

Original: English

INFORMATION SUBMITTED IN ACCORDANCE WITH REC. 08-09

In accordance with paragraph 1 of the “*Recommendation by ICCAT to Establish a Process for the Review and Reporting of Compliance Information*” [Rec. 08-09], in June 2017 four non-governmental organisations have submitted information:

1. PEW and partners – Information on Transshipment.

This includes:

- 1.1 A note from the Secretariat
- 1.2 A Summary of the Review of Management and Reporting Trends Related to Transshipment Occurring within the ICCAT Convention Area (PEW)
- 1.3 A Comparative Analysis of 2017 Reported Transshipment Activity in the International Commission for the Conservation of Atlantic Tunas (ICCAT) Convention Area using AIS Data (Global Fisheries Watch)
- 1.4 Japan – Letter to ICCAT on PEW report
- 1.5 Response by PEW to Japan
- 1.6 Japan – Results of Japan’s investigation on the Report of PEW regarding at-sea transshipment
- Annex 1 – Full report from PEW (original language and electronic version only)
- Annex 2 – Full report from GFW (sent through PEW, electronic version only)
- Annex 3 – AIS data on Carrier Vessel Activity (electronic version only)

2. The Billfish Foundation sent a letter and table indicating possible gaps in billfish data reporting. This information was sent to the CPCs shown on the table. One CPC requested additional information, but this was not received from the TBF.

3. The Ecology Action Centre sent a *Review of Implementation and Data Reporting Related to ICCAT Shark Conservation and Management Recommendations* noting deficiencies in shark check sheet responses as well as in Task I data. It is suggested that CPCs review this document and, if applicable, submit any amendments to their previously submitted shark check sheets in advance of the next in-depth review.

4. WWF sent a letter on the alleged use of drift nets by Morocco; the response from Morocco is also attached.

1.1 NOTE FROM THE SECRETARIAT ON THE INFORMATION SUBMITTED BY PEW ON TRANSHIPMENT

The reports on transshipment received by PEW under Rec. 08-09 were circulated, in first instance, to the Contracting Parties concerned, in order to allow time for them to investigate any allegations therein and report back to the Commission.

Following investigations and enquiries by Japan, the Secretariat reviewed the information available and found an error in the information in one of the tables in the 2017 Secretariat report, due to a mistake in the end date of the period selected through the query. The correct data should be:

For the period 01/01/2016 to 31/12/2016:

CPC	CountOfLSTLVID	SumOfCountOfTransshipmentID
Belize	2	8
China, P.R.	56	93
Chinese Taipei	54	251
Côte d'Ivoire	2	6
Japan	61	128
Korea, Republic of	9	12
Senegal	1	1
St. Vincent and Grenadines	2	6

In addition, the ROP-transshipment consortium has carried out an in-depth analysis of the data base and informed the Secretariat on 1 October that they found an error within the database which had been causing issues with the data imports. This resulted in very small amounts of data not being captured from the observers' database and after a while, accumulating to a fairly significant difference.

The consortium has corrected and reloaded much of the historical data into the data base, and an extract has been prepared for each of the participating CPCs to check against their own records. While this process may take some time, but the Secretariat will continue to work with the CPCs and the implementing consortium to ensure the provision of more accurate data in the future.

It should be noted that to date the CPCs involved have been most cooperative in checking their data and assisting the Secretariat and consortium in finding the cause of the errors.

The Secretariat thanks PEW and their partners for raising this issue, which has resulted in the cumulative errors being detected and improvements in the quality of the transshipment data.

1.2 A SUMMARY OF THE REVIEW OF MANAGEMENT AND REPORTING TRENDS RELATED TO TRANSSHIPMENT OCCURRING WITHIN THE ICCAT CONVENTION AREA

Increase in transshipment activity, coupled with the discrepancies and non-compliance documented within ICCAT reports, raise concerns on whether or not transshipment events are being effectively monitored and regulated within the ICCAT Convention Area.

Key Findings:

1. **There is an increasing number of at-sea transshipment events occurring within the ICCAT Convention Area** -- From 403 reported events between September 2012 and August 2013 to 584 reported events between September 2017 and August 2018. Bigeye tuna, a species currently overfished and experiencing overfishing, accounted for more than 67 percent (19,544.83t) of the fish transshipped in 2017.
2. **Monitoring of transshipment activities is inadequate and compliance with ICCAT regulations is insufficient.**
 - a) Transshipments by non-CPC vessels - As of 26 June 2019, 25 of the 141 carrier vessels listed on the ICCAT Authorized Carrier Vessels lists were flagged to non-CPCs, accounting for more than 17 percent of the carriers listed. Recommendation 16-15 currently provides no explicit requirement for non-CPCs to submit transshipment reports on the activities of their flagged carrier vessels, as is required of CPCs.
 - b) Non-compliance with Rec 18-06 requirements:
 - i) VMS - Recommendation 16-15 requires that carrier vessels operate Vessel Monitoring Systems (VMS) to transship in the Convention Area. Yet, nine of the vessels on the ICCAT list of active carrier vessels do not list having an installed VMS onboard.
 - ii) Reporting - A review of the 2017 Compliance Summary tables highlights that some CPCs submit their transshipment reports late or incomplete, while others did not submit their transshipment reports at all.
 - c) Lack of Compliance follow up - Specific compliance issues involving transshipment have been reported by CPCs with no apparent follow-up action reported by ICCAT.
3. **Significant discrepancies in reporting exist between the ICCAT Regional Observer Program (ROP) and CPC reports** - These discrepancies include the number of transshipments, tonnage transshipped, and carrier vessel trip reports (**Table 1**).

Table 1. Summary of 2016 Transshipment Data Reported by CPCs and ROP in the Secretariat's Report

CPC	2016 At-Sea Transshipments					
	Reported by CPCs			Report on the implementation of the ROP		
	Quantities transshipped (t)	Transshipments events	Vessels that transshipped	Quantities transshipped (t)	Transshipments events	Vessels that transshipped
Belize	646	14	2	554	12	2
China	4764	132	32	6088	177	97
Chinese Taipei	14047	52	52	12811	384	58
Cote d'Ivoire	300	2	2	452	10	2
Japan	10783	60	60	9729	238	72
Senegal	184	3	1	52	3	1
Korea	1247	55	6	998	19	12
Liberia	18191	69	5	N/A	N/A	N/A
St. Vincent and Grenadines	N/A	N/A	N/A	374	11	3
Total	50,163	387	160	30,159	854	247

- 4. Non-standardized data submission forms lead to inconsistency in reported transshipment operations between CPCs** - The 2018 Secretariat's report to the PWG on the ROP includes multiple transshipment reports covering various time periods and the CPC annual reports vary in specificity regarding transshipment related information, making it especially difficult to effectively review compliance with regulations and reporting obligations.
- 5. Discrepancies exist between carrier vessel activity reported by ICCAT and what was identified through AIS analysis** - Based on analysis of AIS data by Global Fishing Watch and The Pew Charitable Trusts, 77 more carrier vessels were active in the ICCAT Convention Area than were reported by the ROP. These carrier vessels displayed activities consistent with transshipments, but it does not appear that observers were on board, hence there is no ICCAT reporting on these carrier vessels activities.

Conclusion

There is an urgent need for better regulation and reporting of ICCAT transshipment activities to ensure full and effective monitoring and reduce opportunities for illegal fishing and the introduction of illegally caught fish into the seafood supply chain. The Pew Charitable Trusts urges ICCAT to consider implementing the recommendations in the full report in order to secure more effective management of transshipment within ICCAT waters.

1.3 A COMPARATIVE ANALYSIS OF 2017 REPORTED TRANSSHIPMENT ACTIVITY IN THE ICCAT CONVENTION AREA USING AIS DATA

Executive Summary

The International Commission for the Conservation of Atlantic Tunas (ICCAT) permits at-sea transshipments between refrigerated cargo, or carrier vessels, and Large Scale Pelagic Longline Vessels (LSPLVs).

This study used commercially available satellite Automatic Identification System (AIS) data, machine learning technology, and access to publicly available information to conduct a comparative analysis of the track histories and potential activities of carrier vessels operating in the ICCAT Convention Area in 2017. The objective was to provide a better understanding of carrier vessel movement and operations in the Convention Area to enable better informed decisions on the management of transshipment in the ICCAT Convention Area. The AIS-derived data used in this study is also a source of supplemental information for consideration by the ICCAT Compliance Committee in validating reported activity by authorized carrier vessels, identifying anomalous events, or addressing instances of potential unauthorized behavior.

