

## REPORT OF THE SECOND INTERSESSIONAL MEETING OF PANEL 2

*(Online, 13-15 September 2021)*

### 1. Opening of the meeting

The meeting was opened and chaired by Mr. Shingo Ota (Japan).

### 2. Appointment of Rapporteur

Mr. Antonio Lizcano (EU-Spain) was appointed rapporteur following the proposal by the EU delegation.

### 3. Adoption of the Agenda and meeting arrangements

The Agenda was adopted with no comments (**Appendix 1**).

The Chair explained his plan for the three days: the first two days would be devoted to amending Recommendation 19-04 and Agenda items 7 and 5 would be discussed on the third day.

The Executive Secretary explained the meeting arrangements and introduced the participating delegations. **Appendix 2** lists the delegates from each participating CPC, and observers.

### 4. Review and consideration of proposed amendments to Rec. 19-04

The “*Draft Recommendation by ICCAT amending the Recommendation 19-04 establishing a multi-annual management plan for bluefin tuna in the eastern Atlantic and the Mediterranean*” was the basis for the discussion. Although the draft was submitted by the Chair of Panel 2, the preparation of the revised Recommendation was carried out by the European Union (as Chair of the Working Group on Bluefin tuna Control and Traceability Measures).

The discussion was held by blocks of paragraphs, as follows:

#### **Preamble**

It was confirmed that the current text was a copy from Rec. 19-04 and the EU undertook to provide a new text, taking into account the current situation and possible future work.

For paragraphs 1 and 2 the Chair added editorial comments to keep consistency with other paragraphs.

#### **Paragraph 3. Definitions**

Following the suggestions by Japan and Morocco, definitions of inter-farm and intra-farm transfers were clarified. The EU proposed changes in provisions related to caging in order to reflect that a farm may have several farming locations. Definition of “*first transfer*” was simplified by the EU to avoid redundancies. “*Control caging*” was simplified and “*caging*” was improved as suggested by the Chair.

Japan and the United States asked for inclusion of a definition of total farming capacity given the reference to the concept in paragraph 23 and the difficulty of giving effect to the requirement that farming capacity is to be commensurate with the amount of bluefin tuna available for farming. The EU considered that a clarification of methodology among concerned CPCs is required to facilitate the development of a definition. It was agreed that concerned farming CPCs shall submit their interpretation on how to calculate its total farming capacity before the March 2022 intersessional meeting of Panel 2 and that this matter will be further considered after that.

The United States requested an edit to “*further transfers*” to clarify that this term does not include voluntary or control transfers. The EU suggested a list of cases in this definition.

### **Paragraphs 6 to 12**

The United States suggested deletion of paragraph 10, as amended by Japan, considering that temporary quota transfers must be authorized by the Commission per Rec. 01-12, and that this process exists at least in part to ensure transparency and accountability with respect to CPC catch limits. It was noted that this provision was not being used by CPCs and, from that standpoint, could perhaps be removed from the proposal without causing any difficulty. At the request of Korea, however, the paragraph was retained for further discussion at the annual meeting. Korea further suggested that if the provision were retained, the wording of a similar provision in the southern albacore recommendation (Rec. 16-07) might be preferable.

It was noted that the paragraph in Rec. 19-04 requiring CPCs to payback quota overharvests had inadvertently been removed. The Panel agreed to reinstate that text as new paragraph 12.

Based on a suggestion made by Norway, it was agreed to move paragraphs 8 and 9 to the farming section.

### **Paragraph 13**

In light of the SCRS presentation and related discussion under Agenda item 7, it was agreed that ICCAT was on target to adopt a management procedure (MP) for both eastern and western stocks of bluefin tuna in 2022, so that the MP would provide advice on a new TAC for 2023 and after.

### **Paragraphs 18-22**

Japan asked the reason for deleting the former paragraph 23 of Rec. 19-04. Norway pointed out that the paragraph contains an important element for them and considered that the current rates have to be updated by SCRS and require an exception for its particular case of Norway. To accommodate the concern by Norway, the Chair proposed a new paragraph 22 bis). Calculations to adjust fishing capacity shall be made in accordance with the methodology approved in 2009 except when the CPCs concerned fish mainly in their own EEZ of Iceland and Norway.

### **Paragraphs 23-27**

Japan suggested maintaining text in paragraph 23 to ensure that the total farming capacity shall be commensurate with the total fishing possibilities. However, it was noted that even without a change in the TAC this principle should be acknowledged. The paragraph was revived and improved to reflect the concern by Japan.

In paragraph 25, it was agreed to set 2022 as the date for the review of this provision.

Japan proposed inserting a new paragraph on the compilation and dissemination of the farming statistics as 26 bis. The EU kept a scrutiny reservation about public information and confidentiality rules regarding the proposal.

Regarding paragraph 27, the United States recalled discussions at the March 2021 intersessional and stressed the importance of getting the process to estimate growth rates right as well as the importance of using the correct length-weight relationship to estimate the weight of the catch at the point of caging. Given that bluefin tuna can lose a substantial amount of weight during the towing process, the United States recalled the agreement by Panel 2 at its meeting in March that the appropriate length-weight relationship is that for wild fish. Using this relationship will avoid underestimation of the weight of total catches and ensure a more accurate picture of quota uptake as well as growth in farms. The EU suggested that the SCRS provide further information on the algorithm and the possible impact of weight loss during transport in the length-weight relationship. The Secretariat staff indicated that the combines both weight at catch and weight at caging, so this issue has to be further clarified by the SCRS. The United States noted that if different algorithms were needed for different uses, care should be taken to ensure there was no confusion as to their purpose and in their application.

**Paragraphs 47-51**

The Chair suggested updating the title for this block of provisions in order that aerial means in paragraph 47 is not out of the context.

In paragraph 50, it was clarified that vessels over 24 meters, regardless of gear excluding bottom trawlers, have to be included in the fishing plan. It was agreed that “*the ICCAT Secretariat*” be used throughout the text instead of “*the Secretariat*.”

**Paragraphs 52-55**

The Chair proposed an additional sentence in paragraph 54 to address Korea’s concern that since Korean longliners sometimes transhipped BFT in port after the open fishing season, an amendment would be necessary to allow such transshipment activities. Panel 2 confirmed that CPCs can register in the Record an authorization period for bluefin tuna fishing longer than the open-fishing season so as to conduct transshipment after the opening fishing season, provided that the authorization period for catching should be specified in the corresponding fishing plan, which is subject to approval of Panel 2.

**Paragraphs 86-94**

For paragraph 86, Norway suggested including a reference to prevent delays in catch reporting. Morocco proposed that transmission of catch reports be set monthly instead of weekly as required for the western stock while some other CPCs stated that the change from “*monthly*” to “*weekly*” was agreed in 2018 and it would be too hasty to revert to “*monthly*” in only three years. The United States suggested “*bi-weekly*” as a compromise, which was supported by several CPCs, in particular Algeria. It was agreed, however, to continue discussion on this paragraph as some CPCs reserved their positions. Morocco asked the e-BCD Working Group if an application is feasible to automatically report this information. The Secretariat confirmed that the current program can compile the information on a weekly and monthly basis and if bi-weekly compilation is required, the program must be modified requiring additional costs.

**Paragraphs 95-101**

The Chair added editorial comments for paragraph 97 a). Paragraph 100 was moved in as bullet f) in paragraph 97.

**Paragraphs 102-108**

In paragraph 103, Japan questioned the proposed derogation to the requirement for the presence of an ICCAT regional observer for harvests up to 1000 kg per day as the figure seemed quite high. Japan suggested, if such a derogation were to be allowed, that a maximum number of derogations on a yearly basis or a lower limit be established. The EU clarified that this is intended to save costs for small harvests while ensuring the compliance with related measures by requiring the presence of national inspectors (as opposed to the ICCAT observer) and proposed a limit of 50 tons per farm and per year in addition to the ceiling of 1000 kg per day. The United States asked about any link between this issue and the validation of e-BCDs for this segment, considering that if national inspectors are working there is no need for a derogation from any validation requirements. The EU and Morocco explained that this eBCD exemption would be related to the signature of regional observers rather than validation derogations and noted that this provision would apply to harvests from farms only and e-BCDs would be validated by the competent authority. The question of whether to provide for a derogation to the regional observer requirement at the time of harvest and, if so, what limitation should be placed on the number and size of these operations, was kept pending for decision in the annual meeting. It was confirmed that if this derogation is agreed, the eBCD system would need to be modified. This modification would need to be discussed in the eBCD Working Group.

Norway indicated that they have not been able to accept ROP observers on board its purse seiners due to the COVID-19 pandemic in 2020 and 2021 and suggested that a force majeure provision similar to that applied to farming activities be inserted in paragraph 104. The Chair proposed “*unless otherwise decided by the Commission*” so that the Commission can decide on exemptions due to force majeure on an *ad hoc* basis, but other CPCs needed to further consider this. The United States noted that a force majeure clause could weaken paragraph 104 and that to the extent there may need to be deviation from the current rules, the Commission should be involved - as happened to address the difficulties caused recently by the pandemic. The point was kept pending for a decision at the annual meeting.

### **Paragraphs 109-113**

The Chair proposed eliminating a redundancy in paragraph 113 defining “*donor operator*”, since the definition is already in paragraph 3 (l).

### **Paragraphs 125-130**

The EU proposed an editorial amendment to paragraph 127 to reflect the reality of control transfers when the fishing trip is closed and there is no possibility for the operator to change figures, so that the fishing logbook can be amended by the authority instead.

Turkey raised concerns about provisions related to sealing the cages in paragraph 129, since this practice is new to Turkey and may not be possible under certain conditions, which would require further discussion. Turkey also indicated that a transitional period is necessary to ensure correct implementation. A presentation was made by the EU expert Beatriz García (Spanish Administration) to give more information and demonstrate that it would not be so difficult, saying that all EU farms use junctions to seal each door cage, and the placing is recorded by cameras and labels are used to keep traceability. Since Turkey reserved its position as it would need more time to consider this new practice, it was agreed to defer the discussion on this point to the annual meeting.

### **Paragraphs 135-140**

Morocco proposed to delete “*inspection at sea*” in paragraph 139, since an investigation may include this element. The EU considered it should be maintained as a relevant element. It was proposed that the reference to inspection at sea be deleted by including it in a previous heading, but the United States supported EU and also noted that a difference in not only number but also weight may be a reason to apply this provision. At the Chair’s request, the EU consulted with Morocco, and it was agreed to add the title “Amendments to ITDs and eBCDs following inspections at sea or investigations” to paragraph 139.

### **Paragraphs 141-149**

For paragraph 144, Japan proposed an additional text to clarify that a modification to the schematic farming plan would be required when turning a transport cage into a farm cage. After the EU clarified that such a case is covered by the modification to the distribution of farming cages, Japan withdrew the proposal. The United States suggested a clarifying edit that the schematic farming plan be adapted anytime the number and/or distribution of farming cages is modified, which was accepted.

### **Paragraphs 154-159**

A new paragraph 156 bis was added to ban the use of transport cages as farming cages without movement of fish to allow stereoscopic camera recording. It was also confirmed that turning a transport cage into a farm cage without stereoscopic camera recording should not happen in practice, since the eBCD requires to include the stereoscopic camera results, and without this requirement harvesting cannot take place.

Japan asked to clarify the operation span to keep the door sealed in paragraph 157. The EU explained that during harvesting operations it is not necessary to open the cage doors, as this operation is done by the divers killing the selected BFT individuals in the cage and lifting them with a crane onto an auxiliary vessel. The paragraph was amended following a suggestion by the United States to clarify that the sealing takes place after the fish is moved to farming cages.

### **Paragraphs 172-177**

Japan and the United States raised some questions about divergences in weight not included in paragraph 176. The EU explained that no stereoscopic camera is used at this stage so that estimating weight with 10% accuracy is difficult. The United States pointed out the reference to weight in paragraph 172 of the same section. The discussion was deferred to the annual meeting. Algeria’s question regarding some comments remained open and left for ensuing bilateral discussion.

### **Paragraphs 178-184**

Based on the suggestion of the United States, a reference to the length-weight algorithm of wild fish was added as a footnote to paragraph 179 to clarify how total catch is to be estimated and ensure quota uptake is not underestimated because an incorrect algorithm based on the weight of fish at caging is used. As some CPCs needed more time to consider this, the issue was kept pending.

### **Paragraphs 185-191**

In paragraphs 185 and 190, Japan asked to specify the required information and format to be reported according to these provisions. The EU provided the content of the information required, which is subject to further discussion. The text of paragraphs 185 and 190 were revised to specify the information to be contained in the processing declaration. It was further clarified that the information to be contained in the harvesting declaration includes the elements specified in 186.

Paragraph 189 was modified, as proposed by the EU, to require inspection activities for all harvest operations. This was agreed. The United States proposed the word “*authority*” instead of “*sovereignty*” for the country responsible for carrying out the activity, which was also agreed.

Japan asked about the availability of conversion factors used by SCRS in order to keep that reference in the wording. The Secretariat and the EU indicated there are already adopted conversion factors for some types of products, although not all. Morocco proposed to include the reference to the document listing the applicable conversion factors, but the paragraph was finally deleted following Japan’s preference for doing so given the incomplete availability of conversion factors.

### **Paragraphs 192-201**

Paragraph 192 was simplified using the concept of intra-farm transfer without repeating its definition as set in paragraph 3.

The United States and Japan proposed to keep paragraph 193 in brackets pending the IMM and, as appropriate eBCD Technical Working Group, discussions on regrouping in intra-farm transfers. Morocco proposed to include a reference to paragraph 5 of the *Recommendation by ICCAT Amending Recommendation 11-20 on an ICCAT Bluefin Tuna Catch Documentation Program* (Rec. 18-13), because this paragraph states the limit of the degree of traceability, i.e. origin of the flag CPC.

In paragraph 200, a margin of error of 3% was agreed following the suggestion of the EU. Japan suggested this figure be reviewed, and it was agreed that it be reviewed by the IMM at the latest by 2023 and that the Commission shall consider revision based on any recommendation from the IMM.

### **Paragraphs 202-210**

Also, for paragraph 208 a margin of error of 3% was agreed following the suggestion of the EU, with a review by 2023.

For paragraph 210, Morocco pointed out that the purse seine fishing season differs depending on the geographical areas as in paragraph 28. The Chair suggested adding a reference to paragraph 28, which was agreed.

### **Paragraphs 211-220**

The EU proposed to add an exception on estimation of body weight using length-weight relationship of wild fish for inter-farm transfers regulated in paragraph 213, since the current length-weight relationship for wild fish cannot be used once the fish has been fattened in farms. Japan questioned the possibility of such exception since eBCD requires both weight and number of the fish for such transfers. The EU accepted to estimate the body weight if a length-weight relationship for the fattened fish is provided by the SCRS before the next fishing campaign. It was noted that weight information is already required by eBCD and that an algorithm would need to be developed before the next fishing season to avoid difficulties. A paper will be prepared by the EU to submit the request to the SCRS.

For paragraph 216 (b) requiring every one-hour VMS transmission, Japan pointed out that Rec. 18-10 requires every two-hour transmission for longliners. The United States noted that the VMS requirements included in the proposal needed a close look to be sure they were consistent with Rec. 18-10 and explained that the intention of the U.S. proposal was that a one-hour transmission rate should apply to towing vessels as they support purse seiners in the bluefin tuna fishery, which was agreed.

### **Paragraphs 230-235**

Norway asked for the extension of the Working Group mandate to be included in paragraph 232 if it is to be continued. The EU confirmed that the Group was time limited so there would be a need to extend it if it needs to meet again. This issue will be discussed further at the annual meeting. The United States noted that paragraph 235 would need to be reviewed once the proposal is nearer to being final.

### **Annex 3**

Japan indicated that transshipment declaration in Recommendation 16-15 is different from that in Annex 3, so it was proposed to make both forms consistent and add information on e-BCD number reference. The EU confirmed that the format had not been changed from that of Rec. 19-04 since this particular issue was not within the mandate given by PA2 in 2020 for this review and asked for any modification to be discussed next year in its proper technical context. The United States noted that the question of creating a stronger linkage between the eBCD and the ITD was under active discussion, including in the eBCD Technical Working Group. It was agreed to continue discussion in 2022.

### **Annex 6**

In bullet 3 a), the Chair and the United States asked whether “*transfer*” means a movement of a transport cage containing fish from one towing vessel to another or a physical movement of fish from one transport cage to another transport cage. The EU clarified that 3a refers to the latter, mentioning the possibility of merging fish in two transport cages in operations between towing vessels. The text was amended to reflect this point.

The United States suggested that regional observers should also estimate the corresponding weight where possible in sub-paragraph xi in “*As regards purse seine vessels or trap catching activity*”. Both Morocco and the EU confirmed that no stereoscopic camera is used at the time of transfer, so estimating the corresponding weight is not possible, while Algeria considered that an estimation of the weight is necessary at the stage to assess quota uptake. There was no agreement on this point, and it was agreed to continue discussion at the annual meeting.

Regarding the paragraph proposed by Algeria and EU on possible removal of the observer by the flag state in the last bullet under “*Obligations of the flag, trap and farm CPCs*”, the United States requested an explanation on the proposed reporting to the Compliance Committee. The paragraph was modified to require reporting to Panel 2 instead of the Compliance Committee.

### **Annex 9**

As suggested by the EU, point iii) is divided to set a separate sentence on the algorithm to estimate weight using the length-weight relationship for wild fish (new ii bis). It was noted that this is linked to the changes under discussion for paragraph 179. This proposal was kept pending for a further review.

For 1.v. Japan asked to clarify the meaning of “*the margin of error.*” Morocco explained since the range of results of stereoscopic camera systems is expressed in weight, the 5% margin of error must refer to the weight and not to the length. The text was complemented accordingly.

### **Appendix to Annex 9**

The title was streamlined following the suggestion by the Chair.

Following the proposal by Japan, this Appendix was requested to be reviewed by the SCRS before the annual meeting. The United States reiterated that the question of how estimates of the weight of catches destined for farms are made is critical, that the appendix to Annex 9 looks quite complicated, and that input from the SCRS would facilitate consideration of it this fall. More generally, the United States noted for the record that, like other CPCs, it would need time after the meeting to fully consider the revised document as a whole given its length, complicated nature, and the significant number of changes discussed during the intersessional meeting.

### **Annex 11**

The United States expressed concerns about “*where appropriate*” in paragraph 1 as all loss of dead fish must be counted against the quota. The EU explained that this information is available only in cases of investigations and “*where appropriate*” was deleted. In paragraph 11 a reference was added to the attached template required to report dead fish. Possible improvement for the rest of the Annex and the main body of the proposal may be discussed bilaterally to ensure consistency, in particular with respect to the concept of lost fish.

### **Annex 13**

Algeria requested clarification on the External Identification Number (A.3.) The EU indicated that this provision is not new and may refer to the visible identification code outside the vessel. The issue was kept pending for further review with other ICCAT recommendations and cross check by CPCs. In addition, a new point to add the IMO number to assist with vessel identification was proposed by the United States, which was agreed.

### **Way forward**

The Chair summarized that while great progress was made during the meeting, there were still several pending issues. The Chair proposed to fix those pending issues by correspondence. It was agreed that the EU, as Chair of the BFT Working Group, was to keep working with other CPCs to fine tune the text and submit a revised text by 15 October 2021, the deadline for submission of proposals not requiring advice from the SCRS.

The documents “*Draft Recommendation by ICCAT amending the Recommendation 19-04 establishing a multi-annual management plan for bluefin tuna in the eastern Atlantic and the Mediterranean*”<sup>1</sup> (**Appendix 3**) and “*Proposal to amend ICCAT Recommendation 19-04 amending the Recommendation 18-02 establishing a multi-annual management plan for bluefin tuna in the eastern Atlantic and the Mediterranean, as amended by ICCAT Recommendation 20-07*” (**Appendix 4**) and are attached taking into account the deliberations of the Panel.

## **5. Other matters related to Rec. 19-04**

The UK and the EU provided a paper explaining their respective quota shares as a result of BREXIT. The quota of the UK is extracted completely from the former EU quota, so it does not affect other CPCs. It was proposed that the UK’s quota for 2022 be reflected accordingly in a footnote in paragraph 5 of 19-04. The United States suggested that the proposed text be slightly modified to give more clarity and that a clearer reflection of the new share be put in the table for future years after 2022. It was agreed that the three CPCs would work together to brush up the text.

The Chair asked if there is any other issue that CPCs want to raise under this Agenda item, but no CPCs took the floor.

The Chair explained that a new eastern Atlantic and Mediterranean bluefin tuna fishing, farming, inspection and capacity management plan prepared by Russia had been posted with the expectation that Russia would raise the issue of allocation to new participants, but Russia did not attend the meeting. The Chair further noted that he initially considered that this issue should be discussed at the 2021 annual meeting and suggested placing this as a priority for the 2021 annual meeting, but some CPCs negatively responded to

<sup>1</sup> A clean version is attached. The document of the meeting including changes and comments is available [here](#).

this suggestion. Accordingly, the Chair circulated Circular #4043/21 in which he suggested dropping this issue from the list of priorities, to which no CPC opposed, and therefore this issue would not be discussed at the annual meeting.

## **6. Updates to requests for clarification, as applicable**

No document was provided and no discussion held for this item.

## **7. Short presentation on the progress of the BFT-MSE**

The presentation “*A Brief SCRS Update on BFT Management Strategy Evaluation (MSE) and Workplan*” was made by the SCRS Chair, Gary Melvin, focusing on the calendar for 2021 and 2022. Despite some delays, the plan to provide the expected outputs for 2022 and 2023 was on good track. Various steps have been completed since 2014, following the feedback provided by Panel 2/Commission and SCRS.

