries statistics requested by ICCAT
9. Next meeting of the PWG
10. Other matters
11. Adoption of Report
12. Adjournment

**Appendix 2 to ANNEX 11****Information by Japan on Bluefin Tuna Farming in the Mediterranean Sea**

This document is based on information obtained through Japanese buyers and the Bluefin Tuna Statistical Document (BTSD).

**A) General description on bluefin Tuna Farming***1) Countries*

Bluefin tuna farming has started on a commercial scale since:

- 1996-97 in Croatia, Portugal and Spain,
- 2000 in Malta,
- 2001 in Italy, and
- 2002 in Turkey

*2) Fish used for farming*

- Large-sized bluefin tuna weighting 150-200 kg caught by purse seiners during mid-May and mid-July in the vicinity of the Balearic Islands and Malta Islands are used for farming in Italy, Malta, Portugal and Spain.
- Small-sized bluefin tuna weighting 30-40 kg caught in the spring in the Adriatic Sea are used for farming in Croatia. Starting in 2000, large-sized fish caught in the vicinity of the Malta Islands are also used for farming in Croatia.

*3) Weight measurement of fish put in cages*

- A fish way is set between the purse seine net and the cage. All the fish swimming into the cage through the fish way are recorded by an underwater video camera and the number of fish is later counted based on the video picture. Then the fish weight is decided by consultation between purse seine fishermen and farming fishermen.
- It is estimated that a total of 7,000-8,000 t, 11,000-12,000 t and 13,000-14,000 t of bluefin tuna ~~are~~ have been caged for farming in the Mediterranean Sea in 2000, 2001 and 2002, respectively.

*4) Period of farming*

- In Italy, Malta, Portugal and Spain, farming starts in mid-May/mid-July and the fish remain in the cages until December of the same year. Fish weight is increased by 20% during the farming.
- In Croatia, small-sized fish are reared in the cages for about a year.

*5) Shipment*

- Ninety percent of the farmed bluefin tuna is destined to Japan and the remaining ten percent of the fish is destined for the EC, Korea and the United States.
- The amount of fresh fish shipment by air and frozen fish shipment by reefer is almost the same.
- The Bluefin Tuna Statistical Document is issued based on product weight after fish processing for shipment.

**B) Data***1) Japanese import of farmed bluefin tuna (BTSD data)*

The product weight of bluefin tuna farmed in the Mediterranean Sea and exported to Japan in 2001 based on BTSDs that was described as 'farming', was 4,337 t.

2) *Estimated weight of bluefin tuna put in cages for farming*

The estimated weight of bluefin tuna put in cages for farming based on information from Japanese buyers is 11,000-12,000 t.

3) *Feed/growth rate*

Bluefin tuna weighting 150-200 kg are generally fattened to 180-240 kg before shipping. The feeding/growth rate is 20%.

4) *Mortality*

The mortality rate of bluefin tuna through capture, caging and farming is about 5 to 10%.

**Appendix 3 to ANNEX 11**

**Statement by the Observer from Belize to the PWG**

You will recall that at the 17<sup>th</sup> Regular Meeting of ICCAT in Murcia in November 2001, we expressed our commitment to implement measures to eliminate the activities of fishing vessels that were identified as diminishing the effectiveness of ICCAT conservation measures, to adopt revised registration standards and to implement effective monitoring, control and surveillance methods to our fishing fleet. As the result, the Commission Chairman wrote to us on April 9, 2002 to the effect that “ICCAT is very encouraged by the efforts that Belize has recently undertaken...” Such encouragement is much appreciated.

Since that time, we have been cooperating with both the Commission, other conservation organizations as well as the U.N. in updating them on our progress and responding to communications concerning vessels suspected of illegal, unregulated and unreported fishing activities. In this regard, reference is made to our faxes to you of May 23, 2002, June 24, 2002 and October 16, 2002, as well as the letter to the Secretary-General of the United Nations dated June 10, 2002.

We now wish to update you on our further progress:

1. We attach a list showing the names of 513 fishing vessels that were de-registered during the period from September 1, 2001 to October 11, 2002.<sup>3</sup> These vessels were de-registered for a wide variety of reasons including illegal fishing, not availing themselves for inspection, non payment of taxes, leaving the Registry as the result of improved surveillance, e.g., the requirement for completion of Data Forms, scrapping, etc. Vessels that were reported as fishing illegally were not only de-registered but also fined in accordance with our Registration of Merchant Ships (Disciplinary Regulations, 1999) S. I. Number 56 of 1999 which includes as an offense the “violation of any international conventions ratified by Belize, or Resolutions issued by our competent bodies of the United Nations” as well as our Resolution No. 195 Section 8.c for violation of “the fishing regulations and conservation programs for the protection of certain marine species and areas which have been set in place by Regional Agreements and/or organizations such as ICCAT, IATTC, CCAMLR, IOTC, NAFO, NASCO and others.”

2. Both new registrations as well as vessels already registered are required to complete Fishing Vessel Activity Appraisal Forms which, *inter alia*, require details of each vessel’s fishing gear, the area of fishing, the species targeted, catch data, condition, where landed, etc. Vessels that wish to fish in breach of conservation measures or for species for which Belize has no agreed catch quotas from ICCAT are not registered and those which are found to be illegally fishing are fined and/or de-registered.

3. On October 8, 2002, the Cabinet of Belize approved the High Seas Fishing Act 2002 that basically follows the model recommended to us by the CARICOM Fisheries Unit. This Act embodies the requirements of the 1993 FAO Compliance Agreement, the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, the Fish Stock Agreement insofar as these relate to the flag State in relation to its high seas

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<sup>3</sup> The list of 513 vessels provided by Belize is available from the Secretariat.

fleet and cooperation with other States in this regard. Briefly, the Act provides for:

- Part III Section 4: the mandatory licensing of all high seas fishing vessels in compliance with the above-mentioned Agreements.
- Section 3 (2): the “monitoring, control and surveillance of the operations of fishing vessels of Belize pursuant to Articles V and VII of the Compliance Agreement.”
- Part IV: International Cooperation which includes the provision of information to international organizations as well as the exchange of information with other States in compliance with Articles V and VI of the Compliance Agreement, Sections 28-32 of the IPOA, as well as Articles 20 and 21 of the Fish Stocks Agreement.
- Part V: Enforcement of the Act that incorporated the provisions of the Merchant Ships (Disciplinary Regulations 1999) S. I. Number 56 of 1999.
- Part VI: Prohibition and Offenses which, inter alia, prohibits activities that undermine the effectiveness of international conservation and management measures.

Belize undertakes to ensure complete compliance with the provisions of the above-mentioned Act in the shortest possible time.

4. The Solicitor-General of Belize is in the process of arranging the ratification of the Compliance Agreement, the Fish Stocks Agreement, and the IPOA.

5. Belize has been placed on the IMO White List in November 2001 and the Shipping Registry attained ISO 9002 accreditation in December 2001. Furthermore, as the result of its quality measures involving the de-registration of some 1,584 vessels of all types, the Port State Control detention ratios for the Belize registered fleet have improved dramatically, e.g., in the U.S. Coast Guard from 20.83% in 2000 to 5% in 2001, and in the Paris MOU from 24.8% to 12.39%.

Belize is committed to full compliance with ICCAT conservation measures. It has a long coastline, three main ports, supports commercial fisheries and is a developing maritime nation, an integral part of which is its Shipping Registry from which it derives a substantial benefit in much needed foreign exchange. Furthermore, it considers that it has every right to wish to participate in fishing in the Atlantic within the constraints of conservation measures. We therefore kindly request the Commission:

- To lift all ICCAT sanctions against Belize at this meeting. The voluntary shedding of the known non-compliant element of our fishing fleet as well as other non-compliant vessels of all types has diminished the income of our Shipping Registry considerably. The lifting of sanctions would be evidence of positive and pragmatic encouragement to Belize as well as an appropriate expression of reciprocity.
- To grant Belize quotas for fishing the following species in the Atlantic which, according to our data, would cover the current and anticipated requirements:

Albacore      2,000 t (agreed quota divided equally between North & South Atlantic)

Bigeye tuna   6,000 t

Swordfish     2,000 t (agreed quota divided equally between North & South Atlantic)

You will note that we are not applying for a quota for bluefin tuna, which our vessels do not target. We are prepared to be guided by the Commission’s decisions on suitable catch allocations for Belize that take into consideration the importance of this activity to our nation’s development. At the same time, we undertake to issue licenses for fishing of the above-mentioned species in the Atlantic only for quantities that are within the limits of agreed quotas.

- To grant Belize Cooperating Status with effect from the commencement of the submission of Task I and Task

II data in accordance with ICCAT requirements.

Your favorable consideration of the above would be highly appreciated.

**Appendix 4 to ANNEX 11**

**Statement by the Observer from Seychelles to the PWG**

Seychelles wishes to put on record and for your consideration the following facts:

1. The names of the tuna longliners in the attached appendix<sup>4</sup> have been duly registered with the Indian Ocean Tuna Commission (IOTC) and have been acknowledged by the Commission.
2. All these vessels have a VMS on board that is in operation.
3. These vessels have an authorization to fish and provide catch and effort forms.
4. These vessels are owned and operated by Seychelles companies and nationals.
5. These vessels do not operate in the Atlantic.

We therefore insist that all these vessels be removed from any IUU list.

**Appendix 5 to ANNEX 11**

**Statement by the Observer from Indonesia to the PWG**

First of all I would like to express my sincere gratitude and appreciation to the Secretariat of ICCAT for inviting me to attend this important meeting as an observer. It is a great honor for me to present my government's position regarding the identification by ICCAT of some Indonesian large-scale longline vessels that have been fishing for tuna and tuna-like species in a manner than can be categorized as diminishing the effectiveness of ICCAT conservation and management measures.

My country is deeply concerned about this identification due to the fact that even Indonesia itself has become a victim of foreign vessels that have been undertaking illegal, and unreported fishing in Indonesian territorial waters. In carrying out fishing activities, Indonesia always holds the principles of the Code of Conduct for Responsible Fishing (CCRF) and other international related principles. Indonesia is willing to cooperate with ICCAT and other international organizations in fishing to maintain the stock of tuna fish.

In order to rectify this identification, Indonesia held bilateral meetings with the Japanese counterpart, namely the Japan Fisheries Agency, on August 29, 2002. In that meeting, Indonesia explained the measures that have been taken to combat illegal, unreported and unregulated fishing of tunas by large-scale longline vessels in the Convention area as follows:

- a) Holding re-registration of the fishing vessels that have obtained fishing licenses;
- b) Increasing field inspection through control of fishing licenses;
- c) Formalizing bilateral cooperation on fishing with the countries whose large number of vessels has been operating in the Indonesian Exclusive Economic Zone (IEEZ). Through this cooperation, besides granting fishing licenses and quotas, both parties will cooperate in monitoring foreign flag vessels that operate in the IEEZ.
- d) Large-scale tuna longline vessels (that measure more than 130 GRT or are longer than 24m and are equipped with modern freezing equipment) have been recommended to join the Association of Tuna

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<sup>4</sup> The list of 26 vessels provided by Seychelles is available from the Secretariat.

Indonesia (ASTUIN), which cooperates with the Organization to Promote Responsible Tuna Fishing of Japan (OPRT) in order to be enlisted on the “White List”; and

- e) In 2003, the Government of the Republic of Indonesia will mandate the use of a Vessel Monitoring System (VMS) on vessels with a specified scale.

As a result of the said meeting, the Japanese counterpart agreed to fully support the Indonesian position to avoid any possible sanctions from ICCAT directed at Indonesia.

These corrective actions to combat illegal, unregulated and unreported fishing has been reported by Indonesia to other concerned parties, such as the Indian Ocean Tuna Commission (IOTC), and the Commission for the Conservation of Southern Bluefin Tuna (CCSBT), as well as other countries, like Japan and Australia. At the 9<sup>th</sup> Meeting of the Commission for the Conservation of Southern Bluefin Tuna (CCSBT) in Canberra, October 15 to 18, 2002, the Government of the Republic of Indonesia has officially joined CCSBT with the status of “Cooperating Non-member Party” which has been approved by all the members.

Finally, I sincerely hope with this explanation the ICCAT PWG could support the corrective measures that have been taken by Indonesia, so that Indonesia will be deleted from the List of LSTLVs believed to be engaged in IUU fishing.

## Appendix 6 to ANNEX 11

### **Letter to ICCAT from the Under-Secretary of Marine Resources of Ecuador**

By this letter I express appreciation for your letter dated October 11, 2002, in response to my correspondence of September 26 of the same year. I also appreciate your cordial invitation to participate, in an observer capacity, in the ICCAT Special Meeting that is being held this week in Bilbao. Due to the significant importance of this matter to Ecuador, I will personally be attending the meeting from Friday, November 1.

As regards the subject of concern to us and upon receiving a request from the Government of Japan to refine the list of tuna longline vessels, shortening it only to include those vessels whose draft exceeds 24 meters, I hereby attach the new refined list, which includes additional information, such as: name of vessel owner, year and place built, length, width, gross and net registered tonnage (GRT and NRT), refrigeration system, and former name of the vessel (if such were the case).<sup>5</sup>

It should be noted that the vessels on the attached list have been operating regularly with the fishing permits for many years, with the exception of the *Pamelita* and the *Pionero*, constructed in and fishing since 2002.

On the other hand, with regard to the vessel *Paloma*, flagged to Mexico, which up to a short time ago was supported by Ecuador while the Ecuadorian boat owner were carrying out the corresponding negotiations for its purchase, it should be clarified that we have been informed that these negotiations did not go through, for which Ecuador no longer supports the operation of the aforementioned vessel.

Also attached herewith is a copy of the letter we are sending to the Inter-American Tropical Tuna Commission (IATTC), to whom we are also sending the vessel list in question.

In the hopes that the information provided herein serves to clear the good name of Ecuador, deleting various of our vessels that are on the ICCAT list of IUU vessels, I avail myself of this opportunity to again thank you and the member countries of ICCAT, as well as the Working Group, for the attention given to this request, but not before reiterating our undeniable commitment to the sustainable use of the living marine resources and to reiterate once again the assurances of my highest consideration.

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<sup>5</sup> The list of 19 vessels provided by Ecuador is available from the Secretariat.

Appendix 7 to ANNEX 11

List of Large-Scale Longline Vessels Believed to be Engaged in Illegal, Unreported and Unregulated (IUU) Fishing Activities in the ICCAT Convention Area and Other Areas (approved by the Commission in 2002) <sup>1</sup>.

No.	Flag	Previous flag	Name of vessel	Chinese name	Owners name	Owners address	Area trans-shipment	Source	Notes
1	BELIZE	HONDURAS	CHANG JAAN 1	長展1			PA	CT	10
2	BELIZE	HONDURAS	CHUN I 307	鎮億307	CHUN HUEA FISHERY		PA	J CT	10
3	BELIZE	HONDURAS	CHUN I 316	春億316	CHUN JINN FISHERY S.A.	BELIZE	PA	J CT	10
4	BELIZE	HONDURAS	CHUN YING 212	春盈212	SHIN YING FISHERY	BELIZE/CHI.TAIPEI	PA	J CT	10
5	BELIZE	HONDURAS	CHUN YING 777	春盈777	CHUN YING FISHERY S.A.	BELIZE	PA	J CT	10
6	BELIZE		DAI HO	大和	DAI HO FISHERY S.A.	BELIZE	AT, IN	J CT	10, 2
7	BELIZE	SINGAPORE	DONG YIH 1	東億1	DONG YING FISHERY	CHI.TAIPEI	IN	J CT	10
8	BELIZE		FENG YA 11	豐亞11	TSINFEN FONG	BELIZE	AT	J	10, 2
9	BELIZE		FU YUAN 66	富元66	JETMARK INTERNATIONAL FISHING		AT, PA	J CT	10, 2, 5
10	BELIZE	HONDURAS	HSIEN HUA 106	憲樺106			PA	CT	10, 2
11	BELIZE	HONDURAS	HSIEN HUA 107	憲樺107			PA	CT	10, 2
12	BELIZE		HUA CHING 202	華瓊202			AT	CT	10, 2
13	BELIZE		HWA CHIH 212	華騏212	HWA CHIN FISHERY	BELIZE/CHI. TAIPEI	AT	J CT	10, 2
14	BELIZE	E. GUINEA	JEFFERY 618	傑佛利618			IN	CT	10
15	BELIZE	SINGAPORE	MENG FA 368	盟發368			IN	CT	10
16	BELIZE	ST.VINCENT	MING SHUN 3	明順3	MING SHUN FISHERY	CHI.TAIPEI/BELIZE	IN,PA	J CT	10
17	BELIZE	JAPAN	MITO MARU 82		CHIN FU FISHERY CO. LTD. S.A.			CT	10, 4
18	BELIZE		NINE LUCKY 6	九福6	NINE LUCKY FISHERY CO.LTD.	CHI.TAIPEI	PA	J CT	10
19	BELIZE		SHINN MAN 666	信滿666			PA	CT	10
20	BELIZE		SHINN MANN 11	信滿11	SUN WARM FISHING SERVICE INC.	BELIZE/PHILIPPINES	AT,PA	J	10, 5
21	BELIZE	E. GUINEA	SHINN MANN 21	信滿21	JETMARK INTERNATIONAL/SHINN MANN FISHERY	PHILIPPINES/BELIZE	PA	J	10, 5
22	BELIZE	ST.VINCENT	SI HONG128	西鴻128	SI TAI FISHERY CO.,LTD.	BELIZE	AT, IN	J CT	10
23	BELIZE	ST.VINCENT	SITAI 326	西泰326	SI UNION FISHERY S.A.	BELIZE	IN	J CT	10, 2
24	BELIZE		SOUTH STAR		GRAND FOREST MARITIME S.A.	BELIZE	PA	J	10
25	BELIZE	E.GUINEA	SUNG HUI	松暉	SUNG HUI FISHERY/SUNG HUI OCEAN	CHI. TAIPEI/BELIZE	IN,PA	J CT	10
26	BELIZE		TAI HUI (FORMER JUI JHI 101)		YUNG YING FISHERY CO.LTD.	CHI. TAIPEI	AT	J	10
27	BELIZE	ST.VINCENT	WIN FAR 828	穩發828			IN	CT	10, 2
28	BELIZE	ST.VINCENT	WIN FAR 868	穩發868	YU SHING FISHERY	CHI. TAIPEI/BELIZE	IN	J CT	10, 2
29	BELIZE	ST.VINCENT	WIN FAR 878	穩發878			IN	CT	10, 2
30	BELIZE		YING CHIN HSIANG 101	盈智祥101			IN	CT	10
31	BOLIVIA		CARLITA		LIRGOLD INTERNATIONAL		AT	J	
32	BOLIVIA		CHIN CHANG MING	金長鵬	CHIN HSIANG WEN FISHERY	CHI. TAIPEI/HONDURAS	AT	J CT	3, 7
33	BOLIVIA		CHIN I MING	金億鵬	CHIN YUAN HORNG	HONDURAS	AT	J CT	3, 7
34	BOLIVIA		GOLDEN RICH	金昇	GOLDEN RICH	BELIZE	AT	J	3
35	BOLIVIA		HSIANG FA 888		KWO JENG MARINE SERVICES			J	4
36	BOLIVIA	HONDURAS	HUNG YU 112	鴻祐112	HUNG WOEI FISHERY	PANAMA/CHI. TAIPEI	AT, IN	J CT	3, 7

No.	Flag	Previous flag	Name of vessel	Chinese name	Owners name	Owners address	Area trans-shipment	Source	Notes
37	BOLIVIA		JUI DER 66		JUI FU FISHERY ENTERPRISE CORP.			CT	4
38	BOLIVIA		MARINE 303		TUNA GLOBE INC.			CT	2, 4
39	BOLIVIA		MIRENTXU		MIRENTXU FIXHING CO S.A. PANAMA	URUGUAY	AT	J	
40	BOLIVIA	HONDURAS	YING CHIN HSIANG 66	盈智祥66	YING CHIN HSIANG FISHERY/YING TSI SHANG FISHERY	CHI. TAIPEI/HONDURAS	IN,PA	J CT	7
41	BOLIVIA,E.GUINEA		ZHONG I 85	中義85	ZHONG I FISHERY/ PESQUERA ZHONG I S.A	CHI. TAIPEI/E.GUINEA	PA	J CT	3
42	BOLIVIA/E.GUINEA		WEI CHING	威慶	WEI CHING OCEAN ENTERPRISE	E.GUINEA	AT,IN	J CT	2
43	CAMBODIA		BENNY 87		TUNA KING MARINE S.A.	BELIZE	AT	J CT	
44	CAMBODIA		CANETA 1		CANETA S.R.L.	ARGENTINA	AT,IN	J	
45	CAMBODIA		FU YUAN 668		FU YUAN FISHING OVERSEA			J	4
46	CAMBODIA		GUO JI 908		LUBMAIN SHIPPING SERVICE	MALAYSIA	AT,IN	J	
47	CAMBODIA		KASMINA 1		STOVER TRADING	BRITISH VIRGIN IS.	IN,PA	J	
48	CAMBODIA		MENG FA 316		MENG FA FISHERY	CHI. TAIPEI		J	4
49	CAMBODIA		SOFIA 6		CINGOMAR FISHING COMPANY			CT	4
50	CANBODIA		BENNY 78		TUNA KING MARINE S.A.	BELIZE	AT	J CT	
51	E.GUINEA		BITACORA		HO YUAN FISHERY S.A.	E.GUINEA	AT	J	
52	E.GUINEA		CHEN CHIEH 725	振傑725				CT	
53	E.GUINEA		CHEN CHIEH 726	振傑726			AT, IN	CT	
54	E.GUINEA		CHEN CHIEH 736	振傑736	CHEN CHIN CHENG FISHERY CO.LTD.S.A.	E.GUINEA	AT	J CT	
55	E.GUINEA		CHEN CHIEH 8	振傑8			IN	CT	
56	E.GUINEA	HONDURAS	CHI FUW 16	啓福16	PESQUERA CHI FUW	GUINEA	IN	J CT	7
57	E.GUINEA		CHIA YING 6	嘉盈6	PESQUERA HAPPY SUN S.A.	E.GUINEA	AT, IN	J CT	
58	E.GUINEA		CHIN CHANG WEN		LIU WAN TIAN	SINGAPORE	AT	J	
59	E.GUINEA		CHIN CHIH HORNG	金吉鴻	CHIN FU FISHERY	SINGAPORE	AT	J	
60	E.GUINEA		CHIN HENG HORNG		CHIN FU FISHERY	SINGAPORE	AT	J	
61	E.GUINEA	BELIZE	CHIN I WEN	金億穩	LIU WAN TIAN/CHIN HSIANG MING FISHERY	BELIZE	AT	J CT	
62	E.GUINEA		CHIN MAN		CHIN MAN FISHERY	PANAMA	IN	J	
63	E.GUINEA	BELIZE	CHIN YOU MING	金友鵬	CHIN FU FISHERY CO.LTD.S.A.	SINGAPORE	AT	J CT	
64	E.GUINEA		CHIN YUAN WEN		CHIN I WEN FISHERY	SINGAPORE	AT	J	
65	E.GUINEA		CHO YU 68	長友68			AT	CT	
66	E.GUINEA		DONG YIH 688	東億688	DONG YIH FISHERY	CHI. TAIPEI	IN	J CT	
67	E.GUINEA		HAI ZEAN 11	海仁11	HAI ZEAN FISHERY S.DE R.L.	E.GUINEA	AT	J CT	
68	E.GUINEA		HAI ZEAN 31	海仁31	PESOUERA HUNG LIN S.A.	E.GUINEA/CHI.TAIPEI	AT	J CT	
69	E.GUINEA		HSIANG JANG 66	翔贊66			AT	CT	
70	E.GUINEA		HSIN HUA 103	信華103	PESQUERA HSIN HUA FISHERY CO.LTD.	E.GUINEA	IN	J CT	
71	E.GUINEA		HSIN I CHANG 326	信宜昌326	FORTUNA FISHERY		AT,MED	J	7
72	E.GUINEA		HUNG YU 212	鴻祐212	PESQUERA COLUMBUS	E.GUINEA	IN,PA	J CT	
73	E.GUINEA		HUNG YU 606	鴻祐606	HUNG YU FISHERY CO.LTD.		IN	J CT	
74	E.GUINEA		HWA MAO 203	華懋203	HWA MAO FISHERY	E.GUINEA/CHI.TAIPEI	IN	J CT	
75	E.GUINEA		I MAN HUNG 166	(億瑞鴻166)	CHUN FAR FISHERY S.A.	E.GUINEA	AT	J CT	
76	E.GUINEA		JIN CHEN HORNG	金成鴻			IN	CT	

No.	Flag	Previous flag	Name of vessel	Chinese name	Owners name	Owners address	Area trans-shipment	Source	Notes
77	E.GUINEA		JIYH HORNG	錦鴻			AT	CT	
78	E.GUINEA		JIYN HORNG 116	錦鴻116	JIYN HORNG OCEAN ENTERPRISE/PESQUERA JIIN YEONG FISHERY	HONDURAS/E.GUINEA	AT,IN	J CT	
79	E.GUINEA		KAE SHYUAN		CHIN MAN FISHERY CO.LTD.	E.GUINEA	AT	J	
80	E.GUINEA		KUANG HORNG	光鴻	CHUEN SUNG FISHERY	E.GUINEA	AT,IN,MED	J CT	
81	E.GUINEA		LUNG SOON 662	隆順662			IN	CT	
82	E.GUINEA		LUNG SOON 886		SLONG SOON FISHERY	CHI. TAIPEI	PA	J	
83	E.GUINEA		LUNG THENG	龍勝	CHIN FU FISHERY	SINGAPORE	AT	J	
84	E.GUINEA		SHENG YANG		CHIN FU FISHERY CO.LTD.S.A.	SINGAPORE	AT	J	
85	E.GUINEA		SHING YANG	幸洋	CHIN FU FISHERY	SINGAPORE	AT	J	
86	E.GUINEA		SHUN CHAO		CHIN FU FISHERY CO	SINGAPORE	AT	J	
87	E.GUINEA		SHUN HE		PESQUERA SHUN HE	U.S.A	AT	J	
88	E.GUINEA		SHUN KUO	順國	CHIN FU FISHERY	SINGAPORE	AT	J	
89	E.GUINEA		SUN RISE 313	昇興313	SINGAPORE CORP.	E.GUINEA	AT, IN	J	
90	E.GUINEA		SUNRISE 313	昇興313	SINGAPORE CORP.	PANAMA	AT	J	
91	E.GUINEA		TARIFA 5		OFFSHORE RESOURCES S.A.	E.GUINEA	AT	J	
92	E.GUINEA		VIKING 1		VIKING FISHERY S.A.	E.GUINEA	AT, PA	J CT	
93	E.GUINEA		WEN CHENG 202	穩盛202			AT	CT	
94	E.GUINEA	HONDURAS	WIN FAR 236	穩發236	WIN FAR MARINE	CHI. TAIPEI	IN	J CT	3,7
95	E.GUINEA	HONDURAS	WIN FAR 266	穩發266	WIN FAR MARINE	CHI. TAIPEI	IN	J CT	3,7
96	E.GUINEA	HONDURAS	YI HSIN 101	鎰新101	YI FA FISHERY S.DE R.L.	E.GUINEA/CHI.TAIPEI	AT,IN	J CT	7
97	E.GUINEA	HONDURAS	YIH SHUEN 212	億順212	YIH SHUEN FISHERY	E.GUINEA/CHI.TAIPEI/HONDURAS	IN	J CT	2,7
98	E.GUINEA		YU CHAN HSIANG 3		PESQUERA YU CHAN HSIANG/YU CHAN HSIANG	PANAMA	IN	J	
99	E.GUINEA		ZHONG I 73	中義73			PA	CT	
100	E.GUINEA			金泉興18				CT	
101	E.GUINEA, BELIZE	HONDURAS	SHIN KAI 6	新凱6	SHIN KAI FISHERY S.A.	E.GUINEA	PA	J CT	
102	E.GUINEA/ST.VINCENT		HSIANG PAO 601	翔寶601	KWO-JENG MARINE SERVICES LIMITED	CHI. TAIPEI	AT	CT US	
103	GEORGIA		SANTA		SHINE YEAR MARITIME S.A.	SINGAPORE	AT	J	
104	GEORGIA		SHANG DAR		SHANG DAR FISHERY INC.	SINGAPORE	PA	J	
105	PANAMA		APOLO 1		INTERMARLIN HOLDING	PANAMA	AT	J	
106	PANAMA		APOLO 2		INTERMARLIN HOLDING	PANAMA	IN,PA	J	
107	PANAMA		APOLO 202		MARSHALL MARINE	PANAMA	IN	J	
108	PANAMA		DONG YIH 666	東億666	DONG YIH SHUN FISHERY	BELIZE	IN	J	
109	PANAMA		HSIANG FA	翔發	KWO-JENG MARINE SERVICES LIMITED	CHI. TAIPEI	AT	US	
110	PANAMA		ISABEL 11		T.B.G. GROUP			J	4
111	PANAMA		KOPAS 88		CARYFORT SOCIEDAD ANONIMA		AT	J	
112	SEYCHELLES		ASHUNEYU		FORTUNE OCEANIC CO. LTD.			CT	11, 10, 4
113	SEYCHELLES		CARINA		LEEWARD FISHING LIMITED	SEYCHELLES	AT	J	11, 9
114	SEYCHELLES		CHUN I 318		CHUN BAO FISHERY			J	11, 10, 4
115	SEYCHELLES		CHUN I 326		CHUN CHEN FISHERY			J	11, 10, 4

No.	Flag	Previous flag	Name of vessel	Chinese name	Owners name	Owners address	Area trans-shipment	Source	Notes
116	SEYCHELLES		CHUN YING 323	春盈323	CHUEN MAAN FISHERY	SEYCHELLES	PA	J	11, 10
117	SEYCHELLES		EVER GOLD 1		GOLDEN WIDE FISHERY	SEYCHELLES	PA	J	11, 10, 4
118	SEYCHELLES		FULL MEANS 1		FULL MEANS FISHERY			J	11, 4
119	SEYCHELLES		FULL MEANS 2		FULL MEANS FISHERY			J	11, 4
120	SEYCHELLES		HAI SHIN		HAI SHIN FISHERY CO LTD	SEYCHELLES	IN	J	11, 10
121	SEYCHELLES		HWA SHAN 301	華珊301	HWA YOW FISHERY	SEYCHELLES/CHI. TAIPEI	IN	J	11, 10
122	SEYCHELLES		JAN YUNG 262	讚永262	JAIN YU FISHERY	SEYCHELLES	IN	J	11, 4
123	SEYCHELLES		JIN HONG 308		JIN HONG OCEAN ENTERPRISE CO., LTD.			CT	11, 10, 4
124	SEYCHELLES		JUPITER 1		JUPITER FISHERY LIMITED	SEYCHELLES	PA	J	11, 10
125	SEYCHELLES		OCEAN HARVEST		OCEAN HARVEST FISHERY LTD	SEYCHELLES	PA	J	11, 10
126	SEYCHELLES		SEA GRAND		SEAGRAND MARINE	SEYCHELLES	IN	J	11, 10
127	SEYCHELLES		SEA WISE		SEA WISE MARINE FISHERY	SEYCHELLES	AT, IN	J	11, 10
128	SEYCHELLES		SHIN YOU					CT	11, 10
129	SEYCHELLES		SHUENN MAN 232	順滿232	MING MAAN MARINE	SEYCHELLES	PA	J	11, 10
130	SEYCHELLES		SHUENN YING 232		SHUENN YING FISHERY CO., LTD.			CT	11, 10, 4
131	SIERRA LEONE		BEST OF SL		LUCKY FISHERY	SIERRA LEONE	AT	J	
132	SRI LANKA		LANKA STAR 21		KWO-JENG MARINE SERVICES LIMITED	CHI. TAIPEI	AT	US	
133	SRI LANKA		SHENG PAO 5	聖寶5			PA	CT	
134	SRILANKA		YU SUAN 101	裕弦101	LANKA INTERCON TRADERS/ YU SUAN FISHERY	SRILANKA/CHI. TAIPEI	AT, PA	J	
135	ST.VINCENT		HSIANG PAO 101	翔寶101	KWO-JENG MARINE SERVICES LIMITED	CHI. TAIPEI	AT	US	12
136	ST.VINCENT		HSIANG PAO 102	翔寶102	KWO-JENG MARINE SERVICES LIMITED	CHI. TAIPEI	AT	US	12
137	ST.VINCENT		MIRANDA		CLIPPER	SOUTH AFRICA	AT, PA	J	12
138	ST.VINCENT		WEN SHUN 621		CONTINENTAL HANDLERS		AT	US	12
139	ST.VINCENT		WEN SHUN 622		CONTINENTAL HANDLERS		AT	US	12
140	ST.VINCENT		WEN SHUN 626		CONTINENTAL HANDLERS		AT	US	12
141	UNKNOWN		BOBBY 3				IN	J	
142	UNKNOWN	BELIZE	CITI 8				PA	J	
143	UNKNOWN		HSANG JANG 102		CONTINENTAL HANDLERS		AT	US	
144	UNKNOWN		HSANG JANG 202		CONTINENTAL HANDLERS		AT	US	
145	UNKNOWN		JEFFREY 137	傑佛利137			AT	CT	
146	UNKNOWN		JEFFREY 166	傑佛利166				CT	
147	UNKNOWN		JEFFREY 28	傑佛利28			AT, IN	J	
148	UNKNOWN		JEFFREY 816	傑佛利816			AT, IN	J	
149	UNKNOWN		KAO FENG 3	高豐3				CT	
150	UNKNOWN		MENG WIN FAR 168	盟穩發168			IN	CT	
151	UNKNOWN		NAM SUN 27	南宋27			AT	CT	
152	VANUATU	HONDURAS	FORTUNA 1	和春1	FORTUNA FISHERY	HONDURAS/CHI. TAIPEI	PA	J CT	13, 10, 7
153	VANUATU	HONDURAS	FORTUNA 12	和春12	FORTUNA FISHERY	HONDURAS/CHI. TAIPEI	PA	J CT	13, 10, 7
154	VANUATU	HONDURAS	FORTUNA 2	和春2	FORTUNA FISHERY	HONDURAS/CHI. TAIPEI	PA	J CT	13, 10, 7
155	VANUATU	HONDURAS	FORTUNA 22	和春22	FORTUNA FISHERY	HONDURAS/CHI. TAIPEI	PA	J CT	13, 10, 7

No.	Flag	Previous flag	Name of vessel	Chinese name	Owners name	Owners address	Area trans-shipment	Source	Notes
156	VANUATU		HENG CHANG 168		EVER FORTUNE FISHERY CO., LTD.			CT	13, 10,4
157	VANUATU		HENG FA 168		EVER FORTUNE FISHERY			J	13, 10,4
158	VANUATU		SHENG PAO 31	聖寶31	SAINT POWER FISHERY		PA	J CT	13, 10
159	VANUATU		SHENG PAO 37	聖寶37			PA	CT	13, 10
160	VANUATU		SUNRISE 1	昇興1	SUN RISE FISHERIES	VANUATU	AT	J	13
161	VANUATU		TUNAGO 31		TUNAGO FISHERY	CHI. TAIPEI	PA	J CT	13, 10
162	VANUATU		TUNAGO 32		TUNAGO FISHERY	CHI. TAIPEI	PA	J CT	13, 10
163	VANUATU		TUNAGO 51		TUNAGO FISHERY	CHI. TAIPEI	PA	J CT	13, 10
164	VANUATU		TUNAGO 52		TUNAGO FISHERY	CHI. TAIPEI	PA	J CT	13, 10
165	VANUATU		TUNAGO 61		TUNAGO FISHERY CO., LTD.			CT	13, 10,4
166	VANUATU		TUNAGO 62		TUNAGO FISHERY CO., LTD.			CT	13, 10,4
167			ALAM INDAH		PT.NUSAERLIN TIMUR	SINGAPORE	AT,IN,PA	J	8
168		JAPAN	ALLAMAHADA					CT	4
169		BELIZE	ANDREW 708		SEVEN SEAS MARINE S.A.	SINGAPORE	AT, IN	J	
170			ARU 02		P.T.PROVISIT	INDONESIA	AT	J	8
171		BELIZE	BENNY 168		SEVEN SEAS MARINE S.A.	SINGAPORE	AT	J	6
172		BELIZE	BENNY 636		TUNA KING MARINE S.A.	BELIZE	AT	J	
173			BERITANIA		P.T. PELAYARAN BHARUNA SAMUDERA PERSADA	INDONESIA	AT	J	8
174			BERLINETA		PT.INDOTAMA AYU SEGARA	INDONESIA	AT	J	8
175			BHASKARA 1		PT.CAHAYA FISHERIES ABADI	INDONESIA	AT	J	8
176			BHASKARA 10		PT. CAHAYA FISHERIES ABADI	INDONESIA	PA	J	8
177			BHASKARA 2		PT. CAHAYA FISHERIES ABADI	INDONESIA	IN, PA	J	8
178			BHASKARA 3		PT. CAHAYA FISHERIES ABADI	INDONESIA	IN	J	8
179			BHASKARA 5		PT. CAHAYA FISHERIES ABADI	INDONESIA	IN	J	8
180			BHASKARA 6		PT. CAHAYA FISHERIES ABADI	INDONESIA	IN	J	8
181			BHASKARA 7		PT. CAHAYA FISHERIES ABADI	INDONESIA	IN	J	8
182			BHASKARA 8		PT CAHAYA FISHERIED ABADI	INDONESIA	AT	J	8
183			BHASKARA 9		PT. CAHAYA FISHERIES ABADI	INDONESIA	PA	J	8
184			BHINEKA		P.T. PELAYARAN BHARUNA SAMUDERA PERSADA	INDONESIA	AT, IN	J	8
185			BINTANG SELATAN		PT. FAJAR CAKRAWALA SUMBINDO	INDONESIA	PA	J	8
186			BINTANG SEMESTA		PT. FAJARCAKRAWALA SUMBINDO	INDONESIA	IN	J	8
187			BONERATE 1		PT.BONERATE CIPTA UTAMA	INDONESIA	PA	J	8
188			BONERATE 3		PT.BONERATE CIPTA UTAMA	INDONESIA	AT	J	8
189			CALVIN 1		PT. FAJAR CAKRAWALA SUMINDO	INDONESIA	IN	J	8
190		HONDURAS	CHANG SHENG 1	昌陞1	CHANG SHENG FISHERY CO.LTD.	CHI. TAIPEI	IN	J CT	7
191		E.GUINEA	CHANG YOW 212	昌祐212	CHANG YOW FISHERY/CONTINENTAL HANDLERS	ST. VINCENT	AT	US J,CT	
192		BELIZE	CHEN CHIEH 88	振傑88	PESUERA CHEN CHIN CHENG/SUN WARM FISHING SERVICE	BELIZE	AT, IN	J	5
193			CHEN CHIEH 888	振傑888	SUN WARM FISHING SERVICE	PHILIPPINES	AT, IN, PA	J	5
194			CHEN FA 88	振發88			AT	CT	
195			CHEN FA 888	振發888			AT	CT	
196		HONDURAS	CHI FUW 6	啓福6	SONG MAW FISHERY	CHI. TAIPEI	IN	J CT	7

