

**RECOMMENDATION BY ICCAT ON A MULTI-ANNUAL CONSERVATION
AND MANAGEMENT PROGRAM FOR BIGEYE AND YELLOWFIN TUNAS**

CONSIDERING that the adoption of a multi-annual program for the medium-term will contribute to the conservation and sustainable management of the bigeye and yellowfin tuna fishery;

EXPRESSING GRAVE CONCERN about the difficulties encountered by the Standing Committee on Research and Statistics (SCRS) in investigating the state of the stock of bigeye and yellowfin tunas from the Convention area because of the lack of reliable data collection mechanisms by some CPCs;

IN VIEW THEREFORE OF THE NEED to closely monitor the fishing activities by fishing vessels;

AWARE of the considerable efforts that have already been carried out by CPCs involved in these fisheries;

RECOGNIZING the contribution that a reduction in the harvest of juvenile tunas in the Gulf of Guinea can contribute to the long-term sustainability of the stocks;

NOTING that the SCRS does not have the data necessary to fully evaluate options for area/time closures and to propose precise relevant recommendations;

RECOGNIZING that a pilot implementation of an area/time closure will contribute to the collection of such necessary data, and will favour the reduction of the catches of juvenile bigeye and yellowfin tunas;

RECOGNIZING also that timely reporting of catch will assist greatly in the monitoring of the fisheries;

RECOGNIZING the necessity to adopt monitoring and control measures to ensure the respect of conservation and management measures and to improve the scientific assessment of those stocks is necessary;

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

Multi-annual Management and Conservation Program

1. Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities (CPCs) whose vessels fish bigeye and/or yellowfin tunas in the Convention area shall implement a Multi-annual Management and Conservation Program for the period 2012-2015.

Capacity limitation for bigeye tuna

2. A capacity limitation shall be applied for the duration of the Multi-annual Program, in accordance with the following provisions:
 - a) The capacity limitation shall apply to vessels 20 meters length overall (LOA) or greater fishing bigeye tuna in the Convention area.
 - b) CPCs which have been allocated a catch limit in accordance with paragraph 11 shall each year:
 - i) Adjust their fishing effort so as to be commensurate with their available fishing possibilities
 - ii) Be restricted to the number of their vessels notified to ICCAT in 2005 as fishing for bigeye tuna. However, the maximum number of longline and purse seine vessels shall each year be subject to the following limits:

<i>CPC</i>	<i>Longliners</i>	<i>Purse seiners</i>
China	45	-
EU	269	34
Ghana	-	13
Japan	245	-
Panama	-	3
Philippines	11	-
Korea	14	-
Chinese Taipei	75	-

- c) Ghana shall be allowed to change the number of its vessels by gear type within its capacity limits communicated to ICCAT in 2005, on the basis of two bait boats for one purse seine vessel. Such change must be approved by the Commission. To that end, Ghana shall notify a comprehensive and detailed capacity management plan to the Commission at least 90 days before the Annual meeting. The approval is notably subject to the assessment by the SCRS of the potential impact of such a plan on the level of catches.
- d) The capacity limitation shall not apply to CPCs whose annual catch of bigeye tuna in the Convention area in 1999, as provided to the SCRS in 2000, is less than 2,100 t.

Specific authorization to fish for bigeye and/or yellowfin tunas

3. CPCs shall issue specific authorizations to vessels 20 meters LOA or greater flying their flag allowed to fish bigeye and/or yellowfin tunas in the Convention area, and to vessels flying their flag used for any kind of support to this fishing activity (hereafter referred to as "authorized vessels").

ICCAT Record of authorized bigeye and yellowfin vessels

4. CPCs shall by 1 July each year notify the list of authorized vessels to the Executive Secretary in an electronic form and in accordance with the format set in the Guidelines for Submitting Data and Information Required by ICCAT.
5. The Commission shall establish and maintain an ICCAT record of authorized bigeye and yellowfin vessels. Fishing vessels 20 meters LOA or greater not entered into this record are deemed not to be authorized to fish, retain on board, tranship, transport, transfer, process or land bigeye and/or yellowfin tunas from the Convention area.
6. CPCs shall without delay notify the Executive Secretary of any addition to, deletion from and/or modifications of the initial list at any time such change occurs.