A Panel 2 BFT MSE meeting will be held in November 2021. This meeting will enable policy discussions, including on the state of play and interpretation of management procedure, operational management objectives, statistics, dialogue between scientists and managers, and expected progress in 2022. In preparation for this meeting, the SCRS proposed to launch an MSE Ambassador Program this fall, including for informative purposes, three two-hour sessions to be held, one in each official ICCAT language. This approach was supported by the Panel.

In 2022, the SCRS indicated that involvement of stakeholders and managers is expected to increase. Three intersessional meetings were proposed. The adoption of a management procedure by the Commission is expected at the 2022 annual meeting to provide advice on the level of TACs for 2023 and thereafter.

The SCRS Chair replied to a question made by Japan on the number of dialogue meetings, indicating that a third meeting was expected, but not scheduled yet. The Commission in 2021 would be asked to endorse this proposal of three joint meetings of the SCRS and Panel 2 in 2022.

The EU has been supporting this MSE process to ensure sustainable management of the fishery, and considers that the proposed calendar to enhance the communication and increase involvement of the stakeholders is clear and adequate. The EU asked that an in-depth explanation of illustrative candidate management procedures (CMP) be provided by the SCRS in 2021, and indicated that a comparative table, with each CMP’s components and their rationale, would help. It is important to consider certain new elements, including the mixing of stocks of bluefin tuna, as well as the implications for the MSY reference points for both stocks. Concerns about the complex and rigid modelling of the migration patterns, with possible interactions between yields by stock and by management areas, were also raised. Accredited members and observers, scientist stakeholders and managers should be the target audience of the Ambassador program. The EU also asked to add a point on developing and testing CMPs in the Panel 2 calendar for next year. It was stressed that the SCRS Chair should ensure that illustration of different CMPs will be provided in the November 2021 Panel 2 meeting. The SCRS Chair indicated that after the SCRS Species Group meeting next week concluded (20-25 September 2021), several illustrative CMPs were expected to be identified and a much clearer picture of the performance of CMPs in achieving management objectives could thereby be illustrated at the PA2 MSE meeting. These CMPs will be chosen to demonstrate to PA2 the trade-offs in the CMPs and to foster discussion and feedback from PA2. The United States recalled the work that has been ongoing by Panel 2 to develop operational management objectives, noting that finalizing these would be an important part of agreeing any management procedure in 2022.

The United States stressed the need to prioritize the scheduling of the three intersessional dialogue meetings, which would help to facilitate consideration and adoption of a management procedure in 2022. The United States was also interested in the performance of CMPs, highlighting that dialogue and feedback in this discussion is essential.

Canada supported engaging stakeholders, managers, and scientists in the process. This CPC asked about the limit in the number of people by CPC in the Ambassador meetings and the correspondence to organize the agenda.



As suggested by the Chair, Panel 2 asked the SCRS to modify, in consultation with the Secretariat, the draft agenda for the 2021 November BFT MSE meeting, taking into account the results of the Species Group meeting next week and to circulate it to the Panel 2 members for consideration. Panel 2 also asked the SCRS to produce and circulate, in consultation with the Secretariat, an invitation to the Ambassador Program Sessions, specifying the details, including the timing and content. It was agreed that: (i) the Ambassador Program Sessions will be limited to accredited members and observers of ICCAT, but the number of delegates per CPC will not be limited; (ii) interventions may be made by individuals, rather than be restricted to more formal interventions by CPCs, as the purpose of these Sessions is for information sharing and not for any decision-making; and (iii) recording of the session will be conducted.

It was also agreed that the number of dialogue meetings between SCRS and Panel 2 in 2022 as well as their details will be discussed at the 2021 annual meeting.

#### **8. Any other matters**

The Chair informed that Chinese Taipei would like to transfer 200 tons of northern albacore to Belize, which is subject to approval of the Commission. This transfer had been properly communicated to CPCs. It was expected that a new recommendation of northern albacore with a management procedure would be adopted in 2021 and this transfer should be included in this new recommendation if CPCs do not oppose it. No member of Panel 2 raised concerns about this transfer. The UK indicated that a similar transfer from the EU to the UK shall be included in the recommendation, to which no CPC opposed.

The Chair reiterated his request that a CPC should volunteer to draft a new recommendation on the northern albacore with a management procedure which could include an exceptional circumstances protocol.

The EU confirmed its intention to table texts for such a draft proposal on northern albacore. The United States noted its interest to work with the EU on this proposal.

#### **9. Adoption of report and adjournment**

It was agreed that the report would be circulated among members of Panel 2 and adopted by correspondence. The meeting was adjourned.

## Agenda

1. Opening of the Meeting

*Panel 2 Chair will open the meeting.*

2. Appointment of Rapporteur

*A rapporteur will be elected.*

3. Adoption of Agenda and meeting arrangements

*An agenda will be adopted, and the Secretariat will explain meeting arrangements.*

4. Review and consideration of proposed amendments to Rec. 19-04

*Based on the input during the correspondence process, the Chair will provide a consolidated draft text for consideration by the end of September 3. The meeting will discuss it and finalize amendments if possible for submission to the annual session.*

5. Other matters related to Rec. 19-04

*CPC are requested to advise the Chair any other matters related to Rec. 19-04 they wish to raise by the end of August.*

6. Updates to requests for clarification, as applicable

*Any additional responses to the request for clarification from the ROP-consortium may be considered, together with any additional requests from CPCs or ROP not already resolved through Item 4 above.*

7. Short presentation on the progress of the BFT-MSE<sup>2</sup>

*The SCRS will update Panel 2 Members on the progress of the BFT-MSE and a workplan towards the November Panel 2 meeting on BFT-MSE.*

8. Any other matters

9. Adoption of report and adjournment

*The meeting report will be adopted through correspondence.*

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<sup>2</sup> The SCRS requested the Chair to put this agenda. Although the September meeting was originally planned to focus on Rec. 19-04, the Chair considers that this addition would be useful.

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**Draft Recommendation by ICCAT amending the Recommendation 19-04 establishing a multi-annual management plan for bluefin tuna in the eastern Atlantic and the Mediterranean**

*(Submitted by the Chair of Panel 2)*

*ACKNOWLEDGING* that the Standing Committee on Research and Statistics (SCRS) noted in its 2017 advice that a Total Allowable Catch (TAC) could be set at 36,000 t to be reached in 2020 in a gradual stepwise way without undermining the success of the recovery plan;

*ACKNOWLEDGING* the advice from SCRS to consider moving from the current recovery plan to a management plan and that the current status of the stock no longer appears to require the emergency measures introduced under the Recovery Plan for bluefin tuna in the eastern Atlantic and Mediterranean (Recommendation 17-07 by ICCAT amending the Recommendation 14-04);

*ACKNOWLEDGING* paragraph 4 of Recommendation 17-07 which states that the Commission shall establish a management plan for the stock in 2018;

*CONSIDERING* that the SCRS is developing a management strategy evaluation (MSE) process, with the aim to evaluate different management procedures that are robust to the main sources of uncertainty and that MSE process is expected to deliver candidate management procedures in the short but not immediate term (e.g. by 2021-22), the selection of the desired management procedure by the Commission could also take some time. Therefore, it is proposed to have an interim management objective that can be revisited at the time the Commission adopts harvest control rules (HCR). In this context, on the basis of the latest stock assessment and on further management recommendations supported by a Management Strategy Evaluation exercise (MSE) and after the management procedure, including HCR have been defined by the SCRS, the Commission may decide as from 2020 on changes to the management framework for the eastern Atlantic and Mediterranean bluefin tuna, as advised by SCRS;

*FURTHER ACKNOWLEDGING* the impacts of the Recovery plan for bluefin tuna in the eastern Atlantic and the Mediterranean on the small-scale fleets, in particular with regards to the reduction of fishing capacity;

*CONSIDERING* the capability of the stock to respond to several consecutive years of low recruitment, it will be paramount to ensure that fishing capacity remains within sustainable limits and that the control of capacity remains effective;

*TAKING INTO CONSIDERATION* the importance of maintaining the scope and integrity of the control measures, and reinforcing traceability of the catches, in particular with regards to the transport of live fish and farming activities.

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

**Part I: General Provisions and Objectives**

1. The Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities hereinafter referred to as CPCs, whose vessels have been fishing actively for bluefin tuna (*Thunnus thynnus*) in the eastern Atlantic and the Mediterranean shall implement a management plan for bluefin tuna in that geographic area starting in 2019 with the goal of maintaining the biomass around  $B_{0.1}$ , achieved by fishing at or less than  $F_{0.1}$ , which the SCRS considers to be reasonable proxy for  $F_{MSY}$ .

This objective shall be revisited and modified, if necessary, once Management Strategy Evaluation has made sufficient progress, when alternative management objectives can be considered, and Reference Points, Harvest Control Rules and/or Management procedures can be adopted.

2. When the SCRS stock evaluation indicates that the status and development of the stock (in terms of biomass and/or fishing mortality) is diverting from this objective, safeguards and review clauses as defined in the final provisions of this plan shall apply.

### Definitions

3. For purposes of this Recommendation:

- a) “fishing vessel” means any powered vessel used for the purposes of the commercial exploitation of bluefin tuna resources, including catching vessels, fish processing vessels, support vessels, towing vessels, vessels engaged in transshipment and transport vessels equipped for the transportation of tuna products and auxiliary vessels, except container vessels.
- b) “catching vessel” means a vessel used for the purposes of the commercial capture of bluefin tuna resources.
- c) “processing vessel” means a vessel on board of which fisheries products are subject to one or more of the following operations, prior to their packaging: filleting or slicing, freezing and/or processing.
- d) “auxiliary vessel” means any vessel used to transport dead bluefin tuna (not processed) from a transport/farming cage, a purse seine vessel or a trap to a designated port and/or to a processing vessel.
- e) “towing vessel” means any vessel used for towing live bluefin tuna cages.
- f) “support vessel” means any other vessel authorised to operate in the bluefin tuna fishery to perform support tasks, which does not fall into any of the other categories mentioned in paragraph a, above. Support vessels may not retain on board or transport bluefin tuna.
- g) “fishing actively” means, for any catching vessel, the fact that it targets bluefin tuna during a given fishing season.
- h) “joint fishing operation” (hereinafter referred to in the text as JFO) means any operation between two or more bluefin tuna purse seine vessels where the catch of one bluefin tuna purse seine vessel is attributed to one or more other bluefin tuna purse seine vessels in accordance with a previously agreed allocation key. The JFO may or may not involve the active participation in bluefin tuna catching of all the purse seiners that make up the JFO.
- i) “transfer operations” means:
  - any transfer of live bluefin tuna from the catching vessel's net to the transport cage;
  - any transfer of live bluefin tuna from the trap to the transport cage, independent of the presence of a towing vessel;
  - any transfer of live bluefin tuna from the transport cage to another transport cage;
  - any transfer of a cage containing live bluefin tuna from a towing vessel to another towing vessel;
  - any transfer of live bluefin tuna between different cages in the same farm (Intra-farm transfer)
  - any transfer of live bluefin tuna from a farm cage to a transport cage
  - any transfer operation within an inter-farm transfer
- i bis) “inter farm transfer” means relocation of live bluefin tuna from one farm to another farm composed of two phases namely, transfer and caging.

- j) “first transfer” means a transfer of live bluefin tuna from a purse seine net or a trap to a transport cage.
- k) “further transfer” means any transfer operation that is conducted after the first transfer and before caging at the destination farm, such as splitting or merging of the contents of two transfer cages but that does not include voluntary or control transfers.
- l) “donor operator” means the master of the catching or the towing vessel or its representative, or the representative of a farm or a trap, from which a transfer operation originates.
- m) “CPC of the donor operator” means the CPC that exercises its jurisdiction on the donor operator.
- n) “voluntary transfer” means the repetition of any transfer being voluntarily implemented by the donor operator, for the purpose of satisfying the requirements of **Annex 8**.
- o) “control transfer” means the repetition of any transfer being implemented at the request of control authorities.
- p) “control caging” means a repetition of the caging operation being implemented at the request of the control authorities, for the purpose of verifying the number and or the average weight of fish being caged.
- q) “trap” means fixed gear anchored to the bottom, usually containing a guide net that leads bluefin tuna into an enclosure or series of enclosures where it is kept prior to harvesting or farming.
- r) “caging” means the relocation of live bluefin tuna from the transport cage or trap to the farming or fattening cages.
- s) “fattening” or “farming” means caging of bluefin tuna in farms and subsequent feeding aiming to fatten and increase their total biomass.
- t) “farm” means a marine site clearly defined by geographical coordinates, used for the fattening or farming of bluefin caught by traps and/or purse seine vessels. A farm could have several farming locations, all of them defined by geographical coordinates (with a clear definition of longitude and latitude for each one of the points of the polygon).
- u) “harvesting” means the killing of bluefin tuna in farms or traps.
- v) “transshipment” means the unloading of all or any of the fish on board a fishing vessel to another fishing vessel. However, unloading of dead bluefin tuna from the purse seine, the trap or the towing vessel to an auxiliary vessel shall not be considered as transshipment.
- w) “sport fishery” means non-commercial fisheries whose members adhere to a national sport organization or are issued with a national sport license.
- x) “recreational fishery” means non-commercial fisheries whose members do not adhere to a national sport organization or are not issued with a national sport license.
- y) “stereoscopic camera” means a camera with two or more lenses, with a separate image sensor or film frame for each lens, enabling the taking of three-dimensional images for the purpose of measuring the length of the fish and assisting in refining the number and weight of bluefin tuna.
- z) “control camera” means a stereoscopic camera and/or conventional video camera for the purpose of the controls foreseen in this Recommendation.
- aa) “BCD or electronic BCD (eBCD)” means a bluefin catch document.
- bb) “lengths of vessels” means overall lengths.

- cc) "small-scale coastal vessel" is a catching vessel with at least three of the five following characteristics: (a) length overall <12 m; (b) the vessel is fishing exclusively inside the territorial waters of the flag CPC (c) fishing trips have a duration of less than 24 hours (d) the maximum crew number is established at four persons, or (e) the vessel is fishing using techniques which are selective and have a reduced environmental impact.
- dd) "farm CPC" means the CPC under whose jurisdiction the bluefin tuna farm is located.
- ee) "flag CPC" means the CPC where the fishing vessel is flagged.
- ff) "trap CPC" means the CPC under whose jurisdiction the trap is located.
- gg) "input farming capacity" means the maximum amount of wild bluefin tuna in tons, that a farm is allowed to cage during a fishing season.
- hh) ["total farming capacity"]

## Part II: Management measures

### TAC and quotas and conditions associated with the allocation of quotas to CPCs

4. Each CPC shall take the necessary measures to ensure that the fishing effort of its catching vessels and its traps are commensurate with the bluefin tuna fishing opportunities available to that CPC in the eastern Atlantic and the Mediterranean, including by establishing individual quotas for its catching vessels over 24 m included in the list referred to in paragraph 48 a) of this Recommendation.
5. The total allowable catches (TACs), inclusive of dead discards, for the years 2021 and 2022 shall be set at 36,000 t, respectively, in accordance with the SCRS advice. However, the 2022 TAC shall be reviewed and amended, as appropriate, at the 2021 Commission annual meeting based on new SCRS advice in 2021.

36,000 t shall be allocated in 2021 in accordance with the following scheme:

<i>CPC</i>	<i>Quota 2021 (t)</i>
Albania	170
Algeria	1,655
China	102
Egypt	330
European Union	19,460
Iceland*	180
Japan	2,819
Korea	200
Libya	2,255
Morocco	3,284
Norway	300
Syria	80
Tunisia	2,655
Turkey	2,305
Chinese Taipei	90
Subtotal	35,885
Unallocated Reserves	115
<b>TOTAL</b>	<b>36,000</b>

\* Notwithstanding the provision of this Part, Iceland may catch beyond 180 t in 2021 by 25% while its total catch for 2018, 2019, 2020 and 2021 combined shall not exceed 591 t (84 t + 147 t + 180 t + 180 t).



This table shall not be interpreted to have changed the allocation keys shown in Recommendation 14-04. The new keys shall be established in the future for consideration by the Commission.

Mauritania may catch up to 5 t for research in each year, if they respect the rules of reporting of catches defined in this Recommendation. The catch shall be deducted from the unallocated reserve.

Senegal may catch up to 5 t for research in each year, if they respect the rules of reporting of catches defined in this Recommendation. The catch shall be deducted from the unallocated reserve.

Depending on availability, Chinese Taipei may transfer up to 50 t of its quota to Korea in 2021.

6. The flag CPC may require a catching vessel to proceed immediately to a port designated by it when the individual quota of the vessel is deemed to be exhausted.
7. Automatic carry-over of any unused quota is not authorized. A CPC may request to transfer a maximum of 5% of its 2021 quota to 2022. The CPC shall include this request in its annual fishing/capacity plans for endorsement by the Commission.
8. All farm activities shall be subject to the control described in the monitoring, control and inspection plan submitted under paragraph 14 of this Recommendation.
9. Farm CPCs are encouraged to exchange experience and best practices on control and inspection related to farming activities using the pilot program for the voluntary exchange of inspection personnel established by the ICCAT Res. 19-17.
10. No chartering operation for the bluefin tuna fishery is permitted.
11. If the catch of a CPC in any given year exceeds its allocation, the CPC shall pay back in the next subsequent management period in accordance with the provisions in paragraphs 2 and 3 of ICCAT Recommendation 96-14.
13. In line with the MSE Roadmap, the SCRS shall continue its MSE work, testing candidate management procedures, including harvest control rules (HCRs), which would support management objectives to be agreed by the Commission. Based on the SCRS inputs and advice, and a dialogue process between scientists and managers, the Commission shall select in 2022 a management procedure for Atlantic bluefin, including pre-agreed management actions to be taken under various stock conditions for the provision of the TAC advice starting for 2023.

#### **Submission of annual fishing plans, fishing and farming capacity management and inspection plans and farming management plans**

14. By 15 February each year, each CPC with an allocated eastern Atlantic and Mediterranean bluefin tuna quota shall submit to the ICCAT Secretariat:

An annual fishing plan for the catching vessels and traps fishing bluefin tuna in the eastern Atlantic and the Mediterranean drawn up in accordance with paragraphs 16-17.

An annual fishing capacity management plan ensuring that the CPC authorized fishing capacity is commensurate with the allocated quota drawn up to include the information set forth in paragraphs 18-22.

A monitoring, control and inspection plan with a view to ensuring compliance with the provisions of this Recommendation. This plan shall also designate the CPC control competent authority and the list of contact points nominated as responsible for the implementation of this control and inspection plan.

An annual farming management plan as appropriate, that is in line with the requirements set out in paragraphs 24-26, including the authorized maximum input per farm and the maximum capacity per farm and the total amount of fish by farm carried over from the previous year, in accordance with paragraphs 192 to 198.

15. For 2022, prior to 31 March 2022 and in line with paragraph 229 of this Recommendation, the Commission shall convene an intersessional meeting of Panel 2 to analyze and, as appropriate, endorse the plans referred to under paragraph 14. This obligation may be revised after 2022 to allow endorsement of the plans to be done by electronic means. If the Commission finds a serious fault in the plans submitted and cannot endorse these plans, the Commission shall decide on the automatic suspension of bluefin tuna fishing in that year by that CPC. Non-submission of the plan referred to above shall automatically lead to suspension of bluefin tuna fishing in that year.

### **Annual fishing plans**

16. The annual fishing plan shall identify, *inter alia*, the quotas allocated to each gear group, when applicable, the method used to allocate and manage quotas as well as the measures to ensure the respect of the individual quotas, the open fishing seasons for each gear category and the rules on by-catch.
17. Any subsequent modification to the annual fishing plan shall be transmitted to the ICCAT Secretariat at least one working day before the exercise of the activity corresponding to that modification. Notwithstanding this provision, quota transfers between different gear groups and transfers between by-catch quota and directed quotas from the same CPC shall be allowed, provided that information on the transfers is transmitted to the ICCAT Secretariat at the latest when the transfer enters into force.

### **Capacity management measures**

#### **Fishing capacity**

##### **Adjustment of fishing capacity**

18. Each CPC shall adjust its fishing capacity to ensure that it is commensurate with its allocated quota by using relevant yearly catch rates by fleet segment and gear proposed by the SCRS and adopted by the Commission in 2009. Those parameters should be reviewed by the SCRS no later than 2022 and each time that a stock assessment for eastern Atlantic and Mediterranean bluefin tuna is performed, including specific rates for gear type and fishing area.
19. The annual fishing capacity management plan as referred to in paragraph 14. b) shall adjust the number of catching vessels to demonstrate that the fishing capacity is commensurate with the fishing opportunities allocated to the catching vessels for the same quota period. Regarding small-scale coastal vessels, the minimum quota requirement of 5 t (catch rate defined by the SCRS in 2009) shall no longer be applicable and sectorial quotas may alternatively be applied to those vessels as follows:
- a) If a CPC has small-scale coastal vessels authorized to fish for bluefin tuna, it shall allocate a specific sectorial quota for those vessels and indicate in its fishing, and monitoring, control and inspection plans which additional measures it will put in place to closely monitor the quota consumption of this fleet segment.
  - b) For the vessels from the archipelagos of Azores, Canary Islands and Madeira, a sectorial quota may be established for baitboats. Such sectorial quota and the additional conditions to monitor it shall be clearly defined in the fishing plan submitted pursuant to paragraph 14 above.
20. The adjustment of fishing capacity for purse-seine vessels shall be limited to a maximum variation of 20% compared to the baseline fishing capacity of 2018. When calculating the number of vessels using 20%, CPCs can eventually round up the figure to the next whole number.

