

Original: English

**U.S. EXPLANATORY NOTE REGARDING THE PROPOSAL FOR A RECOMMENDATION BY ICCAT  
CONCERNING MINIMUM STANDARDS FOR  
VESSEL MONITORING SYSTEMS IN THE ICCAT CONVENTION AREA**

*(a proposal to amend Recommendation 14-09, previously discussed but not adopted as IMM\_8C)*

*Proposal submitted by United States*

Satellite-based vessel monitoring systems (VMS) are valuable tools for fisheries monitoring, control and surveillance. Further, data collected by such systems can provide valuable scientific information. ICCAT first adopted minimum standards for VMS in the Convention Area in 2003 (Rec. 03-14). ICCAT has only revised its VMS minimum standards once, in 2014, to change the frequency of data collection and transmission from every 6 hours to every 4 hours (Rec. 14-09). Recommendation 14-09 required that the Commission review the VMS measure no later than 2017 to consider revisions to improve its effectiveness, including by changing the transmission frequency, taking into account SCRS advice, the nature of various fisheries, costs, and other relevant considerations. As there was no time at the 2017 ICCAT Annual meeting to undertake the required review, the matter was referred to the 2018 IMM Working Group intersessional meeting.

In its 2014 report, the SCRS noted that polling at the highest temporal resolution possible was crucial to improve the resolution and precision of total catch composition and fishing effort data across all CPCs. In 2017, the SCRS again noted that “the higher the frequency of reporting the more useful the VMS data” and that “the 4-hour frequency of transmission in Rec. [14-09] is insufficient to detect fishing activity for many gear types.”

In light of the advice from SCRS and the recognized need to improve scientific information in ICCAT fisheries, the important role of VMS in combating IUU fishing, and the advancements in VMS best practices, the United States developed proposed revisions to Rec. 14-09 to further improve and strengthen it. The proposal, which was considered at the 2018 meeting of the Integrated Monitoring Measures (IMM) Working Group, clarified and elaborated the existing obligation to ensure that VMS units shall not be tampered with, that they are reporting at all times, and that VMS data are not altered in any way (based on language adopted by other RFMOs in their VMS measures). It also proposed to increase the frequency with which vessel data are collected and transmitted to one-hour intervals and to expand the scope of the measure to all commercial fishing vessels that are authorized to fish in waters outside the jurisdiction of their flag CPC, regardless of their size. More frequent collection and transmission of a vessel’s location gives CPCs a much more precise fishing signature for their vessels, and provides the ability to identify other types of activities, such as at sea transshipment. More detailed information provides a better understanding of fishing patterns; thus, facilitating monitoring and control of vessels, including those operating great distances from their flag CPCs. It also provides additional information on the activities of fishing vessels that can help reduce uncertainty in scientific advice.

The United States is presenting a revised proposal for consideration during the 2018 ICCAT Annual Meeting. Key revisions made during the 2018 IMM Working Group Meeting include a narrowing of the scope of vessels covered to commercial vessels above 12 m LOA that are authorized to fish in waters outside the jurisdiction of their flag CPC, simplified language regarding a requirement that VMS units to be tamper evident, and new text establishing circumstances and procedures for turning off VMS units. There was no consensus at the IMM Working Group meeting on the question of the frequency for collecting and transmitting vessel data. In this regard, paragraph 3 includes bracketed text to identify this pending issue for additional discussion by the PWG. A second open question concerns the time frame for reviewing this measure if adopted by the Commission; thus, paragraph 8 also includes brackets.

**DRAFT RECOMMENDATION BY ICCAT CONCERNING MINIMUM  
STANDARDS FOR VESSEL MONITORING SYSTEMS IN THE ICCAT CONVENTION AREA**  
*(a new proposal amending existing measure Rec. 14-09, previously discussed but not adopted as IMM 8C)*

*Proposal submitted by United States*

*RECALLING* previous recommendations by ICCAT establishing minimum standards for satellite-based vessel monitoring systems (VMS), in particular Recommendation 03-14;

*RECOGNIZING* the developments in satellite-based VMS, and their utility within ICCAT;

*RECOGNIZING* the legitimate right of coastal States to monitor the vessels fishing in waters under their jurisdiction;

*CONSIDERING* that real-time transmission to the Fishing Monitoring Center (FMC) of the coastal State of VMS data of all the vessels (including catching, carrier and support vessels) flying the flag of a CPC authorised to fish ICCAT species facilitates monitoring, control and surveillance by the coastal State to ensure the effective implementation of ICCAT conservation and monitoring measures;

*MINDFUL* that the SCRS acknowledged in its 2017 report that the higher the frequency of reporting the more useful VMS data are and that a 4-hour frequency of transmission is insufficient to detect fishing activity for many gear types;

