

**DRAFT RESOLUTION BY ICCAT AMENDING THE RESOLUTION (18-11) BY ICCAT ESTABLISHING A PILOT PROGRAM FOR THE VOLUNTARY EXCHANGE OF INSPECTION PERSONNEL IN FISHERIES MANAGED BY ICCAT**

*Proposal submitted by the European Union*

*RECALLING* Ref. 75-02 for a Scheme of Joint International Inspection and Annex 7 of Recommendation 18-02 establishing a joint international inspection scheme for the eastern Atlantic and Mediterranean Bluefin tuna fishery, both relating to areas beyond national jurisdiction;

*FURTHER RECALLING* paragraph 3 of Article IX of the ICCAT Convention and the General Outline of Integrated Monitoring Measures adopted at the 13th Special Meeting of the Commission (Ref. 02-31);

*NOTING* the important role of the trap and farming related activities in the eastern Atlantic and Mediterranean Bluefin tuna fishery, part of these activities taking place within the waters under the jurisdiction of the Contracting Parties concerned;

*NOTING* that joint inspection activities have been carried out by Contracting Parties in the Atlantic and other oceans;

*FURTHER NOTING* that voluntary exchange of fisheries inspectors for bluefin tuna trap and farming related activities would equally benefit from an exchange of best practices and inspection expertise on such activities between Contracting Parties directly involved;

*NOTING* that for bluefin tuna trap and farming activities, the fisheries inspector should only be authorized to observe the related control operations of the hosting Contracting Party and exchange of practices, information and experiences related to bluefin tuna trap and farming activities.

*RECOGNIZING* that exchanges of inspectors and observers through a voluntary pilot program will contribute to the capacity of Contracting Parties, particularly developing Contracting Parties, to conduct at sea inspections in ICCAT fisheries;

*FURTHER RECOGNIZING* that extending the voluntary pilot program to the bluefin tuna trap and farming related activities would also contribute to the capacity of the Contracting Parties directly involved in the control of such activities;

*FURTHER RECOGNISING* that the voluntary exchange of inspectors is subject to the domestic legislations of the Contracting Parties in force;

THE INTERNATIONAL COMMISSION FOR THE  
CONSERVATION OF ATLANTIC TUNAS RESOLVES THAT:

**Program Objectives**

1. A pilot program is established for the voluntary exchange of inspection personnel to:
  - a) participate in boarding and inspection activities as inspectors or as observing members of the inspection party (hereinafter referred to as "observers" for purposes of this Resolution) conducted by Contracting Parties in fisheries managed by ICCAT pursuant to their existing authorities;
  - b) allow fisheries inspectors from Contracting Parties directly involved in Bluefin tuna trap and farming activities, to observe, on a reciprocal basis, the inspection activities conducted with a previous agreement by the hosting Contracting Party;

- c) facilitate exchanges that are intended to allow the sharing of information, best practices and expertise needed to strengthen at-sea inspection, traps and farming related control activities, capabilities and capacities, enhance cooperation and collaboration among Contracting Parties on these important areas of fisheries monitoring, control, and surveillance, and inform future discussions on this issue within ICCAT.
2. On the conclusion of a standing or ad hoc bilateral agreement or arrangement referred to in paragraph 10, the pilot program referred to in paragraph 1 applies to vessels in areas beyond national jurisdiction as well as to bluefin trap and farming activities.

#### Participation and Points of Contact

3. All Contracting Parties are encouraged to participate in the pilot program referred to in paragraph 1 and may join or leave it at any time.
4. Contracting Parties interested in participating in the pilot program should submit to the ICCAT Executive Secretary the following information when applicable:
  - a) National authority responsible for at-sea inspection and other supporting maritime agencies as may be appropriate,
  - b) National authority responsible for the Bluefin tuna trap and farming activities, and
  - c) Designated point(s) of contact (POC) within that authority with responsibility for program implementation, including name, telephone, fax numbers, and e-mail address.
5. The ICCAT Executive Secretary will make the information provided under paragraph 4 available on the public portion of the ICCAT website, taking into consideration national personal data protection rules.

#### Pilot Program Process and Procedures

6. Contracting Parties that have elected to participate in the pilot program should communicate with one another to identify opportunities for exchanges of inspectors or observers at sea pursuant to this pilot program.  
  
Contracting Parties participating in the pilot program for BFT trap and farming activities, should ensure that the inspectors exchanged under this program are only authorized by the hosting Contracting Party to observe the related control operations.
7. Contracting Parties:
  - a) deploying patrol vessels in fisheries managed by ICCAT should consider their participation in the pilot program in developing patrol plans and strive, where possible, to arrange patrols that can accommodate one or more personnel from other Contracting Parties.
  - b) developing inspection plans on their bluefin tuna trap and farming related activities, should consider inviting other Contracting Parties engaged in such activities to send inspectors to observe control related activities in their trap and farms and.
  - c) will provide relevant information to other participating Contracting Parties, as appropriate, in order to determine their interest in an exchange of inspectors or observers, either on a particular patrol or on a Bluefin tuna trap and/or farm, that may be planned in the future.
8. Contracting Parties wishing to place inspectors or observers on another Contracting Party's inspection vessel, or wishing to observe a Bluefin tuna trap and/or farming inspection activity, should contact the POC of the Contracting Party that has provided information under paragraph 7, to indicate its interest.

9. When a Contracting Party has provided notice of its interest in an exchange of personnel under paragraph 8, the concerned Contracting Parties should consult to determine whether such an exchange could be accommodated, taking into consideration operational and administrative limitations, as well as training, expertise, operational and information on safe, security, medical and physical requirements, authorization for the venue of the inspections and inspection capacities.

Contracting Parties deploying inspection vessel(s) should make special efforts to accommodate requests from developing Contracting Parties, in particular.

10. Contracting Parties that have chosen to establish an exchange of personnel under this pilot program should enter into a standing or *ad hoc* bilateral agreement or arrangement to address relevant details of the deployment, including for the purpose of sea boarding and whether the scope of the agreement should be limited to inspections in areas beyond or within national jurisdiction or include national EEZs, or only the site of the bluefin tuna trap and/or farm.

The bilateral agreement or arrangement should also determine the role of personnel deployed under the arrangement or agreement, as well as further provisions for the cooperative deployment of inspectors or observers and the use of vessels, aircraft or other resources for fisheries surveillance and control purposes, and the protection of law enforcement sensitive or otherwise confidential or protected information from inappropriate disclosure.

11. The Contracting Party of the inspection personnel deployed should be responsible for all issues associated to safety, medical and physical requirements during the deployment.

#### **Reporting and Review**

12. Contracting Parties who engage in such exchanges should coordinate reporting to the Commission annually on any activities carried out under the pilot program for consideration by the Permanent Working Group for the Improvement of Statistics and Conservation (PWG). Contracting Parties are also encouraged to provide information related to joint inspection activities at sea undertaken outside the context of this pilot program, as appropriate.
13. This pilot program should be reviewed no more than 3 years after adoption.

#### **Repeals**

14. This Resolution repeals Resolution by ICCAT establishing a pilot program for the voluntary exchange of inspection personnel in fisheries managed by ICCAT [Res. 18-11].