

出國報告(出國類別：出席國際會議)

出席「大西洋鮪類資源保育委員會 (ICCAT) 第 19 屆年會」

服務機關：行政院農業委員會漁業署

姓名職稱：副署長沙志一

副組長陳玉琛

科長黃向文

科長張水鍇

派赴國家：西班牙

報告日期：94 年 12 月 30 日

出國時間：94 年 11 月 10 日至 11 月 22 日

行政院及所屬各機關出國報告審核表

出國報告名稱: 出席「大西洋鮪類保育委員會 (ICCAT) 第 19 屆會議」	
出國計畫主辦機關名稱: 行政院農業委員會漁業署	
出國人姓名/職稱/服務單位: 行政院農委會漁業署副署長沙志一等四人	
出國計畫主辦機關審核意見:	<input checked="" type="checkbox"/> 1.依限繳交出報告 <input checked="" type="checkbox"/> 2.格式完整 <input checked="" type="checkbox"/> 3.內容充實完備 <input checked="" type="checkbox"/> 4.建議具參考價值 <input checked="" type="checkbox"/> 5.送本機關參考或研辦 <input type="checkbox"/> 6.送上級機關參考 <input type="checkbox"/> 7.退回補正,原因: <input type="checkbox"/> (1)不符原核定出國計畫 <input type="checkbox"/> (2)以外文撰寫或僅以所蒐集外文資料為內容 <input type="checkbox"/> (3)內容空洞簡略 <input type="checkbox"/> (4)未依行政院所屬各機關出國報告規格辦理 <input type="checkbox"/> (5)未於資訊網登錄提要資料及傳送出國報告電子檔 <input type="checkbox"/> 8.其他處理意見:
層轉機關審核意見	<input type="checkbox"/> 同意主辦機關審核意見 <input type="checkbox"/> 全部 <input type="checkbox"/> 部分_____ (填寫審核意見編號) <input type="checkbox"/> 退回補正,原因: _____ (填寫審核意見編號) <input type="checkbox"/> 其他處理意見:

摘要

大西洋鮪類資源保育委員會(ICCAT)第 19 屆年會中，由於日本指稱我業者 2004 年我國籍漁船繼續涉入非法、未報告、未受規範（IUU）漁業，提議對我國大西洋作業漁船進行貿易制裁措施，並且將大目鮪、劍旗魚、黑鮪三種主要魚種配額將為零。

對於日本所提出之嚴厲制裁，我國於會前接獲情報，透過各種管道進行溝通、協調，並在會議進行中與各國舉行多次協商，國內亦透過高層及外交管道尋求日本之諒解以及其他國家之支持，日本方面始願意修改提案內容，鬆手給予 4600 公噸，得以保留 15 艘大目鮪漁船以及 60 艘長鰭鮪漁船續留大西洋作業之權利。

基此，未來應強化各項管理措施，包括：(1)實施執法觀察員制度；(2)透過 VMS 監控漁船動態；(3)力行港口檢查；(4)嚴審核發漁獲統計文件；(5)擬定採樣計畫；(6)調查漁船活動，若有違規情事，依規定嚴懲；(7)與市場國或卸貨國密切合作，交換鮪類貿易資訊；(8)與相關國家合作消除 IUU 漁船；(9)管控國人經營權宜國籍漁船。(10)減少大型延繩釣漁船 160 艘。

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壹、前言

大西洋為我國遠洋鮪釣漁船之主要作業漁場之一，近年鮪漁獲量維持在約五萬公噸，主要捕獲魚種有長鰭鮪、大目鮪、黑鮪、劍旗魚等，2005 年之作業鮪釣漁船約有 120 艘。此第 19 屆會議於 94 年 11 月 14 日至 20 日於西班牙塞爾維亞舉行，就各魚種資源現況、整合監控措施、配額分配標準、合作會員申請案、及非法、未管理、未規範漁船(IUU)等重要議題進行討論，由於日本揚言對我漁船船對涉及非法捕魚行為推動貿易制裁，因此特由漁業署沙副署長率團，我國出席代表團名單如下：

- 沙志一 漁業署副署長
- 陳玉琛 漁業署遠洋漁業組副組長
- 何勝初 中華民國對外漁業合作發展協會執行長
- 黃向文 漁業署遠洋漁業組科長
- 張水鍇 漁業署遠洋漁業組科長
- 葉顯楨 國立台灣大學海洋研究所教授
- 高聖惕 東吳大學法律系副教授
- 夏翠鳳 中華民國對外漁業合作發展協會組員
- 王順隆 台灣區遠洋鮪漁船魚類輸出業同業公會理事長
- 林奇邦 台灣區遠洋鮪漁船魚類輸出業同業公會代表
- 郭政榮 台灣區遠洋鮪漁船魚類輸出業同業公會代表
- 楊益嘉 台灣區遠洋鮪漁船魚類輸出業同業公會代表
- 陳芬微 台灣區遠洋鮪漁船魚類輸出業同業公會代表
- 何世杰 台灣區遠洋鮪漁船魚類輸出業同業公會幹事

貳、過程

一、會前雙邊會談

代表團於 11 月 11 日晚間抵達會議地點，12、13 日與秘書處、美國、日本、加拿大、歐盟等舉行雙邊會議。

二、第 1 日會議(11 月 14 日)

ICCAT 第 19 屆會議於 11 月 14 日上午正式開議，首日為全席會議以及 PWG 會議，會議重點摘要如下：

- (一) 開幕：由 ICCAT 主席宮原致開幕詞，主席表示本屆會議之重點為討論明年度之保育管理措施、加強 MCS 措施以規範轉載及防堵 IUU 漁捕行為及選舉新任主席，另明年將舉行黑鮪、劍旗魚及旗魚類之資源評估，期各締約方代表在此年會對該等魚種之保育措施進行諮商，俾 ICCAT 在所有區