Specifically, Global Fishing Watch (GFW) combined open source AIS data with ICCAT vessel authorization data to create a dataset of vessel identity information. GFW also developed a database of AIS-based encounters between carrier vessels and LSPLVs and loitering events by a single carrier vessel. GFW used these databases in conjunction with various publicly available ICCAT documents to analyze reported and AIS-derived potential transshipment activity occurring within the ICCAT Convention Area during 2017. The resulting output can be further cross-checked and validated by both CPC management authorities and the ICCAT Secretariat using non-public national or Commission data to positively identify those activities justifying further investigation.

Key Finding 1: Analysis of AIS data can be effective in detecting reported transshipment events as encounters with LSPLVs or loitering events with high matching rates.

- *Recommendation:* ICCAT should consider use of AIS as a supplemental tool to help monitor implementation of the ROP, validate transshipment activity, and assist in the early detection of potential noncompliant.
- *Recommendation:* Further strengthen clarity around high seas transshipment in ICCAT by consolidating the geolocation and date of all ROP-authorized transshipments reported to the Secretariat by calendar year in a singular document rather than in multiple references.
- *Recommendation:* Encourage more RFMOs follow ICCAT's lead in transparency of reported information. Transparency of information leads to improved compliance through self-correcting behavior.

Key Finding 2: While 11 carrier vessels reporting to the ROP were observed on AIS encountering LSPLVs, one additional carrier vessel was observed encountering an LSPLV but was not listed by ICCAT as an authorized carrier vessel or identified by the ROP. An additional 76 carrier vessels had loitering events inside the ICCAT Convention Area that included 32 ICCAT authorized carrier vessels that were not reported by the ROP and 44 carrier vessels that were not reported by the ROP nor included on the ICCAT authorized carrier vessel list.

- *Recommendation:* ICCAT should require CPCs provide an annual report on all their respective flagged carrier vessels that operate in ICCAT waters during a given calendar year to account for their presence.

Key Finding 3: Carrier vessels flagged to non-CPCs were observed operating in many CPC port States. As these vessels are not flagged to ICCAT CPCs there is no requirement for the carrier vessels nor their flag State authorities to report on their activity. It is possible that these carrier vessels transshipped ICCAT-sourced catch while in port.

- *Recommendation:* ICCAT should consider amending *Recommendation 12-07* reporting requirements for CPCs to expand reporting on in-port transshipment activity of their flagged longline and purse seine vessels to include not only volume and species transshipped in-port, but also number of transshipments and port locations where these transshipments took place.
- *Recommendation:* ICCAT should consider amending *Recommendation 12-07* reporting requirements for CPC-flagged fishing and carrier vessels to be inclusive of the Secretariat in addition to the relevant CPC flag and port State authorities.
- *Recommendation:* ICCAT should prohibit non-CPC flagged carrier vessels from conducting at-sea or in-port transshipments of ICCAT-sourced catch prior to first point of landing.

Furthermore, numerous port visits to CPC ports by both CPC and non-CPC flagged authorized carrier vessels were identified. There is little transparency or understanding about the activities of these carrier vessels when they transship in-port as ICCAT does not require in-port transshipment reporting to the Secretariat by the carrier vessels nor the respective flag or port State. The lack of transparency is especially true of non-CPC flagged carrier vessels and their flag State authorities as they are under no obligation to provide transshipment reports to ICCAT even if their activities involve fish caught inside the ICCAT Convention Area. Strengthening the ICCAT in-port transshipment reporting requirements will help improve CPC compliance and increase the ability for relevant authorities to cross-check and verify the transshipment activities of those fishing vessels required to report on transshipments conducted in-port.

1.4 JAPAN – LETTER TO ICCAT ON PEW REPORT



FISHERIES AGENCY

MINISTRY OF AGRICULTURE, FORESTRY AND FISHERIES, GOVERNMENT OF JAPAN

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20 August, 2019

Mr. Camille Jean Pierre Manel
ICCAT Executive Secretary

Dear Camille,

I am writing to respond to the report delivered from PEW CHARITABLE TRUSTS (ICCAT CIRCULAR #5229-19), regarding transshipments at sea conducted by large-scale longline vessels (LSLVs). First of all, Japan appreciates PEW's attempt to conduct comprehensive reviews on implementation of ICCAT Rec. 16-15. While recognizing that the Regional Observer Program under Rec. 16-15 works very well and effectively monitors the transshipments at sea, Japan considers that the report may suggest some room for improvement in the ROP.

For this purpose, we need to receive additional information to check if the facts contained in the report are correct because it will be difficult for relevant flag states to effectively crosscheck their own monitoring data with the data collected or calculated in PEW's report. In order to take the responsibilities of the flag state, Japan requests the ICCAT Secretariat and/or PEW to answer inquiries prescribed in a paper attached to this letter. Once the answers are received, we will review the whole data and information in the report which are related to Japan-flagged vessels and would consult with other relevant CPCs and the Chair of COC on how this matter should be addressed at the next Commission meeting at Mallorca, Spain in November.

Please circulate this letter to all CPCs.

Yours sincerely,

Shingo Ota
Japanese Commissioner to the ICCAT

Inquiries about the Report Submitted by PEW

1. Summary of 2016 Transshipments Data Reported by CPOCs and ROP in the Secretariat's Report (Table 1, page 2)

The table 1 is one of the core parts of the report and those should be reviewed by the relevant flag CPCs. However, Japan, after its scrutiny of the report, believes that those data might not be appropriate for effective reviews. We would like to know the ways of calculations and the original data sources as follows:

1) Data reported by CPCs (Left side of the Table 1)

In our view, "*quantities transshipped(t)*", "*transshipments events*" and "*Vessels that transshipped*" reported by CPCs were calculated by the data of tables in the *ICCAT Report for biennial period, 2016-2017 PARTII (2017)* (page 1240 to 1251). As you can see in the biennial report, Chinese and Korean data are listed by species and by transshipment events and same vessel ID numbers were found several times in their lists. On the other hand, Chinese Taipei and Japanese data were aggregated on vessel by vessel basis¹. there is no duplications of vessel ID number in the lists of the two CPCs. For example, Japanese 60 LSPLVs were found on the table, however, we have recognized that some of the 60 vessels did conduct multiple transshipments at sea in the year. There could have been miscalculations if those data were used to just count the number of transshipments and the number of vessels joining transshipments.

Japan would like to ask PEW to clearly show how the three types of figures (Quantities transshipped, transshipments events and vessels that transshipped) were calculated and which data sources were used for the calculations.

2) Report on the implementation of the ROP (Right side of the Table 1)

We tried to confirm if those figures regarding Japan were accurate or not, however, we were not able to calculate those figures. Japan also understood that numbers of "*Transshipments events*" and "*Vessels that transshipped*" were originally calculated by the Secretariat at a table of page 1219 of the *ICCAT Report for biennial period, 2016-2017 PARTII (2017)*. **Japan would like the Secretariat to explain the detail of the calculations, including the report numbers of all ROP reports used for the calculations.**

In addition, **Japan would like to know why ROP data regarding Liberia were not available.**

Table 1 in page 2 of the PEW report.

Table 1: Summary of 2016 Transshipment Data Reported by CPCs and ROP in the Secretariat's Report

Country	2016 At-Sea Transshipments					
	Reported by CPCs			Report on the implementation of the ROP		
	Quantities transshipped (t)	Transshipments events	Vessels that transshipped	Quantities transshipped (t)	Transshipments events	Vessels that transshipped
Belize	646	14	2	554	12	2
China	4764	132	32	6088	177	97
Chinese Taipei	14047	52	52	12811	384	58
Cote d'Ivoire	300	2	2	452	10	2
Japan	10783	60	60	9729	238	72
Senegal	184	3	1	52	3	1
Korea	1247	55	6	998	19	12
Liberia	18191	69	5	N/A	N/A	N/A
St. Vincent and Grenadines	N/A	N/A	N/A	374	11	3
Total	50,163	387	160	30,159	854	247

Table in page 1219 of ICCAT Report of biennial report 2016-2017, Part III (2017)

In 2016, the number of LSPLVs and transshipments by CPC were:

<i>CPC</i>	<i>No. of LSPLVs</i>	<i>Total No. of transshipments</i>
Belize	2	12
China, P.R.	97	177
Chinese Taipei	58	384
Côte d'Ivoire	2	10
Japan	72	238
Korea, Republic of	12	19
Senegal	1	3
St. Vincent and Grenadines	3	11

2. A comparative analysis of 2017 reported transshipment activity in the ICCAT Convention area using AIS data. (Section 4 page 14-27)

According to the analysis, while 11 carrier vessels participated in transshipments at sea in 2017 with ROP observers onboard, movements of other 77 carrier vessels seems that they have conducted transshipments at seas without any ROP observer. Japan thinks, as the Global Fishing Watch mentioned in the report, most of the cases were related to supply/bunkering activities with catching vessels. However, if any transshipment at sea is found outside the framework of the ROP, the transshipment must be investigated by the flag CPCs and appropriate sanctions should be taken to them if the vessel committed the illegal transshipments. **In order for the flag CPCs to conduct appropriate investigations, Japan requests the following two types of information:**

- 1) Names, flags and other necessary information of the 77 carrier vessels. The information should be shared with all relevant CPCs, while considering the confidentiality. Without the information, any CPC would not be able to conduct adequate investigations;
- 2) Merkmal or procedures of the GFW to determine if a carrier vessel carried ROP observer. Even if a carrier vessel received a ROP observer, it was very unlikely that the ROP observer covered the whole year.

