

**REPORT OF THE 14TH MEETING OF THE WORKING GROUP ON  
INTEGRATED MONITORING MEASURES (IMM)**  
*(Held virtually via Zoom, 14-17 June 2021)*

**1. Opening of the meeting**

The Chair of the Working Group, Mr. Neil Ansell (EU), opened the meeting and welcomed the delegates to the 14th Meeting of the Working Group on Integrated Monitoring Measures (IMM). The ICCAT Executive Secretary also welcomed participants and honored the late Dr Fábio Hazin by commemorating his memory with a moment of silence.

**2. Appointment of Rapporteur**

Dr Bryan Keller (USA) was appointed as rapporteur.

**3. Adoption of Agenda and meeting arrangements**

The Chair summarized the points on the agenda and requested if any matters should be taken up under Agenda item 8 (Other Matters). The USA had previously suggested that Forced Labor be discussed in Agenda item 8 and the Chair noted this addition.

The Agenda was then adopted with this addition (**Appendix 1**).

The Executive Secretary introduced the nineteen Contracting Parties present at the meeting: Algeria, Belize, Brazil, Canada, China P.R., El Salvador, European Union, Gabon, Japan, the Republic of Korea, Morocco, Nicaragua, Norway, Senegal, Trinidad and Tobago, Tunisia, Turkey, the United Kingdom, and the United States.

The Executive Secretary also introduced three of ICCAT's Cooperating Non-Contracting Parties, Entities or Fishing Entities present at the meeting -- Bolivia, Chinese Taipei, and Suriname -- as well as non-member Montenegro, attending in an observer capacity. Finally, the Executive Secretary introduced the other observer delegations, including the General Fisheries Commission for the Mediterranean, an Intergovernmental Organization, and the following Non-Governmental Organizations (NGOs): the European Bureau for Conservation and Development, the International Seafood Sustainability Foundation, the International Pole & Line Foundation, Oceana, Pew Charitable Trusts, and the World Wide Fund for Nature.

The List of Participants is contained in **Appendix 2**.

Statements on proposals were received from Ghana (**Appendix 3**) and two from USA (**Appendix 4 and 5**).

**4. Review of Statistical and Catch Documentation Schemes (SDP/CDS)**

The Chair opened the discussions of the first agenda item by suggesting that the Working Group discuss Agenda items 4.1 and 4.2 together.

#### **4.1 Consideration of measures referred from PA2/Working Group on Bluefin Tuna Control and Traceability Measures (Recs. 18-12 and 18-13)**

#### **4.2 Consideration of eBCD and any further actions and work of the eBCD Technical Working Group, including data extraction and reporting**

The Chair noted that the eBCD Technical Working Group (eBCD TWG) had met on 8-9 June 2021. He stated that a full report of the recently concluded meeting was under development. For the purposes of the IMM meeting, he prepared a short summary of relevant issues, Meeting of the eBCD Technical Working Group: Chair's Summary of Points Considered Relevant for IMM. The Chair also noted that general information on the implementation of the eBCD system was included in Implementation of the eBCD system and in Issues Referred from Panel 2/WG on Bluefin tuna Control and Traceability Measures (BFTCT WG).

The Chair presented document Meeting of the eBCD technical Working Group: Chair's summary of points considered relevant for IMM, which covered five key issues where the eBCD TWG was seeking direction from the Group. The Chair then called attention to the eBCD related issues contained in Issues Referred from Panel 2 / Working Group on Bluefin Tuna Control and Traceability Measures (BFTCT WG), which were referred from Panel 2 taking into consideration discussions held by the BFTCT WG in 2020. With carry over in farms between harvesting seasons, the EU noted the importance of developing a new algorithm for fattened fish to ensure accuracy of calculating the weight of bluefin tuna subject to carry over or to be able to calculate growth rates of fish from carry-over cages, as the current algorithm was developed on the basis of wild fish before they are fattened in farms. Turkey reflected that, as was noted in 2020 BFTCT WG and Panel 2, it would not be feasible to add regular information on the transport means used and dates for departure and arrival in the trade section of the eBCD in the case of fresh BFT consignments through air route.

Morocco presented its proposal to amend three aspects of Rec. 18-13 *"Draft Recommendation by ICCAT amending Recommendation 18-13 replacing Recommendation 11-20 on an ICCAT bluefin tuna catch documentation program"*, applying the result of the deliberations of PA2 in its 2020 intersessional meeting and that Morocco recalled as endorsed in the report of that meeting of Panel 2 (see page 16 paragraph 3 of the English version of that report which expressly states "After extensive discussion, the Panel endorsed a revised version of the conclusions (Appendix 7)" and page 154, in particular appendix 7, the first paragraph of which expressly states that "Panel 2 conducted an initial review of the conclusions of the Working Group on Bluefin Tuna Control and Traceability Measures and endorsed the possible improvements indicated in the table below). Regarding the point to allow further grouping of BCDs from the same flag of origin/same Joint Fishing Operation (JFO) during intra-farm transfers, including carry overs, three CPCs noted concern about the potential loss of traceability associated with such activities as well as about the ability to accurately assess growth rates of farmed fish if catches of bluefin tuna were mixed in the same cage(s). This matter had also been discussed at the level of the eBCD TWG with the eBCD system developer, Tragsa. It was recalled that Tragsa had informed the eBCD TWG that they would need further specifications before confirming that traceability could be ensured. Morocco indicated that its proposal is solely limited to the improvements approved in the 2020 intersessional meeting of Panel 2, and that it is was by no means a question of carry overs. Morocco clarified that its proposal simply reflected the recommendation of Panel 2, expressly stating in appendix 7 of the 2020 intersessional meeting report: "Ask the eBCD TWG to develop functionality to allow grouping of fish from the same flag origin/same JFO and ask the IMM Working Group to reflect the relevant grouping of eBCDs in Rec. 18-12 / 18-13". Morocco did not consider that there was any issue with traceability or growth rate calculations relative to its proposal, noting that the concerned improvement approved by Panel 2 is consistent with the degree of traceability as per paragraph 5 of Rec. 18-13 which stops distribution of fishes in farm cages based on the flag of origin of the CPC. It added that scientific evidence is necessary to judge the impact of growth rate calculations. Japan and the United States both intervened to underline they did not have the same understanding from the discussions and the reading of the report of the Panel 2 meeting from March 2020 in which they reiterated their preference for further discussions and assurances on the possible implications of allowing the grouping of fish from different cages during carryover and other intra-farm transfer operations. The United States further reminded CPCs that no final decisions on these or other control and traceability matters discussed at the 2020 Panel 2 intersessional meeting were made and recalled the language on page 16 of the English version of the Panel's report that states, "It was agreed that the outcome of the Panel's deliberations on the Working Group's suggestions did not prejudice the position of CPCs on these matters when they will be further considered either intersessionally by other ICCAT subsidiary bodies or during the 2020 ICCAT annual meeting."

Regarding the issue of including a footnote in Rec. 18-13 referencing Annex 9 of Rec. 19-04 (to specify that the application of Annex 9 would result in the number and weight reported being considered ‘accurate’), a number of CPCs questioned the need for this change since, if CPCs were following the rules, they would be in a position to make an appropriate determination about whether or not to validate the eBCD(s). Some CPCs noted the need for clarity in this regard and the need to reflect further on the matter. If the addition of such text was determined to be needed, a CPC suggested that additional consideration should be given to the location of the footnote and to its phrasing to ensure clarity and avoid potential unintended consequences.

With regard to the proposed modifications of Rec. 18-13 to mirror the two headings of section 6 of the eBCD system, there was some support for this change. However, when the “grouping” subject matter of the concerned improvement approved by Panel 2 in its 2020 intersessional meeting was questioned by three CPCs who were of a different opinion, Morocco proposed deleting paragraph 6.bis from its proposal and maintaining the two other points included in the revision draft but two CPCs suggested that, as the current situation was not impeding the implementation of the eBCD programme, there was not an urgent need to revise Rec. 18-13. The Chair concluded that there was no consensus on the “*Draft Recommendation by ICCAT amending Recommendation 18-13 replacing Recommendation 11-20 on an ICCAT bluefin tuna catch documentation program*” and suggested that this matter could be addressed during a more comprehensive review of Recommendations 18-12, 18-13, and 19-04.

The Working Group discussed at some length other issues raised in “Meeting of the eBCD technical Working Group: Chair’s summary of points considered relevant for IMM”. On the issue of linking transshipments to eBCD, one CPC noted that it prefers to include the eBCD number in the Transshipment Declaration rather than develop a functionality to allow incorporation of the Transshipment Declaration information into the eBCD system. Another CPC suggested that there was value in continuing to discuss the possibility of developing a new functionality in the eBCD system to provide the required linkage. It was agreed that discussion of this matter should continue including by way of a more comprehensive reflection and possible review of Rec. 16-15.