域性漁業管理組織中佔據領導之席。

- (二) 大會邀請西班牙 Andalusia 區 (Sevilla 所在地) 政府代表致歡迎詞並說明該區之漁業概況，其目標魚種為大西洋黑鮪及劍旗魚，目前資源狀況不良，已造成當地漁民生計困難，期永續利用上述二魚種，另呼籲共同抵制 IUU 漁業行為。之後由地主國西班牙農漁牧部部長致歡迎詞及強調打擊 IUU 漁捕行為之必要性。
- (三) 隨後由宮原主席及秘書長 Meski 說明會議之安排，包括 11 月 16 日選舉下屆主席，預定於 11 月 20 日中午閉幕，在討論後通過加拿大、美國相繼提出之議程修改。主席隨後介紹並歡迎塞內加爾和貝里斯加入成為新會員。曾為 IUU 國家之貝里斯在致辭時，表示將改善其管理，降低 IUU 行為，自 2003 年也開始提供統計資料。其他國家則提送書面致詞。
- (四) 其他全席會議重點包括：
 - 1. SCRS 主席說明今年會議之進展，其中應去年大會要求，在報告格式上有些調整，美國則強調，在精簡格式之時，也希望不失科學建議之完整，以維持透明度，美國並支持成立鯊魚工作小組、建立國情檢視制度，協助資源評估之準確性。大會主席則請各國評估新格式是否符合需求，以及明年評估會議工作是否太重，有些評估是否可再等一年，各項建議則送各魚種小組討論。
 - 2. 本日全席會議著重於 ICCAT 建/決議案之整合修訂手冊 (ICCAT 法規全書) 之討論，由於工作小組經數次會議已完成該手冊，並建議通過成為 ICCAT 之法律文件，許多國家同意，但有些國家要求需要時間再考慮，最好與原建/決議案併行一段時日，歐盟亦希望明年再討論。主席認為此案相當重要，最好於期中先討論，待明年年會前再討論。但巴西認為應於明年大會由所有會員共同討論，不急於定案。經過各國討論，主席認為明年若無法通過，不如放棄本案，並建議各國在明年年會前提出問題。美國表示本案已努力多年，不宜輕易放棄。主席裁示明年再談。
 - 3. 其他各項議題則待各小組會議決議後始能送全席會議討論，首日全席會議結束。
- (五) 非會員紀律常設委員會(PWG)：本會議由美國 Ber 擔任主席，本節討論議題包括統計證明書系統之檢討、非會員遵守委員會決議之狀況，我國之改善結果為本次會議重點，以下概要說明：
 - 1. 有關統計證明書資料以及期中會議結果，主席說明福岡會議結論，討論重點包括：
 - (1) 日本表示近期由中國進口之加工大目鮪明顯增加，謠傳有 IUU 漁獲藉由此管道進口，希望中國加強管理，中國表示會在紀律委員會(COC)中說明。

- (2) 歐盟表示統計證明書之出發點原非為監控，但目前轉變至此步，必須有更深入之討論，要求加開期中會議。
- (3) 巴西則質疑簽證人資料提供的必要性。
- (4) 各國對於報告中應該加強的各點並無特別意見或共識。

2. 有關我國的回應部份：

- (1) 有關我國加強管理之簡報，原主席允諾我方以 POWERPOINT 進行簡報，後又改口僅能以口頭報告，故我代表進行約 30 分鐘的口頭說明，介紹我國各種努力改善計畫與措施。
- (2) 接續我國之發言，日本代表宮原嚴詞表示此議題始自 1990 年，台灣業界將漁撈能力從印度洋擴張到大西洋，也因此 ICCAT 在 1997 年特別針對台灣設定大目鮪 16500 公噸之配額。然台灣業者並未收斂，反而透過 FOC、IUU 方式大舉擴張漁撈能力，在大西洋違規捕魚，至 1999 年底，台灣業者已經擁有近 300 艘 IUU 漁船，雖然經過台日聯合行動計畫的努力，解決大部份的漁船，但仍然無法徹底消滅 IUU 漁船，去年 ICCAT 認定（identify）台灣，已經是相當嚴正的警訊，但台灣的努力不足以改善原狀，業者還是透過各種管道進行洗魚行為，日方並概述 PWG-050、PWG-056 文件中對我國的各項指控，包括各種規避方法、輸日小魚數量減少、2004 年洗魚量恐達上萬公噸等等，讓日本政府感到非常失望，總結來說，日方對我方所做努力雖表感謝，但並不足以矯正業界的非法行為，而減船名單包括沉船及小船，根本不能實際減少漁撈能力，因此建議委員會應採取更進一步之措施。
- (3) 我國對於日本的指責嚴正回應，表示我國致力在五國非正式會議中說明結果，也多少獲得肯定，並已接受各國之意見，正式宣佈多減 40 艘船至全球 160 艘船，並針對日本新提的指控提出數項說明，包括輸日小魚減少係為因應日本業界要求減少輸日量，至於減船部份，由於沉船仍具有汰建權，故可達減少漁撈能力之目的。至於新建造小船問題，多數小船係汰換國內漁船，而且多為 20 噸以下之小船，係在沿近海作業，我國並於本年度修法管制漁船輸出。我方了解各種努力仍有可改進之處，但也需要委員會給予正面回應，促使我們繼續努力。
- (4) 日本再度發言，認為依據科學研究，全大西洋都有大目鮪分布，目前的規定無法避免長鰭鮪組以及黃鰭鮪組漁船非法捕撈大目鮪，VMS 對於漁船監控效果也有限，應該要加強巡邏船等其他監控措施。至於洗魚公式的計算採用五年平均，但近年因為台灣漁船增加船員人數以及每日下鉤兩次，所以 CPUE 以及努力量都有倍增現