(END)

ⁱ Format of annual reports of transshipments are decided by the Secretariat, as CP-37. But it is unclear whether each data should be aggregated by vessels or should be broken down by each transshipment event.

1.5 RESPONSE BY PEW TO JAPAN



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18 September 2019

Mr. Shingo Ota
Japan Fisheries Agency
Ministry of Agriculture, Forestry, and Fisheries Government of Japan

Dear Mr. Ota,

I am writing on behalf of the Pew Charitable Trusts in response to your letter dated 20 August that was forwarded to me by the ICCAT Secretariat, regarding our two submissions to the ICCAT Compliance Committee. Thank you for your interest in this work. Our intent with this endeavor is to highlight areas of potential inconsistency in data reporting that could lead to confusion or incentivize bad behavior, both of which make ICCAT's job managing transshipment activities more difficult. In the spirit of positive collaboration, we attach a redlined version of ICCAT's transshipment measure (ICCAT Recommendation 16-15) with our suggestions of ways that issues highlighted in our submission to the Compliance Committee could be addressed via textual updates to the ICCAT Recommendation.

Below, please find our responses to each of your questions/requests, taken one at a time. All information provided in our original submissions and here is based on publicly available materials related to transshipments with the Convention Area. Should you have any further questions or concerns, please do not hesitate to get in touch with me or my colleagues between now and ICCAT's annual meeting/CoC.

Sincerely,

Grantly R. Galland, Ph.D.
Officer, RFMO Policy, International Fisheries The Pew Charitable Trusts

1. Summary of 2016 transshipment data reported by CPCs and ROP in the Secretariat's Report

The table provided in our original submission is reproduced below, with one additional column. Due to an internal clerical error, the data originally submitted under the "Reported by CPCs" header was provided in US tons. For consistency, that column remains, but we have added a second column for metric tons, in order to make the data more comparable to those submitted under the "Report on the implementation of the ROP" header. As you can see, there are still significant differences in the two publicly available data sources (CPC data and ROP data) for many CPCs.

As highlighted in your letter, the results on the left side of the table were calculated based on the data found in pages 1240 to 1251 of the ICCAT Report for biennial period, 2016-17 PART II (2017) – Vol. 4 Secretariat Reports. Addendum 3 to Appendix 2. Quantities transshipped were simply binned by CPC to achieve a total.

Transshipment events were counted by each line in Addendum 3 to Appendix 2, as reported by the CPCs. As noted in our original submission, the CPC reports do not clearly delineate between carrier vessel or LVSLP transshipments, and therefore it is not clear whether the quantities transshipped are for carrier vessels or fishing vessels. For example, Liberia's reported transshipment quantities likely reflect the activities of their carrier vessels, while Japan's reported quantities may only reflect the activities of their LVSLPs. Additionally, in analyzing the data provided, it was assumed that each line in the table refers to one specific transshipment event. We understand that this may not be the case for Japan and Chinese Taipei, where it appeared that vessel transshipment events were consolidated by vessel.

However, as noted in endnote 1 in your letter, it is unclear whether data should be aggregated by vessels or broken down by transshipment event. Our intent is that highlighting these inconsistencies will prompt the Commission to require a standard template that specifies transshipment reporting for consistent annual report formats.

Vessels transshipped were tallied by counting each individual ICCAT vessel number listed. In cases where countries listed the same vessels multiple times, these were counted only once.

Country	2016 At-Sea Transshipments						
	Reported by CPCs				Report on the implementation of the ROP		
	Quantities transshipped (US tons)	Quantities transshipped (metric tons)	Transshipments events	Vessels that transshipped	Quantities transshipped (metric tons)	Transshipments events	Vessels that transshipped
Belize	646	586	14	2	554	12	2
China	4764	4323	132	32	6088	177	97
Chinese Taipei	14047	12746	52	52	12811	384	58
Cote d'Ivoire	300	272	2	2	452	10	2
Japan	10783	9785	60	60	9729	238	72
Senegal	184	167	3	1	52	3	1
Korea	1247	1132	55	6	998	19	12
Liberia	18191	16508	69	5	N/A	N/A	N/A
St. Vincent and Grenadines	N/A	N/A	N/A	N/A	374	11	3
Total	50,163	45,520	387	160	30,159	854	247

2. A comparative analysis of 2017 reported transshipment activity in the ICCAT Convention Area using AIS data

You are correct that only 11 of the 88 carrier vessels identified through analysis of AIS data were also cross-verified to have operated under the ICCAT ROP program as carrying an observer. Global Fishing Watch (GFW) utilized a series of algorithms, developed using machine learning, to identify when vessel movements proved consistent with transshipment events, fishing effort, loitering, anchoring, etc. Our intent with our original submission was not to highlight specific instances of non-compliance but to generate discussion around general issues related to management of transshipment activities and on the potential value of using AIS data as a supplementary enforcement tool. After consultations with GFW, we are happy to share more detailed results of our joint analysis. Attached, please find a workbook of data that includes all instances of likely transshipment events, as determined by analysis of AIS data. With these data and ICCAT ROP records, you should be able to identify which 77 carrier vessels, and their respective flags, were not reported by the ICCAT ROP to have an ICCAT observer onboard during calendar year 2017.

Though these data are in raw form, Pew and GFW are jointly supporting the development of an online tool where the data can be more easily and readily accessed by government officials, RFMO Secretariats, enforcement authorities and other interested stakeholders in tuna fisheries. This tool will launch in early November of this year. In order to support your investigation and to test the usefulness of the tool for officials such as yourself, we would like to formally extend an invitation to the government of Japan to be a “beta tester” for this online technology. Should you be interested in accepting that offer, please do not hesitate to contact me or my colleagues.

1.6 RESULTS OF JAPAN'S INVESTIGATION ON THE REPORT OF PEW REGARDING AT-SEA TRANSSHIPMENT

After Pew's report was circulated on July 26 to flag CPCs of longline and carrier vessels (ICCAT Circular #5229), The Fisheries Agency of Japan (FAJ) reviewed the contents and made the following two investigations.

1. Significant discrepancies in reporting of transshipment between ROP and CPCs.

In its report, Pew tried to summarize the discrepancies by using existing information available to public. They developed a comprehensive table to show the differences between two data sources, which is shown below as **Table 1**.

Table 1: Summary of 2016 Transshipment Data Reported by CPCs and ROP in the Secretariat's Report

Country	2016 At-Sea Transshipments					
	Reported by CPCs			Report on the implementation of the ROP		
	Quantities transshipped (t)	Transshipments events	Vessels that transshipped	Quantities transshipped (t)	Transshipments events	Vessels that transshipped
Belize	646	14	2	554	12	2
China	4764	132	32	6088	177	97
Chinese Taipei	14047	52	52	12811	384	58
Cote d'Ivoire	300	2	2	452	10	2
Japan	10783	60	60	9729	238	72
Senegal	184	3	1	52	3	1
Korea	1247	55	6	998	19	12
Liberia	18191	69	5	N/A	N/A	N/A
St. Vincent and Grenadines	N/A	N/A	N/A	374	11	3
Total	50,163	387	160	30,159	854	247

In order to find out the cause of the discrepancies, FAJ made several inquiries to PEW and the Secretariat and also requested original data for the table above. This process detected some miscalculations or errors on the data as follows:

1. Data reported by flag states;

- Pew applied a different unit of weight (US tons) for the CPCs data. That was fixed by PEW by using an ordinary unit (metric tons). As the result, the amount of transshipped fish by Japan was modified from 10,783 tons to 9,785 tons, which is very close to the corresponding observer estimates.
- PEW counted the number of transshipments for Japanese LL vessels by using a table attached to the annual report of Japan. The table was not appropriate to count the number of transshipments because it was created on a vessel basis. This means that if a vessel conducted multiple transshipments, those were aggregated into one line of the table and counted as one transshipment. The true number of transshipment events was 128, not 60.