For CPCs for which a capacity limitation applies in accordance with paragraph 2b) vessels fishing bigeye and/or yellowfin tunas in the Convention area may be replaced only by vessels of equivalent capacity or lesser. After the establishment of the initial ICCAT list, the retroactive listing of vessels shall not be allowed.

7. The Executive Secretary shall without delay post the record of authorized vessels on the ICCAT website.

Vessels actively fishing bigeye and/or yellowfin tunas in a given year

8. Each CPC shall by 1 July each year notify to the Executive Secretary the list of authorized vessels flying their flag which have fished bigeye and/or yellowfin tunas in the Convention area in the previous calendar year.

The Executive Secretary shall report each year these lists of vessels to the Compliance Committee.

9. The provisions of paragraphs 3 to 8 do not apply to recreational vessels.

Catch limits for bigeye tuna

10. The annual Total Allowable Catch (TAC) for 2012 and subsequent years of the Multi-annual Program is 85,000 t for bigeye tuna. The following shall apply:
- If the total of catches exceeds the TAC in a given year, the excess amount shall be paid back by CPCs to which a catch limit has been granted for the species concerned. Excess quantities shall be deducted the following year on a *prorata* basis from the adjusted quotas/catch limits of the CPC concerned, as per paragraphs 14 and 15.
 - The TAC and catch limits for 2012 and subsequent years of the Multi-annual Program shall be adjusted based on the latest scientific assessment available. Whatever the outcome, the relative shares used to establish the annual catch limits for the CPCs appearing in paragraph 11 shall remain unchanged.
11. The following catch limits shall be applied for 2012 and subsequent years of the Multi-annual Program to the following CPCs:

<i>CPC</i>	<i>Annual catch limits for the period 2012-2015 (t)</i>
China	5,572
European Union	22,667
Ghana	4,722
Japan	23,611
Panama	3,306
Philippines	1,983
Korea	1,983
Chinese Taipei	15,583

12. Catch limits shall not apply to CPCs whose annual catch of bigeye tuna in the Convention area in 1999, as provided to the SCRS in 2000, is less than 2,100 t. However, the following shall apply:
- CPCs which are not developing coastal States shall endeavour to maintain their annual catch less than 2,100 t;
 - if the catch of bigeye tuna of any developing coastal CPC not listed in paragraph 11 above exceeds 3,500 t for any one year, a catch limit shall be established for that developing CPC for the following years. In such a case, the relevant CPC shall adjust its fishing effort so as to be commensurate with their available fishing possibilities

Transfers

13. The following annual transfer of bigeye tuna shall be authorized in 2012-2015:
- from Japan to China: 3000 t
 - from Japan to Ghana: 70 t
 - from China to Ghana: 70 t
 - from Chinese Taipei to Ghana: 70 t
 - from Korea to Ghana: 20 t.

Underage or overage of catch

14. Underage or overage of an annual catch limit for CPCs listed in paragraph 11 for bigeye tuna may be added/to or shall be deducted from the annual catch limit as follows:

<i>Year of catch</i>	<i>Adjustment Year</i>
2011	2012 and/or 2013
2012	2013 and/or 2014
2013	2014 and/or 2015
2014	2015 and/or 2016
2015	2016 and/or 2017

However,

- a) The maximum overage that a CPC may transfer in any given year shall not exceed 30% of its annual initial catch limit;
 - b) For Ghana, the overage catch of bigeye tuna in the period 2006 to 2010 shall be repaid by reducing the catch limit of Ghana for bigeye tuna by a yearly amount of 337 t for the period 2012 to 2021.
15. Notwithstanding paragraph 14, if any CPC exceeds its catch limit during any two consecutive management periods, the Commission will recommend appropriate measures, which may include, but are not limited to, reduction in the catch limit equal to a minimum of 125% of the excess harvest, and, if necessary, trade restrictive measures. Any trade measures under this paragraph will be import restrictions on the subject species and consistent with each CPC's international obligations. The trade measures will be of such duration and under such conditions as the Commission may determine.