象，遑論印度洋。所以雖然我國簡報看似完善，實際上並不足以改善實際的洗魚狀況。

- (5) 迦納提問質疑何以名單中有相當新的漁船？日本則表示該表係由我國所公告，並不清楚。加拿大要求提供剩下船隊的結構，以了解作業能力是否比原來的大，以及詢問我國計算的作業天數為大目鮪組作業天數或所有的作業天數？我代表回應減船後每艘漁船為 500 至 600 船噸，而作業天數為各組別之天數。至於日本所指努力量加倍之事並非實情。
 - (6) 韓國則呼應日本表示，如果確實有違法情形，應該對於台灣採取貿易措施。
 - (7) 日本補充說明其巡邏船、日本船員以及中國觀察員都表示台灣漁船有努力量加倍的狀況，單船作業人數也達 30 人。總言之，日本認為應該依 03-15 貿易措施決議案採取進一步措施，隨後將提出正式文件供討論。
 - (8) 對此，各國均未發言，主席裁示先擱置。
3. 其他國家：針對有些非合作會員國是否繼續制裁案，會中經過討論後，計有波利維亞、喬治亞兩國被繼續制裁，哥斯大黎加、古巴、新加坡、斯里蘭卡（新增）等國被指認，另將去信向柬埔寨（剛取消制裁但回報有疑問）、聖文森、多哥、獅子山（剛取消制裁）、馬爾地夫（日本新提）、厄瓜多爾（日本新提）、哥倫比亞（美國新提台灣人經營船）等國勸說或要求回應，另將繼續觀察 Palau 之漁業行為。以色列、茅利塔尼亞、塞席爾等國因已合適回應大會要求，則從觀察名單中去除。有關是否繼續給予合作會員身份案，另擇期討論。
 4. 為爭取其他會員支持，我代表於會中與墨西哥、聖多美普林西亞、巴拿馬、貝里斯、巴西等國代表說明我國過去的努力及立場，並請渠等適時給予我國正面回應。
 5. 為回應日方 PWG-056 文件要求制裁我國，代表團即草擬立場文件，說明過去 ICCAT 對於各違規國家所進行貿易措施之實踐狀況，認為倘參酌我國之努力，仍對我國制裁，則與過去相關決議並不一致，並將該文件提供給美國、加拿大、巴西、歐盟、中國及日本等國家參考。

三、第 2 日會議(11 月 15 日)

包括紀律委員會、預算審查委員會及各魚種小組會議，會議重點摘要如下：

（六）紀律委員會：由歐盟擔任主席，本會議討論重點如次：

1. 有關統計：
 - (1) 美國表示各會員均應遵守統計規定，美國去年要求增加觀察員，但僅有大目鮪船被考慮，日本也建議在運搬船派觀察員，希望能考量

擴大派遣率。

- (2) 中國回應昨日日本對出口加工量遽增的指責，解釋係因為過去中國海關沒有這些魚種進出口的號列，ICCAT 通過決議後，才於 2003 年增列大目鮪、黑鮪，至於劍旗魚會在下年度列入，過去已在出口時核發 SD，至於再出口部分，原以為不會有漁獲輸入中國，故未實施，但自 2004 年起，察覺有進口印度洋大目鮪、大西洋黑鮪，所以開始實施再出口證明書制度，2006 年將全面實施。日本感謝中國的回應，也希望藉此避免 IUU 漁業。
- (3) 歐盟表示許多會員未繳交資料，鼓勵會員應盡力提報，也應加強市場監控。日本也表示 41 個會員中只有 19 個會員提供，應該再加強。

2. 有關 Compliance table

- (1) 劍旗魚：歐盟要求延用北劍旗魚未用完之配額，韓國也表示近年混獲南劍旗魚，希望能分配配額。
 - (2) 東大西洋黑鮪：日本指出進口之土耳其養殖黑鮪進口量激增，土耳其表示日本以養殖黑鮪成長率 20% 計算，但其資料顯示幼小黑鮪養殖 6-8 個月成長率高達 50%，全年平均為 75%，土國並提供正確之貿易資料。加拿大指出利比亞有配額，但無漁獲資料，利比亞未回應；歐盟則表示日本之貿易量與其記錄有落差；日本質疑土耳其作業船數未增加，但近年之黑鮪產量卻躍增兩倍，建議各會員落實黑鮪養殖建議案，進行養殖黑鮪之採樣，提供評估黑鮪成長率所需之資訊。土耳其則說明其漁船作業方式改變，致捕獲量激增。因各國對養殖黑鮪之成長率見解不一，主席裁示再議。
 - (3) 大目鮪：日本質疑我國 2004 年之超捕量，建議留待 PWG 會議討論。歐盟表示其 2004 年未使用部分將於 2005 年使用，另指出中國並非唯一的超捕會員，請其他會員解釋，利比亞對此說明其大目鮪漁獲量已列於國家報告中，且無超捕。
 - (4) 旗魚類：美國請墨西哥解釋其黑皮旗魚之超捕原因，墨西哥表示旗魚類為該國黃鰭鮪延繩釣漁船之混獲魚種，ICCAT 制訂旗魚類配額時該國尚未成為 ICCAT 會員，其配額不敷使用。
 - (5) 體長限制：美國質疑歐盟地中海黑鮪漁獲之小體型魚比例為何為零，歐盟表示此類資料僅 12 國提供，管理上有困難。
- 3. 大目鮪作業船數：歐盟提出大部分漁業國未依規定提報船數，迦納表示其船隊之目標魚種為黃鰭鮪而非大目鮪，故未提報作業船數。
 - 4. 黑鮪養殖：日本表示僅歐盟及土耳其提供黑鮪養殖資料，希望其他會員亦提供此類資訊。另去年決議要求各會員於黑鮪養殖期間採樣，日本不再進口無採樣計畫國家之養殖黑鮪，歐盟贊同。歐盟表示秘書處資料有

