

The Commission adopts the following recommendation:

That it draw the attention of Contracting Parties to the scheme of Port Inspection agreed by the Commission at its First Special Meeting in 1978 [attachment 1], recommend their adoption of this scheme and request them to inform the Secretariat of their acceptance. The scheme will enter into force formally between the Parties who have accepted it, as soon as a simple majority of Contracting Parties have indicated their acceptance. In advance of its entry into force, the scheme could be applied provisionally between Parties who so agree.

**ICCAT SCHEME OF PORT INSPECTION
(From Biennial Period, 1978-79 PART I)**

In order to achieve the objectives set forth in the International Convention for the Conservation of Atlantic Tunas and to ensure its observance, the Commission adopts the following port inspection scheme:

1. Inspection shall be carried out by the appropriate authorities of the Contracting Parties, who will monitor compliance with the Commission's regulations at their own ports, during tuna transshipment or landing operations or during calls of tuna vessels, without discrimination between their own national vessels and those of other Contracting Parties. Vessels which enter a port because of force majeure are exempt from inspection.
2. Each Contracting Party shall notify the Commission of the names of the inspectors appointed for this purpose. The Commission shall communicate to the Contracting Parties the names of all authorized inspectors. Each inspector shall carry identification supplied by competent authorities in accordance with a model approved by the Commission. This document shall be provided to the inspector upon appointment, and shall specify that the inspector has the authority to act according to arrangements approved by the Commission.
3. Prior to an examination, the inspector shall identify himself by presenting the identification described in (2) above. The inspector shall, when he considers it necessary, examine the characteristics of the catches of foreign and domestic flag tuna vessels, pursuant to paragraph (1). Inspections shall be carried out so that the vessel suffers the minimum interference and inconvenience and that degradation of the quality of the fish is avoided.
4. The inspector shall draw up a report of his inspection in a form standardized by the Commission. He 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 thinks suitable and which he must sign. The inspector should note in the vessel's logbook that an inspection was made. Copies of the report shall be given to the vessel's master and to the inspector's competent authorities who shall promptly transmit copies to the appropriate authorities of the flag state of the vessel and to the Commission.
5. In making his examination, an inspector may ask the master for any necessary assistance. The master shall enable the inspector to make such examination of catch or gear and any relevant documents as the inspector deems necessary, including fishing logbooks, to verify the observance of the Commission's regulations in force.
6. Resistance to an inspector or failure to comply with his instructions shall be treated by the flag state of the vessel in a manner similar to resistance to, or a failure to comply with the instructions of, any inspector of that state or Contracting Party.
7. Inspectors shall carry out their duties in accordance with the rules set out in this inspection scheme but they shall remain under the operational control of their authorities and shall be responsible to them.
8. Contracting Parties shall consider and act on reports of foreign inspectors, according to the provisions of paragraph (4), on a similar basis as the reports of national inspectors in accordance with their national legislation. The provisions of this paragraph shall not impose any obligation on a Contracting Party to give the report of a foreign inspector a higher evidential value than it would possess in the inspector's own country. Contracting Parties shall collaborate, in accordance with their legislation, in order to facilitate judicial or other proceedings arising from reports of inspectors acting under these arrangements.

9. The Contracting Parties shall notify the Commission of measures taken in those cases in which the report of an inspection conducted in accordance with paragraphs (4) - (6) indicates that a violation occurred.
10. All Contracting Parties shall instruct the masters of their tuna vessels on the ICCAT regulations in force. The masters shall also be informed regarding the cooperation to be given to the inspectors in national as well as foreign ports.
11. Contracting Parties whose vessels enter, land or transship their catches in ports other than their own, can send inspectors authorized by the Commission to inspect their own vessels, with respect to the observance of the Commission's regulations, having previously obtained an invitation from the port state in which the inspection shall be executed.