TAC for yellowfin tuna

16. The annual TAC for 2012 and subsequent years of the Multi-annual program is 110,000 t for yellowfin tuna and shall remain in place until changed based on scientific advice. If the total catch in any year exceeds the TAC for yellowfin tuna, the Commission shall review the relevant conservation and management measures in place.

Recording of catch and fishing activities

17. Each CPC shall ensure that its vessels 20 meters LOA or greater fishing bigeye and/or yellowfin tunas in the Convention area record their catch in accordance with the requirements set out in **Annex 1** and in the *Recommendation by ICCAT Concerning the Recording of Catch by Fishing Vessels in the ICCAT Convention Area* [Rec. 03-13].
18. CPCs shall ensure that purse seine and bait boat vessels flying their flag, when fishing in association with objects that could affect fish aggregation, including fish aggregating devices (FADs), shall identify in a logbook:
- a) Any deployment and retrieval of FAD, and
 - b) The position, date, identification of the aggregating device and results of the set.
19. CPCs shall ensure that the logbooks referred to in paragraph 17 are promptly collected and the information made available to the SCRS.

Area/Time closure in relation with the protection of juveniles

20. Fishing for, or supported activities to fish for bigeye and yellowfin tunas in association with objects that could affect fish aggregation, including FADs, shall be prohibited:
- a) From 1 January to 28 February each year, and
 - b) In the area delineated as follows:

Northern limit	African coast
Southern limit	Parallel 10° South latitude
Western limit	Meridian 5° West longitude
Eastern limit	Meridian 5° East longitude

21. The prohibition referred to in paragraph 20 includes:
- launching any floating objects, with or without buoys;
 - fishing around, under, or in association with artificial objects, including vessels;
 - fishing around, under, or in association with natural objects;
 - towing floating objects from inside to outside the area.

22. The efficacy of the area/time closure referred to in paragraph 20 for the reduction of catches of juvenile bigeye and yellowfin tunas shall be evaluated by the SCRS in 2014 or until such a time as the SCRS has adequate information to provide detailed advice on any alternate area/time closure.
23. Each CPC fishing in the geographical area of the area/time closure shall:
 - a) Take appropriate action against vessels flying their flag that do not comply with the area/time closure referred to in paragraph 20,
 - b) Submit an annual report on their implementation of the area/time closure to the Executive Secretary, who shall report to the Compliance Committee at each Annual meeting.

FAD Management Plans

24. By 1 July of each year, CPCs with purse seine and baitboat vessels fishing for bigeye and yellowfin tunas in association with objects that could affect fish aggregation, including FADs, shall submit to the Executive Secretary Management Plans for the use of such aggregating devices by vessels flying their flag, following the Guidelines for Preparation for FAD Management Plans suggested in **Annex 2**.
25. The Executive Secretary shall report the content of these Management Plans to SCRS and to the Compliance Committee for review at each annual meeting.

VMS

26. If the VMS satellite tracking device of a vessel referred to in paragraph 3 stops functioning or has a technical failure when the vessel is inside the area/time closure referred to in paragraph 20, the flag State shall require the vessel to exit the area without delay. The fishing vessel shall not be authorized to enter the area again without the satellite tracking device having been repaired or replaced.

ICCAT Regional Observer Program

27. The ICCAT Regional Observer Program in **Annex 3** shall be established in 2013 to ensure observer coverage of 100% of all surface fishing vessels 20 meters LOA or greater fishing bigeye and/or yellowfin tunas in the area/time closure referred to in paragraph 20.

Identification IUU activity

28. The Executive Secretary shall without delay verify that any vessel identified or reported in the context of this Multi-annual Program is on the ICCAT record of authorized vessels and not out of compliance with the provisions of paragraphs 20 and 21. If a possible violation is detected, the Executive Secretary shall, without delay, notify the flag CPC. The flag CPC shall immediately investigate the situation and, if the vessel is fishing in relation with objects that could affect fish aggregation, including FADs, request the vessel to stop fishing and, if necessary, leave the area without delay. The flag CPC shall without delay report to the Executive Secretary the results of its investigation and the corresponding measures taken.
29. The Executive Secretary shall report to the Compliance Committee at each Annual meeting on any issue related to identification of unauthorized vessels, the implementation of the VMS, the Regional observer provisions and the results of the relevant investigation made by the flag CPCs concerned.
30. The Executive Secretary shall propose to include any vessels identified in accordance with paragraph 28, or vessels for which the flag CPC has not carried out the required investigation in accordance with paragraph 29, on the provisional IUU list.