No.	Flag	Previous flag	Name of vessel	Chinese name	Owners name	Owners address	Area trans-shipment	Source	Notes
197		HONDURAS	CHI HUNG 121	啓宏121	CHI HUNG S.DE R.L.	HONDURAS	AT, IN	J CT	7
198		BELIZE	CHIEN CHANG 126	建昶126	CHIEN CHANG FISHERY CORP.	PANAMA	AT, IN	J CT	
199		HONDURAS	CHIEN CHANG 66	建昶66			AT	CT	7
200		BELIZE	CHIEN CHUN 8	建群8	GREAT OCEAN ENTERPRISE S.A.	BELIZE	AT, IN	J CT	
201		BELIZE	CHIEN CHUNG 602	建中602			AT, PA	J CT	5
202		BELIZE	CHIN CHENG WEN		CHIN CHENG WEN FISHERY	BELIZE	AT, IN	J	6
203			CHIN HORNG 106	金鴻106			AT	CT	7
204		HONDURAS	CHIN HSIANG MING	金翔鵬	CHIN HSIANG MING FISHERY S.DE R.L.	HONDURAS	AT	J CT	7
205		BELIZE	CHIN YOU WEN		CHIN YOU WEN FISHERY	BELIZE	AT, IN	J	6
206			CHINKI 23		P.T.PELAYARAN BHARUNA SAMUDERA PERSADA	INDONESIA	IN	J	8
207			CHINKI 6		P.T. PELAYARAN BHARUNA SAMUDERA PERSADA	INDONESIA	AT, PA	J	8
208			CHO YU 3	長友3	ARMADORA PESQUERA CHOYU	USA	AT, IN	J CT	7
209			CHRISADNA 1		VITA SAMUDERA	INDONESIA	IN, PA	J	8
210		HONDURAS	CHUN FA	春發	CHUN FA FISHERY S.A.	HONDURAS	IN	J CT	2, 7
211		HONDURAS	CORONA		MARINE STAR SHIPPING S.DE R.L.	HONDURAS	IN	J	7
212		HONDURAS	COSMO		MARINE STAR SHIPPING	HONDURAS	IN	J	7
213			CRUSADER		ROMEO ENTERPRISE	VANUATU	AT	J	
214			DAMAI		P.T. LIANINTI ABADI	INDONESIA	IN	J	8
215			DHALLA 8 HSIANG CHANG 136	翔強136	KWO-JENG MARINE SERVICES LIMITED	CHI. TAIPEI	AT	CT	
216			DIBIRON		Mr. THAMRIN HUSNI TELOK GONG INDAH	INDONESIA	IN	J	8
217		HONDURAS	EDEN 18		KINGFISH FISHERY S.DE R.L.	HONDURAS	IN	J CT	7
218		HONDURAS	FLAIR 3	福萊爾3	KINGFISH FISHERY S.DE R.L.	HONDURAS/CHI. TAIPEI	AT, IN	J CT	7
219		BELIZE	FONG KUO 16	豐國16	F.K.OVERSEAS FISHERY	BELIZE	PA	J CT	6
220		BELIZE	FONG KUO 3	豐國3	F.K. OVERSEAS FISHERY	BELIZE	PA	J CT	
221		BELIZE	FONG KUO 33	豐國33	F.K.OVERSEAS FISHERY S.A.	BELIZE	PA	J CT	
222		BELIZE	FONG KUO 6	豐國6	F.K. OVERSEAS FISHERY	BELIZE	PA	J CT	
223		HONDURAS	FORTUNA 11	和春11	FORTUNA FISHERY	HONDURAS/CHI. TAIPEI	PA	J CT	7
224		HONDURAS	FORTUNA 21	和春21	FORTUNA FISHERY	HONDURAS/CHI. TAIPEI	PA	J CT	7
225		HONDURAS	FU AN 6	富安6	FU AN OCEAIC ENTERPRISE S.DE R.L.	HONDURAS	PA, IN	J CT	7
226		HONDURAS	FU HUAN	富環	FU HUAN FISHERY	HONDURAS	AT, IN	J	7
227		BELIZE	FU YUAN 3	富元3	FU YUAN FISHING OVERSEA	BELIZE	IN	J	6
228		SEYCHELLES	FULL HOPE 1		FULL HOPE FISHERY			J	4
229		SEYCHELLES	FULL HOPE 2		FULL HOPE FISHERY			J	4
230		SEYCHELLES	FULL WINNING 1		FULL WINNING FISHERY CO. LTD.			CT	4
231		SEYCHELLES	FULL WINNING 2		FULL WINNING FISHERY CO. LTD.			CT	4
232			FWU HUAN	福環			IN	CT	7
233		SEYCHELLES	GREAT 1			E.GUINEA	PA, IN	J	
234			GREEN BAY 11		EVERGREEN BAY PRODUCTS	THAILAND	AT, MED	J	
235			HAU SHEN 202	豪勝202	HAU YOW FISHERY CO.LTD.	CHI. TAIPEI	AT, IN	J CT	6
236			HENG FA 18				IN	CT	

No.	Flag	Previous flag	Name of vessel	Chinese name	Owners name	Owners address	Area trans-shipment	Source	Notes
237		HONDURAS	HER HSIANG	合祥			IN	CT	7
238			HO MAN	合滿	HER MAN FISHERY CO.LTD.	CHI. TAIPEI	IN	J CT	7
239			HO Man 3	合滿3			AT	CT	7
240		HONDURAS	HONG SHUN 66	鴻順66			AT	CT	7
241		HONDURAS	HORNG SHIN				AT	CT	7
242		BELIZE	HSIANG CHANG 101	翔強101	KWO-JENG MARINE SERVICES LIMITED	CHI. TAIPEI	AT	US CT	
243		HONDURAS	HSIANG CHANG 102	翔強102	KWO-JENG MARINE SERVICES LIMITED	CHI. TAIPEI	AT	US	7
244			HSIANG CHANG 102	翔強102			AT	CT	
245		HONDURAS	HSIANG CHANG 132	翔強132	DAIWA MARINE INTERNATIONAL		AT	CT	7
246		HONDURAS	HSIANG CHANG 606	翔強606	DAIWA MARINE WORLD S.DE R.L.	JAPAN/HONDURAS	AT, PA	J CT	7
247			HSIANG FA 18	翔發18			AT, IN	J CT	5
248		BELIZE	HSIANG FA 26	翔發26	SUN WARM FISHING SERVICE INC.		AT, IN	J	5
249		PANAMA	HSIANG PAO 602	翔寶602	KWO-JENG MARINE SERVICES LIMITED	CHI. TAIPEI	PA	US	
250		PANAMA	HSIANG PAO 613	翔寶613	KWO-JENG MARINE SERVICES LIMITED	CHI. TAIPEI	PA	US	
251		PANAMA	HSIANG PAO 632	翔寶632	KWO-JENG MARINE SERVICES LIMITED	CHI. TAIPEI	PA	US	
252		BELIZE	HSIEH YUNG 636	協榮636	HSIEH YUNG FISHERY	BELIZE	PA	J	
253			HSIEN YUNG 366	協永366			IN	CT	7
254		HONDURAS	HSIEN YUNG 636	協永636			PA	CT	2
255			HSIN HUA 101	信華101			IN	CT	
256		SEYCHELLES	HSING SHUN 166	興順166			IN	CT	
257			HSING SHUN 66	興順66			IN	CT	7
258		BELIZE	HUNG CHING 212	鴻慶212	HUNG CHING FISHERY S.A.	BELIZE	AT, IN	J CT	2
259			HUNG SHUN 67	鴻順67			AT, IN	CT	7
260			INDOTIM 8		PT. DONGWON BUMI BAHARI	INDONESIA	PA	J	8
261			INDOTUNA 8		PT.DONGWON BUMI BAHARI	INDONESIA	IN	J	8
262			ISKANDAR			INDONESIA	AT	J	8
263		BELIZE	JAIN YUNG 202	讚永202	JAIN YUNG FISHERY S.A.	BELIZE	AT, IN	J CT	5
264		BELIZE	JEFFERY 168	傑佛利168			AT	CT	
265		BELIZE	JEFFERY 816	傑佛利816			IN	CT	
266			JIMMI INDAH 2		JOHANES TANAMAS	INDONESIA	IN	J	8
267			JIMMY WIJAYA 2		CHARLIE WIJAYA TUNA PT	INDONESIA	IN	J	8
268		BELIZE	JIN HONG 201		JIN HONG FISHERY S.A.	BELIZE	PA	J	
269		HONDURAS	JIYH HORNG 201	錦鴻201			PA	CT	
270			JIYN HORNG 106	錦鴻106	JIYN HORNG OCEAN ENTERPRISE CO.LTD.	HONDURAS	AT, IN	J CT	7
271		PANAMA	KO YU 6	光佑6			IN	CT	
272			KOMYO 18		P.T.NUSAERLIN TIMUR	INDONESIA		J	8
273			LIANINTI 3		PT. LIANINTI ABADI	INDONESIA	IN	J	8
274		SEYCHELLES	LU SOON	裕順			IN	CT	
275			LULU MARINA III		P.T.RICO DIAN JAYA TAMA	INDONESIA		J	8
276			LUNG CHANG 3	隆昌3	UNION OCEAN FISHERY CO.LTD.	BELIZE	AT, IN	J CT	
277		HONDURAS	LUNG SOON 122	隆順122			IN	CT	7

No.	Flag	Previous flag	Name of vessel	Chinese name	Owners name	Owners address	Area trans-shipment	Source	Notes
278			LUNG SOON 126	隆順126			IN	CT	7
279		BELIZE	LUNG SOON 22	隆順22			IN	CT	
280			MADURA 2		P.T.PROVISIT	INDONESIA	AT	J	8
281			MADURA 3		PT.PROVISIT	INDONESIA	AT	J	8
282			MAESTRO 1		PT.CAHAYA FISHERIES ABADI	INDONESIA	AT	J	8
283			MAESTRO 3		PT.CAHAYA FISHERIES ABADI	INDONESIA	AT	J	8
284			MAESTRO 4		PT.CAHAYA FISHERIES ABADI	INDONESIA	IN	J	8
285			MAESTRO 5		PT.CAHAYA FISHERIED ABADI	INDONESIA	AT	J	8
286			MAKMUR MADANI RAYA		PT.HASIL LAUT MAKMUR MADANI	INDONESIA	PA	J	8
287			MAKUMUR 2		PT.INDOTAMA AYU SEGARA	INDONESIA	PA	J	8
288			MANIPA 668		PT.DARA PUTRA PERDANA	INDONESIA	AT	J	8
289			MANIPA 888		PT.DARA PUTRA PERDANA	INDONESIA	IN	J	8
290		HONDURAS	MARINE STAR 8		MARINE STAR SHIPPING	SINGAPORE	IN	J	7
291			MATAHARI 1		PT.CAHAYA FISHERIED ABADI	INDONESIA	PA	J	8
292			MATAHARI 2		PT. CAHAYA FISHERIES ABADI	INDONESIA	PA	J	8
293			MATAHARI 4		PT. CAHAYA FISHERIES ABADI	INDONESIA	AT, IN	J	8
294			MATAHARI 5		P.T.CAHAYA FISHERIES ABADI	INDONESIA	AT	J	8
295			MATAHARI 6		PT. CAHAYA FISHERIES ABADI	INDONESIA	PA	J	8
296			MATAHARI 7		RAHARJO	INDONESIA	IN	J	8
297		MAURITIUS	MENG FA 366	盟發366				CT	
298		HONDURAS	MENG LI 201	盟立201	MENG LI FISHERY S.DE R.L.	HONDURAS	IN, MED	J CT	7
299			MING TAY 1	明泰1	HO HSIN FISHING CO.LTD.	CHI. TAIPEI	IN	J	
300		BELIZE	MORE RICH		TO YU S.A.			CT	4
301			MUJUR MALUKU 6		P.T. MUJUR MALUKU	INDONESIA	IN	J	8
302			MV SARI SEGARA		NYM SARYA	INDONESIA		J	8
303			NAGA AGUNG 88		PT.INDOTAMA AYU SEGARA	INDONESIA	AT	J	8
304		BELIZE	NATIONAL 202		CONTINENTAL HANDLERS	BELIZE	AT, PA	US	
305		BELIZE	NATIONAL 206		CONTINENTAL HANDLERS	BELIZE	PA	US	
306		BELIZE	NATIONAL 21		CONTINENTAL HANDLERS	BELIZE	PA	US	
307		HONDURAS	OCEAN MASTER 1		OCEAN MASTER FISHERY	CHI.TAIPEI/HONDURAS	IN	J	7
308		HONDURAS	PENG SHIN	澎興	PENG SHIN FISHERY S.DE R.L.	HONDURAS	AT	J CT	7
309			PERTUNI 11		PT. PERIKANAN PERTUNI UTAMA	INDONESIA	PA	J	8
310			PERTUNI 2		PT. PERIKANAN PERTUNI UTAMA	INDONESIA	IN	J	8
311			PERTUNI 7		P.T.PERIKANAN PERTUNI UTAMA	INDONESIA	IN	J	8
312			PERTUNI 8		PT.BONECOM	INDONESIA	AT	J	8
313			PESQUERA 68		ARMADORA PESQUERA CHOYU S.DE R.L.	HONDURAS	AT	J CT	7
314		BELIZE	PING SHIN 201	屏新201	PING SHIN OVERSEAS	BELIZE	IN	J CT	
315			PRATIDINA 205		PT.PRATIDINA PRATAMA	INDONESIA	IN	J	8
316			PURBAKALA 3		PT. CAHAYA FISHERIES ABADI	INDONESIA	IN	J	8
317			PURBAKALA 4		PT.CAHAYA FISHERIES ABADI	INDONESIA	IN	J	8

No.	Flag	Previous flag	Name of vessel	Chinese name	Owners name	Owners address	Area trans-shipment	Source	Notes
318			RESTU JAYA		MR.WILIAM LIM	INDONESIA	IN	J	8
319		HONDURAS	RYH CHUN 1	日春1	FA CHUEN OCEAN FISHING S.DE R.L.	HONDURAS	IN	J CT	7
320		HONDURAS	RYH CHUN 21	日春21	RYH CHUN OCEAN FISHERY INC.	CHI. TAIPEI	IN	J CT	7
321		BELIZE	SEAHORSE		SEAHORSE FISHERY	BELIZE	IN	J	6
322			SERAM		PT. PROVISIT	INDONESIA	AT	J	8
323		SEYCHELLES	SEYGEM (LUNG SOON 212)	隆順212	GRANDEUR OCEANIC	SEYCHELLES/E.GUINEA	PA	J CT	2
324		SEYCHELLES	SEYPEARL ( SHANG SHUN 622)	興順622	PROSPERITY OCEANIC/EXITO FISHERY	SEYCHELLES/E.GUINEA	PA	J CT	2
325		SEYCHELLES	SEYSTAR ( LUNG SOON 282)	隆順282	LOUIS OCEANIC CO.LTD.	SEYCHELLES/CHI. TAIPEI	PA	J CT	2
326		HONDURAS	SHANG SHUN 166	興順166			IN	CT	7
327		BELIZE	SHANG YUN	上源	OVERSEAS FISHERY CO.	BELIZE	AT, IN	J CT	
328			SHENG FAN 6	勝帆6			AT	CT	
329			SHENG HSING 606	昇興606			AT	CT	7
330			SHENG PAO 21	聖寶21			PA	CT	7
331		HONDURAS	SHENG PAO 7	聖寶7	SAINT POWER FISHERY	HONDURAS	PA	J CT	7
332		BELIZE	SHINE YEAR	上裕	CHEN TING CHOU	SINGAPORE	AT, IN	J CT	
333		HONDURAS	SHUE YUNG 366		DALIAN OVERSEAS FISHERY S.DE R.L.	HONDURAS	AT, IN	J CT	7
334		SEYCHELLES	SHUENN MAN 323		MING MAAN MARINE	SEYCHELLES		J	4
335		HONDURAS, SINGAPORE	SHUENN MAN 666	順滿666	SHUENN MAN FISHERY S.A.	BELIZE	PA	J CT	
336		BELIZE	SHUN MEI	順美	CHIN FU FISHERY CO.LTD.S.A.	SINGAPORE	AT	J CT	
337			SHUN THENG	順勝			AT	CT	7
338		BELIZE	SHUN YU	順裕	SHUN YU FISHERY S.A.	BELIZE	AT	J CT	2
339			SHYE SHIN 1	協信1	SUN WARM FISHING SERVICE	PHILIPPINES	IN	J	2, 5
340			SINIPENG		P.T. BHARUNA MINATAKA PERSADA	INDONESIA	AT, IN	J	8
341			SINIUPENG		P.T. BHARUNA MINATAKA PERSADA	INDONESIA	AT, IN	J	8
342			SMP.LL.03A		PT.SAMUDERA MINA PERSADA.	INDONESIA	AT	J	8
343			SOONIA 22		PT.NUSAERLIN TIMUR	INDONESIA	IN	J	8
344			SULTRA 1		PT.SULTRATUNA SAMUDRA	INDONESIA	IN	J	8
345			SUMBER BAHARI		MR. JOHANNES A.S.	INDONESIA	IN	J	8
346			SUMBER BUANA 35		MR. GO TEK TJIN	INDONESIA	IN	J	8
347		HONDURAS	SUN RISE 607	昇興607	YELLOW FIN FISHERY S.DE R.L.	HONDURAS	AT	J CT	7
348			SUN· E		P.T.BHARUNA MINANTAKA PERSADA	INDONESIA	AT	J	8
349			SUNCLE		P.T DARA PUTRA PERDANA	INDONESIA	AT	J	8
350			SUSANA		PT.SAMUDERA MINA PERSADA.	INDONESIA	IN	J	8
351		HONDURAS	TA YU 11	大祐11			PA	CT	7
352			TAIYO 38		P.T.NUSAERLIN TIMUR	INDONESIA		J	8
353		HONDURAS	TAMARA 8		MARINEX S.DE R.L.	HONDURAS	IN	J	7
354			TELUR CEUDRAWASIH 1		PT, SARI SEGARA UTAMA	INDONESIA	IN	J	8
355			TIM 1	提姆1	HOUNG KOU CHING	HONDURAS	IN	J	7
356			TOAR		PT.INDOTAMA AYU SEGARA	INDONESIA	AT	J	8
357			TROPAC 1		TROPAC FISHERIES	AMERICAN SAMOA	PA	J	
358			TUNA INDAH 01		P.T.LIANINTI ABADI	INDONESIA		J	8

No.	Flag	Previous flag	Name of vessel	Chinese name	Owners name	Owners address	Area trans-shipment	Source	Notes
359			TUNA INDAH 02		P.T.LIANINTI ABADI	INDONESIA		J	8
360			TUNA PERDANA 2		MR. ANG GIN HONG	INDONESIA	IN	J	8
361			VICI 18		P.T.YAKITAMA ANDALAN PUTRA	INDONESIA	IN	J	8
362			VICI 8		P.T.YAKITAMA ANDALAN PUTRA	INDONESIA	IN	J	8
363			VICTORY 1	維多利重1	VICTORY FISHERY	SINGAPORE	IN	J	
364		BELIZE	VICTORY 88				AT, IN	CT	
365		BELIZE	VIRGO		VIRGO FISHERY	BELIZE	IN	J	6
366		HONDURAS	WEN CHANG 66	穩昶66	CHIEN CHANG PESCA S.A.	HONDURAS	IN	J CT	7
367			WEN SHENG 16	穩盛16			AT, IN	CT	
368		BELIZE	YI CHUN 232	億群232			IN	CT	
369			YU CHA 606	裕展606	DAIWA MARINE INTERNATIONAL S.DE R.L.	HONDURAS	PA, AT	J	7
370		HONDURAS	YU SUAN 102	裕弦102	YUNG HONG MARINE	CHI. TAIPEI/JAPAN	PA	J	7
371		HONDURAS	YUNG HUANG 606		KWO-JENG MARINE SERVICES LIMITED	CHI. TAIPEI	AT	US	7
372		HONDURAS	YUNG SHU 101		DAIWA MARINE INTERNATIONAL	HONDURAS	PA	J	
373		HONDURAS	YUNG SHU 606		KWO-JENG MARINE SERVICES LIMITED	CHI. TAIPEI	AT	US	7
374		HONDURAS	YUNG YING 606		KWO-JENG MARINE SERVICE/ DAIWA MARINE WORLD	CHI. TAIPEI	AT	J A	7
375		HONDURAS	YUNG YU 102		DAIWA MARINE INTERNATIONAL	HONDURAS/CHI. TAIPEI, JAPAN	AT, PA	J	7
376		HONDURAS	ZHONG XIN 1	中信1			IN	CT	7
377		BELIZE	ZHONG XIN 16	中信16			PA	CT	
378		HONDURAS	ZHONG XIN 26	中信26			IN	CT	7
379				豪益202				CT	

#### NOTES

- 1 Those vessels included on this list that have the same name, but for which other information provided is different (i.e., owner's name, owner's address, area) are shown as a separate entry. Hence, there could be some double entries. Vessels operating under charter or other arrangements are not included in this list, except the Philippines, but, given the temporary nature of such arrangements, these vessels should be closely monitored, and evaluated frequently by the Parties concerned.
- 2 Approved for Chinese Taipei re-registration program.
- 3 Participant in scrapping program.
- 4 Informed to ICCAT in 2001 as newly-built FOC vessel by Chinese Taipei.
- 5 Vessels operating under charter arrangements with Philippine companies. However, the Philippines commits itself not to renew their charter contracts after the end of 2002. Those vessels should not be subject to sanction measures until the end of their contracts or the end of 2002, whichever comes first.
- 6 At the 2001 Commission meeting, Belize informed that these had been deleted from the registry or had expired or did not appear on the registry.
- 7 At the 2001 Commission meeting, Honduras informed that it had cancelled 255 vessel licenses as of November 2001. However, the list of cancellations was not compared to the list above.
- 8 These vessels are known to have carried forged Indonesian registry documents
- 9 Vessel under South African (SA) control and authority, which will be registered in SA by the end of 2002 if SA allocates a right to the relevant company. Upon receipt of such information from South Africa, these vessels will be deleted from the list.
- 10 During the 2002 Commission Meeting, representatives from the listed flag State assured the Commission that the vessel is under their license and control and that it does not fish in the Atlantic Ocean.
- 11 According to Seychelles, vessels flying the Seychelles flag are monitored by VMS and provide catch and effort data to the flag State.
- 12 St. Vincent and the Grenadines indicated in 2002 that these vessels are properly regulated and report daily catch-effort data and their geographical position is monitored on a daily basis
- 13 In the view of Vanuatu, the listing of these vessels should not be used as a basis for trade sanction.

Summary Table of Historical Actions (continued)

Appendix 8 to ANNEX 11

Summary Table of Historical Actions Taken by the Commission concerning the Bluefin Tuna and Swordfish Action Plans, and the 1998 UU Catches Resolution

Fleet	Action Plan*,**			Date of Commission decision			Initial concerns	Recent information (2001 and previous)	2001 action	Response for 2002 (d/m/y)***
	B	S	U	Identify	Initial sanction	Lift sanction				
<b>Contracting Parties, Entities or Fishing Entities</b>										
Equatorial Guinea**	s		s	1999 U	1999 B 2000 U		-Record of export, catch not reported -No catch limit -IUU vessels registered	-No response for 5 years -Initial concerns still apply	Continue sanctions	None
Guinea Conakry			i	1999 U			-Record of export, catch not reported -IUU vessels registered	-Appeared to have ceased bluefin activities in 1999 -In 2000 review, no record of catch or IUU	No new information, not discussed	N/a
Panama	l		i	1995 B 1998 S 2001 U	1996 B	1999 B	-Catch and export recorded -Harvests not reported -Fishing vessel witnessed in Mediterranean during closed season -No monitoring controls in place -No response to Commission's request	-In 1999, joined ICCAT, removal of FOC, submitted data, fishing reduced -In 2001, bigeye export increased, catch and landing reported -IUU vessels registered	Identify (UU)	24/01/02
Trinidad & Tobago			i	1999 U			-IUU vessels registered	-In subsequent reviews, no action warranted, no IUU fishing activities	New discussions not warranted	N/a
<b>New Contracting Parties, Entities or Fishing Entities 2001</b>										
Barbados							-Large fleet fishing for swordfish and tunas since before 1993 -Allows foreign vessels to transship in its ports	-In 2001, Barbados outlined details of its fleets, management and catches since 1996 -No evidence to warrant	Referred to the Compliance Committee	N/a

Summary Table of Historical Actions (continued)

Fleet	Action Plan*,**			Date of Commission decision			Initial concerns	Recent information (2001 and previous)	2001 action	Response for 2002 (d/m/y)***
	B	S	U	Identify	Initial sanction	Lift sanction				
								taking action		
Honduras	l	l	s	1995 B 1998 S 1999 U	1996 B 1999 S 2000 U	2001 B 2001 S	-In 1995, a large number of vessels fishing for ICCAT species in the Convention area -Found to have been fishing for swordfish in the Convention area -Monitoring and control capability not apparent -No catches being reported -Vessels on IUU list and catches of bet high	-In 2001, no record of harvest of bluefin and swordfish -Honduras suspended 41 vessels -Contracting for VMS for remaining vessels -Export continued, 7 FOC remained -Review activity in 2002 in Compliance Committee -Harvests of bigeye still high	Sanctions lifted for bluefin and swordfish  No consensus to overturn 2000 bigeye sanction decision	None
<b>Cooperating Parties, Entities or Fishing Entities</b>										
Chinese Taipei			x					-IUU business networks	No action. Cooperating status continued through 2002	None
Philippines	i		i	1999 B 1999 U			-Trade data indicate bluefin tuna fishing; no catches reported -IUU vessels registered	-In 2001, taking action to delete IUU vessels -No action warranted	No action. Cooperating status continued through 2002	None
<b>Non-Contracting Parties, Entities or Fishing Entities</b>										
Argentina		m					-In 2000, import information of unreported swordfish catches possibly in the Atlantic	-In 2001, no evidence to warrant taking further action	Monitor	N/a

**Summary Table of Historical Actions (continued)**

Fleet	Action Plan*,**			Date of Commission decision			Initial concerns	Recent information (2001 and previous)	2001 action	Response for 2002 (d/m/y)***
	B	S	U	Identify	Initial sanction	Lift sanction				
Belize	s	s	s	1995 B 1998 S 1999 U	1996 B 1999 S 2000 U		-In 1995, a large number of vessels fishing for ICCAT species in the Convention area -Vessels sighted during closed season in Mediterranean -No catch reporting for bluefin or swordfish even though import data indicated harvests -Long history of IUU activities in the ICCAT convention area	-Attending ICCAT meetings as Observer -Have made some effort to control its fleet and reported on this at 2001 ICCAT meeting  -Efforts still in preliminary stages -Concern that lifting sanctions would result in IUU vessels returning to Belize	Maintain sanctions and encourage	Yes (24/06/02)
Boliva			i	2001 U			-No efforts to monitor, control and report -Trade data showed 800 t bigeye in 2001 -Vessels on 2001 IUU list		Identify: some concern about accountability	Yes (25/7/02)
Cambodia			s	1999 U	2000 U		-Trade data for the Convention area -Not reporting data -Vessels on IUU list -No response to 1999 letter	-No response to 2000 letter -2001 import data shows harvests of bigeye -Vessels still on IUU list	Maintain sanctions	Yes (24/6/02)
Denmark (Faeroes)	m						-Trade data indicated increasing trend in fishing for bluefin both in EEZ and on high seas (E&W) -Faeroes have reported catches since 1998	-Attended ICCAT meetings as Observer -No catches of bluefin in 2001	Encourage & monitor	None

Summary Table of Historical Actions (continued)

Fleet	Action Plan*,**			Date of Commission decision			Initial concerns	Recent information (2001 and previous)	2001 action	Response for 2002 (d/m/y)***
	B	S	U	Identify	Initial sanction	Lift sanction				
Grenada		m					-Multi-species fishery catches swordfish, not reported -Fishery showed increasing trend	-Expressed intention to limit swordfish catches -Limited information in 2001 does not warrant action -Ask for cooperation and indicate the actions that ICCAT could take	Request for reporting information and monitor	None
Guinea Bissau	m						-In 1998, noted trade data for Mediterranean bluefin for first time -No data reporting	-In 1999, exports halted and no further action -No evidence of fishing in 2001, will monitor activities	Monitor	N/a
Iceland	e	m					-Iceland fishing for bluefin in their EEZ in 1999-2001	-Report data and have high Observer coverage -No evidence to warrant taking further action -Encouraged to make continued progress to comply with ICCAT measures -Becoming a new member?	Encourage bluefin & monitor swordfish	None
Indonesia			i	2001 U			-No response to 2000 letter -Export data shows harvests of bigeye -No catches reported -Vessels on IUU list		Identify	None
Kenya			x	1999 U			-In 1999, IUU vessels registered -No catch reported -Trade data indicated fishing	-No sanctions imposed, no evidence indicating fishing	Not discussed	N/a

**Summary Table of Historical Actions (continued)**

Fleet	Action Plan <sup>*,**</sup>			Date of Commission decision			Initial concerns	Recent information (2001 and previous)	2001 action	Response for 2002 (d/m/y) <sup>***</sup>
	B	S	U	Identify	Initial sanction	Lift sanction				
Liberia		m					-In 2000, import information of unreported swordfish catches possibly in the Atlantic	-In 2001, no evidence to warrant taking further action -Activities should be monitored	Monitor	N/a
Malta	e						-Increasing trend in bluefin catches	-Taking steps to address concerns and intend to seek Cooperating status -Harvest levels have been decreasing since 1999 -Encouraged to make continued progress to comply with ICCAT measures	Encourage & monitor	None
Mozambique		m					-In 2000, import information of unreported swordfish catches possibly in the Atlantic	-In 2001, no evidence to warrant taking further action (catches were in Indian Ocean) -Activities should be monitored	Monitor and Secretariat to liaise to clarify 2001 data submission	N/a
Netherlands Antilles		m					-Since 1994 there have been reported catches of swordfish	-Observer at 2001 meeting -Becoming member of ICCAT -No action needed	Monitor and encourage	N/a
Norway	e						-In 1999, 4 t of bluefin	-No catch of bluefin in 2001 -Response to 2000 letter and no evidence of continued fishing -Encouraged to make continued progress to comply with ICCAT measures	Encourage	N/a

## Summary Table of Historical Actions (continued)

Seychelles			x				-In 2001, trade data indicated increasing bigeye harvest; none reported -Vessels on IUU list		Information on catch levels of bigeye	Yes (8/5/02)
Sierra Leone	i	i	i	2001 B 2001 S 1999 U 2001 U			-In 2001, import data that 249 t of western bluefin harvested in 2001, 11 t of swordfish, and 152 t of bigeye -In 1999, 2001 IUU vessels registered		Identify for bluefin and swordfish, and UU again in 2001	None
Singapore	i		i	1999 B 1999 U			-1999 letter of enquiry sent about a vessel fishing in the Atlantic	-In 2000, responses denied any licenses issued for Atlantic, and no evidence of continued fishing; no action taken	Not discussed	N/a
St. Vincent & Grenadines			s	1999 U	2000 U	2003? U	-Fleet of 25 longline vessels fishing in the ICCAT area -Small catches reported by SCRS are not consistent with Japan trade data -Vessels on IUU list	-In 2001, Observer from St. Vincent and the Grenadines presented information on a remedial action plan -PWG could not support immediate lifting of sanctions until further evidence of implementation	Adopted measure to lift sanctions in 2003 pending satisfactory review	None
Togo		e					-In 2001, information that Togo catches turned away from EC ports -Encourage cooperation with ICCAT		Information on catches	None

**Summary Table of Historical Actions (continued)**

Turkey	m						-Increasing trend in bluefin catches	-In 2001, Observer from Turkey indicated a significant reduction of purse seine fleet, and catches; catch and trade data appeared to support this	Encourage and monitor	None
Vanuatu		i	i	2000 S 2001 U			-In 1998, at least 1 vessel fishing for swordfish, with no data reported, partial response -In 1999, letter of warning about additional fishing activities, no response -In 2000, identifies based on evidence of continued swordfish fishing and no reporting  -In 2001, increased harvests of bigeye -In 2001, presence of several vessels on IUU lists	-In 2001, no evidence of continued swordfish fishing	Monitor for swordfish and Identify for UU	Yes (31/7/02)

\* B=Bluefin Tuna Action Plan (Res.94-3); S=Swordfish Action Plan (Res. 95-13); U=Unreported and Unregulated catches Resolution (98-18); e=encourage; i=identify; l=lift sanctions; m=monitor; s=sanction; x=discussed.

\*\* Equatorial Guinea was sanctioned under the 1996 Compliance agreement (Reg. 96-14), for bluefin tuna fishing with no quota.

\*\*\* As of October 23, 2002.

**Appendix 9 to ANNEX 11****Statement by the Observer from Malta to the PWG**

Malta takes note of the encouragement suggested in the documents. There are discrepancies in the figures of our landings of bluefin tuna and export of the same. The figures in document **Appendix 6 to ANNEX 10**, the trade data provided by Japan, and **Appendix 13 to ANNEX 11** do not conform. We would like to receive clarifications and breakdowns of the origins of this data to be able to cross check and deliver the correct set of data and take any necessary actions to curb any future mix-up in data. These clarifications will be included in our national report, which we will submit as soon as the reported data clarifications are carried out.

The data reported for 2001 in **Appendix 13 to ANNEX 11**, in the Task I category, is the data relative to the sample for length/weight frequencies utilized during working groups for stock assessment purposes. The data listed in the same document originates from Japanese import data. The figure seems to indicate that once again some data from transshipment or farmed tuna has been placed under Maltese catches. A problem did exist with Japanese customs not accepting photocopies of original ICCAT landing certificates accompanying re-exports of farmed tuna during 2001 because these did not carry an official Maltese seal. This seal was being omitted, as there were some internal discussions between ministries on the legal aspects. Malta feels that it should not place an official Maltese seal on the copy of a document that was released by another state. Due to the situation prevailing we reverted back to placing the seal on the copies of the ICCAT import certificates, as the Japanese customs would not accept further imports.

Malta feels that in view of what has been adopted by this Commission to monitor and control trade in these species, we should be seeking to develop further communication between trading partners to be able to check and verify data in real time.

**Appendix 10 to ANNEX 11****Statement by the Observer from Belize on the Lifting of Bluefin Tuna Sanctions**

There is no fishing vessel "*Albatros*" registered to Belize. However, there is a fishing vessel *Albatross II* that has not been fishing during the last three months. When our form was sent out to owners requesting their wishes for ICCAT quotas, the owners of this vessel asked us to apply for a quota for albacore. Since then the owners decided to scrap the vessel and it has been deleted from our Registry.

The above-mentioned vessel has not fished for bluefin tuna and we kindly request the Commission to lift this sanction. Belize has no vessels fishing for bluefin tuna and neither do we wish to apply for a quota for this species.

**Appendix 11 to ANNEX 11****Statement by the Observer from Belize Regarding the Vessel *Albatross II***

We refer to the allegation concerning the above-mentioned former Belize-registered vessel made by the EC during the course of our deliberations regarding the lifting of sanctions.

In view of the seriousness of the allegation, the timing thereof, as well as its impact on these discussions, our administration has launched an inquiry in accordance with our quality procedures.

We kindly request the EC Delegation to submit full and proper particulars of their allegation so that we may progress with our investigation.

In the meantime, we wish to record that we have examined this vessel's files and have established that at no time have we received any complaint concerning this vessel from any Party prior to the meeting of PWG in Bilbao in 2002.

### Commission Chairman's Letters to non-Contracting Parties, Entities or Fishing Entities

#### ***12.1 Letter to Belize: Possible lifting of bluefin tuna, swordfish and bigeye tuna sanctions, & consideration in 2003 of its application for Cooperating Status***

As you may recall, each year, the International Commission for the Conservation of Atlantic Tunas (ICCAT) reviews the fishing activities of various non-Contracting Parties, Entities or Fishing Entities under its *Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large Scale Longline Vessels in the Convention Area*, adopted in 1998 (the 1998 Resolution). During its 2000 annual meeting, in light of available information indicating that large-scale longline vessels of Belize continued to operate in the Convention Area in a manner that diminishes the effectiveness of ICCAT conservation and management measures, ICCAT adopted a recommendation to require action by Contracting Parties resulting in a prohibition on the import of bigeye tuna and its products in any form from Belize (Ref. 00-15). In addition, the Commission decided at this meeting to maintain previous recommendations requiring Contracting Parties to prohibit the import of Atlantic bluefin tuna (Ref. 96-11) and Atlantic swordfish (Ref. 99-8) and their products in any form from Belize.

At its 2001 meeting, the Commission again reviewed available information on the activities of large-scale longline vessels flying the flag of Belize. Recognizing continuing reports of vessels registered to Belize persisting in activities that diminish the effectiveness of ICCAT conservation and management measures, the Commission decided to maintain previous recommendations regarding import bans of bluefin tuna, swordfish, and bigeye tuna and their products in any form from Belize, as specified above.

At the most recent meeting in 2002, the Commission has once again reviewed the available information, taking special note of the measures taken by Belize to attempt to rectify the activities of its fishing vessels, such as establishing a registry of vessels, de-listing of 513 previously flagged IUU vessels, license review and beginning a monitoring program. The Commission is encouraged by these serious measures taken by Belize. However, in light of some continuing vessel activity that diminishes the effectiveness of ICCAT conservation and management measures, the Commission decided that one more year was required to determine the effectiveness of Belize's monitoring and enforcement activities. Therefore, the Commission has decided to lift the sanctions imposed pursuant to (Ref. 00-15) on January 1, 2004, unless the Commission decides upon review at its 2003 annual meeting that vessels of Belize continue to undermine ICCAT conservation and management measures. The Commission would encourage Belize to implement additional actions such as catch reports, observer programs, and at-sea and in-port monitoring and inspection to ensure an effective enforcement program is in place in support of its registration and monitoring programs.

The Commission also acknowledged at this meeting Belize's application to become a Cooperating non-Contracting Party of ICCAT. Since the application was not received ninety days in advance of the meeting as required under the terms of the *Resolution by ICCAT on Becoming a Cooperating Party, Entity or Fishing Entity* (Ref. 01-17), this application will be reviewed at the 2003 ICCAT meeting unless Belize should withdraw the request in the meantime. The Commission encourages Belize to make every effort to cooperate with ICCAT and further urges Belize to become an ICCAT Contracting Party.

Thank you for your attention to this matter.

#### ***12.2 Letter to Bolivia: Bigeye tuna sanctions under the 1998 UU Resolution & identification pursuant to the Swordfish Action Plan***

At its 2001 annual meeting, the International Commission for the Conservation of Atlantic Tunas (ICCAT) reviewed the fishing activities of various non-Contracting Parties, Entities or Fishing Entities under its *Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large Scale Longline Vessels in the Convention Area*, adopted in 1998, (the 1998 Resolution). That Resolution calls upon ICCAT Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities to collect, examine and submit to ICCAT import and landing data and associated information on imported frozen tunas and tuna-like fish products. Based on an annual review of this and other data, ICCAT will identify those Contracting Parties, non-Contracting Parties, Entities or Fishing Entities whose large-scale longline vessels have been fishing for tuna and tuna-like species in a manner that diminishes the effectiveness of ICCAT conservation and management

measures. ICCAT will request identified Contracting Parties, non-Contracting Parties, Entities or Fishing Entities to take all necessary corrective actions, and will review those actions at its subsequent annual meeting. If those actions are judged insufficient, ICCAT will recommend effective measures, if necessary including non-discriminatory trade restrictive measures, on the subject species for which there are currently no trade restrictions in place.

Based on the information available to ICCAT at its 2001 meeting, ICCAT identified Bolivia pursuant to the 1998 Resolution. ICCAT duly notified the Government of Bolivia of this identification and its potential consequences in a letter from the Commission. In that letter, the Government of Bolivia was requested to take all necessary measures to ensure that large-scale longline vessels registered in Bolivia do not continue to diminish the effectiveness of ICCAT conservation and management measures, including, if appropriate, the revocation of vessel registration or fishing licenses of the large-scale longline vessels concerned. Reference was made particularly to the increase in export of Atlantic bigeye tuna from a level of 800 t in 2001 to 1,517 t in the first eight months of 2002, that your country has reported no catch data, and that Bolivia has no catch limit for this stock.

During its 2002 annual meeting, the Commission examined available information that indicated that large-scale longline vessels of your country continue to operate in the Convention Area in a manner that diminishes the effectiveness of ICCAT conservation and management measures. Available information also indicated that bigeye tuna is the primary species targeted by these vessels. In light of this information, ICCAT adopted a recommendation that will have the effect of requiring action by Contracting Parties that will result in a prohibition on the import of bigeye tuna and its products in any form from Bolivia upon entry into force of the recommendation on June 4, 2003, unless objections are received from the Contracting Parties.

At this meeting, the Commission also examined available trade information for Atlantic swordfish that indicated that Bolivian vessels are fishing in a manner that undermines the effectiveness of ICCAT conservation and management measures. Trade data submitted by the parties showed 81 t of swordfish exports from Bolivia in 2001, although no catch data have been submitted to the Commission by your country and Bolivia has no catch limit for this stock. Pursuant to these concerns, the Commission decided to identify Bolivia pursuant to its Swordfish Action Plan (Ref. 99-8). The Commission is hereby requesting that Bolivia rectify the activities of its flag vessels so as not to further diminish the effectiveness of ICCAT conservation and management measures and to advise the Commission of actions taken in that regard.

The Commission will review the situation of Bolivia at its 2003 meeting and consider any actions that may have been taken by Bolivia to rectify the fishing activities of its flag vessels regarding Atlantic swordfish. If it is determined at that time that these activities have not been rectified, the Commission, in accordance with the Swordfish Action Plan, will recommend that Contracting Parties take non-discriminatory trade restrictive measures, consistent with their international obligations, on Atlantic swordfish and their products from Bolivia.

The Commission would encourage Bolivia to implement the ICCAT's conservation and management measures and join ICCAT as a Contracting Party or, at a minimum, seek status as a Cooperating non-Contracting Party, Entity or Fishing Entity, if you continue to have an interest in harvesting ICCAT species. For your information, I am enclosing herewith copies of the 1998 Resolution (Ref. 98-18), the 2002 Recommendation that called for the import prohibition on bigeye tuna from Bolivia (Ref. 02-17), the Swordfish Action Plan (Ref. 99-8), and other relevant recommendations and resolutions of the Commission. The Commission would be pleased to provide any further information or clarification on this issue that your authorities may require.