誤，其進行採樣計畫，並於會中報告。摩洛哥表示已擬妥採樣計畫，惟尚未執行。突尼西亞表示將配合採樣措施。土耳其表示已提案建議改善黑鮪資源評估及黑鮪養殖研究。克羅埃西亞表示該國於 2005 年開始進行黑鮪養殖採樣，需待採收後才可確定產量。

5. 漁船租賃：歐盟表示秘書處之彙整資料無助於討論，但可看出船旗國大都未提供租船訊息，倘租用漁船雙方能充分合作提供資訊，將有助於規範租船衍生之事項。日本表示租船係為發展沿岸國漁業，但韓國卻反其道而行，去租用土耳其漁船，韓國表示係因其為太平洋沿岸國，為降低成本，租用大西洋沿岸圍網船，以方便在大西洋作業。
6. 「促進 ICCAT 保育管理之額外措施」建議案：
 - (1) 本案由日本提出，要求 CPCs 應採取必要措施密切監控其作業漁船之漁獲量，以避免超過 ICCAT 所設定之配額或漁獲限制，包括船旗國應控制其核發之 SD 量使其不超過配額或漁獲限制、進口國及再出口國責任等，此案係因應洗魚問題。
 - (2) 歐盟重申有關產證應作結構性調整，而非小幅度修正，並以昨日台日之爭論為例，說明市場國有責任關注進口國之進口量是否符合其配額，當進口量大於其漁獲限制時，市場國應設法禁止其繼續進口，市場國應以更寬廣之角度來思考管制問題。
 - (3) 美國支持歐盟對產證系統調整之看法，認為配額之管控應是漁捕國責任，倘漁獲小幅超過配額，市場國不應以此禁止其漁獲進口，對於日本試圖以產證來推估進口國產量是否超過配額之作法並不認同。
 - (4) 貝里斯支持歐盟及美國論點，認為應針對轉載問題，而非配額超捕問題。
 - (5) 摩洛哥支持應打擊 IUU，但日本提案以此拒絕進口的作法太激烈。巴西亦支持摩洛哥，表達難以接受日本提案，並支持美國認為產證不能用來作為計算配額之說法。
 - (6) 日本回應其方案可釐清進、出口國間之資訊，若有會員不贊同，請其提供替代方案，並以昨日台、日爭議為例，強烈回應歐盟認為洗魚與此不同，洗魚是隱瞞資料、是欺騙。
 - (7) 對日本之說法，歐盟以相當強烈的語氣反駁，表示防杜 IUU 方式很多，歐盟提出 inspection scheme、regional observer program、clean-cut transshipment scheme 等等，都有國家（指日本）表示無法執行，百般阻撓，若持續如此，只會使 ICCAT 沒有管制效力。
 - (8) 由於各國意見紛歧，主席建議各會員溝通後再議。
7. 公海轉載案：

- (1) 日本以及歐盟分提案，日本也說明今年執行的自願性運搬船觀察員計畫成果，以及提出修正案，重點在於建立海上轉載之各項條件，以及倘無觀察員派上運搬船則禁止海上轉載等等。歐盟感謝日方之修正案，希望雙方討論後，再提新方案。
- (2) 貝國質疑觀察員是否公正的問題，而進港轉運也可能有問題，如何確保監控漁船才是重點，主席裁示於下節會議討論。
- (3) 美國於去年提出「大型漁船定義」建議案，建議將大型漁船的定義從 24 米降到 15 米，後經秘書處調查發現有近 3 百艘漁船受影響，將再修正建議內容。
- (4) 赤道幾內亞於去年年會提出「船長超過 15 公尺轉籍」建議案，希船長超過 15 公尺轉籍前取得前船旗國的撤銷船籍證明，及確認其漁船歷史未違反 ICCAT 保育管理措施。貝里斯認同其精神，但應符合 IMO 規定，且對於所謂的漁船歷史是否涉及 IUU 需要明確的定義，因為依據貝里斯的經驗，此點很難被認定。

(七) 第一魚種小組：

1. 主席首先確認會員數目，貝里斯及赤道幾內亞申請加入第一魚種小組，歐盟提到希望秘書處確認每個成員都已繳交各魚種小組之費用，主席總結有 30 個成員。
2. SCRS 主席說明 2005 年對熱帶鮪類之建議。歐盟強調各 CPCs 應充分履行其義務，提供 TASK I 及 II 俾進行資源評估。
3. 保護幼小熱帶鮪類：SCRS 今年 7 月大目鮪資源評估會議結果顯示大目鮪資源下滑，建議漁獲水準維持在 9 萬公噸或以下。另研究顯示小於 3.2 公斤之大目鮪漁獲大部分出現在 2 個區域，一為 Rec.04-1 設定之禁漁區 (20°W~10°E 及 0°~5°N)，另一為 "Piccolo" 區域 (25°W~5°E 及 5°N~4°S)，科學家指出自 1989 年起體重小於 3.2 公斤之漁獲量佔總漁獲量之 46-62%，SCRS 強調降低小體型魚死亡率之重要性。鑒此，歐盟主張擴大禁漁區至 "Piccolo" 區域，美國則主張維持原案，兩國頻頻發言表達其立場及見解，美國表示將與歐盟討論草擬建議案後再討論。歐盟亦表示 SCRS 亦建議對黃鰭鮪及大目鮪之幼魚應同步實施管制。迦納表示除設定禁漁區/期外，應思考其他措施。