Port Sampling Plan

31. The Commission requests the SCRS to develop, by 2012, a Port Sampling Plan aimed at collecting fishery data for bigeye, yellowfin, and skipjack tunas that are caught in the geographical area of the area/time closure referred to in paragraphs 20.

32. Beginning in 2013, the port sampling program referred to paragraph 31 shall be implemented in landing or transshipment ports. Data and information collected from this sampling program shall be reported to ICCAT each year beginning in 2014, describing, at a minimum, the following by country of landing and quarter: species composition, landings by species, length composition, and weights. Biological samples suitable for determining life history should be collected as practicable.

General provisions

33. This Recommendation replaces [Rec. 93-04], [Rec. 98-03], [Rec. 04-01], [Res. 05-03], [Rec. 08-01], [Rec. 09-01] and [Rec. 10-01].

Requirements for Catch Recording

Minimum specification for paper or electronic logbooks:

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

Minimum standard information for logbooks:

1. Master name and address
2. Dates and ports of departure, Dates and ports of arrival
3. Vessel name, registry number, ICCAT number and IMO number (if available).
4. Fishing gear:
 - a) Type FAO code
 - b) Dimension (length, mesh size, 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:
6. Species identification:
 - a) By FAO code
 - b) Round (RWT) weight in t per set
 - c) Fishing mode (FAD, free school, etc.)
7. Master signature
8. ICCAT Regional Observer signature, if applicable
9. Means of weight measure: estimation, weighing on board and counting.
10. The logbook is kept in equivalent live weight of fish and mentions the conversion factors used in the evaluation.

Minimum information in case of landing, transshipments:

1. Dates and port of landing /transshipments
2. Products: number of fish and quantity in kg
3. Signature of the Master or Vessel Agent

Guidelines for Preparation of FAD Management Plans

The FAD Management Plan for a CPC purse seine fleet must include at least:

- a) Number of FAD to be deployed per purse seine and per FAD type
- b) FAD design characteristics (a description)
- c) FAD markings and identifiers

and could include:

1. Objective of the FAD Management Plan
2. Description
 - a) Vessel-types and support and tender vessels,
 - b) FAD types: AFAD = anchored; DFAD = drifting
 - c) Reporting procedures for AFAD and DFAD deployment,
 - d) Catch reporting from FAD sets (consistent with the Commission's Standards for the Provision of Operational Catch and Effort Data),
 - e) Minimum distance between AFADs,
 - f) Incidental by-catch reduction and utilization policy,
 - g) Consideration of interaction with other gear types,
 - h) Statement or policy on "FAD ownership"
3. Institutional arrangements
 - a) Institutional responsibilities for the FAD Management plan,
 - b) Application processes for FAD deployment approval,
 - c) Obligations of vessel owners and masters in respect of FAD deployment and use,
 - d) FAD replacement policy,
 - e) Reporting obligations,
 - f) Observer acceptance obligations,
 - g) Conflict resolution policy in respect of FADs.
4. FAD construction specifications and requirements
 - a) Lighting requirements,
 - b) Radar reflectors,
 - c) Visible distance,
 - d) Radio buoys (requirement for serial numbers),
 - e) Satellite transceivers (requirement for serial numbers).
5. Applicable areas
 - a) Details of any closed areas or periods e.g. territorial waters, shipping lanes, proximity to artisanal fisheries, etc.
6. Applicable period for the FAD Management Plan
7. Means for monitoring and reviewing implementation of the FAD Management Plan
8. Means for reporting to the Executive Secretary