21. For 2022 CPCs may authorize the number of their traps engaged in the eastern Atlantic and Mediterranean bluefin tuna fishery which allows the full exploitation of their fishing opportunities.
22. The requirements for adjustments and for the number of traps defined in paragraphs 19, 20 and 21 shall not apply:
- a) if developing CPCs can demonstrate that they need to develop their fishing capacity so as to fully use their quota, by using relevant yearly catch rates by fleet segment and gear proposed by the SCRS, and if such adjustments are included in their annual fishing plan in accordance to paragraph 14;
  - b) in the Northeast Atlantic, to those CPCs that are fishing mainly in their own economic zones (the Norwegian Economic Zone and the Icelandic Economic Zone).
- 22 bis) Any calculation to establish adjustments of fishing capacity shall be made in accordance with the methodology approved at the 2009 annual meeting and with the conditions set in paragraphs 18 and 19, except when the CPCs concerned fish mainly in the Northeast Atlantic in their own economic zones (the Norwegian Economic Zone and the Icelandic Economic Zone).

### **Farming capacity**

23. Each farm CPC shall establish an annual farming management plan. Such plan shall demonstrate that the total input capacity and the total farming capacity is commensurate with the estimated amount of bluefin tuna available for farming including the information referred to in paragraphs 24 and 26. The Commission shall ensure that the total farming capacity in the eastern Atlantic and Mediterranean is commensurate with the total amount of bluefin tuna available for farming in the area.
24. Each CPC shall limit its tuna farming capacity to the total farming capacity of the farms that were registered in the ICCAT list or authorized and declared to ICCAT in 2018.
25. Those developing CPCs without or with less than three tuna farms and that intend to establish new tuna farming facilities shall have the right to establish such facilities with a maximum total farming capacity of up to 1,800 t per CPC. To this end, they shall communicate to ICCAT by including those in their farming plan under paragraph 14 of this Recommendation. This clause should be reviewed as from 2022.
26. Each CPC shall establish an annual maximum input of wild caught bluefin tuna into its farms at the level of the input quantities registered with ICCAT by its farms in 2005, 2006, 2007 or 2008. If a CPC needs to increase the maximum input of wild caught tuna in one or several of its tuna farms, that increase shall be commensurate with the fishing opportunities allocated to that CPC, including live bluefin tuna imports.
- [26(bis). The ICCAT Secretariat shall compile statistics on annual amount of caging (input of wild caught fish), harvesting, and export, by farm CPC, using the data in the eBCD system. The eBCD-TWG shall consider developing such data extraction function, and until such function becomes available each farm CPC shall report these statistics to the ICCAT Secretariat. These statistics shall be made available on the ICCAT website subject to confidentiality requirements.]

### **Growth rates**

27. The SCRS, on the basis of a standardized protocol to be established by the SCRS for the monitoring of recognizable individual fish, shall undertake trials to identify growth rates including in weight and size gains during the fattening period. Based on the result of the trials and other scientific information available, the SCRS shall review and update the growth table published in 2009, and the growth rates utilized for farming the fish referred to under paragraph 34 (c), and present those results to the 2022 annual meeting of the Commission. In updating the growth table, the SCRS should invite independent scientists who have appropriate expertise to review the analysis. The SCRS shall also consider the difference among geographic areas (including Atlantic and Mediterranean) in updating the table. Farm

CPCs shall ensure that the scientists tasked by the SCRS for the trials can have access to and, as required by the protocol, assistance to carry out the trials. Farm CPCs shall endeavor to ensure that the growth rates derived from the eBCDs are coherent with the growth rates published by the SCRS. If significant discrepancies are found between the SCRS tables and growth rates observed, that information should be sent to the SCRS for analysis.

### **Part III: Technical measures**

#### **Open seasons**

28. Purse seine fishing for bluefin tuna shall be permitted in the eastern Atlantic and the Mediterranean during the period from 26 May to 1 July.

By way of derogation, the season in the eastern Mediterranean Sea (FAO fishing areas 37.3.1 Aegean; 37.3.2 Levant), may be open 15 May if a CPC requests it in its fishing plan.

By way of derogation, the season in the Adriatic Sea (FAO fishing area 37.2.1) may be open from 26 May until 15 July, for fish farmed in the Adriatic Sea.

By way of derogation the purse seine fishing season in the Norwegian Economic Zone and in the Icelandic Economic Zone shall be from 25 June to 15 November.

By way of derogation, the purse seine fishing season in the eastern Atlantic and Mediterranean fishing zones limited to the waters under the sovereignty or jurisdiction of the Kingdom of Morocco may be open from 1 May to 15 June if a CPC requests it in its fishing plan.

29. If weather conditions prevent fishing operations, CPCs may decide that the fishing seasons referred under paragraph 28 be expanded by an equivalent number of lost days up to 10 days.
30. Bluefin tuna fishing [catching/harvesting] shall be permitted in the eastern Atlantic and the Mediterranean by large-scale pelagic longlines catching vessels over 24 m during the period from 1 January to 31 May with the exception of the area delimited by West of 10°W and North of 42°N, as well as in the Norwegian Economic Zone, where such fishing shall be permitted from 1 August to 31 January.
31. CPCs shall establish open fishing seasons for their fleets other than purse seine vessels and vessels referred to in paragraph 30, and shall provide this information in their fishing plan defined in paragraph 16 to be analysed and, as appropriate, endorsed by Panel 2 intersessionally.
32. Not later than 2022, the Commission shall decide to what extent the fishing seasons for different gear types and/or fishing areas might be extended and/or modified based on the SCRS advice without negatively influencing the stock development and by ensuring the stock is managed sustainably.

#### **Minimum size**

33. The minimum size for bluefin tuna caught in the eastern Atlantic and the Mediterranean shall be 30 kg or 115 cm fork length. Therefore, CPCs shall take the necessary measures to prohibit catching, retaining on board, transshipping, transferring, landing, transporting, storing, selling, displaying or offering for sale bluefin tuna weighing less than 30 kg or with fork length of less than 115 cm.
34. By derogation from paragraph 33, a minimum size for bluefin tuna of 8 kg or 75 cm fork length shall apply to the following situations (see **Annex 1**):
- a) Bluefin tuna caught in the eastern Atlantic by baitboats and trolling boats;
  - b) Bluefin tuna caught in the Mediterranean by the small-scale coastal fleet fishery for fresh fish by baitboats, longliners and hand-liners;
  - c) Bluefin tuna caught in the Adriatic Sea for farming purposes.

Notwithstanding the above, for bluefin tuna caught in the Adriatic Sea by Croatian flag vessels for the purpose of farming, the relevant CPC may grant tolerances to capture bluefin tuna having a minimum weight of 6.4 kg or, in the alternative, having a minimum fork length of 66 cm, provided they limit the take of these fish to a maximum of 7% by weight of the total quantities of bluefin tuna caught by those Croatian vessels. In addition, for bluefin tuna caught by French baitboat vessels with an overall length of less than 17 m operating in the Bay of Biscay, CPCs may grant tolerances to capture up to a maximum of 100 t of bluefin tuna having a minimum weight of 6.4 kg or, in the alternative, having a minimum fork length of 70 cm.

35. CPCs concerned shall issue specific authorizations to vessels fishing under the derogations referred to in paragraph 34. In addition, fish below these minimum sizes that are discarded dead shall be counted against the CPC quota.

#### **Incidental catches of fish below minimum size**

36. For catching vessels fishing actively for bluefin tuna and tuna traps, CPCs may authorize an incidental catch of no more than 5% by number of bluefin tuna weighing between 8 kg and 30 kg or, in the alternative, with fork length between 75 and 115 cm.

This percentage shall be calculated in relation to the total catches in number of bluefin tuna retained on board a vessel at any time after each fishing operation in the above-mentioned weight or length categories.

#### **General rules on by-catches**

37. All CPCs shall allocate a specific quota for by-catch of bluefin tuna. The levels of authorized by-catches as well as the methodology to calculate those by-catches in relation with the total catches on board (in weight or number of specimens) shall be clearly defined in the annual fishing plans submitted to the ICCAT Secretariat under paragraph 14 of this Recommendation and shall never exceed 20% of the total catches on board at the end of each fishing trip. Calculation in number of pieces shall only apply to tuna and tuna-like species managed by ICCAT. For the small-scale coastal vessel fleet the amount of by-catch can be calculated on an annual basis.

All by-catches of dead bluefin tuna, whether retained or discarded, shall be deducted from the quota of the flag CPC and reported to ICCAT. If by-catch of bluefin tuna occurs in waters under the fishery jurisdiction of CPCs whose current domestic legislation requires that all dead or dying fish must be landed, this landing obligation shall be complied with also by vessels flying foreign flags.

If no quota has been allocated to the CPC of the catching vessel or trap concerned or if it has already been consumed, the catching of bluefin tuna as by-catch is not permitted and CPCs shall take the necessary measures to ensure their release. If however, such bluefin tuna is dead it shall be landed, and the appropriate follow-up action taken in accordance with the national law. CPCs shall report information on such quantities on an annual basis to the ICCAT Secretariat who shall make it available to the SCRS.

The procedures referred to in paragraphs 89 to 94 and 221 shall apply to by-catch.

For vessels not actively fishing for bluefin tuna, any quantity of bluefin tuna kept on board shall be clearly separated from other fish species to allow control authorities to monitor the respect of this rule. The procedures for non-authorized vessels with regard to the eBCD shall follow as laid down in the relevant provision of Recommendation 18-12.

#### **Recreational fisheries and sport fisheries**

38. When CPCs allocate, where appropriate, a specific quota to sport and recreational fisheries; that allocated quota should be set even if catch and release is compulsory for bluefin tuna caught in sport and recreational fisheries to account for possible dead fish. Each CPC shall regulate recreational and sport fisheries by issuing fishing authorizations to vessels for the purpose of sport and recreational fishing.

39. CPCs shall take the necessary measures to prohibit the catch and retention on board, transshipment or landing of more than one bluefin tuna per vessel per day for recreational fisheries.

This prohibition does not apply to CPCs whose domestic legislation requires that all dead fish, including those caught by sport and recreational, shall be landed.

40. The marketing of bluefin tuna caught in recreational and sport fishing shall be prohibited.
41. Each CPC shall take measures to record catch data including weight of each bluefin tuna caught during sport and recreational fishing and communicate to the ICCAT Secretariat the data for the preceding year by 31 July each year.
42. Dead catches from sport and recreational fisheries shall be counted against the quota allocated to the CPC in accordance with paragraph 5.
43. Each CPC shall take the necessary measures to ensure, to the greatest extent possible, the release of bluefin tuna, especially juveniles, caught alive, in the framework of recreational and sport fishing. Any bluefin tuna landed shall be whole, gilled and/or gutted.
44. Any CPC wishing to conduct a sport catch-and-release fishery in the North East Atlantic may allow a limited number of sport vessels to target bluefin tuna with the purpose of “tag and release” without the need to allocate them a specific quota. This applies to those vessels operating in the context of a scientific project of a research institute integrated in a scientific research program results of which shall be communicated to the SCRS. In this context the CPC shall have the obligation to: (a) submit the description and associated measures applicable to this fishery as integral part of their fishing and control plans as referred under paragraph 14 of this Recommendation; (b) closely monitor the activities of the vessels concerned to ensure their compliance with the existing provisions of this Recommendation; (c) ensure that the tagging and releasing operations are performed by trained personnel to ensure high survival of the specimens; and (d) annually submit a report on the scientific activities conducted, at least 60 days before the SCRS meeting of the following year. Any bluefin tuna that die during tag and release activities shall be reported and deducted from the CPC’s quota.
45. CPCs shall make available upon request from ICCAT the list of sport and recreational vessels which have received an authorization.
46. The format for such list referred to in paragraph 45 shall include the following information:
- a) Name of vessel, register number;
  - b) ICCAT Record Number (if any);
  - c) Previous name (if any);
  - d) Name and address of owner(s) and operator(s).

#### **Part IV: Control measures**

##### **Section A – Use of aerial means and Records of vessels, traps and farms**

###### **Use of aerial means**

47. The use of any aerial means, including aircraft, helicopters or any types of unmanned aerial vehicles to search for bluefin tuna shall be prohibited.

### **ICCAT Record of fishing vessels**

48. CPCs shall establish and maintain an ICCAT record of all fishing vessels as defined in paragraph 3.a). That record shall consist of the following lists:
- a) catching vessels fishing actively for bluefin tuna, as per paragraph 3.g of this Recommendation;
  - b) other vessels engaged in bluefin tuna related activities, other than catching vessels.
49. Each list shall include the following information:
- a) name and registry number of the vessel;
  - b) specification of the type of vessel differentiating at least between: catching vessels, towing vessels, auxiliary vessels, support vessels, processing vessels;
  - c) length and gross registered tonnage (GRT);
  - d) IMO number (if any);
  - e) gear used (if any);
  - f) previous flag (if any);
  - g) previous name (if any);
  - h) previous details of deletion for other registers (if any);
  - i) international radio call sign (if any);
  - j) name and address of owner(s) and operator(s); and
  - k) time period authorized for fishing, operating and/or transporting bluefin tuna for farming.
50. For vessels over 24 metres (independently of the gear used, excluding for bottom trawlers,) and for all purse seine vessels, CPCs shall indicate the number of vessels to the ICCAT Secretariat as part of their fishing plan defined in paragraph 14 of this Recommendation.
51. The ICCAT Executive Secretary shall establish and maintain the ICCAT record of all catching vessels fishing actively for bluefin tuna and all other vessels authorized to operate for bluefin tuna in the eastern Atlantic and the Mediterranean and take any measure to ensure availability of the record through electronic means, including by placing it on the ICCAT website in a manner consistent with confidentiality requirements noted by CPCs.
52. Each flag CPC shall submit electronically each year to the ICCAT Secretariat: (i) at the latest 15 days before the beginning of the fishing activity the list of its catching vessels referred to in paragraph 48(a); and (ii) at the latest 15 days before the start of their operation the list of other fishing vessels referred to in paragraph 48(b). Submissions shall be undertaken in accordance with the format set out in the *Guidelines for Submitting Data and Information Required by ICCAT*.

53. No retroactive submissions shall be accepted. Subsequent changes shall only be accepted if the notified fishing vessel is prevented from participation due to legitimate operational reasons or *force majeure*. In such circumstances, the CPC concerned shall immediately inform the ICCAT Secretariat, providing:
- a) full details of the fishing vessel(s) intended to replace a vessel or vessels, included on the record referred to in paragraph 48; CPCs with less than 5 vessels on either list referred to in paragraph 48, may replace a vessel with another vessel not previously included on the record, provided that the CPC concerned submitted to the ICCAT Secretariat a request for an ICCAT number to be given to the vessel, and the requested number has been provided;
  - b) a comprehensive account of the reasons justifying the replacement and any relevant supporting evidence or references.

The ICCAT Secretariat will circulate such cases among CPCs. If any CPC notifies that the case is not sufficiently justified or incomplete, it shall be brought to the Compliance Committee for further review and the case shall remain pending approval of the Compliance Committee.

54. Without prejudice to paragraph 38 for the purposes of this Recommendation, fishing vessels not entered into one of the ICCAT records referred to in paragraph 48 (a) and (b) are deemed not to be authorized to fish for, retain on board, tranship, transport, transfer, process or land eastern Atlantic and Mediterranean bluefin tuna. The prohibition against retention on board does not apply to CPCs whose domestic legislation requires that all dead fish must be landed, providing that the value of the catch is subject to confiscation. [The prohibition against transshipment and landing does not apply to catching vessels that caught the BFT during the authorized period when the vessel was on the ICCAT record referred to in paragraph 48 (a) and transhipped the fish after the authorized period.]
55. Conditions and procedures referred in the *Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels 20 Meters in Length Overall or Greater Authorized to operate in the Convention Area* (Rec. 13-13) (except paragraph 3) shall apply *mutatis mutandis*.

#### **Fishing authorizations for vessels and traps authorized to fish for bluefin tuna**

56. CPCs shall issue special authorizations and/or national fishing licenses to vessels and traps included in one of the lists described in paragraphs 44, 48 and 58. Fishing authorizations shall contain as a minimum the information set out in **Annex 13**. The Flag CPC shall ensure that the information contained in the fishing authorization is accurate and consistent with the rules of ICCAT. The Flag CPC shall take the necessary enforcement measures in accordance with their legislation and may require the vessel to proceed immediately to a designated port when the individual quota is deemed to be exhausted.

#### **ICCAT record of tuna traps authorized to fish for bluefin tuna**

57. The Commission shall establish and maintain an ICCAT Record of all tuna traps authorized to fish for bluefin tuna in the eastern Atlantic and the Mediterranean. For the purposes of this Recommendation, tuna traps not entered into the record are deemed not to be authorized to be used to fish for, retain, and participate in any operation to catch, transfer, harvest or land bluefin tuna.
58. Each CPC shall submit electronically to the ICCAT Secretariat, as part of their fishing plan defined in paragraphs 16 to 17, the list (including the name of the traps, register number and geographical coordinates of the trap polygon) of its authorized tuna traps referred to in paragraph 56.
59. Each CPC shall notify the ICCAT Secretariat, after the establishment of the ICCAT record of traps, of any addition to, any deletion from and/or any modification of the ICCAT record of traps at any time such changes occur.
60. The ICCAT Secretariat shall take any measure to ensure availability of the record through electronic means, including placing it on the ICCAT website, in a manner consistent with confidentiality requirements noted by CPCs.



### **ICCAT record of farms authorized to operate for bluefin tuna**

61. The ICCAT Secretariat shall maintain an ICCAT Record of all tuna farms authorized to operate for bluefin tuna in the eastern Atlantic and the Mediterranean. For the purposes of this Recommendation, tuna farms not entered into the record are deemed not to be authorized to operate for bluefin tuna.
62. Each farm CPC shall submit electronically to the ICCAT Secretariat, as part of their farming plan defined in paragraph 14 (d), the list of its authorized bluefin tuna farms, including:
  - i. the name of the farm
  - ii. register number
  - iii. names and addresses of owner(s) and operator(s)
  - iv. the input and total farming capacity allocated to each farm
  - v. the geographical coordinates of the areas authorized for farming activities, and
  - vi. the status of the farm (active or inactive).
63. No farming activities, including feeding for fattening purposes or harvesting of bluefin tuna, shall be authorized outside of the geographical coordinates approved for farming activities.
64. Each CPC shall notify the ICCAT Secretariat of any addition to, any deletion from and/or any modification of the ICCAT record of farms at any time such changes occur.
65. The ICCAT Secretariat shall take any measure to ensure availability of the record through electronic means, including placing it on the ICCAT website, in a manner consistent with confidentiality requirements noted by CPCs.
66. Each CPC shall take the necessary measures to ensure that no bluefin tuna is placed into a farm not authorized by the CPC or listed in the ICCAT record and that the farms do not receive bluefin tuna from vessels that are not included in the ICCAT record of vessels referred to in paragraph 48. Each CPC shall take the necessary measures, under their applicable legislation, to prohibit any operation on farms not registered in the ICCAT record of farms.

### **Information on fishing activities**

67. By 31 July each year, or within 7 months of the completion of the fishing season for those CPCs that end their fishing campaign in July, each CPC shall notify the ICCAT Secretariat detailed information on bluefin tuna catches in the eastern Atlantic and the Mediterranean in the preceding quota allocation period. This information should include:
  - a) the name and ICCAT number of each catching vessel;
  - b) the period of authorization(s) for each catching vessel;
  - c) the total catches of each catching vessel including nil returns throughout the period of authorization(s);
  - d) the total number of days each catching vessel fished in the eastern Atlantic and the Mediterranean throughout the period of authorization(s); and
  - e) the total catch outside their period of authorization (by-catch).

68. For all vessels that were not authorized to fish actively for bluefin tuna in the eastern Atlantic and the Mediterranean but that caught bluefin tuna as by-catch, the following information shall be provided to the ICCAT Secretariat:
- a) the name and ICCAT number or national registry number of the vessel, if not registered with ICCAT;
  - b) the total catches of bluefin tuna.
69. Each CPC shall notify the ICCAT Secretariat of any information concerning vessels not covered in paragraphs 67 and 68 but known or presumed to have fished for bluefin tuna in the eastern Atlantic and the Mediterranean. The ICCAT Secretariat shall forward such information without delay to the flag CPC for appropriate action, with a copy to other CPCs for information.

### **Joint fishing operations**

70. Any joint fishing operation for bluefin tuna shall only be authorized with the express written consent of the CPCs concerned. To be authorized, each purse seine vessel shall be equipped to fish for bluefin tuna, to have a specific individual quota allocation, and to operate in accordance with the requirements defined in paragraphs 71 and 73. The quota allocated to a given JFO, shall be equal to the total of all the quotas allocated to purse seine vessels participating in the concerned JFO. Furthermore, the duration of the JFO shall not be longer than the duration of the fishing season for purse seine vessels, as referred to under paragraph 28 of this Recommendation.
71. At the moment of the application for the authorization, following the format set in **Annex 5**, each CPC shall take the necessary measures to obtain from its purse seine vessel(s) participating in the joint fishing operation the following information:
- the period of authorization of the JFO,
  - the identity of the operators involved,
  - the individual vessels' quotas,
  - the allocation key between the vessels for the catches involved, and - information on the farms of destination.