Thank you for your attention to this matter.

### ***12.3 Letter to Cambodia regarding continuation of bigeye tuna sanctions under the 1998 UU catches Resolution***

At its 2001 annual meeting, the International Commission for the Conservation of Atlantic Tunas (ICCAT) reviewed the fishing activities of various non-Contracting Parties, Entities or Fishing Entities under its *Resolution by ICCAT Concerning the Unreported and Unregulated Catches of Tunas by Large Scale Longline Vessels in the Convention Area*, adopted in 1998 (Ref. 98-18). That resolution calls upon ICCAT Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities to collect, examine and submit to ICCAT import and landing data and associated information on imported frozen tunas and tuna-like fish products.

Based on an annual review of this and other data, ICCAT will identify those Contracting Parties, non-Contracting Parties, Entities or Fishing Entities whose large-scale longline vessels have been fishing for tuna and tuna-like species in a manner that diminishes the effectiveness of ICCAT conservation and management measures. ICCAT will request identified Contracting Parties, non-Contracting Parties, Entities or Fishing Entities to take all necessary corrective actions, and will review those actions at its subsequent annual meeting. If those actions are judged insufficient, ICCAT will recommend effective measures, if necessary including non-discriminatory trade restrictive measures, on the subject species for which there are currently no trade restrictions in place.

At its 2002 meeting, the Commission reviewed the situation of Cambodia pursuant to the 1998 Resolution. The Commission concluded that the situation had not changed, as trade data show that exports of Atlantic bigeye tuna from vessels flagged to Cambodia continue. In addition, several vessels flagged by Cambodia remain on the ICCAT list of large-scale longline vessels believed to be engaged in illegal, unregulated and unreported fishing activities in the ICCAT Convention Area and other areas, and operating in the Atlantic Ocean. Thus, the Commission decided that the trade restrictive measures on bigeye tuna and its products from Cambodia adopted by ICCAT at its 2000 meeting should not be lifted. For your convenience, copies of the above-mentioned resolution, the *Recommendation by ICCAT Regarding Belize, Cambodia, Honduras, and St. Vincent and the Grenadines Pursuant to the 1998 Resolution Concerning the Unreported and Unregulated Catches of Tuna by Large-Scale Longline Vessels in the Convention Area* (Ref. 00-15), and our correspondence to you following the 2000 and 2001 meetings are attached.

The Commission strongly encourages Cambodia to rectify the activities of fishing vessels flying the Cambodian flag such that they do not diminish the effectiveness of ICCAT conservation and management measures. We also request that you advise the Commission of measures taken. The Commission would also be pleased to provide such further information and clarification as you may require.

Thanking you for your attention to this matter, I take this opportunity to assure you of my highest consideration.

#### ***12.4 Letter of identification to Georgia pursuant to the 1998 UU catches Resolution***

At its 2002 annual meeting, the International Commission for the Conservation of Atlantic Tunas (ICCAT) reviewed the fishing activities of various non-Contracting Parties, Entities ~~and~~ or Fishing Entities under its 1998 *Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large Scale Longline Vessels in the Convention Area*, which is enclosed for your convenience. That Resolution calls upon ICCAT Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities to collect, examine and submit to ICCAT import and landing data and associated information on imported frozen tunas and tuna-like fish products. Based on an annual review of this and other information, ICCAT will identify those Contracting Parties, non-Contracting Parties, Entities or Fishing Entities whose large-scale longline vessels have been fishing for tuna and tuna-like species in a manner that diminishes the effectiveness of ICCAT conservation and management measures. ICCAT will request identified Contracting Parties, non-Contracting Parties, Entities or Fishing Entities to take all necessary corrective actions and will review those actions at its subsequent annual meeting. If those actions are judged insufficient to rectify the problem, ICCAT will recommend effective measures, if necessary including non-discriminatory trade restrictive measures.

At its 2002 meeting, the Commission expressed concern with trade data indicating exports of 225 t of Atlantic bigeye tuna from Georgia to Japan, although ICCAT has not established a quota for Georgia for this stock. In addition, at least two vessels flagged to Georgia appear in the current ICCAT list of large-scale longline vessels believed to be engaged in illegal, unregulated, and unreported fishing activities in the ICCAT Convention Area and other areas, which we enclose for your reference.

Based on this information, ICCAT decided to identify Georgia under the 1998 Resolution referenced above and will revisit the issue at its next annual meeting (November 17-24, 2003). Accordingly, ICCAT hereby requests the Government of Georgia to take all necessary measures to ensure that large-scale longline vessels registered in Georgia do not continue to diminish the effectiveness of ICCAT conservation and management measures, including, if appropriate, the revocation of vessel registration or fishing licenses of the large-scale longline vessels concerned. To this end, please find enclosed recommendations and resolutions adopted by

ICCAT at its 2002 meeting as well as a full set of ICCAT's measures currently in force. The Commission would be pleased to provide such further information and clarification on this issue as your authorities may require.

Thank you for your prompt attention to this matter.

#### ***12.5 Letter of identification to Indonesia pursuant to the 1998 UU catches Resolution***

Each year, the International Commission for the Conservation of Atlantic Tunas (ICCAT) reviews the fishing activities of various non-Contracting Parties, Entities or Fishing Entities under its *Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large Scale Longline Vessels in the Convention Area*, adopted in 1998. This Resolution, which is enclosed for your convenience, calls upon the Commission to review import and landing data and other information, and to identify those non-Contracting Parties, Entities or Fishing Entities whose large-scale longline vessels have been fishing for tuna and tuna-like species in a manner that diminishes the effectiveness of ICCAT conservation and management measures. ICCAT will request those identified to take all necessary corrective actions, including, if appropriate, the revocation of vessel registration or fishing licenses of the large-scale longline vessels concerned. The Commission will review those actions at its subsequent annual meeting, and if judged insufficient, it will recommend further action, potentially including non-discriminatory trade restrictive measures.

At its 2002 meeting, the Commission expressed appreciation for the communications received from Indonesia and the measures it has implemented to rectify fishing by vessels flying its flag that diminishes the effectiveness of ICCAT's conservation and management measures. With this in mind, the Commission determined that the application of trade restrictive measures would not be appropriate at this time. However, given continuing concerns about the involvement of Indonesia flagged vessels with illegal, unreported and unregulated fishing activities and given significant level of harvest of Atlantic bigeye tuna and swordfish, the Commission decided to re-identify Indonesia under the 1998 Resolution referenced above. Accordingly, ICCAT hereby requests the Government of Indonesia to continue to take all necessary measures to ensure that large-scale longline vessels registered in Indonesia do not diminish the effectiveness of ICCAT's conservation and management measures, including, if appropriate, the revocation of vessel registration or fishing licenses of the large-scale longline vessels concerned.

The Commission would also appreciate receiving information in time for its next annual meeting (November 17-24, 2003) on 17 large-scale tuna longline vessels (LSTLVs) understood to be registered to Indonesia and licensed to fish for tunas. In particular, ICCAT would like clarification on the geographic area in which these vessels are licensed to fish. In addition, it would be appreciated if Indonesia could advise what actions it intends to take vis a vis 10 LSTLVs owned or operated by foreign concerns which are reported to be registered in Indonesia. To this end, please find enclosed recommendations and resolutions adopted by ICCAT at its 2002 meeting as well as a the current list of large-scale longline vessels believed to be engaged in illegal, unregulated and unreported fishing activities in the ICCAT Convention Area and other areas.

The Commission encourages Indonesia to implement ICCAT conservation and management measures and join ICCAT as a Contracting Party or, at a minimum, seek status as a Cooperating non-Contracting Party, Entity or Fishing Entity, should you intend to continue fishing in the Atlantic Ocean for ICCAT species. The Commission would be pleased to provide any further information or clarification on this issue that your authorities may require.

Thank you for your prompt attention to this matter.

#### ***12.6 Letter of identification to Seychelles pursuant to the 1998 UU catches Resolution***

As you have no doubt been advised by your representative, at its 2002 annual meeting, the International Commission for the Conservation of Atlantic Tunas (ICCAT) reviewed the fishing activities of various non-Contracting Parties, Entities or Fishing Entities under its 1998 *Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area*, which is enclosed for your convenience. That Resolution calls upon ICCAT Contracting Parties, Cooperating non-Contracting Parties, Entities ~~and~~ or Fishing Entities to collect, examine and submit to ICCAT import and landing data and associated information on imported frozen tunas and tuna-like fish products. Based on an annual review of this and other information, ICCAT will identify those Contracting Parties, non-Contracting Parties, Entities or Fishing Entities

whose large-scale longline vessels have been fishing for tuna and tuna-like species in a manner that diminishes the effectiveness of ICCAT conservation and management measures. ICCAT will request identified Contracting Parties, non-Contracting Parties, Entities ~~and~~ or Fishing Entities to take all necessary corrective actions and will review those actions at its subsequent annual meeting. If those actions are judged insufficient to rectify the problem, the Commission will recommend effective measures, if necessary including non-discriminatory trade restrictive measures.

At its 2002 meeting, the Commission expressed concern with trade data indicating exports of 125 t of Atlantic bigeye tuna from Seychelles to Japan in 2001 and exports of 263 t of Atlantic bigeye tuna in the first eight months of 2002, although ICCAT has not established a catch limit for the Seychelles for this stock. In addition, concern was expressed that the vessels flagged to Seychelles appear to be fishing in the Atlantic. The Commission expressed appreciation for the information provided by Seychelles regarding the vessels appearing on ICCAT's list of large-scale longline vessels believed to be engaged in illegal, unregulated and unreported fishing activities in the ICCAT Convention area and other areas, a copy of which is enclosed.

Based on this information, the Commission decided to identify Seychelles under the 1998 Resolution referenced above. Accordingly, ICCAT hereby requests the Government of Seychelles to take all necessary measures to ensure that large-scale longline vessels registered in Seychelles do not continue to diminish the effectiveness of ICCAT conservation and management measures, including, if appropriate, the revocation of vessel registration or fishing licenses of the large-scale longline vessels concerned. If Seychelles maintains an interest in fishing for tuna and tuna-like species, then the Commission encourages Seychelles to join ICCAT as a Contracting Party or, at a minimum, seek status as a Cooperating non-Contracting Party, Entity or Fishing Entity. To assist you in this endeavor, please find attached recommendations and resolutions adopted by ICCAT at its 2002 meeting. The Commission would be pleased to provide any further information or clarification on this issue that your authorities may require.

Thank you for your prompt attention to this matter.

***12.7 Letter to Sierra Leone regarding bluefin tuna, swordfish and bigeye tuna sanctions under the 1998 UU catches Resolution***

This letter is further to earlier correspondence dated April 9, 2002, to you from the International Commission for the Conservation of Atlantic Tunas (ICCAT).

Each year, as you may recall, the International Commission for the Conservation of Atlantic Tunas (ICCAT) reviews the fishing activities of various non-Contracting Parties, Entities or Fishing Entities under its *Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large Scale Longline Vessels in the Convention Area* (Ref. 98-18), which was adopted in 1998. This resolution calls upon ICCAT Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities to collect, examine, and submit to ICCAT import and landing data and associated information on imported frozen tunas and tuna-like fish products. Based on an annual review of this and other data, ICCAT will identify those Contracting Parties, non-Contracting Parties, Entities or Fishing Entities whose large-scale longline vessels have been fishing for tuna and tuna-like species in a manner that diminishes the effectiveness of ICCAT conservation and management measures. ICCAT will request identified Contracting Parties, non-Contracting Parties, Entities or Fishing Entities to take all necessary corrective actions, including, if appropriate, the revocation of vessel registration or fishing licenses of the large-scale longline vessels concerned and will review those actions at its subsequent annual meeting. If those actions are judged insufficient, ICCAT will recommend effective measures, if necessary including non-discriminatory trade restrictive measures, on the subject species for which there are currently no trade restrictions in place.

The Commission has been concerned about the fishing activities of vessels flagged by Sierra Leone for many years and has often communicated those concerns to the government of Sierra Leone. During its 2002 annual meeting, the Commission examined available information that indicated that large-scale longline vessels of your country continued to operate in the Convention Area in a manner that diminishes the effectiveness of ICCAT conservation and management measures. In its considerations at the 2002 ICCAT meeting of Sierra Leone's activities under the UU Resolution, concern was raised regarding the increased catches during 2001 in the Convention Area based on available trade information for bluefin tuna, bigeye tuna, and swordfish, and the lack of accurate data reporting by Sierra Leone. Specifically, trade data indicated western bluefin tuna harvests of 388 metric tones (t), 11 t of swordfish, and 152 t of bigeye tuna. Sierra Leone has no catch limits for any of

these species. The Commission also noted that at least one vessel appeared on its 2002 list of vessels believed to be engaged in IUU fishing, which is attached for your reference. As these activities diminish the effectiveness of ICCAT conservation and management measures, the Commission decided in 2002 to recommend that Contracting Parties take non-discriminatory trade restrictive measures, consistent with their international obligations, on Atlantic swordfish, Atlantic bluefin tuna, and bigeye tuna and their products from Sierra Leone. The Commission is hereby requesting that Sierra Leone rectify the activities of its flag vessels so as not to further diminish the effectiveness of ICCAT conservation and management measures and to advise the Commission of actions taken in that regard.

The Commission will again review the situation of Sierra Leone at its next annual meeting (November 17 to 24, 2003) and consider any actions that may have been taken by Sierra Leone to address these concerns. The Commission encourages Sierra Leone to implement ICCAT conservation and management measures and, if you intend to continue fishing for Atlantic Ocean tunas and tuna-like species, to join ICCAT as a Contracting Party or, at a minimum, seek status as a Cooperating non-Contracting Party, Entity or Fishing Entity. To assist you in this endeavor, please find attached recommendations and resolutions adopted by ICCAT at its 2002 meeting.

The Commission would be pleased to provide any further information or clarification on this issue that your authorities may require.

Thanking you for your prompt attention to this matter, I take this opportunity to assure you of my highest consideration.

***12.8 Letter to St. Vincent and the Grenadines regarding the possible lifting of bigeye tuna sanctions and consideration in 2003 of its application for ICCAT Cooperating Status***

Each year, the International Commission for the Conservation of Atlantic Tunas (ICCAT) reviews the fishing activities of various non-Contracting Parties, Entities or Fishing Entities under its *Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area*, adopted in 1998, (Ref. 98-18). Based on the information available at its 1999 meeting, ICCAT identified St. Vincent and the Grenadines pursuant to the 1998 Resolution. At its meeting in 2000, noting continued fishing activities by vessels of St. Vincent and the Grenadines that diminished the effectiveness of ICCAT conservation and management measures, the Commission adopted a recommendation which had the effect of requiring action by Contracting Parties to prohibit the import of bigeye tuna and its production in any form from St. Vincent and the Grenadines.

At its meeting in 2002, the Commission once again reviewed available information concerning St. Vincent and the Grenadines, taking special note of the measures taken in attempt to rectify the activities of its fishing vessels, such as establishing a licensing and registration program, rules regarding catch reports and a VMS monitoring system. The Commission is encouraged by these serious measures taken by St. Vincent and the Grenadines. However, information presented in 2002 indicated continued fishing by large-scale tuna longline vessels, flagged by St. Vincent and the Grenadines, for bigeye tuna and other species. Particular concern was raised regarding a dramatic increase in catches of North Atlantic albacore by vessels flying the flag of St. Vincent and the Grenadines. Concern was also expressed over illegal, unregulated, and unreported vessels possibly switching target species, but continuing to operate. Because this continuing fishing vessel activity clearly diminishes the effectiveness of ICCAT conservation and management measures, the Commission decided that one more year was required to determine the effectiveness of the monitoring and enforcement activities implemented by St. Vincent and the Grenadines.

ICCAT, nonetheless, desires to encourage the recent management efforts by St. Vincent and the Grenadines. The Commission therefore has decided to delay the lifting of sanctions imposed pursuant to the *Recommendation by ICCAT Regarding Belize, Cambodia, Honduras, and St. Vincent and the Grenadines Pursuant to the 1998 Resolution Concerning the Unreported and Unregulated Catches of Tuna by Large-Scale Longline Vessels in the Convention Area* (Ref. 00-15), effective January 1, 2004, unless the Commission decides upon review at its next annual meeting (November 17 to 24, 2003) that vessels of St. Vincent and the Grenadines continue to undermine ICCAT conservation and management measures. The Commission would like to see further evidence of enforcement actions taken by St. Vincent and the Grenadines, such as observer programs, at-sea and in-port monitoring and inspection, and punitive sanctions to ensure an effective enforcement program is in place in support of its registration and monitoring programs. The Commission would also like to request further

information regarding the recent expansion of vessels flagged to St. Vincent and the Grenadines into the North Atlantic albacore fishery.

The Commission requests that St. Vincent and the Grenadines implement ICCAT conservation and management measures. If St. Vincent and the Grenadines maintains an interest in fishing for tuna and tuna-like species, then the Commission encourages St. Vincent and the Grenadines to join ICCAT as a Contracting Party or, at a minimum, seek status as a Cooperating non-Contracting Party, Entity or Fishing Entity. To assist you in this endeavor, please find attached recommendations and resolutions adopted by ICCAT at its 2002 meeting. The Commission would be pleased to provide any further information or clarification on this issue that your authorities may require.

Thanking you for your prompt attention to this matter, I take this opportunity to assure you of my highest consideration.

### ***12.9 Warning letter to Thailand seeking information on catches under the 1998 UU catches Resolution***

At its 2002 annual meeting, the International Commission for the Conservation of Atlantic Tunas (ICCAT) reviewed the fishing activities of various non-Contracting Parties, Entities or Fishing Entities under its 1998 *Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large Scale Longline Vessels in the Convention Area* (Ref. 98-18), which is enclosed for your convenience. That Resolution calls upon ICCAT Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities to collect, examine and submit to ICCAT import and landing data and associated information on imported frozen tunas and tuna-like fish products. Based on an annual review of this and other information, ICCAT will identify those Contracting Parties, non-Contracting Parties, Entities or Fishing Entities whose large-scale longline vessels have been fishing for tuna and tuna-like species in a manner that diminishes the effectiveness of ICCAT conservation and management measures. ICCAT will request identified Contracting Parties, non-Contracting Parties, Entities or Fishing Entities to take all necessary corrective actions and will review those actions at its subsequent annual meeting. If those actions are judged insufficient to rectify the problem, ICCAT will recommend effective measures, if necessary including non-discriminatory trade restrictive measures.

During the 2002 review, the Commission noted that Thailand appeared to have exported at least 134 t of bluefin tuna, 3 t of swordfish, and 22 t of bigeye tuna in 2001. It was further noted that Thailand has also exported 34 t of bluefin tuna during the first eight months of 2002. ICCAT has not established quotas for these species for Thailand, and Thailand has not reported any catches to the Commission. We have also received information that these harvests may be resulting from the activity of one fishing vessel, the *Green Bay II*, in the ICCAT Convention Area. Based on this information, the Commission seriously considered identifying Thailand under the above Resolution. However, as this activity may be the result of only one vessel, the Commission decided that a formal identification was not warranted at this time.

The Commission urges Thailand to provide information on the relevant fishing activities of its vessels and to otherwise cooperate with ICCAT by implementing its conservation and management measures. To assist you, please find enclosed the recommendations and resolutions adopted by ICCAT at its 2002 meeting as well as a full set of ICCAT measures currently in force. The Commission will review the situation of your country at its next annual meeting (November 17 to 24, 2003) and consider what actions have been taken to address the concerns outlined above.

The Commission would be pleased to provide such further information and clarification on this issue as your authorities may require.

Thanking you for your attention to this matter, I take this opportunity to assure you of my highest consideration.

### ***12.10 Letter of identification to Vanuatu pursuant to the 1998 UU catches Resolution***

As you have no doubt been advised by your representative, at its 2002 annual meeting, the International Commission for the Conservation of Atlantic Tunas (ICCAT) reviewed the fishing activities of various non-Contracting Parties, Entities or Fishing Entities under its 1998 *Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area*, which is enclosed for your convenience. That Resolution calls upon ICCAT Contracting Parties, Cooperating non-Contracting Parties,

Entities or Fishing Entities to collect, examine and submit to ICCAT import and landing data and associated information on imported frozen tunas and tuna-like fish products. Based on an annual review of this and other information, ICCAT will identify those Contracting Parties, non-Contracting Parties, Entities or Fishing Entities whose large-scale longline vessels have been fishing for tuna and tuna-like species in a manner that diminishes the effectiveness of ICCAT conservation and management measures. ICCAT will request identified Contracting Parties, non-Contracting Parties, Entities or Fishing Entities to take all necessary corrective actions and will review those actions at its subsequent annual meeting. If those actions are judged insufficient to rectify the problem, ICCAT will recommend effective measures, if necessary including non-discriminatory trade restrictive measures.

At its 2002 meeting, the Commission expressed appreciation for the communications received from Vanuatu and the measures it has implemented to rectify fishing by vessels flying its flag that diminishes the effectiveness of ICCAT's conservation and management measures. With this in mind, the Commission determined that the application of trade restrictive measures would not be appropriate at this time. However, given continuing concerns about the involvement of Vanuatu flagged vessels with illegal, unreported and unregulated fishing activities, the Commission decided to re-identify Vanuatu under the 1998 Resolution referenced above. Accordingly, ICCAT hereby requests the Government of Vanuatu to continue to take all necessary measures to ensure that large-scale longline vessels registered in Vanuatu do not diminish the effectiveness of ICCAT's conservation and management measures, including, if appropriate, the revocation of vessel registration or fishing licenses of the large-scale longline vessels concerned. To this end, please find enclosed recommendations and resolutions adopted by ICCAT at its 2002 meeting as well as a the current list of large-scale longline vessels believed to be engaged in illegal, unregulated and unreported fishing activities in the ICCAT Convention area and other areas.

The Commission appreciates the attention Vanuatu has devoted to this matter and would encourage it to consider joining the Commission or seeking Cooperating non-Contracting Party, Entity or Fishing Entity status if it has a continuing interest in the harvest of ICCAT species.

Thank you for your prompt attention to this matter.

#### ***12.11 Letter to Costa Rica seeking information on swordfish exports***

The International Commission for the Conservation of Atlantic Tunas (ICCAT) manages tuna and tuna-like species in the Atlantic Ocean. As part of its efforts to conserve and manage these stocks, ICCAT annually reviews the fishing activities of various non-Contracting Parties, Entities or Fishing Entities to determine if their vessels have fished in a manner that diminishes the effectiveness of its conservation and management measures. It was noted that Costa Rica exported 13 t of swordfish to the European Union in 1999, 29 t in 2000, and 147 t in 2001. As ICCAT has not established a swordfish quota for Costa Rica, the Commission regarded these exports with concern and would be grateful to receive from Costa Rica information regarding the geographic area in which the swordfish was harvested.

The Commission urges Costa Rica to provide the information requested above in time for consideration by the Commission at its next annual meeting (November 17-24, 2003) and to cooperate with ICCAT by implementing its conservation and management measures. To assist in this regard, please find enclosed the recommendations and resolutions adopted by ICCAT at its 2002 meeting as well as a full set of ICCAT measures currently in force. The Commission would draw particular attention to its Swordfish Action Plan (Ref. 95-13). The Commission also would be pleased to provide such further information and clarification on this issue as your authorities may require.

Thank you for your prompt attention to this matter.

#### ***12.12 Letter to Senegal seeking information on swordfish exports***

As you may recall, the International Commission for the Conservation of Atlantic Tunas (ICCAT) manages tuna and tuna-like species in the Atlantic Ocean. As part of its efforts to conserve and manage these stocks, ICCAT annually reviews the fishing activities of various non-Contracting Parties, Entities or Fishing Entities to determine if their vessels have fished in a manner that diminishes the effectiveness of its conservation and management measures. It was noted that Senegal exported 20 t of swordfish to the European Union in 2000 and 132 t in 2001. As ICCAT has not established a swordfish quota for Senegal, the Commission regarded these

exports with concern and would be grateful to receive from Senegal information regarding the geographic area in which the swordfish was harvested.

The Commission urges Senegal to provide the information requested above in time for consideration by the Commission at its next annual meeting (November 17-24, 2003) and to cooperate with ICCAT by implementing its conservation and management measures. To assist in this regard, please find enclosed the recommendations and resolutions adopted by ICCAT at its 2002 meeting as well as a full set of ICCAT measures currently in force. The Commission would draw particular attention to its Swordfish Action Plan (Ref. 95-13). The Commission also would be pleased to provide such further information and clarification on this issue as your authorities may require.

Thank you for your prompt attention to this matter.

#### ***12.13 Letter to Singapore seeking information on swordfish exports***

The International Commission for the Conservation of Atlantic Tunas (ICCAT) manages tuna and tuna-like species in the Atlantic Ocean. As part of its efforts to conserve and manage these stocks, ICCAT annually reviews the fishing activities of various non-Contracting Parties, Entities or Fishing Entities to determine if their vessels have fished in a manner that diminishes the effectiveness of its conservation and management measures. It was noted that Singapore exported 1,623 t of swordfish to the European Union in 1999, 1,415 t in 2000, and 2,103 t in 2001. As ICCAT has not established a swordfish quota for Singapore, the Commission regarded these exports with concern and would be grateful to receive from Singapore information regarding the geographic area in which the swordfish was harvested.

The Commission urges Singapore to provide the information requested above in time for consideration by the Commission at its next annual meeting (November 17-24, 2003) and to cooperate with ICCAT by implementing its conservation and management measures. To assist in this regard, please find enclosed the recommendations and resolutions adopted by ICCAT at its 2002 meeting as well as a full set of ICCAT measures currently in force. The Commission would encourage particular regard to its Swordfish Action Plan (Ref. 95-13). The Commission also would be pleased to provide such further information and clarification on this issue as your authorities may require.

Thank you for your prompt attention to this matter.

#### ***12.14 Letter to Togo seeking information on swordfish exports***

The International Commission for the Conservation of Atlantic Tunas (ICCAT) manages tuna and tuna-like species in the Atlantic Ocean. As part of its efforts to conserve and manage these stocks, ICCAT annually reviews the fishing activities of various non-Contracting Parties, Entities or Fishing Entities to determine if their vessels have fished in a manner that diminishes the effectiveness of its conservation and management measures. It was noted that Togo exported 189 t of swordfish to the European Union in 2001. As ICCAT has not established a quota for Togo, the Commission regarded these exports with concern and would be grateful to receive from Togo information regarding the geographic area in which the swordfish was harvested.

The Commission urges Togo to provide the information requested above in time for consideration by the Commission at its next annual meeting (November 17-24, 2003) and to cooperate with ICCAT by implementing its conservation and management measures. To assist in this regard, please find enclosed the recommendations and resolutions adopted by ICCAT at its 2002 meeting as well as a full set of ICCAT measures currently in force. The Commission would encourage particular regard to its Swordfish Action Plan (Ref. 95-13). The Commission also would be pleased to provide such further information and clarification on this issue as your authorities may require.

Thank you for your prompt attention to this matter.

## Summary Table of Information for 2002 PWG Actions (continued)

## Appendix 13 to ANNEX 11

## Summary Table of Information for 2002 PWG actions

Fleet	Action Plan <sup>1</sup>			Information <sup>2</sup>				Response	2002 action	
	B	S	U	Available data			IUU activities			Other
				Source	2001	2002 <sup>3</sup>				
<b>Cooperating non-Contracting Parties, Entities or Fishing Entities</b>										
Chinese Taipei				BFTE (T-I) BFTE (SD) BFTM (T-I) BFTM (SD) SWO (T-I) SWO (TD) BET (T-I) BET (TD)	291 t 154 t 342 t 448 t 1448 t 1343 t 16429 t 16373 t		541 t 14282 t	None	None	-Continue Cooperating Status [Secretariat to draft and send letter]
Philippines				SWO 7 t (T-I) SWO 57 t (TD) BET 377 t (T-I) BET 870 t (TD)		5 t 415 t	2000 – 3/3 2001 – 0 2002 – 0	None	-Continue Cooperating Status [Secretariat to draft and send letter]	
<b>Non-Contracting Parties, Entities or Fishing Entities</b>										
Argentina		x		SWO (T-I)	5 t		None		N/a	-No action warranted
Belize	s	s	s	BET (TD)	923 t		2000 – 29/91 2001 – 92 2002 – 30/31	Also EC SWO import data; ocean unclear	Yes	-Delay lifting of all sanctions until Jan 2004; review decision in 2003 -Consider request for Cooperating Status in 2003. [Recommendation 02-16, letter]
Bolivia		i	sBET	SWO (TD) BET (TD)	81 t 800 t	1517 t	2000 – 0/0 2001 – 13 2002 – 7/12	Transshipment activity in EC port	Yes	-Sanction (UU for BET) - Identify (SWO) [Recommendation 02.17, letter]
Cambodia			sBET	BET (TD)	45 t		2000 – 3/3 2001 – 10 2002 – 5/8		Yes	-Continue BET sanctions [Letter]

**Summary Table of Information for PWG Actions (continued)**

Fleet	Action Plan <sup>1</sup>			Information <sup>2</sup>					Response	2002 action
	B	S	U	Available data			IUU activities	Other		
				Source	2001	2002 <sup>3</sup>				
Costa Rica		x		None			None	Also EC SWO import data; ocean unclear		-Letter seeking clarification on origin of catches -Notify of ICCAT's Action Plan process -Urge to cooperate [Letter]
Denmark (Faeroes)	x			BFTE (T-I) BFTE (SD) BFTW (T-I) BFTW (SD)	0 t 38 t 0 t 0 t		None		None	-No action warranted
Georgia			iBET	BET (TD)		225 t	2002 – 1/2		N/a	-Identify (UU); species BET [Letter]
Grenada		m		SWO (TD)		21 t			None	-Monitor, as appropriate (S)
Guinea Bissau	x			None			None		N/a	-No action warranted
Iceland	x			BFTE (SD ) BET (TD '00)	5 t 8 t		None		None	-Deferred to Compliance Committee
Indonesia			iSWO iBET	SWO (TD) BET (TD)	45 t 2341 t	87 t 1750 t	2000 – 0/0 2001 – 18 2002 – 0	Also EC SWO import data; ocean unclear	None (Japan-Indonesia bilateral report available)	-Maintain first identification status under UU for BET -Identify under UU for SWO -Seek information on disposition of de-registered vessels [Letter]
Kenya			x	None			None		N/a	-No action warranted
Liberia			m	BET (T-I)	57 t		None		N/a	-Monitor, as necessary

Summary Table of Information for 2002 PWG Actions (continued)

Fleet	Action Plan <sup>1</sup>			Information <sup>2</sup>					Response	2002 action
	B	S	U	Available data			IUU activities	Other		
				Source	2001	2002 <sup>3</sup>				
Malta	x			BFTM (T-I) BFTM (SD)	219 t 292 t	18 t	None		None	-No action warranted
Mauritania		m		None			?	Transshipment activity in EC port	N/a	-No action warranted -Monitor as necessary
Mozambique		m		None			None	Also EC SWO import data; ocean unclear	N/a (Yes for liaison)	-No action warranted -Monitor, as necessary
Netherlands Antilles		x		None			None		N/a	-Will review Cooperating Status application in 2003 [Secretariat to draft and send letter]
Norway	x			None			None		N/a	-No action warranted
Senegal		x		None				Also EC SWO import data; ocean unclear		-Letter seeking clarification on origin of catches -Notify of ICCAT's Action Plan process -Urge cooperation [Letter]
Seychelles			iBET	SWO (T-I '00) BET (T-I) BET (TD)	10 t 0 t 125	263 t	2000 – 1/7 2001 – 28 2002 – 20		Yes	-Identify for BET (UU) [Letter]
Sierra Leone			sBET sSWO sBFT	BFTE (T-I) BFTE (SD) BFTW (SD) SWO (T-I) SWO (TD) BET (T-I) BET (TD)	118 t 0 t 388 t 2 t 11 t 2 t 152 t	7 t	2000 – 0/0 2001 – 1 2002 – 1		None	-Sanction (UU for BET, BFT, SWO) [Recommendation 02-19, letter]
Singapore		x	x	None			2000 – 1/1 2001 – 1 2002 – 0	Also EC SWO import data; ocean unclear	N/a	-Request information to clarify location of catches -Notify of ICCAT's Action Plan process -Urge to cooperate with ICCAT if catches in Convention area [Letter]

**Summary Table of Information for PWG Actions (continued)**

Fleet	Action Plan <sup>1</sup>			Information <sup>2</sup>				Response	2002 action	
	B	S	U	Available data			IUU activities			Other
				Source	2001	2002 <sup>3</sup>				
St. Vincent and the Grenadines			sBET	SWO (T-I) BET (T-I) BET (TD)	22 t 506 t 19 t		2000 – 4/6 2001 – 9 2002 – 6		None -Extend sanctions through Jan 2004 for BET (UU) -Request clarification on albacore catches [Recommendation 02-20, letter]	
Thailand			x	BFT (SD) SWO (TD) BET (TD)	134 t 3 t 22 t	34 t	2000 – 0/0 2001 – 1 2002 – 0	EC port information Green Bay II	N/a -Warning letter BFT/BET/SWO -Mention vessel (Green Bay) issue [Letter]	
Togo		x		NONE			None	Also EC SWO import data; ocean unclear	None -Request information to clarify location of catches -Notify of ICCAT's Action Plan process -Urge to cooperate with ICCAT if catches in Convention area [Letter]	
Turkey	x			BFTM (T-I) BFTM (SD)	2100 t 584 t	204 t	None		Yes -No action warranted	
Vanuatu			iBET	SWO (TD '00) BET (TD)	125 t 211 t		2000 – 0/6 2001 – 12 2002 – 15		Yes -Maintain first identification status under UU for BET [Letter]	

<sup>1</sup> B=Bluefin Tuna Action Plan (Res.94-3); S=Swordfish Action Plan (Res. 95-13); U=Unreported and Unregulated catches Resolution (98-18); e=encourage; i=identify; l=lift sanctions; m=monitor; s=sanction; x=discussed.

<sup>2</sup> Available data: These cells include relevant import data (SD=statistical documents, TD=trade data, COE, customs) and SCRS data (T-I=Task I), where available. Round weight was estimated applying conversions to all fleets. See also Comparison Table between current Task I and trade information and Appendix 5 to ANNEX 10.

IUU activities: In 2000 and 2002 number of vessels in the Atlantic and total number on the list; in 2001 total number on the list. For Belize in 2001, for 2 of the 92 vessels, the flag is uncertain.

Other: Other non-compliance (e.g., harvesting of undersized fish, fishing in closed times or areas, and/or use of prohibited gear). Could include at sea or at port sighting information. Also relevant is the ability of a Party, Entity or Fishing Entity to monitor and control its vessels (which can be ascertained in part by its response to the Commission and efforts made to report catches to the Commission).

<sup>3</sup> 2002 Task I data not yet available; 2002 trade data partial (January to August).

Note: Catch limits in effect (see also Appendix 5 to ANNEX 10).

BFT-E: In 2001, 2291 t basket quota for non-members

Cap harvests at higher of 1993 or 1994 levels

In 2002, Parties to maintain catches at 2001 levels

BFT-W: No provision for non-member harvest

SWO-N: Others categories of 4.9% which amounted to 489 t in 2001 and 2002 (includes CP, Coop, and NCP)

Requirement to reduce 45% from 1996 landings, unless in 1996 <100 t, then cap.

SWO-S: Parties notified autonomous catch levels in 2001 and 2002.

BET: CP and Coop to cap 2001 and 2002 harvest levels at average of 1991 and 1992 unless harvest <2100 t, then cap does not apply.

No provision for NCP.



**REPORT OF THE JOINT MEETING  
OF THE COMPLIANCE COMMITTEE AND PWG**

**1. Opening of the meeting**

1.1 Given the overlapping nature of the issues resulting from the May 2002 meeting of the Working Group to Develop Measures to Combat IUU Fishing, it was agreed to convene a first ever Joint Meeting of the Compliance Committee and PWG, which was co-chaired by Compliance Committee Chairman Mr. Friedrich Wieland (European Community), and PWG Chair Ms. Kimberly Blankenbeker (United States).

1.2 Mr. David Kerstetter (United States), Rapporteur for the PWG, was also appointed Rapporteur for the Joint Meeting.

**2. Consideration of the Report of the Working Group to Develop Measures to Combat IUU Fishing (Tokyo, 2002)**

2.1 Mr. Masanori Miyahara (Japan), Chairman of the ICCAT Ad Hoc Working Group on Measures to Combat IUU Fishing, introduced the report of that meeting. He noted that the Working Group had made good progress and that a variety of approaches and measures had been discussed to help address the problem of illegal, unreported and unregulated (IUU) fishing activities.

2.2 Mr. Miyahara reported that the Tokyo Working Group agreed that Japan and Chinese Taipei should continue to conduct IUU fishing investigations, work out effective means to prevent IUU fishing, and report their efforts to the 13<sup>th</sup> Special Meeting of the Commission (Bilbao, 2002). He also reviewed other matters to be considered at 2002 Commission meeting, including the draft Recommendations appended to the Working Group meeting report. Of particular note was the draft measure to develop a so-called “negative” vessel list that would include vessels not authorized to fish in the Convention area, consideration of the development of a “positive” vessel list that would include vessels authorized to fish in the Convention area, a measure to address possible “fish laundering” by improving control of transshipment activities, and a measure to encourage improved control over nationals or residents.

2.3 In addition, Mr. Miyahara reported on the Working Group’s discussions concerning ICCAT’s current process for establishing and lifting trade restrictive measures under its various instruments. He noted that the Working Group had not thoroughly discussed the proposals presented at its meeting and that these matters should be further discussed by the Commission.

2.4 The Delegate of the European Community (EC) thanked Japan for hosting the Working Group meeting in Tokyo. The Delegate commented that while ICCAT is ahead of several other regional fisheries management organizations (RFMOs) on the IUU issue, reducing or preventing IUU activities requires broad international cooperation. He noted that views differed on such issues as, which species to focus attention on and whether to treat Contracting Parties differently than non-Contracting Parties and that these matters needed to be resolved. He stressed that the EC would not be complacent on the matter of addressing IUU fishing.

**2.1 General discussions on IUU fishing activities**

2.1.1 The EC Delegate stated the intent of the EC to support development of a “positive” list of vessels over 24 meters in length to complement the improvements being introduced in ICCAT’s “negative” list. He commented that a review of the trade measures currently in place for regulating IUU activities should be carried out together with these two lists to effectively combat IUU fishing activities. The Delegate expressed his willingness to work together with the other delegations on this matter.

2.1.2 The Delegate of France (St. Pierre & Miquelon) commented that while the IUU issue is complex, the current efforts to address IUU activities are strong because these measures necessarily involve other international

agreements and law. He suggested that information should be made available explaining the basic implementation of guidelines for the various ICCAT IUU measures.

2.1.3 The Delegate of Japan introduced the *Report by Japan on the Current Situation of IUU LSTLVs* (attached as **Appendix 1 to ANNEX 12**), which reported the extensive investigations by Japan into IUU fishing activities. He made specific note of several items in the report, such as the use of forged vessel registration documents and the rapid development of so-called “fish laundering,” apparently by IUU vessels.

2.1.4 The Observer from Chinese Taipei introduced the *Report of Chinese Taipei on IUU Fishing* (attached as **Appendix 2 to ANNEX 12**). He noted that the number of vessels currently on the IUU lists was likely greater than the number currently fishing due to existing scrapping programs and subsequent name and vessel registry changes. He explained in detail the various categories of Chinese Taipei involvement within the IUU fishing activity and trade, and he suggested several measures to help prevent future involvement, including criminal prosecution for fish laundering. Among several items, he noted that it was important for the Commission to work closely with the exporting country or entity on IUU issues, including developing integrated monitoring measures.

2.1.5 Many Delegates thanked Japan and Chinese Taipei for their work on the problem of IUU fishing and encouraged this work to continue. The Delegate of Japan indicated his intent to introduce a resolution related to this matter later in the meeting.

2.1.6 The Delegate of Morocco stated that the Commission is not using its limited time effectively and that the IUU problem could be addressed more simply if member compliance with existing measures was improved. The Delegate was amazed that countries were still supporting IUU activities and suggested that another approach could be to confront those sources that encourage this IUU activity. He commented that efforts to combat IUU fishing should continue within international IUU frameworks, such as the FAO International Plan of Action on IUU Fishing (IPOA-IUU). However, if lists of vessels are created, they should be restricted to vessels greater than 24 meters in length overall (LOA). He noted that Morocco has a sizable fleet of small vessels that have occasional tuna by-catches.