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

1. Notwithstanding stricter requirements that may apply in specific ICCAT fisheries, each flag Contracting Party, Cooperating non-Contracting Party, Entity or Fishing Entity (hereinafter referred to as CPC) shall implement a Vessel Monitoring System (hereinafter referred to as VMS) for its commercial fishing vessels exceeding 20 meters between perpendiculars or 24 meters length overall (LOA) as well as those above 12 meters LOA authorized to fish in waters beyond jurisdiction of the flag CPC and:
  - a) Require its fishing vessels to be equipped with an autonomous, tamper-evident system that continuously, automatically, and independent of any intervention by the vessel, transmits messages to the FMC of the flag CPC to track the position, course, and speed of a fishing vessel by the flag CPC of that vessel.
  - b) ensure that the satellite tracking device fitted on board the fishing vessel collects and transmits continuously to the FMC of the flag CPC the following data:
    - i) the vessel's identification;
    - ii) the geographical position of the vessel (longitude, latitude) with a margin of error lower than 500 meters, with a confidence interval of 99%;
    - iii) the date and time.
  - c) Ensure that the FMC of the flag CPC receives an automatic notification if communication between the FMC and the satellite tracking device is interrupted.
  - d) Ensure, in cooperation with the coastal State, that the position messages transmitted by its vessels while operating in waters under the jurisdiction of that coastal State are also transmitted automatically and in real time to the FMC of the coastal State that has authorized the activity. In implementing this provision, due consideration should be given to minimizing the operational costs, technical difficulties, and administrative burden associated with transmission of these messages.

- e) In order to facilitate the transmission and receipt of position messages, as described in subparagraph 1(d), the FMC of the flag CPC and the FMC of the coastal State shall exchange their contact information and notify each other without delay of any changes to this information. The FMC of the coastal State shall notify the flag CPC FMC of any interruption in the reception of consecutive position messages. The transmission of position messages between the FMC of the flag CPC and that of the coastal State shall be carried out electronically using a secure communication system.
2. Each CPC shall take appropriate measures to ensure that the VMS messages are transmitted and received, as specified in paragraph 1, and use this information to continuously track the position of its vessels.
3. Each CPC shall ensure that the masters of fishing vessels flying its flag ensure that the satellite tracking devices are permanently and continuously operational and that the information identified in paragraph 1(b) is collected and transmitted at least every [hour]. In addition, CPCs shall require that their vessel operators ensure that:
  - a) the satellite tracking device is not tampered with in any way;
  - b) VMS data are not altered in any way;
  - c) the antennae connected to the satellite tracking device is not obstructed in any way;
  - d) the satellite tracking device is hardwired into the fishing vessel and the power supply is not intentionally interrupted in any way; and
  - e) the satellite tracking device is not removed from the vessel except for the purposes of repair or replacement.
4. In the event of a technical failure or non-operation of the satellite tracking device fitted on board a fishing vessel, the device shall be repaired or replaced within one month from the time of the event, unless the vessel has been removed from the list of authorized LSFVs, where applicable, or for vessels not required to be included on ICCAT's authorized vessel list, the authorization to fish in areas beyond the jurisdiction of the flag CPC no longer applies. The vessel shall not be authorized to commence a fishing trip with a defective satellite tracking device. Furthermore, when a device stops functioning or has a technical failure during a fishing trip, the repair or the replacement shall take place as soon as the vessel enters a port; the fishing vessel shall not be authorized to commence a fishing trip without the satellite tracking device having been repaired or replaced.
5. Each CPC shall ensure that a fishing vessel with a defective satellite tracking device shall communicate to the FMC, at least daily, reports containing the information in paragraph 1(b) by other means of communication (radio, web-based reporting, electronic mail, telefax or telex).
6. A CPC may allow a vessel to power down its satellite tracking device only if the vessel will not be fishing for an extended period of time (e.g., in dry dock for repairs), and it requests and receives approval from the competent authorities of its flag CPC. The vessel must provide justification for its request, and approval shall be considered on a case-by-case basis and confirmed in writing. The vessel shall not resume fishing operations prior to re-activating its satellite tracking device.
7. CPCs are encouraged to extend the application of this Recommendation to their fishing vessels not already covered pursuant to paragraph 1, as appropriate, to ensure the effective monitoring of compliance with ICCAT conservation and management measures.
8. The Commission shall review this Recommendation no later than [20XX] and consider the need for revisions to improve its effectiveness.
9. To inform this review, the SCRS is requested to provide advice on the VMS data that would most assist the SCRS in carrying out its work, including frequency of transmission for the different ICCAT fisheries.
10. This measure repeals and replaces Recommendation 14-09.