

**RECOMMENDATION BY ICCAT TO SUPPORT EFFECTIVE IMPLEMENTATION
OF RECOMMENDATION 12-07 BY ICCAT FOR AN ICCAT SCHEME FOR
MINIMUM STANDARDS FOR INSPECTION IN PORT**

RECALLING the 2009 Agreement on Port State Measures to Combat Illegal, Unreported, and Unregulated (IUU) fishing;

FURTHER RECALLING *Recommendation by the International Commission for the Conservation of Atlantic Tuna (ICCAT) for an ICCAT Scheme for Minimum Standards for Inspection in Port (12-07)*;

HIGHLIGHTING, in particular, that Recommendation 12-07 requires Contracting Parties and Cooperating Non-Contracting Parties, Entities, and Fishing Entities (CPCs), either directly or through the ICCAT Secretariat, to provide assistance to developing CPCs in order to, among other things, (1) develop their capacity to support and strengthen the development and implementation of an effective system of port inspection; (2) facilitate their participation in meetings and/or training programs of relevant organizations that promote the effective development and implementation of such a system, and (3) assess the special requirements of developing CPCs concerning the implementation of Recommendation 12-07;

RECOGNIZING that the Commission, through Resolution 03-21 and Recommendations 11-26 and 13-19, has established several funds to facilitate attendance at meetings of the Commission and its subsidiary bodies, enhance the scientific capacity of developing state scientists, and improve data collection and quality assurance;

ALSO RECOGNIZING that a fund has been established under Part VII of the Agreement for the Implementation of the Provisions of the United Nations Convention of the Law of the Seas of December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (UNFSA) to provide assistance to developing States Parties to the Agreement for a number of purposes, including to build capacity for activities in key areas such as monitoring, control and surveillance;

NOTING that several Contracting Parties, on their own initiative, have been carrying out capacity building activities to assist developing coastal States in improving their management of ICCAT fisheries, including tools and approaches for collecting and assessing data, conducting monitoring, control, and surveillance activities, and enhancing domestic legal frameworks;

DESIRING to take further concrete steps in ICCAT to support the implementation of CPC capacity building responsibilities with regard to Recommendation 12-07 to ensure the program is as effective as possible in promoting compliance with ICCAT conservation and management measures;

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

1. A special Monitoring, Control, and Surveillance Fund (MCSF) be established to support and strengthen the development and implementation of effective systems of port inspection by developing CPCs in order to meet or exceed the minimum standards set out in *Recommendation by ICCAT for an ICCAT Scheme for Minimum Standards for Inspection in Port (12-07)*.
2. Funds from the MCSF shall be used to provide technical assistance to port inspectors and other relevant enforcement personnel from developing CPCs. Such technical assistance can include, among other things, conducting or arranging for in country training activities and supporting the participation of relevant developing CPC personnel in training programs or exchanges offered by other CPCs or organizations that promote the effective development and implementation of port inspection systems, including monitoring, control and surveillance, enforcement and legal proceedings for infractions, and the resolution of disputes pursuant to Recommendation 12-07.

3. Notwithstanding paragraph 2, for participation in meetings of the Commission or its subsidiary bodies where port inspection issues may be discussed, developing CPCs should seek funding support through the Meeting Participation Fund established per ICCAT Recommendation 11-26. Further, all eligible applicants for support through the MCSF should explore alternative avenues of funding available to developing CPCs, such as the UNSFA Part VII fund, prior to applying to the MCSF. The Secretariat will advise eligible applicants whether alternate ICCAT funding sources may be appropriate to support that CPC's particular capacity building needs.
4. The MCSF shall be financed, at least initially, by ICCAT's Working Capital Fund. The amount of Working Capital funds allocated to the MCSF shall be decided by the Commission. CPCs are encouraged to supplement the MCSF through voluntary contributions. The fund may also be supplemented from other sources as the Commission may identify. The Commission will identify a procedure for supplying funds to the MCSF in the future as needed.
5. The initial allocation to the MCSF will be determined based on an assessment of developing CPC needs. In that regard, developing CPCs interested in seeking assistance from the MCSF should provide a report to the Commission on their progress in implementing Recommendation 12-07 and identify specific areas where training or other assistance is needed.
6. The ICCAT Secretariat will administer the MCSF in accordance with the same financial controls as apply to regular budget appropriations.
7. The ICCAT Executive Secretary shall:
 - a) establish a process for notifying CPCs annually of the level of available funds in the MCSF;
 - b) develop a timeline and describe the format for the submission of applications for assistance, circulate this information to the Commission for intersessional review and approval, and, once agreed, post it on the public portion of the ICCAT website.
 - c) develop and circulate to the Commission for intersessional review and approval, a process and procedures for evaluating requests for assistance from the MCSF to determine the level and type of assistance to provide taking into account available resources, Commission priorities, and the need to ensure fair and balanced access to the fund;
 - d) notify the Commission and the requesting developing CPC of the details of the assistance to be provided without delay; and
 - e) submit an annual report to the Commission on the status of the MCSF, including a financial statement of contributions to and disbursements from the fund and a summary of all assistance provided.
8. CPCs with the ability to provide relevant technical assistance to developing CPCs are strongly encouraged to explore bilateral or other arrangements to provide such assistance. CPCs are also encouraged to consider ways they may be able to support any ICCAT-sponsored initiatives, such as by providing relevant experts to conduct trainings.
9. The Commission shall coordinate, where feasible and appropriate, its port inspection capacity building activities with such activities of other RFMOs, the FAO, and other relevant entities.
10. This recommendation will be evaluated and reviewed at the latest in 2017.