2. ROP data

- PEW picked up the data from a summary table shown in the ICCAT report for biennial period, 2016-2017 PART II (2017). It was found that the table mistakenly included the number of transshipments events and the number of logline vessels for two-year period (2016-17), although the title of the table says the data is only for 2016.

The table was revised in case of Japan in accordance with the corrections above as follows:

Japan's transshipment data corrected by ROP and the Secretariat						
	Reported by Japan			Report on the implementation of the ROP		
	Quantities transshipped (metric tons)	Transshipments events	Vessels that transshipped	Quantities transshipped (metric tons)	Transshipments events	Vessels that transshipped
Before corrections	10,873	60	60	9,729	238	72
After corrections	<u>9,785</u>	<u>128</u>	60	9,729	<u>128</u>	<u>61</u>

FAJ cross-checked the figure on the table with its own data. The result was as follows:

- The number of transshipment events between both data completely matched. No investigation.
- FAJ cross-checked its own list of LL vessels engaged in at-sea transshipment with the corresponding list provided by ROP. There was one mistype of vessel name in the ROP list, which the consortium counted as different vessel. We assume that was the cause of difference between the CPC and ROP. (60 vs 61);
- Quantities transshipped between the two data sources were almost same at lease in case of Japan. According to the ROP program manual, those observers calculate average weights of fish by dividing a declared weight with the declared number of fish. Then, they make their estimate for the total weight of transshipped fish by species, by multiplying the average weight by the observed number of transshipped fish. This means that it is natural to see small discrepancies between figures reported by CPCs and estimated by ROP. The discrepancies, however, should be very small.

Conclusions

- Transshipment data reported by the Japanese authority almost matched that reported from ROP, after corrections of the data by the Secretariat and PEW.
- Japan would like to request other relevant CPCs to make same investigations by using corrected table, in order to ensure legality of their at-sea transshipment.
- The approach taken by Pew indicates that ROP data is very useful to determine how accurate the data reported by flag CPCs is. In other words, it is clear that the ROP program is working very well to monitor at-sea transshipment under Rec 16-15. Japan believes that appropriate management for transshipment at sea would be reconfirmed by conducting such investigation by using ROP data on regular basis.

2. Analysis of 2017 Reported Transshipments activities in the ICCAT area by using AIS data

PEW and Global fishing watch (GFW) analyzed movements of carrier vessels in the Atlantic Ocean by using AIS data. They reported that 88 carrier vessels probably conducted at-sea transshipment and many of them did not have any ROP observers. GFW decided the following two types of movement in which transshipment probably occurred. If a carrier vessel navigated in a way which applies to the following definitions, the activity was categorized as "Encounter" or "Loitering".

Encounter:

Vessel encounters are defined when two vessels are within 500 meters of each other for at least 2 hours and traveling at < 2 knots, while at least 10 km from a coastal anchorage. See Appendix 2 of the associated report.

Loitering:

Vessel loitering is when a carrier vessel travelled at speeds of < 2 knots for at least 4 h, while at least 20 nautical miles from shore. See Appendix 2 of the associated report.

Upon request from FAJ, PEW kindly provided almost raw data for the 88 carrier vessels, such as dates, positions, ID info. of donor vessels, etc. FAJ reached out to three of private companies in Japan who operate those carrier vessels. FAJ and those operating companies worked together to determine what the carrier vessels actually did in each case which the program of GFW detected as “Encounter” or “Loitering”. Those carrier vessels operated by the Japanese companies were flagged to Japan (2), Liberia (5), Panama (2) and Singapore (1).

The results of the investigations were as follows.

Encounter

Total	111
Transshipments of fish	99
Transshipments of bait and/or fuel supply	12

Loitering

Total	347
Transshipments of fish	239
Transshipments of bait, etc. and/or fuel supply	20
Waiting for LL vessels or permission of port state	88

Analysis

- All “Encounter” and “Loitering” occurred during business operations of transshipment: all those events were monitored by ROP observers on board.
- Loitering cases included various kinds of activities, not only transshipment of fish but also supplying baits or fuels to longline vessels, waiting for longline vessels, and waiting for permission of port call.
- The “Encounter” or “Loitering” events investigated by FAJ included cases of at-sea transshipment with catching vessels flagged to other CPCs, such as China or Chinese Taipei.

Conclusion

- FAJ cross-checked data of “Encounter” and “Loitering” provided by PEW with three private companies in Japan which operate 11 carrier vessels, including Non CPC-flagged one. All cases of “Encounter” and “Loitering” related to the 11 carrier vessels were monitored by ROP observers on board. There was no sign of any illegal practice related to at-sea transshipments.
- “Loitering” included some activities, such as supply of bait and/or fuel or waiting for other vessels, in addition to actual transshipment of fish.
- Japan completed investigations for 11 out of the 88 carrier vessels which GFW detected in the Atlantic Ocean. The other 77 vessels must be reviewed by other flag or relevant CPCs.
- It is needed to note, through this analysis, Japan recognized that “Encounter” and “Loitering” events probably included cases of at-sea transshipment for species which is not covered by ICCAT. (EX: Transshipments of squid off the coast of Argentina.)

2. LETTER FROM THE BILLFISH FOUNDATION



July 18, 2019

Mr. Camille Manel, Executive Secretary
ICCAT
VIA Email – Camille.Manel@ICCAT.int

Mr. Executive Secretary,

The Billfish Foundation is an international organization focused on the sustainability of marlins, sailfishes, and spearfishes. Although we are involved in all relevant fisheries, recreational and commercial, we have repeatedly found that when a nation recognizes the recreational value of marlin fisheries their management and protection dramatically improve.

The record shows that ICCAT has been concerned about improving recreational data collection since its foundational documents were written. Those concerns have been repeated through the years including in the most recent performance review. In addition, the assessments of both Blue Marlin and White Marlin note severe underreporting and the lack of recreational data.

We understand that collecting recreational data is more difficult than collecting commercial data, but that doesn't make it less important. Some nations appear to simply deny that they have recreational fishing in their waters rather than develop a process to quantify it. However, proper management requires a complete data set.

In support of the many calls for data we have attached a spreadsheet of reported recreational landings of ICCAT managed species. The list was gathered from easily available public sources. We have only included those fish landed in nations that reported zero rod and reel landings in the last two years. The list surely is not complete, nor are we implying that nations that do not appear on the list are doing everything correctly. They likely are not. The goal is strictly to demonstrate that many nations that claim no rod and reel landings do have them.

If there is evidence of a fish being landed by rod and reel but there are no rod and reel landings in a nation's report to ICCAT, then that fish must be illegal, unreported, or unregulated. We therefore request that this letter and the attached spreadsheet be treated as an NGO IUU Report pursuant to Paragraph 5 of Recommendation 08-09 and be circulated to CPCs and the Compliance Committee for consideration. We feel the document speaks for itself and waive the opportunity to introduce the document to the committee.

We bring this to your attention today, Mr. Executive Secretary, not to cause trouble to any individual vessels nor even to spotlight individual nations. Rather, we want to advance the conversation on reporting all landings. We hope this information is helpful as you consider new measures for White and Blue Marlins this year and wish you much success in Mallorca.