Regarding how to facilitate access to the eBCD system by inspectors in the eastern bluefin tuna joint inspection scheme (JIS) and potentially other land based enforcement personnel, the Chair referred to the recent discussion of this issue within the eBCD TWG and noted that there are still issues that need to be decided upon prior to seeking cost estimates for this development by Tragsa. A CPC noted that PWG had agreed in 2019 that JIS inspectors should have access to the system and that the eBCD TWG had made good progress at its meeting in early June on possible ways to allow for inspector access while ensuring data confidentiality. This included either developing a distinct account profile of inspectors similar to that used for ROPs, or, alternatively, providing access to the system by way of functionality activated during the inspection through the operator’s account. It was agreed that the eBCD TWG would further discuss this point and request a time/cost estimate from Tragsa. Related to this point the EU noted it would be useful to have clarity on whether or not printed eBCDs should accompany consignments. The United States noted that printed copies of eBCDs or paper BCDs shall only be used in those very limited situations specified in paragraph 6 of Rec. 18-12. Other than that, the record in the eBCD system was the only information that was valid. The EU expressed a doubt about the meaning of paragraph 32 in Rec. 18-13, which specifies that copies of BCDs shall follow each part of a split shipment or processed product. The United States noted that the clear intent of Rec. 18-12 was to ensure a seamless transition from the paper BCD program to a fully electronic system and that the provisions of the paper-based program laid down by Rec. 11-20 (now Rec. 18-13) apply *mutatis mutandis* to the eBCD system. Further, the eBCD system has been developed to track split shipments and the movement of processed products, among other activities. In principle, inspectors can find all the information they need in the eBCD system to verify catch, farming, and trade activity. Japan noted that it shares the view of the United States that paper BCD or printed eBCDs should not be used except in the very limited circumstances specified in Rec. 18-12.

The EU questioned how, without a paper document, a link between a physical consignment of bluefin tuna and the eBCD could be shown. Japan indicated that the only information needed to verify the consignment of bluefin tuna would be in the eBCD record number. The United States agreed with Japan, stressing that the eBCD record number should be provided as and when requested by competent control authorities to access the eBCD system and use the data therein to verify consignments.

### **4.3 Overall strategy for CDS in ICCAT and potential expansion of CDS to other species**

#### **4.4 Consideration of current SDPs (Bigeye and Swordfish) and any further actions (Rec. 01-21 (BET) and 01-22 (SWO))**

The Chair invited Japan to present their Proposed way forward for discussion on Catch Document Schemes. Japan presented an outline of what ICCAT could consider for the future, noting three important criteria: stock status, risk of IUU fishing and if a stock is subject to international trade. Japan suggested that all major ICCAT stocks could be covered by CDS and noted that a stepwise approach could be amenable to all CPCs. As such, Japan submitted a draft resolution to establish a working group to advance possible CDS(s) for ICCAT species.

The IMM expressed general support for Japan's proposal to establish a dedicated working group on this issue. Several CPCs agreed that stocks currently covered by statistical document programs (SDPs) should be the priority for development of any new CDS. Some CPCs stressed the need for a risk-based approach to selecting species for consideration and also noted the potential costs of new systems. A number of CPCs noted the useful experience of the existing eBCD TWG and suggested ICCAT could potentially expand the scope of its work rather than creating a new working group. Others noted that, while its expertise would be useful, the eBCD TWG had a significant workload already and its focus should remain specific to its own mandate. Some CPCs suggested that the timing of working group meetings should be considered in November 2021, when the scope of the Commission's 2021 annual session and future intersessional work becomes more clear. Some CPCs stressed the importance of collaborating with other RFMOs to ensure compatibility, as well as the need to take into account the FAO technical guidelines and existing national CDS used by ICCAT CPCs. Some CPCs underscored the challenges new schemes could pose for developing CPCs and noted the importance of taking capacity building considerations into account. PEW noted the importance of this proposal and thanked Japan for introducing it. Japan thanked CPCs for their input and offered to work intersessionally with other CPCs to continue advancing this issue before and during the annual meeting.

## **5. Consideration of measures relating to monitoring and inspection and flag State responsibilities, including:**

### **5.1 Vessel Monitoring Systems:**

#### *a) Consideration towards a Regional VMS*

Although no discussion papers or proposals were submitted, the Chair opened the floor for CPCs to provide feedback and comment on a possible regional VMS program as laid down in recommendation 72 of the Second ICCAT Performance Review. A CPC noted that the regional approach would be beneficial to many CPCs and that if ICCAT moves forward, further dialogue would be needed. Another CPC noted that, for developing countries, capacity building would be necessary to assist with implementation.

#### *b) Measures related to BFT and live trade (Rec. 19-04)*

The Chair opened the floor regarding VMS issues referred by Panel 2 in 2020 based on suggestions flowing from the BFTCT WG meeting, as reflected in Issues referred from Panel 2 / Working Group on Bluefin tuna control and traceability measures (BFTCT WG), specifically paragraph 88 of Rec. 19-04. A CPC underlined the need for increasing the frequency of VMS transmission for towing vessels to enhance monitoring and control of these vessels when operating in the vicinity of farms and additional tracking tools for transport cages. Noting the value of such measures, it was agreed that discussions would continue to consider (1) the need to increase the frequency of reporting in case of technical failure of VMS from every 4 hours to 2 hours, while considering general VMS provisions of Rec. 18-10, and (2) the need to install tracking location systems on transport cages.

The Secretariat presented its document on "Observations on possible deficiencies in the mandatory VMS fields required by Rec. 07-08". The Secretariat described the current measure, noting that it is 14 years old and that there is a mismatch between new technology and the outdated language of the Recommendation, which is creating additional work for the Secretariat. The Secretariat proposed the inclusion of additional information in the VMS signals, which can be done without increasing costs.

The IMM Working Group discussed the fine scale details of the Secretariat's proposals, including what would be considered mandatory versus optional in the VMS information set. It was agreed that inclusion of the internal reference number (IR) and external registration (XR) will be optional while FS (flag State) and FR (from) would be mandatory. The Chair noted that there was general support for the Secretariat's proposal and indicated that revisions to Rec. 07-08 along the lines discussed would be presented at the 2021 ICCAT Annual Meeting.

## **5.2 Observer Programmes**

### *a) Minimum standards for Electronic Monitoring Systems*

The SCRS Vice Chair presented the progress of the SCRS work regarding Electronic Monitoring Systems (EMS). The Vice Chair described the status of EMS trials and previous work completed in purse seine fisheries. The importance of EMS was highlighted in the 2016 and 2017 SCRS report, and the Vice Chair reported on the creation of an SCRS Subgroup within the Billfish Species Group, focused on EMS. The specific goals of the Subgroup include 1) collecting and analyzing past studies comparing data products from observers and EMS; 2) beginning to describe the status of knowledge on EMS; 3) identifying possible knowledge gaps and the need for additional experimental trials; and 4) reviewing the draft EMS guidelines produced by the IMM when needed. The Subgroup will report back to the Billfish Species Group in September 2021 and, during that time, it may be necessary to widen the scope of the Subgroup to coordinate with other SCRS Species Groups.

The Chair invited the EU and the United States to introduce their EMS related papers. The EU presented its Discussion paper on minimum standards for electronic monitoring systems and the United States presented its Electronic monitoring in the U.S. Atlantic pelagic longline fishery: an information paper. The EU recalled several measures referencing EMS, including the requirements laid down in Recs. 19-02 and 19-05, calling on IMM to make recommendations to the Commission for endorsement at its 2021 Annual Meeting. The United States presented information on the use of EMS in their pelagic longline fisheries, expressing the hope that the paper could provide guidance for other CPCs in the development and implementation of their respective EMS and to ICCAT in its development of regional program requirements and standards. The Chair highlighted that it would be useful for IMM to consider the clear delimitation between compliance and scientific objectives in terms of EMS. Other CPCs shared their experiences with EMS trials over the last year; many CPCs highlighted that COVID-19 had delayed the implementation of and reporting from trials.

A CPC recommended that a working group on EMS be established given its highly technical nature. There was broad support for this suggestion. One CPC, however, noted that the creation of a working group might be premature given the identified delays in EMS trials by CPCs. It was agreed to defer the question of establishing an EMS Working Group to the 2021 Annual meeting.

The EU introduced two documents: Remote Electronic Monitoring (REM), including Closed Circuit Television (CCTV) on board bluefin tuna processing vessels and Proposal for a Resolution by ICCAT establishing a pilot project for the implementation of Remote Electronic Monitoring (REM) on bluefin tuna processing vessels. One CPC noted that monitoring, control, and surveillance (MCS) efforts should be proportional to the IUU fishing risk associated with a specific fishery. The CPC stressed that REM on bluefin tuna processing vessels was unnecessary and that other aspects of the bluefin tuna fishery, particularly farming operations, should be the focus of strengthened MCS measures. In that regard, it was suggested that the use of the regional observer program (ROP-BFT) be broadened to cover 24/7 deployment on processing farms. The EU stated that advancing MCS should occur across all parts of the fishery to reduce the risk of illegal fishing operations and that efforts were already underway in the ongoing process to revise Rec. 19-04 to strengthen monitoring and control on the different stages of the eastern Atlantic and Mediterranean bluefin tuna fishery. The EU also noted that this system would also considerably reduce the cost and workload on the control authorities and that it is only a pilot project, the results of which can be used to have an informed discussion and assess whether or not the system can be more effective and efficient than the current one. The Chair concluded that there was no consensus on the EU proposal and that further discussions on this subject would continue.

*b) Regional Observer Programmes:*

- Transshipment:

IMM took note of the Annual Contractors' Report on implementation of two ICCAT regional observer programs.

- Request for clarification under BFT-ROP:

The Chair invited comments on the Draft responses to requests for clarifications ROP-BFT referred by Panel 2 Chair and the link with some of the issues previously presented in Meeting of the eBCD technical Working Group: Chair's summary of points considered relevant for IMM. Several CPCs called for further discussions of these topics in the eBCD TWG and PWG. The Chair acknowledged the need for discussions to continue and noted that the Secretariat will append the appropriate document to the report in order that PWG and/or eBCD TWG may continue discussions.