Each CPC shall transmit all the information referred above to the ICCAT Secretariat at least five working days before the start of the purse seine vessels fishing season as defined in paragraph 28.

In the case of *force majeure*, the deadline set out in this paragraph shall not apply regarding the information on the farms of destination. In such cases, CPCs shall provide the ICCAT Secretariat with an update of that information as soon as possible, together with a description of the events constituting *force majeure*. The ICCAT Secretariat shall compile the information referred under this paragraph provided by CPCs for the review by the Compliance Committee.

72. The Commission shall establish and maintain an ICCAT record of all joint fishing operations authorized by the CPCs in the eastern Atlantic and the Mediterranean.
73. No JFOs between purse seine vessels from different CPCs shall be permitted. However, a CPC with less than five authorized purse seine vessels may authorize joint fishing operations with any other CPC. Each CPC conducting a JFO shall be responsible and accountable for the catches made under this JFO.

**Part IV: Control measures**  
**Section B - Catches and transhipments**

**Recording requirements**

74. The masters of catching vessels shall maintain a bound or electronic fishing logbook of their operations in accordance with the requirements set out in Section A of **Annex 2**.
75. The masters of towing vessels, auxiliary vessels and processing vessels shall record their activities in accordance with the requirements set out in Sections B, C and D of **Annex 2**.

**Catch reports sent by masters and trap operators**

76. Each CPC shall ensure that its catching vessels fishing actively for bluefin tuna shall communicate to their authorities during the whole period in which they are authorized to fish bluefin tuna by electronic or any other effective means daily information from logbooks, including the date, time, location (latitude and longitude) the weight and number of bluefin tuna caught in the area covered by this plan, including releases and discards of dead fish under the minimum size referred to in paragraph 33. Masters shall send that information in the format set out in **Annex 2** or through the CPCs reporting requirement.
77. Masters of purse seine vessels shall produce reports referred to in paragraph 76 on a fishing operation by fishing operation basis, including operations where the catch was zero. The reports shall be transmitted by the operator to its flag CPC authorities by 9.00 GMT for the preceding day.
78. Trap operators or their authorized representatives fishing actively for bluefin tuna shall send electronically a daily catch report, including the ICCAT register number, date, time, catches (weight and number of fish), including zero catches. They shall send that information within 48 hours electronically in the format set out in **Annex 2** to their flag CPC authorities during the whole period they are authorized to fish bluefin tuna.
79. For catching vessels other than purse seine vessels and traps, masters shall transmit to their control authorities, reports referred to in paragraph 76 by the latest Tuesday noon for the preceding week ending Sunday.

**Designated ports**

80. Each CPC who has been allocated a bluefin tuna quota shall designate ports where landing or transhipping operations of bluefin tuna are authorized. This list shall be communicated each year to the ICCAT Secretariat as part of the annual fishing plan communicated by each CPC. Any amendment shall be communicated to the ICCAT Secretariat. Other CPCs may designate ports in which landing or transhipping operations of bluefin tuna is authorized and communicate a list of these ports to the ICCAT Secretariat.
81. For a port to be determined as a designated port, the port State shall ensure that the following conditions are met:
  - a) established landing and transhipment times;
  - b) established landing and transhipment places; and
  - c) established inspection and surveillance procedures ensuring inspection coverage during all landing and transhipment times and at all landing and transhipment places in accordance with paragraph 85.
82. It shall be prohibited to land or tranship from catching vessels as well as processing vessels and auxiliary vessels any quantity of bluefin tuna fished in the eastern Atlantic and the Mediterranean at any place other than ports designated by CPCs in accordance with paragraphs 80 and 81. However, exceptionally, the transport of dead bluefin tuna, harvested from a trap/cage, to a processing vessel using an auxiliary vessel, is not prohibited.

83. On the basis of the information received by CPCs under paragraph 80 the ICCAT Secretariat shall maintain a list of designated ports on the ICCAT website.
84. The provisions of this Recommendation shall not affect the entry of a CPC fishing vessel to port, in accordance with international law, for reasons of *force majeure* or distress.

#### **Prior notification of landings**

85. Prior to entry into any port, masters of catching vessels as well as processing vessels and auxiliary vessels or their representative shall provide the relevant authorities of the port, at least 4 hours before the estimated time of arrival, with the following:
  - a) estimated time of arrival;
  - b) estimate of quantity of bluefin tuna retained on board;
  - c) the information on the geographic area where the catch was taken.

If the fishing grounds are less than four hours from the port of arrival, the estimated quantities of bluefin tuna retained on board may be modified at any time prior to arrival.

CPCs may decide to apply these provisions only to catches equal or greater than three fish or one ton. They should provide this information in their monitoring, control, and inspection plan referred to in paragraph 14.

Port State authorities shall keep a record of all prior notices for the current year.

All landings shall be controlled by the relevant control authorities and a percentage shall be inspected based on a risk assessment system involving quota, fleet size and fishing effort. Full details of this control system adopted by each CPC including the target percentage of landings to be inspected shall be detailed in their annual inspection plan referred to in paragraph 14 of this Recommendation.

After each trip, Masters of catching vessels shall submit within 48 hours a landing declaration to the competent authorities of the CPC where the landing takes place and to its flag CPC. The master of the authorized catching vessel shall be responsible and certify its completeness and accuracy of the declaration, which shall indicate, as a minimum requirement, the quantities of bluefin tuna landed and the area where they were caught. All landed catches shall be weighed and not only estimated. The relevant authority shall send a record of the landing to the flag CPC authority of the catching vessel, within 48 hours after the landing has ended.

#### **Reporting of catches from CPCs to the Secretariat**

86. CPCs shall send [monthly] [weekly] [bi-weekly] catch reports by gear, without delay, to the ICCAT Secretariat. In the case of purse seine vessels and traps, the reports shall be as defined in paragraphs 76 to 78. Total reported catches will be published by the ICCAT Secretariat on a password protected area of the ICCAT web site during the second week of each month.
87. CPCs shall report to the ICCAT Secretariat the dates when their entire quota of bluefin tuna has been utilized. The ICCAT Secretariat shall promptly circulate this information to all CPCs.

### **Cross check**

88. CPCs shall verify inspection reports and observer reports, VMS data, and where appropriate eBCDs, as well as the timely submission of logbooks and required information recorded in the logbooks of their fishing vessels, in the transfer/transshipment document and in the catch documents.

The competent authorities shall carry out cross checks by species on all landings, transshipment, transfers and caging between the quantities recorded in the fishing vessel logbook or in the transshipment declaration and the quantities recorded in the landing declaration or caging declaration, and any other relevant documentation, such as invoice and/or sales notes.

### **Transshipment**

89. Transshipment operations of bluefin tuna in the eastern Atlantic and the Mediterranean shall be allowed only at designated ports defined and conditioned in paragraphs 80 to 84.
90. Prior to entry into any port, the receiving fishing vessel, or its representative, shall provide the relevant authorities of the port State at least 72 h before the estimated time of arrival, with the information listed in **Annex 3**, according to the port State's domestic law. Any transshipment requires the prior authorization from the flag CPC of the transshipping fishing vessel concerned. Furthermore, the master of the transshipping fishing vessel shall, at the time of the transshipment, inform its flag CPC of the data required in **Annex 3**.
91. The relevant authority of the port State shall inspect the receiving vessel on arrival and check the cargo and documentation related to the transshipment operation.
92. The masters of fishing vessels shall complete and transmit to their flag CPC the ICCAT transshipment declaration no later than 15 days after the date of transshipment in port as per Recommendation 16-15. The masters of the transshipping fishing vessels shall complete the ICCAT transshipment declaration in accordance with the format set out in **Annex 3**. The transshipment declaration shall be linked with the eBCD to facilitate cross-checking of data contained thereof.
93. The relevant authority of the port State shall send a record of the transshipment to the flag CPC authority of the transshipping fishing vessel, within 5 days after the transshipment has ended.
94. All transshipments shall be inspected by the relevant authorities of the designated port CPC authorities.

## **Part IV: Control measures**

### **Section C - Observer Programmes**

#### **CPC Observer Programme**

95. Each CPC shall ensure that CPC observers, issued with an official identification document, are deployed on vessels flying its flag and on traps under its jurisdiction that are active in the bluefin tuna fishery, to achieve at least the following coverage rates:
- 20% of its active pelagic trawlers (over 15 m),
  - 20% of its active longline vessels (over 15 m),
  - 20% of its active baitboats (over 15 m),
  - 100% of its towing vessels,
  - 100% of harvesting operations from its traps.
96. CPCs with less than five catching vessels of the first three segments defined above shall ensure coverage by observers 20% of the time the vessels are active in the bluefin tuna fishery.

97. In implementing this CPC observer programme, CPCs shall ensure that:
- a) temporal and spatial coverage is representative to ensure that the Commission receives adequate and appropriate data and information on bluefin tuna catch, effort, and other related scientific and management aspects, taking into account characteristics of the fleets and fisheries;
  - b) robust data collection protocols are implemented;
  - c) the CPC observer is provided, before the start of his/her deployment, with a list of contacts within the national competent authority where to report observations;
  - d) each CPC observer is properly trained and qualified before deployment;
  - e) to the extent practicable, the operations of vessels and traps concerned suffer minimal disruption.
  - f) the master of the fishing vessel or the trap operator allows the CPC observer access to the electronic means of communication on board the fishing vessel or on the trap. *(moved from 100)*
98. Data and information collected under each CPC's national observer programme shall be provided to the SCRS and the Commission, as appropriate, in accordance with requirements and procedures to be developed by the Commission by [2023] taking into account CPC confidentiality requirements.
99. For the scientific aspects of the programme, the SCRS shall report on the coverage level achieved by each CPC, and provide a summary of the data collected and any relevant findings associated with that data. The SCRS shall also provide any recommendations to improve the effectiveness of CPC's national observer programmes.

100.

101. The obligations, responsibilities and tasks applicable to the CPC observers are detailed in **Annex 6**.

#### **ICCAT Regional Observer Programme (ROP)**

102. The ICCAT Regional Observer Programme referred to in **Annex 6** shall be implemented to ensure 100% observer coverage as follows :

- on all purse seine vessels authorized to fish for bluefin tuna;
- during all transfers of bluefin tuna from purse seine vessels to transport cages;
- during all transfers of bluefin tuna from traps to transport cages;
- during all transfers from one farm cage to transport cages, which then are towed to another farm;
- during all cagings of bluefin tuna in farms;
- during all harvesting of bluefin tuna from farms; and
- during the release of bluefin tuna from farms.

103. By way of derogation from paragraph [102] harvesting from farms up to [1000 kg] per day up to a maximum of [50 tons per farm and per year] may be authorized by the relevant CPC provided that a national inspector is onsite who shall control the whole operation and validate the harvested quantities in the eBCD system. In this case, the regional observer's signature should not be mandatory in the harvest section of the eBCD. This measure is subject to the necessary development of the eBCD application.

104. Purse seine vessels without an ICCAT regional observer on board shall not be authorized to fish or to operate in the bluefin tuna fishery,

105. One ICCAT regional observer shall be assigned to each farm for the entirety of caging operations. In cases of *force majeure* that have been confirmed by the farm CPC authority, an ICCAT regional observer may be shared by more than one farm to guarantee the continuity of farming operations if so authorized by the farm CPC competent authority and provided that the farm CPC competent authority shall immediately request the deployment of an additional ICCAT regional observer.
106. By way of derogation from paragraph 106, in case of transfer between two different farms under the competence of the same national authority, a single regional observer can be assigned to cover the entire process including the transfer of fish to a towing transport cage, the towing of the fish from the donor farm to the recipient farm and the caging of fish on the recipient farm. In this case, a regional observer should be deployed by the donor farm and the cost shall be shared by both the donor and receiving farms.
107. As a matter of priority, the ICCAT regional observers should not be of the same nationality as the catching vessel, towing vessel, trap or farm, for which their services are required. In addition and to the extent possible, the ICCAT Secretariat and the provider responsible for the ROP shall ensure that the ICCAT regional observers deployed have a satisfactory knowledge of the language of the flag, fishing vessel, farm or trap CPC. If it is not possible to find foreign observers with proper language skills or in case of *force majeure*, the deployment of ICCAT regional observers of the same nationality may be allowed, provided that prior notification to the ICCAT Secretariat is made by the provider responsible for the ROP.
108. The obligations, responsibilities and tasks applicable to the ICCAT Regional Observer and the flag, trap, and farm CPCs are detailed in **Annex 6**.

#### **Part IV: Control measures**

##### **Section D – Transfers of Live Fish**

###### **General provision**

109. This section applies to all transfers as defined in paragraph 3.i of this Recommendation.
110. In accordance with paragraph 14.c of this Recommendation, each CPC shall nominate a single competent authority, hereafter referred to as the “**CPC competent authority**”, that shall be responsible for coordinating the collection and verification of information for the control of transfers and related transports of bluefin tuna conducted under its jurisdiction, and for reporting to and cooperating with the CPCs whose farms will cage the fish.
111. Masters of catching and towing vessels carrying out transfer operations shall report their transfer activities in accordance with the requirements set out in **Annex 2** (logbook).

###### **Unique Number Assigned to Cages**

112. All cages used in transfer operations and associated transports shall be numbered in accordance with the unique numbering system referred to in paragraphs 143 to 146.

###### **Prior Transfer notification**

113. Before the start of a transfer operation, including voluntary transfers, the master of the catching or towing vessel or its representative, or the representative of the farm or trap, where the transfer in question originates shall send to its CPC competent authority a prior transfer notification indicating, where applicable:
- the number and the estimated weight of bluefin tuna to be transferred,

- the name of the catching vessel, towing vessel(s), farm or trap, with their respective ICCAT number record,
- the date and the location of the catch,
  
- the date and estimated time of transfer,
  
- the estimated position (latitude/longitude) where the transfer will take place and the donor and receiving cage numbers,
  
- farm of destination,
  
- the name and ICCAT number of the donor farm, in the case of a transfer from the farming cage of a farm to a transport cage,
  
- the numbers of the two cages and any transport cages involved, in the case of a transfer between two different cages in the same farm.

### **Transfer authorization**

114. Within 48 hours following the submission of the prior transfer notification, the CPC competent authority of the donor operator shall assign and communicate to the donor operator concerned a transfer authorization number for each transfer operation. The transfer authorization number shall include the three CPC letters code, four numbers for the year and three letters to indicate either positive (AUT) or negative (NEG) authorization, followed by sequential numbers.
115. The transfer operation concerned shall not start before its specific transfer authorization number has been assigned and communicated to the donor operator.
116. The transfer authorization does not prejudice the confirmation of any subsequent transfer or caging operation.
117. Voluntary and control transfers shall not be subject to a new transfer authorization.

### **Refusal of a transfer operation and consequent release of bluefin tuna**

118. A transfer operation shall not be authorized by the CPC competent authority of the donor operator if, on receipt of the prior transfer notification, it considers that:
- a) the catching vessel or the trap declared to have caught the fish does not have a valid authorization to fish for bluefin tuna, issued in accordance with paragraph 56 of this Recommendation;
  - b) the number and weight of fish subject to the transfer has not been duly reported by the catching vessel or the trap;
  - c) the catching vessel or the trap that has caught the fish does not have sufficient quota;
  - d) the towing vessel declared to transfer and/or transport the fish is not registered in the ICCAT record of all other fishing vessels referred to in paragraph 48.b), or is not equipped with a fully functioning Vessel Monitoring System (VMS);
  - e) the farm of destination is not reported as active in the ICCAT record of farms referred to in paragraph 61 of this Recommendation.
119. In case of refusal, the CPC competent authority of the donor operator shall:
- a) immediately inform the donor operator of the refusal, as well as the catch, the trap or farm CPC competent authority, if different;



- b) where applicable, issue an order to release the fish concerned into the sea, in accordance with **Annex 10**.

### **Monitoring of Transfers operations by Video Camera**

120. Except for transfers of cages between two towing vessels, which do not involve the movement of live tuna between those cages, the donor operator shall ensure that the transfer operation is monitored by video camera in the water, in accordance with the minimum standards and procedures referred to in **Annex 8**, to determine the number of individuals of bluefin tuna being transferred.
121. Each CPC shall take the necessary measures to ensure that identical copies of the relevant video records are provided without delay by the donor operator:
- a) for the first transfer operation and the eventual voluntary transfer, to the ICCAT regional observer and to the receiving towing vessel and, at the end of the fishing trip, to the flag or trap CPC competent authority of the donor operator;
  - b) for further transfers, to the CPC observer on board the donor towing vessel, to the master of the receiving towing vessel and, at the end of the towing trip, to the flag CPC competent authority of the donor towing vessel;
  - c) for transfers between two different farms, to the ICCAT regional observer, to the receiving towing vessel and to donor farm CPC competent authority, and
  - d) if a national or ICCAT inspection authority is present during the transfer operation, the inspector(s) shall also receive a copy of the relevant video record.
122. The video footage concerned shall accompany the fish up to the destination farm. A copy shall be kept onboard the donor vessel(s), by the trap(s) or by the farm(s), and remain accessible for control purposes at any time during the fishing campaign.
123. Copies of the video records shall be provided by the CPC competent authority of the donor operator to the SCRS upon request. The SCRS shall keep confidentiality of commercial activities.
124. The CPC competent authority of the donor operator and the donor operator shall retain the video footages related to transfers for at least 3 years, and keep them as long as necessary for control and enforcement purposes.

### **Voluntary and Control Transfers**

125. If the video footage does not meet the minimum standards referred to in **Annex 8**, and in particular if its quality and clarity are not sufficient to determine the number of fish being transferred, the donor operator may conduct voluntary transfer(s).
126. If no voluntary transfer(s) has been carried out, or if the voluntary transfer(s) still does not permit a determination of the number of fish being transferred, the CPC competent authority of the donor operator shall order a control transfer, which shall be repeated until the quality of the video record allows the estimation of the number of bluefin tuna being transferred.
127. The voluntary and/or control transfer(s) shall be carried out into another cage which must be empty. The number of fish obtained from the valid voluntary or control transfer shall be used to complete the logbook, the ICCAT Transfer Declaration (ITD) and the relevant sections of the eBCD.
128. The separation of the transport cage from a purse seine, a trap, or a farm cage shall not occur before the ICCAT regional observer on board the purse seine, or present on the farm or trap, has carried out its tasks.

129. However, if after the voluntary transfer(s) the quality of the video still does not allow determination of the number of individuals being transferred, the CPC competent authority of the donor operator may allow the separation of the donor purse seine vessel, trap or farm from the transport cage(s). In such a case, the CPC competent authority of the donor operator shall order to seal the door(s) of the transport cage(s) concerned to be sealed in accordance with the procedure set out in **Annex 14**, and to carry out the control transfer(s) at a determined time and place, in the presence of the flag, trap or farm competent authority.
130. In the event that the presence of the authorities at the control transfer is not possible, the control transfer shall take place in the presence of an ICCAT regional observer. In this case, the responsibility for the regional observer deployment shall lie with the farm operator owning the bluefin tuna transported, who shall ensure that the regional observer is deployed to verify the control transfer.

### **ICCAT Transfer Declaration (ITD)**

131. At the end of a transfer operation, the donor operator shall complete an ITD in accordance with the format set out in **Annex 4**. The donor operator shall transmit or make available, without delay, the ITD to its CPC competent authority, to the ICCAT regional observer where its presence is mandatory and, where applicable, to the master of the towing vessel or the farm receiving the fish.
132. The CPC competent authority of the donor operator shall ensure that the ITD form is numbered, using the three letters CPC code, followed by the four numbers showing the year and three sequential numbers, followed by the three letters ITD (CPC- 20\*\*/xxx/ITD).
133. The original of the ITD shall accompany the fish transferred up to the destination farm(s) where the fish will be caged:
- a) at first transfer, the original of the ITD shall be duplicated by the donor operator when a single catch is transferred from the purse seine net or the trap to more than one transport cage;
  - b) in the case of a further transfer, the master of the donor towing vessel shall update the ITD by completing part 3 (further transfers), and providing updated ITD to the receiving towing vessel.
134. A copy of the ITD shall be kept onboard the donor catching or towing vessel(s), or by the donor trap or the donor farm, and be accessible at any time for control purposes during the duration of the fishing campaign.

### **Investigation by the CPC competent authority of the donor operator**

135. The CPC competent authority of the donor operator shall investigate all cases where:
- a) there is more than 10% difference between the number of fish reported in the ITD by the donor operator and the number of fish estimated by the ICCAT regional observer, or by the CPC national observer, as appropriate, or
  - b) when the ICCAT regional observer has not signed the ITD.

The margin of error of 10% referred above shall be expressed as a percentage of the donor operator's figures.

136. Where applicable, the investigation shall include the analysis of all the relevant video footages. Except in cases of *force majeure*, the investigation shall be concluded within 96 hours of its initiation, and in any case prior to the arrival of the transport cage to the destination farm.
137. At the initiation of an investigation, the CPC competent authority of the donor operator shall inform the flag CPC competent authority of the towing vessel(s) concerned about the investigation, and ensure that, until the investigation is concluded, no transfer is permitted from or to the transport cage in question.

138. For all transfer operations where a video is required, a difference equal to or greater than 10%, between the number of bluefin tuna reported by the donor operator in the ITD and the number determined by the CPC competent authority of the donor operator following an investigation, shall constitute a Potential Non-Compliance (PNC) of the fishing vessel, trap or farm concerned.

#### **Amendments to ITDs and eBCDs following inspections at sea or investigations**

139. If following an inspection at sea or an investigation, the number of fish is found to be more than 10% different to that declared in the ITD and eBCD, the ITD and eBCD shall be amended by the CPC competent authority of the donor operator, to reflect the result of the investigation.