2.1.7 The Delegate of the United States noted that formal work on combating IUU fishing was in its early stages and that international progress on the matter was encouraging. The Delegate commented on the variety of approaches being pursued, including directing efforts at both the flag state level and the vessel level. She cautioned that new work in this area should not result in any weakening or loss of the tools for combating IUU activities that are currently available to the Commission.

2.1.8 The Delegate of China thanked the Japanese delegation for both hosting the inter-sessional meeting and their efforts to describe the on-going problem of IUU fishing. He noted that many other RFMOs are facing similar problems with IUU fishing. He reported on several actions taken by the Government of China against IUU activities, including actions against domestic companies that have IUU connections, enacting legislation prohibiting Chinese citizens from working aboard flag-of-convenience vessels, and extending the prohibition on the importation of second-hand vessels over 15 years old.

2.1.9 The Delegate of China made several suggestions on the development of a “positive” vessel list. He noted that ICCAT is an Atlantic-based fisheries organization, and therefore should only include IUU vessels working within the Convention area. He also agreed with the EC that the list include all types of large-scale vessels, and suggested, in response to the concerns of Morocco with their fleet of small-scale vessels, that LOA be replaced by gross registered tonnage (GRT) as a more accurate and inclusive measurement of fishing power.

2.1.10 The Côte d’Ivoire Delegate noted the frequent name and registry changes often carried out by IUU vessels and the difficulty in controlling these highly mobile vessels. He supported the inclusion of previous vessel names on the “negative” list, although he advocated that the list should only concern the ICCAT Convention area. He suggested that the “negative” list had limitations and that the “positive” list showed more promise as a long-term tool for combating IUU fishing. In the meantime, he supported the development of both lists and stressed they should perhaps apply to more than just large-scale tuna longline vessels.

2.1.11 The Delegate of Mexico also supported the development of a “positive” list. He noted that, for Mexico, trade measures were not the most favorable option, but that they could be justified in certain cases. The Delegate expressed support for the development of additional measures that were in accordance with previous agreements such as the FAO Code of Conduct for Responsible Fisheries and the IPOA-IUU.

2.1.12 The Delegate of Canada expressed support for development of both “positive” and “negative” vessels lists but noted that the processes for the listing of vessels must remain fair, transparent, and consistent.

2.1.13 The Delegate of Brazil agreed that the problem of IUU fishing was the most urgent matter facing the Commission. He expressed support for an ICCAT positive list, but stressed that any such list must include specific language clarifying reporting and data collection responsibilities associated with chartered vessels—unless ICCAT adopted a separate chartering proposal at this meeting. He commented further that the guidelines for inclusion on such a list should be consistent with the IPOA-IUU.

2.1.14 The Delegate of France (St. Pierre & Miquelon) commented that the “positive list” is more practical than the current “negative list” process because of the challenges and disagreements that the negative listing process can bring. In contrast, the “positive list” is very clear. The Delegate also noted that the FAO Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas requires States to inform the FAO about the names of vessels permitted to fish on the high seas.

2.1.15 The Delegate of Korea observed that the FAO already provides a framework for action against IUU fishing, but that additional measures to combat IUU fishing were desirable in order to maintain the sustainable levels of use for the ICCAT fisheries.

2.1.16 The Observer from Belize observed that the steps involved in these IUU discussions all emphasized punitive rather than pre-emptive measures. He suggested that involved parties should also work on controlling shipyards and financial institutions that provide support to new vessels and IUU fishing activities.

2.1.17 After this round of general remarks, the Co-Chairs turned the discussion to consideration of specific proposals for advancing the issue of combating IUU fishing, including the possible development of improved “positive” and “negative” vessel lists as well as measures to address “fish laundering” and to encourage improved control over nationals or residents.

## **2.2 Vessel lists**

2.2.1 The Delegate of Japan noted that it had taken the initiative to develop a proposal for a “positive” vessel list as discussed in May and introduced the “Draft Recommendation on Establishment of a Positive List of Licensed Large-Scale Tuna Longline Vessels Operating in the Convention Area.” He indicated that only large-scale tuna longline vessels were being proposed for inclusion since these vessels are the main IUU fishing culprits. He explained that the list would be based on ICCAT’s existing registration recommendation. He stressed that paragraph 4 was the most important aspect of the proposal since this requires Parties to exclude product taken by non-listed vessels by utilizing the current statistical document programs. He also explained the importance of paragraph 6, which should help reduce the movement of IUU vessels to other oceans and essentially “exporting” the IUU problem to areas outside of the Atlantic.

2.2.2 The Delegate of the EC noted that the Working Group had made progress in developing the “negative” vessel list, referenced in the EC “Draft Recommendation to Establish a List of Vessels Flying the Flag of a non-Contracting Party or of a non-Contracting Party, Entity or Fishing Which Carry Out Illegal, Unregulated and Unreported Fishing Activities in the ICCAT Convention Area” (included in **Appendix 4.5 to ANNEX 5**) and introduced a “Draft Recommendation of ICCAT to Establish a List of Vessels Presumed to Have Carried Out Illegal, Unreported, and Unregulated Fishing Activities in the ICCAT Convention Area.” He stressed his support of both “negative” and “positive” list approaches and commented that the documents should cover all large-scale vessels. The EC Delegate also introduced an EC-developed proposal for a “positive” vessel list intended to complement the “negative” list. He highlighted the portion of the EC proposal that requires states to be proactive and research the vessel histories before granting a registration instead of making post-hoc delistings. He observed that the two “positive” list proposals were similar and could perhaps be combined. He also observed that the vessel lists are part of a package that includes trade sanctions.

2.2.3 The Delegate of China suggested language be added to the Japanese proposal to cover other RFMOs and their relative competencies.

2.2.4 The Delegate of France (St. Pierre & Miquelon) supported the inclusion of all large-scale vessels, and noted with appreciation the language in the EC proposal detailing the responsibilities of the flag state. He further suggested that ICCAT work on this issue with other, perhaps even non-tuna-based, RFMOs. He suggested that the Japanese and EC proposals be blended.

2.2.5 In response to a question from the Delegate of Côte d'Ivoire, the Delegate of Japan noted that Japan could agree to a "positive" list that would include both purse seine and longline vessels if there was general consensus on this point, although it felt that the main problem was with the large-scale tuna longline vessels. Thus, Japan would be willing to consider expanding its proposal but cautioned against such an action if it would prevent adoption of a "positive" list proposal this year.

2.2.6 The Delegate of Brazil again raised concerns about the need to provide for chartering operations in the vessel list proposals.

2.2.7 The Delegate of Mexico supported both the EC and Japan proposals, especially given their emphases on transparency, but stated his preference for the EC version due to inclusion of all large-scale fishing vessels. He noted that auxiliary vessels should be included in the definition of fishing vessels.

2.2.8 The Delegate of the Côte d'Ivoire noted that it could be problematic to include all vessels and supported Japan and the EC working together to develop one text.

2.2.9 The Delegate of Canada added her support to the "positive" list idea and noted Canada had suggestions for both the EC and Japanese texts. She noted concern regarding the resource implications for the Secretariat of creating such a list and suggested this be discussed in STACFAD. She also inquired into the definition of "auxiliary vessel" raised by Mexico.

2.2.10 The Delegate of Mexico replied that this term applied to tendering and other support vessels, and that efforts to combat transshipping have already been made in the eastern Pacific. He requested that the process remain transparent. The Delegate of Venezuela supported the expansion of the vessel list to tender and other support vessels.

2.2.11 The Delegate of Japan stated his understanding of the Canadian concerns, but noted that the vessel list proposals would not come into force until July 2003. He requested that STACFAD be mandated to discuss this issue at the 2003 ICCAT meeting.

2.2.12 The Delegate of Canada noted that a list starting in July 2003 would also incur high set-up and maintenance costs, which could be a significant drain on the Secretariat resources. She suggested that it might be helpful to consult with the FAO and the Forum Fisheries Agency (FFA) regarding these likely costs.

2.2.13 The Secretariat commented that the costs would be both in money and time, since July is also the time that the Secretariat traditionally prepares for the annual fall SCRS meeting.

2.2.14 The Delegate of Japan replied that he would not object to the discussion in STACFAD but that he could not accept a delay in the implementation of the "positive" vessel list proposal.

2.2.15 The Namibian Delegate stated the willingness of Namibia to fight IUU activities, and its support of the "positive" list idea. However, the relationship of chartered vessels to the developing chartering state needed to be clarified, as did concerns about the legality of requiring the vessel owner/operator to be a national citizen of a Contracting Party. Namibia expressed concern that such rules could hamper its ability to develop its fleet.

2.2.16 The Delegate of the United States requested that a minor language change be made to the proposals so that they would contemplate the use of statistical documents for species other than those currently authorized by the Commission.

2.2.17 The Observer from Belize volunteered that Belize now screens vessels before approving them on their national registry. He also noted that international law requires a vessel's previous flag state to certify, before transfer of the registry, that no obligations to that flag State remain.

2.2.18 The Delegate of Equatorial Guinea noted his government's decision to eliminate the use of IUU vessels from its fleet (see statement by Equatorial Guinea in **Appendix 4 to ANNEX 10**).

2.2.19 In order to move forward in the discussions, it was agreed that an effort would be made to combine Japan's "positive" vessel list proposal with that of the EC and a drafting group was convened for this purpose. This work resulted in the draft "Recommendation Concerning the Establishment of an ICCAT Record of Vessels Over 24 Meters Authorized to Operate in the Convention Area." The Delegate of Japan noted the recent changes in the document, including several sections that were bracketed pending approval of the chartering measure being discussed elsewhere. It was agreed that the bracketed sections should be discussed in the Joint Compliance Committee-PWG meeting in an effort to forward a consensus proposal to the Commission.

2.2.20 A variety of comments were made on the revised proposal. The Delegate of Brazil noted that since many fishing companies were open corporations, sub-section f in paragraph 5 must be included in order to logically have subsection e. He also noted that Brazil maintained a general reservation on the vessel lists pending resolution of the chartering issue. China noted that new vessels were already under previously agreed IUU rules, so the relevant section was probably unnecessary. The Delegate of Japan stated that he desired a clear warning message from ICCAT to IUU vessel owners and urged Parties to be flexible. The Delegate of China seconded this sentiment.

2.2.21 Given the remaining difficulties, several delegations expressed their inability to proceed further on this proposal at this time. The Joint Meeting agreed to forward the positive vessel list proposal with brackets, i.e., the *Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels Over 24 Meters Authorized to Operate in the Convention Area*, to the Commission for resolution of the remaining concerns (see **ANNEX 8.22**). A statement by Japan on this Recommendation is attached as **Appendix 3 to ANNEX 12**.

2.2.22 The Co-Chairs noted that the draft "Recommendation to Improve Registration of Large-Scale Tuna Longline Fishing Vessels," was still pending. The Delegate of Japan explained his intention to withdraw this document should the Commission adopt the "positive" vessel list. Therefore, this document was also forwarded to the Commission for decision on its final disposition.

2.2.23 A third pending document was the draft "Resolution Concerning the Implementation of the Recommendation Concerning the ICCAT Record of Vessels." The Delegate of Japan introduced this measure, which required the Secretariat to conduct a comparison of the August 31, 2002, vessel list and the new "positive" vessel list to be compiled based on the terms of the 2002 "positive" vessel list proposal, if adopted. While there was no disagreement with the idea of such a comparison, in principle, there was no agreement to adopt the proposal in advance of the adoption of the "positive" list proposal. That being the case, it was agreed to forward the draft to the Commission for consideration after the disposition of the "positive" vessel list proposal had been determined (see **ANNEX 8.24**).

2.2.24 Regarding the "negative" list proposal, the Delegate of Japan noted three points. First, the data collection procedures were too cumbersome and should be simplified. Second, the proposal should not be limited to non-Contracting Parties, Entities or Fishing Entities only. It should at least contemplate the possibility that Contracting Parties could be covered. Third, paragraph 9.e refers to import prohibitions generally but Japan cannot accept a trade measure on a stock that does not contemplate a quantitative restriction.

2.2.25 The Delegate of Canada indicated that she had some specific comments, particularly regarding the duty of the flag State.

2.2.26 The Delegate of the EC indicated that he could agree to include Contracting Parties in the proposal, noting that the IPOA-IUU does not limit coverage. He expressed a desire to eliminate brackets from the text and stressed that the language allowing import prohibitions was crucial. He commented that the current "negative" vessel list approach was not working and needed to be strengthened.

2.2.27 Based on a revised proposal, the Delegate of Mexico suggested including text from the third preambular paragraph of (the draft “Resolution on the Introduction of Supplementary Procedures on ICCAT Trade-Related Schemes”) into the preamble of the “negative” list proposal. He noted that trade measures must remain consistent with the rights guaranteed by the World Trade Organization. He continued by stating his willingness to remove the brackets of section 9.e if this change could be made.

2.2.28 The Delegate of France (St. Pierre & Miquelon) agreed that it was important to remove the brackets and supported the position of Mexico. Canada also supported the Mexican proposal. Japan indicated that it could only lift its objection to paragraph 9.e if the “positive” vessel list proposal were adopted. Japan had no objection to the addition of a preamble along the lines suggested by Mexico.

2.2.29 The Delegate of Brazil reiterated its need to see text incorporated in the proposal to address its chartering concerns unless a separate chartering proposal was adopted at this meeting.

2.2.30 Recognizing the impasse, it was agreed to forward the “negative” vessel list proposal with brackets, i.e., the *Recommendation by ICCAT to Establish a List of Vessels Presumed to Have Carried out Illegal, Unreported and Unregulated Fishing Activities in the ICCAT Convention Area*, to the Commission for final approval (see ANNEX 8.23).

### **2.3 Fish laundering and transshipment**

2.3.1 The Delegate of Japan introduced the draft “Recommendation Concerning the Measures to Prevent the Laundering of Catches by IUU Large-Scale Tuna Longline Fishing Vessels.” He noted the serious efforts being made by IUU vessels to avoid penalties by transshipping their catch at sea and in port and noted that the proposed recommendation was intended to make such activities more difficult by requiring appropriate paperwork in advance of transshipment activities.

2.3.2 The Delegate of Canada expressed her support for the measure. The Delegate of Mexico queried whether operative paragraph 2 should be more specific regarding the vessel types, and Japan agreed to consider some language.

2.3.3 Noting the concerns of some Parties with operative paragraphs 3 and 4, the Delegate of Japan indicated he could withdraw these two paragraphs. The EC supported the withdrawal of these paragraphs. Mexico also supported the withdrawal, but noted its continued support for paragraphs 1 and 2.

2.3.4 The Delegate of Brazil asked for clarification on how statistical documents could be validated when transshipped in containers. The Delegate of Canada noted that the intent was to ensure that the transshipment was legal. She added that the intent of operative paragraph 3 was important.

2.3.5 The EC commented that the proposal, even without paragraphs 3 and 4, posed difficulties from an administrative perspective. The Delegate of Japan explained that the original intent was to target the transshipment activities of large-scale tuna longline vessels (LSTLVs), but that the proposal was later expanded. He noted that transshipments are weighed, allowing for some quantification of the fish involved, but that such activities are sometimes done at the port to deliberately confuse inspectors. He also noted that if paragraphs 3 and 4 were omitted, the proposal would have to be scaled back to include only LSTLVs.

2.3.6 The Delegate of Brazil replied that Brazil could support the proposal if “wherever possible” was added in paragraph 2, and Japan agreed to this change. The EC queried whether this would require action by the ports of the Contracting Parties. Japan replied that it would only apply to transshipping parties.

2.3.7 In order to address remaining concerns, the Delegate of Japan agreed to alter the proposal from a “recommendation” to a “resolution.” He stressed that this measure was an important complement to the vessel lists.

2.3.8 With the agreed changes, the measure on fish laundering, i.e., the *Resolution by ICCAT Concerning the Measures to Prevent the Laundering of Catches by Illegal, Unreported and Unregulated Large-scale Tuna Longline Fishing Vessels* was agreed by consensus and forwarded to the Commission for approval (see ANNEX 8.25).

## **2.4 Control over residents**

2.4.1 The Delegate of Japan introduced the draft “Resolution for Cooperative Actions to Eliminate Illegal, Unreported and Unregulated Fishing Activities by Large-scale Tuna Longline Vessels” He noted that the measure encourages further bilateral efforts by Japan and Chinese Taipei to eliminate IUU fishing. The proposal also encourages Chinese Taipei to consider adopting domestic legislation that will allow it to improve control over its residents involved in IUU fishing. Finally, the document asks that Parties, Entities or Fishing Entities urge or instruct their residents to refrain from engaging in IUU activities. The Observer from Chinese Taipei commented that while operative paragraph 3 could be problematic at home, they would do their best to implement the resolution. The Delegates of the People’s Republic of China and the United States indicated their support for the resolution. The *Resolution by ICCAT Concerning Cooperative Actions to Eliminate Illegal, Unreported and Unregulated Fishing Activities by Large-scale Tuna Longline Vessels* was approved by consensus, and was forwarded to the Commission for adoption (see **ANNEX 8.26**).

## **2.5 Trade matters**

2.5.1 The Delegate of Japan introduced a draft “Resolution Concerning the Introduction of Supplementary Procedure on ICCAT Trade-related Schemes,” together with an Explanatory Memorandum. He carefully explained the difficulties sometimes encountered when applying ICCAT’s trade-related instruments and that the proposed resolution would improve their application. He stressed that this proposal was not intended to amend existing trade instruments but to elaborate the process more clearly.

2.5.2 The Delegate of the EC recalled that the tools to impose sanctions have been in place for years. He noted that a perceived lack of transparency in the process was a concern. He stated that the EC documents from the May 2002 inter-sessional meeting were still on the table and had been re-circulated as the “Draft Resolution by ICCAT for a Bluefin Tuna, Swordfish and Bigeye Tuna Action Plan” (see **ANNEX 9.1**), and the “Draft Resolution by ICCAT Concerning Compliance in the Fisheries of Bluefin Tuna, Swordfish and Bigeye Tuna” (see **ANNEX 9.2**)

2.5.3 The Delegate of Canada observed that the existing Bluefin Tuna and Swordfish Action Plans only apply to non-Contracting Parties, Entities or Fishing Entities. She recommended that the entire process be made more transparent, including the process of identification. For example, she suggested that Japan’s document specify what the term “rectify” means. She also questioned the intended scope of the document. Finally, she clarified that the Canadian proposal from the May 2002 inter-sessional meeting (see **Appendix 4.6 to ANNEX 5**) was still viable.

2.5.4 The Delegate of France (St. Pierre & Miquelon) shared the Canadian concerns and commented that the same rules needed to apply to Contracting Parties. He noted that the current Japanese proposal was within the guidelines of the IPOA-IUU.

2.5.5 The Delegate of Canada noted that the Commission needed to consider preventative measures, as well as the equitable application of these measures.

2.5.6 The Delegate of the United States noted that ICCAT’s trade regime was not broken but that the United States was open to seeing how the process could be improved. Toward that end, the United States was supportive of the approach outlined in Japan’s proposal concerning supplementary procedure on ICCAT trade-related schemes and was interested in working with other Parties to improve the document.

2.5.7 A variety of comments were incorporated into Japan’s proposal in order to clarify its application and a revised draft “Resolution by ICCAT on the Introduction of Supplementary Procedure on ICCAT Trade-related Schemes (see **ANNEX 9.3**) was circulated for consideration. Given the time constraints, the Delegate of Japan suggested deferring this issue to an inter-sessional meeting in 2003. He clarified that the inter-sessional meeting should include all the trade-related proposals on the table to date. He suggested that the results of the inter-sessional meeting be discussed and adopted at an early stage of the 2003 Commission meeting.

2.5.8 There was general agreement with Japan’s proposed approach for moving forward on this matter. The Delegate of Canada suggested that a written proposal outlining the Terms of Reference for the meeting would be useful and offered to draft such a proposal. Brazil agreed with Canada’s suggestion. The Delegate of Canada also

suggested that the inter-sessional process could be streamlined by coordinating the dates of inter-sessional meetings planned for 2003.

2.5.9 The draft “Resolution for a Process and Criteria for ICCAT IUU Trade Restrictive Measures” was introduced by the Co-Chair, Mr. F. Wieland. It calls for an inter-sessional meeting on trade-related matters in 2003 and refers to the following proposals: Canada’s Criteria for the Imposition and Removal of Trade Restrictive Measures (see **Appendix 4.6 to ANNEX 5**); the Draft Resolution for a Bluefin Tuna, Swordfish and Bigeye Tuna Action Plan (see **ANNEX 9.1**); the Draft Resolution Concerning Compliance in the Fisheries of Bluefin Tuna, Swordfish and Bigeye Tunas (see **ANNEX 9.2**); and the Draft Resolution on the Introduction of Supplementary Procedure on ICCAT Trade-related Schemes and accompanying Explanatory Memorandum (see **ANNEX 9.3**). It does not preclude the presentation at the inter-sessional meeting of additional documents that are consistent with the terms of reference. Mr. Wieland noted that many of the items were taken from language in the IPOA-IUU.

2.5.10 After some minor edits, the *Resolution by ICCAT Regarding Process and Criteria for ICCAT IUU Trade Restrictive Measures* was agreed upon and forwarded to the Commission for final adoption (see **ANNEX 8.27**).

### **3. Adoption of report and closure**

3.1 It was agreed to adopt the Report of the Joint Meeting of the Compliance Committee-PWG by mail.

3.2 After thanking the assembly for their hard work and diligence, the CoChairs adjourned the Joint Meeting of the Compliance Committee-PWG on November 4, 2002.

3.3 The Report of the Joint Meeting of the Compliance Committee-PWG was adopted by correspondence.

## **Appendix 1 to ANNEX 12**

### **Report by Japan on the Current Situation of IUU LSTLVs**

#### ***1. Number of the remaining IUU large-scale tuna longline vessels (LSTLV)***

In the past, Japan exported about 130 second-hand LSTLVs, and Chinese Taipei built and exported about 100 IUU LSTLVs. In consideration of other sources of supply of second-hand vessels, such as Korea, one can conclude that in total at least 240 LSTLVs have become IUU LSTLVs.

To date, 43 out of the 130 vessels have concluded a scrapping contract with the Organization for Promotion of Responsible Tuna Fisheries (OPRT) (of which 33 had already been scrapped), and 34 out of 110 the vessels have applied their re-registration to Chinese Taipei, according to the Japan and Chinese Taipei Joint Action Program to Eliminate the IUU Fishing Vessels. About 65 out of the remaining vessels were sold and became licensed vessels of Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (CPCs) such as China and the Philippines.

Therefore, the remaining IUU LSTLVs, which are still engaging in IUU fishing, are estimated to be at least 100 vessels (**Figure 1**).

#### ***2. Japanese import of tunas caught by IUU LSTLVs***

In order to implement the resolution on ICCAT IUU adopted in 1999 and to refrain from engaging in the transaction of tunas caught by IUU LSTLVs, the Japanese Government required Japanese importers and transporters to report the information on the tunas they intend to import, such as the names of vessels, transhipped area etc, as of November 1999. Since April 2001, the Japanese government has required additional information on past records (previous flags and names) of the vessels so as to keep up with the changes of flags and names of IUU LSTLVs.

The amount of tunas imported from the IUU LSTLVs, which was revealed by the reporting requirements and was subject to non-purchase administrative guidance, decreased after reaching the peak of February 2000.

The import amount increased temporarily after the additional information was required in April 2001 and after the new ICCAT IUU List 2001 was adopted (**Figure 2**). However, import tunas caught by IUU LSTLVs hardly appear on the import statistics. Japanese imports of tunas caught by IUU LSTLVs were only 2,703 t in 2001, although the remaining 100 IUU LSTLVs are estimated to catch about 25,000 t of tunas (estimated as 250 t per vessel per year).

Despite Japanese effort in collecting information, including past records of the vessels, it is now extremely difficult to keep up with the relations of the LSTLVs that export tunas to Japan with the IUU LSTLVs listed on the ICCAT IUU Lists because of forgery of certificates of registry and fish laundering mentioned in the following paragraph (**Tables 1, 2 and Figure 3**).

### **3. Recent activities of IUU LSTLVs**

To circumvent the ICCAT IUU measures, the IUU owners recently showed more problematic behavior involving illegal conduct than in the past. They used to change flags and/or vessel names to flee from the ICCAT measures. But recently, they forge documents such as certificates of vessel registry while the names of licensed vessels are frequently used for export of catches by their IUU vessels.

#### *– Forgery of Certificates of Registry*

In recent years, Indonesia increased its catch of tunas in the Atlantic Ocean by accepting many IUU LSTLVs. The governments of Japan and Indonesia jointly scrutinized the 71 Indonesian LSTLVs listed on the 2001 ICCAT IUU List. As a result, it turned out that 44 out of the 71 used forged certificates of registry and had no record of actual registry to Indonesia, that 10 were registered as Indonesian vessels but non-licensed and owned by the Chinese Taipei's IUU vessel owners, and only 17 vessels were duly licensed Indonesian LSTLVs (**Table 3**).

It was very difficult for Japan to distinguish IUU LSTLVs from the Indonesian vessels owned by Indonesian residents. The Indonesian language added difficulty in checking documents in Japan. As a result, Japan has imported about 16,000 t of tunas caught by the IUU LSTLVs since 2000 without any sanction measures (**Table 4**).

It was also revealed that IUU owners have forged Certificates of Registry not only of Indonesia but also of Malaysia, Tonga, Madagascar, Myanmar, and Panama (see Attached copy of the documents). Japan obtained information, through the implementation of the Scrapping Program, that forged Certificates of Registry of various countries can be easily obtained in a short period by paying US\$1,000 per document in Singapore.

#### **a) Fish laundering**

As Japan reported at the 2001 ICCAT meeting, the import of tunas from Chinese Taipei's LSTLVs that are alleged to have relationship with IUU LSTLVs increased substantially (**Table 5**). Recently, import from participants of the Japan-Chinese Taipei Joint Action Program is also increasing rapidly (**Table 6**).

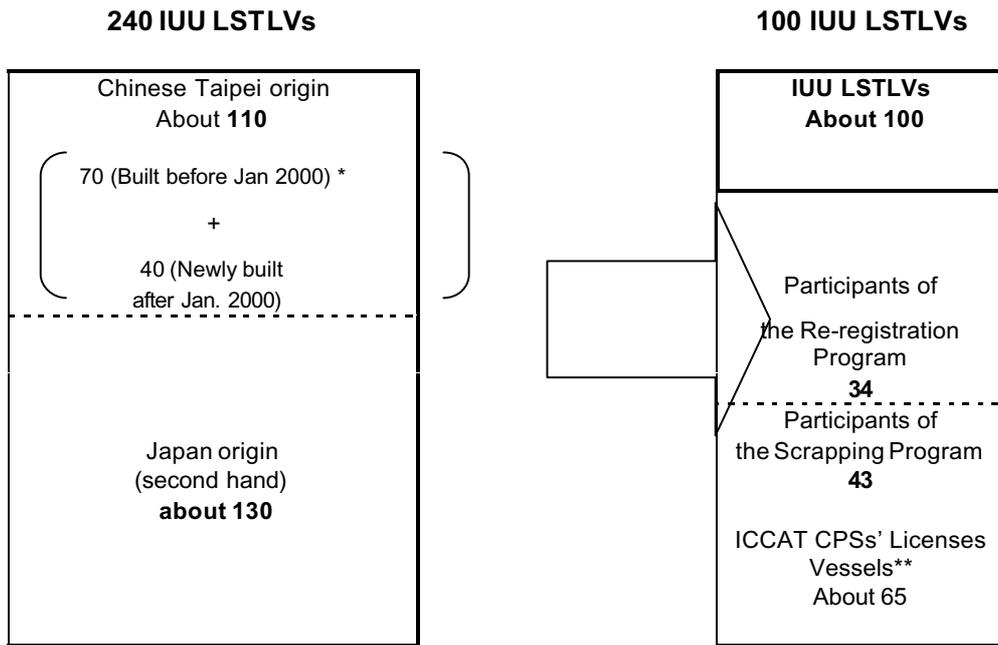
This increase is quite unusual because (i) the number of Chinese Taipei LSTLVs remains unchanged, and (ii) LSTLVs' CPUE decline due to poor tuna stock conditions worldwide. The import records as well as the alleged relationship between Chinese Taipei's LSTLVs and IUU LSTLVs clearly indicate that tunas caught by IUU LSTLVs are being imported to Japan in the names of duly licensed Chinese Taipei's vessels (fish laundering).

#### **b) Re-flagging to new developing countries**

In recent years, many IUU LSTLVs, including vessels that escaped from the Japan-Chinese Taipei Joint Action Program, were re-flagged to new developing countries such as Seychelles, Vanuatu and Bolivia. These IUU LSTLVs are still owned and operated by IUU owners who reside in Chinese Taipei. An address of Chinese Taipei or a nominal local address, such as a P. O. box, was used for registration of those IUU vessels.

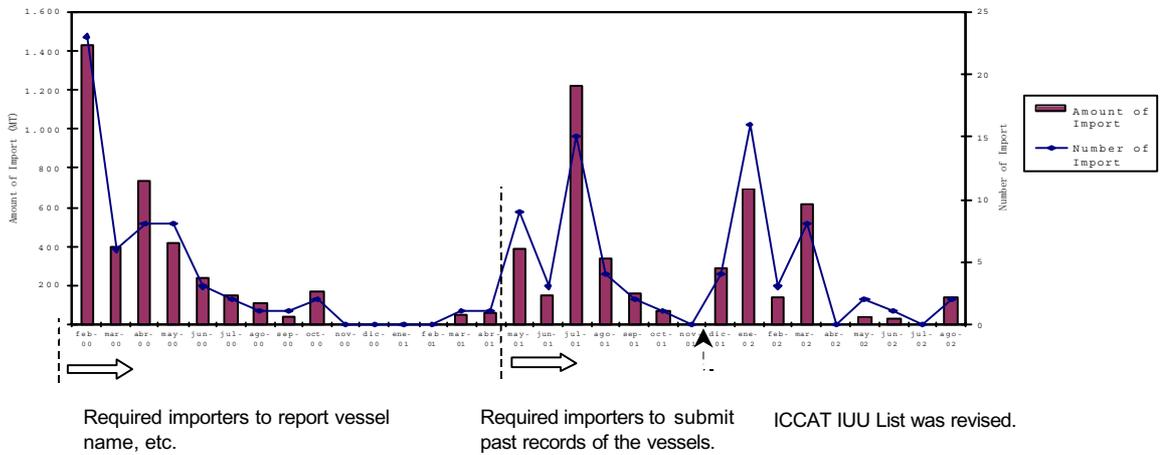
### **4. Conclusion**

In the past, IUU LSTLVs continued their operations by flag hopping among the developing countries. But recently, they circumvent the sanction measures in easier and more problematic ways, such as forgery of the documents and fish laundering. Thus, effectiveness of the existing measures based on negative listing has been undermined significantly. Simply these negative listing measures are not working any more against the LSTLV IUU fishing activities. It is indispensable for ICCAT to take clear and new effective measures immediately.



Note \* : January 2000 is when the Japan-Chinese Taipei Joint Action Program to Eliminate IUU Vessels concluded.  
 \*\*: CPC = Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities.

Figure 1. Transition of the number of IUU large-scale tuna longline vessels.



		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2000	Amount of Import	-	1424	391	737	413	236	148	111	41	168	0	0	3669
	Number of Import	-	23	6	8	8	3	2	1	1	2	0	0	54
2001	Amount of Import	0	0	45	55	388	149	1219	334	155	71	0	287	2703
	Number of Import	0	0	1	1	9	3	15	4	2	1	0	4	40
2002	Amount of Import	668	137	611	0	41	34	0	137					1628
	Number of Import	12	3	8	0	2	1	0	2					28

Figure 2. Tunas imported to Japan against the Non-purchase Guidance.

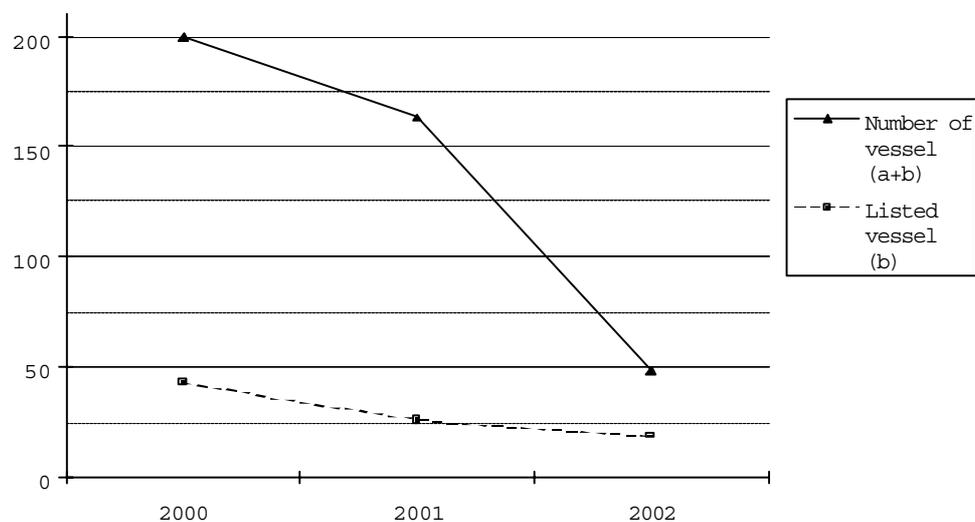


Figure 3. The number of IUU vessels that exported tunas to Japan.

Table 1. Number of IUU vessels on the ICCAT IUU Lists that Japan identified from imports.

	1999	2000	2001	2002
Belize	40	47	8	
Bolivia			4	1
Cambodia	1	3	5	
Ecuador			6	
Equatorial Guinea	28	28	11	
Georgia				2
Guinea	2			
Honduras	71	46	3	
Indonesia			70	22
Kenya	3			
Mauritius	1			
Panama			7	
Philippines (charter)	1	15	16	
Seychelles		7		4
Sierra Leone	1		1	
Singapore	6			
Sri Lanka	1	1		
St. Vincent & the Grenadines	2	1	1	
Thailand			1	
Trinidad & Tobago	3			
Vanuatu			3	
Unknown		9	1	
<b>Total</b>	<b>160</b>	<b>157</b>	<b>137</b>	<b>29</b> (a)
Import from vessels listed on the IUU list previous year	No. of vessels	43	26	19
	Amount (MT)	3,669	2,703	1,650
<b>Number of IUU exported tunas to Japan</b>		<b>200</b>	<b>163</b>	<b>48</b> (a+b)

Table 2. Examples of large-scale longline vessels that changed their name and/or flag from that on the lists of ICCAT IUU 1999, 2000, 2001

No.	Previous Name and Flag				IUU List 2001		Current Situation		IUU List Number		
	Flag	Name of vessel	Flag	Name of vessel	Flag	Name of vessel	Flag	Name of vessel	1999	2000	2001
1			PANAMA	GARCIA	BELIZE	BENNY 168		? (no import after Apr, 2000)	-	2	2
2		MARSUR 7	HONDURAS	YING CHIN HSIANG 66	BOLIVIA	YING CHIN HSIANG 66		? *2	233	222	104
3			HONDURAS	CLOVER 7	BELIZE	SHINE YEAR		? (no import after Feb, 2000)	63	76	71
4				HULL 1-58	E.GUINEA	CHIA YING 6		? (no import after Mar, 2001)	93	108	122
5	HONDURAS	MARSUR 5	BELICE	CHIN YOU MING	E.GUINEA	CHIN YOU MING		? (no import after Aug, 2000)	13	109	128
6			E.GUINEA	HWA MAO 202	E.GUINEA	HWA MAO 203		? (no import after Mar, 2001)	111	122	139
7				ALTAR 7	E.GUINEA	JIYN HORNG 116		? (no import after Apr, 2001)	114	126	143
8			BELIZE	SHUN MEI	E.GUINEA	LUNG THENG		? (no import after Oct, 2000)	69	81	148
9		CANPANERA 1	HONDURAS	YI HSIN 101	E.GUINEA	YI HSIN 101		? (no import after Oct, 2000)	131	141	167
10				SHENG PAO 21	HONDURAS	FU AN 6		? (no import after Feb, 2001)	173	206	190
11				HORNG BILIN	HONDURAS	PENG SHIN		? (no import after Feb, 2000)	210	199	212
12				CINTA LAUTAN	HONDURAS	TIM 1		? (no import after May, 2000)	226	214	225
13			HONDURAS	EION 102	HONDURAS	YU SUAN 102		? (no import after Oct, 2000)	238	225	229
14		BENNY 8	PHILIPPINES	CITI 8	unknown	CITI 8		? (no import after deletion of Philippines reg.)	18	273	318
15			HONDURAS	HER HSIANG	SEYCHELLES	SEA WISE		? (no import after Mar, 2001)	177	175	292
16					BELIZE	HUNG CHING 212	INDONESIA	HUNGFU 212	38	44	40
17		ATLANTIC 21	HONDURAS	CHIN CHANG MING	BOLIVIA	CHIN CHANG MING	BOLIVIA	CHIN CHANG MING*1	155	156	94
18		RUEY SHING 2	HONDURAS	ZHONG XIN 26	BOLIVIA	GOLDEN RICH	BOLIVIA	GOLDEN RICH*1	246	231	96
19		PAI YU 6	HONDURAS	HUNG YU 112	BOLIVIA	HUNG YU 112	BOLIVIA	HUNG YU 112*1	192, 209	189	98
20			BELIZE	YI CHUN 232	PANAMA	APOLO 2	PANAMA	APOLO 2	-	94	262
21					HONDURAS	FORTUNA 1	VANUATU	FORTUNA 1	98, 167	165	237
22					HONDURAS	FORTUNA 2	VANUATU	FORTUNA 2	170	168	239
23					HONDURAS	FORTUNA 11	VANUATU	FORTUNA 11	168	166	188
24					HONDURAS	FORTUNA 12	VANUATU	FORTUNA 12	169	167	238
25					HONDURAS	FORTUNA 21	VANUATU	FORTUNA 21	171	169	189
26					HONDURAS	FORTUNA 22	VANUATU	FORTUNA 22	172	170	240
27	PANAMA	DOGA 1	E.GUINEA	CHI MAN	BOLIVIA	CHI MAN		(Scrapped in Aug, 2002)	92	107	93
28	HONDURAS	SHIEH YUNG 366	BELICE	PLANET	BOLIVIA	PLANET		(Scrapped in Nov, 2001)	218	208	101
29		SEA DRAGON 88	HONDURAS	HUA CHUNG 808	CAMBODIA	HUA CHUNG 808		(Scrapped in Jun, 2002)	191	187	110
30					PHILIPPINES	SHYE SHIN 1		(Re-registered to Chinese Taipei)	270	301	387
31			E.GUINEA	LUNG SOON 212	SEYCHELLES	SEYGEM		(Re-registered to Chinese Taipei)	119	-	293
32			E.GUINEA	SHANG SHUN 622	SEYCHELLES	SEYPEARL		(Re-registered to Chinese Taipei)	123	-	294
33	HONDURAS	JI CHIN 2	E.GUINEA	JI CHIN 2				(Scrapped in May, 2001)	196	191	-
34	HONDURAS	CHIEN CHANG 66	HONDURAS	WOEN CHANG 66				(Scrapped in Sep, 2001)	154, 228	155, 216	-

\*1 These vessels are to be scrapped in 2003 by the Scrapping Program of Japan-Chinese Taipei to Eliminate IUU Fishing Vessels.

2 "YING CHING HSIANG 66" had once participated in the Scrapping Program, but the owner of the vessel has escaped from the Program and sold the vessel.

Table 3. Results of scrutiny of Indonesian LSTLVs

Number of Indonesian LSTLVs that have Import Registry	<b>71</b>
Forged Certificate of Registry	<b>44</b>
LSTLVs owned by IUU owners	<b>10</b>
Duly licensed LSTLVs	<b>17</b>

Table 4. Japanese imports of frozen tunas from Indonesia

	2000	2001	2002 (Jan-Jun)
Total imports of frozen tunas (Atlantic origin)	<b>6,977</b> (710)	<b>11,563</b> (2,722)	<b>5,568</b> (1,200)
LSTLVs	<b>6,644</b>	<b>10,440</b>	<b>4,540</b>
(Duly licenses LSTLVs)	(2,205)	(2,388)	(1,002)
(IUU LSTLVs)	(4,438)	(8,051)	(3,538)
Others	<b>333</b>	<b>1,123</b>	<b>1,028</b>
Number of LSTLVs that have import record (Duly licensed LSTLVs)	43	55	44
(IUU LSTLVs)	(17)	(17)	(17)
	(26)	(38)	(27)

Source: Report from Importers

Table 5. Imports of bigeye tuna from Chinese Taipei's LSTLVs.