Respectfully,

Ellen M. Peel
President

Cc: Info@ICCAT.int, Derek Campbell – Compliance Chair
Enc: Table of Unreported Rod and Reel caught ICCAT Species

Table of Unreported Rod and Reel Caught ICCAT Species

Submitted by The Billfish Foundation - July 18, 2019

Date	Species	Weight in Pounds	Country	Port	Vessel	Source	Specific Source	Source Date
	Swordfish	609	Dominican Rep	Casa De Campo	Lady Shell	BillfishReport.com	2016 March 500+	3/31/2016
	Blue Marlin	1290	Cabo Verde	Cape Verdes	Dreamin' On	BillfishReport.com	2016 May 500+	5/31/2016
	Blue Marlin	557	Bahamas	Abaco	Sandrita	BillfishReport.com	2016 May 500+	5/31/2016
	Blue Marlin	613	St Martin		Rum N Coke	BillfishReport.com	2016 June 500+	6/30/2016
7/4/2016	Blue Marlin	983	Portugal	Madeira	Blue Makaira	Twitter	DNoticiasPT	7/4/2016
	Blue Marlin	569	Cabo Verde	Cape Verdes	Gladus	BillfishReport.com	2016 July 500+	7/31/2016
	Blue Marlin	523	Portugal	Madeira	Katherine B	BillfishReport.com	2016 July 500+	7/31/2016
	Blue Marlin	983	Portugal	Madeira	Makaira	BillfishReport.com	2016 July 500+	7/31/2016
	Blue Marlin	590	Cabo Verde	Cape Verdes	Nhs Cretcheu	BillfishReport.com	2016 July 500+	7/31/2016
	Blue Marlin	740	Cabo Verde	Cape Verdes	Nhs Cretcheu	BillfishReport.com	2016 July 500+	7/31/2016
	Blue Marlin	731	Cabo Verde	Cape Verdes	Sea Quest	BillfishReport.com	2016 July 500+	7/31/2016
8/21/2016	Blue Marlin	1042	Portugal	Azores	Xacara	Twitter	BillfishReport	8/21/2016
9/3/2016	Blue Marlin	828	Spain	Grand Canary	Caveller	Twitter	BillfishReport	9/3/2016
9/13/2016	Blue Marlin	1254	Portugal	Azores	Habitat	Twitter	BillfishReport	9/13/2016
	Blue Marlin	535	Saint Lucia		Exodus	BillfishReport.com	2017 January 500+	1/31/2017
	Blue Marlin	1097	Angola	Lobito	Jose Pires	BillfishReport.com	2017 February 500+	2/28/2017
3/20/2017	Blue Marlin	563	Angola	Luanda	Mallembeiros	Twitter	MarlinReport	3/20/2017
4/6/2017	Blue Marlin	627	Angola	Lobito	Blue Sniffer	Twitter	BillfishReport	4/6/2017
	Blue Marlin	812	Cabo Verde	Cape Verdes	Nhs Cretcheu	BillfishReport.com	2017 April 500+	4/30/2017
5/14/2017	Blue Marlin	843	Cabo Verde	Cape Verdes	Arieth	Twitter	BillfishReport	5/14/2017
5/27/2017	Blue Marlin	660	Angola	Lobito	Rotian	Twitter	BillfishReport	5/27/2017
6/5/2017	Blue Marlin	735	Antigua		Talaho	Twitter	BillfishReport	6/5/2017
6/9/2017	Blue Marlin	950	Cabo Verde	Cape Verdes	Dimeu	Twitter	BillfishReport	6/9/2017
6/16/2017	Blue Marlin	555	Portugal	Madeira	Grander	Twitter	BillfishReport	6/16/2017
6/20/2017	Blue Marlin	828	Portugal	Madeira	Pesca Grossa	Twitter	MarlinReport	6/20/2017
	Blue Marlin	801	Cabo Verde	Cape Verdes	Nhs Cretcheu	BillfishReport.com	2017 June 500+	6/30/2017
7/13/2017	Blue Marlin	598	Portugal	Madeira	Wahoo	Twitter	BillfishReport	7/13/2017
7/18/2017	Blue Marlin	971	Cabo Verde	Cape Verdes	Nhs Cretcheu	Twitter	BillfishReport	7/18/2017
8/3/2017	Blue Marlin	900	Cabo Verde	Cape Verdes	Biblotonic	Twitter	BillfishReport	8/3/2017
8/22/2017	Blue Marlin	645	Portugal	Madeira	Dream Catcher	Twitter	BillfishReport	8/22/2017
9/2/2017	Blue Marlin	1064	Portugal	Azores	Nols	GranderWatch.com	2017 Granders	9/3/2017
	Blue Marlin	992	Cabo Verde	Cape Verdes	Bebiche	BillfishReport.com	2017 September 500+	9/30/2017
11/10/2017	Blue Marlin	1041	Cote D'Ivoire	Abidjan	Black Pearl	GranderWatch.com	2017 Granders	11/10/2017
6/1/2018	Blue Marlin	603	Bahamas	Abaco	Bad Daddy	Twitter	BillfishReport	6/1/2018
6/28/2018	Blue Marlin	1177	Cabo Verde	Cape Verdes	Black Marlin	GranderWatch.com	2018 Granders	6/28/2018
7/2/2018	Blue Marlin	737	Portugal	Madeira	Lars Jade	Twitter	BillfishReport	7/2/2018
7/16/2018	Blue Marlin	1037	Cabo Verde	Cape Verdes	Black Marlin	GranderWatch.com	2018 Granders	7/16/2018
8/31/2018	White Marlin	111	Morocco	Mohammedia	Capri	Twitter	BillfishReport	8/31/2018
9/4/2018	White Marlin	93	Morocco	Mohammedia	Capri	Twitter	BillfishReport	9/4/2018
	Blue Marlin	687	Portugal	Azores	Habitat	BillfishReport.com	2018 September 500+	9/30/2018
	Blue Marlin	631	Portugal	Albufeira	Blue Rampage	BillfishReport.com	2018 October 500+	10/31/2018
	Blue Marlin	515	Bahamas		Sweetums	BillfishReport.com	2019 May 500+	5/31/2019
	Blue Marlin	717	Cabo Verde	Cape Verdes	My Victoria	BillfishReport.com	2019 June 500+	6/30/2019
7/4/2019	Blue Marlin	517	Cabo Verde	Cape Verdes	Mystic Blue	Twitter	BillfishReport	7/4/2019
7/4/2019	Blue Marlin	541	Portugal	Madeira	Sorted	Twitter	BillfishReport	7/4/2019

3. ECOLOGY ACTION CENTRE – A REVIEW OF IMPLEMENTATION AND DATA REPORTING RELATED TO ICCAT SHARK CONSERVATION AND MANAGEMENT RECOMMENDATIONS

Submitted to the ICCAT Secretariat by the Ecology Action Centre
(NGO Observer) July 19th, 2019



Ecology Action Centre

The Ecology Action Centre, as an official observer to ICCAT since 2011, appreciates the opportunity, as per the *Recommendation by ICCAT to Establish a Process for the Review and Reporting of Compliance Information* (Rec. 08-09), to submit a brief review of reporting by Parties on shark-specific Recommendations and data. Our organization is a member of the Shark League for the Atlantic and Mediterranean, an international coalition dedicated to science-based conservation of sharks and rays.¹ The Shark League is concerned that the lack of timely, detailed reporting of national shark catches and management is a significant hindrance to ICCAT's assessment and conservation of shark populations.

We look forward to the fulfilment of *Recommendation by ICCAT to Replace Recommendation 16-13 on Improvement of Compliance Review of Conservation and Management Measures Regarding Sharks Caught in Association with ICCAT Fisheries* (Rec. 18-06) (entered into force as of June 2019) requiring countries to update any fields of the Shark Implementation Check Sheet that may have been previously been missing, lacked full information, or are related to new measures.

In the meantime, we hope that the deficiencies noted below regarding 2018 Shark Implementation Check Sheets as well as Task I data reporting will be helpful for improving ICCAT compliance. We request that this compilation be forwarded to the Compliance Committee (COC) for consideration and follow-up with relevant ICCAT Parties to ensure updates are submitted in advance of the Annual Meeting.

¹ The Shark Trust is a UK charity working to safeguard the future of sharks through positive change. Shark Advocates International is a project of The Ocean Foundation dedicated to securing science-based policies for sharks and rays. Focused on sharks in peril and marine debris, Project AWARE is a growing movement of scuba divers protecting the ocean planet – one dive at a time. Ecology Action Centre is a Canadian charity promoting sustainable, ocean-based livelihoods, and marine conservation nationally and internationally. Contact: info@sharkleague.org

Exemption Claims

A number of Parties use 'NA' or phrases such as 'no target fishery for this shark' or 'this species is not in our waters' to claim exemptions on their Shark Check Sheets from implementing measures or reporting data for some shark species.

We note that Para 3 of Rec.18-06 states,

"CPCs may be exempt from the submission of the check sheet when vessels flying their flag are not likely to catch any sharks species covered by the abovementioned Recommendations in paragraph 1, **on the condition that the concerned CPCs obtained a confirmation by the Shark Species Group through necessary data submitted by CPCs for this purpose.**" [emphasis added]

Table 1 indicates the Parties that have recorded 'NA' with respect to species-specific measures on their Shark Check Sheets. We request the COC ensure Parties have applied for and been explicitly granted an exemption by the ICCAT Shark Species Group before accepting this answer.

To facilitate the improvement of species-specific shark catch reporting, we propose that COC request the ICCAT Shark Species Group of the Standing Committee on Research and Statistics (SCRS) produce a review of the geographic ranges of relevant shark species to assist in determination of valid exemptions.