#### **Fish that die during transfer operations and associated transport**

140. The number of fish that die during a transfer operation, or during the transport of the fish to the destination farm, shall be reported by the donor operator in accordance with the procedures and template set out in **Annex 11**.

### **Part IV: Control measures**

#### **Section E – Caging**

#### **General provisions**

141. Each farm CPC shall nominate a single competent authority, hereafter referred to as the “**farm CPC competent authority**”. That authority shall be responsible for coordinating the collection and verification of information on national caging activities, for the control of farm activities conducted under its jurisdiction, and for reporting to and cooperating with the CPCs competent authorities whose flag vessels or trap have caught the caged tuna.
142. Where the farms are located beyond waters under the jurisdiction of a CPC, the provisions of this section shall apply, *mutatis mutandis*, to the CPCs where the natural or legal persons responsible for the farm are located.
143. All CPCs involved in caging related activities shall exchange information and cooperate to ensure that the number and weight of bluefin tuna intended for caging are accurate, consistent with the catch amounts reported by the purse seine vessel or trap, and declared in the relevant sections of the eBCD.
144. The farm CPC competent authority shall ensure that farm operators maintain at all times an accurate schematic plan of their farms, indicating the unique number of all cages and their individual position on the farm. The plan shall be made available at all times to the farm CPC competent authority for control purposes. Any modification to the schematic plan is subject to prior notification to the farm CPC competent authority. The schematic farming plan shall be adapted any time the number and/or distribution of farm cages is modified.
145. The farm CPC competent authority and the farm operator shall retain all the information, documentation and material related to caging activities conducted in farms under its jurisdiction for at least [3] years, and keep the information as long as necessary for enforcement purposes.

#### **Unique Number Assigned to Cages**

146. Before the start of the bluefin tuna fishing campaign, the farm CPC competent authority shall assign a unique and identifiable number to each cage associated to farms under its jurisdiction, including those cages used to transport the fish to the farm.
147. Each cage shall be identified with a unique numbering system that includes at least the three letters CPC code, followed by three numbers. The unique cage numbers shall be stamped or painted on two opposite sides of the ring of the cage and above the water line, in a color contrasting with the background on which they are painted or stamped, and must be visible and legible at any time for control purposes.

148. The height of the letters and numbers shall be at least 20 centimeters with a line thickness of at least 4 centimeters.
149. Alternative methods to mark the unique number on the cage are allowed, providing they offer the same guarantee of visibility, legibility and inviolability.

### **Caging authorization**

150. Each caging operation is subject to a caging authorization issued by the farm CPC competent authority. The following procedure shall apply:
- a) the farm operator requests a caging authorization to the farm CPC competent authority, specifying in particular the number and weight (as referred to in the ITD) of fish to be caged. This request shall be accompanied by:
    - i. the relevant ITDs;
    - ii. the eBCD(s) reference concerned, as confirmed and validated by the catching flag or trap CPC competent authority;
    - iii. all the reports of fish that die during transport, duly recorded in accordance with **Annex 11**.
  - b) the farm CPC competent authority notifies the information under subparagraph (a) to the relevant catching flag or trap CPC(s) competent authority(ies), and asks for confirmation that the caging operation can be authorized;
  - c) within 3 working days, the catching flag or trap CPC(s) competent authority(ies) notifies the farm CPC competent authority that the caging operation concerned can be authorized or must be refused. In the case of refusal the flag or trap CPC competent authority shall specify the reason(s) for the refusal and the refusal shall include the consequent release order;
  - d) the farm CPC competent authority issues the caging authorization immediately after receipt of the confirmation by the catching flag or trap CPC competent authority concerned. The caging operation shall not be authorized by the farm CPC competent authority in the absence of this confirmation.

151. No caging shall be authorized if the complete set of documentation required under paragraph 147 a) does not accompany the fish subject to the caging authorization.

152. Pending the results of the investigation referred to in paragraphs 136 to 140 conducted by the catching flag or trap CPC competent authority, the caging operation shall not be authorized and the relevant catch and live trade sections of the eBCD shall not be validated.

153. If the caging authorization has not been issued by the farm CPC competent authority within 1 month after the request for a caging authorization by the farm operator, the farm CPC competent authority shall order and proceed to release all the fish contained in the transport cage concerned, in accordance with **Annex 10**. The farm CPC competent authority shall accordingly inform without delay the catching flag or trap CPC competent authority concerned, and the ICCAT Secretariat of the release.

### **Refusal of a caging authorization by the flag or trap CPC**

154. If, on receipt of the information referred to in paragraph 147 (a), the catching flag or trap CPC competent authority considers that:
- a) the catching vessel or trap declared to have caught the fish had insufficient quota to cover the bluefin tuna to be caged;
  - b) the fish to be caged has not been duly reported by the catching vessel or trap, and has not been taken into account for the calculation of any quota uptake that may be applicable;

- c) the catching vessel or trap declared to have caught the fish does not have a valid authorization to fish for bluefin tuna, issued in accordance with paragraph 56 of this Recommendation;

it shall determine the number of fish for which caging is refused and request without delay the farm CPC competent authority to proceed to seize the fish concerned and immediately release them into the sea, in accordance with **Annex 10**.

### **Caging operations**

155. At arrival of the towing vessel in the vicinity of the farm, the farm CPC competent authority shall ensure that:

- a) the towing vessel concerned is maintained at a distance of minimum 1 nautical mile from any facility of the farm until the farm CPC competent authority is physically present; and
- b) the position and activity of the relevant towing vessels is monitored at all times.

156. No caging operation shall start:

- a) before it has been duly authorized by the farm CPC competent authority;
- b) without the presence of the farm CPC competent authority and the ICCAT regional observer;
- c) before the catch and live trade sections of the eBCD have been completed and validated by the catching flag or trap CPC competent authority(ies).

156 bis) Anchoring of transport cages as farming cages without movement of fish to allow stereoscopic camera recording is prohibited.

157. After transfer of the bluefin tuna from the towing cage to the farming cage, the farm CPC control authority shall ensure that farm cages containing bluefin tuna are sealed at all times. Unsealing will only be possible in the presence of the farm CPC competent authority and following its authorization. The farm CPC control authority shall establish protocols for the sealing of farm cages, ensuring the use of official seals and that these seals are placed in such a way that they prevent the opening of doors without the seals being broken.

158. Farm CPCs shall ensure that the bluefin tuna catches are placed in separate cages, or series of cages, and partitioned on the basis of flag CPC of origin and catch year. By derogation, if the bluefin tuna has been caught in the context of a joint fishing operation (JFO), the catches concerned shall be placed in separate cages or series of cages and partitioned on the basis of the JFOs and catch year.

159. Except for transfers between two different farms, all the caging operations shall be completed before 22 August of each year, unless the farm CPC receiving the fish provides valid reasons, including *force majeure*. Those reasons shall be documented and reported in the caging report referred to in paragraph 181. In any case, no bluefin tuna shall be caged after 7 September.

### **Recording of the caging operation by control cameras**

160. The farm CPC competent authority shall ensure that each bluefin tuna caging operation in its farms is recorded by the farm operator using both conventional and stereoscopic cameras. All video footages shall comply with the minimum standards set out in **Annex 8**, except point 1.d for stereoscopic camera footages.

161. If the quality of the control camera video footage used to determine the number and/or weight of the bluefin tuna caged does not comply with the minimum standards of **Annex 8**, the farm CPC competent authority shall order a control caging until the determination of the number and/or weight is possible. The repetition of the caging operation shall not be subject to a new caging authorization.

162. In the case of control caging, the farm CPC competent authority shall ensure that the donor farm cage is sealed and that the cage cannot be manipulated prior to the new caging operation. The receiving farm cage(s) used in the control caging shall be empty.
163. At the completion of the caging operation, the farm CPC competent authority shall ensure that the ICCAT regional observer has immediate access to all stereoscopic and conventional camera video footage(s), and is allowed to make a copy if it intends to complete its task of analysing the footage at another time or place.
164. CPCs with active bluefin tuna farms and the SCRS are encouraged to participate in trials using Artificial Intelligence (AI) for the analysis of stereoscopic camera footages, with a view to automating the determination of the number and/or weight of caged tuna, in order to reduce workloads and avoid possible human bias.

#### **Fish that die during a caging operation**

165. All bluefin tuna that die during a caging operation shall be reported by the farm operator, in accordance with the procedures and template set out in **Annex 11**.

#### **Caging declaration**

166. Each farm CPC competent authority shall ensure that, for each caging operation, the farm operator submits a caging declaration within 1 week after the actual caging operation has taken place, using the form set out in **Annex 12**.

#### **Analysis of the stereoscopic video footage by the farm CPC competent authority**

167. The farm CPC competent authority shall determine the number and weight of bluefin tuna being caged, by analyzing the video footage of each caging operation provided by the farm operator. To carry out this analysis, the authorities shall follow the procedures set out in point 1 of **Annex 9**.
168. When there is a difference of more than 10% between the number and/or the weight determined by the farm CPC competent authority and the corresponding figures reported in the caging declaration, the farm CPC competent authority shall launch an investigation to identify the reasons of the discrepancy, and make the eventual adjustment of the number and/or weight of fish that has been caged.
169. The margin of error of 10% referred to above shall be expressed as a percentage of the farm operator's figures.

#### **Communication of caging results to the catching flag or trap CPC**

170. After the completion of a caging operation or, in the case of a JFO or traps of a same CPC/EU Member State, of the last caging operation associated to that JFO or those traps, the farm CPC competent authority shall send to the catching flag or trap CPC competent authority the results of the caging operations referred to in **Annex 9**, point 2 under a and b.
171. Each farm CPC competent authority shall submit the procedures and results related to the stereoscopic camera programme (or alternative methods) to the SCRS by 31 October annually. The SCRS should evaluate such procedures and results and report to the Commission at the next Annual meeting.

#### **Investigation conducted by the catching flag or trap CPC competent authority**

172. When, for a single catching operation, the number of bluefin tuna being caged as communicated by the farm CPC competent authority in accordance with paragraph 167, differs by 10% or more from those reported in the ITD as caught and/or transferred, the catching flag or trap CPC competent authority shall initiate an investigation to determine the accurate catch weight that shall be deducted from the national bluefin tuna quota, in accordance with paragraphs 175 to 177 (quota uptake).

173. In support of this investigation, the catching flag or trap CPC competent authority shall request all the complementary information and the results of the relevant video footage analysis conducted in accordance with this Recommendation by the flag and farm CPCs competent authority(ies) that have been involved in the transport and the caging operation concerned.
174. All CPCs competent authorities, including those whose vessels have been involved in the transport of the fish, shall cooperate actively, including through the exchange of all information and documentation at their disposal.
175. The catching flag or trap CPC competent authority shall conclude the investigation within 1 month from the communication of the caging results by the competent authority of the farm CPC.
176. [For each single catching operation, a difference equal to or greater than 10% between the number of bluefin tuna reported caught by the vessel or trap concerned and the number determined by catching flag or trap CPC competent authority as result of the investigation shall constitute a Potential Non-Compliance (PNC) of the vessel or trap concerned.]
177. The margin of error of 10% referred to above shall be expressed as a percentage of the figures reported by the fishing vessel master or trap representative and shall be applicable at the level of individual caging operation.

### **Quota uptake**

178. The catching flag or trap CPC competent authority shall determine the weight of bluefin tuna to be deducted from its national quota taking into account the quantities caged and the mortalities reported, in accordance with the provisions of **Annex 9** and **Annex 11**.
179. However, for those cases where the investigation referred to in paragraph 169 has been conducted by the flag or trap CPC competent authority, the weight to be deducted from the national quota shall be determined by applying the average individual weight at caging<sup>4</sup> [(which shall be calculated with the programme contained in stereoscopic cameras using length at caging and the length weight relationship for wild fish)] communicated by the farm CPC competent authority, to the number of bluefin tuna in the catch as determined by the flag or trap CPC competent authority resulting from its analysis of the first transfer video footage in the context of the investigation.
180. Notwithstanding paragraph 179, after the consultation of the CPC competent authority(ies) involved in the transport of fish up to the destination farm, the flag or trap CPC competent authorities may decide not to deduct from the national quota the fish determined in the investigation as having been lost, when the losses have been duly documented as “*force majeure*” by the operator (i.e., pictures of the damaged cage, meteorological reports), the relevant information has been communicated to its CPC competent authority immediately after the event and the losses did not result in known mortalities.

### **Releases associated to caging operations**

181. The determination of the fish to be released shall be done in accordance with the provisions of **Annex 9** point 4.
182. If the weight of bluefin tuna being caged is in excess of what had been declared as caught and/or transferred, the catching flag or trap CPC competent authority shall issue a release order and communicate it without delay to the farm CPC competent authority concerned. The release order shall follow the provisions of **Annex 9** point 4, taking into account the possible compensation at the JFO or trap level, in accordance with **Annex 9** point 5.
183. The release operation shall be conducted in accordance with the protocol set out in **Annex 10**.

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<sup>4</sup> Average individual weight at caging shall be calculated by the stereoscopic camera system based on equations identified by the SCRS using the length of bluefin tuna at caging and the appropriate length-weight relationship for wild fish.

## **Caging report**

184. Within 15 days after the completion of the release orders, the farm CPC competent authority shall issue a caging report for each single caging operation, or in the case of a JFO or traps of the same CPC/EU Member State, for the complete set of caging operations related to that JFO or those traps. The caging report shall include the information referred to in **Annex 9** point 3 and be communicated to the catching flag or trap CPC competent authority and to the ICCAT Secretariat.

## **Part IV: Control measures**

### **Section F. Harvesting**

185. Processing vessels intending to operate in farms or traps shall send a prior notification to the farm or trap CPC competent authorities at least [48 hours] before arrival of the vessel to the farm/trap area. [The prior notification shall at least include information on the date and estimated time of arrival and information as to whether the processing vessel has already bluefin tuna on board, as well as details on the cargo, including quantities in processed weight and live weight and details of the origin of the bluefin tuna on board (farm/trap and CPC)]

186. Any harvesting operation in farms or traps shall be subject to an authorisation by the farm or trap CPC competent authority. To this end, the farm or trap operator intending to harvest bluefin tuna shall submit to its CPC competent authority a request, which shall include at least the following information:

- date or period of harvesting;
- estimated quantities to be harvested in number of individuals and kg;
- eBCD number associated with the bluefin tuna to be harvested;
- details of auxiliary vessels involved in the operation;
- destination of harvested tuna (processing vessel, export, local market,..).

187. Except for individuals of bluefin tuna which are close to dying, no harvesting operation shall be authorized before the results of the quota uptake in accordance with paragraphs 175 to 177 has been determined, and the associated releases have been conducted.

188. Harvesting operations shall not take place without the presence of a CPC observer in the case of traps, or an ICCAT Regional observer in the case of harvesting on farms. For fish delivered to a processing vessel, the CPC or ICCAT regional observer may conduct its relevant tasks from the processing vessel.

189. Farm or trap CPC control authorities shall verify and cross-check the results of all harvesting operations taking place in farms and traps under its authority, using all relevant information in its possession, and shall perform inspection activities on all harvesting operations.

190. When the destination of the bluefin tuna is a processing vessel, the master or representative of the processing vessel shall complete a processing declaration. When the harvested bluefin tuna is to be landed directly into port, the farm or trap operator shall complete a harvesting declaration. The processing and harvesting declarations shall be validated by the ICCAT regional or CPC observer present at the harvesting operation.

The processing and harvesting declarations shall contain at least the information referred to in paragraph 186 and, shall be sent by e-mail to the farm CPC competent authorities within 48 hours of the harvesting operation.

191.



## **Part IV: Control measures**

### **Section F – Control activities in farms after caging**

#### **Intra-farm transfers**

192. The intra-farm transfer shall not take place without the authorization and the presence of the farm CPC competent authority. Each transfer shall be recorded by control cameras to confirm the number of bluefin tuna individuals transferred. The video footage shall comply with the minimum standards as laid down in **Annex 8**. The farm CPC competent authority shall monitor and control those transfers, including ensuring that each intra-farm transfer is recorded in the eBCD system.
193. During intra-farm transfers, regrouping fish of the same flag origin and the same JFO, may be authorised by the farm CPC competent authority, providing that traceability, as established in paragraph 5 of Recommendation 18-13, and the applicability of SCRS's growth rates, are maintained.
194. The farm CPC competent authority and the farm operator shall retain the video footages from intra-farm transfers undertaken in farms under their jurisdiction for a minimum of 3 years and keep the information as long as necessary for enforcement purposes.

#### **Carry-over**

195. The live bluefin tuna carried-over shall be placed in separate cages or series of cages in the farm, on the basis of the catch year and JFO/same CPC trap of origin.
196. Prior to the beginning of the next purse seiner and trap fishing seasons, the farm CPCs competent authority shall thoroughly assess the live bluefin tuna carried-over in the farms under their jurisdiction. To this end, the live bluefin tuna concerned shall be transferred to an empty cage and monitored using control camera(s), to determine the number and the weight of fish transferred.
197. By way of derogation, the carry-over of bluefin tuna from years and cages where no harvest occurred shall be controlled annually by applying the random control procedure referred to in paragraphs 200 to 208.
198. The farm CPC competent authority shall ensure that the control camera video footage from the carry-over assessment transfers comply with the relevant requirements of **Annex 8**, and the determination of the number and weight of carried-over fish is in accordance with **Annex 9** point 1 of this Recommendation.
199. The determination of the weight of the carried-over fish shall not apply until the SCRS has developed an algorithm to convert length into weight for fattened and/or farmed fish.
200. A difference by number of live bluefin tuna between the number resulting from the carry-over assessment and the expected number after harvest shall be duly investigated by the farm CPC competent authority and recorded in the eBCD system. In the case of excess number, the farm CPC competent authority shall order the release of the corresponding number of fish. The release operation shall be conducted in accordance with **Annex 10**. Compensation for differences between different cages on the farm shall not be allowed. A margin of error of up to 3% between the number of individuals resulting from the carry-over assessment and the expected number in the cage, may be allowed by the CPC competent authority. This percentage shall be reviewed, as appropriate, by the IMM at the latest by 2023. The Commission shall consider revising the percentage based on the recommendation from the IMM.
201. The farm CPC competent authority shall retain the video footage and all the relevant documentation from carry-over assessments undertaken in farms under their jurisdiction for a minimum of 3 years, and keep this information as long as necessary for enforcement purposes.

### Carry-over declaration

202. Farm CPCs shall complete and transmit, as an annex to the revised farming management plan, an annual carry-over declaration to the ICCAT Secretariat within 15 days after the end of the assessment operation. Such declaration shall include:

- a) Flag CPC;
- b) Name and ICCAT number of the farm;
- c) Year of catch;
- d) References of the eBCD corresponding to the catches carried over;
- e) Cage numbers;
- f) Quantities (expressed in kg) and number of fish carried over;
- g) Average weight;
- h) Information of each of the carry-over assessment operations: date and cage numbers;
- i) Information on previous intra-farm transfers, when applicable.

The stereoscopic camera report, when applicable, shall be attached to the carry-over declaration.

### Random controls

203. The farm CPC competent authority shall carry out random controls in farms under their jurisdiction. Random controls shall take place in farms between the time of completion of the caging operations and the first caging of the following year. Such controls shall involve the compulsory transfers of all fish from farm cage(s) to other farm cage(s) in order that the number of bluefin tuna individuals can be counted by way of control video record(s).

204. Each farm CPC shall set a minimum number of random controls to be performed on each farm under its sovereignty. The number of random controls shall cover at least 10% of the number of cages in each farm after completion of caging operations, always involving at least one control per farm and rounded up where needed. The selection of cages to be controlled shall be based on risk analysis. The planning for random controls to be carried out shall be reflected in the CPC control plan referred to under paragraph 14 of this Recommendation.

205. Although not required, the farm(s) concerned may be informed by the farm CPC competent authority with a maximum prior notice of two calendar days that random control(s) shall take place. The selected cage(s) shall only be communicated by the farm CPC competent authority to the farm operator upon arrival at the farm concerned.

206. Where prior notice is given, farm operators shall ensure that all means are in place in order that random controls can be carried out by the farm CPC competent authority at any time, and in any cage on the farm. If prior notice is not provided, farm operators must still take all appropriate steps to facilitate the random control operations.

207. The farm CPC competent authority shall strive to reduce the timeframe between the ordering of the random controls and when the control operations is carried out. The farm CPC competent authority shall ensure that all necessary measures are taken to ensure that the operator does not have the possibility to manipulate the cages concerned until the random control takes place.

208. Following the random control, any difference between the number of bluefin tuna determined by the random controls and the number expected to be present in the cage shall be duly investigated and recorded in the eBCD system. In the case of excess number, the farm CPC competent authority shall order the release of the corresponding number(s). The release operation shall be conducted in accordance with **Annex 10**. Compensation for differences between different cages on the farm shall not be allowed. A margin of error of 3% between the number of individuals resulting from the control transfer and the expected number in the cage, may be allowed by the CPC competent authority. This percentage shall be reviewed, as appropriate, by the IMM at the latest by 2023. The Commission shall consider revising the percentage based on the recommendation from the IMM.

209. The farm CPC competent authority shall retain all video footage from random controls undertaken in farms under their jurisdiction for a minimum of 3 years, and keep this information as long as necessary for enforcement purposes.
210. The results of the random controls shall be communicated to the ICCAT Secretariat before the start of the new purse seine fishing season applicable to each CPC in accordance with paragraph 28 for transmission to the Compliance Committee.