ICCAT Regional Observer Program

1. Each CPC shall require its fishing vessels involved in the bigeye and/or yellowfin tunas fisheries in the area and during the area/time closure referred to in paragraph 20 of this Recommendation to carry an ICCAT observer.
2. By 1 November each year, CPCs shall notify to the ICCAT Executive Secretariat a list of its observers.
3. The Secretariat of the Commission shall appoint the observers before 15 November each year, and shall place them on board the fishing vessels flying the flag of Contracting Parties and of non-Contracting Cooperating Parties, Entities or Fishing Entities that implement the ICCAT observer program. An ICCAT observer card shall be issued for each observer.
4. The Secretariat shall issue a contract listing the rights and duties of the observer and the master of the vessel. This contract shall be signed by both parties involved.
5. The Secretariat shall establish an ICCAT observer program manual.

Designation of the observers

6. The designated 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 assessed by a certificate provided by the CPCs and based on ICCAT training guidelines;
 - The ability to observe and record accurately;
 - A satisfactory knowledge of the language of the flag of the vessel observed.

Obligations of the observer

7. 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 flag State of the fishing vessel;
 - c) Be capable of performing the duties set forth in point 8 below;
 - d) Be included in the list of observers maintained by the Secretariat of the Commission;
 - e) Not have current financial or beneficial interests in the bigeye and/or yellowfin tuna fisheries.

Observer tasks

8. The observer tasks shall be in particular:
 - a) To monitor the fishing vessels' compliance with the relevant conservation and management measures adopted by the Commission.

In particular the observers shall:

- i) Record and report upon the fishing activities carried out;
- ii) Observe and estimate catches and verify entries made in the logbook;
- iii) Sight and record vessels which may be fishing in contravention to ICCAT conservation and management measures;
- iv) Verify the position of the vessel when engaged in catching activity;
- v) Carry out scientific work such as collecting task II data when required by the Commission, based on the directives from the SCRS.

- b) Report without delay, with due regard to the safety of the observer, any fishing activity associated with FADs made by the vessel in the area and during the period referred to in paragraph 20 of this Recommendation.
 - c) 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.
 - d) Submit to the Secretariat the aforementioned general report within 20 days from the end of the period of observation.
 - e) Exercise any other functions as defined by the Commission.
9. Observers shall treat as confidential all information with respect to the fishing and transshipment operations of the fishing vessels and accept this requirement in writing as a condition of appointment as an observer;
10. Observers shall comply with requirements established in the laws and regulations of the flag State which exercises jurisdiction over the vessel to which the observer is assigned.
11. Observers shall respect the hierarchy and general rules of behaviour which apply to all vessel personnel, provided such rules do not interfere with the duties of the observer under this program, and with the obligations of vessel personnel set forth in paragraph 12 of this Program.

Obligations of the flag States of fishing vessels

12. The responsibilities regarding observers of the flag States of the fishing vessels and their masters shall include the following, notably:
- a) Observers shall be allowed to access to the vessel personnel and to the gear and equipment;
 - b) Upon request, observers shall also be allowed access to the following equipment, if present on the vessels to which they are assigned, in order to facilitate the carrying out of their duties set forth in paragraph 8:
 - i) satellite navigation equipment;
 - ii) radar display viewing screens when in use;
 - iii) electronic means of communication;
 - c) Observers shall be provided accommodations, including lodging, food and adequate sanitary facilities, equal to those of officers;
 - d) Observers shall be 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
 - e) The flag States shall ensure that masters, crew and vessel owners do not obstruct, intimidate, interfere with, influence, bribe or attempt to bribe an observer in the performance of his/her duties.

The Secretariat, in a manner consistent with any applicable confidentiality requirements, is requested to provide to the flag State of the fishing vessel, copies of all raw data, summaries, and reports pertaining to the trip. The Secretariat shall submit the observer reports to the Compliance Committee and to the SCRS.

Observer fees

- a) The costs of implementing this Program shall be financed by the fishing vessel's owners. The fee shall be calculated on the basis of the total costs of the program and on prorata of their participation. This fee shall be paid into a special account of the ICCAT Secretariat and the ICCAT Secretariat shall manage the account for implementing the Program;
- b) No observer shall be assigned to a vessel for which the fees, as required under sub-paragraph a), have not been paid.