(八) 第二魚種小組：

1. 由歐盟科學家擔任主席，SCRS 主席說明 2005 年 SCRS 會議對北方溫帶鮪類之建議，挪威建議納入生態系統管理方法，提升鮪類之存活率。
2. 發展整合及協調大西洋黑鮪管理策略工作小組主席歐盟籍 Mr. Francois Gauthiez 說明第 3 次會議對 SCRS 之建議，包括評估目前多年期管理計畫之效力與衝擊、評估目前供應黑鮪養殖活動之漁業所捕撈的幼小黑鮪組

成之影響與結果等。此外強調有必要建議委員會於 2006 年召開第四次期中會議或其他形式的會議。歐盟發言願主辦第四次期中會議。加拿大則重申黑鮪系群結構等問題仍待解決。

3. 升級第三魚種小組：由於南非主席不克參加，由宮原代替擔任主席，本年 SCRS 報告對此並無建議，至於新任主席選舉留待週五決定，會議十五分鐘即告結束。

（九）第四魚種小組：

1. 由美國 Dr. Lent 擔任主席，SCRS 主席說明 SCRS 會議對其他魚種之建議。北劍旗魚資源評估存有許多不確定性，SCRS 建議漁獲水準不要超過 TAC。由於南劍旗魚之 CPUE 資料闕如且品質不佳，導致資源評估結果充滿不確定性，SCRS 建議漁獲水準應維持與過去幾年相同。加拿大等國對明年度劍旗魚評估會議提出若干建議，但由於下年度已經有多項資源評估會議，主席裁示下次會議再議。
2. ICCAT 於今年 6 月在巴西召開旗魚資源評估資料準備會議，檢視各國 Task I 資料，SCRS 僅對許多研究作出建議，如鼓勵 CPCs 蒐集體長頻度資料。
3. 至於鯊魚鰭與魚體之比例是否為 5% 部分，SCRS 表示依漁業別割鰭、處理魚體和乾燥魚鰭的方式不同，所得之比例不一，且鯊魚種類繁多，難以採用單一比例。此外，SCRS 建議秘書處加強混獲資料庫之建立以及相關人力。

（十）財務預算委員會：由加拿大擔任主席，說明 2006 及 2007 年預算總額及各締約方捐獻計算方式，並報告 2005 年財務收支概況。另檢討催收欠費計畫，截至目前為止，尚有若干締約方尚未對 ICCAT 做出捐獻，秘書處依 ICCAT 公約第八款規定（任一締約方拖欠年費之金額等於或超過其兩年應繳之費用，委員會得中止其投票權）認定 9 個欠繳年費超過兩年的國家，該等國家紛發言表示將擬定欠費償還計畫送交委員會。

（十一）此外，日本提議對我貿易制裁案於本日下午正式提出，內容包括將我國 2006 年大目鮪、黑鮪、劍旗魚配額降為 0；並於決議生效後對我進行貿易制裁；要求我國繼續提供資料並且防止漁船轉籍；等到委員會確認我國遵守規定之後才能取消貿易制裁；鼓勵我國參加會議。

四、第 3 日會議(11 月 16 日)

（十二）PWG 會議，對於兩個非會員未決部份：有關聖文森，美國舉發聖文森籍漁船在大西洋非法捕撈黑鮪，船長為台灣人，船員為中國人，日本表示因為有台灣人涉入，要求延後與我國議題一起處理。

（十三）有關我國議題：

1. 日本說明所提出的貿易限制草案，建議所有締約方禁止進口 Chinese

Taipei (簡稱 CT)捕獲之黑鮪、大目鮪及劍旗魚，禁止台灣漁船轉籍，並強調以下三點，

- (1) CT 將其大西洋漁獲以印度洋名義銷售至日本，甚至透過不同管道經由中國及韓國再出口至日本(約 2000 公噸)，2000 公噸經過貨櫃運搬至日本，估計另有 1,000 公噸丟棄之大目鮪小魚，2004 年之總洗魚數量達 15,000 公噸。台灣政府雖已採取措施，但在 73 艘解體船中，31 艘為沈船及舊船，減船計畫毫無效果。
 - (2) 更嚴重的是 CT 於 PWG-040 文件承認 8,200 公噸大目鮪為 IUU 漁船捕獲並銷售至日本。日本曾在 90 年代製作 IUU 名單，該等漁船之註冊地址皆是在 CT，曾要求 CT 對此進行處理，CT 卻遲無回應，8,200 公噸還算低估，因為台灣承認有 60 艘 IUU 船，每艘 300 公噸，一年可達 18000 公噸，而非僅 8000 公噸，所以超捕 32000 公噸。
2. 美國表示與 CT 簽訂 MOU 協助其改善漁業管理，雙方已合作多年，CT 之漁業管理行為有所進展，但仍嫌不足，美方提出若干建議，包括明年七月一日前 CT 之小釣船全面裝設 VMS、進行港口檢查、增加觀察員涵蓋率、全面配置運搬船觀察員。去年 ICCAT 僅認定台灣超捕大目鮪，美國質疑日本之提案為何將黑鮪及劍旗魚納入，惟提議加入更嚴厲之管理措施，使建議案更具意義。美國表示 CT 已支付七千萬美元進行減船，已盡了很大的努力。
 3. 聖多美普林斯比認為委員會應採取必要措施，但 CT 已採取若干措施修正其行為，應再給予一次機會。
 4. 貝里斯質疑日本是否考量 CT 配額減為零之後果，倘該建議案通過，CT 漁政當局可能反而失去對其船隊之管控能力，而沿岸國倘接受這些船隻，是否也有充足之能力管控呢？貝國表示很多國家願意接納 CT 之漁船，認為日本提案之第六點禁止漁船轉籍不合理，建議 ICCAT 考慮以罰金或其他方式懲罰，但不清楚 ICCAT 是否有此方面之規定。
 5. 日本回應美國所提本建議案對產業之影響，認為考量這點對其他國家並不公平，ICCAT 曾對小漁業國進行懲處，CT 違規事態嚴重，不進行處罰，對這些國家並不公平，強調 ICCAT 應保持信譽。日本為大目鮪之主要市場國，反質疑美國未注意其長鰭鮪及劍旗魚市場，應多瞭解台灣是否也有欺騙之行為，若早一步採取行動，就不會有現在之局面。市場國有責任管控進口漁獲之來源，此時若不採取貿易措施，可能永遠失去漁業發展的可能性。另回應貝國之問題，倘 CT 無配額則必須召回所有船隻進港，再進行減船計畫，如此才有意義。日本強調之前曾解體過百餘艘漁船，也面臨過此困境，對 CT 採取如此作為並不過份。
 6. EC 認為 CT 違反 ICCAT 保育措施之行為嚴重，不僅不尊重 ICCAT 保育