#### **Inter-farm transfers**

211. The transfer of live bluefin between two different farms shall not take place without the prior written authorisation by the CPC competent authorities of both farms.
212. The transfer from the donor farm cage to the transport cage shall comply with the requirements of Section D (Transfers of live fish), of this Recommendation, including a video record to confirm the number of bluefin tuna individuals transferred, the completion of an ITD and the verification of the operation by an ICCAT Regional Observer. Notwithstanding the above, in cases where the entire farm cage is to be moved to the receiving farm, it shall not be necessary to video record the operation and the cage shall be transported sealed to the destination farm.
213. The caging of the bluefin tuna at the farm of destination shall be subject to the requirements for caging operations laid down in paragraphs 152 to 166, including a video record to confirm the number and weight of the bluefin tuna caged and the verification of the operation by an ICCAT Regional Observer. The determination of the weight for caged fish from another farm, shall not apply until the SCRS has developed an algorithm to convert length into weight for fattened and/or farmed fish.

### **Part IV: Control measures**

#### **Section G – Vessel Monitoring System (VMS)**

214. CPCs shall implement a Vessel Monitoring System (VMS) for their fishing vessels with a length equal to or greater than 15m referred to in paragraph 48 of this Recommendation, in accordance with the *Recommendation by ICCAT Concerning Minimum Standards for Vessel Monitoring Systems in the ICCAT Convention Area* (Rec. 18-10).
215. Notwithstanding the above, all towing vessels used to transport live bluefin tuna shall irrespective of their length, install and operate a VMS, in accordance with Rec. 18-10.
216. The transmission of VMS data to the ICCAT Secretariat by each authorized fishing vessel subject to VMS under this Recommendation shall:
- a) start at least 5 days before and continue at least 5 days after their period of authorization, unless the vessel is removed from the lists of authorized vessels by the flag CPC competent authority;
  - b) collect and transmit messages at least once every hour for towing vessels;
  - c) not be interrupted when the vessel is in port, for control purposes, unless there is a system of hailing in and out of port.
217. The ICCAT Secretariat shall immediately inform the flag CPC of any delays or non-receipt of VMS transmissions, and distribute monthly reports to all CPCs with specific information on the nature and the scope of these delays. Such reports shall be sent weekly during the period 1 May to 30 July.

218. Referring to towing vessels during the transport of bluefin tuna to a farm, in the event of a technical failure of its VMS, the towing vessel concerned shall be replaced by another towing vessel with a fully functioning VMS. If no other towing vessel is available, a new operative VMS system shall be installed on board or used if already installed, as soon as feasible and not later than 72 hours, except in case of *force majeure*, that should be communicated to the ICCAT Secretariat. In the meantime, the master or his representative shall, starting from the time that the event was detected and/or informed, communicate to the control authorities of the flag CPC every 1 hour the up-to-date geographical coordinates of the towing vessel by appropriate telecommunication means.

#### **Use of VMS data for control and inspection purposes**

219. The ICCAT Secretariat shall make available without delay the information received under this section G to CPCs with an active inspection presence in the eastern Atlantic and the Mediterranean and to the SCRS, at its request.

220. On request from CPCs engaged in inspection at sea operations in the Convention area in accordance with the ICCAT Scheme of Joint International Inspection referred to in paragraphs 222 to 225 of this Recommendation, the ICCAT Secretariat shall make available the messages received from all fishing vessels under paragraph 3 of *Recommendation by ICCAT Concerning Data Exchange Format and Protocol in Relation to the Vessel Monitoring System (VMS) for the Bluefin Tuna Fishery in the ICCAT Convention Area* (Rec. 07-08).

### **Part IV: Control measures**

#### **Section H - Enforcement**

#### **Enforcement**

221. CPCs shall take appropriate enforcement measures with respect to a fishing vessel, where it has been established, in accordance with its law that the fishing vessel flying its flag does not comply with the provisions of this Recommendation.

The measures shall be commensurate with the gravity of the offence and in accordance with the pertinent provisions of national law in such way to make sure that they effectively deprive those responsible of the economic benefit derived from their infringement without prejudice to the exercise of their profession. Those sanctions shall also be capable of producing results proportionate to the seriousness of such infringement, thereby effectively discouraging further offences of the same kind.

222. The farm CPC shall take appropriate enforcement measures with respect to a farm, where it has been established, in accordance with its law, that the farm does not comply with the provisions of this Recommendation.

Depending on the gravity of the offence and in accordance with the pertinent provisions of national law such measures may include, in particular, suspension of the authorization or withdrawal from the ICCAT Record of Bluefin Tuna Farming Facilities established in accordance with Rec. 06-07 and/or fines.

**Part IV: Control measures**  
**Section I - Market measures**

**Market measures**

223. Consistent with their rights and obligations under international law, exporting and importing CPCs shall take the necessary measures:

- to prohibit domestic trade, landing, imports, exports, placing in cages for farming, re-exports and transshipments of eastern Atlantic and Mediterranean bluefin tuna that are not accompanied by accurate, complete, and validated documentation required by this Recommendation, the *Recommendation by ICCAT Replacing Recommendation 11-20 on an ICCAT Bluefin Tuna Catch Documentation Program* (Rec. 18-13) and the *Recommendation by ICCAT Replacing Recommendation 17-09 on the Application of the eBCD System* (Rec. 18-12) on the Bluefin Tuna Catch Documentation Programme.
- to prohibit domestic trade, imports, landings, placing in cages for farming, processing, exports, re-exports and the transshipment within their jurisdiction, of eastern Atlantic and Mediterranean bluefin tuna caught by fishing vessels or traps whose CPC does not have a quota or catch limit for that species, under the terms of ICCAT management and conservation measures, or when the CPC's fishing possibilities are exhausted, or when the individual quotas of catching vessels referred to in paragraph 4 are exhausted.
- to prohibit domestic trade, imports, landings, processing, and exports of eastern Atlantic and Mediterranean bluefin tuna from farms that do not comply with Recommendation 06-07.

**Part V: ICCAT Scheme of Joint International Inspection**

224. In the framework of the Multi-annual Management Plan for Bluefin Tuna, each Contracting Party agrees, in accordance with Article IX, paragraph 3, of the ICCAT Convention, to apply the ICCAT Scheme of Joint International Inspection adopted during its 4th Regular Meeting, held in November 1975 in Madrid, as modified in **Annex 7**.

225. The Scheme referred to in paragraph 222 shall apply until ICCAT adopts a monitoring, control and surveillance scheme which will include an ICCAT scheme for joint international inspection, based on the results of the Integrated Monitoring Measures Working Group, established by the *Resolution by ICCAT for Integrated Monitoring Measures* (Res. 00-20).

226. When at any time, more than 15 fishing vessels of any one Contracting Party are engaged in eastern Atlantic and Mediterranean bluefin tuna fishing activities in the Convention area, the Contracting Party shall, on the basis of risk assessment have an inspection vessel in the Convention area, or shall cooperate with another Contracting Party to jointly operate an inspection vessel. If a Contracting Party does not deploy its inspection vessel or conducting joint operations, the Contracting Party shall report the result of the risk assessment and its alternative measures in its inspection plan referred to in paragraph 14.

227. In cases where enforcement measures need to be taken as a result of an inspection, the enforcement powers of the flag Contracting Party inspectors of the fishing vessel, farm or trap subject to inspection shall always prevail in their territory, in their jurisdictional waters and on board their inspection platform.

## **Part VI: Final provisions**

### **Availability of data to the SCRS**

228. The ICCAT Secretariat shall make available to the SCRS all data received in accordance with this Recommendation. All data shall be treated in a confidential manner.

### **Safeguards**

229. When, as a result of a scientific evaluation, the goal of maintaining the biomass around  $B_{0.1}$  (to be achieved by fishing at or less than  $F_{0.1}$ ) is not achieved and the objectives of this plan are in danger, the SCRS shall provide new advice on the TAC for the following year.

### **Review clause**

230. For the first time in 2023 and, in any case, after the stock assessment for eastern Atlantic and Mediterranean bluefin tuna that confirms the full recovery of the stock, the Commission following the scientific advice provided by the SCRS, shall decide on the continuity of this management plan or on its possible revision.

231. Notwithstanding paragraph 228, ICCAT will hold an intersessional meeting of Panel 2 each year in March in order to:

- a) review, and if appropriate, endorse the annual fishing, capacity management, farming and inspection plans sent to ICCAT under paragraph 14 of this Recommendation;
- b) discuss any possible doubts about the interpretation of this Recommendation and, as appropriate, propose draft amendments to it for consideration at the Annual meeting.

232. Potential additional measures to further strengthen the control and traceability measures for bluefin tuna shall be discussed at the Working Group meeting of Panel 2 established pursuant to Resolution 19-15.

### **Evaluation**

233. All CPCs shall submit at the request of the ICCAT Secretariat regulations and other related documents adopted by them to implement this Recommendation. In order to have greater transparency in implementing this Recommendation, the ICCAT Secretariat shall elaborate biennially a report on the implementation of this Recommendation.

### **Exemptions for CPCs with a landing obligation for bluefin tuna**

234. The provisions in this Recommendation prohibiting retention on board, transshipping, transferring, landing, transporting, storing, selling, displaying or offering for sale of bluefin tuna do not apply to CPCs with a domestic legislation introduced before 2013 requiring that all dead or dying fish be landed, provided that the value of such fish is confiscated in order to prevent the fishermen from drawing any commercial profit from such fish. The CPCs concerned shall take necessary measures to prevent the confiscated fish from being exported to other CPCs. The quantities of bluefin tuna in excess of the quota allocated to the CPC, in accordance with this derogation shall be deducted the following year from the CPC quota in accordance with para 12.

## Repeals

235. This Recommendation:

- repeals and replaces *Recommendation by ICCAT Amending the Recommendation 18-02 Establishing A Multi-Annual Management Plan for Bluefin Tuna In The Eastern Atlantic and The Mediterranean* (Rec. 19-04);
- repeals *Recommendation by ICCAT on bluefin tuna farming* (Rec. 06-07);
- repeals paragraphs 5, 7 and 8 of *Recommendation by ICCAT replacing Recommendation 11-20 on an ICCAT bluefin tuna catch documentation programme* (Rec. 18-13);
- repeals *Recommendation by ICCAT amending Recommendation 19-04 establishing a multi-annual management plan for bluefin tuna in the eastern Atlantic and the Mediterranean* (Rec. 20-07).

**Annex 1**

**Specific Conditions Applying to the Catching Vessels fishing under paragraph 34**

1. CPCs shall limit:
  - The maximum number of its baitboats and trolling boats authorized to fish actively for bluefin tuna to the number of the vessels participating in directed fishery for bluefin tuna in 2006.
  - The maximum number of its small-scale coastal vessels authorized to fish actively bluefin tuna in the Mediterranean to the number of its vessels participating in the fishery for bluefin tuna in 2008.
  - The maximum number of its catching vessels authorized to fish actively for bluefin tuna in the Adriatic to the number of the vessel participating in the fishery for bluefin tuna in 2008. Each CPC shall allocate individual quotas to the concerned vessels.

CPCs shall issue specific authorizations to the vessels referred to in paragraph 1 of this Annex. Such vessels shall be indicated in the list of catching vessels referred to in paragraph 48 (a) of this Recommendation, where the conditions for changes shall also apply.

2. Each CPC may allocate no more than 7% of its quota for bluefin tuna among its baitboats and trolling boats.
3. Each CPC may allocate no more than 2% of its quota for bluefin tuna among its small-scale coastal vessels for fresh fish in the Mediterranean.

Each CPC may allocate no more than 90% of its quota for bluefin tuna among its catching vessels in the Adriatic for farming purposes.

4. CPCs whose baitboats, longliners, hand liners and trolling boats are authorized to fish for bluefin tuna in the eastern Atlantic and the Mediterranean shall institute tail tag requirements as follows:
  - a) Tail tags must be affixed on each bluefin tuna immediately upon offloading.
  - b) Each tail tag shall have a unique identification number, which shall be included on bluefin tuna catch documents and written legibly and indelibly on the outside of any package containing tuna.



## Logbook requirements

### A - Catching Vessels

#### Minimum specification for fishing logbooks:

1. The logbook must be numbered by sheets.
2. The logbook must be filled in every day (by midnight) or before port arrival.
3. The logbook must be completed in case of at sea inspections.
4. One copy of the sheets must remain attached to the logbook.
5. Logbooks must be kept on board to cover a period of one-year operation.

#### Minimum standard information for fishing logbooks:

1. Master name and address
2. Dates and ports of departure, dates and ports of arrival
3. Vessel name, register number, ICCAT number, international radio call sign and IMO number (if available)
4. Fishing gear:
  - a) Type by FAO code
  - b) Dimension (length, number of hooks...)
5. Operations at sea with one line (minimum) per day of trip, providing:
  - a) Activity (fishing, steaming)
  - b) Position: Exact daily positions (in degree and minutes), recorded for each fishing operation or at noon when no fishing has been conducted during this day
  - c) Record of catches including:
    - i. FAO code
    - ii. round (RWT) weight in kg per day
    - iii. number of pieces per day

For purse seine vessels this should be recorded by fishing operation including nil returns

6. Master signature
7. Means of weight measure: estimation, weighing on board and counting
8. The logbook is kept in equivalent live weight of fish and mentions the conversion factors used in the evaluation.

**Minimum information for fishing logbooks in case of landing or transshipment:**

1. Dates and port of landing/transshipment
2. Products
  1. species and presentation by FAO code
  2. number of fish or boxes and quantity in kg
3. Signature of the Master or Vessel Agent
4. In case of transshipment: receiving vessel name, its flag and ICCAT number

**Minimum information for fishing logbooks in case of transfer into cages:**

1. Date, time and position (latitude/longitude) of transfer
2. Products:
  - a) Species identification by FAO code
  - b) Number of fish and quantity in kg transferred into cages
3. Name of towing vessel, its flag and ICCAT number
4. Name of the farm of destination and its ICCAT number
5. In case of joint fishing operation, in complement of information laid down in points 1 to 4, the masters shall record in their logbook:
  - a) as regards the catching vessel transferring the fish into cages:
    - amount of catches taken on board,
    - amount of catches counted against its individual quota,
    - the names of the other vessels involved in the JFO.
  - b) as regards the other catching vessels not involved in the transfer of the fish:
    - the name of the other vessels involved in the JFO, their international radio call signs and ICCAT numbers,
    - that no catches have been taken on board or transferred into cages,
    - amount of catches counted against their individual quotas,
    - the name and the ICCAT number of the catching vessel referred to in a).

### **B - Towing Vessels**

1. Masters of towing vessels shall record on their daily logbook, the date, time and position of transfer, the quantities transferred (number of fish and quantity in kg), the cage number, as well as the catching vessel name, flag and ICCAT number, the name of the other vessel(s) involved and their ICCAT number, the farm of destination and its ICCAT number, and the ICCAT transfer declaration number.
2. Further transfers to auxiliary vessels or to other towing vessels shall be reported including the same information as in point 1 as well as the auxiliary or towing vessel name, flag and ICCAT number and the ICCAT transfer declaration number.
3. The daily logbook shall contain the details of all transfers carried out during the fishing season. The daily logbook shall be kept on board and be accessible at any time for control purposes.

### **C - Auxiliary Vessels**

1. Masters of auxiliary vessels shall record their activities daily in their logbook including the date, time and positions, the quantities of bluefin tuna taken onboard, and the fishing vessel, farm or trap name they are operating in association with.
2. The daily logbook shall contain the details of all activities carried out during the fishing season. The daily logbook shall be kept on board and be accessible at any time for control purposes.

### **D - Processing Vessels**

1. Masters of processing vessels shall report on their daily logbook, the date, time and position of the activities and the quantities transhipped and the number and weight of bluefin tuna received from farms, traps or catching vessel where applicable. They should also report the names and ICCAT numbers of those farms, traps or catching vessel.
2. Masters of processing vessels shall maintain a daily processing logbook specifying the round weight and number of fish transferred or transhipped, the conversion factor used, the weights and quantities by product presentation.
3. Masters of processing vessels shall maintain a stowage plan that shows the location and the quantities of each species and presentation.
4. The daily logbook shall contain the details of all transhipments carried out during the fishing season. The daily logbook, processing logbook, stowage plan, original of ICCAT transhipment declarations shall be kept on board and be accessible at any time for control purposes.



LOCATION OF TRANSHIPMENT:

<i>Port</i>	<i>Lat.</i>	<i>Sea Long.</i>	<i>Species</i>	<i>Number of unit of fishes</i>	<i>Type of product live</i>	<i>Type of product whole</i>	<i>Type of product gutted</i>	<i>Type of product head off</i>	<i>Type of product filleted</i>	<i>Type of product</i>	Further transhipments
											Date: _____ Place/Position: _____ Authorization CPC No. _____ Transfer vessel Master signature: _____
											Name of receiver vessel: _____ Flag _____ ICCAT Register No. _____ IMO No. _____ Master's signature _____
											Date: _____ Place/Position: _____ Authorization CPC No. _____ Transfer vessel Master's signature: _____
											Name of receiver vessel: _____ Flag _____ ICCAT Register No. _____ IMO No. _____ Master's signature _____

Obligations in case of transhipment:

1. The original of the transhipment declaration must be provided to the recipient vessel (processing/transport).
2. The copy of the transhipment declaration must be kept by the correspondent catching vessel or trap.
3. Further transshipping operations shall be authorized by the relevant CPC which authorized the vessel to operate.
4. The original of the transhipment declaration has to be kept by the recipient vessel which holds the fish, up to the landing place.
5. The transshipping operation shall be recorded in the logbook of any vessel involved in the operation.

## ICCAT Transfer Declaration

Document No.		ICCAT Transfer Declaration	
<b>1 - TRANSFER OF LIVE BFT DESTINATED FOR FARMING</b>			
Fishing vessel name:  Call sign: Flag: ICCAT Register no. External identification: Transfer authorization no. Fishing logbook no. JFO no. eBCD no.	Trap name:	1 <sup>st</sup> towing vessel name: Flag: ICCAT Register no. External identification: Transport cage number:	Name destination farm:  ICCAT Register No:
	ICCAT Register No.	2 <sup>nd</sup> towing vessel name (2): Flag: ICCAT Register no. External identification: Transport cage number:	Name destination farm (3):  ICCAT Register No:
	Donor farm name (1)  ICCAT Register No.	3 <sup>th</sup> towing vessel name (2): Flag: ICCAT Register no. External identification: Transport cage number:	Name destination farm (3):  ICCAT Register No:
<b>2 - FIRST TRANSFER INFORMATION</b>			
Date: __ / __ / ____		Place or position: Port:	Lat:                      Long:
N° individuals and estimated weight (Kg) in first cage (4) First transfer: Voluntary transfer: Control transfer: BFT that died during the transfer (5)	N° individuals and estimated weight (Kg) in second cage First transfer: Voluntary transfer: Control transfer: BFT that died during the transfer (5)	N° individuals and estimated weight (Kg) in third cage First transfer: Voluntary transfer: Control transfer: BFT that died during the transfer (5)	
Master of fishing vessel / trap operator / farm operator name and signature:	Master of receiving vessel name and signature 1 <sup>st</sup> receiving vessel: 2 <sup>nd</sup> receiving vessel: 3 <sup>th</sup> receiving vessel:	Observer Name, ICCAT No. and signature:	

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Presence of Observer: (Y/N)	Reasons for disagreement:	Rules or procedure not respected:	
Estimated N° of individuals Regional Obs:			
Seals Numbers (6)			
<b>3 - FURTHER TRANSFERS (7)</b>			
<b>FURTHER TRANSFER 1</b>			
Date: __/__/____ ITD number:	Place or position: Port:	Lat:	Long:
Donor towing vessel name:	Call sign:	Flag:	ICCAT Register No.
Receiving towing vessel name:	Call sign:	Flag:	ICCAT Register No.
Transfer authorization no:	External identification:	Cage no.	Master of donor vessel name and signature:  Master of receiving vessel name and signature:
N° individuals and estimated weight (Kg):		Number of BFT that died during transfer:	
<b>FURTHER TRANSFER 2</b>			
Date: __/__/____ ITD number	Place or position: Port:	Lat:	Long:
Donor towing vessel name:	Call sign:	Flag:	ICCAT Register no.
Receiving towing vessel name:	Call sign:	Flag:	ICCAT Register no.
Transfer authorization no:	External identification:	Cage no.	Master of donor vessel name and signature:  Master of receiving vessel name and signature:
N° individuals and estimated weight (Kg)		Number of BFT that died during transfer	
<b>FURTHER TRANSFER 3</b>			
Date: __/__/____ ITD number	Place or position: Port:	Lat:	Long:
Donor towing vessel name:	Call sign:	Flag:	ICCAT Register no.
Receiving towing vessel name:	Call sign:	Flag:	ICCAT Register no.