TABLE 1 – ICCAT Parties and 'NA'. Parties using 'NA' or an equivalent claim, such as 'no target fishery' or 'this species is not in our waters' are indicated with an 'x'

ICCAT Party	shortfin mako (<i>Isurus oxyrinchus</i>)	porbeagle (<i>Lamna nasus</i>)	thresher (<i>Alopias spp.</i>)	oceanic whitetip (<i>Carcharh inus</i>)	hammerhead (<i>Sphyrnidae spp.</i>)	silky (<i>Carcharhin us falciformis</i>)
Albania	x	x	x	x	x	x
Algeria	x	x	x	x	x	x
Angola						
Barbados	x	x				
Belize						
Brazil	x	x				
Canada						
Cape Verde						
China PR	x	x				
Cote D'Ivoire				x		x
Curacao	x	x	x	x	x	x
Egypt	x	x	x	x	x	x
El Salvador						

EU (Commission)						
France (St P & M)	x	x	x	x	x	x
Gabon	x	x				
Ghana	x	x		x		
Guatemala						
Guinea Bissau						
Guinea Eq						
Guinee Rep						
Honduras						
Iceland	x	x	x	x	x	x
Japan	x	x				
Korea (Rep of)	x	x	x	x	x	x
Liberia	x	x				
Libya	x	x	x	x	x	x
Mauritania	x	x	x	x		x
Mexico		x				
Morocco	x	x	x	x		x
Namibia	x	x				
Nicaragua	x	x				
Nigeria*						
Norway^	x		x	x	x	x
Panama						
Philippines*						
Russian Fed*						
Sao Tome e Principe	x	x	x	x	x	x
Senegal	x	x	x	x		
Sierra Leone						
South Africa	x					
St Vincent & Grenadines						x
Syria	x	x	x	x	x	x
Trinidad & Tobago	x	x				
Tunisia	x	x	x	x	x	x
Turkey						
UK (OST)		x				
Uruguay						

USA						
Vanuatu						
Venezuela	x	x				
Bolivia						
Chinese TP		x				
Costa Rica	x	x	x	x		
Guyana						
Suriname	x	x	x	x	x	x

*Nigeria, the Philippines, and the Russian Federation have reported to COC they have no ICCAT fisheries

^Norway - the 2018 Shark Implementation Check Sheet indicates Norway has requested an exemption.

There is no information from COC if this exemption has been considered and confirmed by SCRS

Task I Data Reporting

Parties are required in the *Recommendation by ICCAT Concerning the Conservation of Sharks Caught in Association with Fisheries Managed by ICCAT* (Rec. 04-10) to “annually report Task I and Task II data for catches of sharks, in accordance with ICCAT data reporting procedures, including available historical data.” Recommendations 09-07, 10-08, 11-08, 14-06, 15-06, 16-12 reiterate this for thresher, hammerhead, silky, shortfin mako, porbeagle, and blue sharks respectively.

We also note that the *Recommendation by ICCAT on Penalties Applicable in Case of non- Fulfillment of Reporting Obligations* (Rec.11-15) states that “CPCs that do not report Task I data, for one or more species (including shark species) for a given year, shall be prohibited from retaining such species until such data have been received by the ICCAT Secretariat”.

In order to be exempted from Rec. 10-08 and Rec. 11-08 prohibiting the retention of hammerhead sharks (all but *Sphyrna tiburo*) and silky sharks, respectively, developing coastal CPCs, must submit Task I data (*inter alia*)

Recommendation by ICCAT on Atlantic Shortfin Mako Sharks Caught in Association with ICCAT Fisheries (Rec.10-06) Para 3 states, “CPCs that do not report Task I data for Atlantic shortfin mako sharks, in accordance with SCRS data reporting requirements, shall be prohibited from retaining this species, beginning in 2013 until such data have been received by the ICCAT Secretariat.”

Table 2 indicates per species Parties that have 1) never submitted data for that species and have not provided an explanation for recording “NA” on their Shark Implementation Check Sheet, and 2) Parties that have missed a number of recent years of reporting without explanation

Table 2. ICCAT CPCs and Shark Data Reporting.* Parties that have not submitted data ever for a species are noted with 'x'. Parties that have previously submitted some years of data, but have not submitted recently are notes with '/'

ICCAT Party	shortfin mako <i>Isurus paucus</i>	porbeagle <i>(Lamna nasus)</i>	blue <i>(Prionace glauca)</i>	thresher <i>(Alopias spp.)</i>	oceanic whitetip <i>(Carcharhinus longimanus)</i>	hammerhead <i>(Sphyrnidae spp.)</i>	silky <i>(Carcharhinus falciformis)</i>
Albania	x	x	x	x	x	x	x
Algeria	x	x	/	/	x	x	x
Angola	/	x	x	x	x	x	x
Barbados		x	/	/	x	/	/
Belize		x		x	x	x	x
Brazil		x					/
Canada					x	x	x
Cape Verde	x	x	x	x	x	x	x
China PR		x		x	x	x	x
Cote D'Ivoire		x			x		
Curacao	/	x	x	x	x	x	x
Egypt	x	x	x	x	x	x	x
El Salvador	x	x	x	x	x	x	x
EU (Commission)					/		
France (St P & M)	/	x	/	x	x	x	x
Gabon	x	x	x	x	x	x	x
Ghana	x	x			/		/
Guatemala	x	x	x	x	x	x	x
Guinea Bissau	x	x	x	x	x	x	x
Guinea Eq	x	x		x	/	x	x
Guinee Rep	x	x	x	x	x	x	x
Honduras	x	x	x	x	x	x	x
Iceland	x	x	/	x	x	x	x
Japan				x	x	x	x
Korea (Rep of)		/				/	x
Liberia	x	x	x		x	x	x
Libya	x	x		x	x	x	x
Mauritania	/	x			x	x	/
Mexico		x					
Morocco				x	x	/	x
Namibia		x			x	x	x
Nicaragua	x	x	x	x	x	/	x
Nigeria*							
Norway	x		x	x	x	x	x
Panama	/	x		x	x	x	x

Philippines*							
Russian Fed*							
Sao Tome e Principe	x	x			x	x	x
Senegal		x			x		x
Sierra Leone	x	x	x	x	x	x	x
South Africa		x		/	x	/	x
SVG	/	x		/	x	x	x
Syria	x	x	x	x	x	x	x
Trinidad & Tobago		x			x		x

Tunisia	x	x	x	x	x	x	x
Turkey	x	x	x	x	x	x	x
UK (OST)		x			x	/	x
Uruguay	/	x	/	/	x	/	x
USA							
Vanuatu	x	x	x	x	x	x	x
Venezuela		x					/
Bolivia	x	x		x	x	x	x
Chinese TP							
Costa Rica	x	x	x	x	x	x	x
Guyana	x	x	x	x	x	/	x
Suriname	x	x	/	x	x	x	x

+Data source: ICCAT Statistical Bulletin 1950-2017, Vol July 2019 and; ICCAT Task I web data www.iccat.int
•Nigeria, the Philippines, and the Russian Fed indicate they have no ICCAT fisheries and have reported this to COC

Shark Discard, Release, and Condition reporting

Task I data instructions require Parties to include dead discards and live releases as well as “0” for zero catches for all shark species. Including those species under ICCAT retention bans – oceanic whitetip (*Carcharhinus longimanus*), bigeye thresher (*Alopias superciliosus*), hammerhead (*Sphyrnidae spp*), and silky sharks (*Carcharhinus falciformis*).

Moreover, there are several Recommendations concerning sharks that require CPCs? to report discards, releases, and condition of released sharks. These include:

Rec 09-07 requiring that ‘the number of discards and releases of *A. superciliosus* must be recorded with indication of status (dead or alive) and reported to ICCAT in accordance with ICCAT data reporting requirements.’

Rec. 10-07 requiring that 'CPCs shall record through their observer programs the number of discards and releases of oceanic whitetip sharks with indication of status (dead or alive) and report it to ICCAT.'

Rec. 10-08 stating that 'CPCs shall require that the number of discards and releases of hammerhead sharks are recorded with indication of status (dead or alive) and reported to ICCAT in accordance with ICCAT data reporting requirements.'

Rec. 11-08 requiring that 'CPCs shall record through their observer programs the number of discards and releases of silky sharks with indication of status (dead or alive) and report it to ICCAT.'

Rec. 16-12 stating that 'CPCs shall implement data collection programmes that ensure the reporting of accurate blue shark catch, effort, size and discard data to ICCAT in full accordance with the ICCAT requirements for provision of Task I and Task II.'