和管理措施、在 IOTC 水域內擴張船隊、未管控國民經營之 FOC 船、於 WCPFC 擴展圍網船隊，其在 CCSBT 之情況亦同，EC 建議以全球觀點思考解決方案，以杜絕 CT 擴張漁業，並認為轉載之便利助長 IUU，絲毫無檢查機制，進口國亦無嚴謹的檢查措施，市場誘因助長 IUU 行為持續擴張，建議大會禁止公海轉載，防杜 IUU 漁捕，不再容忍發生 IUU 漁捕行為。CT 作業漁船持續違反各洋區之規範，CT 應採取任何所有可行之管控措施，修正其現況，CT 之改善計畫雖未能有效，但十分可取，無檢查機制為其主要缺失，此外進口國也未採取足夠的行動阻絕 IUU 漁獲進入其領土，也是一大原因，換言之，無市場則會降低 IUU 漁捕。EC 認為所有證據都掌握在日本手上，堅持採取貿易措施之程序應遵守 03-15 號決議案，符合公平、透明原則，03-15 決議案提及不遵從所採取之行動，包括解除認定、繼續認定及實施貿易制裁，倘有必要應先考慮減配額，在此方面日本之提案並未遵從該建議案之精神，其程序之合法性有疑慮。去年 11 月大會認定 CT，當時係以 2003 年漁季之漁獲做出決定，應該是無法在 2004 年要求 CT 糾正其 2004 年之行為，委員會如此作為應會失去公信。此外，EU 也質疑零配額是否合適，將與大家商談取得共識。此提案皆未提及長鰭鮪，其認為 CT 之劍旗魚漁獲量可能也有問題。對台灣實施制裁後，CT 的船隊將何去何從，CT 有義務促使該等漁船進港，使其不會轉作捕撈其他魚種，應務實思考將會有何衝擊，以 EC 之觀點認為大西洋作業漁船皆應進港轉載。此外減少配額應思考後果及其對財務之影響，委員會之宗旨是有負責任的作為，美國之建議較中肯，希望主要國家在此方面合作，不單是針對大西洋漁業，而應該是所有區域性漁業管理組織合作，以公平、透明之方式推動負責任漁業。

7. 韓國對日本的 information paper 提及韓國表示不悅，但支持日本之提案。
8. 加拿大提及委員會已討論 CT 之問題多年，期儘速解決 IUU 問題，但 CT 管控其船隊及其國民不從事 IUU 行為之能力不足，記錄顯示 CT 無此能力，但肯定其努力，認為美國之加強管理提案是個不錯的建議。其指出 IUU 漁船與台灣公司有連帶關係清晰可見，顯然不遵從 ICCAT 規定。若不採取行動，其他漁業管理組織會懷疑 ICCAT 之公信力，話雖如此，仍須遵守 03-15 決議案之程序及一致性。至於 CT 之作業漁船該如何處理，各國都有責任確保其不移轉至其他洋區。
9. 納米比亞肯定台灣實施減船計畫，希望其加速減少漁撈能力，然 CT 無充足能力管控其龐大之船隊，應小心考慮 EC 及貝里斯所提之觀點，在零配額下 CT 之船隊是否會轉籍至其他 CPCs 或轉成 IUU 漁船？此外市場國應扮演何種角色？建議日本加強市場檢查機制，執行更嚴格之管理。其認為 CT 未充分管控其龐大之船隊，委員會應考量設定 TAC，以符合 CT 之