Transfer authorization no:	External identification:	Cage no.	Master of donor vessel name and signature: Master of receiving vessel name and signature:
N° individuals and estimated weight (Kg)		Number of BFT that died during transfer	

**Guidelines to fill in the ITD**

- (1) To be completed in case of transfers between two different farms
- (2) To be completed if the catch is transferred to more than one transport cage
- (3) To be completed in case the transport cages are destined for more than one farm
- (4) Number of individuals and weight estimated by the donor operator for the transfer considered valid. In case the operation has to be repeated, indicate as N/A in the relevant row (e.g. in case the first transfer and voluntary transfer did not provide an adequate video: First transfer: N/A, voluntary transfer: N/A, control transfer: 1030 pieces, 123,600 kg)
- (5) Number of individuals that died and estimated weight
- (6) To be completed by the ICCAT Regional Observer in case the transport cage is to be sealed in accordance with paragraph 130 and Annex 14
- (7) To be completed by the donor operator for each of the transfers between towing vessels, which take place after the first transfer





## Observer Programmes

### CPC Observer Programme

1. The CPC observer tasks shall be, in general, to monitor the compliance of fishing vessels and traps with this Recommendation;
2. When deployed on board a catching vessel, the CPC observer shall record and report upon the fishing activity, which shall include, inter alia, the following:
  - i. their own estimation of the number and weight of bluefin tuna catches (including by-catch);
  - ii. disposition of the catch, such as retained on board, discarded dead or released alive;
  - iii. area of catch by latitude and longitude;
  - iv. measure of effort (e.g., number of sets, number of hooks, etc.), as defined in the ICCAT Manual for different gears;
  - v. date of catch;
  - vi. verify consistency of entries made in the logbook with its own catch estimation;
3. When deployed on a towing vessel :
  - a) in the event that the towing vessel carries out a transfer of fish from its transport cage to another transport cage attached to another towing vessel:
 

without delay, analyze the video footage of the further transfer concerned, to estimate the number of individuals that have been transferred,

communicate immediately to the flag CPC competent authority of the donor towing vessel his/her observations, including the number of individuals estimated by the CPC observer and the corresponding number reported on the ITD by the master of the donor towing vessel, and

include the results of its analysis in its observer report to the flag CPC competent authority of the donor towing vessel.
  - b) record and report in its observer report all bluefin tuna observed dead during the transport trip;
  - c) sight and record vessels that may be fishing contrary to ICCAT conservation measures, and
  - d) communicate the observer report to the flag CPC competent authority of the donor towing vessel without delay at the end of the towing trip.
4. When deployed on a bluefin tuna trap:
  - a) verify the harvesting authorisation issued by the trap CPC competent authority;
  - b) validate the information in the processing and/or harvesting declarations made by the master or representative of the processing vessel or the trap operator.
5. In addition, the CPC observer shall carry out scientific work, such as collecting all the necessary data required by the Commission, based on recommendations of the SCRS.

### **ICCAT Regional Observer Programme**

- Each CPC shall require its farms, traps and purse seine vessels to deploy an ICCAT regional observer, as referred to in paragraph 102.
- The ICCAT Secretariat shall appoint the ICCAT regional observers before 1 April each year, and shall place them on farms, traps and on board the purse seine vessels flying the flag of CPCs that implement the ICCAT regional observer programme. An ICCAT regional observer card shall be issued for each observer.
- The ICCAT Secretariat shall issue a contract listing the rights and duties of the ICCAT regional observer and the master of the vessel, farm, or trap operator. This contract shall be signed by both parties involved.
- The ICCAT Secretariat shall establish an ICCAT Observer Programme Manual.

### **Qualification of the ICCAT regional observers**

- The ICCAT regional observers shall have the following qualifications to accomplish their tasks:
  - sufficient experience to identify species and fishing gear;
  - satisfactory knowledge of the ICCAT conservation and management measures and based on ICCAT training guidelines;
  - the ability to observe and record accurately;
  - the ability to analyze video record footage;
  - to the extent possible, a satisfactory knowledge of the language of the flag, the vessel, the farm or the trap observed.

### **Obligations of the ICCAT regional observer**

- The ICCAT regional observers shall:
  - a) have completed the technical training required by the guidelines established by ICCAT;
  - b) be nationals of one of the CPCs and, to the extent possible, not of the farm CPC, trap CPC or flag CPC of the purse seine vessel;
  - c) be capable of performing the duties set forth in point 7 below;
  - d) be included in the list of observers maintained by the ICCAT Secretariat;
  - e) not have current financial or beneficial interests in the bluefin tuna fishery.
- The ICCAT regional observers shall treat as confidential all information with respect to the fishing and transfer operations conducted by the purse seine vessels, the farms and the traps, and accept this requirement in writing as a condition to be appointed as an ICCAT regional observer.
- The ICCAT regional observers shall comply with requirements established in the laws and regulations of the flag or farm CPC which exercises jurisdiction over the vessel, farm or trap to which the ICCAT regional observer is assigned.
- The ICCAT regional observers shall respect the hierarchy and general rules of behavior which apply to all vessel, farm and trap personnel, provided such rules do not interfere with the duties of the ICCAT regional observer under this program, and with the obligations of vessel, farm and trap personnel set forth in this Annex.

### **Tasks of the ICCAT Regional observer**

- The ICCAT regional observer tasks shall be, in particular, to:

#### **General tasks**

- i. observe and monitor compliance of the bluefin tuna fishing and farming operations with the relevant ICCAT conservation and management measures;
- ii. carry out such scientific work, such as collecting samples or Task II data, as required by the Commission, based on the recommendations of the SCRS;
- iii. sight and record vessels which may be fishing in contravention to ICCAT conservation and management measures;
- iv. verify and record the name of the fishing vessel concerned and its ICCAT number;
- v. exercise any other functions as defined by the Commission;

#### **As regards purse seine vessels or trap catching activity**

- vi. observe and report upon the fishing activities carried out;
- vii. observe and estimate catches and verify entries made in the logbook;

#### **As regards first transfers from a purse seine vessel or trap to transport cage(s)**

- viii. record and report upon the transfer activities carried out;
- ix. verify the position of the vessel when engaged in a transfer;
- x. review and analyze all the video footages related to the transfer operation concerned, where applicable;
- xi. estimate the number of fish transferred [and the corresponding weight, where possible] and record the result in the ITD;
- xii. issue a daily report of the transfer activities of purse seine vessels;
- xiii. record and report upon the result of such analysis;
- xiv. verify entries made in the prior transfer authorization referred to in paragraph 114, in the ITD referred to in paragraphs 132 to 135, and in the eBCD;
- xv. verify that the ITD referred to in paragraphs 132 to 135 is transmitted to the master of the towing vessel or to the representative of the farm or trap;
- xvi. in relation to control transfers, verify the seals identification number and ensure that the seals are placed in such a way to prevent the opening of the doors without the seals being broken;

#### **As regards caging operations**

- xvii. Review the camera video footages at caging to estimate the number of fish caged, in due time to allow the farm operator to complete the related caging declaration;

**As regards verification of data**

- xviii. verify and certify the data contained in the ITDs, the caging declarations and the eBCD, including through the analysis of video records;
- xix. issue a daily report of the purse seine vessels', farms' and traps' transfer activities;
- xx. sign the ITDs, the caging declarations and the eBCD, with clearly written name and ICCAT number, when the relevant operation is in accordance with the ICCAT conservation and management measures and the information contained within these documents is consistent with his/her observations. In case of disagreement, the ICCAT regional observer shall indicate his/her presence on the relevant ITD and caging declarations and/or the eBCD concerned, and the reasons of disagreement, quoting specifically the rule(s) or procedure(s) that in his/her view has(ve) not been respected;

**As regards releases**

- xxi. as regards releases before caging, observe and report on the release operation from the purse seine net or the transport cage, in accordance with the release protocol in **Annex 10**;
- xxii. as regards releases after caging, observe and report on the prior segregation of fish and the subsequent release operation, in accordance with the release protocol in **Annex 10**, including verifying that the quality of the video footage of the prior segregation satisfies the minimum standards of **Annex 8** and estimating the number of fish released;
- xxiii. in both cases, verify the release order issued by the competent authority and validate the information in the release declaration made by the donor or farm operator;

**As regards harvesting operation in farms**

- xxiv. verify the harvesting authorisation issued by the farm CPC competent authority;
- xxv. validate the information in the processing and harvesting declarations made by master or representative of the processing vessel or by the farm operator;

**As regards reporting**

- xxvi. register and verify the presence of any type of tag, including natural marks, and notify any sign of recent tag removals. For all individuals tagged with electronic tags, conduct full biological sampling (otoliths, spine and genetic sample) following guidelines by the SCRS;
- xxvii. establish general reports compiling the information collected in accordance with this paragraph and provide the master and farm operator the opportunity to include therein any relevant information;
- xxviii. submit the aforementioned general report to the provider responsible for the ROP, for subsequent transmission to the ICCAT Secretariat within 20 days from the end of the period of observation;
- xxix. in cases where the ICCAT regional observer observes a potential non-compliance with an ICCAT Recommendation, he/she shall submit this information without delay to the provider responsible for the ROP who shall forward it without delay to the flag, trap or farm CPC competent authority concerned, and to the ICCAT Secretariat. For this purpose, the provider responsible for the ROP shall set up a system through which this information can be securely communicated;
- xxx. obtain, as far as possible, evidence (i.e. photos, videos) of potential non-compliance detected and attach them to his/her report

### **Obligations of the flag, trap and farm CPCs**

- The flag, farm and trap CPCs shall ensure that, notably, the ICCAT regional observer:
  - a) is allowed access to the purse seine vessel, farm and trap personnel and to the gear, cages equipment, and stereoscopic camera and conventional video camera footage;
  - b) upon request and in order to carry out their duties set forth in this Programme, is allowed access to the following equipment, if present on the vessels to which they are assigned:
    - i. Satellite navigation equipment,
    - ii. Radar display screens when in use,
    - iii. Electronic means of communication;
  - c) is provided accommodations, including lodging, food and adequate sanitary facilities, equal to those of officers;
  - d) is provided with adequate space on the bridge or pilot house for clerical work, as well as space on deck adequate for carrying out observer duties; and
- The flag, trap and farm CPCs shall ensure that masters, crew, farm, trap and vessel owners do not obstruct, intimidate, interfere with, influence, bribe or attempt to bribe an ICCAT regional observer in the performance of his/her duties.
- The ICCAT Secretariat, in a manner consistent with any applicable confidentiality requirements, is requested to provide to the flag, trap or farm CPC, copies of all raw data, summaries, and reports pertaining to the trip. The ICCAT Secretariat shall submit the ICCAT regional observer reports to the Compliance Committee and to the SCRS.
- The flag, farm or trap CPC competent authority where the ICCAT regional observer is providing his/her services, may request that the observer be replaced if they have evidence that the ICCAT regional observer does not meet its obligations or adequately carry out the tasks set out in this Recommendation. Any such cases shall be reported to Panel 2.

### **Fees and organization**

- The costs of implementing this program shall be financed by the farm and trap operators and the purse seine vessel owners. The fee shall be calculated on the basis of the total costs of the Program, and paid into a special account of the ICCAT Secretariat. The ICCAT Secretariat shall manage the account for implementing the program;

No ICCAT regional observer shall be assigned to a vessel, trap or farm for which the fees, as required under this Annex, have not been paid.

### ICCAT Scheme of Joint International Inspection

Pursuant to paragraph 3 of Article IX of the Convention, the Commission recommends the establishment of the following arrangements for international control outside the waters under national jurisdiction for the purpose of ensuring the application of the Convention and the measures in force thereunder:

#### I. Serious violations

1. For the purposes of these procedures, a serious violation means the following violations of the provisions of the ICCAT conservation and management measures adopted by the Commission:
  - a) fishing without a license, permit or authorization issued by the flag CPC;
  - b) failure to maintain sufficient records of catch and catch-related data in accordance with the Commission's reporting requirements or significant misreporting of such catch and/or catch-related data;
  - c) fishing in a closed area;
  - d) fishing during a closed season;
  - e) intentional taking or retention of species in contravention of any applicable conservation and management measure adopted by the ICCAT;
  - f) significant violation of catch limits or quotas in force pursuant to the ICCAT rules;
  - g) using prohibited fishing gear;
  - h) falsifying or intentionally concealing the markings, identity or registration of a fishing vessel;
  - i) concealing, tampering with or disposing of evidence relating to investigation of a violation;
  - j) multiple violations which taken together constitute a serious disregard of measures in force pursuant to the ICCAT;
  - k) assault, resist, intimidate, sexually harass, interfere with, or unduly obstruct or delay an authorized inspector or observer;
  - l) intentionally tampering with or disabling the vessel monitoring system;
  - m) such other violations as may be determined by the ICCAT, once these are included and circulated in a revised version of these procedures;
  - n) fishing with the assistance of spotter planes;
  - o) interference with the satellite monitoring system and/or operation of a vessel without a VMS system;
  - p) transfer activity without transfer declaration;
  - q) transshipment at sea.

2. In the case of any boarding and inspection of a fishing vessel during which the authorized inspectors observe an activity or condition that would constitute a serious violation, as defined in paragraph 1, the authorities of the flag CPC of the inspection vessel shall immediately notify the flag CPC of the fishing vessel, directly as well as through the ICCAT Secretariat. In such situations, the inspector should also inform any inspection ship of the flag CPC of the fishing vessel known to be in the vicinity.
3. ICCAT inspectors should register the inspections undertaken and the infringements detected (if any) in the fishing vessel logbook.
4. The flag CPC shall ensure that, following the inspection referred to in paragraph 2 of this Annex, the fishing vessel concerned ceases all fishing activities. The flag CPC shall require the fishing vessel to proceed within 72 hours to a port designated by it, where an investigation shall be initiated.
5. In the case where an inspection has detected an activity or condition that would constitute a serious violation, the vessel should be reviewed under the procedures described in the *Recommendation by ICCAT on Establishing a List of Vessels Presumed to Have Carried Out Illegal, Unreported and Unregulated Fishing Activities* (Rec. 18-08), taking into account any response actions and other follow up.

## II. Conduct of inspections

6. Inspections shall be carried out by inspectors designated by the Contracting Governments. The names of the authorized government agencies and individual inspectors designated for that purpose by their respective governments shall be notified to the Commission.
7. Ships carrying out international boarding and inspection duties in accordance with this Annex shall fly a special flag or pennant approved by the Commission and issued by the ICCAT Secretariat. The names of the ships so used shall be notified to the ICCAT Secretariat as soon as practical in advance of the commencement of inspection activities. The Secretariat shall make information regarding designated inspection vessels available to all CPCs, including by posting on its password-protected website.
8. Inspectors shall carry appropriate identity documentation issued by the authorities of the flag CPC, which shall be in the form shown in paragraph 20 of this Annex.
9. Subject to the arrangements agreed under paragraph 15 of this Annex, a vessel flagged to a Contracting Government and fishing for tuna or tuna-like fishes in the Convention area outside waters under national jurisdiction shall stop when given the appropriate signal in the International Code of Signals by a ship flying the ICCAT pennant described in paragraph 7 and carrying an inspector unless the vessel is actually carrying out fishing operations, in which case it shall stop immediately once it has finished such operations. The master<sup>5</sup> of the vessel shall permit the inspection party, as specified in paragraph 10 of this Annex, to board it and must provide a boarding ladder. The master shall enable the inspection party to make such examination of equipment, catch or gear and any relevant documents as an inspector deems necessary to verify compliance with the ICCAT Commission's Recommendations in force in relation to the flag CPC of the vessel being inspected. Further, an inspector may ask for any explanations that he or she deems necessary.
10. The size of the inspection party shall be determined by the commanding officer of the inspection vessel taking into account relevant circumstances. The inspection party should be as small as possible to accomplish the duties set out in this Annex safely and securely.
11. Upon boarding the vessel, inspectors shall produce the identity documentation described in paragraph 8 of this Annex. Inspectors shall observe generally accepted international regulations, procedures and practices relating to the safety of the vessel being inspected and its crew, and shall minimize interference with fishing activities or stowage of product and, to the extent practicable, avoid action which would adversely affect the quality of the catch on board; Inspectors shall limit their enquiries to the ascertainment of the observance of the Commission's Recommendations in force in relation to the flag CPC of the vessel concerned. In making the inspection, inspectors may ask the master of the fishing vessel

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<sup>5</sup> Master refers to the individual in charge of the vessel.



for any assistance he/she may require. Inspectors shall draw up a report of the inspection in a form approved by the Commission. Inspectors shall sign the report in the presence of the master of the vessel who shall be entitled to add or have added to the report any observations which he or she may think suitable and must sign such observations.

12. Copies of the report shall be given to the master of the vessel and to the government of the inspection party, which shall transmit copies to the appropriate authorities of the flag CPC of the inspected vessel and to the ICCAT Commission. Where any infringement of ICCAT Recommendations is discovered, the inspector should, where possible, also inform any inspection ship of the flag CPC of the fishing vessel known to be in the vicinity.
13. Resistance to inspectors or failure to comply with their directions shall be treated by the flag CPC of the inspected vessel in a manner similar to such conduct committed with respect to a national inspector.
14. Inspectors shall carry out their duties under these arrangements in accordance with the rules set out in this Recommendation, but they shall remain under the operational control of their national authorities and shall be responsible to them.
15. Contracting Governments shall consider and act on inspection reports, sighting information sheets as per Rec. 19-09 and statements resulting from documentary inspections of foreign inspectors under these arrangements on a similar basis in accordance with their national legislation to the reports of national inspectors. The provisions of this paragraph shall not impose any obligation on a Contracting Government to give the report of a foreign inspector a higher evidential value than it would possess in the inspector's own country. Contracting Governments shall collaborate in order to facilitate judicial or other proceedings arising from a report of an inspector under these arrangements.
  - a) Contracting Governments shall inform the Commission by 15 February each year of their provisional plans for conducting inspection activities under this Recommendation in that calendar year and the Commission may make suggestions to Contracting Governments for the coordination of national operations in this field including the number of inspectors and ships carrying inspectors;
  - b) the arrangements set out in this Recommendation and the plans for participation shall apply between Contracting Governments unless otherwise agreed between them, and such agreement shall be notified to the ICCAT Commission. Provided, however, that implementation of the scheme shall be suspended between any two Contracting Governments if either of them has notified the ICCAT Commission to that effect, pending completion of such an agreement.
16.
  - a) the fishing gear shall be inspected in accordance with the regulations in force for the subarea for which the inspection takes place. Inspectors will state the subarea for which the inspection took place, and a description of any violations found, in the inspection report;
  - b) inspectors shall have the authority to inspect all fishing gear in use or on board.
17. Inspectors shall affix an identification mark approved by the ICCAT Commission to any fishing gear inspected which appears to be in contravention of the ICCAT Commission's Recommendations in force in relation to the flag CPC of the vessel concerned and shall record this fact in his/her report.
18. The inspector may photograph the gears, equipment, documentation and any other element he/she considers necessary in such a way as to reveal those features which in their opinion are not in conformity with the regulation in force, in which case the subjects photographed should be listed in the report and copies of the photographs should be attached to the copy of the report to the flag CPC.
19. Inspectors shall, as necessary, inspect all catch on board to determine compliance with ICCAT Recommendations.



**Minimum standards for video recording procedures  
applicable to transfer, caging and/or release operations**

1. Each flag, trap and farm CPC concerned shall ensure that the following procedures apply to all video recordings of transfer, caging and/or release operations referred to in this Recommendation:
  - a) At the beginning and/or the end of each video, where requested, the ICCAT transfer or caging authorization number or release order shall be displayed;
  - b) The time and the date of the video shall be continuously displayed throughout each video record;
  - c) The video record shall be continuous without any interruptions and cuts, and cover the entire transfer, caging and/or release operation;
  - d) Before the start of the transfer, caging and/or release operation, the video record shall include the opening and closing of the net/door and, for transfers and caging operations, show whether the receiving and donor cage(s) already contain bluefin tuna;
  - e) The video record shall be of sufficient quality to determine the number and, where appropriate the weight, of bluefin tuna being transferred, caged and/or released;
  - f) The original video record shall be kept on board the donor vessel, or by the farm or trap operator where appropriate, during their entire period of authorization to operate;
  - g) The distribution of copies of the video records shall follow the provisions referred to in paragraph 122 to 125 of this Recommendation;
  - h) The electronic storage device containing the original video record shall be immediately provided to the ICCAT regional and/or CPC national observer after the end of the transfer, caging and/or release operation. The ICCAT regional observer and/or CPC observer shall immediately initialize it to avoid any further manipulation.
  
2. Each flag, trap and farm CPC concerned shall establish the necessary measures to avoid any replacement, edition or manipulation of the original video records.

**Insufficient quality of the video record**

3. If the video record is of insufficient quality to determine the number and, where appropriate the weight, of bluefin tuna being transferred, caged and/or released, the operation shall be repeated until the quality of the video is adequate, following the procedures below:
  - a) for a transfer, the transfer operation concerned shall be repeated in accordance with the provisions set out in paragraphs 126 to 131 of this Recommendation (voluntary and control transfers). This voluntary or control transfer shall be carried out into another cage which must be empty.
 

For those transfers where the origin of the fish is a trap, the bluefin tuna already transferred from the trap to the receiving cage could be sent back to the trap and the voluntary transfer is cancelled under the supervision of the ICCAT regional observer;
  - b) for a caging operation, the caging operation concerned shall be repeated in accordance with the provisions set out in paragraphs 158 to 159 of this Recommendation.

The new caging operation must include movement of all the bluefin tuna from the receiving farm cage into another farm cage, which must be empty;

- c) for releases, the segregation of the fish to be released shall be repeated in accordance with the release Protocol set out in **Annex 10** of this Recommendation.