- Consideration of a ROP-TROP:

The Chair invited the EU to present Discussion paper on a possible ICCAT Regional Observer Program for Tropical Tunas. The EU described the possible scope and benefits of an ROP for tropical tunas especially for compliance purposes. A few CPCs noted it was premature to institute an ROP before the effectiveness of the current measures such as national observer program for purse seine vessels, recent increases in observer coverage on longline vessels, and ROP for carrier vessels, could be assessed. Some CPCs, however, expressed strong support to the EU's proposal and the clear benefits a ROP could bring. Senegal and Gabon reported that some developing CPCs had already been discussing such initiatives at a regional level and indicated an openness to collaborating with the EU, given widespread interest in the topic and the benefit such a program would bring to CPCs that have limited capacity to implement domestic observer programs. Following a question, the EU noted this proposal was based on previously agreed ROP provisions included in Rec. 11-01, which was replaced by a CPC observer programme in Rec. 16-01. One CPC questioned why baitboats had not been included under the scope of the EU proposal. The EU noted they would clarify this omission in the future. One CPC expressed its concern that dispatching an observer of one CPC to the vessel of another CPC involved a sensitive jurisdictional issue. The Chair concluded that there was general support for the development of an ROP for tropical tunas in principle and encouraged further discussions to reach consensus.

*c) Review of scientific observer programs, including implementation and consideration of any needed revisions or other actions (Rec. 16-14)*

One CPC noted several concerns regarding the lack of reporting on and implementation of domestic observer programs. The need to provide technical assistance to CPCs that may be experiencing difficulty implementing Rec. 16-14 was discussed. It was suggested that a curriculum could be developed for training programs to highlight basic data reporting requirements. IMM endorsed the need for capacity building to facilitate the full implementation of Rec. 16-14.

*d) National observer training requirements (Rec. 19-04 (EBFT measure))*

The Chair opened discussion on the issues related to domestic observer training requirements as they relate to paragraph 83, 84, and 85 of Rec. 19-04. He noted that this issue was referred to IMM by Panel 2 in 2020 and is reflected in document Issues referred from Panel 2 / Working Group on Bluefin Tuna Control and Traceability Measures (BFTCT WG). Numerous CPCs supported the need to ensure domestic observers are properly trained, and, in particular, that observers on towing vessels can adequately estimate the number of bluefin tuna from conventional video footage.

With regard to regional observer programs and the need to ensure a good understanding of the implementation of applicable rules by ICCAT CPCs, the Chair suggested that, as has been done in the past, an informal consultation/meeting could be held between the ROP implementing consortium and interested CPCs to discuss and assist in clarification requests originating from regional observers. This was agreed and the Secretariat noted that a virtual meeting could be arranged after the 2021 ICCAT Annual Meeting.

### **5.3 At sea boarding and inspection, including updates on pilot program on voluntary exchange of inspection personnel (Res. 19-17) and vessel sightings (Rec. 19-09)**

The Chair invited the EU to present its document Proposal for a recommendation amending Recommendation 06-14 by ICCAT to promote compliance by nationals of Contracting Parties, Cooperating non-contracting Parties, Entities, or Fishing Entities with ICCAT conservation and management measures. The EU highlighted the importance of strengthening ICCAT Rec. 06-14 to help ensure the effectiveness of ICCAT conservation and management measures. The proposed amendments to Rec. 06-14 would serve to expand the scope of the measure to include effective beneficiaries and other individuals that may explicitly benefit from IUU fishing activities. Numerous CPCs indicated support for this amendment. Some CPCs expressed concern about the potential scope of the measure and one noted its interest in working with the EU on language to address this concern. Oceana supported the amendment, highlighting the importance of holding beneficiaries of IUU fishing accountable. Some CPCs expressed difficulties on how to transpose the proposed text into domestic law and were interested to understand how the EU had achieved this. The EU explained the relevant provisions of its IUU fishing regulations, which includes specific provisions concerning beneficial owners. The Chair concluded that while IMM broadly supported the proposal, bilateral discussions leading up to the 2021 ICCAT Annual Meeting could be undertaken with a view to addressing the points made and improving the text.

The United States presented its proposal, “Draft Recommendation on vessels without nationality”, noting concern about the apparent increase in activity by vessels without nationality in the ICCAT Convention area and explaining that existing recommendations do not address the issue comprehensively. After some discussion about the scope and need for the proposal, it was endorsed by IMM while a CPC reserved its final position until its internal consultation would be completed. The draft proposal will be forwarded to the PWG for its consideration during the 2021 ICCAT Annual Meeting. The draft proposal is contained in **Appendix 6**. The statement from Japan on this issue is included as **Appendix 7**.

Canada presented its document, ICCAT Scheme of Joint International Inspection in the Western Atlantic International Waters of the ICCAT Convention Area. The discussion paper contained background information and described the potential benefits of establishing a joint international inspection scheme for waters outside national jurisdiction in the western Atlantic. The United States acknowledged the importance of this work and supported Canada's approach. Notwithstanding, the United States reiterated its longstanding and strong preference for adoption of a binding Atlantic-wide high seas boarding and inspection scheme (HSBI) in ICCAT. Some CPCs noted that an incremental approach in adopting such a scheme for the western Atlantic Ocean could reflect useful progress on HSBI more generally. A CPC noted that consideration on new HSBI should be risk-based, and the scope of new scheme (e.g., geographical area, species) should not be predetermined. CPCs noted this effort could use the existing joint inspection scheme measures applicable to the eastern Atlantic and Mediterranean bluefin tuna fishery as a framework. The Chair encouraged further discussions in advance of the 2021 ICCAT Annual Meeting.

Regarding Res. 19-17 and Rec. 19-09; the United States reiterated its commitment to Rec. 19-09 and described recent vessel sightings made off its coast reported to ICCAT. The United States also reiterated its commitment to the adoption by ICCAT of a strengthened program of MCS that includes HSBI, EMS, and transshipment reform, among other measures.

### **5.4 Port State measures:**

#### *a) Composition of response to FAO on Port State Measures*

The Chair informed that following the circulation and contributions received the IMM noted the Secretariat's work on the response to FAO on the Agreement on Port State Measures (PSMA). The Chair thanked CPCs in particular Norway for assisting in this regard and informed that the final response as submitted to the PSMA Secretariat was available on the IMM meeting website.

b) *Evaluation of the outcomes of the Fourth Meeting of the Joint FAO/IMO/ILO Ad Hoc Working Group on Illegal, Unreported and Unregulated Fishing and Related Matters (Torremolinos, Spain, 23-25 October 2019)*

Norway noted that pursuant to paragraph 1 of Rec. 19-16, the Commission was called to evaluate the outcomes of the fourth meeting of the Joint FAO/IMO/ILO Ad Hoc Working Group on Illegal, Unreported and Unregulated Fishing and Related Matters. Furthermore, the report from this Working Group was still being developed which prohibited the consideration of any future actions at this time. The Chair thanked Norway and noted this matter can be taken up as and when the report becomes available.

c) *Review of the progress of the Port Inspection Expert Group for Capacity Building and Assistance Including training module*

The Secretariat noted that progress in general has been delayed due to the difficulties posed by the COVID-19 pandemic and that MRAG developed a draft training module, the most recent version of which has been shared with the ICCAT Port Inspection Expert Group, in English only. Some last changes were currently being incorporated by the consortium contracted for this work and the translations would be updated once the original English was completed, for a final review by the Expert Group before general circulation to the Commission.

It was also expected that, with the help of the EU funded PESCAO Project, some online activities could take place at the end of 2021 and into 2022 until such time as in-person missions could be safely undertaken. In order to avoid any further delays, such activities may alter the order in which the countries requesting assistance receive attention, in order to cover those under the PESCAO project. However, those not covered by this project would receive assistance through other channels as soon as feasible.

### **5.5 At sea and in port transshipment**

Japan introduced its document, Risk Analysis for IUU Operations, which detailed a risk analysis of transshipment activities and proposed how to address gaps in current MCS measures in this regard. Major issues highlighted by Japan included the quality of data reporting and the limited implementation by some CPCs of the 5% inspection coverage of in-port in accordance with Rec. 18-09.

The United States introduced its document, “Draft recommendation by ICCAT on Transshipment” and noted the need for better control of transshipment activity, as highlighted by recent sightings of vessels that appear to be acting in contravention of ICCAT’s conservation and management measures. The United States also noted that the proposal calls for an HSBI scheme and port inspection prioritizations. The United States also pointed out the need for consultation with the Secretariat and others on the potential costs associated with the proposed centralized VMS reporting requirement.