Rec. 17-08 requires CPCs to report the number of dead discards and live releases of North Atlantic shortfin mako through their observer program

Rec 11-10 requires Parties to collect bycatch and discard data in their existing domestic scientific observer while noting that fisheries less than 15m, artisanal, under Rec 10-10 (replaced by 16-14) can use alternative method, but must report that method in their observer report and annual reports due in 2012.

The information presented in Table 2, above, is concerning as it indicates many ICCAT Parties are unaware of or simply ignoring the requirement to report discards and zero catch. It is evident that most Parties are falling short of fully complying with data reporting requirements.

We request the COC take additional steps to ensure that Parties are collecting and submitting dead discards and live releases, as required.

Implementation of shark measures

The Shark Implementation Check Sheet in Rec. 18-06 states, "each ICCAT requirement must be implemented in a legally binding manner. Just requesting fishermen to implement measures should not be regarded as implementation."

Table 3 indicates ICCAT Parties that have not provided details of legally binding domestic measures for the shark species covered by specific ICCAT measures.

Table 3. ICCAT Parties Shark Measure Implementation. *Parties failing to report details of legally binding domestic regulations implementing ICCAT shark Recommendations are noted with 'x'.*

ICCAT Party	Rec 15-06 porbeagle (<i>Lamna nasus</i>)	Rec 09-07 bigeye thresher (<i>Alopias superciliosus</i>)	Rec 10-07 oceanic whitetip (<i>Carcharhinus longimanus</i>)	Rec 10-08 hammerhead (<i>Sphyrnidae spp</i>)	Rec 11-08 silky (<i>Carcharhinus falciformis</i>)
Albania	x				
Algeria	x	x	x	x	x
Angola					
Barbados	x	x			
Belize					
Brazil	x				
Canada		x	x		
Cape Verde	x	x			
China PR	x				
Cote D'Ivoire	x	x	x	x	x
Curacao	x	x	x	x	x
Egypt	x	x	x	x	x
El Salvador	x	x	x	x	x
EU (Commission)					
France (St P & M)	x	x	x	x	x
Gabon	x	x	x	x	x
Ghana	x	x	x		
Guatemala	x	x	x	x	x
Guinea Bissau					
Guinea Eq					
Guinee Rep					
Honduras					
Iceland^	x				

Japan	x	x	x		
Korea (Rep)	x	x	x	x	x
Liberia	x	x	x	x	x
Libya	x	x	x	x	x
Mauritania	x	x	x	x	x
Mexico	x	x			
Morocco	x				x
Namibia	x	x	x	x	x
Nicaragua	x	x			
Nigeria*					
Norway^	x				
Panama	x	x	x	x	x
Philippines*					
Russian Fed*					
Sao Tome e Principe	x	x	x	x	x
Senegal	x	x	x	x	x
Sierra Leone					
South Africa	x	x	x		
SVG	x	x	x	x	x
Syria	x	x	x	x	x
Trinidad & Tobago	x	x	x	x	x
Tunisia	x	x	x	x	x
Turkey		x	x		
UK (OST)	x	x	x		
Uruguay					
USA					
Vanuatu	x	x	x	x	x
Venezuela	x	x			
Bolivia					
Chinese TP	x	x	x		
Costa Rica	x	x	x		
Guyana	x	x	x	x	x
Suriname	x	x	x	x	x

•Nigeria, the Philippines, and the Russian Fed indicate they have no ICCAT fisheries and have reported this to COC

^Iceland and Norway have full discard bans in place and are exempt from retention bans for four of the sharks above.

Implementation of 5% fin to carcass ratio

The *Recommendation by ICCAT Concerning the Conservation of Sharks Caught in Association with Fisheries Managed by ICCAT* (04-10) requires Parties to ensure their vessels not have onboard fins that total more than 5% of the weight of sharks onboard and have some monitoring and control measures in place to ensure compliance. This Recommendation has been in force for 15 years, however, many Parties (Table 4) have not reported a related legally binding domestic measure in their Shark Implementation Check Sheet.

Table 4. ICCAT Parties and the Shark Finning Ban. Parties failing to report legally binding domestic regulations to implement 04-10 are noted with 'x'.

ICCAT Party	Rec. 04-10, Paragraph 3
Albania	x
Algeria	x
Angola	
Barbados	x
Belize	
Brazil	
Canada	
Cape Verde	x
China PR	
Cote D'Ivoire	x
Curacao	x
Egypt	x
El Salvador	x
EU (Commission)	
France (St P & M)	x
Gabon	x
Ghana	
Guatemala	x
Guinea Bissau	
Guinea Eq	
Guinee Rep	
Honduras	
Iceland	x
Japan	x
Korea (Rep of)	x
Liberia	x
Libya	x
Mauritania	x
Mexico	

Morocco	
Namibia	x
Nicaragua	
Nigeria*	
Norway	x
Panama	x
Philippines*	
Russian Fed*	
Sao Tome e Principe	x
Senegal	x
Sierra Leone	
South Africa	x
St Vincent & Grenadines	x
Syria	x
Trinidad & Tobago	x
Tunisia	
Turkey	
UK (OST)	x
Uruguay	
USA	
Vanuatu	x
Venezuela	
Bolivia	
Chinese TP	x
Costa Rica	
Guyana	x
Suriname	x

•Nigeria, the Philippines, and the Russian Fed indicate they have no ICCAT fisheries and have reported this to COC

Implementation and Reporting Concerning North Atlantic Shortfin Makos

We are particularly concerned about the status of shortfin mako sharks. The Shark Species Group found at their May 2019 meeting that the North Atlantic shortfin mako population is continuing to decline due to the inadequacy of 2017 measures and will likely take several decades to recover even with immediate and dramatic reduction in fishing mortality². As ICCAT is due to evaluate their *Recommendation on the Conservation of North Atlantic Stock of Shortfin Mako Caught in Association with ICCAT Fisheries* (Rec. 17-08) this year, and in light of renewed advice for a full prohibition on retention, it is essential that Parties meet their mako data reporting obligations, submit details on domestic control measures, and the status of national observer programs.

We request, as per Rec 18-06, that the ICCAT Secretariat, in consultation with the COC and PA4 Chairs, revise the Shark Implementation Check Sheet to include the North Atlantic shortfin mako measure 17-08 as a matter of priority and seek immediate reporting from Parties to be available for the Annual Meeting of 2019 for consideration.

We also note that Rec. 16-12 concerning blue sharks caught in association with ICCAT fisheries was not included in the 2018 Shark Implementation Check Sheet and should be added as per Rec. 18-06 for relevant updates from Parties in time for the 2019 Annual Meeting

Hammerhead and silky shark landings increase and trade

The ICCAT Recommendations prohibiting the retention etc. of hammerhead sharks (family Sphyrnidae except *Sphyrna tiburo*) (Rec. 10-08) and silky sharks (Rec. 11-08) allows exceptions for developing coastal states for local consumption, provided they *also* submit catch data, endeavor to prevent increases in catches and take necessary measures to ensure that hammerhead and silky sharks not enter international trade; CPCs are to notify the Commission of such measures.

Given that silky sharks and large hammerheads are threatened species that have since been listed on Appendix II of the Convention on International Trade in Endangered Species (CITES) and the Convention on Migratory Species (CMS), we believe a more thorough reporting of the implementation of ICCAT measures is long overdue. We request that the COC place a high priority on eliciting much more detailed reporting on which CPCs consider themselves exempt from these two Recommendations and what steps have been taken to prevent catch increases and international trade.

Mexico Exemption for Thresher

Rec. 09-07 prohibits the retention of bigeye thresher sharks for all CPCs with the exception for the Mexican small-scale coastal fishery with a catch of fewer than 110 fish. We request that the COC query Mexico as to whether continuation of this exception is necessary.

² https://www.iccat.int/Documents/Meetings/Docs/2019/REPORTS/2019_SMA_SA_ENG.pdf

4.1 WWF – LETTER ON THE ALLEGED USE OF DRIFTNETS BY MOROCCO

ANDALUSIAN FEDERATION
OF FISHERS GUILDS

ANDALUSIAN FEDERATION
OF FISHING ASSOCIATIONS

Andalusia, 25 June 2019

We are obliged, once again, to bring to the attention of the relevant administrations, and of the general public, the “illegal” interference by the Moroccan fleet. It has been fishing in common fishing grounds that it shares in the Mediterranean Sea using a gear that has been PROHIBITED for a number of years by Community, national and international legislation aimed at the swordfish fishery.