## Standards and procedures for stereoscopic cameras systems in the context of caging operations

### 1. Use of stereoscopic cameras systems

The use of stereoscopic cameras systems in the context of caging operations shall be conducted in accordance with the following provisions:

- i. The sampling intensity of live fish for length measurement shall not be below 20% of the number of fish being caged. When technically possible, the sampling of live fish shall be sequential, by measuring one in every five specimens. Such a sample shall be made up of fish measured at a distance between 2 and 8 meters from the camera.
- ii. The dimensions of the transfer gate connecting the donor cage and the receiving cage shall be set at maximum width of 8 to 10 meters and maximum height of 8 to 10 meters.
- ii bis) The most up to date algorithm(s) using length at caging and the length-weight relationship for wild fish established by SCRS shall be used to convert the fork length of a single fish into weight, according to the size category of the fish measured during the caging operation.
- iii. When the length measurements of the fish present a multi-modal distribution (two or more cohorts of distinct sizes), it shall be possible to use more than one conversion algorithm for the same caging operation.
- iv. Validation of the stereoscopic individual length measurements shall be undertaken prior to each caging operation using a scale bar at a distance of 2 and 8 m.
- v. The margin of error for determining weight, inherent to the technical specifications of the stereoscopic camera system, shall not exceed a range of +/- 5 percent.
- vi. The report on the results of the stereoscopic program should include details on all the technical specifications above, including the sampling intensity, the way of sampling methodology, the distance from the camera, the dimensions of the transfer gate, and the algorithms (length-weight relationship). The SCRS shall review these specifications, and if necessary provide recommendations to modify them.

### 2. Caging results

At the completion of a caging operation, or the complete set of caging operations under a JFO or under the traps of the same CPC/EU Member State, the farm CPC competent authority shall communicate the following information to the catching flag or trap CPC competent authority:

- a) a technical report related to the stereoscopic camera system, which shall contain in particular:
  - general information: species, site, cage, date, algorithm;
  - sizing statistical information: average weight and length, minimum weight and length, maximum weight and length, number of fish sampled, weight distribution, size distribution;
  - the algorithm used to convert length into weight;
  - the margin of error of the stereoscopic camera system used. In the case where the camera software does not have an automatic method to calculate this margin of error, it shall be calculated as detailed in points 1 to 4 of the **Appendix** to this **Annex**. The implementation of this appendix is subject to SCRS review of the proposed method;

- b) a factual report related to the caging operation, which shall contain in particular:
- detailed results of the sampling programme, with the total number and weight of bluefin tuna being caged, and the size and weight of every fish that was sampled;
  - the relevant caging declarations;
  - indication of cases where discrepancies of more than 10% between the number of individuals being caged and the number reported as caught on the ITD require investigation by the flag or trap CPC competent authority in accordance with paragraph 169, and cases where the caging results indicate that catch is not in line with paragraphs 33 to 35;
  - general information on the caging operation: number of the caging operation, name of the farm, cage number, eBCD number, ITD number, name and flag of the catching vessel, name and flag of the towing vessel, date of the stereoscopic camera system operation and footage filename;
  - comparison between the amounts declared in the eBCD and the amounts found with the stereoscopic camera system, in number of fish, average weight and total weight (the formula used to calculate the difference shall be:  $(\text{Stereoscopic System} - \text{eBCD}) / \text{Stereoscopic System} * 100$ ).

### 3. Caging Report

The caging report referred to in paragraph 181 of this Recommendation shall include:

- a) the caging results referred to in point 2;
- b) the relevant reports of the release operations, conducted in accordance with **Annex 10**;

### 4. Use of the outcome of the stereoscopic camera systems

By applying the margin of error inherent to the technical specifications of the stereoscopic camera system used, the farm CPC competent authority shall determine the range (lowest and higher value) of the total weight of the bluefin tuna being caged, in accordance with point 5 of the Appendix to this Annex. The implementation of the appendix is subject to SCRS review of the proposed method.

When receiving the results of the analysis of the stereoscopic camera video footage and the range (lower and higher value) of the total weight of the bluefin tuna being caged, communicated by the farm CPC competent authority, the catching flag or trap CPC/EU Member State competent authority shall take the following measures:

- a) apply the following measures as regards releases and adaptation of the eBCD sections for catching vessels operating within the framework of an individual fishing operation (outside a JFO);
  - i. when the total weight declared by the catching vessel in the eBCD is within the range of the stereoscopic camera system results:
    - no release shall be ordered;
    - the eBCD shall be modified both in number (using the number of fish resulting from the use of the stereoscopic camera system and average weight, while the total weight shall not be modified).

- ii. when the total weight declared by the catching vessel in the catching section of the eBCD is below the lowest figure of the range of the stereoscopic camera system results:
  - a release shall be ordered using the lowest figure in the range of the stereoscopic camera system results;
  - the release operations shall be carried out in accordance with the procedure laid down in **Annex 10**;
  - after the release operations took place, the eBCD shall be modified both in number (using the number of fish resulting from the use of the stereoscopic camera system minus the number of fish released) and average weight, while the total weight shall not be modified.
- iii. when the total weight declared by the catching vessel in the catching section of the eBCD exceeds the highest figure of the range of the stereoscopic camera system results:
  - no release shall be ordered;
  - the eBCD shall be modified for the total weight (using the highest figure in the range of the stereoscopic camera system results), for the number of fish (using the results from the stereoscopic camera system, and average weight accordingly).
- b) ensure that for any relevant modification of the eBCD, the values (number and weight) entered in Section 2 shall be consistent with those in Section 6 and the values in Sections 3, 4 and 6, shall not be higher to those in Section 2.

## 5. Provisions applicable to JFO and traps

1. Decisions consequent to differences between the catch report and the results from the stereoscopic camera system programme shall be taken by the flag or trap CPC competent authority:
  - a) based on comparison between the total of the weights resulting from the stereoscopic camera system programme of all the bluefin tuna caging operations from a JFO / traps, with the total of the weights of catches declared by vessels participating in that JFO or by those traps and, in the case of JFOs and traps involving a single CPC and/or EU Member State;
  - b) at the level of the caging operations for JFO's involving more than one CPC and/or EU Member State, unless otherwise agreed by all the flag CPC/EU Member State competent authorities of the catching vessels involved in the JFO.
2. In case of compensation of differences in weight between what has been determined by the stereoscopic camera and the correspondent catch found in individual caging reports across all cagings from a JFO or traps of a same CPC/EU Member State, whether or not a release operation is required, all relevant eBCD shall be modified on the basis of the lowest range of the stereoscopic camera system results.
3. The eBCD related to the quantities of bluefin tuna released shall also be modified to reflect the weight and the corresponding number of fish released. The eBCD related to bluefin tuna not released but for which the results from the stereoscopic camera systems or alternative techniques differ from those reported caught and transferred shall also be amended to reflect these differences.
4. The eBCD relating to the catches from where the release operation took place shall also be modified to reflect the weight/number released.

## Appendix to Annex 9

**Method for the calculation of a margin of error  
and range of the stereoscopic camera system**

In accordance with what was agreed at the Intersessional Meeting of Panel 2 (March 2020) «Clarify section 2 of Annex 9 of Rec. 19-04, paragraph iii concerning the determination of the percentage range», the following method is applied for the calculation of the margin of error and the range of the stereoscopic camera system:

1. Calculation of the fork length (FLi) range for each sample (i) taking into account the margin of error FL provided by the system (error%) :

The length range is identified for each sample (i) by **[FL<sub>min,i</sub> , FL<sub>max,i</sub>]**

**FL<sub>min,i</sub> = FLi - (FLi \* error%)**: is the minimum value for the fork length range for each sample (i)

**FL<sub>max,i</sub> = FLi + (FLi \* error%)**: is the maximum value for the fork length range for each sample (i)

2. Conversion of the length range to a round weight (RTW) range for each sample (i) applying the algorithm used to convert length into weight:

The round weight range is identified for each sample (i) by **[RTW<sub>min,i</sub> , RTW<sub>max,i</sub>]**

**RTW<sub>min,i</sub>**: is the minimum value of the round weight range for each sample (i)

**RTW<sub>max,i</sub>**: is the maximum value of the round weight range for each sample (i)

3. Calculation of the average round weight range:

the average round weight range for «n» samples is identified by

**[RTWaverage<sub>min</sub>, RTWaverage<sub>max</sub>]**

**RTWaverage<sub>min</sub>** =  $\frac{1}{n} \sum_{i=1}^n RTW_{min,i}$  : is the minimum value for the average round weight range

**RTWaverage<sub>max</sub>** =  $\frac{1}{n} \sum_{i=1}^n RTW_{max,i}$  : is the maximum value for the average round weight range

4. Calculation of the margin of error percentage (%) of the system:

$$\frac{(RTWaverage_{max} - RTWaverage_{min})/2}{RTWaverage} * 100$$

**RTWaverage**: is the average weight provided by the stereoscopic camera

5. Deduction of the stereoscopic camera system range:

The range of the stereoscopic camera system is defined by:

**[The lowest figure of the range, The highest figure of the range]**

Previously, the total weight is calculated by multiplying the average weight provided by the stereoscopic camera by the number of fish resulting from the use of the stereoscopic camera, i.e. **RTWtotal = (RTWaverage \* Number BFT)**

Thus, the range limits are calculated as follows:

**The lowest range figure = RTWtotal - (margin of error system \* RTWtotal / 100)**

**The highest range figure = totalRTW + (margin of error system \* RTW total / 100)**



## Release Protocol

### Issuing of release orders

1. Release orders before caging shall be issued:
  - a) by competent authority of the donor operator when, on the basis of the prior transfer notification, the CPC competent authority of the donor operator refuses the transfer operation as per paragraph 119;
  - b) by the farm CPC competent authority when, in accordance with paragraph 151, the caging authorization has not been issued by the farm CPC competent authority within 1 month after the request for a caging authorization.
2. Release orders after caging shall be issued:
  - a) by the flag or trap CPC competent authority when, following procedures in paragraph 178 to 180 it is established that the weight caged exceed those reported caught. The release order shall be notified to the farm CPC competent authority, which transmit it to the farm operator concerned.
  - b) by the farm CPC competent authority when, after harvest, the remaining fish is not covered by an eBCD, or when a carry-over assessment or control transfer has identified an excess of fish.

For cases under section 2 (a) above, the total weight of bluefin tuna to be released shall be converted into a corresponding number of individuals by applying the average weight resulting from the analysis of the stereoscopic camera video footages related to the relevant caging operation, made by the farm CPC competent authority in accordance with paragraph 164 of the Recommendation.

### Segregation of fish prior to the release operation

3. Prior to the release from a farm cage, the farm CPC competent authority shall ensure that:
  - the fish to be released is segregated and moved to an empty transport cage, and the transfer of the fish to the transport cage is monitored by control camera in the water, in accordance with the minimum standards set out in **Annex 8**;
  - the number of fish segregated for release corresponds to the release order.
4. The prior segregation of the fish shall be conducted in the presence of an ICCAT regional observer.

### Record of the release operation by video camera

5. The release of bluefin tuna from transport or farm cages into the sea shall be recorded by control camera. All release operations into the sea shall be observed by an ICCAT regional observer.

### Reporting

6. For each release operation performed, the donor or farm operator responsible for the release shall complete a release declaration, using the template in **Annex 15**.
7. The ICCAT regional observer shall validate the information in the release declaration. The donor or farm operator shall submit the release declaration to its authorities within 48 hours of the release operation taking place for transmission to the ICCAT Secretariat.

**General provisions**

8. Release operations from purse seine nets, traps or transport cages must be executed immediately after receipt of the release order.
9. Release operations from farms must be executed within 3 months of the last caging operation of the fish concerned and at a minimum distance of 10 miles from the farm. For releases of less than 5 tonnes of bluefin tuna, the farm CPC competent authority may set a shorter distance, of minimum 5 miles, for the release.
10. The master of the towing vessel or the farm operator shall be responsible for the fish survival until the release operation has taken place.
11. The farm CPC competent authority might implement any additional measures they feel necessary to guarantee that the release operations take place at the most appropriate time and place in order to increase the probability of the fish going back to the stock.

### **Treatment of dead and/or lost fish**

#### **Record of dead or lost bluefin tuna**

1. The number of bluefin tuna that die during any operation regulated in this Recommendation shall be reported by the donor operator in the case of a transfer operations and associated transport, or the farm operator in the case of a caging operation or farming activities, and deducted from CPC's quota concerned.
2. For the purposes of this Annex, lost fish refers to the missing BFT individuals that, after the potential differences detected during the investigation referred to in paragraph 169, have not been justified as mortalities.

#### **Treatment of fish that die during first transfer**

3. The bluefin tuna that die during the first transfer from a purse seine vessel or trap shall be recorded in the purse seine vessel logbook or the trap daily catch report, and reported on the ICCAT Transfer Declaration (ITD) and on the transfer section of the eBCD.
4. The eBCD shall be provided to the towing vessel(s) with Section 2 (Total Catch), Section 3 (Live fish trade) and Section 4 (Transfer - including "dead" fish) completed.
5. The total quantities reported in Sections 3 and 4 shall be equal to the quantities reported in Section 2, after deductions of all the mortalities observed between the catch and completion of the transfer.
6. The eBCD shall be accompanied by the ITD in accordance with the provisions of this Recommendation. The number of bluefin tuna reported in the ITD (transferred live), must equal the number reported in Section 3 in the associated eBCD.
7. A split of the eBCD with Section 8 (Trade information) shall be completed and given to the auxiliary vessel which will transport the dead bluefin tuna to shore (or retained on the catching vessel or the trap if landed directly to shore). This dead fish and split eBCD must be accompanied with a copy of the ITD.
8. With regard to eBCD, the dead fish shall be allocated to the catching vessel which made the catch or, in the case of JFOs, either to participating catching vessels or flags.

#### **Treatment of fish that die and/or are lost during further transfers and transport operations**

9. Towing vessels shall report, using the template attached to this Annex, all bluefin tuna dead during transport. Individual lines shall be completed by the master each time the dead or lost event has been detected.
10. In case of further transfers, the master of the donor towing vessel must provide the original of the report to the master of the towing vessel receiving the bluefin tuna, keeping a copy on board for the duration of the campaign.
11. At arrival of a transport cage to the destination farm, the master of the towing vessel shall deliver the complete set of reports of dead fish using the template attached to this Annex to the farm CPC competent authority.
12. For the purpose of the quota uptake to be determined by the flag or trap CPC, the weight of fish that die or are lost during transport shall be evaluated as follows:
  - a) for dead fish

- i. in the case of landing, the effective weight at landing shall be applied;
  - ii. in the case that the dead fish is discarded, the average weight established at the time of caging shall be applied to the number of individuals discarded;
- b) for fish otherwise considered as lost at the moment of the investigation referred to in paragraph 169, the average weight established at the time of caging shall be applied to the number of individuals considered as being lost.

#### Treatment of fish that die during caging operations

13. The fish that die during caging operations shall be reported by the operator on the caging declaration. The farm CPC competent authority shall ensure that the number and weight of the fish that die is reported in the relevant field of Section 6 of the eBCD.

#### Treatment of fish that die and/or are lost during farming activities

14. Dead or lost fish in farms or those that disappear from farms, including allegedly stolen or escaped fish, shall be reported by the farm operator to the farm CPC competent authority immediately after the event has been detected. The farm operator's report shall be accompanied by the necessary supporting evidence (complaint filed about the stolen fish, damage report in case of damage to the cage, etc.). After receipt of such report, the farm CPC competent authority shall apply the necessary changes or cancellation of the eBCD concerned (following the necessary developments in the eBCD system).

Reporting of fish that die during further transfers and towing operations		
Towing vessel	Name	
	ICCAT N° and Flag	
	ITD N° and Cage N°	
	Master's name	
Catching vessel(s)/trap	Name of vessel(s)/trap	
	ICCAT number and JFO N°	
	eBCDs number(s)	
Previous towing vessel (if any)	Name	
	ICCAT N° and Flag	
	ITD N° and Cage N°	
	Total number of BFT reported dead (*)	
Farm of destination	CPC / Name / ICCAT N°	
Date	N° of dead BFT	Master's signature

<b>TOTAL</b>		

(\* ) In case of further transfers, the Master of the donor towing vessel shall deliver the original of the mortalities report to the Master of the receiving towing vessel.

### ICCAT Caging Declaration

<b>ICCAT Caging Declaration</b>		<b>Document No:</b>	
<b>1 - CAGING OF BLUEFIN TUNA</b>			
Farm name:		Towing vessel name:	
ICCAT Register number:		ICCAT Register number:	
Caging authorization number:		Flag:	
Transport cage number:		JFO number:	
Farm cage number:		eBCD number(s):	
Date of caging:		Transfer declaration (ITD) number(s):	
Bluefin tuna that die during transport (1):			
<b>2 - CAGING INFORMATION - FARM OPERATOR AND ICCAT OBSERVER (2)</b>			
	Farm Operator		ICCAT Observer
Number individuals:			
Quantities in Kg:			Not applicable
Number and weight (Kg) of BFT dead during caging:			
Farm operator name, date and signature:		Observer Name, ICCAT No, date and signature:	
Presence of Observer: (Y/N)	Reasons for disagreement:		Rules or procedure not respected:
<b>3 - CAGING INFORMATION - CPC FARM AUTHORITIES* (3)</b>			
Number individuals:		Quantities in Kg:	
CPC authorities officer, date and signature:			

- (1) Total number and weight (Kg) of BFT reported dead by the master(s) of the towing vessel(s) which have transported the caged fish.
- (2) Quantities determined by the farm operator and ICCAT observer after analysing the stereoscopic camera footage of the caging operation.
- (3) Quantities established by the CPC farm authorities for the actual caging operation when data are available.

**Minimum Information for Fishing Authorizations**

## A. IDENTIFICATION

1. ICCAT registration number
2. Name of fishing vessel
3. [National registration number which is externally visible (letters and numbers)  
[External identification]] [Alternative: External identification number]
4. [IMO number]

## B. FISHING CONDITIONS

1. Date of issue
2. Period of validity
3. Conditions of fishing authorization, including when appropriate species, zone, fishing gear and any other conditions applicable derived from this Recommendation and/or from national legislation.

	<b>From... to...</b>	<b>From... to</b>	<b>From... to</b>	<b>From... to</b>	<b>From... to</b>
<b>Zones</b>					
<b>Species</b>					
<b>Fishing gear</b>					
<b>Other conditions</b>					

**Procedure for sealing operations of transport cages**

Prior to their deployment on a purse seine vessel a trap, or a towing vessel, the provider responsible for the ROP and national competent authorities shall provide a minimum of 25 ICCAT seals to each ICCAT regional and national observers under their responsibility and maintain a record of the seals provided and used.

The donor operator shall be responsible for sealing the cages. For this purpose, a minimum of three seals, placed in such a way that they prevent the opening of doors without breaking the seals, shall be put on each cage door.

The sealing operation shall be video recorded by the donor operator and shall allow the identification of the seals and verification that the seals have been properly placed. The video shall comply with points (a), (b), (c) of **Annex 8**. A copy of the video footage shall be made available to the ICCAT regional observer on board the purse seine or on the trap, or to the national observer on the receiving towing vessel, for transmission to the CPC competent authority or regional observer present at the subsequent control transfer.

The video footage of the subsequent control transfer shall include the unsealing operation, which shall be undertaken in such a way as to allow the identification of the seals and verification that the seals have not been tampered with.



**Proposal to amend ICCAT Recommendation 19-04 amending the Recommendation 18-02  
establishing a multi-annual management plan for bluefin tuna in the eastern Atlantic and the  
Mediterranean, as amended by ICCAT Recommendation 20-07**

*(Submitted by the European Union and the United Kingdom)*

*CONSIDERING* the Trade and Cooperation Agreement between the United Kingdom and the European Union which transfers a portion of the allocation of certain ICCAT species from the European Union to the United Kingdom following withdrawal of the United Kingdom from the European Union;

*NOTING* that the total allocation of these two CPCs combined remains unchanged;

*DESIROUS* of correctly reflecting the allocations in the ICCAT Conservation and Management measures;

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

The following amendments shall be made to Rec. 19-04 (as amended by 20-07):

1. Paragraph 5 shall be replaced with:

“5. The total allowable catches (TACs), inclusive of dead discards, for the years 2021 and 2022 shall be set at 36,000 t, respectively, in accordance with the SCRS advice. However, the 2022 TAC shall be reviewed and amended, as appropriate, at the 2021 Commission annual meeting based on new SCRS advice in 2021.

36,000 t shall be allocated in 2022 in accordance with the following scheme:

CPC	Quota 2022 (t)
Albania	170
Algeria	1,655
China	102
Egypt	330
European Union*	19,460
Iceland**	180
Japan	2,819
Korea	200
Libya	2,255
Morocco	3,284
Norway	300
Syria	80
Tunisia	2,655
Turkey	2,305
Chinese Taipei	90
Subtotal	35,855
Unallocated reserves	115
<b>Total</b>	<b>36,000</b>

\*The European Union is authorised to transfer 48.40 t from its quota in 2021 and 2022, and 0.25% of its quota prior to any adjustments made (for example under paragraphs 7 and 12 of Rec. 19-04) and any specific allocation made to the EU for its small-scale fisheries in following years to the United Kingdom.

\*\* Notwithstanding the provision of this Part, Iceland may catch beyond 180 t in 2021 by 25% while its total catch for 2018, 2019, 2020 and 2021 combined shall not exceed 591 t (84 t + 147 t + 180 t + 180 t).

This table shall not be interpreted to have changed the allocation keys shown in Rec. 14-04. The new keys shall be established in the future for consideration by the Commission.

Mauritania may catch up to 5 t for research in each year, if they respect the rules of reporting of catches defined in this Recommendation. The catch shall be deducted from the unallocated reserve.

Senegal may catch up to 5 t for research in each year, if they respect the rules of reporting of catches defined in this Recommendation. The catch shall be deducted from the unallocated reserve.

Depending on availability, Chinese Taipei may transfer up to 50 t of its quota to Korea in 2021.”