		2000	2001	2002 (expected)	
All CT Vessels	Number of vessel exported over 400MT	2	5	37	*
	Amount of import	<b>55,097.6</b>	<b>61,542.1</b>	<b>89,215.2</b>	
The 37 vessels	Number of vessels which have import record	32	34	37	(a)
	Amount of import	<b>5,365.5</b>	<b>5,456.0</b>	<b>18,436.0</b>	
	Average	167.7	160.5	498.3	
	Percentage (a/b)	9.7%	8.9%	20.7%	

\* The 37 vessels are listed below.

List of Chinese Taipei's LSTLVs, of which exports of frozen bigeye tuna to Japan exceed 200 t.

	Name of vessel	2000	2001	2002 (expected)	2002 (Jan-Jun)
1	CHEN CHIEH 8	162.0		710.0	355.0
2	HUNG CHUAN 212		117.5	669.2	334.0
3	CHEN CHIA 1	74.1	57.3	648.7	324.0
4	CHI MING 6	119.5	138.3	642.8	321.0
5	CHUN I 217	84.5	109.9	621.4	310.0
6	YU CHEN HSIANG 16			609.0	304.0
7	SHENG HAI 127	151.0	70.0	598.0	299.0
8	HWA MAO 232		110.0	590.0	295.0
9	CHIEN HANG 6	223.8	68.0	588.4	294.0
10	CHUN CHENG 326	109.9	177.0	547.4	273.0
11	YING WEN HSIANG	113.0	144.0	530.0	265.0
12	JAIN YUNG 302			526.0	263.0
13	HSIN CHENG HSIANG 112	204.0	368.0	520.0	260.0
14	DONG YIH 668	155.2	99.7	516.0	258.0
15	YU CHAN HSIANG	393.0	88.0	496.0	248.0
16	CHIEN TO 6	108.7	273.0	484.0	242.0
17	HUNG HWA 202	103.0	83.0	471.7	235.0
18	HSIEH MING 1	212.4	198.6	468.1	234.0
19	CHIN YUN HORNG 36	128.0	244.0	463.4	231.0
20	HSIN HUNG 101	485.2	332.0	461.5	230.0
21	YING JEN 339	100.5	158.0	460.3	230.0
22	YUH YEOU 236	108.0	231.0	453.3	226.0
23	HSIN I HSIANG 11	152.0	324.0	452.0	226.0
24	YING JEN 366	232.1	132.4	449.5	224.0
25	CHEN I 1	146.0	200.8	445.6	222.0
26	YING CHIA HSIANG	70.0	162.0	440.0	220.0
27	CHIEN JIA 113	144.0	82.0	436.0	218.0
28	MING TAY 76	151.8	176.5	426.0	213.0
29	YUH YOW 8	280.5	236.7	425.7	212.0
30	HSIN CHUN 16	201.5	171.3	424.0	212.0
31	YING TA HSIANG	230.0	210.0	420.0	210.0
32	SHUN AN 6	183.0	172.0	418.0	209.0
33	TA CHING 21	219.0	100.0	409.0	204.0
34	YING JUI HSIANG	134.0	175.0	406.0	203.0
35	CHUN FA 168		55.0	404.0	202.0
36	MENG FA 336	50.0	92.0	403.0	201.0
37	CHUN I 236	135.7	99.0	402.0	201.0

Source: Report from importers.

Table 6. Imports of bigeye tuna from participants in the Japan-Chinese Taipei Joint Action Program

	2000	2001	2002 Jan-Jun	Ratio (2002 / 2001)
Number of vessels that have import record	95	88	41	0.47
Amount of import	12,587.1	11,292.9	5,407.0 (10,814.0)	(0.96)
Average	132.5	128.3	131.9 (263.8)	(2.04)

\*Figures in parentheses are estimated total amount of 2002 based on the first half of the year.

List of participants in Japan-Chinese Taipei Joint Program, of which exports of bigeye to Japan exceed 200 t.

Unit : t						
Name of vessel	Flag	2000	2001	2002 Jan-Jun	Status	
1 CHIN I MING	Bolivia (Honduras)	159.5	554.5	609.1 (1,218.2)	Scrap	2003
2 CHIN CHANG MING	Bolivia (Honduras)	210.0	476.3	566.2 (1,132.4)	Scrap	2002
3 HAU SHEN 212	Seychelles		120.0	258.0 (516.0)	Re-registration	Applied
4 CHEN FA 736	Philippines	206.0	263.0	256.8 (513.6)	Scrap	2002
5 CHEN FA 1	Philippines (Belize)	180.5	216.9	235.7 (471.4)	Re-registration	Applied
6 HUNG YU 112	Bolivia (Honduras)	481.0	343.5	227.8 (455.6)	Scrap	2003
7 DAI HO	Chinese Taipei (Belize)	217.0	193.7	203.0 (406.0)	Re-registration	Applied

Source: Report from importers.

## Appendix 2 to ANNEX 12

### Report by Chinese Taipei on IUU Fishing

#### 1. Introduction

In accordance with the ICCAT *Resolution Concerning More Effective Measures to Prevent, Deter and Eliminate IUU Fishing by Tuna Longline Vessels* (01-19) adopted in the 2001 Commission meeting, the Commission should hold a Working Group meeting in 2002 to consider and work out more effective measures to prevent, deter and eliminate IUU fishing. Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities that are entitled to fly their flags on tuna longline fishing vessels larger than 24 meters in length overall (LOA) (hereinafter referred to as the "LSTLVs") and that are importing those LSTLVs' tuna products should, to the greatest extent possible, collect and provide to the above working group information on the history and economic background of their LSTLVs, including the business relations of duly licensed LSTLVs with business entities that have a record of IUU fishing.

Chinese Taipei did not provide such information as indicated in the above resolution to the Working Group, due to insufficient legal basis and evidence. The Working Group encouraged Chinese Taipei and Japan to study further the involvement of Chinese Taipei's residents and licensed vessels in IUU tuna longline fishing and other activities assisting IUU longline fishing, with reference to the information and data Japan presented to the Working Group. They are also requested to work out effective measures to prevent such involvement, and report to the 2002 Commission meeting.

Through intensive consultations with Japan in August, September and October, exchanges of views with the United States, and interviews with industry representatives, this report was thus prepared.

## **2. Historical economic background of large-scale tuna longliners**

The large-scale tuna longline fishery in Chinese Taipei has a history of nearly half a century. According to the existing fisheries law, foreigners are not permitted to own any fishing vessel registered in Chinese Taipei. Therefore, all the fishing vessels are owned by its citizens, who are required to apply for fishing licenses and observe the fishing regulations as promulgated by the government. In 1988, restriction on the importation of large-scale tuna longliners was imposed. In 1989, the policy on replacement of decommissioned large-scale longline vessels by new ones was implemented and is still in force. In other words, building of a new vessel will only be permitted after a licensed vessel has been decommissioned, whether exported or lost at sea, on the basis of a new vessel replacing an old one. In 1995 a further measure was adopted to forbid the building of a new vessel when a licensed vessel has been exported, in order to maintain the global size of longline fleet to avoid a further increase of the global size of the longline fleet. The number of longliners at that time reached 746. The number drastically reduced, following the implementation of the first phase of the vessel buy-back program between 1990 and 1994, and the control of fleet size by means of restricting new vessels building except replacement of decommissioned vessels. As of July 2002, there were 610 large-scale tuna longliners in the registry, all owned by local residents with local capital. Of these, 577 were estimated to be vessels in active operation.

## **3. Action taken by Chinese Taipei and Japan for IUU vessels**

After years of successful business operations, some boat owners accumulated substantive capital but could not find ways to make further investment in building of vessels, due to the building restriction in force. The export of second-hand fishing vessels by Japan triggered the idea of buying these second-hand vessels and having them registered in countries such as Belize, Cambodia, Honduras, and Equatorial Guinea, as flag of convenience (FOC) vessels, and operated on the high seas. As the exports of Japanese second-hand vessels could not meet the growing demand, in 1995 the operators started building new vessels in the local shipyards. Most of them were registered in countries where the management and control of vessels were lenient or even uncontrolled. The operators were not required to provide catch reports to the regional fisheries management organizations, and that is to say, they did not comply with the conservation and management measures adopted by the RFMOs, causing problems in the management of fisheries resources and unfair competition in fish trade. Such irresponsible activities have become a focal point of concern by the international community.

In view of the escalating number of FOC fishing vessels, and in order to jointly solve this problem, through numerous consultations, Chinese Taipei and Japan worked out a joint action plan. The action plan requested Japan to purchase for scrapping, those second-hand FOC vessels it exported, with funds provided by the government of Japan and industries of both Chinese Taipei and Japan, and requested Chinese Taipei to create avenues for those FOC vessels built in its shipyards and operated by its citizens to seek its registration for proper management. Progress on the implementation of the action plan was reported to ICCAT in 1999, with responsive adoption of the *Resolution by ICCAT Calling for Further Actions against Illegal, Unregulated and Unreported Fishing Activities by Large Scale Longline Vessels in the Convention Area and Other Areas* (99-11). In order to implement this Resolution and to meet the requirement as called for in the FAO IPOA for the Management of Fishing Capacity, Chinese Taipei twice amended its regulations in 2000 and 2001, permitting the abovementioned FOC vessels to be imported and apply for registration while maintaining the policy of replacement of de-commissioned vessels by new ones. As for Japan, government funding was appropriated for the purpose of purchasing those second-hand vessels exported by Japan for scrap.

As of the end of September 2002, 34 vessels have been permitted to be imported for application of registration, among which 5 have completed the formalities of changing flag and received their fishing license, and they will be subject to management and control as licensed fishing vessels. Those vessels with registration formalities still in process, have regularly reported their positions and catches. Bigeye Tuna Statistical Documents are being issued in accordance with ICCAT Supplemental Resolution (01-23). Under the scrapping program, to date (2002) Japan has completed scrapping of 35 second-hand ex-Japanese longliners, while 7 are pending to be scrapped in 2003.

#### ***4. Analysis on a study of the operation of large-scale tuna longline vessels and their relation with IUU vessels***

Despite the efforts exerted by both Chinese Taipei and Japan in solving the problem of FOC fishing vessels, without effective global constraint to discourage such activities, there was ample room for FOC fishing vessels to develop, making the number of IUU vessels on the ICCAT IUU lists increase year to year, reaching 396 by 2001.

However, due to the implementation of the Statistical Document Program as well as sanctions on the trade of bigeye tuna imposed on some host countries of IUU vessels, these vessels kept on changing flags and changing vessel names to evade sanctions, and the process was so frequent that ICCAT was unable to keep its list updated, causing duplication on the list and failure to reflect the real situation. From various sources of information, Chinese Taipei has made some studies and provides a more realistic estimation of the existing IUU vessels as follows:

Hypothesis 1: From the report made by Japan at the 2001 Commission meeting (the large-scale longline vessels listed on the 1999 and 2000 ICCAT IUU lists but which had no record of imports into Japan since January 1, 2000) (Appendix 7 to ANNEX 14 of the 2001 Commission Report), it shows that some 178 vessels had no record of sale of fish in the past two years and we can make a reasonable presumption that these vessels in fact did not exist. By subtracting this figure from the number on the ICCAT IUU list, it can be interpreted that the number of IUU vessels in existence might only be around 218.

Hypothesis 2: From the information released in the 2001 Tuna Fishery Year Book published by Japan Suisan News, it was reported that judging from the quantity of Japan's import of tuna for "sashimi", and the cost efficacy of operation of tuna longline vessels, the fleet size of FOC tuna longliners could be hypothesized to be around 185-232 vessels.

Hypothesis 3: In May 2002, an inquiry was made to 17 flag States of the IUU vessels as shown on the ICCAT list, through foreign embassies and representative offices, on the status of these vessels. Up to the end of July, responses were received from eight countries, namely, Belize, Panama, Honduras, St. Vincent and Grenadines, Bolivia, Singapore, Mauritius and Thailand, with information provided on 196 vessels among the vessels on ICCAT IUU list that are indicated as flying the flags of these countries. Among the 196 vessels, 105 were reported as under their registration, and 91 were reported as either de-registered or as never having been in their registries. The number of IUU vessels under the registration of these eight countries accounts for 54% of the total under inquiry (i.e. 196 vessels). Applying the same ratio to the listed number (396 vessels), it appears that the total number of IUU vessels in existence can be estimated to be around 212 vessels.

From the above hypotheses, of the 396 IUU vessels on the ICCAT list, those actually in existence could more closely be estimated to be around 250, accounting for about 63% of the total on the list. This scenario shows that control by means of the IUU list ("negative list") could be an effective means to deter IUU fishing activities, if the updated list is available in time, but it might also cause acceleration of flag hopping of IUU vessels, thus making control more difficult. Therefore, it is believed that the establishment of a "positive list" (or "white list") coupled with the implementation of statistical documentation, could be a more effective way to achieve the goal of sustainable utilization of global tuna resources.

#### ***5. Analysis of the status of large scale tuna longliners operated by citizens of Chinese Taipei***

In order to better understand the status of the large-scale tuna longliners operated by citizens of Chinese Taipei, references were made to the Japanese information paper provided at the May Meeting of the Working Group on Measures to Combat IUU Fishing in Tokyo, the information on the status of vessel registration received from the eight flag States responding to our inquiry, as described in Hypothesis 3 above, and the report made by the People's Republic of China at the May IUU Working Group, as well as the explanations provided by owners of those vessels on the ICCAT IUU list, and compilation was made and analyzed accordingly. A grouping of six categories of those citizens of Chinese Taipei who operate LSTLVs has been made and is described as follows:

- Category 1: Licensed vessels never having any known relation with IUU fishing vessels: 352 vessels.

- Category 2: Those owners, with or without licensed vessels, who have previously operated 55 vessels as appeared on the ICCAT IUU lists have since terminated their relation with IUU vessels by joining the programs under the joint action plan, or have sold their vessels to the People's Republic of China.
- Category 3: Owners under this category used to own 131 vessels, among which 28 IUU vessels have joined the programs under the joint action plan between Chinese Taipei and Japan, and as for the remaining 103 vessels, their owners have provided written assurance that the vessels have either been sold or there is no further relationship.
- Category 4: Owners under this category used to own 25 vessels, among which 4 IUU vessels have joined the program under the joint action plan. As for the remaining 21 IUU vessels, their owners provided no clear explanation on their status, and further monitoring will be necessary.
- Category 5: Those who do not own licensed vessels, and 3 of their vessels have joined the programs under the joint action plan. There are 47 IUU vessels that have not yet joined the programs under the joint action plan. However, as they do not own any licensed vessels, fish laundering does not appear to be possible. Any licensed vessel that intends to launder catches of an IUU vessel will run the risk of committing a criminal offence of false documentation and violation of fisheries law. Measures need to be adopted internationally for deterring further IUU fishing.
- Category 6: There are 12 IUU vessels under this category whereby information on their owners is not available, and with foreign company addresses. There is no evidence that they have any relation with our licensed vessels, nor any relation with our citizens, and further tracing is not possible.

The attached **Table 1** shows a summary of the above information.

As indicated in Section IV above, the total number of IUU vessels is estimated to be about 250. With reference to the categorization as mentioned above, there are three ways to deal with the issue of fish laundering

1. Owners of fishing vessels under Categories 1 and 2 do not have or have already severed their relations with IUU vessels, and the chances of their carrying out fish laundering should be rare. As for those owners of IUU vessels who do not concurrently own licensed vessels, it would be difficult for them to launder fish since no owners of licensed vessels will dare to get involved in such activities risking committing a criminal offence. They can, therefore, be treated accordingly under normal management procedure. In the event they are reported to have engaged in fish laundering and there is evidence of their offence, they will be liable to conviction under criminal law and subject to the suspension of their fishing license in accordance with fisheries law.
2. As for the 10% of IUU vessels (25 out of the 250 vessels in Category 4) that still have a relationship with our citizens, they will be subject to strict monitoring in order to prevent them from making use of the licensed vessels for fish launder.
3. As for those owners who have no relation with licensed vessels as described in Category 5, the Fisheries Administration will continue persuading them to join the joint action plan to ensure that they entirely terminate their relation with IUU vessels. In the future, possible legislation will be considered to deter conducting of IUU fishing by citizens.

## **6. Measures**

1. Strict control in the issuing of Statistical Documents on tuna caught by legitimate licensed vessels, to prevent involvement of LSTLV in supporting IUU fishing vessels. Once there is concrete evidence of committing "fish laundry", the owner will be prosecuted and penalized according to law. Violators will be prosecuted in accordance with criminal law, with a maximum penalty of imprisonment for not more than 3 years, and their fishing licenses will also be subject to suspension for a period of not more than 6 months.

2. Administrative guidance will be given to discourage owners of LSTLVs to continue operating IUU vessels.
3. Continue to cooperate with Japan to encourage those IUU vessels to join the joint action plan between Chinese Taipei and Japan, including the re-registration and scrapping programs, and reinforcement of management by means of a “white list” or other possible means of solution.
4. Formulation of measures is being studied to find ways to control shipbuilding, for instance, requirement of permission from the competent authority for the building of LSTLVs of over 24 meters in length for export, and prohibition on the export of fishing vessels to those countries that have been subject to sanction by RFMOs or that do not have the ability to manage their fisheries properly.

### 7. *International Cooperation*

Chinese Taipei is willing to cooperate further with international and regional fisheries organizations in combating IUU fishing activities, and jointly take any positive steps to apply countermeasures to effectively combat IUU fishing. Information concerning IUU fishing activities from any Party will be welcome. Establishment of a “positive” list (or “white” list) of LSTLVs, linked with the implementation of statistical documentation, will be an effective and positive means to closely monitoring the IUU fishing activities, thereby achieving the goal of sustainable utilization of tuna resources.

In the process of prevention of fish laundering, fish transport vessels will be playing a key role. It is of vital importance for ICCAT, and the importing States concerned, to formulate measures to regulate and control the activities of transport vessels, to ensure they do not provide assistance to fishing vessels in fish laundering. Such measures may include pre-notification of location for at-sea transshipment, mandatory placing of observers on transport vessels, boarding and inspection of transport vessels, etc. These measures should be part of the integrated monitoring measures that the Commission is about to consider in a special working group.

For those flag States that have committed themselves to control their fleets in a responsible manner and proven that they are able to do so, the international community should provide the necessary assistance to them, while also placing them under strict monitoring of their fishing activities.

**Table 1.** Analysis of the status large scale tuna longliners operated by citizens of Chinese Taipei

<i>Category</i>	<i>Licensed</i>	<i>Subtotal</i>	<i>IUU list</i>		
			<i>Re-Registration</i>	<i>Scrapped</i>	<i>Other</i>
1. No known relation with IUU fishing vessels	352				
2. Cut relation with IUU fishing vessels	65	55	19	22	14
3. Provided written assurance without relationship with IUU	122	131	11	17	103
4. No clear explanation	38	25	2	2	21
5. No clear explanation but no possibility of fish laundry		50	2	1	47
6. N/A		12			12
<b>Total</b>	<b>577</b>	<b>273</b>	<b>34</b>	<b>42</b>	<b>197</b>

**Statement by Japan**  
***On the Recommendation Concerning the Establishment of an ICCAT Record***  
***Of Vessels Over 24 Meters Authorized to Operate in the Convention Area***

In the course of the discussion concerning the establishment of the “positive” list, the Japanese delegation proposed to include a paragraph in this recommendation which obligates the Commission and Contracting Parties to contact the relevant countries to inform them of this Recommendation well before its implementation and to encourage them to become members or to obtain Cooperating Status of the Commission. But the paragraph could not be included.

However, Japan would like to underscore that such notification to non-members is very important and indispensable to obtain understanding on this matter and to ensure consistency and accountability in light of international rules, such as WTO.

Therefore, the Japanese delegation would strongly ask all Contracting Parties as well as the Secretariat to inform all the relevant countries of this recommendation well in advance, and continue to encourage them to become Contracting Parties or Cooperating non-Contracting, Parties, Entities or Fishing Entities.

**REPORTS OF THE MEETINGS OF PANELS 1 - 4*****REPORT OF THE MEETING OF PANEL 1*****1. Opening of the meeting**

1.1 The Panel was chaired by Mr. John Barnes (United Kingdom-Overseas Territories). In the interest of time, it was proposed that introductions of the Parties present during the meeting be avoided and that opening statements be submitted in writing.

1.2 The opening statements submitted in writing from Ghana and the United States are attached herewith as **Appendices 2 and 3 to ANNEX 13**.

**2. Adoption of Agenda**

The Agenda was adopted as proposed (**Appendix 1 to ANNEX 13**).

**3. Appointment of Rapporteur**

Mr. Tyson Kade (United States) was appointed Rapporteur of Panel 1.

**4. Review of Panel membership**

The Panel is comprised of 23 members: Angola, Brazil, Canada, Cape Verde, China, Côte d'Ivoire, European Community, Gabon, Ghana, Honduras, Japan, Korea (Rep.), Libya, Mexico, Morocco, Namibia, Panama, Russia, Sao Tomé and Príncipe, Trinidad and Tobago, United Kingdom (Overseas Territories), United States, and Venezuela. All were present except Cape Verde, Gabon and Libya.

**5. Report of the Standing Committee on Research and Statistics (SCRS)*****5.1 Bigeye tuna***

5.1.1 Mr. Joao Gil Pereira, Chairman of the SCRS, presented the results of the new stock assessment conducted for bigeye tuna in 2002. Two indices of relative abundance were used to assess the status of the stock: one based on Japanese longline catch and effort data, and another from the U.S. longline fishery. Various types of models were applied to the available data. The production models resulted in estimates of biomass that would support MSY ranging from 79,000 to 105,000 t and the estimates from other types of models ranged from 91,000 to 112,000 t. Catches from illegal, unreported, and unregulated (IUU) vessels were examined and the estimated total unreported catch in 2001 was 7,200 t, a 70% decline from the high of 25,000 t estimated for 1998. The assessment was hampered by a lack of detailed information regarding catches made by IUU longliners, the species composition of the Ghanaian surface fisheries targeting tropical tunas, and reliable indices of abundance for small bigeye. In assessing the outlook of bigeye tuna, the SCRS projected that biomass will increase with catches of 95,000 t or less and it will decrease further with catches of 105,000 t or more.

5.1.2 Based on the 2002 assessment, the SCRS recommended several management measures. The analyses highlighted the need to reduce fishing mortality on small fish. As the percentage of fish caught less than the minimum size is very high, the Committee recommends the full implementation of the moratorium on fishing on fish-aggregating devices (FADs) in the Gulf of Guinea (99-1). To halt the decline of the stock, the Commission should consider limiting the total catches made by all countries in the Atlantic to 100,000 t or less.

5.1.3 Several Panel members asked questions concerning the new stock assessment. While last year's level of harvest was within the range of MSY, it may still be necessary to reduce the TAC to 100,000 t because if all the regulated fishing nations harvested their full quota allocation, the resulting harvest would exceed MSY. By reducing the mortality of juvenile fish to the recommended levels, the stock would be less severely impacted and produce greater yield. Also, it was discussed that all involved countries should comply with recommendations designed to reduce juvenile mortality. This way, one party's fishermen do not continue to implement measures that are disregarded by others.

5.1.4 The SCRS recommended that the Bigeye Tuna Year Program be continued in 2003. Some activities remain that need to be concluded, including tagging and sampling. The symposium to discuss the findings is scheduled for early 2004. Concerning the uncertainty of catch of bigeye tuna by Ghana, some scientists are working to estimate the percent composition of small tuna species in Ghanaian tuna landings. These numbers would provide a better understanding of the Ghanaian fishery and improve the estimates of juvenile fish caught. Japan recommended that Ghana be offered assistance to reduce their catch of juvenile bigeye tuna.

## **5.2 Skipjack tuna**

5.2.1 No skipjack tuna stock assessment was conducted in 2002. The Chairman of the SCRS updated the report from last year and indicated that there were no management recommendations for 2002. It was pointed out the skipjack catches are reduced by the bigeye tuna moratorium on fishing on FADs at certain times. The previous stock assessment estimated that the stock may be locally over-fished, but the species characteristics are such that the overall population is stable. There were no questions from the Panel members.

## **5.3 Yellowfin tuna**

5.3.1 No yellowfin tuna stock assessment was conducted in 2002, but one is planned for 2003. The SCRS upheld last year's management recommendations based on the 2000 assessment. The 2001 catches exceeded the MSY estimate in 2000, and fishing mortality could be above the optimal level. The SCRS warned that the fishing capacity of the purse seine fleet could be a concern. There were 157,000 t harvested in 2001 which exceeded the range of MSY. The Committee recommended that the level of fishing effort on Atlantic yellowfin tuna be similar to the observed level in 1992. Also, it recommended that effective measures be found to reduce the fishing mortality of small yellowfin tuna. There were no questions from the Panel members.

## **6. Measures for the Conservation of Stocks and Implementation of ICCAT Criteria for the Allocation of Fishing Possibilities**

### **6.1 Bigeye tuna**

6.1.1 The SCRS Chair noted that a 3.2 kg minimum size limit was adopted in 1980. A high percentage of surface caught bigeye tuna is undersized. The percentage has increased over ten years and represents more than 50% of the catch in the Atlantic Ocean. The moratorium on fishing on FADs has been effective in reducing the juvenile catch. The catch limits for 2001 are limited to the average of landings in 1991 and 1992. The total catch of bigeye tuna for all countries in 2001 was about 1,000 t less than the average total catch of 1991 and 1992.

6.1.2 The European Community noted that the SCRS report had recognized that the overall effectiveness of the moratorium on fishing on FADs in the Gulf of Guinea had been undermined due to a lack of compliance by some Parties. Assurances are needed from all the countries fishing in that area that the moratorium will be followed. Ghana stated that they are fully prepared to implement the moratorium. It was not implemented previously due to circumstances beyond their control. The full statement by Ghana is attached as **Appendix 4 to ANNEX 13**.

6.1.3 After consultations with the Parties concerned, the United States introduced a proposal from the United States, Canada, and Japan for a Recommendation by ICCAT on Bigeye Tuna Conservation Measures. The document will apply the management measures for 2002 to 2003 with a few modifications. The People's Republic of China was allocated a quota of 5,000 t and the review of their fishery has been eliminated. At the next annual meeting of the Parties, the management measures for this species can be more fully revised.

6.1.4 The European Community supported the proposal and stressed that the provisions of the moratorium on fishing on FADs in the Gulf of Guinea must be respected by all Parties. It was noted that the Compliance Committee had discussed communicating this to Ghana formally.

6.1.5 Japan reiterated their support of the proposed Recommendation. Because the People's Republic of China has taken the responsibility of eliminating IUU fishing very seriously, Japan proposed to transfer around 1,000 t of bigeye tuna quota to the People's Republic of China for 2003, provided that China continues its effort to cut off entirely the business relations between their fishing vessels and IUU fishing business entities. There was no opposition expressed by the parties. A statement by Japan is attached as **Appendix 5 to ANNEX 13**). The Chairman noted that the transfer should be provided in writing to the Secretariat for approval by the Commission.

6.1.6 The transfer of 1,100 t of bigeye tuna from Japan to the People's Republic of China in 2002 was formally submitted to the Panel and was adopted with no objections.

6.1.7 The People's Republic of China supported the proposed Recommendation. It reflects their effort to improve the management of bigeye tuna by eliminating IUU fishing. By next year, it is hoped that IUU vessels will be completely eliminated from the fishery.

6.1.8 The members of the Panel adopted the *Recommendation by ICCAT on Bigeye Tuna Conservation Measures* (see **ANNEX 8.1**) and forwarded it to the Plenary.

## **6.2 Skipjack tuna**

6.2.1 There are no specific recommendations in place for these species. The moratorium on fishing on FADs positively impacts skipjack tuna, as they school with bigeye tuna. No comments were made by the Panel members concerning the current regulations.

## **6.3 Yellowfin tuna**

6.3.1 Currently there is a 3.2 kilogram minimum size limit which was adopted in 1973. There is a very high catch of young fish, 53% in the purse seine fishery and 75% in the baitboat fishery from 1993 to 1998. As it is difficult to avoid catching juvenile fish of this species, it should be determined if the minimum size restriction is effective. The level of effort targeting these species should be maintained at the level observed in 1992. Current estimates suggest that the effort level has been stable or slightly below the level in 1992. The moratorium on fishing on FADs has also had an effect on the yellowfin tuna catch. No comments were made by the Panel members concerning the current regulations.

## **7. Research**

### **7.1 Meetings**

7.1.1 The SCRS Chairman noted and recommended several research meetings for consideration. There will be a yellowfin tuna stock assessment conducted in 2003. During the Working Group on Tropical Tuna Species, a few days will be spent assessing the impacts on tropical tuna species of the moratorium on the use of FADs. A symposium to discuss the findings of the Bigeye Tuna Year Program will be held in the beginning of 2004 and will be attended by world bigeye tuna experts.

### **7.2 Statistics**

7.2.1 To improve statistical data, the SCRS recommended that a group of experts meet with fishing authorities and scientists from Ghana to establish a data collection system. Appropriate sampling programs should be established to improve data on fish size.

### **7.3 Research**

7.3.1 The SCRS recommended that the Bigeye Tuna Year Program be continued in 2003 (see 5.1.4). The SCRS also recommended that tagging activities be continued using electronic tags to investigate behavior and stock structure of tropical tunas. Also, statistically integrated models should be developed for stock assessments.

7.3.2 No comments were made by the Panel members, indicating support for the SCRS recommendations.

### **8. Other matters**

No other matters were discussed.

### **9. Adoption of the Report and adjournment**

The Chair noted all adopted documents would be forwarded to the Plenary and that the Report of the Panel would be adopted by mail. On this note, he adjourned the Panel 1 meeting. The Report of Panel 1 was adopted by correspondence.

## **REPORT OF THE MEETING OF PANEL 2**

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

The meeting was opened by the Chairman of Panel 2, Mr. François Gauthiez (EC-France).

### **2. Adoption of Agenda**

The Agenda was adopted without change, and is attached as **Appendix 1 to ANNEX 13**.

### **3. Appointment of the Rapporteur**

Mrs. Odette Murphy (Canada) was appointed Rapporteur for Panel 2.

### **4. Review of Panel Membership**

Panel 2 is comprised of 15 members: Algeria, Canada, China, Croatia, France (St. Pierre & Miquelon), EC, Japan, Iceland, Libya, Morocco, Mexico, Panama, Tunisia, United Kingdom (Overseas Territories), and the United States. All were present except Libya and Panama. The Chair welcomed Iceland and Mexico as new members of Panel 2.

### **5. Report of the Standing Committee on Research and Statistics (SCRS)**

#### **5.1 Bluefin tuna**

5.1.1 Western and eastern bluefin tuna stock assessments were conducted in 2002. Dr. João Pereira, SCRS Chairman, provided a brief summary of the SCRS Report, and noted as well the availability of the SCRS Response to the Commission on Bluefin Tuna Mixing. Several delegations raised questions and issues, the discussion points of which can be broadly grouped into the following themes: the status of the West Atlantic bluefin tuna stock rebuilding plan; data quality and data submission problems with East Atlantic bluefin tuna; mixing; potential for improvement in East Atlantic bluefin stock status through reduction in juvenile capture; and issues stemming from increased farming operations in the Mediterranean. Opening statements to Panel 2 concerning Atlantic bluefin tuna were submitted by the United States and the Observer from the Ocean Wildlife Campaign (attached as **Appendices 6 and 7 to ANNEX 13**)

5.1.2 Some delegations sought clarifications as to the status of West Atlantic bluefin tuna stock rebuilding, questioning what impact the rebuilding plan has had on the stock to date. There was a suggestion that there has been no detectable effect so far despite a history of low catches since as far back as 1982. Japan went as far as questioning if a review of the SCRS assessment methodology is in order. The overall response was that the science and results are consistent with ICCAT's stated objective under the rebuilding plan, and that as such, it is too premature to detect positive effects. Results can be expected by 2018, consistent with the rebuilding plan. The SCRS Chairman noted that earlier results could be expected if the TAC is significantly reduced. He also noted there may be uncontrollable environmental factors at play.

5.1.3 Mexico recalled that the Gulf of Mexico is a spawning area. They have developed observer and research programs within their fisheries, and to that end, are strong supporters of a strengthened tagging program. Mexico also announced their intention to request a West Atlantic bluefin quota at this meeting.

5.1.4 Several delegations echoed very serious concern about the lack of timely and accurate East Atlantic bluefin data submission, and the consequent difficulties this causes to the SCRS and in turn, to ICCAT, in reaching agreement on management decisions. All relevant parties were urged to take the necessary measures to meet their respective obligations without delay. The EC considers that East Atlantic bluefin need a disciplined management regime right now, and itemized four key areas the regime must address: (1) progress in the short-

term on the data issue is essential and to that end, the EC noted that 25 million Euros are being invested in the next year for improving scientific data collection; (2) effective technical measures that will achieve a reduction in juvenile catches; (3) a multi-year approach which sets a responsible TAC and settles sharing issues; and (4) data control issues in relation to farming operations.

5.1.5 Morocco brought to the Panel's attention the omission of reference to Recommendation 00-09 in the tabular summary of management measures for the East Atlantic bluefin stock in the SCRS Report, noting that Recommendation 98-5 expired in 2000. The SCRS Chair took note of the comment and committed to take this into account in the next report.

5.1.6 Both Canada and the United States identified mixing as an issue of great concern for the last several years in light of the clear evidence that a substantial portion of West Atlantic bluefin cross into the eastern Atlantic. The concern is whether East Atlantic bluefin over-fishing is undermining West Atlantic bluefin stock recovery. Canada supported the recommendations of the SCRS on mixing contained in its response to the Commission this year, and will seek opportunities during the current meeting to develop a plan of action to address these recommendations. Japan supported going to a one stock assumption, stressing that moving the east/west boundary would merely be repeating the mistake of the past. The EC, Morocco and China support maintaining the current management boundary, noting it would be difficult to justify a change at this time given the current state of the research. Dr. Pereira referred to the SCRS response to the Commission on bluefin mixing, which states that the Committee lacked a quantitative basis for recommending a change in the management area boundary or the implication of a change. He recalled the key uncertainty is the biological origin of the fish. Stronger tagging programs on East Atlantic bluefin may provide more information.

5.1.7 The SCRS Chair indicated that a reduction in juvenile captures in the East Atlantic bluefin stock would certainly improve the overall outlook for this stock. He estimated that a reduced capture of juveniles would permit a higher sustainable yield than would otherwise be advisable based on the current ratio of juvenile to mature fish in the catches. Several delegations commented that it would be appropriate to pursue a reduction in juvenile catch.

5.1.8 The key issue raised by delegations in relation to increased farming operations pertained to the ensuing deterioration of data collection. Japan advised they have tabled a proposal for revised data collection methods for farmed fish.

## **5.2 Albacore**

No albacore assessment was conducted in 2002. The SCRS maintains the same advice as last year.

## **6. Measures for the conservation of stocks and implementation of ICCAT Criteria for the Allocation of Fishing Possibilities**

### **6.1 Western bluefin tuna**

6.1.1 The Chair invited Mexico to introduce its draft proposal concerning a bluefin tuna catch limit for non-targeted fisheries. Mexico explained that their fishery targets yellowfin tuna but that by-catch of bluefin is inherent, thus their requirement for a by-catch quota of 120 t. The Delegate emphasized that their proposal is fully consistent with all regulations set by ICCAT with regard to minimum size and the prohibition on targeting bluefin in the Gulf of Mexico. He further explained that the data submissions of the last several years show relatively small catches due to the fact that fishermen have been discarding their by-catch. The draft proposal was submitted on the basis of the *ICCAT Criteria for the Allocation of Fishing Possibilities* adopted in 2001.

6.1.2 The United States introduced a proposed recommendation concerning the conservation of western Atlantic bluefin tuna. The United States pointed out that Mexico's bluefin catch has exceeded 25 t only once (with 29 t) in 10 years and that the proposal includes an allocation for Mexico consistent with this level. The Delegate went on to present the proposal as part of a package including two other documents; notably one prepared jointly by USA, Japan, Canada and EC on establishing a working group to develop integrated Atlantic bluefin tuna management strategies; and another presented by Japan to address central North Atlantic mixing concerns. The working group would include both science and management and would report in 2004.

6.1.3 Canada echoed the U.S. position on the need for a cohesive package on western bluefin tuna. The Delegate felt that the 25 t proposed allocation for Mexico is reasonable as a by-catch but is prepared to discuss the matter.

6.1.4 The EC noted the proposal involves an increase in TAC, however it also provides access for a new member. He recognized the attempt to group inter-related issues in order to develop a coherent approach.

6.1.5 Further interventions on the proposal concerning the conservation of western Atlantic bluefin tuna focused primarily on Mexico's position with regard to the 25 t allocation level proposed for them, and the manner in which it appears to have been derived, notably based solely on catch history. Some Delegations including China, as well as Venezuela and Honduras (the latter two being Observers to Panel 2), favored Mexico's request for a quota of 120 t. Mexico steadfastly maintained that it is not the small allocation proposed in the aforementioned draft recommendation that troubles them so much, as its tacit implication that no further consideration will be given to other criteria in future. Upon conclusion of the debate, all parties agreed to the addition of paragraph 4(c) of the proposal, indicating that in recognition of Mexico's conservation efforts in this fishery and its incidental catch of bluefin tuna that Mexico shall receive a by-catch quota of 25 t.

6.1.6 Initially, France (in respect of St. Pierre & Miquelon) requested consideration for a higher quota level, notably 10 t. However, France (St. Pierre & Miquelon) later withdrew the request providing their reservation is recorded in the Panel 2 Report. Specifically, they note that western bluefin is a by-catch for France (St. Pierre & Miquelon). France (St. Pierre & Miquelon) supports the present recommendation with the reservation that, for the next distribution of the TAC in 2004, the *ICCAT Criteria for the Allocation of Fishing Possibilities* adopted in 2001 are taken into account, in order to permit France (St. Pierre & Miquelon) to engage in a fishing activity directed at other species.

6.1.7 The UK (in respect of its Overseas Territories) indicated they understood the request made by France (St. Pierre & Miquelon) but will not be making a similar request. However, in the event of a favorable stock status assessment in 2004, they may wish to review their position at that time.

6.1.8 With this, the Panel adopted the *Recommendation by ICCAT Concerning Conservation of Western Atlantic Bluefin Tuna* (see ANNEX 8.7), noting for the record Mexico's reservation, which they stated as follows:

With respect to the allocation of a quota in point (b) of paragraph 5 of the above-adopted recommendation, Mexico stated the need to take into account, in the revision that would be carried out to the allocation of quotas approved for 2005 and later years, the *ICCAT Criteria for the Allocation of Fishing Possibilities* adopted in 2001. Mexico also expressed that there was a need for their catch limit of bluefin tuna to reflect an increase equivalent to or superior to the percentage of the Party or Parties that have a greater allocation.

6.1.9 The *Recommendation by ICCAT to Establish a Working Group to Develop Integrated and Coordinated Atlantic Bluefin Tuna Management Strategies* (see ANNEX 8.11) was adopted by the Panel without change.

## 6.2 Eastern bluefin tuna

6.2.1 The EC introduced three documents: (1) a draft recommendation concerning a multi-year conservation and management plan for bluefin tuna in the East Atlantic and Mediterranean; (2) a draft resolution for a plan aimed at reducing catches of juvenile bluefin tuna in the Mediterranean; and (3) a draft resolution by Japan on bluefin tuna fishing in the Atlantic Ocean. These documents were presented as a package, similar in spirit to the approach adopted by the United States for West Atlantic bluefin tuna. The package, which sets an annual TAC of 32,000 t for four years, aims to address with concrete measures the issues of undersized and juvenile fish, scientific data collection, the need for discipline and stability in the fishery, and the requirement to implement the allocation criteria. The second document indicated above calls for Contracting Parties and non-Contracting Parties, Entities or Fishing Entities to develop specific programs for reducing juvenile tuna catch and to present them to the Commission in 2005. Furthermore, this initial proposal reduces the tolerance of fish below 6.4 kg to 10% from 15% previously set by Recommendation 74-1. Together, these programs will enable the provision of the scientific information needed by the SCRS to produce a quality assessment in 2005, after which time a review can occur. Finally, the Delegate supported the proposal by Japan to cap landings by large-scale longline vessels in

Area 3 (between 30 and 45°W), though they asked that artisanal fishing that occurs in this area be excluded. Key points of debate are synthesized below.

6.2.2 During the initial round of debate, several Panel 2 members identified deficiencies in the above proposal for a multi-year conservation and management program for bluefin tuna with a number of countries indicating non-support for the proposal. To this, the EC responded with revisions to the allocation table, a prohibition on retention, landing and sale of fish under 4.8 kg in the Mediterranean, the inclusion of a statement that the reduction in tolerance of fish less than 6.4 kg to at least the tolerance levels indicated in the current ICCAT recommendations would result in a reduction of at least 60% of these catches in the Mediterranean, and a proposal that the Commission consider in 2003 measures to more effectively manage the “others” category in East Atlantic bluefin tuna.