船隊大小，並促 CT 加強減船，呼籲委員會關注 CT 之船隊不再擴張，以符合其 TAC，並增加觀察員涵蓋率。

10. 墨西哥認為一致性對委員會而言相當重要，否則會危害委員會之公信力，03-15 決議案提到兩種解決方式，一為減少 TAC，另一為減少漁撈能力，減船至與 TAC 相稱才是真正的減船計畫，而非囊括部分的小釣船，建議將美國提出的改善措施納入本建議案，其再次強調可先減少配額，實施貿易制裁則為最後手段。
 11. 中國大陸發言，根據 CT 之前提供之文件及私下溝通，中國認為 CT 提供之資料並不充分，到底有多少漁船牽涉到洗魚行為？並非全部之漁船都涉入洗魚，假若不採取措施將會影響整體船隊。另日本之 information paper 提及中國為 CT 洗魚之另一途徑，中國就此說明其擁有 7 家加工廠，其中 6 家為中日合資，另外一家為中台合資，現已建立制度阻絕 IUU 漁獲進入加工廠，建議成立小組討論此議題。
 12. 赤道幾內亞表示過去赤道幾內亞曾遭受 ICCAT 進行貿易制裁，去年年會 CT 被認定，ICCAT 應一致對待所有不遵從保育措施的國家，亦可加入附帶措施。
 13. 巴西指出此案為委員會之先例，會有廣泛之影響，強調問題之本質，00-14 建議案提及轉載之管控義務，CT 應向委員會報告未來之管控措施，以有效的管控其船隊。另強調實施貿易制裁過程的公平性及透明化，以維護 ICCAT 之信譽。
 14. 美國回應日本質疑美國劍旗魚進口之疑問，劍旗魚產證已實施多年，應無此問題。
 15. 塞內加爾表示劍旗魚為塞國之混獲魚種，塞國也曾因少量之劍旗魚遭 ICCAT 處罰過，CT 違法之漁獲量如此龐大，若不對 CT 採取行動，將使 ICCAT 信譽受損。主席對此說明 ICCAT 未曾對塞國實施貿易制裁，僅認定而已。
 16. 萬那杜表示 IUU 為一嚴重問題，必須採取若干行動，建議委員會考量 US 之建議，同時訂定時程表，倘無法在此期限達成，日本之提案即生效。
 17. 各會員發表意見後，由於部分國家之發言已經點出我國之顧慮，加以會議已超過預定時間，我代表團未取得發言席位，主席隨即裁示留待下午會議討論，並建議相關國家可考慮成立小組會議討論本案。
- (十四) 第二節 PWG 會議：下午由主席宣布召開非正式會議，日本宮原課長一反常規，位於 PWG 主席之側。PWG 主席表示經彙整上午多國意見，提出乙份修正案，由於仍在翻譯中，僅先口頭說明內容：
1. 2006 年的大目鮪、黑鮪、劍旗魚配額降為 0，惟允許 ALB 漁船另有 20 公噸大目鮪混獲，倘混獲配額用罄則需進港。

2.有關貿易制裁部分留待 2007 年實施。

3.該修正案包含一份管理清單作為附帶條件，此清單必須在 2006 年年會中檢視，倘無法被接受，則於 2007 年 1 月 1 日開始對中華台北進行貿易限制。

(十五) 對此，我方表示倘將配額降為 0，則該份管理清單已顯多餘，因為所有漁船都須進港，對此，主席未再開放討論，僅裁示待草案分送後再討論，隨即結束 PWG 會議。

(十六) 紀律委員會(COC)討論重點：

1. 會員遵守狀況：

(1) 貝里斯：主席歡迎貝里斯成為會員，日本表示依據新加坡資訊，可能還有些船有企圖不明之補給行為，貝里斯表示並未發現該等漁船有違法行為，故未採取行動，但將盡力建立 SD 核發制度。

(2) 赤道幾內亞：該國表示其貿易制裁已獲解除，現正等待秘書處協助其建立統計系統。秘書處表示未接獲該國請求，赤國認為秘書處應主動支援。

(3) 日本質疑萬那杜 2004 年有 15 艘小船捕撈鮪類，但未提供 TASK I 資料，萬那杜回應會建立制度，並儘速提供。

(4) 日本再度質疑利比亞黑鮪養殖產量，加拿大也表示利比亞產量顯著高於配額，利國表示已修正，加國認為必須看到資料。日本強調近年養殖黑鮪進口量太多，可能有非法漁獲，因此不得不採取措施禁止部分進口，並警告未獲日本認可之採樣計畫的國家，日本將禁止進口。

(5) 日本肯定土耳其養殖漁業建立採樣計畫，但仍認為其 2004 年產量超過配額。雙方在產量數字之計算上有些爭論，美國亦表示關切地中海黑鮪養殖漁業產量資料品質，並支持對於未有採樣計畫國家採取措施。

2. 日本提出之「促進遵從 ICCAT 保育和管理措施之額外措施」：

(1) 日本說明 CPCs 應採取必要措施監控其作業漁船之漁獲量，並負責其產證量不超過配額，若超過則將禁止進口。日本遺憾此提案至今未獲通過。

(2) 歐盟說明反對該案的兩個主因：第一，產證系統必須有架構性調整，應待定案後再考慮此案。第二，進口國應盡其檢查之義務，加強檢查進口漁獲是否符合保育管理措施，並表示歐盟加強進口產品管理，若不能證明其產品合法，則不准進口，日本應可做到。美國亦支持歐盟要求。對於日本以產證為依據限制漁獲禁止進口一案，需有更多的多邊討論，此案未達成共識。

3. 歐盟提出之「未使用及超額使用配額之處理」建議草案：因美國、加拿

大表示此議題需進一步磋商，主席裁示此議題明年再議。

4. 美國提出之「有關遵從提報統計之義務」建議草案：

- (1) 美國說明該案希望秘書處提出更詳細之資料分析報告，以瞭解 ICCAT 現有資料缺失，並請 SCRS 研究這些缺失及其對資源評估及管理措施之影響，各 CPCs 也要解釋為何其資料有缺失，COC 及 PWG 則應研究這些問題之嚴重性及建議修正的行動，並建立處罰機制，如降低配額、或甚至暫停作業之機制。
- (2) 摩洛哥希望降低懲處之必須性，中國、巴西、塞內加爾則表示開發中國家之統計能力及人力有限，以資料提供不全作為貿易制裁理由，對開發中國家來說太過嚴苛。
- (3) 歐盟則表示部分工作已由秘書處處理，不需再列入，另對直接處罰有意見，需更多時間考慮建議案內容。
- (4) 加拿大同意美方看法，表示 SCRS 常因無充分的資料造成資料評估之缺憾，對未提供資料者應採取一些行動，惟仍認為美國的提案有許多待釐清，如處罰程度的認定，也應考慮發生假報及非法漁獲報告之情況，故仍需時間討論。
- (5) 日本認為有很多方式可改善資料之提供，不一定要以這種處罰方式，亦需要時間考慮。
- (6) 美國表示願意修正，但仍希望通過本案，主席裁示再議。