Many CPCs supported the points raised by the United States and Japan and acknowledged the need to address fishing activities that violate ICCAT’s transshipment rules as spelled out in Rec. 16-15. CPCs discussed these two documents, highlighting the tenets of each strategy and the necessary provisions to fill existing loopholes. Some debate focused on whether monitoring should be accomplished via EMS or human observers, and some CPCs questioned the need for expanded electronic or human observer coverage on longline vessels. Regarding VMS, a CPC suggested that reporting frequencies for carrier vessels should be harmonized with longline vessels and preferably set at 2 hours rather than 1, although the CPC expressed some flexibility on this point. Whether transshipment would be permitted using non-CPC carrier vessels was also discussed. While most CPCs and an NGO flagged this issue as a loophole that provided an opportunity for IUU fishing to occur, some CPCs thought excluding the use of non-CPC carrier vessels was too restrictive and unnecessary, given that an ICCAT regional observer is on board those vessels. It was suggested that if a non-CPC carrier vessel fails to report, ICCAT should reach out to seek improvement. If the issue is not rectified, the vessel could be removed from the authorized list. The CPC stressed that this would be a fairer approach than a general rule excluding non-CPC carrier vessels from participating in ICCAT fisheries. The inclusion of an HSBI scheme for transshipment activities had broad support within IMM, while a CPC questioned its effectiveness. While some CPCs emphasized the importance of strengthening MCS on supply vessels, some CPCs questioned whether supply vessels contain real IUU risk given their low freezing capacity that effectively makes it impossible to transport fish products. In particular, one CPC questioned the listing provision for supply vessels, noting the need to further consider

the risk these vessels pose. The Chair concluded that this was a healthy debate and discussions should continue, focusing, among other things, on the level of control, supply vessels listing requirements, joint inspection schemes and provisions related to the participation by non-CPC carrier vessels in transshipment activities. The Chair also mentioned that any budgetary discussion related to this topic, in particular related to the proposed requirement for VMS reporting to the Secretariat by vessels involved in at sea transshipment activities, could be assessed, with input from the Secretariat and, if needed, by STACFAD contingent upon the relevant financial implications.

### **5.6 Reporting form for lost and abandoned gear (Rec. 19-11)**

The Chair discussed ongoing dialogue between some CPCs and the Secretariat on the development of reporting forms related to lost and abandoned gear. The Secretariat noted that currently exist. One (CP 51) covers lost/abandoned and the other (CP 52) covers found gear. The Secretariat reported that no completed forms had yet been received from CPCs. A suggestion was made that these forms could be deposited online, similar to the Shark and Billfish Check Sheets.

### **5.7 Other Issues**

No issues were raised under this agenda item.

## **6. Review of vessel listing measures, including:**

### **6.1 Rec. 18-08, including IUU Vessel listing procedures including cross-listing**

The Chair invited Canada to present its document, Proposal to Amend Recommendation by ICCAT on Establishing a List of Vessels Presumed to Have Carried Out Illegal, Unreported, and Unregulated Fishing Activities (Rec. 18-08). Canada described the proposed amendments that sought to increase the scope of the language of paragraph 1 to apply to any vessels conducting IUU fishing activities rather than only vessels flying the flag of a CPC, or the flag of a non-CPC. IMM supported this proposal. Japan suggested a conforming edit to paragraph 1(j) of the measure to bring it in line with references to vessels without nationality in the Draft recommendation on vessels without nationality as already adopted. The IMM agreed to these changes and the proposal as amended (Proposal to amend Recommendation by ICCAT on establishing a list of vessels presumed to have carried out illegal, unreported and unregulated fishing activities [Rec. 18-08], attached as **Appendix 8**, was endorsed by the Group and will be forwarded for PWG for its consideration during the 2021 ICCAT annual meeting.

The Secretariat presented its document Requests for clarification. The Secretariat requested input on whether cross-listed vessels by other RFMOs which are not included in the list in Rec. 18-08, should be included in the ICCAT IUU vessel list. There was agreement that only vessels listed directly by RFMOs included in the footnote in paragraph 11 of Rec. 18-08 should be cross-listed by ICCAT. If an RFMO included in Rec. 18-08 cross-lists a vessel from an RFMO not included in Rec 18-08, ICCAT should not cross-list that vessel.

Another question was raised regarding how to handle cross-listing when the original listing RFMO does not provide supporting information for their listing decisions. A few CPCs suggested that vessels without supporting information should not be put forward for cross-listing, but others suggested that the Secretariat should seek supporting information, and in cases where there is none, put the vessels forward for cross-listing but inform CPCs about the lack of supporting information. One CPC raised concerns that such a process is not outlined in Rec. 18-08, but did not have strong concerns with this approach. The Secretariat proposed that vessels listed on other RFMO lists but without supporting information would not be included on the draft ICCAT IUU list but would be appended to the circular(s) for information. The Chair noted consensus on this pragmatic approach and thanked the Secretariat.

### **6.2 Other issues**

The EU presented its document, Proposal for a Recommendation Amending Recommendation 13-13 by ICCAT Concerning the Establishment of an ICCAT Record of Vessels 20 Metres in Length Overall or Greater Authorized to Operate in the Convention Area and described the proposed amendments, which would

expand the requirement of commercial LSFVs to obtain IMO numbers. In response to a question, the EU noted that the amendment would not apply IMO number requirements to vessels smaller than 20 m LOA. CPCs were supportive of this proposal, but one CPC raised drafting concerns that could result in legal inconsistencies within the amended Recommendation. The Chair noted the broad support for the intent behind the measure and encouraged CPCs to work intersessionally to address drafting concerns with a view to considering this matter further in PWG during the 2021 ICCAT Annual Meeting.

The Secretariat highlighted the remaining issues in the Requests for clarification. IMM considered whether eastern Atlantic and Mediterranean bluefin tuna catching vessels must be on the authorized vessel list at the time of transshipment. It was noted that catching vessels not on the authorized list are prohibited from conducting in port transshipment of bluefin tuna. Korea raised the issue regarding paragraph 50 of Rec. 19-04 concerning the potential need to authorize vessels for a full calendar year rather than only during the fishing season. The Chair of Panel 2 recalled that the process of amending Rec. 19-04 is currently underway, and noted that Korea could provide suggestions to address this issue in the next comment period. It was agreed that this issue would be deferred to Panel 2.

There was a divergence of view regarding whether or not a vessel that harvests ICCAT species as bycatch and are not included on the authorized vessel list are permitted to trade/export those fish. One CPC noted that if a vessel wishes to export or trade ICCAT species, it needs to be on the authorized vessel list whether or not the catch was incidental, at least in the case of species covered by a statistical or catch document program and, in fact, import of such tuna species may be suspended if the vessel is not found in the authorized list. Most CPCs, however, considered that the structure of ICCAT's rules for some species, such as bigeye tuna, allow unlisted vessels to catch ICCAT species as bycatch and do not expressly prohibit their trade/export provided that CPCs count these landings against their respective quotas and report how incidental catch is managed in their annual reports, as required. Moreover, ICCAT vessel listing requirements only include vessels over a certain size. Unless otherwise specified in a recommendation, it was never intended that vessels intentionally excluded from a vessel listing requirement would be prohibited from trading/exporting their catch.

Finally, the Secretariat sought clarification regarding whether or not vessels operating under a chartering agreement or access agreement could fish under the quota of both the flag-CPC and the chartering or coastal CPC. There was general agreement that this was not allowable given the terms of ICCAT's Recommendations on chartering (Rec. 13-14) and access agreements (Rec. 14-07).

The requests for clarification and the summary of responses is contained in **Appendix 9**.

## **7. Performance review follow-up**

The Chair presented Follow up on the ICCAT Performance Review – PWG, noting the small changes made since 2019. Moving forward, the Chair highlighted that in consultation with the Secretariat and based on the conclusions of this meeting, additional changes will be made, if needed, and shared with the CPCs for review.

## **8. Other matters**

The Chair invited the Secretariat to discuss Streamlining of ICCAT Recommendations (Request for Removal of one Expired Recommendation). The Secretariat noted that Rec. 13-16 inadvertently remains active in the ICCAT Compendium and the Secretariat suggests removing the measure from the Compendium after the relevant text associated with the asterisk in Rec. 13-16 is incorporated into Rec. 18-13. IMM agreed to recommend to the PWG that Rec 13-16 be removed from the Compendium once Rec 18-13 is adjusted to include the asterisk.

The United States presented its paper, Statement by the United States on Forced Labour, attached as **Appendix 10** and highlighted concerns regarding the severity of forced labour within commercial fisheries, in addition to the susceptibility of ICCAT fisheries to this practice. The United States invited comments by CPCs on how ICCAT should address this important issue, and IMM agreed that this work should be a priority. A suggestion was made to look to other multilateral fora for guidance on this matter, including the Joint

IMO/ILO/FAO Working Group on IUU Fishing and Related Matters and in particular if and how this is being addressed in other RFMOs. The Chair noted very firm and broad agreement that ICCAT should continue to discuss forced labour with a view to considering ways it might be addressed in ICCAT in light of any progress or efforts of international entities and other RFMOs.

The Chair introduced the document Draft Terms of References for Pilot Projects with NEAFC and ICCAT on MCS in Line with GFCM Resolution 43/2019/3. The GFCM, represented by the Coordinator of the GFCM Working Group on VMS, described its desire to launch a pilot project with ICCAT and NEAFC in an effort to profit from ICCAT's experience should GFCM move ahead with a regional and/or centralized VMS system. A CPC requested a clarification on the term "centralized VMS", and the GFCM clarified its intentions for the program and acknowledged this language could be adapted. Upon further requests for clarification, the Secretariat noted a formal agreement on a Pilot Project by the Commission would be unnecessary unless the intention was to exchange VMS data. The GFCM clarified that the requested assistance was indeed of a fact-finding nature and would not include the sharing of VMS messages or other confidential information. In light of the clarifications from GFCM and suggestions for a way forward proposed by one CPC and supported by a number of others, the Chair concluded that the adoption of formal terms of reference was not needed. Instead, an informal process would be followed whereby the ICCAT Secretariat would gather any relevant, non-sensitive information and share it with the GFCM Secretariat.

A closing statement from PEW Charitable Trusts is attached as **Appendix 11**.

## **9. Adoption of report and adjournment**

The Chair adjourned IMM and the report was adopted by correspondence.