We are referring to the use by this fleet of drift nets, which has been prohibited since 2002 in European Union waters and continues to be used by this fleet, even in waters under Spanish jurisdiction. Not only does it compete unfairly with our longline fleet directed at swordfish, but it also interferes with the activity of our trawling fleet in the red shrimp fishing grounds of Alboran Island. This is a violation of international laws (UE, ICCAT, GFCM), and represents a severe danger for protected marine fauna and conservation of our fishing grounds. It should be recalled that our swordfish directed fishing fleet undertook huge efforts to attain a sustainable fishery and, as well as those of our trawl fishing fleet which is implementing the Multi-annual Plan for demersal species in the western Mediterranean.

Just a few days ago, during the high-level conference “MedFish4Ever” held in Marrakech (11 June 2019), Mediterranean coastal countries entered into commitments firmly resolved to combat, pursue and eliminate illegal, unreported and unregulated (IUU) fishing. In this context, strong commitments have been entered into with the FAO, GFCM and EU and the Spanish administration, the European Commissioner for Fisheries, and Morocco’s Minister for Fisheries so that illegal fishing does not go unpunished, with every effort being made to fight it.

Today we bring to the table a real and current example of a serious issue that Andalusian fishers face on a daily basis. Not only is it dangerous due to the intimidation that we suffer by those who infringe the law, it is illegal fishing. It is committed by use of a type of gear that has been prohibited for more than 15 years. Above all, it is extremely unfair for the Spanish coastal fleet which complies with the strict EU measures in the western Mediterranean. It is even worse for the protected species of our waters such as dolphins, turtles, seabirds and sharks among others, to which we have dedicated conservation efforts for some time and these are cancelled out within a matter of a few hours by indiscriminate use of drift net, i.e. an illegal gear.

This illegal and unfair fishing activity is not an isolated case. On numerous occasions, we have alerted our administration regarding the use of this internationally illegal gear, which is a practice carried on by the Moroccan fleet in the Mediterranean Sea that seriously endangers the environmental sustainability of our *Mare Nostrum*. It also rocks one of the pillars of the PPC, and affects our fleet’s fishing. Photographs have been attached of vessels that have been fishing in the past few days using this illegal gear in Spanish waters of the Alboran.

It is also extremely unfair and frustrating that even while the words still resound of the high-level signatories at the conference *MedFish4Ever* held in Marrakech, promising that illegal fishing would not go unpunished, the Andalusian fisheries sector only sees actions to reduce effort and restrict fishing of the Andalusian fleet and that serious practices such as the use of driftnets in prohibited waters by Moroccan boats is not pursued. Based on the above, we request the following:

- Immediate action by all administrations responsible to ensure that fisheries do not operate using this type of illegal gear, as well as compliance with the provisions of the Declaration of Malta “MedFish4Ever”, reaffirmed in Marrakech this very month,
- Guarantees regarding the safety of our fishers so that they can carry on their legal and standard fishing activity and not have to deal with illegal fishing which ruins our regulatory fishing gear.

Annex I

Declarations by Minister Luis Planas on 12 June 2019 in Marrakech: “illegal fishing is one of the major global scourges affecting the sustainability of the oceans. To control illegal fishing, close cooperation is required, both at regional and international level, based on adequate governance of the oceans”... “Spain, a world leader in the fight against illegal fishing, participates in all the initiatives led by the European Union, which include in particular the illegal, unreported and unregulated fishing regulations, and the Unified Register that is being launched by the European Commission”.

<https://www.mapa.gob.es/es/prensa/ultimas-noticias/-luis-planas-destaca-los-esfuerzos-del-gobierno-de-espa%C3%B1a-para-lograr-una-pesca-sostenible-que-asegure-el-futuro-del-sector-/tcm:30-510489>

Mr. Miguel Bernal, Fisheries Officer of the GFCM has stated that: “IUU fishing is causing “serious problems” throughout the Mediterranean, since it undermines “the opportunity to ensure sound implementation of management plans that are necessary for recovery of stocks”. “IUU fishing does not only affect fish stocks, but also has important social and economic impacts. It causes income to fall and increases risks both for people who work at sea and for the sustainability of fishing activities. Legitimate fishers know that IUU fishing poses a threat for their future and they are willing to collaborate with other interest parties to protect their livelihoods”.

Annex II

Vessel sightings in summer 2019



4.2 RESPONSE FROM MOROCCO

Kingdom of Morocco

MINISTRY OF AGRICULTURE, MARITIME FISHERIES
RURAL DEVELOPMENT AND WATER AND FORESTS

DPM

Rabat,

TO
THE EXECUTIVE SECRETARY OF THE
INTERNATIONAL COMMISSION FOR THE CONSERVATION OF ATLANTIC TUNAS

-MADRID-

Subject: Kingdom of Morocco/ Information from WWF regarding alleged use of drift nets

Ref: Circular No. 5153 of 24 July 2019

Further to the circular referred to above regarding the alleged use of drift nets, I would like to provide the following response:

Even though the claim is only supported by photographs, which lack authentication (from a non-sovereign source, absence of technical or legal proof of authenticity including place, date and source) and in addition, do not constitute any tangible evidence showing or proving an illegal fishing act, the regional authorities of the Department of Maritime Fisheries were requested to carry out an enquiry to verify the alleged facts regarding the alleged use of drift nets by the alleged vessels "**Zidni-3 with registration 1-404 and Tejje with registration 1-407**".

On conclusion of this enquiry, the local authorities had not found any evidence proving the veracity of the alleged facts, and therefore no proof was entered into evidence, in accordance with the maritime fishing regulations in force, to support an infringement of the relevant rules, which carry fines and penalties.

Moreover, it should be recalled and highlighted the strong and solid collaboration between the Moroccan control authorities and the Spanish control authorities on issues linked to the fight against IUU fishing, in particular in the Mediterranean. In addition, official channels to fight against IUU fishing are continually operational and have proven to be effective.

It should also be highlighted that if it has been established either by the Moroccan control authorities or by the Spanish control authorities that an infringement of the maritime fisheries regulations has occurred, which cover the use of drift nets, legal proceedings for the issue of fines and penalties are initiated immediately against the vessel concerned. Therefore, the rules on establishment of an infringement, the issue of fines and penalties and their ethics are guaranteed.

In this regard, the Kingdom of Morocco has the pleasure to remind you of the measures introduced to implement the national programme to eradicate drift nets.

Legal perspective:

- Morocco enacted Law 19-07 of 2 August 2008 which permanently prohibited drift nets, as well as the Implementing Decree of 11 April 2011 which prohibits their use one year after its enactment (i.e. from 10 April 2012);
- The current Moroccan regulations (Royal Decree of 23 November 1973) carry severe penalties for the use of drift nets;

- Morocco has strengthened control of its vessels to prohibit all drift nets on the Mediterranean and Atlantic coasts, both on land and at sea. The at-sea control system was reinforced by installation onboard of all Moroccan coastal vessels of a VMS tracking system, in accordance with Decree No. 2-09-674 of 17 March 2010.
- Since 2013, Morocco has implemented a management plan for the Mediterranean and Atlantic swordfish fishery, through adoption of Ministerial Order No. 1176-13 of 8 April 2013, as amended and supplemented. It sets out some management measures for this fishery, in particular, prohibition of the use of driftnets in fishing for this species.

Supporting the profession:

- Morocco implemented in 2010 the action plan for discontinued use of drift nets which offered two types of compensation to users of these nets: 175 vessels chose to withdraw the drift nets and 86 vessels chose voluntary definitive discontinuation of the fishing activity in return for a total amount of DHS 256 million;
- The sailors that work onboard these vessels have been able to follow a training-retraining programme on selective swordfish techniques (surface longline and handline). 1857 sailors met the eligibility criteria established by their own associations, and attended the training-retraining sessions, benefiting from a flat-rate compensation for a total amount of MAD 40 million;
- It should be noted that the financing of this compensation operation for vessel owners and sailors proceeded mainly from the Government of Morocco's general budget and from the Fisheries Partnership Agreement between the Kingdom of Morocco and the European Union. No other source of financing was requested.

In light of the conclusions drawn, the Kingdom of Morocco undoubtedly denies the allegations levelled and regrets the importance attached to these allegations which lack tangible proof. Indeed, attaching interest to these allegations is detrimental to operators that are committed to complying with regulatory requirements concerned with the prohibition of use of drift nets, in spite of the socio-economic difficulties that they experience. It also undermines the commitment and efforts undertaken by the CPCs concerned.

Please accept the assurances of my highest consideration.