6.2.3 The amended EC package received widespread support. Some reservations nevertheless remained on record. Canada voiced concern on the continued fishing of East Atlantic bluefin tuna at levels well above sustainable levels (statement attached as **Appendix 8 to ANNEX 13**). The United States echoed these concerns (statement attached as **Appendix 9 to ANNEX 13**). Furthermore, the United States requested clarification on the rollover of autonomous catch levels from last year, to which the EC responded that all underages from 2002 shall not be carried over to the year 2004.

6.2.4 During the initial round of debate, Croatia briefly referenced three documents: (1) a draft recommendation concerning changes to the closed season for the purse seine fishery on Mediterranean bluefin; (2) a draft proposal concerning the bluefin tuna size limit and farming; and (3) a draft resolution on the protection of the spawning stock of the Mediterranean purse seine fishery for bluefin tuna, in relation to the protection of small fish in the East Atlantic bluefin tuna stock. Background on the need for these resolutions and recommendation can be found in the opening statement by Croatia (in **ANNEX 4.1 to the Commission Proceedings**). The document proposing a change in the closed season in the Mediterranean bluefin was later fully supported, and its contents were incorporated into the draft proposal for a multi-year conservation and management plan for eastern bluefin tuna.

6.2.5 The revised *Recommendation by ICCAT Concerning a Multi-year Conservation and Management Plan for Bluefin Tuna in the East Atlantic and Mediterranean* (see **ANNEX 8.8**) was adopted by the Panel and was forwarded to Plenary. The Panel also adopted the *Resolution by ICCAT on Fishing for Bluefin Tuna in the Atlantic Ocean* (see **ANNEX 8.12**), which was amended to take into account the application to large-scale longline vessels only.

6.2.6 An amended document on a plan to reduce catches of juvenile bluefin tuna in the Mediterranean was tabled. At the request of the United States, the EC changed the title of the document to be a “recommendation” rather than a “resolution”. The EC emphasized their commitment to the proposal in either case. With this adjustment, the Panel adopted the *Recommendation by ICCAT to Develop a Plan Aimed at Reducing the Catches of Juvenile Bluefin Tuna in the Mediterranean* (see **ANNEX 8.9**).

6.2.7 An amended document for a recommendation on bluefin tuna farming was tabled for discussion. The recommendation was cited by the EC as an excellent example of cooperation around the table. The United States specified that there should be a unified reporting form. The EC further clarified that commercial confidentiality will require that data submission be in aggregate form. With this, the Panel adopted the *Recommendation by ICCAT on Bluefin Tuna Farming* (see **ANNEX 8.10**).

6.2.8 Following discussions by Panel 2 members on Agenda item 6, the Chair opened the floor to comments from Observers. Three Observer delegations spoke about bluefin tuna.

6.2.9 The Observer from Turkey emphasized that their allocation in the *Recommendation by ICCAT Concerning a Multi-year Conservation and Management Plan for Bluefin Tuna in the East Atlantic and Mediterranean* (see **ANNEX 8.8**) is neither fair nor justified. Turkey elaborated on their position with respect to this agenda item in their statement (**Appendix 10 to ANNEX 13**).

6.2.10 The Observer from Norway addresses their position with respect to the above-mentioned Recommendation in a statement (in **ANNEX 4.3 to the Commission Proceedings**). Briefly, they intend to join ICCAT, and as a coastal state, their expectations are that four-year plan adopted should not prevent them from obtaining an allocation at that time.

6.2.11 The Observer from Denmark (in respect of the Faroe Islands) stated they will likely join ICCAT now that the *ICCAT Criteria for the Allocation of Fishing Possibilities* have been adopted, and as a stakeholder in the East Atlantic bluefin tuna fishery, they will expect access to the stock, and to participate in this fishery in a responsible manner. The statement by Denmark (in respect of the Faroe Islands) is attached as **Appendix 11 to ANNEX 13**.

### **6.3 Albacore (North)**

6.3.1 The EC briefly introduced a proposed recommendation on catch limits on northern albacore noting it is a rollover from last year's measures, but noted a revision will be made to take into account a request by Venezuela for an increase in allocation.

6.3.2 The Chair called on Venezuela as an Observer to Panel 2 to comment on this amendment. Venezuela was appreciative of the gesture, but cautioned that favorable results may be difficult to attain on only 270 t, taking into account their 25 year average of 311 t per annum and more recent quota of 300 t. The statement by Venezuela to Panel 2 on North Atlantic albacore catch limits is attached as **Appendix 12 to ANNEX 13**

6.3.3 Mexico requested clarification on access under the 200 t cap. The Chair clarified that this clause would be applicable to Mexico. The EC recognized the need to address the wider management issue in northern albacore in respect to the 200 t limits.

6.3.4 The United States accepted the roll-over of northern albacore management measures, though they remain committed to achieving a sustainable catch level in this fishery and to that end, they expect the Commission will adopt a rebuilding plan in 2003 (**Appendix 6 to ANNEX 13**).

6.3.5 With the addition a revision to take into account Venezuela's allocation and other minor editorial amendments, the Panel adopted the *Recommendation by ICCAT on North Atlantic Albacore Catch Limits* (see **ANNEX 8.5**).

## **7. Research**

The Chair invited the United Kingdom (in respect of its Overseas Territories) to introduce its Report to the Commission in Accordance with the *Recommendation by ICCAT on Bluefin Tuna Research in the Central North Atlantic Ocean* (attached as **Appendix 13 to ANNEX 13**). The Delegate of the United Kingdom (Overseas Territories) briefly indicated that the research was the result of a joint effort among themselves, the United States, Canada and Japan. He noted a more detailed report of the research activities had been submitted to the SCRS as part of SCRS/2002/016 and SCRS/2002/170. There were no comments.

## **8. Other matters**

There were no other matters raised on the agenda.

## **9. Adoption of the report and adjournment**

The Chair noted all adopted documents would be forwarded to the Plenary and that the Report of the Panel would be adopted by mail. On this note, he adjourned the Panel 2 meeting. The Report of Panel 2 was adopted by correspondence.

## ***REPORT OF THE MEETING OF PANEL 3***

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

The meeting of Panel 3 was opened by the Panel Chairman, Dr. Johan Van Zyl (South Africa). In accordance with the practice adopted by the other Panels, it was agreed that opening statements would be submitted in writing.

### **2. Adoption of Agenda**

The Agenda was adopted without modification, and is attached as **Appendix 1 to ANNEX 13**.

### **3. Appointment of Rapporteur**

The ICCAT Secretariat was appointed Rapporteur of Panel 3.

### **4. Review of Panel Membership**

Panel 3 is comprised of seven members: European Community, Japan, Korea, Namibia, South Africa, United Kingdom Overseas Territories, and United States of America. All the members were present.

### **5. Report of the Standing Committee on Research and Statistics (SCRS)**

5.1 Dr. Joao Pereira, Chairman of the SCRS, summarized the findings of the SCRS in relation to south Atlantic albacore. No new assessment had been carried out in 2002, but the Committee expressed concern about the increase in catches in 2001 relative to previous years. Reported catches increased by 22%, but the increase may be as high as 26% if estimated unreported catches are included. This increase is above both maximum sustainable catch and replacement yield.

5.2 The SCRS maintained its recommendation of previous years that the total catch not exceed replacement yield, and questioned the effectiveness of recent management measures, given the increase in the catches.

5.3 In response to a question from the Delegate of South Africa, the SCRS Chairman confirmed that the Committee had chosen to recommend catch levels at replacement yield rather than MSY, given the uncertainties in the last assessment of this stock. A stock assessment was planned for 2003, at which time it was hoped more reliable data would become available.

5.4 With regard to southern bluefin tuna, the SCRS Chairman informed the Panel that this species was subject to a global management regime under the Commission for the Conservation of Southern Bluefin Tuna (CCSBT). The SCRS therefore recommended that ICCAT continue to collect and monitor data on this species, but that no management recommendations were necessary.

### **6. Measures for the conservation of stocks and implementation of ICCAT Criteria for the Allocation of Fishing Possibilities**

6.1 Following the SCRS Report, the Panel Chairman noted that the high level of catch in 2001 raises concerns regarding the current management measures and invited Panel members to submit proposals for new management measures for this stock.

6.2 In the second session of the Panel, the Chairman drew the attention of the Panel to the draft recommendation on the southern albacore catch limit and sharing arrangement for 2003, jointly proposed by

South Africa, Brazil and Namibia, and supported by Chinese Taipei. He explained that the four Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities fishing actively for southern albacore had tried to develop a more satisfactory management measure utilizing the *ICCAT Criteria for the Allocation of Fishing Possibilities*, but that there were differences in opinion regarding the interpretation of these allocation criteria which would require more time to resolve. It was therefore proposed that a measure similar to those of the past three years be adopted, and that further discussions on the weighting of the allocation criteria be held during the inter-sessional period, in order to put forward new regulatory measures for 2004. To this end, South Africa hoped to be in the position to host an inter-sessional meeting, possibly in conjunction with the albacore stock assessments, foreseen for 2003. It was clarified that the weighting given to the criteria through these discussions would apply only to southern albacore.

6.3 Several delegations expressed their concerns about the proposal that the total allowable catch (TAC) be set at the level of maximum sustainable yield (MSY) rather than replacement yield, as this latter had been recommended by the SCRS. Further concerns were raised that the proposal did not include any concrete action to be taken once the TAC had been reached. The delegate of Japan also requested clarification as to why this management measure had failed, and why the Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities fishing actively for southern albacore had not reported their catches as required.

6.4 It was agreed to set the TAC at replacement yield. It was also agreed to include the original provision requiring that fishing activities stop once the TAC had been reached. With regard to the question raised by Japan, it was noted that some Parties, Entities or Fishing Entities had reported their catches meticulously, but regrettably some needed to improve their reporting systems.

6.5 It was agreed that the proposed draft Recommendation would be modified in accordance with the discussions and that the total catch limit for albacore caught in the Atlantic Ocean South of 5° N be set at 29,200 t for 2003, that being the estimated replacement yield for the stock.

6.6 The revised *Recommendation by ICCAT on the Southern Albacore Catch Limit and Sharing Arrangement for 2003* (see ANNEX 8.6) was adopted by the Panel and forwarded to the Commission for approval.

## **7. Research**

It was noted that the SCRS would carry out an assessment of the southern albacore stock in 2003. The Delegate of South Africa pointed out that many of the uncertainties which had arisen at the last stock assessment derived from the poor quality of the data, and urged all those fishing for this species to submit reliable catch per unit of effort (CPUE) data, for an historical series of at least five years, in good time for the assessment.

## **8. Other matters**

No other matters were discussed.

## **9. Adoption of the report and adjournment**

9.1 The Report of Panel 3 was adopted.

9.2 The 2002 Meeting of Panel 3 was adjourned.

## **REPORT OF THE MEETING OF PANEL 4**

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

1.1 The meeting of Panel 4 was opened by the Chair, Ms. Mariam McCall (United States) who welcomed all the Panel members and observers.

1.2 An opening statement to Panel 4 was presented by the United States and is attached as **Appendix 14 to ANNEX 13**.

### **2. Adoption of the Agenda**

The Agenda was adopted without change (**Appendix 1 to ANNEX 13**).

### **3. Appointment of Rapporteur**

Mr. Xavier Vant (EC-France) was appointed Rapporteur for Panel 4.

### **4. Review of Panel membership**

4.1 Panel 4 is comprised of 19 members: Algeria, Angola, Brazil, Canada, China, Côte d'Ivoire, European Community, France (St. Pierre & Miquelon), Gabon, Japan, Mexico Morocco, Namibia, South Africa, Trinidad and Tobago, United Kingdom (Overseas Territories), United States, Uruguay and Venezuela. All were present except Gabon and Uruguay.

4.2 The Chairman welcomed Mexico as a new member of the Panel.

### **5. Report of the Standing Committee on Research and Statistics (SCRS)**

Dr. Joao Pereira, the Chairman of the SCRS, summarized the sections of the SCRS relevant to Panel 4.

#### **5.1 Swordfish**

5.1.1 As regards swordfish, the SCRS Chairman noted that the hypothesis of two different swordfish stocks in the Atlantic, plus one stock in the Mediterranean, has been confirmed by genetic analyses. However, the level of mixing of the stocks in the boundary areas, as well as the limits of these stocks, are not known.

5.1.2 The SCRS Chairman pointed out several recent developments in the fisheries of some nations, such as:

- The Japanese fleet has discarded all the swordfish catches in the North Atlantic since February 2000, after reaching their quota and in accordance with national regulations.
- The U.S. longline fishery is prohibited or restricted in some areas and periods in order to avoid by-catches catches of juvenile swordfish or to avoid incidental catches of by-catch species such as turtles and billfishes.
- The Canadian fishery targeting swordfish ended has earlier since 1999 due to the reduction in quotas.
- Some fisheries have changed the target species of their catches (from swordfish to sharks) and this is having an effect on the interpretation of the data.

5.1.3 The SCRS Chairman noted that illegal, unreported and unregulated (IUU) catches had not been estimated and that the analysis of the results is based only on the catches reported by the various Parties. Further, many Parties had not submitted their catch data at the time of the assessment.

*State of the North Atlantic swordfish stock*

5.1.4 There are signs of an improvement in the stock for various age classes and in the total biomass rates provided by various fleets in a consistent manner. This results in an increase in the spawning biomass and provides improved future perspectives for the management of the stock. The improvement in the biomass is due to the high recruitment since 1997 and to the decrease in catches after the 1987 record catches. The biomass for 2002 is estimated to be 94% of that needed to achieve MSY (Maximum Sustainable Yield). The fishing mortality rate in 2001 is estimated at 0.75 times that corresponding MSY. The biomass continues to increase with current catch levels (9,800 t). The SCRS indicated that with catches close to MSY (14,000 t), the stock could reach the biomass associated with MSY levels in 2009 with more than 50% probability. Furthermore, in a strong recruitment scenario, the probability of rapidly achieving the objective of the Commission would increase even more. However, it was noted that if the recent high recruitments do not continue, the probability of recovery would be lower.

*State of the South Atlantic swordfish stock*

5.1.5 Catches have decreased since 1995, but some countries have increased their catch levels and vessel chartering. There are inconsistencies and some contradictions among the different CPUE series (catches per unit of effort) available to the SCRS. As a result of these deficits in information of some Contracting Parties, the analysis could not provide reliable results for the assessment of the South Atlantic swordfish stock.

*SCRS management recommendation for North Atlantic swordfish*

5.1.6 If the goal is to reach MSY in 2009, the current increase in the biomass could support an increase in the TAC to a level of 14,000 t. At 15,000 t the stock trajectory declines. In effect, the reasons are not well known for the current increase in the swordfish stock (environmental effects are one hypothesis). The scientific Committee advises the Commission against a strong increase in the TAC. A moderate increase less than 14,000 t would be more appropriate.

*SCRS management recommendation for South Atlantic swordfish*

5.1.7 The lack of information from many South Atlantic fisheries makes it difficult to establish a management recommendation for the stock. Therefore, the SCRS recommends a TAC similar to that of last year, so as to be able to adjust its recommendation once new information becomes available.

*SCRS responses to questions by the Commission*

5.1.8 The Commission asked the SCRS Chairman to respond to the questions raised at the 2001 meeting:

5.1.9 Regarding the issue of the time-area closure of the fisheries to protect small swordfish, the SCRS analysis shows that some eastern and western coastal areas have higher densities of juveniles (Caribbean Basin, Gulf of Mexico, North Africa, Iberian Peninsula, off some areas of South Africa). However, these densities vary according to the areas and high inter-annual variability has been observed. The United States obtained important declines in small fish catches due to time-area closures. However, the usefulness of the time-area closures is generally difficult to determine, given that so little is known about the migrations of juvenile swordfish.

5.1.10 With regard to swordfish stock structure, the SCRS could not provide advice for the moment, but proposed a workshop on the topic in 2004.

5.1.11 As regards Mediterranean swordfish, the SCRS indicated that it will conduct a stock assessment in 2003.

**5.2 Billfishes**

5.2.1 With respect to blue marlin, the SCRS Chairman pointed out that no new assessments had been carried out.

5.2.2 A new stock assessment has been conducted on white marlin. In 2000, the stock was over-exploited, although there are also considerable uncertainties in the stock assessment. The hypothesis concerning white marlin is that there is only one stock in the Atlantic. The result of the estimates show that the biomass is less than 15% of the biomass that would support MSY, and that the stock has long been subjected to over-exploitation, practically since the beginning of the fishery. While there is significant overall uncertainty, the real uncertainty of the parameters is

under-estimated. To solve these problems of uncertainty linked to the collection and interpretation of data, the SCRS recommends substantial investments in research related to the biology of white marlin (spawning, habitat, growth, etc.), real fishing effort, the validation of historical data, etc.

*SCRS management recommendation for white marlin*

5.2.3 The Committee indicated that it could only improve the quality of its assessments through advances in research and considerable investment in relation to these aspects. With a view to solving the high level of uncertainty, the Committee suggested a decrease in white marlin catches.

**6. Measures for the conservation of stocks and implementation of the ICCAT Criteria for the Allocation of Fishing Possibilities**

**6.1 North Atlantic swordfish**

6.1.1 The Delegate of Canada commended the positive results of the stock assessment, but raised the question of the uncertainties discussed by the SCRS, particularly those relating to environmental aspects.

6.1.2 The SCRS Chairman recognized that the good level of recruitment could be linked to environmental factors.

6.1.3 The Delegate of the European Community wished to highlight various points. First of all, he affirmed that there is consistency in the analyses of the data from the four Contracting Parties with the largest catches in the North Atlantic swordfish fishery (Canada, EC, Japan, and the United States). Secondly, the improvement in the stock has come about thanks to the sacrifices made by the Contracting Parties. Finally, the SCRS Chairman clearly indicated that the Commission could achieve its objectives of rebuilding the biomass by 2009 with a TAC set at 14,000 t, with a probability of more than 50%.

6.1.4 The Delegate of the United States pointed out that, in his opinion, the age-classes recruited since 1997 will reach sexual maturity soon and, therefore, the negative impact of these new recruits on the fishery should be avoided, especially when the biomass is dominated by juvenile recruits.

6.1.5 The Chairman of the SCRS clarified that the decline in catches has also affected the catches of adults. The SCRS analysis shows that there is a 54% probability of recovery of the biomass to levels that would support MSY (14,000 t).

6.1.6 The Delegate of the European Community, as well as the Delegate of France (in respect of St. Pierre & Miquelon), indicated that the scientific recommendations are very clear, that the TAC, including discards, could be set at 14,000 t, and asked about the difficulties that the United States encountered.

6.1.7 The Delegate of Japan was pleased about the good news concerning northern swordfish, given that since February 2000 all the by-catches of the Japanese swordfish fishery in the North Atlantic are released. In this way, Japan believes that the TAC can be increased and that the severe measures that had been imposed can be lifted.

6.1.8 Japan also indicated that the South swordfish stock is found much further to the North than the current boundary, and affirmed he will provide supplemental information in 2003.

6.1.9 The Delegate of Canada asked the SCRS if, given the uncertainties raised in the SCRS Report, a TAC of 14,000 t would be acceptable as a moderate increase. The SCRS Chairman responded affirmatively.

6.1.10 Some discussion ensued among the United States, the EC and the SCRS Chairman about the uncertainty in the Recommendation that was derived from the SCRS analysis. The SCRS concluded that the objectives established by the Commission could be maintained, with a probability of more than 50%, but that the probability would increase with lower catches.

6.1.11 A draft recommendation concerning a rebuilding program for North Atlantic swordfish was presented by the EC. This draft proposed an increase in the catch limit in accordance with the Recommendations on TAC. The

stocks are recovering and therefore the Parties that have sacrificed the most for the management of this stock should benefit from this. But this draft also takes new Parties into account as well as the recommendations of the SCRS and the Commission.

6.1.12 Mexico referred to its draft proposal concerning a swordfish catch limit for Mexico's fisheries. In effect, the old TAC allocation of 10,400 t offered Mexico a participation of 1.92%. However, the new catch allocation of 50 t on a TAC of 14,000 t offers them a participation of only 0.4%. The countries benefiting most from the increase in TAC (+30%) are the big fishing countries. The other countries have observed how their catch allocations decreased, and Mexico has seen how its catch allocation decreased by 75%. Mexico indicated it would like to amend the EC draft. Mexico does not have a fishery directed at this species but Mexico would like to be able to fish this species as it passes through the Gulf of Mexico. Mexico requested 200 t and not 50 t. Mexico also supported a more equitable allocation.

6.1.13 France (in respect of St. Pierre & Miquelon) associated itself with the EC on establishing the TAC and indicated that some historical fishing states want to recuperate some benefits from the sacrifices made. All the same, a catch allocation of 25 t is a reduction as compared to the increase in the overall TAC. More so, if it is taken into account that there is no tolerance for dead fish. The Delegate of France (St. Pierre & Miquelon) therefore requested a catch allocation of 35 t.

6.1.14 The Delegate of Venezuela was astonished at the breakdown proposed following the increase in the TAC. Venezuela's former quota was 62.5 t, and it has been reduced to only 35 t. He questioned the reason for this decrease in their catch allocation while the TAC had increased and their average catches increased to about 55 t. The Delegate expressed he could not accept the text with these conditions.

6.1.15 The Delegate of Morocco asked about the utilization of the allocation criteria.

6.1.16 The Delegate of Trinidad and Tobago thanked the EC and Japan for their work, but asked that their request for a quota of 150 t be taken into account, given that their average landings amount to 144 t and that their country complies with the ICCAT Recommendations concerning observers. The statement by Trinidad and Tobago regarding its North Atlantic swordfish catch limit is attached as **Appendix 15 to ANNEX 13**.

6.1.17 The Delegate of China proposed going back to paragraph 3.d of the old Resolution that granted an exemption to the Contracting Parties having a quota less than 100 t.

6.1.18 As a co-author of the draft, the Delegate of Japan pointed out the significant sacrifices made by the four Contracting Parties with the largest catches in the North Atlantic swordfish fishery (Canada, EC, Japan and United States) who have accepted large reductions in their catches. In addition, he pointed out the difficulties that the Japanese fishers had been facing by discarding at sea all the swordfish catches. However, he also recognized the interests of the other countries. He affirmed that the draft Recommendation proposed reasonable figures for a three-year period, taking into account as much as possible other countries' actual interest in developing their fishery, and the rebuilding plan for this stock.

6.1.19 The United States expressed their satisfaction that the ICCAT measures are successful. Notwithstanding, he indicated that a TAC of 14,000 t seems to be too high because it fails to take into account the large proportion of fish under 4 years old. Finally, in response to Mexico, the Delegate of the United States pointed out that the figures and the statistics can be played with, but the maximum catches of Mexico have been 37 t.

6.1.20 The Delegate of Venezuela expressed his surprise at the notion of sacrifice concerning this stock as indicated by the four Contracting Parties with the largest catches in the North Atlantic swordfish fishery (Canada, EC, Japan and United States). In effect, the historical fishers are responsible for the over-exploitation. This signifies that it is perfectly normal for these countries to have made sacrifices to rebuild this stock for the benefit of humanity. The small countries have made efforts proportional to their quota and therefore Venezuela does not accept this proposal of 35 t instead of 62.5 t.

6.1.21 Mexico, the EC, and Morocco supported the Japanese proposal of small working group to try to advance in the discussions. However, Mexico emphasized it could not be punished for having had less catches by complying with the ICCAT Recommendations.

6.1.22 The United States withdrew its proposal regarding time-area closures and submitted a draft resolution concerning the evaluation of small swordfish mortality, which is a request to the SCRS. The *Resolution by ICCAT for the Evaluation of Small Swordfish Mortality* was adopted by consensus by the Panel and forwarded to the Commission (see **ANNEX 8.4**).

6.1.23 At a later session of the Panel, the European Community explained that their modified proposal concerning a rebuilding program for North Atlantic swordfish that takes into account the new policy for the adoption of allocation keys. This includes a quota established for three years with a new scientific assessment scheduled for 2005.

6.1.24 The United States, Morocco, United Kingdom (Overseas Territories), France (St. Pierre & Miquelon), Trinidad and Tobago, Canada, and Venezuela supported this proposal. Mexico, in a spirit of compromise, also supported it, as did China, who will return in 2005 to the issue of the disappointing amount proposed to be allocated to them.

6.1.25 The Chairman recognized the general consensus with regard to the proposal on the northern swordfish rebuilding program. Hence, the *Recommendation by ICCAT Relating to the Rebuilding Program for North Atlantic Swordfish* (see **ANNEX 8.2**) was therefore adopted by Panel 4. A statement presented by the Observer from the Ocean Wildlife Campaign regarding Atlantic swordfish is attached herewith as **Appendix 16 to ANNEX 13**.

6.1.26 Morocco withdrew its proposal regarding North Atlantic swordfish catch limits.

## **6.2 South Atlantic swordfish**

6.2.1 The SCRS reiterated its request for more complete data since only three Parties have presented CPUE data (one directed fishery and two by-catch fisheries).

6.2.2 Brazil was surprised that only three Parties had responded since the catch table is more complete.

6.2.3 The SCRS Chairman clarified that this table shows raw data, but it lacks CPUE information in the format required by the SCRS. The CPUEs of the directed and non-directed fisheries are used for the stock analyses.

6.2.4 The proposed recommendation on southern swordfish catch limits was presented. Japan and the European Community highlighted the major points of this draft. The EC insisted on the fact that its proposal respected the *ICCAT Criteria for the Allocation of Fishing Possibilities* adopted in 2001 and included measures relative to the protection and collection of data. Further, the big losers were the traditional fishers, especially the EC and the United States. In 2005, a new scientific assessment will be conducted, which will provide indications on the results of the Recommendations.

6.2.5 Brazil and China supported the proposal. However, China suggested a minor change in the last sentence of paragraph 8 of the preamble.

6.2.6 The United States and Canada were pleased about the progress reported in this fishery for South Atlantic swordfish, but expressed concern with regard to the proposed level of TAC, a level that exceeds the SCRS recommendations. Furthermore, a question was raised on the carryover of underages of quotas set unilaterally.

6.2.7 Japan noted that there were many possibilities that the real catches were significantly less than the proposed TAC set in accordance with an interpretation of the SCRS Recommendations. The Delegate of Japan also pointed out that Japan offered the largest amount of its quota for other countries and accepted the sharpest reduction in the percentage sharing.

6.2.8 At the request of Japan, the Delegate of China agreed to withdraw its request for a change in the introductory paragraphs, but he indicated his wish that this reservation be reflected in the proceedings.

6.2.9 Japan proposed a change to extend the catch limits to 2006 rather than 2005. Therefore, the allocation key was set for four years and the TAC could be reconsidered in case of a scientific problem.

6.2.10 The United Kingdom (Overseas Territories) and South Africa accepted this draft Recommendation.

6.2.11 The Chairman requested the adoption of this draft. The United States expressed its wish to defer the adoption and transmit the draft to the plenary for final adoption.

6.2.12 Following discussion among the EC, Japan, the United States, South Africa and the Chairman, the issue remained open within the framework of Panel 4.

6.2.13 At a later session of the Panel, the Delegate of the United States requested clarification on the reasons that would permit proposing a TAC of more than 15,000 t, while the SCRS recommended 14,000 t.

6.2.14 The Delegate of Japan indicated that the real catches will, without a doubt, be less than 15,000 t since the developing countries were seeking fishing opportunities but the unused portion of TAC would be significant (although the total amount of the autonomous quota was more than 20,000 t). He also pointed out that 400 t of catches by Japan out of the proposed South Atlantic TAC were for the special treatment to alleviate Japan's difficulty in the North, and will actually be taken from the North stock and not the South stock. He stressed that the proposal was well in accordance with the SCRS Recommendations.

6.2.15 Brazil and the European Community endorsed Japan's position in that this TAC limit would not be reached, and therefore the U.S. concerns were not justified.

6.2.16 Finally a consensus was reached concerning the proposed *Recommendation by ICCAT on South Atlantic Swordfish Catch Limits* was forwarded to the Commission plenary (see **ANNEX 8.3**).

### **6.3 Billfishes**

#### *Blue marlin and white marlin*

6.3.1 The Delegate of Japan underscored the fact that contrary to the SCRS's extremely pessimistic stock assessment on the white marlin, certain levels of catch have been retained. He therefore raised the doubt about the reliability of the results of the stock assessment on this species and also noted Japan's intent to continue its scientific cooperation with Chinese Taipei to improve data collection in this regard.

6.3.2 The SCRS Chairman pointed out the improved methods for the assessment of the blue marlin stock.

6.3.3 The discussions centered on the proposed recommendation to amend the rebuilding plan on blue marlin and white marlin populations. After an exchange of impressions among the United States, Brazil and Mexico, consensus was also reached on the draft recommendation. Thus, the *Recommendation by ICCAT to Amend the Plan to Rebuild Blue Marlin and White Marlin Populations* was forwarded to the Commission plenary (see **ANNEX 8.13**). Statements presented by the United States and by the Observer from the Ocean Wildlife Campaign regarding Atlantic blue marlin and Atlantic white marlin are attached herewith as **Appendices 17 and 18 to ANNEX 13**.

6.3.4 Brazil withdrew its proposal concerning a ban on marlin trade.

## **7. Adoption of the report and adjournment**

7.1 The Chairman congratulated all the Panel members for their flexibility. The Panel likewise congratulated the Chairman for her work.

7.2 The Chair noted all adopted documents would be forwarded the Plenary and that the Report of the Panel would be adopted by mail. On this note, she adjourned the Panel 4 meeting.

7.3 The Report of Panel 4 was adopted by correspondence.

**Agenda**

1. Opening of the meeting
2. Adoption of Agenda
3. Appointment of Rapporteur
4. Review of Panel membership
5. Report of the Standing Committee on Research and Statistics (SCRS)
6. Measures for the conservation of stocks and implementation of ICCAT Criteria for the Allocation of Fishing Possibilities:

<i>Panel 1</i>	<i>Panel 2</i>	<i>Panel 3</i>	<i>Panel 4</i>
1) Yellowfin	1) Bluefin (North)	1) Southern bluefin	1) Atlantic bonito
2) Skipjack	2) Albacore (North)	2) Albacore (South)	2) Swordfish
3) Bigeye			3) Billfishes
			4) Other species

7. Research
8. Other matters
9. Adoption of the report and adjournment

**Opening Statement by Ghana to Panel 1**  
(attached to Report of Panel 1)

Ghana is pleased to be back with her colleagues in Panel 1 to deliberate on important issues that affect the management of tropical tunas and tuna-like species.

Ghana appreciates the effort being made by ICCAT to exploit the tuna and tuna-like species in the Atlantic Ocean on sustainable basis.

As a fishing nation, Ghana is fully aware of the consequences of over-fishing and the over-exploitation of the juveniles of target species. Ghana does not target bigeye tuna species. All the ones that are caught are incidental catches. We are also aware that the tuna stocks in Ghanaian waters are mostly young ones. Therefore, we welcome any decision that shall help to reduce the exploitation of juvenile species. This is the reason why Ghana's purse seine fleet observed the ICCAT Moratorium in 1999. This was done when ICCAT, at the 1998 meeting, exempted the Ghanaian pole and line vessels from observing the Moratorium. In 2000, Ghanaian purse seiners did not work for the most part of the year due to the low prices of tuna on the international market. This is indicated by the drop in Ghanaian tuna production from 80,000 t in 1999 to 53,000 t in 2000.

Ghana had good intentions to observe the Moratorium in 2001, but this could not be done due to financial problems. Funds could not be allocated at the right time due to administrative changes that were going on in the country. Furthermore, ICCAT could not offer any help as promised during the 2001 Commission meeting. Ghana, however, is prepared to observe the Moratorium during November 2002 and January 2003.

The new government is showing a lot of commitment towards the development of the Ghanaian fishing industry. This is demonstrated by the following actions:

- a) A full Minister of State for Fisheries has been appointed to handle fisheries affairs.
- b) A new Fisheries Act (Act 625) was passed in January 2002 by Parliament.
- c) A new Fisheries Commission established under Act 625 is being constituted to handle fisheries activities in Ghana.
- d) Act 625, Part IV, Sub-part VII, Section 84 (3) states that "A closed season declared by any international body of which Ghana is a member shall be regarded as a closed season declared under this Act."

This clause clearly indicates the good intentions of the Ghanaian Fisheries Administration and this is why funds have been approved for the observance of the Moratorium between November 2002 and January 2003, and after.

It might not be possible to place observers on all of the vessels, but we intend to do our best and with the cooperation of our partners in the Ghanaian tuna fishing industry we hope to make a meaningful contribution to the preservation of the Atlantic tropical tunas.

Ghana is in the process of acquiring Vessel Monitoring Systems that shall be used to monitor the activities of all our fishing fleet and this shall go a long way to prevent our fleet from breaking the various fishing regulations, both local and international.

Finally, Ghana would like to ask for assistance from the United States, the European Union, Korea, Japan, and any other country that is prepared to help, so that we can effectively observe the Moratorium.

### **Appendix 3 to ANNEX 13**

#### **Opening Statement by the United States of America to Panel 1** *(attached to Report of Panel 1)*

The United States is pleased to be back with its colleagues in Panel 1 to work together on issues that are of utmost importance to many of the ICCAT Contracting Parties. In many ways, the issues that Panel 1 has before it today go to the heart of the effectiveness of ICCAT as a multilateral conservation body.

The United States believes, for example, that issues of data reporting and monitoring of fisheries are essential to any good fisheries management program, and apply equally to bigeye, yellowfin and skipjack tunas, especially with respect to catch-at-size data. From the U.S. perspective, efforts should be made by those ICCAT members with the capabilities to work with developing coastal states to give assistance in the development of sustainable fishery management practices. At the same time, we must be vigilant to ensure that our existing management measures, such as the time/area closure in the Gulf of Guinea, are implemented effectively. With respect to the Gulf of Guinea, the United States is willing to do what it can to seek solutions.

We continue to be very concerned about the status of bigeye tuna. ICCAT must pursue rebuilding for this fishery to sustainable and optimum productive levels. We believe that size sampling data should be provided to ICCAT, along with detailed information on fishing practices so that we can better understand the fisheries and how we can wisely manage them. We will encourage Contracting Parties to support the SCRS recommendation for an international meeting among regional fishery management organizations with an interest in bigeye tuna.

We are also interested in yellowfin tuna, and note the significant recent expansion of catches in this fishery. We will support the SCRS recommendation for a new stock assessment in 2003.

The United States is pleased once again to participate in Panel 1 discussions, and we look forward to working closely with our colleagues from other delegations.

**Appendix 4 to ANNEX 13**

**Statement by Ghana to Panel 1**  
*(attached to Report of Panel 1)*

Ghana would firstly like to state that she regrets that this is a situation that has arisen due to circumstances partially beyond her control. This is a result of misunderstanding that has meant that Ghana has not met her obligations to ICCAT.

Ghana has not and does not target bigeye tuna. Bigeye tuna are taken as by-catch in her skipjack and yellowfin tuna fisheries. We are fully aware of the situation and we will immediately take all the necessary steps to implement as far as practicable the requirements laid down in the ICCAT Recommendations.

To this end, from November 2002 to January 2003 there will be no fishing activities by any of the Ghanaian fleet on Fish Aggregating Devices (FADs) during the moratorium period as laid down in Recommendation 99-1 (from November 1 to January, 2003). Moreover, Ghana shall place observers on board her vessels to ensure that the moratorium is complied with and that the information required by SCRS is collected.

Furthermore, we recognize that the catch limits set for bigeye tuna by the Commission have been exceeded in the past though through no deliberate action on our part. We therefore hope that by observing the moratorium, the catches of bigeye tuna by the Ghanaian fleet shall be reduced as expected.

These steps, when taken, shall be confirmed in writing to the Executive Secretary for the information of the Contracting Parties. If the recommendations are not implemented by Ghana by the end of this year's moratorium period, then ICCAT can sanction Ghana.

Lastly, any support from our partners shall be most welcome.

**Appendix 5 to ANNEX 13**

**Statement by Japan to Panel 1**  
*(attached to Report of Panel 1)*

Japan has been working hard with various parties including, in particular, China and Chinese Taipei, to eliminate IUU fishing activities. Japan cooperates with China in the severing of business relations of their fleets from IUU business entities and with Chinese Taipei for the re-registration program.

Japan welcomes their sincere efforts to work out this problem and continues to support their work. Next year, the Commission starts a new approach to combat IUU fishing activity with the positive list.

Japan notes the difficulties China and Chinese Taipei are facing, i.e. a shortage of their bigeye tuna catch limit, during their work on the elimination of IUU fishing vessels. Japan is willing to alleviate their difficulties by transferring an appropriate part of her bigeye tuna quota to them. When Japan sees satisfactory progress in their work and when she considers it appropriate, Japan will express its intention at that time and will take a similar procedure as she took this year (2002).

**Appendix 6 to ANNEX 13**

**Opening Statement of the United States to Panel 2**  
*(attached to Report of Panel 2)*

Since 1982 ICCAT has managed Atlantic bluefin tuna as two stocks with a management boundary line at 45°W longitude (North of 10°N). During the discussion of the SCRS report on the western Atlantic assessment of spawning stock biomass, both Japan and the European Union expressed concern that after 20 years of very restrictive catch limits in the western area, the spawning stock biomass is still at a very low level. They questioned

the assessment methodology used by SCRS. In fact, the same methodology is used all over the world, with many examples of stocks that respond well under rebuilding plans. The U.S. Delegation does not think the assessment methodology is the problem. The U.S. Delegation is very concerned about the location of the boundary between the western and eastern bluefin Atlantic management units. It is clear to us that the bluefin that are we are saving in the West are being caught by an unsustainable fishery in the eastern management area.

Placement of the current boundary between the western and eastern management units for bluefin tuna was arbitrary. At that time the exact position did not matter since fishing near the boundary was minimal. Now, however, there is clear evidence that the boundary fails to separate stocks in a biologically meaningful way, or effectively for management purposes. SCRS is very clear on this point. For example, SCRS said this year:

- “There is clear evidence that a substantial portion of fish present in the western management area, cross the boundary and become vulnerable to the fishery in the eastern management area, particularly for the central Atlantic between 45 and 30°W, North of 10°N.”
- “To the extent that western origin fish are subjected to higher fishing mortality rate in the central Atlantic than is implicit in the western Atlantic Rebuilding Plan, the Plan will be jeopardized.”
- “As emphasized in previous assessments, mixing across management unit boundaries of fish of western and eastern origin could be important for management of the resource in both areas. In particular, the condition of the eastern Atlantic stock and fishery could adversely affect recovery in the West Atlantic, which was also noted in the Committee’s 1998, 2000, and 2001 reports.”

And in the 2001 Mixing report:

- “If the Commission believes that the proportion of Western Atlantic origin fish that are vulnerable to fishing in the Central Atlantic is large enough to jeopardize the rebuilding plan, then either Option 2 (a central Atlantic management unit) or Option 3 (an expanded western Atlantic management unit) is appropriate.”

These SCRS findings are critically important to the U.S. and to the western Atlantic rebuilding plan adopted by this Commission in 1998. Of course there is still a lot we do not know about mixing, and as is often the case, SCRS was reluctant to make a definitive recommendation to move the boundary in the face of uncertainty. However, we have been talking about this matter for a long time, and SCRS has itself highlighted its importance for over a decade. The United States has funded millions of dollars of pioneering research that has yielded significant evidence of the magnitude of mixing. Other countries have also invested substantial sums in this research. We cannot “sit on our hands” on this issue any longer and be credible. We can no longer simply ask our fishermen to continue to make conservation sacrifices when we have evidence that the rebuilding plan is potentially being undermined by increasing catches of almost 1,300 t within 500 miles of the boundary, as well as by gross over-fishing generally in the east.

This year SCRS provided an alternative assessment that can be used as the basis for a new western Atlantic management area, while still maintaining the integrity of the rebuilding program begun in 1998. Therefore, the United States will propose to:

- Extend the western Atlantic management area for bluefin tuna from 45°W to 30°W (North of 10°N). We know that moving the boundary between eastern and western Atlantic management areas will not be a panacea. There will still be unresolved issues concerning mixing. However, we are convinced that if we knew in the early 1980s what we know now based on the current distribution of the fishery and data from electronic tagging, the boundary would not have been placed at 45°W. Placing it at 30°W is not a perfect solution, but it is more realistic in terms of both biology and the distribution of the fishery. It is a reasonable first step toward more rational management of Atlantic bluefin tuna that is practical in the short term. The U.S. Delegation also believes that ICCAT should pursue even more realistic long-term solutions, including the ones that SCRS highlighted in its 2001 report on mixing.