## Agenda

1. Opening of the meeting
2. Appointment of Rapporteur
3. Adoption of Agenda and meeting arrangements
4. Review of Statistical and Catch Documentation Schemes (SDP/CDS) including:
  - 4.1 Consideration of measures referred from PA2/ Working Group on Bluefin Tuna Control and Traceability Measures (Rec. 18-12 and 18-13)
  - 4.2 Consideration of eBCD and any further actions and work of the eBCD Technical Working Group, including data extraction and reporting
  - 4.3 Overall strategy for CDS in ICCAT and potential expansion of CDS to other species
  - 4.4 Consideration of current SDPs (Bigeye and Swordfish) and any further actions (Rec. 01-21 and 01-22)
5. Consideration of measures relating to monitoring and inspection and flag state responsibilities, including:
  - 5.1 Vessel Monitoring Systems:
    - a) Consideration towards a Regional VMS
    - b) Measures related to BFT and live trade (Rec. 19-04)
  - 5.2 Observer Programmes:
    - a) Minimum standards for Electronic Monitoring Systems (Recs. 19-02 and 19-05)
    - b) Regional Observer Programmes:
      - Transshipment
      - Bluefin tuna (interpretation points from ROPs)
      - Consideration of possible scope and benefits of a new programme (Rec. 19-02)
    - c) Review of scientific observer programs, including implementation and consideration of any needed revisions or other actions (Rec. 16-14)
    - d) National observer training requirements (Rec. 19-04)
  - 5.3 At sea boarding and inspection, including updates on pilot program on voluntary exchange of inspection personnel (Res. 19-17) and vessel sightings (Rec. 19-09)
  - 5.4 Port State measures:
    - a) Composition of response to FAO on Port State Measures
    - b) Evaluation of the outcomes of the Fourth Meeting of the Joint FAO/IMO/ILO Ad Hoc Working Group on Illegal, Unreported and Unregulated Fishing and Related Matters (Torremolinos, Spain, 23-25 October 2019)
    - c) Review of the progress of the Port Inspection Expert Group for Capacity Building and Assistance including training module
  - 5.5 At sea and in port transshipment
  - 5.6 Reporting form for lost and abandoned gear (Rec. 19-11)
  - 5.7 Other issues

6. Review of vessel listing measures, including:
  - 6.1 Rec. 18-08, including IUU Vessel listing procedures including cross-listing
  - 6.2 Other issues
7. Performance review follow-up
8. Other matters
9. Adoption of report and adjournment

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### **Appendix 3**

#### **Ghana Position Statement to IMM**

Ghana generally supports the USA and Japan and other CPCs at improving transshipment activities to be discussed among others at the forthcoming Integrated Monitoring Measures (IMM) of ICCAT to conform to international norms as fishing is becoming more intriguing and dynamic. Revisions and concerns in relation to transshipment at sea most especially with the Large Scale Pelagic Longline vessels (LSPLV) with provisions clearly stated in reporting formats are laudable and must reflect transparency within CPCs with a timely reporting of data transmitted to ICCAT. These reporting formats/ structures such as the VMS, EMS/REM should as stated should have the minimum standard requirements for all CPCs for easy integration of databases for management purposes. However, the issue of revisiting the ICCAT Regional Observer Programme (ROP) Rec. 19-04 should again consider the complexities in protocols such as of personnel, language barrier, training, fees, boarding and inspect, risk at high seas etc.

Ghana will advance any initiatives to improve all records of vessels authorized to receive transshipments and strongly support any sanctions on vessels without flags identified and deemed as IUU fishing. As stated by PEW in their general overview of transshipment within the ICCAT Convention area, in 2019, Ghana is resolved to contribute her quota in ensuring the proper conservation and management of ICCAT species for posterity.

### **Appendix 4**

#### **USA Statement on IMM**

The United States thanks the IMM Chair, the Secretariat, and the CPCs who submitted proposals for their hard work in advance of the IMM meeting. The United States does not have any formal comments to submit at this time. We are still considering the various proposals and reserve the right to provide formal input in future correspondence rounds. In the meantime, we will continue to work with the proponents and authors of the IMM documents informally to improve our understanding of the various documents and share views. In addition, we encourage CPCs to reach out to us for any clarifications they may require on the two US proposals (IMM-14 and IMM-15) and/or to provide any edits or comments they may have on these documents. To date, we have seen only input from Japan and are considering how to address those comments. We will submit revised proposals reflecting comments received as soon as possible.

## USA Statement on Proposals – Round 2

The United States would like to take this opportunity to provide some comments on various IMM documents that have already been posted, with thanks to the proponents and the Secretariat for their work to advance IMM discussions thus far.

In reference to IMM\_03, the United States thanks the Secretariat for developing this document and will submit comments in writing prior to the next comment period deadline.

Regarding IMM\_05, Japan's proposal to establish a working group on catch documentation schemes, the United States welcomes the complementary role trade-related schemes can potentially play in the conservation and management of ICCAT's resources. As has been noted, any expansion of CDS would be a significant undertaking and have substantial cost implications. Although there have been differences of views among CPCs in past discussions, we are open to ways to begin a process to look into changes to ICCAT's use of CDS. At the same time, we prefer to wait to take up any specific discussion of this until at least the Commission meeting in November, in light of the full scope of demands for intersessional meetings in 2022, recognizing that so much of our regular business has been delayed by the pandemic.

Regarding transshipment, we thank Japan for document IMM\_06 and all CPCs who provided comments related to transshipment. We have submitted a revised U.S. proposal (IMM\_15A) on this important issue with a view to addressing the input received. While not all comments received are reflected in the revised version, we look forward to discussing all comments received at the upcoming virtual meeting.

With regard to the various proposals by Morocco contained in IMM\_08, we note from the report of the 2020 Panel 2 meeting that there was no consensus to move forward on any of these matters. Regarding, in particular, the proposal to develop a "grouping" functionality in eBCD for bluefin tuna subject to intra-farm transfers, concerns were raised during the 2020 Panel 2 meeting about the loss of traceability that could result from such grouping. Panel 2 agreed to discuss this matter further before deciding whether or not to refer it to IMM. We note that this discussion did not occur in Panel 2 last year and are open to continuing to explore this and the other issues raised in IMM\_08. Toward that end, we suggest these matters be initially considered during the eBCD Technical Working Group in early June. With regard to the broader question discussed by Panel 2 last year of revising Recommendations 18-12 and 18-13, we note that this work is linked to the outcome of the process to revise Rec. 19-04, which is still ongoing. We suggest avoiding piecemeal revisions to ICCAT's BCD/eBCD recommendations this year as much as possible and undertaking the more comprehensive effort to update these recommendations once ICCAT has adopted revisions to Rec. 19-04.

The United States appreciates Canada's efforts to provide additional clarity to the IUU vessel listing measure (IMM\_09). Given that paragraph 1(j) already provides a "catch all" provision that can include a number of different types of problematic activities, we are not sure that "*inter alia*" in the chapeau of paragraph 1 is necessary, and are concerned that it may create some ambiguity. We would suggest striking "*inter alia*" from that paragraph altogether.

Regarding the EU's proposal on control of nationals (IMM\_11), while we support this proposal in concept, we have some concern with the broad scope of the proposed additions, specifically in reference to the definition of terms such as "effective beneficiaries." We look forward to working with the EU and others to find a way forward on this matter.

Regarding the EU's proposal Establishing a Pilot Project for The Implementation of Remote Electronic Monitoring (REM) on Bluefin Tuna Processing Vessels (IMM\_12) and the related concept paper (IMM\_04A), the United States does not participate in this fishery but supports this project in concept as it could help strengthen the management, monitoring, and control of eastern bluefin processing activities and the fishery overall. The United States looks forward to learning more about this project.

Regarding the EU's proposal amending ICCAT's authorized vessel list measure (IMM\_13), the United States fully supports that all eligible vessels must obtain IMO numbers. We would appreciate clarity from the EU on how the proposed changes would affect implementation of paragraphs 5 bis and 5 tris of Rec. 13-13.

**Draft recommendation on vessels without nationality***(A new proposal; submitted by the United States)*

*RECOGNIZING* that, consistent with Article 92 of the United Nations Convention on the Law of the Sea (UNCLOS), any vessel not flying the flag of a CPC or non-CPC, or vessels flying the flag of two or more CPCs or non-CPCs shall be considered a vessel without nationality;

*FURTHER RECOGNIZING* that vessels without nationality operate without governance and oversight, contrary to international law;

*CONCERNED* that vessels without nationality fishing or supporting fishing activities in the ICCAT Convention Area undermine the objective of the ICCAT Convention and the conservation and management work of the Commission;

*RECALLING* that the FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unregulated, and Unreported (IUU) Fishing recommends that CPCs take measures consistent with international law in relation to fishing vessels without nationality involved in IUU fishing;

*NOTING* that paragraph 1 of the *Recommendation by ICCAT on Establishing a List of Vessels Presumed to have Carried Out IUU Fishing Activities* (Rec. 18-08) creates a presumption that vessels without nationality that harvest ICCAT species in the Convention Area are engaging in IUU fishing activities;

*FURTHER NOTING* that *Recommendation by ICCAT on Vessel Sightings* (Rec. 19-09) establishes the reporting protocol for the sighting of suspicious vessels and steps that may be taken under international law to confirm a vessel's flag, if it is suspected to be without nationality;

*ACKNOWLEDGING* the obligations set forth in the *Recommendation by ICCAT to Promote Compliance by Nationals of Contracting Parties, Cooperating Non-Contracting Parties, Entities, or Fishing Entities with ICCAT Conservation and Management Measures* (Rec. 06-14);

*DETERMINED* to continue to deter all facets of IUU fishing activities in the Convention Area;

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

1. Vessels without nationality fishing or supporting fishing operations in the ICCAT Convention Area are deemed to be operating in contravention of the ICCAT Convention and undermining ICCAT's conservation and management measures.
2. Any fishing or related support activities in the ICCAT Convention Area by vessels without nationality are deemed to be IUU fishing, are a serious violation of ICCAT conservation and management measures, and shall be subject to action consistent with relevant national and international law, including as provided for in Article IX of the ICCAT Convention and pursuant to measures adopted by the Commission.

### Statement by Japan on Draft recommendation on vessels without nationality

Japan very much supports strong measures against IUU fishing activities and there is no doubt that fishing conducted by stateless vessels should be addressed properly. In this regard, Japan supports the main ideas contained in IMM-14.

There is a concern, however, on its legal implication in relation to existing ICCAT Recommendations, particularly Rec. 18-08. The definition of IUU activities is stipulated in para 1 of Rec. 18-08. and Para 1 i) says, “Are without nationality and harvest tuna or tuna-like species in the ICCAT Convention area.”

On the other hand, para 2 of IMM-14 says, “Any fishing or related support activities in the ICCAT Convention area by vessels without nationality are deemed to be IUU fishing.” This means that if a vessel without nationality is fishing but catching non ICCAT species, it will not fall within the scope of the IUU definition of Rec. 18-08, but it will be regarded as an IUU fishing based on para 2 of IMM-14.

Japan could probably go either way, but the Commission should first decide on which definition will be used. Otherwise, the Commission may encounter difficulties in deciding whether or not a certain stateless vessel is an IUU one.

Assuming that the Commission will use the new definition proposed by the United States, Japan considers there could be two ways to avoid such future problems. One is to change para 1 i) of Rec. 18-08 to “Are without nationality ~~and harvest tuna or tuna-like species~~ fishing or supporting fishing operations in the ICCAT Convention area.” Another is to amend para 2 of IMM-14 in the following way:

“2. Notwithstanding Paragraph 1 i) of Rec. 18-08, ~~a~~Any fishing or related support activities in the ICCAT Convention area by vessels without nationality are deemed to be IUU fishing, are a serious violation of ICCAT conservation and management measures, and shall be subject to action consistent with relevant national and international law, including as provided for in Article IX of the ICCAT Convention and pursuant to measures adopted by the Commission.”

**Proposal to amend Recommendation by ICCAT on establishing  
a list of vessels presumed to have carried out  
illegal, unreported and unregulated fishing activities [Rec. 18-08]**

*Proposal by IMM Working Group*

*RECALLING* that the FAO Council adopted on 23 June 2001 an International Plan of Action to prevent, to deter and eliminate illegal, unreported and unregulated fishing (IPOA-IUU). This plan stipulates that the identification of the vessels carrying out Illegal Unregulated and Unreported (IUU) activities should follow agreed procedures and be applied in an equitable, transparent and non-discriminatory way,

*CONCERNED* by the fact that IUU fishing activities in the ICCAT area continue, and these activities diminish the effectiveness of ICCAT conservation and management measures,

*FURTHER CONCERNED* that there is evidence of a large number of vessel owners engaged in such fishing activities which have re-flagged their vessels to avoid compliance with ICCAT management and conservation measures, and to evade the ICCAT-adopted non-discriminatory trade measures,

*DETERMINED* to address the challenge of an increase in IUU fishing activities by way of counter-measures to be applied in respect to the vessels, without prejudice to further measures adopted in respect of flag States under the relevant ICCAT instruments,

*CONSIDERING* the results of the ICCAT *Ad Hoc* Working Group on Measures to Combat IUU Fishing, which was held in Tokyo from 27 to 31 May 2002,

*CONSCIOUS* of the urgent need to address the issue of large-scale fishing vessels as well as other vessels conducting IUU fishing and fishing related activities in support of IUU fishing,

*NOTING* that the situation must be addressed in the light of all relevant international fisheries instruments and in accordance with the relevant rights and obligations established in the World Trade Organization (WTO) Agreement, and

*DESIRING* to streamline and improve IUU listing procedures and requirements in previous ICCAT recommendations and resolutions.

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

**Definition of IUU activities**

1. For the purposes of this Recommendation, vessels are presumed to have carried out illegal, unreported and unregulated (IUU) fishing activities in the ICCAT Convention area when a Contracting Party or a Cooperating non-Contracting Party, Entity or Fishing Entity (hereinafter referred to as CPC), presents evidence that such vessels:
  - a) Harvest tuna and tuna-like species in the Convention area and are not registered on the relevant ICCAT list of vessels authorized to fish for tuna and tuna-like species in the ICCAT Convention area;
  - b) Harvest tuna and tuna-like species in the Convention area, and the vessel's flag State is without quota, catch limit or effort allocation under relevant ICCAT conservation and management measures;
  - c) Do not record or report their catches made in the ICCAT Convention area, or make false reports;
  - d) Take or land undersized fish in contravention of ICCAT conservation measures;
  - e) Fish during closed fishing periods or in closed areas in contravention of ICCAT conservation measures;
  - f) Use prohibited fishing gear or fishing methods in contravention of ICCAT conservation measures;

- g) Transship or participate in other operations, such as re-supplying or re-fueling, with vessels included in the IUU vessels list;
- h) Harvest tuna or tuna-like species in the waters under the national jurisdiction of the coastal States in the Convention area without authorization or infringe on that State's laws and regulations, without prejudice to the sovereign rights of coastal States to take measures against such vessels;
- i) Are without nationality and fishing or supporting fishing operations in the ICCAT Convention area, and/or
- j) Engage in fishing or fishing related activities contrary to any other ICCAT conservation and management measures.

### **Information on alleged IUU activities**

2. CPCs shall transmit every year to the Executive Secretary, at least 70 days before the annual meeting, information on any vessels presumed to be carrying out IUU fishing activities within the last three years, accompanied by all available supporting evidence concerning the presumption of IUU fishing activity and vessel identification information.

This information on vessels shall be based on the information collected by CPCs, *inter alia*, under relevant ICCAT recommendations and resolutions. CPCs shall submit available information on the vessel and the IUU fishing activity in the format attached as **Addendum 1** of this Recommendation.

Upon receipt of such information, the Executive Secretary shall promptly send this information to all CPCs and to any non-CPC concerned and request that, where appropriate, CPCs and any such non-CPC investigate the alleged IUU activity and/or monitor the vessels.

The Executive Secretary shall request the flag State to notify the owner of the vessel regarding the CPC's submission of the vessel for its inclusion in the Draft IUU List and of the consequences that may result if they are included on the Final IUU Vessel List adopted by the Commission.

### **Development of Draft IUU List**

3. On the basis of the information received pursuant to paragraph 2, the ICCAT Executive Secretary shall draw up a Draft IUU List in conformity with **Addendum 2**. The ICCAT Executive Secretary shall transmit the Draft IUU List, together with all the information provided, to all CPCs, and to non-CPCs whose vessels are included on these lists, at least 55 days before the annual meeting. CPCs and non-CPCs shall transmit any comments, including any evidence showing that the listed vessels did not engage in any activity described in paragraph 1, or any actions taken to address such activity, at least 30 days before the annual meeting of ICCAT.

Upon receipt of the Draft IUU List, CPCs shall closely monitor the vessels on that List and shall promptly submit to the Secretariat any information they may have related to the vessels' activities and possible changes of name, flag, call sign or registered owner.

### **Development and adoption of Final IUU List**

4. Two weeks in advance of the ICCAT annual meeting, the Executive Secretary shall recirculate to the CPCs and non-CPCs concerned the Draft IUU List, all information received pursuant to paragraphs 2 and 3, and any other information obtained by the Executive Secretary.
5. CPCs may at any time, and preferably before the annual meeting, submit to the Executive Secretary any additional information that might be relevant for the establishment of the Final ICCAT IUU Vessel List. The ICCAT Executive Secretary shall promptly circulate any such additional information to all CPCs and to the non-CPCs concerned.
6. The Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG) shall examine, each year, the Draft IUU List, as well as the information referred to in paragraphs 2, 3, 4, and 5. The results of this examination may, if necessary, be referred to the Conservation and Management Measures Compliance Committee.

The PWG shall propose to remove a vessel from the Draft IUU List if it determines that:

- a) The vessel did not take part in any IUU fishing activities described in paragraph 1, or
  - b)
    - i) The flag CPC or non-CPC has adopted measures so that this vessel conforms with ICCAT conservation measures, and
    - ii) The flag CPC or non-CPC has and will continue to assume effectively its responsibilities with respect to this vessel in particular as regards the monitoring and control of the fishing activities executed by this vessel in the ICCAT Convention area, and
    - iii) Effective action has been taken in response to the IUU fishing activities in question, including, *inter alia*, prosecution and imposition of sanctions of adequate severity, or
  - c) The vessel has changed ownership and that the new owner can establish the previous owner no longer has any legal, financial or real interests in the vessel or exercises control over it and that the new owner has not participated in IUU fishing.
7. Following the examination referred to in paragraph 6, at each ICCAT annual meeting, the PWG shall develop a Proposed IUU Vessel List, noting which, if any, vessels are proposed for removal from the ICCAT IUU Vessel List adopted at the previous annual meeting and the reasons therefor, and submit it to the Commission for adoption as the Final ICCAT IUU Vessel List.