- Set the TAC for the extended western management unit at 3,750 t, which is status quo (i.e., approximate combined catch in recent years). According to the SCRS extended western Atlantic assessment, the likelihood of fulfilling the rebuilding plan is even greater with a status quo catch projection assessment for an extended western Atlantic management unit than it would be for the same catches under the current management unit. A catch of 4,000 t results in a at least a 50% probability of rebuilding to both the spawning stock biomass in 1975 and the spawning stock biomass that corresponds to MSY under either recruitment scenario. In making this proposal, the United States is concerned that the extended western Atlantic assessment could be optimistic. Therefore, we should consider the possibility of additional safeguards for western Atlantic origin bluefin tuna.

In addition to the concern about the mixing problem, the United States would like to resolve a practical problem it is having in implementing an ICCAT recommendation. The United States has experienced some difficulties in scheduling its domestic recreational fishery as a result of the existing measure limiting annual domestic catch of school-sized fish to 8% of our annual quota. In order to alleviate this problem, the United States will propose to:

- Eliminate the 8% limit on school-size fish (> 6.4kg, but <115 cm) while ensuring that any resulting changes in the US management program will be made in a manner that is conservation neutral with respect to the western Atlantic rebuilding plan.

#### ***Eastern Atlantic bluefin tuna***

The United States continues to have serious concern about the grave condition of the eastern Atlantic bluefin resource and the lack of a formal rebuilding plan for this resource. Similar to our position last year, the United States will continue to oppose any quota plan for the east that does not adopt the scientific advice to limit total catches to the 25,000 or 26,000 t catch level. This has been the standing advice of SCRS since at least 1998, yet catches irresponsibly remain many thousands of tons higher. We are looking for rules to ensure the sustainable long-term management of the eastern fishery. Our concern about the east is heightened by the linkage of the western and eastern fisheries as indicated by SCRS and supported by mounting evidence from satellite tag data.

We are also very concerned by the SCRS finding that the quality of the data being submitted by eastern Atlantic and Mediterranean fishing nations continues to deteriorate and is not adequate to provide meaningful and reliable management advice. We believe that each Contracting Party has a most fundamental responsibility to provide the Commission with accurate and timely data on their fisheries. We also note the SCRS serious concern regarding the relatively new practice of bluefin tuna farming and the negative impact this practice is having on the collection of accurate data for quota monitoring and stock assessments.

Finally, the United States remains concerned about the continuing high level of catches of juvenile bluefin tuna in the eastern management unit, a violation of longstanding ICCAT agreements on minimum size restrictions. We ask that this situation be earnestly pursued in the Compliance Committee's deliberations.

#### ***Northern albacore***

We note that the management measures in effect for northern albacore expire this year. We continue to support the need for management measures that will provide for the recovery of this stock. We would like any new management measures for northern albacore to taken into account the need for flexibility by small harvesters, such as the United States (and Canada). We experience highly variable catches from year to year due to the availability of albacore to our fishermen. However, we recognize that there are a large number of issues on the table this year and that the management of northern albacore is not the highest priority. Therefore, we can accept a rollover of the measure adopted last year to apply during 2003.

## Appendix 7 to ANNEX 13

**Statement by the Observer from the Ocean Wildlife Campaign on Atlantic Bluefin Tuna**  
(attached to Report of Panel 2)

***Eastern bluefin tuna***

For too many years ICCAT has ignored the advice of the SCRS with regard to eastern Atlantic bluefin tuna and has sanctioned over-fishing. The situation was so extreme in 2001 that several Contracting Parties actually blocked consensus and refused to again support unsustainable fishing just to ensure that a management regime was in effect. If severe over-fishing in the east is not corrected, it risks overshadowing important achievements made by the Commission, including progress on North Atlantic swordfish rebuilding and elimination of IUU fishing.

Current eastern Atlantic and Mediterranean bluefin tuna fishing mortality is more than twice the sustainable level. Since 1998, the SCRS has recommended reducing catches to around 25-26,000 t, a dramatic reduction from the catch of near 34,000 t reported in 2000 (and greater than 40,000 t in the late 1990s). The 2002 SCRS advice, which is limited because many Contracting Parties that over-fish also refuse to provide adequate catch data, remains in the same range. Uncertainties aside, it is clear that significant reductions in catch should be implemented immediately. To do less threatens the health of this fishery, potentially impacts rebuilding of the western Atlantic stock, and strains the credibility of the Commission. The Ocean Wildlife Campaign strongly recommends ICCAT adopt a comprehensive rebuilding plan for the east and immediately reduce catches in the eastern Atlantic and Mediterranean to no more than 26,000 t.

Contributing to our concerns of over-fishing in the east is the extremely high catch of small bluefin. Despite longstanding ICCAT recommendations that prohibit the catch of small fish (less than 3.2 kg) and consistent warnings from the SCRS, this problem has not been addressed. Parties fishing in the east have a responsibility to comply with all ICCAT conservation measures, including minimum size restrictions. Adherence to the minimum size limits would have significant positive biological consequences by contributing to increases in biomass and yields.

Problems stemming from over-fishing and minimum size non-compliance are exacerbated by poor data reporting. The SCRS has raised alarm that the quality of data being submitted by eastern Atlantic and Mediterranean fishing nations continues to deteriorate and is not adequate to allow the SCRS to provide meaningful management advice. Data collection and reporting are a fundamental responsibility that should not and cannot be ignored by Contracting and non-Contracting Parties.

Additionally, the rapid increase in bluefin tuna farming raises several concerns, including potential negative impacts on data collection and coastal ecosystems. We encourage ICCAT to move quickly to monitor and regulate bluefin farming properly.

***Mixing***

Tagging and other data indicate that mixing between western and eastern Atlantic bluefin tuna stocks is occurring at significant levels. The Ocean Wildlife Campaign is concerned about the potential impacts of mixing on efforts to rebuild the severely depleted western Atlantic bluefin stock. While data continue to be collected with the expectation of moving toward a more comprehensive and ecologically holistic management regime in the Atlantic and Mediterranean, a positive first step would be to reduce eastern fishing mortality dramatically. An important second step would be to restrict the growing catch in the central Atlantic (between 45°W and 30°W, north of 10°N) where both eastern and western fish are feeding. This catch has increased to 1,250 t in less than 10 years. Therefore, we support reducing or, at the very least, capping catch in the central Atlantic at the 2000 level.

At this time, the SCRS does not recommend moving the management line dividing eastern and western Atlantic bluefin stocks from its current location at 45°W. We concur with this advice, but also strongly support ongoing scientific efforts, including tagging programs, in order to move forward with a management regime that accurately reflects biological reality.

### *Western bluefin tuna*

According to the 2002 SCRS assessment, the western bluefin tuna biomass level has declined to a historic low and fishing mortality has reached an all-time high. We have heard Parties at this meeting question why rebuilding is not occurring, despite years of restricted catches, and directly question the stock assessment. We contend that the explanation is quite simple: fishing mortality continues to remain too high. A complete reading of SCRS advice (including its warnings regarding general uncertainty, recruitment uncertainty, and the risks associated with optimistic projections) over the past two decades confirms this contention.

Despite the history of over-fishing and current status of the stock, we are likely to hear calls for an increase in the western quota. This is not supported by the scientific advice. The 2002 SCRS report was clear: "The weight of scientific opinion within the Committee favored no change from the current TAC of 2500 t per year." In addition, the SCRS report states: "The assessment and projection results for the present assessment are somewhat less optimistic than in 2000..." In 2000, the Commission maintained status quo. In light of the historically low biomass level, historically high fishing mortality level, and "somewhat less optimistic" projections, OWC strongly recommends ICCAT follow the advice of its SCRS and not raise the quota above 2500 metric tons.

Bluefin tuna mismanagement continues to be a black eye for ICCAT. The Ocean Wildlife Campaign cares about the effectiveness of ICCAT and therefore implores the Commission to consider the long-term consequences of proposed actions that are not consistent with SCRS advice on Atlantic bluefin tuna. While we do not underestimate the difficulty in adopting needed conservation measures, we believe making these tough choices is essential to ensure the future health of the fisheries and preserve ICCAT's credibility.

### **Appendix 8 to ANNEX 13**

#### **Statement by Canada to Panel 2 on East Atlantic Bluefin Tuna**

Canada has for many years voiced its concern on the continued fishing of Eastern Atlantic bluefin tuna at levels that are well above those required to rebuild this stock. We voice these concerns because we believe that with stock mixing, unsustainable fishing in the east can have a direct effect on the health of the western stock. Unsustainable fishing reflects poorly on this Commission, as well as its individual members.

The problem with Eastern and Mediterranean bluefin tuna is not only that we are setting the TAC too high. The situation is magnified by the continued high levels of catches of juvenile bluefin tuna. Taken together, these factors are a recipe for stock collapse.

Canada acknowledges that a great deal of very difficult work was necessary to develop a package that was acceptable to most of the participants. The TAC for 2003-2005 has been set at 32,000 t. However, the scientific advice for this resource clearly states that removals in excess of 26,000 t are not sustainable unless substantial changes in the prosecution in the fishery is made, including minimizing the capture of small fish. The requirement for such changes has been the subject of the Commission's deliberations in the past. Unfortunately, however, the most recent information indicates that we are still witnessing the harvesting of alarming numbers of juvenile fish from this stock. We are encouraged by the new measures for protection of immature fish that are being proposed, but their effectiveness is unclear. In light of this uncertainty, Canada considers that a quota that is more than 20% higher than the scientific advice is not precautionary.

Nevertheless, we will not block the consensus on this recommendation as a structured management regime is long overdue and urgently needed so that proper controls and management measures can be introduced. Discipline must be introduced into this fishery. It is hoped that we are not too late. In addition, Task I and II data must be provided so that a proper stock assessment can be carried out. We have been assured that major improvements in this area will be forthcoming. Canada looks forward to being updated on the implementation of these elements, all of which are required, at future meetings of the Commission.

**Appendix 9 to ANNEX 13****Statement by the United States on Eastern Bluefin Tuna Recommendation***(attached to Report of Panel 2)*

It has been a long and difficult week. I thank you for your leadership. I also wish to express the gratitude of the United States to the Executive Secretary and his dedicated staff. Moreover, I acknowledge the time and effort of the other delegations.

We have only had limited time and opportunity to discuss the merits of the EC proposal in the Panel. I would like to make sure that the record reflects several substantive issues. First, scientific advice since the mid-1990s has concluded that harvest levels for eastern Atlantic bluefin tuna should be substantially reduced. Following the assessment in 1998, the SCRS recommended that catches of 25,000 t would halt the decline of the eastern Atlantic bluefin tuna stock, and that further reductions would be needed to rebuild it. In spite of the scientific advice, measures in recent years have established total allowable catches (TACs) far in excess of the level recommended by SCRS.

As we have all acknowledged, Atlantic bluefin tuna fisheries are linked and the fishermen on both sides of the Atlantic depend on the sustainability of this resource. Robust management of the eastern and western fisheries is essential. ICCAT has finally been able to account for the majority of the sources of harvest through an inclusive sharing arrangement in the east, which is based on application of ICCAT's new allocation criteria. New measures have also been proposed to reduce the over-harvest of small fish, which has continued despite previously adopted requirements. These measures are long overdue. However, we are extremely concerned because the TAC of 32,000 t substantially exceeds scientific advice. A significant reduction in the overall harvest level of eastern Atlantic and Mediterranean bluefin tuna is still needed, together with improvements in the provision of data by all parties participating in the eastern fishery. In our view, the provision of basic catch data is one of the most fundamental obligations that members have accepted under the Convention.

The steps that are being taken to address the harvest of small fish are extremely important. A ban on the retention, landing or sale of eastern Atlantic bluefin tuna less than 3.2 kilograms has been in effect since 1999. Unfortunately, it has not been followed by all Parties. Although we are encouraged by the new, more stringent small fish measures proposed at this meeting, we remain concerned about the implementation of these measures given the lack of compliance in the past. All parties must take concrete steps in the near term to address the problem of excessive catches of undersized bluefin tuna in the eastern Atlantic Ocean and Mediterranean Sea.

As we have noted, ICCAT has consistently failed to adopt recommendations establishing eastern bluefin tuna catch levels in line with scientific advice. Our proposal today repeats this unfortunate mistake. While the United States is extremely discouraged at the proposed TAC level, the measure does contain some interesting provisions that are expected to be beneficial to the stock. We will be watching the implementation of this and related measures closely. In that vein, we look forward to meeting periodically with the EC, as agreed, to receive updates on their progress toward full implementation. Therefore, despite our misgivings, we will not block adoption of this proposal.

**Appendix 10 to ANNEX 13****Statement by the Observer from Turkey on the  
2002 East Atlantic & Mediterranean Recommendation***(attached to Report of Panel 2)*

*The Recommendation Concerning a Multi-year Conservation and Management Plan for Bluefin Tuna in the East Atlantic and Mediterranean* is not discussable for Turkey.

This desire to achieve a fair and equitable allocation of the total allowable catches among all Parties that fish bluefin tuna in the East Atlantic and Mediterranean Sea does not coincide at all with the catch limits given in the allocation scheme. This allocation is no way fair and justified. If we compare the allocated quotas of other countries with the mentioned bluefin tuna fishing nations, we see seven different fishing nations besides Turkey, meaning that

Turkey should catch a very small amount of bluefin tuna in her legitimate zone. You will see that Turkey has a coastline of about 8,300 km on four seas and has been fishing bluefin tuna since a very long time. In spite of the socio-economic problems, Turkey has made big sacrifices in a very short term. The peak catch of 5,988 t in 1988 was reduced to 76% in 1999. Reductions the catch of 81% in 2000, 64% in 2001 and 61% in 2002 followed. The number of purse seiners in 2001/2002 was reduced about 67%. The catches from over 5,000 t were decreased to 2,000 t. Our fishermen and our fishing industry has fulfilled the management requirements. No other nation, in the first place, the EU countries, have reduced their bluefin tuna catches in such a remarkable manner. We have difficulty in understanding how this allocation scheme has been prepared.

If the purpose of this recommendation is to conserve the bluefin tuna stocks and to manage the stocks, this allocation should be fairly and justly allocated. We respect the traditional shares of distant fishing nations in the Mediterranean Sea and think a priority should be allocated to Turkey.

Since 1993 Turkey has been conducting research with her own funds in the eastern Mediterranean Sea.

Even if Turkey is a non-Contracting Party to ICCAT, it does not mean that she deserves such an unfair allocation. Turkey started the ICCAT membership process some time ago. The draft law has been presented to the Turkish Grand National Assembly on July 30, 2002. Turkey hopes to join the Commission very soon.

Turkey has legitimate rights as a coastal state to the bluefin tuna resources and is dependent on the marine resources.

You make it impossible to comply with the ICCAT recommendations, even if we want to.

#### **Appendix 11 to ANNEX 13**

##### **Statement by the Observer from Denmark (in respect of the Faroe Islands) Regarding Regulatory Measures for Eastern Bluefin Tuna (attached to Report of Panel 2)**

As a coastal state for bluefin tuna, Denmark (in respect of the Faroe Islands) --as an observer to and prospective member of ICCAT-- has followed the work of Panel 2 with particular interest, notably its handling during this session of the management issues concerned with the eastern bluefin tuna management unit.

From the view of a stakeholder in this stock we see some merits in the measures in the recommendation concerning the conservation of western Atlantic bluefin tuna. We hope that the technical measures recommended there will contribute towards a sustainable exploitation pattern of the eastern Atlantic bluefin tuna, which in the long perspective may allow a TAC which is higher than what is recommended by science at present.

Until the adoption of the *ICCAT Criteria for the Allocation of Fishing Possibilities*, we saw no point in membership of ICCAT. Now we, as mentioned in our Opening Statement to the Plenary (in ANNEX 4.2), seriously consider becoming members in the near future.

On this background we have watched with great interest how the *ICCAT Criteria for the Allocation of Fishing Possibilities*, adopted in 2001 are being applied, and especially the treatment given by this Panel to this year's newcomer to Panel 2, Iceland, a country which shares with the Faroe Islands some characteristics relevant to allocation. When studying the multi-annual quota table we think we can see the first cautious steps towards a new and more appropriate allocation pattern.

When adopting a multi-annual quota sharing arrangement, reaching some years into the future, ICCAT must be assumed to be fully aware of the probability that during this period new members will enter, who are stakeholders in the eastern bluefin tuna, and who will want to exercise their co-ownership of this stock by fishing for it in a responsible manner. As you will know from our Opening Statement to the Plenary, it is very likely that one of these new members will be Denmark (in respect of the Faroe Islands).

**Appendix 12 to ANNEX 13****Statement by Venezuela on North Atlantic Albacore Catch Limits**  
(attached to Report of Panel 2)

Venezuela has a long tradition as a tuna fishing country in the Atlantic Ocean and Caribbean Sea, landing diverse species of tunas and tuna-like species caught by a stable fleet of industrial as well as artisanal longliners and purse seiners.

As regards North Atlantic albacore, for 25 years (1977-2001), average reported catches were slightly more than 311 t (26-1,374), with a increasing trend from 1991 to 2001, during which time the average landings increased to 329 t.

In this sense, the historical data show that for Venezuela the quota recommended by the Commission at the meeting in Murcia in 2001 is very low, and as a result it is impossible to ensure compliance by our country.

For the reasons expressed above, Venezuela requests an increase in the allocated quota since, for 25 years, we have been fishing, on average, 55% above that quota.

In short, Venezuela hopes that the Commission establishes a quota for 2003 at about 1% of the estimated total allowable catch (TAC) for North Atlantic albacore.

**Appendix 13 to ANNEX 13****Report by the United Kingdom (Overseas Territories) to the 2002 Commission in Accordance with the Recommendation by ICCT on Bluefin Tuna Research in the Central North Atlantic Ocean**  
(attached to Report of Panel 2)

Pursuant to the Recommendations by ICCAT on Bluefin Tuna research in the Central North Atlantic Ocean, made at Marrakech in 2000 (Rec. 00-8) and Murcia in 2001 (Supple. Rec. 01-8) the cooperative tuna research program continued in 2002.

A Steering Committee involving scientists from the United States, Canada, Japan and the United Kingdom Overseas Territory of Bermuda planned research cruises for a commercial longline fishing vessel and the Japanese research vessel R/V *Shoyo Maru*.

Longline sets were made in conjunction with scientific advice based on oceanographic conditions and satellite data.

Despite 29 longline sets made by the commercial vessel and 30 further operations conducted by the R/V *Shoyo Maru*, no bluefin tuna were caught. A total of 308 tuna and tuna-like species were caught with white marlin being the predominant species.

Scientific personnel from the Contracting Parties involved in this project were present on board both vessels and acted as at-sea observers to verify catches and to ensure that they were properly reported.

In addition to the exploratory fishing conducted, there were regular samplings of plankton and biological samples were collected from large pelagic fishes. Tagging of tuna, sharks and billfish was also conducted.

The details of this research were presented to the SCRS as document SCRS/02/170 and forms part of the Bluefin Year Program. This report is presented by the United Kingdom Overseas Territory of Bermuda in accordance with the Recommendations relating to this research.

**Opening Statement by the United States of America to Panel 4**  
*(attached to Report of Panel 4)*

The United States is pleased to be back with our colleagues on Panel 4 to discuss the rebuilding, conservation and management of fish stocks that have been important to our fishermen for a long time. Our commercial and recreational fishermen have made great sacrifices to achieve our mutual objectives for swordfish and billfish. We believe that we have made great strides in the rebuilding of swordfish, and will soon be able to see the benefits of these efforts returned to our fishermen.

Regarding North Atlantic swordfish, we recognize that the new assessment from the SCRS has advised that we have almost met our objective; however, we note that we have not yet completed the task. The recent increase in abundance is comprised primarily of young age classes, thus any increase in TAC would likely increase fishing mortality on juvenile swordfish, and have a negative impact on the continued growth and recovery of the stock. Therefore, the United States remains very concerned about any increase in the TAC. The integrity of the rebuilding program must be maintained. The United States also continues to be concerned about controlling by-catch in the face of increased swordfish fishing effort, and we will be pursuing this matter elsewhere at ICCAT this week. The success of the rebuilding plan for North Atlantic swordfish must not be viewed as an expedient solution to the conservation challenges of the south.

We recall that this year the Commission must review the five-year block quota for Japan. We recognize that Japan, given unexpected high catches, has taken the extraordinary measure of requiring its vessels to discard all swordfish taken incidentally in its bigeye tuna fishery. Although such a measure demonstrates Japan's commitment to the requirements of the swordfish rebuilding program, we seriously question whether large-scale discarding and waste of fish, as much as 600 t, is an appropriate solution in the long term. We anticipate that an alternative approach can be arranged that is less wasteful of valuable fish product and for which compliance can be assessed on an annual basis.

For South Atlantic swordfish, the United States believes very strongly that ICCAT must adopt a meaningful management program that includes a TAC consistent with the SCRS advice to cover all forms of fishing mortality. We are especially concerned about the stated inability of the SCRS to do a reliable stock assessment due to the lack of data. We are committed in our domestic management programs to improving our own data, especially in recreational fisheries; and urge all Contracting Parties with swordfish fisheries in the South Atlantic Ocean to do the same. Data collection, we believe, should also be a priority in the Mediterranean Sea, as well as protection for juvenile swordfish.

The United States remains concerned with the status of marlins, and we are committed to halting over-fishing and making further progress on the rebuilding plan. Marlin management should be included under full provisions of the Compliance Committee. The United States believes that the landing limits that ICCAT has established for marlins must be extended through the next stock assessment, which SCRS has recommended take place in 2005. We should discuss here this week the development of an ICCAT statistical document program for marlins. Also, we need to begin a discussion on the identification of candidate time/area closures for the conservation of marlins. We also would like to discuss the possibility that ICCAT would remove marlins from all international trade, in order to eliminate any commercial incentive for the exploitation of these valuable and stressed species. For sailfish and spearfish, the Contracting Parties should be encouraged to improve the collection and submission of data for sailfish and spearfish, including the collection and reporting of data by species rather than by aggregate.

Some of these are controversial issues. But ICCAT is no stranger to controversy. The difficulty of what we need to accomplish here is more than matched by the importance and benefits of achieving mutual success for our resources and our fishermen. The United States appreciates this opportunity to work together, and looks forward to making progress with our colleagues around this table.

**Appendix 15 to ANNEX 13**

**Statement by Trinidad and Tobago  
Regarding its North Atlantic Swordfish Catch Limit**  
*(attached to Report of Panel 4)*

Given that the SCRS has advised the Commission that the total allowable catch of North Atlantic swordfish can be increased at this time, and recalling the 1999 *Recommendation by ICCAT To Establish a Rebuilding Program for North Atlantic Swordfish*, which makes a provision for review of the catch allocations agreed in 1999 based on the catch allocation criteria adopted in 2001, Trinidad and Tobago wishes to request that its current catch limit for North Atlantic swordfish be increased.

Firstly, it should be noted that the recent revision of our swordfish catch statistics was completed using limited data. Secondly, based on the revised 1996 estimated catch level of 158 t, and in accordance with the 1999 *Recommendation by ICCAT To Establish a Rebuilding Program for North Atlantic Swordfish*, it was compulsory to reduce our adjusted catch limit by 45%. As other Commission members will appreciate, 45% reduction of such a small catch places significant strain on the economic stability and survival of the fishery. Not surprisingly, therefore, the Trinidad and Tobago longline fleet harvests the allowed catch limit within the first half of each year. As a result, Trinidad and Tobago has reported overages every year since catch quota allocation recommendations for this stock have been in place.

It is important to note that the Trinidad and Tobago longline fleet does not operate on the high seas. Given that Trinidad and Tobago is a coastal developing State in the North Atlantic, and that our swordfish fishery is a developing fishery that provides an important source of foreign exchange, Trinidad and Tobago seeks the Panel's support to increase our swordfish catch limit in order to secure the stability of the current level of swordfish fishing operations. Considering the repeated problem of overages that indicates clearly that the current catch limit threatens the economic viability of our swordfish fishery, considering also that the present overage of 99.2 t needs to be resolved urgently, and recognizing our rights as a coastal developing State in the North Atlantic, an appropriate annual swordfish catch limit for Trinidad and Tobago would be 200 t. While this catch limit is desirable, Trinidad and Tobago appreciates the need to satisfy the quota requirements of other developing fisheries, as well as new fisheries. Consequently, Trinidad and Tobago proposes a gradual increase in our annual swordfish catch limit during 2003-2005, beginning in 2003 at a level slightly below that of our 1996 catches, and as shown in the table below. Furthermore, Trinidad and Tobago proposes to eliminate its current overage during 2003-2004, and hence our actual catches in 2003 and 2004 will be lower than the proposed catch limits for these years. By this means, Trinidad and Tobago can avoid undesirable economic losses to our present swordfish fishery.

Table showing proposed annual swordfish catch limits and  
proposed annual catches for Trinidad and Tobago for the period 2003-2005

<i>Year</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>
Catch limit	150 t	160 t	170 t
Actual catch	100 t	110 t	170 t

**Appendix 16 to ANNEX 13**

**Statement by the Observer from the Ocean Wildlife Campaign on Atlantic Swordfish**  
*(attached to Report of Panel 4)*

The Ocean Wildlife Campaign strongly believes swordfish catches in the North Atlantic should be maintained at current levels. The new assessment indicates the rebuilding program ICCAT adopted in 1999 is working and rebuilding is ahead of schedule. This is undoubtedly good news, for which ICCAT should be commended, but rebuilding is not complete and significant threats remain. Therefore, the temptation to increase catches now should be resisted.

High recruitment since 1997, in combination with the actions taken by ICCAT over the past decade to reduce the catch has resulted in the observed population increase. The SCRS is uncertain as to what has produced this high level of recruitment, but favorable environmental conditions may have been a major factor, and it cannot be predicted whether or not high recruitment levels will continue into the future.

Whatever the cause of recent high recruitment, the result is a disproportionate large number of young fish in the fishery. SCRS data indicate that as much as 75% of the current biomass may be comprised of young fish (under age 5), which have not spawned. The mature fish population, which plummeted to only one-third of 1978 levels during the 1990s, remains virtually unchanged from the historic low until the beginning of 2001 (Figure 17, 2002 Swordfish Detailed Report). Therefore, it would be prudent to allow a portion of these now-juvenile fish to mature and reproduce before increasing the catch. Maintaining current catch levels will protect against a potential downturn in recruitment while providing immature fish time to grow and mature, thus returning the swordfish population to a more profitable and stable age structure.

High levels of recruitment have speeded recovery but may also exacerbate problems associated with the catch of large numbers of undersized fish. About 25% of the swordfish landed throughout the Atlantic in 2000 were below the ICCAT minimum size (Table 20c, 2002 Swordfish Detailed Report). The United States has led the way by establishing time-area closures to protect undersized swordfish, and initial indications are that discards have been reduced by as much as 50%. We strongly encourage the Commission to maintain North Atlantic catches levels at status quo while continuing to investigate and develop time-area closures on the high seas.

In addition to the direct impacts on swordfish rebuilding and the population structure, an increase in longline-caught swordfish in the north Atlantic could jeopardize ongoing efforts to conserve severely over-fished white and blue marlin. According to ICCAT data, over 95% of the marlin landings result from incidental catch in commercial fisheries for swordfish and tunas, with about 90% taken on longlines. An increase in the swordfish quota, in particular for nations that fish in the tropical waters where marlins are common, would increase marlin by-catch and add to the threat facing these species.

By maintaining current north Atlantic swordfish conservation measures, the Commission would (1) significantly lower the risk of failure in meeting the rebuilding goals; (2) increase the long-term prospects for the swordfish population and fishery by allowing young fish to mature and reproduce, thus establishing a more resilient population consisting of many age classes; and (3) provide time for ICCAT and Contracting Parties to develop and implement time-area closures to protect undersized swordfish, as well as blue marlin and white marlin.

Regarding South Atlantic swordfish, the OWC believes the Commission must establish a comprehensive management plan to protect against over-fishing and ensure data collection and reporting. In particular, a TAC should be established at this year's meeting consistent with SCRS advice and inclusive of all sources of mortality. It is unacceptable that the SCRS cannot perform an adequate assessment for a stock that supports a major fishery in the Atlantic because countries do not honor their responsibilities to report and collect data. Thus, the Commission should take extraordinary measures to ensure resolution of this problem.

## **Appendix 17 to ANNEX 13**

### **Statement by the United States Concerning the Recommendation on Atlantic Blue Marlin And Atlantic White Marlin (attached to Report of Panel 4)**

The SCRS has concluded that marlin stocks are over-fished, and over-fishing continues to occur. However, the present ICCAT management measures, if continued, could stabilize the stocks and prevent further decline. The SCRS has noted that there is insufficient data at this time to implement Phase 2 of the marlin recovery plan and therefore recommended that the next assessment for blue and white marlin be held no earlier than 2005.

The proposed recommendation by the United States postpones the assessment for both blue and white marlin until 2005 and extends the existing Phase 1 management measures through 2005.

The proposal calls for a data preparatory meeting in 2004. This meeting should allow for the exchange of views by members of the scientific community to enhance the assessment and facilitate analyses of management alternatives by the SCRS at their meeting the following year. The United States intends to be actively involved in both of these meetings.

During the next three years parties are encouraged to conduct research on the elements suggested by the SCRS including, but not limited to: habitat requirements of white marlins, studies on survival rates of released fish, further verification and validation of historical fishery data and validation; life history characteristics of marlin, and development of models for abundance estimation and stock assessment. The proposal also encourages parties to improve data collection.

Further, the proposal notes concern about the commercial exploitation as a result of the utilization of white marlin and encourages parties to take practicable action to address this concern. The United States does not allow the commercial utilization of white marlin or Atlantic blue marlin in domestic recreational or commercial fisheries. We prevent white marlin and Atlantic blue marlin from entering commerce by preventing their sale and import. This proposal will continue the severe restraints on our recreational fishermen limiting our landings to no more than 250 fish.

The United States urges ICCAT to adopt this proposal.

#### Appendix 18 to ANNEX 13

**Statement by the Observer from the Ocean Wildlife Campaign  
on Atlantic White Marlin and Atlantic Blue Marlin**  
*(attached to Report of Panel 4)*

Atlantic white marlin and blue marlin are two of the most depleted species under the jurisdiction of ICCAT and both continue to be subject to grossly unsustainable rates of fishing mortality. This year the SCRS estimated that the white marlin population has declined 80-90% from biomass levels associated with carrying capacity, with a fishing mortality rate over five times that which the stock can support. The SCRS last assessed blue marlin in 2000 and estimated the stock to be only about 40% of the biomass level capable of producing MSY. Strong action to halt over-fishing and rebuild the population is clearly needed, and while ICCAT has committed itself to these goals, a sense of urgency is lacking. The Ocean Wildlife Campaign strongly believes ICCAT should adopt a comprehensive rebuilding plan for white and blue marlin.

We recognize, however, that developing such a plan will require improved stock assessments for marlin, with an evaluation of current management measures and projections of future trends. Unfortunately, the data will not be available to accomplish this goal for several years. Therefore, we reluctantly support delaying the next stock assessment until 2005 to allow sufficient time to evaluate current management measures and to conduct a rigorous stock assessment that will serve as the basis for the rebuilding program.

In the meantime, ICCAT should take all available actions to minimize marlin mortality. Specifically, current management measures must remain in place, including the requirement that all countries reduce white marlin landings by 67% and blue marlin landings by 50% from 1999 levels, as well as the requirement that all live marlin caught on longline gear be released in that condition.

A number of outstanding issues remain with regards to data needed to conduct a rigorous stock assessment. To improve the quality of the next assessment, ICCAT should convene an intercessional meeting in 2003 to examine ways of improving data collection and reporting. The Commission should also consider other necessary measures to ensure adequate data collection and reporting.

The Ocean Wildlife Campaign believes time-area closures on the high seas will be an essential component of a successful marlin rebuilding plan, as closures offer the best, if not the only, chance of reducing fishing mortality on marlin to even lower levels that will likely be necessary to rebuild these species. ICCAT should hold an

intercessional meeting, no later than 2004, to begin evaluating areas for potential closure to protect blue and white marlin.

We have heard calls at this meeting to increase the North Atlantic swordfish total allowable catch. While swordfish are rebuilding, we cannot support increasing the swordfish TAC because doing so would increase marlin by-catch, particularly in tropical waters where billfish are common. Obviously, any additional mortality would further contribute to the declines of these species. A serious commitment by ICCAT to develop time-area closures as part of a comprehensive marlin recovery plan is the best way to solve this dilemma.

Although virtually all fishing mortality of marlin results from incidental catch in commercial fisheries, ICCAT must not neglect its responsibility to conserve and manage these species effectively. Therefore, we encourage the Commission to support the United States proposal that takes important steps to ensure the long-term health of these valuable and important species.

**REPORT OF THE MEETING OF THE  
STANDING COMMITTEE ON FINANCE & ADMINISTRATION (STACFAD)**

**1. Opening of the meeting**

The 2002 meeting of the Standing Committee on Finance and Administration (STACFAD) was opened on Tuesday, October 29, 2002, by the Committee Chairman, Mr. J. Jones (Canada). He welcomed México and Iceland as new Contracting Parties to the Convention.

**2. Adoption of the Agenda**

The Agenda, that had been circulated in advance of the meeting, was adopted, after adding under item 10: Other matters, projected activities and BETYP budget (proposed by Japan), and the Chairman's proposal to discuss under this Agenda item the procedure for the election of the Executive Secretary (**Appendix 1 to ANNEX 14**).

**3. Nomination of Rapporteur**

Mr. Miguel Angel Blasco (EC-Spain) was appointed Rapporteur for the meeting.

**4. 2002 Administrative Report**

4.1 The 2002 Administrative Report was presented by the Chairman of the Committee, who outlined its contents, i.e., the Commission's and Secretariat's administrative matters in 2002, new Contracting Parties to the Convention, new Panel members, status of the ratification of the Madrid Protocol, entry into force of the Recommendations and Resolutions in 2002 and the voting process for these, the ICCAT Port Inspection Scheme, ICCAT inter-sessional meetings and Working Groups, meetings at which ICCAT was represented, Bigeye Year Program, tagging lottery, Commission's Chairman's correspondence with various parties, entities and fishing entities, list of Secretariat documents and publications and, as requested at the 2001 Commission meeting, detailed information on the organization and functions of the Secretariat staff.

4.2 The Delegate of Morocco suggested a correction to point 11 of the aforementioned report, Secretariat staff, as concerns the inclusion of an accounting assistant for the BETYP. The Chairman responded that this change would be made.

4.3 The Administrative Report was adopted (see this volume).

**5. 2002 Financial Report**

5.1 The Chairman presented the Financial Report, which had been distributed in advance.

5.2 Mr. Jones indicated that a copy of the Auditor's Report had been sent to all the Contracting Parties in June 2002, and that as regards fiscal year 2002, the news was not good, as there continues to be the annual problem of cash flow and the lack of payment of contributions. He pointed out as of October 4, 2002, the closing date for the Financial Report, only 14 of the 31 Contracting Parties had paid their total contributions. Partial contributions had been received from some Parties and advances from others. Notwithstanding, every year the final balance continues to be negative.

5.3 The Chairman requested the Secretariat to update the contributions received since October 4, 2002. Mr. Juan Antonio Moreno (Secretariat) listed the contributions received from the Contracting Parties since that date, as well as those from Observers. Consequently, as of October 28, the negative balance amounted to €147,109.

The Executive Secretary stated that a revised financial report would be distributed later, since the receipt of new contributions was expected.

5.4 The Chairman declared that the information provided gave a clear view of the situation and indicated the need that these contributions be paid before the end of the fiscal year, which only has two months left.

5.5 The Financial Report was adopted by the Committee (see this volume).

## **6. Status of the ratification/acceptance of the Madrid Protocol**

6.1 The Committee Chairman pointed out the need for ratification by one Contracting Party, which would result in the final approval of the 1992 Madrid Protocol. The current situation was the same as in previous years. He further pointed out that the ratification of the Protocol would improve the situation of all the Parties and would have a positive repercussion on the future work of the Commission.

6.2 The Executive Secretary pointed out that even if the last Contracting Party needed for the entry into force ratifies the Protocol during this year, this would not be reflected until 2004.

6.3 The Delegate of Angola commented that he had received a letter on this matter, sent by the Executive Secretary of the Commission, but that due to internal political problems, they could not comply with his request. Notwithstanding, he affirmed that the governmental program of his country envisages the approval of the Madrid Protocol before the end of this year.

## **7. Proposed changes in the ICCAT Staff Rules**

### ***Maternity leave***

7.1 The Chairman introduced a document that proposed a change to the ICCAT Staff Regulations and Rules to increase maternity leave to 16 weeks, to align this benefit to that followed in other international organizations.

7.2 The changes regarding maternity leave were adopted (**Appendix 2 to ANNEX 14**).

## **8. Considerations pursuant to Article X.8 of the Convention**

8.1 The Committee Chairman explained the situation regarding Article X.8 of the ICCAT Convention, pointing out the possibility of the suspension of voting rights in case of not paying the financial contribution during the two years preceding the current fiscal year.

8.2 The Delegate of Morocco pointed out the need to reach a joint decision of all the Contracting Parties, as well as the fact of avoiding undesirable situations that could affect the current cordial atmosphere that has governed the functioning of this Commission since its beginning.

8.3 The Chairman of the Committee referred to the need to take into account the problems of the dates that have been set to remit the contributions to the Secretariat. In accordance with Article X.4 of the Convention, contributions should be paid on January 1 of the year for which they have been established, which is difficult for many Contracting Parties. However, on the other hand, the same Article establishes a period up to January 1 of the following year before the unpaid contributions are considered as overdue. The Committee Chairman suggested reaching a flexible compromise between these two dates, which could be a period of 6 months (June 30), after which time the Commission would write an official letter to the Contracting Parties that have not paid their contributions. This letter could be useful for the Heads of Delegations to expedite the procedures with their respective Governments for the payment of the contributions.

8.4 The Delegates of Japan and Canada supported this proposal by the Committee Chairman. The Delegate of Canada added that this scheme is similar to that established in other regional fisheries organizations.

## 9. Budget and Contracting Party contributions for 2003

9.1 The budget and contributions of the Contracting Parties for 2003 were presented, including an update of the biennial budget for 2003 that had been presented and approved in 2001. The changes refer to the incorporation of Mexico as a new Contracting Party and the incorporation of some Parties to the various Panels.

9.2 The Delegate of China requested the revision of the tables as regards the contribution of Honduras, due to the incorporation of this country to Panel 1.

9.3 Dr. Victor Restrepo (Secretariat) responded indicating that a revised report had been prepared that included the change of Honduras and which also included some changes in the Task I data used for the 1999 canning figures on which the budget is based, as well as the inclusion of Iceland as a new Contracting Party.

9.4 The Delegate of Morocco asked for clarifications as to whether the contributions made by the Observers are reflected in the Commission's budget. Mr. Juan Antonio Moreno (Secretariat) clarified that the entries of extra-budgetary payments from the observers are accounted for and deposited to the Working Capital Fund. He also pointed out that they are clearly shown in Statement 4 and Statement 5 of the Financial Report, where the reality of the fiscal period is described as concerns the budgetary and extra-budgetary contributions (Observer fees, VAT refund, reimbursement for publications) received during the previous year. He also specified that this information is transmitted annually to the Contracting Parties.

9.5 The Chairman added that these amounts serve to compensate for the cash flow problems caused by the lack of payment of the Contracting Party contributions, and they make it possible for the Commission to function until the contributions start to be received.

9.6 The STACFAD Chairman pointed out the importance of discussing, under this item, the financial implications of the SCRS recommendations.

### *Financial implications of the SCRS recommendations:*

9.7 The SCRS Chairman, Dr. Joao Gil Pereira, proceeded to an explanation of these implications, and listed the following:

- ICCAT collaboration with the FIRMSFIGIS (FAO) project, with an estimated cost of €5,000.
- Implementation in ICCAT of the integrated model for stock assessments, to be applied to bigeye and southern albacore in 2003, with a total expenditure of €28,000, with a €14,000 contribution from the BETYP Program.
- Purchase of a new computer program for the geographic information system, with an estimated cost of €15,000.
- Continuation of the peer reviews, that could not be implemented in 2002, with an annual cost estimated at €10,000, which with the carryover to 2003 of the amount foreseen for 2002 and not used (€10,000), would theoretically increase to a total of €20,000.
- Renewal of computer equipment: renewal of computers that are more than four years old, a high quality printer for publications and another printer for the scientists' use during meetings at the Secretariat, and the purchase of some programs. The total estimated cost of these computer purchases would amount to €15,000.
- Recommendations concerning special research programs, one refers to the Bluefin Year Program (BYP) that requests a contribution from the regular ICCAT budget of €13,600, and also proposed that the unused part from 2002 (€36,800) be used in 2003. As regards the Enhanced Research Program for Billfish, the SCRS requested a contribution of €25,000, and proposed that the unused part from 2002, i.e., €30,000, be used in 2003.