#### **Actions following adoption of Final IUU Vessel List**

8. On adoption of the Final IUU Vessel List, the Executive Secretary shall request CPCs and non-CPCs whose vessels appear on the Final ICCAT IUU Vessel List to:
- notify the owner of the vessel identified on the Final IUU Vessel List of its inclusion on the list and the consequences which result from being included on the list, as referred to in paragraph 9;
  - take all the necessary measures to eliminate these IUU fishing activities, including if necessary, the withdrawal of the registration or of the fishing licenses of these vessels, and to inform the Commission of the measures taken in this respect.
9. CPCs shall take all necessary measures, under their applicable legislation to:
- ensure that the fishing vessels, support vessels, refuelling vessels, the mother-ships and the cargo vessels flying their flag do not assist in any way, engage in fishing processing operations or participate in any transshipment or joint fishing operations with vessels included on the IUU Vessels List;
  - ensure that IUU vessels are not authorized to land, tranship re-fuel, re-supply, or engage in other commercial transactions; prohibit the entry into their ports of vessels included on the IUU list, except in case of *force majeure*, unless vessels are allowed entry into port for the exclusive purpose of inspection and effective enforcement action;
  - ensure the inspection of vessels on the IUU list, if such vessels are otherwise found in their ports, to the extent practicable;
  - prohibit the chartering of a vessel included on the IUU vessels list;
  - refuse to grant their flag to vessels included in the IUU list, except if the vessel has changed owner and the new owner has provided sufficient evidence demonstrating the previous owner or operator has no further legal, beneficial or financial interest in, or control of, the vessel, or having taken into account all relevant facts, the flag CPC determines that granting the vessel its flag will not result in IUU fishing;
  - prohibit the import, or landing and/or transshipment, of tuna and tuna-like species from vessels included in the IUU list;

- encourage the importers, transporters and other sectors concerned, to refrain from transaction and transshipment of tuna and tuna-like species caught by vessels included in the IUU list;
  - collect and exchange with other CPCs any appropriate information with the aim of searching for, controlling and preventing false documentation (including import/export certificates) regarding tunas and tuna-like species from vessels included in the IUU list; and
  - monitor vessels included in the IUU list and promptly submit any information to the Executive Secretary related to their activities and possible changes of name, flag, call sign and/or registered owner.
10. The Executive Secretary will ensure publicity of the Final IUU Vessel List adopted by ICCAT pursuant to paragraph 8, in a manner consistent with any applicable confidentiality requirements, and through electronic means, by placing it, along with any additional supporting information on the vessels and IUU activities, on a dedicated portion of the ICCAT website, to be updated as information changes or additional relevant information becomes available. Furthermore, the ICCAT Executive Secretary will transmit the Final IUU Vessel List and supporting information on newly added vessels promptly to other RFMOs for the purposes of enhanced co-operation between ICCAT and these organizations in order to prevent, deter and eliminate IUU fishing.

### **Intersessional modification of ICCAT's Final IUU Vessel List**

#### ***Incorporation of IUU Vessel Lists of other RFMOs***

11. Upon receipt of the final IUU vessel list established by another RFMO<sup>2</sup> and supporting information considered by that RFMO, and any other information regarding the listing determination, such as relevant sections of the RFMO's meeting report, the Executive Secretary shall circulate this information to the CPCs and to any relevant non-CPC. Vessels that have been included on the respective lists shall be included on the Final ICCAT IUU Vessel List, unless any Contracting Party objects to the inclusion on the Final ICCAT IUU List within 30 days of the date of transmittal by the Executive Secretary on the grounds that:
- a) there is satisfactory information to establish that:
    - i. The vessel did not engage in the IUU fishing activities identified by the other RFMO, or
    - ii. That effective action has been taken in response to the IUU fishing activities in question, including, *inter alia*, prosecution, and imposition of sanctions of adequate severity that have been complied with,
  - b) There is insufficient supporting information and other information regarding the listing determination to establish that none of the conditions in sub-paragraph 11.a) above have been met.
- Or
- c) In the case of vessels listed by a non-tuna RFMO, there is an insufficient nexus to the conservation and management of ICCAT species to warrant cross-listing.

In the event of an objection to a vessel listed by another RFMO being included on the Final ICCAT IUU Vessel List pursuant to this paragraph, such vessel shall be placed on the Draft IUU Vessel List and considered by the PWG pursuant to paragraph 6.

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<sup>2</sup> The Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), the Commission for the Conservation of Southern Bluefin Tuna (CCSBT), the General Fisheries Commission for the Mediterranean (GFCM), the Indian Ocean Tuna Commission (IOTC), the Inter-American Tropical Tuna Commission (IATTC), the North Atlantic Fisheries Organization (NAFO), the North-East Atlantic Fisheries Commission (NEAFC), the South East Atlantic Fisheries Organization (SEAFO), and the Western and Central Pacific Fisheries Commission (WCPFC).

12. The ICCAT Executive Secretary shall implement paragraph 11 in accordance with the following procedures:
  - a) The ICCAT Secretariat shall maintain appropriate contacts with the Secretariats of other RFMOs in order to obtain copies of these RFMOs' IUU vessel lists in a timely manner upon adoption or amendment, including by requesting a copy of these RFMOs' IUU vessel lists annually upon conclusion of the RFMO's meeting at which its final IUU list is adopted.
  - b) As soon as possible after adoption or amendment of an IUU vessel list by another RFMO, the ICCAT Secretariat shall collect all supporting documentation available from that RFMO regarding the listing/delisting determinations.
  - c) Once the ICCAT Secretariat has received/collected the information outlined in paragraphs (a) and (b), it shall, consistent with paragraph 11 of this Recommendation, promptly circulate the other RFMO's IUU vessel list, supporting information, and any other relevant information regarding the listing determination to all CPCs. The requisite circular shall clearly state the reason the information is being provided, explain that ICCAT Contracting Parties have 30 days from the date of the circular to object to the inclusion of the vessels on the ICCAT IUU vessel list, and that absent any such objection the vessel will be added at the expiration of the 30 day period to the Final IUU Vessel List.
  - d) The ICCAT Secretariat shall add any new vessels contained in the other RFMOs' IUU vessel list to the Final ICCAT IUU Vessel List at the end of the 30-day period provided no objection to such inclusion is received from a Contracting Party pursuant to paragraph 11 of this Recommendation.
  - e) Where a vessel has been included on the ICCAT Final IUU Vessel List solely due to its inclusion on another RFMO's IUU Vessel List, the ICCAT Secretariat shall immediately remove that vessel from the Final ICCAT IUU Vessel List when it has been deleted by the RFMO that originally listed it.
  - f) Upon the addition or deletion of vessels from the Final ICCAT IUU Vessel List pursuant to paragraph 11 or 12(e) of this Recommendation, the ICCAT Secretariat shall promptly circulate the Final ICCAT IUU Vessel List as amended to all ICCAT CPCs and non-CPCs concerned.

***Intersessional removal from the Final IUU Vessel List***

13. A CPC or non-CPC whose vessel appears on the Final IUU Vessel List that wishes to request the removal of its vessel from the Final IUU Vessel List during the intersessional period shall submit this request to the ICCAT Executive Secretary no later than 15 July of each year accompanied by information to demonstrate that it meets one or more of the grounds for removal specified in paragraph 6.
14. On the basis of the information received by the 15 July deadline, the Executive Secretary will transmit the removal request, with all supporting information to the Contracting Parties within 15 days following receipt of the removal request.
15. The Contracting Parties shall examine the request to remove the vessel and reply within 30 days following the notification by the Executive Secretary if they object to the removal of the vessel from the Final IUU Vessel List.
16. The result of the examination of the request by mail will be checked by the Executive Secretary at the end of the 30-day period following the date of the notification by the Executive Secretary referred to in paragraph 15.

If a Contracting Party objects to the removal request, the Executive Secretary shall maintain the vessel on the Final ICCAT IUU List and the removal request shall be forwarded to the PWG for consideration at the annual meeting, if requested by the CPC seeking intersessional removal. If no Contracting Party objects to request to remove the vessel, the Executive Secretary shall promptly remove the vessel concerned from the Final ICCAT IUU Vessel List, as published on the ICCAT website.

17. The Executive Secretary shall promptly communicate the result of the delisting process to all CPCs as well as non-CPCs concerned. Moreover, the ICCAT Executive Secretary shall forward the decision to remove the vessel to other RFMOs.

**General dispositions**

18. This Recommendation shall apply *mutatis mutandis* to fish processing vessels, tug and towing vessels, vessels engaged in transshipment, and support vessels, and other vessels engaged in fishing related activities managed by ICCAT.
19. This Recommendation repeals and replaces the *Recommendation by ICCAT Further Amending Recommendation 09-10 Establishing a List of Vessels Presumed to Have Carried Out Illegal, Unreported and Unregulated Fishing Activities in the ICCAT Convention Area* (Rec. 11-18) and the *Resolution Establishing Guidelines for the Cross-Listing of Vessels Contained on IUU Vessel Lists of Other Tuna RFMOs on the ICCAT IUU Vessel List in Accordance with Recommendation 11-18* (Res. 14-11).

**ICCAT reporting form for IUU activity**

Pursuant to paragraph 2 of this Recommendation, attached are details of alleged IUU activity and available vessel information.

**A. Details of vessel**

*(Please detail information on the vessel and the incidents(s) in the format below, where such information is applicable and available)*

<b>Item</b>		<b>Available Information</b>
A	Name of vessel and previous names	
B	Flag and previous flags	
C	Owner and previous owners, including beneficial owner	
D	Owner's place of registration	
E	Operator and previous operators	
F	Call sign and previous call signs	
G	IMO number	
H	Unique Vessel Identifier (UVI), or, if not applicable, any other vessel identifier	
I	Length overall	
J	Photographs	
K	Date first included on the ICCAT IUU list	
L	Date of alleged IUU fishing activities	
M	Position of alleged IUU fishing activities	
N	Summary of alleged IUU activities (see also section B)	
O	Summary of any actions known to have been taken in response to the activities	
P	Outcome of any actions taken	
Q	Other relevant information, as appropriate (e.g., possible false flags or vessel names used, <i>modus operandi</i> , etc.)	

**B. Details of alleged IUU activity**

*(Indicate with an "X" the applicable elements of the activity and provide relevant details including date, location, source of information. Extra information can be provided in an attachment if necessary.)*

<b>Rec. XX para. xx</b>	<b>Vessel fished for species covered by the ICCAT Convention within the Convention area and:</b>	<b>Indicate and provide details</b>
a	Harvest tunas and tuna-like species in the Convention area and are not registered on the relevant ICCAT list of vessels authorized to fish for tuna and tuna-like species in the ICCAT Convention area	
b	Harvest tuna and tuna-like species in the Convention area, and the vessel's whose flag State is without quotas, catch limit or effort allocation under relevant ICCAT conservation and management measures	
c	Do not record or report their catches made in the ICCAT Convention area, or make false reports	
d	Take or land undersized fish in contravention of ICCAT conservation measures	
e	Fish during closed fishing periods or in closed areas in contravention of ICCAT conservation measures	
f	Use prohibited fishing gear or fishing methods in contravention of ICCAT conservation measures	
g	Transship with, or participate in other joint operations, such as re-supplying or re-fueling, with vessels included in the IUU vessels list	
h	Harvest tuna or tuna-like species in the waters under the national jurisdiction of the coastal States in the Convention area without authorization and/or infringes on that State's laws and regulations, without prejudice to the sovereign rights of coastal States to take measures against such vessels	
i	Are without nationality and harvest tunas or tuna-like species in the ICCAT Convention area	
j	Engage in fishing or fishing related activities contrary to any other ICCAT conservation and management measures	

**Information to be included in all IUU Lists (Draft and Final)**

The Draft IUU List shall include information on vessels listed on ICCAT's Final IUU List as well as information on new vessels submitted by CPCs for listing. The Draft IUU List shall contain the following details, where applicable and available:

- i) Name of vessel and previous name(s);
- ii) Flag of vessel and previous flag(s);
- iii) Name and address of owner of vessel and previous owners, including beneficial owners, and owners' place of registration;
- iv) Operator of vessel and previous operator(s);
- v) Call sign of vessel and previous call sign;
- vi) Lloyds/IMO number;
- vii) Photographs of the vessel;
- viii) Date vessel was first included on the IUU List;
- ix) Summary of activities which justify inclusion of the vessel on the List, together with references to all relevant documents informing of and evidencing those activities;
- x) Other relevant information.

## Requests for clarification

IMM	<i>Requests for clarification from IMM:</i>			
<b>Agenda Item</b>		<i>View one</i>	<i>View 2</i>	<i>Final agreement</i>
6.1	<b>1. IUU Vessel list procedures:</b> should the draft ICCAT IUU list cross list vessels which were cross listed by other RFMOs from organisations which are not included in the list in Rec. 18-08.			There was general consensus that such vessels should be excluded.
	Should the ICCAT IUU list cross list vessels from other RFMOs when background information is not available, or should these be automatically excluded by the Secretariat?	They should not be included	They should be included on the draft list, but CPCs may object	Such vessels would not be automatically included in the list, but at the time of circulation, the Secretariat would append a list of such vessels for information.
6.2	<b>2. Listing of vessels taking by-catch of ICCAT species:</b> Do vessels which do not target ICCAT species but may take occasional incidental or by-catch of tuna and tuna-like species need to be included on the ICCAT Record of Vessels in order for trade of these fish to legally take place?	There would be no need to list vessels which take only occasional incidental by-catch of ICCAT species, as this could result in the listing of entire fleets in some cases.	Vessels should be listed, particularly if the species being traded are covered by a statistical/catch document programme	No final agreement, although the majority inclined that in general, listing was not required. Further consideration needed.

6.2	<p><b>3. EBFT-Catching vessels:</b> Is it necessary for E-BFT catching vessels to be included on the list of E-BFT Vessels at the time of transshipment, if transshipment takes place outside the period in which they are authorised to fish, justified by the provisions of para 53 of Rec. 19-04?</p>	Such vessels should be authorised on the list in order to tranship	The vessels must be on the authorised BFT catching list at the time of catch, but not necessarily at the time of transshipment, as authorisation period should correspond with the period in which the vessel is authorised to fish. Otherwise, such authorisations would need to cover the whole year, and not the periods indicated in para 29 of 19-04	Given that this issue related only to E-BFT, it was agreed that it would be considered by Panel 2.
6.2 or 8	<p><b>4. Termination of Chartering Arrangements:</b> Under Para 13 c) <i>Both the chartering Contracting Party and the flag Contracting Party or Cooperating non-Contracting Party, Entity or Fishing Entity shall inform the Executive Secretary of the termination of the charter.</i> Does this requirement apply when the date of termination has been reported at the time the chartering arrangement was made, or does it only apply to cases where the termination date differs from that originally reported? The Secretariat has added an “auto-termination” field to the revised form which would allow this to be pre-reported, requiring notification only in cases where the termination dates differ. Is this acceptable?</p>			All CPCs who expressed views agreed that it was not necessary to notify of termination unless the date of such termination was different from that notified at the time of charter; otherwise, the initial completion of CP53 was sufficient.
6.2 or 8	<p><b>5. Vessel quotas:</b> Can a vessel be assigned quotas from two different CPCs if operating under an access or chartering arrangement?</p>			The general view was that this was not permitted, but some CPCs noted that there may be a need to revisit the Recommendations in the future in order to ensure clarity in the texts.

### **Statement by the United States on Forced Labour**

The United States takes this opportunity to note its intention to raise the issue of forced labor during the IMM Working Group meeting under agenda item 8 "Other Matters." The issue of forced labor on fishing vessels has been gaining increased attention internationally, and the United States considers that it is timely to begin a conversation in ICCAT on this important matter. Reported incidents of forced labor on fishing vessels have increased in recent years, including in ICCAT fisheries, and recent analyses indicate some ICCAT fisheries may be at high risk for this practice. Beyond the obvious devastating human toll, forced labor, like IUU fishing, allows fishers to avoid the true operational costs of responsible fisheries, leading to negative consequences for the status of the fish stocks and unfair competition on the fishing grounds and in the marketplace. The United States asks that sufficient time be allotted during the IMM meeting to allow for an exchange of views on the issue of forced labor, including to explore how ICCAT might approach the issue. In this regard, a review of any steps taken by other RFMOs may be instructive.

### **The PEW Charitable Trusts' closing statement to IMM**

The Pew Charitable Trusts thanks the Chair and members of IMM for leadership on the management of ICCAT's operational issues. We welcome the return of an intersessional IMM meeting, following the restricted conversations resulting from the pandemic. The number of proposals submitted and the discussions that took place at this meeting clearly showcase that IUU fishing, transparency, and control of fishing activities are still of concern and that CPCs want to improve the current situation by strengthening a number of measures.

In particular, we are encouraged that the USA proposal to improve ICCAT's management of transshipment activities will continue to be discussed in the intersessional period and at the PWG and Commission meetings in November. Current ICCAT monitoring and regulatory controls of at-sea transshipment are inadequate, as there is evidence that not all transfers are being reported and observed. The risk analysis completed by Japan provides an overview of potential loopholes, which are addressed in the USA proposal. That proposal will strengthen transshipment oversight and management by addressing confusion around reporting requirements, mandating centralized VMS reporting, and tightening controls on supply and non-CPC carrier vessels. IMM provided an opportunity for all CPCs to provide feedback on the USA proposal, and Pew urges CPCs to continue these productive discussions in order to adopt the proposal in 2021.

Similarly, two important proposals from the EU should be adopted this year. IMO numbers are widely considered the gold standard for unique and permanent vessel identification. The targeted amendments proposed by the EU and discussed by IMM will ensure all eligible vessels have such a number.

Furthermore, it will provide much needed clarity surrounding the vessel lists for those authorized to fish Mediterranean swordfish, albacore, and bluefin tuna. IMO numbers are free, increase the transparency of operations, and help authorities distinguish the good actors from the bad. Pew encourages all members to support this proposal and adopt the suggested amendments.

The EU has also proposed – and IMM members supported – stronger measures to help prevent ICCAT members and their nationals, natural or legal persons, from engaging in or benefiting from IUU fishing activities. As an example, IUU-listed vessels should not be insured by nationals of ICCAT CPCs. This proposal should be adopted in 2021.

Finally, Pew is disappointed that the deadline to complete draft minimum standards for electronic monitoring of longline fisheries targeting tropical tunas and billfishes (as adopted in Recommendations 19-02 and 19-05) will not be met. In order to ensure this delay does not prevent the adoption of an EM program, IMM members should begin discussions in the immediate intersessional period, including by outlining a clear work plan. Then, a comprehensive EM program can be adopted in 2022.