9.8 There are other recommendations relative to scientific meetings next year that the SCRS could not quantify. Likewise, the SCRS was unable to estimate the cost of the Recommendation concerning the improvement of Ghanaian statistics, a project for which the SCRS could not provide an exact figure.

***Financial implications of the implementation of the positive list***

9.9 As concerns the implementation of the positive list of vessels, the Chairman pointed out that this would involve additional expenditures, and requested the Contracting Parties that have experience in setting up this type of registry to provide advice to the Commission in this sense. Likewise, he expressed the possibility that the Executive Secretary send letters to the Contracting Parties, within a period of two or three months, requesting such collaboration.

9.10 Some proposals were then received in support of the positive list. The Delegate of Japan declared that his country would apply part of the unused budget of the BETYP Program and that since they are one of the major “users” of the positive list, they would consider the possibility of making additional contributions. China, as a contributor to the BETYP Program, also expressed their plans to transfer funds from the BETYP to the positive list.

9.11 The Delegate of the European Community stated that they had experience in this sense and they would provide all their support to the Secretariat. As concerns the intention of transferring funds from the BETYP, he indicated that the transfer of voluntary funds destined for a specific purpose could be debatable.

9.12 The Chairman expressed that it should be left to the Parties that contribute to the BETYP to decide later if they are going to apply these funds to finance the development of the positive list.

9.13 Canada affirmed that there are currently 2,304 vessels from 18 Contracting Parties registered on the list, and that in the cost estimates that the Secretariat is going to prepare, it should be taken into account that there will be an important increase in the number of vessels presented by the Contracting Parties, given the consequences of this positive list.

***Concluding comment***

9.14 Lastly, the Chairman concluded by making two requests to the Contracting Parties, one concerning the ratification of the Madrid Protocol, which would provide a solid base to the ICCAT Secretariat, and another, concerning the obligation to be up to date in the payment of the contributions.

9.15 The 2003 budget and Contracting Party contributions were adopted (see attached **Tables 1-3**).

**10. Other matters**

10.1 Two key issues were raised under this Agenda item, which are:

- Projected Bigeye Year Program (BETYP) activities and budget up to 2004.
- Procedures for the election of the new Executive Secretary of the Commission.

***Projected BETYP activities and budget***

10.2 The Delegate of Japan asked for explanations as regards the BETYP, in particular, the utilization of the budget, projected to the end of the Program in 2004, which is not financed by the regular budget but through voluntary contributions. He also asked for the distribution of the documents relative to the BETYP budget and its future plans.

10.3 The Chairman reiterated the statement of the Delegate of Japan that the Program is financed independently of the Commission budget through voluntary contributions of the Contracting Parties. He also indicated that a description of the Program plans could be found in the report included in the SCRS Report, which would be distributed among the Contracting Parties, and he requested an update from BETYP Coordinator on the development of BETYP activities and their financial implications.

10.4 The Program Coordinator, Mr. G. Fisch, introduced the future work plan, including the budget estimate of the Program, attached as **Appendix 3 to ANNEX 14**. It was explained that the Program would be continued to complete its work, including the March 2004 Symposium. The Executive Secretary added that the updated Auditor's Report on the Program would be sent to the members that made contributions, by the end of April 2003. The SCRS Chairman also underscored the valuable contribution made by the Program towards data improvement as well as to the bigeye tuna stock assessment.

10.5 The BETYP Coordinator proceeded to list the activities for 2003-2004: continuation of opportunistic tagging in various areas (Canary Islands, Madeira, Azores, Ghana, and probably Venezuela), of the tagging cruise with archival and pop-up tags (in Azores in May-June 2003), of the collection and study of otoliths and hard parts in collaboration with the IRD of France, of the genetic studies, and finally, continuation of the sampling analyzes in the same areas as last year (South Africa, Caribbean, and Brazil). Concerning the improvement of statistics in Tema, on-board and port sampling, information on tag recovery, and data processing will continue. As regards the integrated model, the project will continue until complete.

10.6 He also referred to the organization of the BETYP Symposium, scheduled for March 2004, and for which a decision will be taken on the venue, date, participants, invited speakers and organizations. The final report of the BETYP will then have to be printed, which involves the selection of an editor and matters on design, printing and distribution. Finally, the conclusion of the Program would imply the closure of the accounts and an external audit.

10.7 He further pointed out that, in accordance with document SCRS/99/22, which established the BETYP, the cost for the final year and the publication of the report should be incurred from the funds of the year before, for which no new contributions are required.

10.8 As concerns the comments following the presentation, the Delegation of Japan affirmed that he would present this document to Tokyo to discuss the possibility of making a contribution to the Program, and he asked the SCRS Chairman to explain briefly the contributions of this project to the work of the SCRS.

10.9 The Chairman of the SCRS highlighted the important contribution of the BETYP to the improvement of data, and to the bigeye stock assessment. Dr. Pereira explained that tagging of fish had taken place in the Gulf of Guinea, Azores, Canary Islands and Senegal, with an overall result of more than 20,000 tunas tagged. Of these, 5,550 were bigeye tuna, with a 30% recovery rate of bigeye. With regard to tagging with electronic tags, the plan established for this year has been met. The objectives were also attained concerning the improvement of Tema statistics. He also outlined some activities related to the study of otoliths, for which the preliminary results are very interesting, as they indicate more rapid growth than that inferred from tagging. Regarding genetic analysis, he pointed out that the results are also very significant, since they can have implications on the definition of the management units. Finally, concerning the studies on natural mortality, he pointed out their importance for the stock assessment.

#### ***Procedure for the staffing of the Executive Secretary of ICCAT***

10.10 With regard to the election of the new Executive Secretary, the Chairman presented a document that included all the information on this process. He pointed out that this had been distributed in June, and that up to now proposals had been received from the European Community, Tunisia and Chinese Taipei.

10.11 The Chairman proceeded to summarize these proposals:

10.12 The document from Tunisia proposed the inclusion of the SCRS Chairman on the Screening Committee for the new Executive Secretary and the inclusion of a clause in the Statement of Qualifications relative to the maximum age of the candidates.

10.13 The proposal from Chinese Taipei included a change of form in the Statement of Duties and Obligations in Annex 1 of the Vacancy Announcement that refers to the nomenclature usually used in the Commission, changing "Parties" to "Parties, Entities and Fishing Entities".

10.14 The document from the European Community proposed a pre-selection procedure prior to the voting, a three-year mandate of the Executive Secretary that is renewable, without year of probation, and that the candidates possess knowledge of tunas and tuna-like species.

10.15 The Delegate of Morocco declared that the mandates should be longer than three years to give more stability to the Executive Secretary in carrying out his functions. The Delegate of Mexico indicated his agreement and also expressed his opinion against the probationary period, alluding to the same reasons related to the stability of the Executive Secretary's work.

10.16 As a general comment to the previous discussion on the presentation of the aforementioned document and the proposals from Tunisia, European Community and Chinese Taipei, the following conclusions were reached:

10.17 It was agreed, at the request of the European Community, to add "knowledge of fisheries management on tunas and tuna-like species" to the Statement of Qualifications.

10.18 Tunisia and Morocco's proposal was accepted to include the SCRS Chairman and the First and Second Vice-Chairmen of the Commission on the Screening Committee of the candidate for ICCAT Executive Secretary.

10.19 The Chairman established that there was no need to set a maximum age of the applicants, as proposed by Tunisia, since this proposal is implicitly established in the retirement age less five years' mandate.

10.20 Finally it was agreed to establish two consecutive mandates, with a five-year term that is renewable, i.e., a maximum of two terms. With regard to the one-year probationary period, the Chairman observed that since this is mentioned in Article 19 of the ICCAT Staff Regulations and Rules, it would be inappropriate to mention its elimination in the document.

10.21 In this sense, the Delegate of Canada proposed that if the probationary period is eliminated, it would be necessary to consider devising a scheme for an annual evaluation of the Executive Secretary's work, as established in other organizations. The Chairman responded that this subject did not have to be included in the procedure for the election of the Executive Secretary, but that it would be taken into consideration for study by the Commission.

10.22 With regard to the proposal from Chinese Taipei and Brazil to include candidatures from non-Contracting Parties, Entities or Fishing Entities, after the declarations against this proposal from a considerable number of delegations, the Committee finally agreed that the candidate should be a national from one of the ICCAT Contracting Parties.

10.23 At the request of the Delegate of Canada, it was agreed to include, in the Statement of Duties and Obligations, a paragraph relative to paragraph f of Article VII of the Convention ("preparing the collection and analysis of data necessary to accomplish the purposes of the Convention particularly those data relating to the current and maximum sustainable catch of tuna stocks").

10.24 Discussion followed on the role of the Screening Committee in this process. To summarize the discussions, the Committee Chairman suggested a compromise whereby the Screening Committee could carry out very useful work, but at the same time, it would not have the power to eliminate candidates. In this proposal the Screening Committee would study all the candidatures and would send all of them to the Heads of Delegations with their recommendations and divided into two groups: those that meet the minimum requirements and those that do not. The Contracting Parties, for their part, would have complete flexibility to evaluate the candidatures they wish, following or not the recommendations by the Screening Committee.

10.25 The Committee Chairman's proposal was approved. The adopted Process for the Staffing of the Executive Secretary of ICCAT is attached as **Appendix 4 to ANNEX 14**.

10.26 With regard to the voting, based on the proposal of the European Community, the Chairman proposed the following procedure: Each Contracting Party will transmit to the Secretariat the names of the 10 candidates selected, by order of preference. The five best candidates will be interviewed by the Heads of Delegates during the annual meeting. Voting rounds will proceed until one of the candidates obtains a majority, with a maximum of three rounds. If no candidate obtains a majority in the first round, the two candidates with the least votes will be eliminated. If there is no majority in the second round, the third candidate of the final round will be eliminated. This procedure was adopted.

## **11. Adoption of the report and adjournment**

11.1 The Chairman noted that the STACFAD report would be adopted by mail.

11.2 The meeting of STACFAD was adjourned by the Chairman, Mr. J. Jones.

11.3 The STACFAD report was adopted by correspondence.

### **Appendix 1 to ANNEX 14**

#### **Agenda**

1. Opening of the meeting
2. Adoption of the Agenda
3. Nomination of Rapporteur
4. 2002 Administrative Report
5. 2002 Financial Report
6. Status of the ratification/acceptance of the Madrid Protocol
7. Proposed changes to ICCAT Staff Rules
  - Maternity leave
8. Considerations pursuant to Article X.8 of the Convention
9. Budget and Contracting Party contributions for 2003
10. Other matters
  - Projected BETYP Activities and Budget
  - Procedure for Staffing of the Executive Secretary of ICCAT
11. Adoption of the report and adjournment

### **Appendix 2 to ANNEX 14**

#### **Changes to ICCAT Staff Regulations & Rules**

The Secretariat hereby proposes that Article 26.1 of the *ICCAT Staff Regulations and Rules* concerning “Maternity Leave” be amended. The reason for this change is to align the conditions for such leave to those of the local job market as well as those of the United Nations “Common System of Salaries, Allowances and Benefits”.

The proposed change concerns the extension of maternity from three to four months. Thus, the text of Article 26 will read as follows:

26.1 Staff members who have completed their probationary period shall be entitled to maternity leave for a reasonable period of time, not to exceed four months. Normally, this period would commence six weeks prior to confinement and end six weeks thereafter, in accordance with medical advice. During this period the staff member shall continue to receive full pay and corresponding allowances, including accumulation of annual leave.

### **Appendix 3 to ANNEX 14**

#### **Projected BETYP Activities 2003-2004**

The Bigeye Tuna Year Program (BETYP) was proposed by the SCRS to the Commission who approved it at the 1998 meeting. The overall plan of activities and financing is described in document SCRS/99/22. The main

activities of the program were to be carried out in 1999, 2000 and 2001 while the final symposium was to be held in 2002. The activities of the last year were to be financed by withholding funds from the previous year.

Considering that the BETYP activities started only in June 1999, the SCRS recommended in 2001, and the Commission approved, a one-year extension of the BETYP's field activities and the contributors accepted continuing funding the Program in 2002. The list of contributions for 2002 is shown in **BETYP-Table 1**.

During the SCRS 2002 meeting, some modifications in the timetable of the BETYP were introduced, such as the holding of the final Symposium in March 2004, and the financial implications were not fully reflected in the budget presented as Table 5 in of Appendix 5 to the 2002 SCRS Report. A revised budget is presented in **BETYP-Table 2**. One of these implications was the extension of the Coordinator's contract. It was recommended (and approved by the BETYP Committee) that the Coordinator's contract should end as scheduled on May 31, 2003 and thereafter he should be retained as a consultant on an "as needed" basis to organize the Symposium, initiate the publication of the final report and give final closure to the BETYP. The budget shown in **BETYP-Table 2** reflects this recommendation as a more cost effective solution than the outright extension of the contract to April 2004.

The proposed BETYP activities for 2003-2004 are as follows:

### **1. Conventional tagging**

Continue conventional opportunistic tagging activities on board local fishing vessels as in the four previous years in Azores, Canary Islands, Ghana and Madeira, as well as conventional opportunistic tagging in Venezuela, subject to the availability of funds.

### **2. Archival and pop-up tagging**

Deploy one remaining pop-up tag from the 2002 cruise in Azores during the 2003 fishing season, in collaboration with AZTI and the Department of Oceanography and Fisheries of the University of Azores.

### **3. Otoliths and hard parts**

Continue the program of growth studies in collaboration with IRD by collection of otoliths in the Gulf of Guinea, Azores, Canary Islands, Ghana and Madeira with the assistance of the local laboratories.

### **4. Genetic studies**

Subject to the availability of funds, continue the program of genetic analysis in collaboration with the *Museo Nacional de Ciencias Naturales*. During 2003 a second round of testing will be carried out with samples to be collected in the same areas as in 2002 plus South Africa, the Caribbean and Brazil.

### **5. Tema statistics improvements**

Continue assisting MFRD in their activities of in port and onboard sampling, collection of tag recoveries information and data processing.

### **6. Integrated model**

Continue, with the assistance of an expert consultant, the development of the comprehensive bigeye model initiated in 2001. It is expected that the model will be completed by mid 2003

### **7. Symposium**

Organization of the Final Symposium in collaboration with the BETYP Symposium Committee, including site selection, list of speakers and special guests, invitation to other tuna regional organizations and logistic details.

### 8. Final report

Organization the edition and printing of the final report, selecting an editor, defining the type of document to be published and contracting with a printer.

### 9. Conclusion

Closing of BETYP accounts and preparation of final external audit to be distributed to the contributing parties.

### 10. Budget

The proposed budget for 2003-2004 is shown in **Table 2**. In accordance with Chapter 7 of the Report of the Coordinating Meeting of the ICCAT Bigeye Year Program (SCRS/99/22), the funds for this budget, including the costs associated with the symposium and publication of the final report, will be withheld from the 2002 funds.

**BETYP-Table 1.** Contributions for 2002

<i>Source</i>	<i>Amount (US\$)</i>
European Commission (20% from 2001) – Received	38,900
European Commission (80% from 2002) – Received	155,470
European Commission (20% from 2002)	38,867
Japan	174,983
Azores – Received	4,895
People’s Republic of China – Received	25,000
AZTI – Received	20,000
Chinese Taipei - Received	72,000
<b>Total income</b>	<b>530,115</b>

**Note:** The exchange rate of the month when the contribution was received was used for the Euro/Dollar conversion.

**BETYP-Table 2.** Proposed budget for 2003-2004

<i>Budget item</i>	<i>Amount (US\$)</i>
Salaries	109,377
Coordination	16,000
Travel	20,000
Meetings, including symposium	100,000
Publications	33,000
Tagging	95,000
Archival and pop-up tags continuing study	0
Tema statistics improvement	5,000
Hard parts	1,000
Genetic studies	20,000
Integrated model	14,000
External audits	9,000
Contingencies	5,000
<b>Total expenses</b>	<b>427,377</b>

### Process for Staffing of Executive Secretary of ICCAT

1. Circulate draft Statement of Duties and Obligations and Statement of Qualifications to Heads of Delegations for review and comment.
2. Finalize Statement of Duties and Obligations and Statement of Qualifications.
3. Advertise position.
4. Establish Screening Committee to review applications.  
Chairman, First Vice-Chairman, Second Vice-Chairman, Chairmen of STACFAD and SCRS, and current Executive Secretary
5. All applications will be circulated to all Heads of Delegations for ranking of candidates by each member of ICCAT, including the recommendations of the Screening Committee.
6. The top 5 candidates from Head Delegates' ranking will be invited to the Commission meeting for a formal interview by Heads of Delegations and final selection. Final selection will be decided by voting until one candidate obtains the majority of the votes cast. If during the first round of voting no candidate obtains the majority, then the two candidates with the lowest number of votes will be eliminated from the subsequent round. If during the second round of voting no candidate obtains the majority, then the candidate with the lowest number of votes will be eliminated from the final round.

### Vacancy Announcement

Applications are invited from candidates who, based on the requirements outlined in this announcement, qualify for the position of Executive Secretary of this Commission. This position will be filled April 1, 2004. The position's duty station is Madrid, Spain.

The objective of the Commission is to conserve the populations of Atlantic tunas and tuna-like fishes at levels which will permit the maximum sustainable catch for food and other purposes. Further details can be found via Internet at <http://www.iccat.es> or obtained by contacting the ICCAT Secretariat ([info@iccat.es](mailto:info@iccat.es)).

The Commission is currently comprised of 34 Contracting Parties, which are as follows: Algeria, Angola, Barbados, Brazil, Canada, Cape Verde, China, Côte d'Ivoire, Croatia, Equatorial Guinea, European Community, France (St. Pierre & Miquelon), Gabon, Ghana, Guinea Conakry, Honduras, Iceland, Japan, Korea (Rep.), Libya, Mexico, Morocco, Namibia, Panama, Russia, Sao Tome & Principe, South Africa, Trinidad and Tobago, Tunisia, United Kingdom (Overseas Territories), United States, Uruguay, Vanuatu, and Venezuela.

The duties and obligations of the Executive Secretary are presented in **Attachment 1** Applicants should note that many of these duties often require extensive travel.

The minimum required qualifications for the position of Executive Secretary are presented in **Attachment 2**

#### ***Salaries and Benefits***

The position will be graded at the Director 1 Level (D-1), based on the current United Nations Salary Scheme for Professional and Higher Categories, at a step depending on qualifications and experience. In addition to the basic salary, the benefit package includes a variable element for "post adjustment", pension, insurance, etc.

#### ***Applications***

Interested persons who meet the minimum qualifications detailed in **Attachment 2** area encouraged to apply by submitting a complete application form (see **Attachment 3**). The deadline for the receipt of applications is **May 5, 2003**, and these should be forwarded to the attention of the Chairman of the Commission, ICCAT Secretariat, which is located in Madrid, Spain. (See full address at the end of the announcement.)

***Appointment***

The top five applicants will be invited for interviews, at their own expense, which will take place during the annual meeting of the Commission (Dublin, Ireland, November 17-24, 2003). The successful candidate will be announced at that meeting.

As stated in the "ICCAT Staff Regulations and Rules", the Executive Secretary will serve a one-year probationary period. Upon completion of the probationary period, satisfactory to both parties, the Commission will confirm his/her appointment for a five-year term (probationary period plus four years), renewable for a second (five-year) term at the discretion of the Commission.

Applications should be addressed as follows:

The Commission Chairman  
International Commission for the Conservation of Atlantic Tunas (ICCAT)  
C/Corazón de María, 8 (6<sup>th</sup> fl.)  
28002 Madrid, Spain

All applications will be treated as confidential. For additional information or clarification, please address any inquiries to the above address, or by fax (+34 91 415 2612).

*Attachment 1*

**Statement of Duties & Obligations**

The Executive Secretary is the chief administrative officer of the Commission and must be impartial in promoting and coordinating the interests of all the Contracting Parties. The Executive Secretary has full responsibility for the planning and organization of the activities of the Commission. He/she schedules and coordinates all the work of the Secretariat and selects, appoints and supervises the staff.

The Executive Secretary has responsibility for:

- coordinating and promoting the research programs of the Contracting Parties.
- preparing the budget estimates for review and approval by the Commission.
- authorizing the disbursements of funds in accordance with the budget approved by the Commission.
- maintaining the bookkeeping of the Commission's funds.
- aiding and facilitating the work of the external auditor in the preparation of the annual fiscal audit of the Commission's accounts.
- preparing annual and/or periodical financial reports for review and approval by the Commission.
- promoting and maintaining collaboration with other international organizations.
- maintaining close working relationships with the Contracting and non-contracting Party governments.
- maintaining close working relations with the government and authorities of the host country and the embassies of the Contracting Parties.
- preparing for approval by the Commission the scientific, administrative and other reports of the Commission and its auxiliary bodies.
- organizing the meetings of the Commission and auxiliary bodies.
- preparing the meeting agendas and accompanying detailed information and documentation to facilitate the work of the Contracting Party delegates, advisors and experts.
- acting as Secretary of meetings of the Commission.
- compiling and analyzing data necessary to fulfill the objectives of the Commission, especially those relative to current catches.

In addition, the Executive Secretary carries out any other activity as specified in the Convention, Rules of Procedure, Financial Rules and the Staff Rules, and/or as entrusted to him/her by the Commission.

*Attachment 2*

**Statement of Qualifications**

The Executive Secretary must have, at a minimum, a university degree and meet the following qualifications:

**Knowledge**

- of international organizations in the field of fisheries and marine resource based management.
- of fisheries management of tuna and tuna-like species in the Atlantic and Mediterranean.

- of the basis of fisheries related research and science programs.
- of modern comptrollership principles of budgeting and administration.

***Experience:***

- at least 5 years' experience (at a senior level) in fisheries management.
- at least 5 years' experience at a senior management/administrative level.
- significant experience in preparing and organizing international meetings.

***Abilities:***

- excellent spoken and written command of at least one of the three official languages of the Commission. (English, French and Spanish) and a good working knowledge of the other two languages.
- to communicate effectively at all levels.

Only nationals of the Commission's Contracting Parties may apply for the position of Executive Secretary.

The successful candidate will be required to provide a medical certificate of good health.

1 NAME/NOM/NOMBRE						
FAMILY NAME/NOM/APELLIDOS						
FIRST NAME/PRENOM/NOMBRE						
2 ADDRESS/ADRESSE/DIRECCIÓN						
MAILING ADDRESS/ADRESSE						
POSTALE/DIRECCIÓN						
TELEPHONE/TELÉFONO						
FAX						
E-MAIL						
3 PERSONAL INFORMATION/INFORMATIONS PERSONNELLES/INFORMACIÓN PERSONAL						
COUNTRY OF BIRTH/PAYS DE NAISSANCE/PAÍS DE NACIMIENTO						
CURRENT CITIZENSHIP/NATIONALITE ACTUELLE/NACIONALIDAD ACTUAL						
MARITAL STATUS/ETAT CIVIL/ESTADO CIVIL						
No. AND AGES OF CHILDREN/NOMBRE ET AGE DES ENFANTS/N° Y EDAD DE LOS HIJOS						
4 LANGUAGES (check the boxes that apply)/LANGUES (cocher la case correspondante)/IDIOMAS (marcar la casilla correspondiente)						
MOTHER TONGUE/LANGUE MATERNELLE/LENGUA MATERNA						
	SPEAKING/ORAL/HABLADO		READING/LECTURE/LECTURA		WRITING/ÉCRIT/ESCRITO	
	Fair/Moyen/ Medio	Good/Bon/ Bueno	Excellent/ Excellent/ Excelente	Fair/Moyen/ Medio	Good/Bon/ Bueno	Excellent/ Excellent/ Excelente
ENGLISH/ANGLAIS/INGLÉS						
FRENCH/FRANÇAIS/FRANCÉS						
SPANISH/ESPAGNOL/ESPAÑOL						
OTHERS/AUTRES/OTROS						
1						
2						
3						
5 EDUCATION (college or university)/ FORMATION ACADÉMIQUE/FORMACIÓN ACADÉMICA						
NAME AND PLACE/NOM ET LIEU/NOMBRE Y LUGAR	YEARS ATTENDED/ ANNÉES D'ÉTUDE/ AÑOS DE ESTUDIO	DEGREE EARNED/ DIPLOME OBTENU/ TÍTULO OBTENIDO	FIELD OF STUDY/DOMAINE/ CAMPO DE ESTUDIO			
1						
2						
3						
4						
5						
6 EMPLOYMENT/EMPLOI/EMPLEO						
Starting with your current employment, list in reverse order every employment for the last 10 years./ Citez en ordre inverse tous les postes occupés ces 10 dernières années en commençant par votre emploi actuel/ Enumere, partiendo de su actual empleo, todos los puestos ocupados en los últimos diez años						
1 CURRENT/EMPLOI ACTUEL/EMPLEO ACTUAL						
Starting date/Date d'entrée/Fecha de inicio						
Position (title)/Poste (Titre)/Cargo (Título)						
Name of employer/Nom de l'employeur/Nombre de la firma						
Address of employer/Adresse de l'employeur/Dirección de la firma						
Type of business/Type d'activité/Actividad						
Annual salary (in US\$)/ Traitement annuel (en US\$)/Salario anual (en US\$)						
Description of major duties/Description des principales responsabilités/Descripción de sus responsabilidades						
2 PREVIOUS/EMPLOI PRÉCÉDENT/EMPLEO ANTERIOR						
Starting date/Date d'entrée/Fecha de inicio						
Position (title)/Poste (Titre)/Cargo (Título)						
Name of employer/Nom de l'employeur/Nombre de la firma						
Address of employer/Adresse de l'employeur/Dirección de la firma						
Type of business/Type d'activité/Actividad						
Annual salary (in US\$)/ Traitement annuel (en US\$)/Salario anual (en US\$)						
Description of major duties/Description des principales responsabilités/Descripción de sus responsabilidades						
3 PREVIOUS/EMPLOI PRÉCÉDENT/EMPLEO ANTERIOR						
Starting date/Date d'entrée/Fecha de inicio						
Position (title)/Poste (Titre)/Cargo (Título)						
Name of employer/Nom de l'employeur/Nombre de la firma						
Address of employer/Adresse de l'employeur/Dirección de la firma						
Type of business/Type d'activité/Actividad						
Annual salary (in US\$)/ Traitement annuel (en US\$)/Salario anual (en US\$)						
Description of major duties/Description des principales responsabilités/Descripción de sus responsabilidades						

**4 PREVIOUS/EMPLOI PRÉCÉDENT/EMPLEO ANTERIOR**

Starting date/Date d'entrée/Fecha de inicio
Position (title)/Poste (Titre)/Cargo (Título)
Name of employer/Nom de l'employeur/Nombre de la firma
Address of employer/Adresse de l'employeur/Dirección de la firma
Type of business/Type d'activité/Actividad
Annual salary (in US\$)/ Traitement annuel (en US\$)/Salario anual (en US\$)
Description of major duties/Description des principales responsabilités/Descripción de sus responsabilidades

**7 PROFESSIONAL SOCIETIES/ASSOCIATIONS PROFESSIONNELLES/ASOCIACIONES PROFESIONALES**

List professional societies to which you are affiliated and activities in international affairs./ Citez les associations professionnelles auxquelles vous êtes affilié(e) et vos activités dans les affaires internationales./Enumere las asociaciones profesionales a las que pertenece, y su actividad de carácter internacional

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**8 PUBLICATIONS/PUBLICATIONS/PUBLICACIONES**

List professional articles or books which you have written./ Citez les articles ou ouvrages professionnels que vous avez écrits./Enumere los libros o trabajos que ha escrito

1	
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**9 REFERENCES/ REFERENCES/REFERENCIAS**

Have you any objections to the Commission making enquiries to your present employer?/ Avez-vous une objection à ce que la Commission se renseigne à votre sujet auprès de votre employeur actuel?/¿Tiene inconveniente en que la Comisión pida informes de Vd. a sus

YES/OU/SI

NO/NON/NO

Please attach three personal letters of reference to this application and include their names herewith./Veuillez joindre trois lettres de recommandation à cet poste et indiquer les coordonnées de leurs auteurs./Adjunte tres cartas de referencia, indicando el nombre de los firmantes

	NAME/NOMBRE	ADDRESS/DIRECCIÓN	TELEPHONE/TELÉFON	E-MAIL
1				
2				
3				

**10 OTHER INFORMATION/AUTRES INFORMATIONS/OTRA INFORMACIÓN**

Describe what significant experience you have in organizing international meetings/ Décrivez l'expérience significative que vous possédez dans l'organisation de réunions internationales./ Describa su experiencia en la organización de reuniones internacionales

Describe any other special qualifications that are not covered elsewhere in this application/Décrivez d'autres qualifications éventuelles qui ne seraient pas reprises dans ce formulaire./Resuma las cualificaciones que no aparezcan en este formulario

**11 SIGNATURE/SIGNATURE/FIRMA**

I certify that the statements made by me in answer to the foregoing questions are true and complete. I understand that willful misstatement renders me liable to dismissal, if employed./ Je certifie que les réponses données aux questions qui précèdent sont vraies et complètes. J'assume le fait que des déclarations fausses réalisées à dessein pourraient provoquer ma destitution si j'étais désigné au poste vacant./ Certifico que mis respuestas a las anteriores preguntas están completas y son exactas, soy consciente de que el haber dado una información inexacta de forma voluntaria podría ser causa de despido, caso de ser empleado.

SIGNATURE/SIGNATURE/FIRMA

DATE/DATE/FECHA

**Table 1. Commission Budget for 2003**

<i>Chapter</i>	<i>Euros</i>
1. Salaries	719,424.05
2. Travel	41,847.27
3. Commission meetings (annual & inter-sessional)	112,509.47
4. Publications	50,941.79
5. Office equipment	7,813.16
6. Operating expenses	109,384.20
7. Miscellaneous	6,250.53
<i>Sub-total Chapters 1-7</i>	<i>1,048,170.47</i>
8. Coordination of research	
a) Salaries	382,116.43
b) Travel to improve statistics	35,409.23
c) Statistics / Biology	44,691.26
d) Computer-related items	22,533.15
Maintenance of the database	15,626.31
Phone line / Internet domain	9,375.79
e) Scientific meetings (including SCRS)	75,006.31
f) Bluefin Year Program (BYP)	14,163.69
g) Bigeye Year Program (BETYP)	0.00
h) Billfish Research Program	10,944.67
i) Miscellaneous	5,938.00
<i>Sub-total Chapter 8</i>	<i>615,804.84</i>
9. Contingencies	15,626.31
<b>TOTAL BUDGET</b>	<b>1,679,601.62</b>

**Table 1. Presupuesto de la Comisión para 2003**

<i>Capítulo</i>	<i>Euros</i>
1. Salarios	719,424.05
2. Viajes	41,847.27
3. Reuniones de la Comisión (anual&intersesiones)	112,509.47
4. Publicaciones	50,941.79
5. Equipo de oficina	7,813.16
6. Gastos de funcionamiento	109,384.20
7. Gastos varios	6,250.53
<i>Sub-total Capítulos 1-7</i>	<i>1,048,170.47</i>
8. Coordinación de la Investigación	
a) Salarios	382,116.43
b) Viajes para mejorar las estadísticas	35,409.23
c) Estadísticas / Biología	44,691.26
d) Informática	22,533.15
Mantenimiento de la base de datos	15,626.31
Línea telefónica / Dominio Internet	9,375.79
e) Reuniones científicas (incluyendo SCRS)	75,006.31
f) Programa Año Atún Rojo (BYP)	14,163.69
g) Programa Año Patudo (BETYP)	0.00
h) Programa Investigación Marlines	10,944.67
i) Miscelánea	5,938.00
<i>Sub-total Capítulo 8</i>	<i>615,804.84</i>
9. Imprevistos	15,626.31
<b>TOTAL PRESUPUESTO</b>	<b>1,679,601.62</b>

**Table 2. Catch and canning figures (in metric tonnes) of the Contracting Parties Oct. 30, 2002**

Parties	1998			1999			2000		
	Catch	Canning	Total	Catch	Canning	Total	Catch	Canning	Total
Algerie	4265	2300	6565	4320	2800	7120	3794	3,000	6794
Angola	554 T		554	324 T	96 coo	420	348 T, p		348
Barbados	362 T			317 T					
Brazil	41644	9,800	51444	43671	11059	54730		10,140	10140
Canada	1986	0	1986	2068	0	2068	2050	0	2050
Cap Vert	2834	284	3118	4143	237	4380	3701 T		3701
China, People's Rep.	2803	0	2803	11201	0	11201	9055	0	9055
Côte d'Ivoire	289		289	411	1400 coo	1811	379		379
Croatia	967 T	277	1244	1136	277 co	1413			
European Community	213124 T	19,894 *	233018	217000	107969	324969	213000	109,219	322219
France - St. P.& M.	0 T	0	0	1 T	0	1			
Gabon	457	0	457	644	0	644	634	0	634
Ghana	66479 T		66479	84610 T	44093 coo	128703	53255 T,p+		53255
Guinea Ecuatorial				0 T					
Guinee Conakry				0 T					
Honduras				0 T					
Iceland				29 T	0	29			
Japan	39835 T		39835	36294 T		36294			
Korea	285	0	285	277	0	277	0 0		0
Libya	1394 T		1394	1595 T	1747 coo	3342			
Maroc	13441	225	13666	10683 T	190	10873	13296	900	14196
Mexico	1517 T	0	1517	1936	0	1936	1481	0	1481
Namibia	1448		1448	2462 T		2462	4420 T		4420
Panama	3996		3996	3165		3165	2888 T		
Russia	7884		7884	6270		6270	1296 p		1296
S.Tome & Principe	66 T		66	70 T		70			
South Africa	8921	0	8921	5520	0	5520	4471 p	0	4471
Trinidad & Tobago	3560	0	3560	2501	0	2501			
Tunisie	4220	1,612	5832	5774	1595	7369	6560	2,015	8575
U.S.A.	26059	32,288	58347	28342	28248	56590	15340 T,p		15340
UK- OS Terr.	684	0	684	318	0	318	377 T	0	377
Uruguay	1285	0	1285	948	0	948	722	0	722
Venezuela	30837	4,495	35332	27387	1930	29317	15391 T		15391
<b>Total</b>	<b>481196</b>	<b>71175</b>	<b>552371</b>	<b>503417</b>	<b>201641</b>	<b>705058</b>	<b>352458</b>	<b>125274</b>	<b>477732</b>

coo - Taken from 1997 figures, most recent complete year.

co - Carried over from 1998 figures.

T = No formal submission received, figures taken from Task 1 data.

p+ Only partial data (quick estimates or selected gears /species/regions only).

p Preliminary data.

\* Only includes EC-Greece and EC-Portugal.

**Table 3. Contracting Party Contributions, 2003**

**1 EURO = US \$ 0,978**

Contracting Parties	Panels # (A)	Panel % (B)	Catch t (C)	Total Budget (EUROS) =			Fee EUROS (G)	Panel EUROS (H)	Panel EUROS (I)	(C)+(D) EUROS (J)	Total EUROS (K)
				Canning t (D)	(C)+(D) t (E)	(C)+(D) % (F)					
Algerie	2	3,093	4.320	2.800	7.120	1,010	1.022,49	2.044,99	16.292,99	10.639,87	<b>30.000,34</b>
Angola	2	3,093	324	96	420	0,060	1.022,49	2.044,99	16.292,99	627,63	<b>19.988,10</b>
Barbados	0	1,031	317	0	317	0,045	1.022,49	0,00	5.431,00	473,71	<b>6.927,20</b>
Brazil	2	3,093	43.671	11.059	54.730	7,762	1.022,49	2.044,99	16.292,99	81.786,52	<b>101.147,00</b>
Canada	3	4,124	2.068	0	2.068	0,293	1.022,49	3.067,48	21.723,98	3.090,34	<b>28.904,30</b>
Cap Vert	1	2,062	4.143	237	4.380	0,621	1.022,49	1.022,49	10.861,99	6.545,31	<b>19.452,29</b>
China, People's Rep.	3	4,124	11.201	0	11.201	1,589	1.022,49	3.067,48	21.723,98	16.738,37	<b>42.552,33</b>
Côte d'Ivoire	2	3,093	411	1.400	1.811	0,257	1.022,49	2.044,99	16.292,99	2.706,29	<b>22.066,76</b>
Croatia	1	2,062	1.136	277	1.413	0,200	1.022,49	1.022,49	10.861,99	2.111,54	<b>15.018,52</b>
European Community	4	5,155	217.000	107.969	324.969	46,091	1.022,49	4.089,98	27.154,98	485.621,88	<b>517.889,33</b>
France - St. P. & M.	2	3,093	1	0	1	0,000	1.022,49	2.044,99	16.292,99	1,49	<b>19.361,96</b>
Gabon	2	3,093	644	0	644	0,091	1.022,49	2.044,99	16.292,99	962,37	<b>20.322,84</b>
Ghana	1	2,062	84.610	44.093	128.703	18,254	1.022,49	1.022,49	10.861,99	192.329,09	<b>205.236,07</b>
Guinea Ecuatorial	0	1,031	0	0	0	0,000	1.022,49	0,00	5.431,00	0,00	<b>6.453,49</b>
Guinee Conakry	0	1,031	0	0	0	0,000	1.022,49	0,00	5.431,00	0,00	<b>6.453,49</b>
Honduras	1	2,062	0	0	0	0,000	1.022,49	1.022,49	10.861,99	0,00	<b>12.906,98</b>
Iceland	1	2,062	29	0	29	0,004	1.022,49	1.022,49	10.861,99	43,34	<b>12.950,32</b>
Japan	4	5,155	36.294	0	36.294	5,148	1.022,49	4.089,98	27.154,98	54.236,44	<b>86.503,89</b>
Korea	2	3,093	277	0	277	0,039	1.022,49	2.044,99	16.292,99	413,94	<b>19.774,41</b>
Libya	2	3,093	1.595	1.747	3.342	0,474	1.022,49	2.044,99	16.292,99	4.994,16	<b>24.354,63</b>
Maroc	3	4,124	10.683	190	10.873	1,542	1.022,49	3.067,48	21.723,98	16.248,22	<b>42.062,18</b>
Mexico	3	4,124	1.936	0	1.936	0,275	1.022,49	3.067,48	21.723,98	2.893,09	<b>28.707,05</b>
Namibia	3	4,124	2.462	0	2.462	0,349	1.022,49	3.067,48	21.723,98	3.679,12	<b>29.493,08</b>
Panama	2	3,093	3.165	0	3.165	0,449	1.022,49	2.044,99	16.292,99	4.729,66	<b>24.090,13</b>
Russia	1	2,062	6.270	0	6.270	0,889	1.022,49	1.022,49	10.861,99	9.369,66	<b>22.276,64</b>
S. Tome & Principe	1	2,062	70	0	70	0,010	1.022,49	1.022,49	10.861,99	104,61	<b>13.011,59</b>
South Africa	2	3,093	5.520	0	5.520	0,783	1.022,49	2.044,99	16.292,99	8.248,89	<b>27.609,36</b>
Trinidad & Tobago	2	3,093	2.501	0	2.501	0,355	1.022,49	2.044,99	16.292,99	3.737,40	<b>23.097,87</b>
Tunisie	1	2,062	5.774	1.595	7.369	1,045	1.022,49	1.022,49	10.861,99	11.011,97	<b>23.918,95</b>
U.S.A.	4	5,155	28.342	28.248	56.590	8,026	1.022,49	4.089,98	27.154,98	84.566,04	<b>116.833,49</b>
UK- OS Terr.	4	5,155	318	0	318	0,045	1.022,49	4.089,98	27.154,98	475,21	<b>32.742,66</b>
Uruguay	1	2,062	948	0	948	0,134	1.022,49	1.022,49	10.861,99	1.416,66	<b>14.323,64</b>
Venezuela	2	3,093	27.387	1.930	29.317	4,158	1.022,49	2.044,99	16.292,99	43.810,26	<b>63.170,73</b>
<b>Total</b>	<b>64</b>	<b>100</b>	<b>503.417</b>	<b>201.641</b>	<b>705.058</b>	<b>100</b>	<b>33.742,33</b>	<b>65.439,67</b>	<b>526.806,54</b>	<b>1.053.613,08</b>	<b>1.679.601,62</b>

A: Panel membership

B: % annual and panel membership (G+H)

C: Catch (live weight)

D: Canned production (net weight)

E: Total (C+D).

F: Percentage distribution of E

G: Euros equivalent to \$1000 annual membership fee (at the time of calculation)

H: Euros equivalent to \$1000 for each panel membership (at the time of calculation)

I: 1/3 of (Total less G+H) distributed according to col. B %

J: 2/3 of (Total less G+H) distributed according to col. F %

K: Total (G+H+I+J)

**Based on 1999 catch and canning figures**