5. 美國提出「發展 ICCAT 觀察員計畫」決議案草案：

- (1) 美方希望建立任務小組擬定 ICCAT 觀察員計畫，並於 2007 年 9 月前提報委員會，在此之前 CPCs 應有 5% 之觀察員涵蓋率（航次或作業天數），每年提報計畫成果予委員會。
- (2) 墨西哥表示原則同意，但 5% 之涵蓋率應定義清楚，有些情況應增加涵蓋率。
- (3) 歐盟同意建立 ICCAT 觀察員計畫，並認為應建立觀察員團隊，以符合 ICCAT 派遣需要，至於轉載船之觀察員派遣，將另案討論。
- (4) 加拿大表示執行觀察員計畫已多年，認為可同時執行科學觀察及執法功能，另認為應考慮漁業別之觀察員比例可能不同及不應抵觸以前通過之建決議案設定涵蓋率比例。
- (5) 利比亞、迦納皆支持本提案，貝里斯則希望考慮所需經費各國如何分擔。南非則表示費用分擔應考量開發中國家之負擔能力，另因其 baitboat 屬沿近海漁船，不應列入。
- (6) 日本認為科學觀察員計畫對蒐集資料很有助益，但轉載船觀察員議題更重要，希望先討論歐盟之提案。美國則認為歐盟提案目的和美國不同，前者為打擊 IUU、杜絕洗魚，後者為蒐集更多科學性資料，

希望今年通過並成立工作小組，以著手規劃工作。

6. 歐盟提出「鮪漁船轉載規定」建議案草案：
 - (1) 歐盟表示本提案已考量日本版內容，例如海上轉載應遵循的規範，需取得船旗國之事先核准及接受觀察員之監控。
 - (2) 日本表示歐盟版與日本版仍有些差異，日本需要時間研究。
 - (3) 美國表明支持，僅建議文字修正。
 - (4) 加拿大認為該案已囊括轉載之多項議題，將全力支持，另建議觀察員不能是船員或相關人士。
 - (5) 韓國表達支持日本及歐盟之提案，以消滅 IUU 漁捕行為。
 - (6) 中國表示願意支持歐盟之提案，另提出技術性問題，如需有制式報表等，至於觀察員費用希望秘書處或其他 CPCs 能提供成本概算及分擔表，另為利於經費規劃，建議納入年費計算。
7. 美國提出「有關大型漁船相關措施」建議案草案：
 - (1) 美國建議降低大型漁船之標準為全長由原先的 24 公尺降為 20 公尺。
 - (2) 歐盟及加拿大皆建議整體審視全長 18-20 公尺之漁船，並考量納入 ICCAT 白名單的衝擊。
 - (3) 南非、摩洛哥建議考量漁船類型或漁業別，如獨木舟也有全長大於 20 公尺者。
 - (4) 韓國表示，有些國家之漁船接近 24 公尺，若不列入 ICCAT 漁船註冊名單，似為鼓勵其從事 IUU 漁捕。
 - (5) 日本則認為大型漁船之定義很難定義，建議考慮 WCPFC 之作法，要求所有在 EEZ 外作業之漁船都要向委員會登記。由於部分國家對此案仍有意見，主席裁示明年再議。

五、第 4 日會議(11 月 17 日)

(十七) 全席會議：

1. 美國於 2004 年提出「建立漁撈能力工作小組」建議案，說明近日會中論及 CT 之問題，顯示漁撈能力必須與其配額相稱，故應加強漁撈能力之研究，原建議明年召開工作小組討論，鑑於 SCRS 明年會議眾多，改為 2007 年召開。EU 同意調整時間，但要考量工作小組之任務內容，需再討論。
2. 通訊投票：美國提議改在財務預算次委員會後討論。
3. 加拿大：提出「加強 ICCAT 功能」建議案，原因有二，其一為國際間抵制 IUU 行動通過許多管理行動，另一為近來國際組織通過許多宣言(包括 St. John's Declaration)，加國認為 ICCAT 作為帶頭的組織，應和這些宣言或行動之要求結合，以配合日本將於 2007 年 1 月召開全球鮪類區域性管理組織會議，以整合全球鮪漁業管理。日本感謝加拿大提出此建議，

認為其提案由秘書處處理並不合適，另該提案提及修改公約似乎過早。美國支持建立工作小組討論，歐盟認為此為重要之開始，認為 ICCAT 需要之改變比修約還廣泛，巴西亦發言支持，惟提醒 ICCAT 締約方並未全部參與建議案中提及之宣言，在文字上應小心引用。主席宣布該建議案達成共識，至於文字再做修改。

4. 美國提出「圓形鈎」決議案，認為 CPCs 應鼓勵其所屬漁船使用圓形鈎，以減少海龜之意外捕獲量，建議 CPCs 交換漁法及改變漁具技術資訊，並說明該國已進行若干試驗研究，認為可使目標魚種之漁獲物率更好，而海龜之死亡率下降。歐盟也進行過試驗，但在大西洋的效果尚不明顯，待全部結果出爐再向 ICCAT 報告。摩洛哥、赤道幾內亞及貝里斯皆表示支持，但希望能取得圓形鈎相關資料，以便推動。日本則表示已在許多洋區做類似的研究，結果與美國相近，但問題是鈎形大小結果差異很大，如果強調要用大圓形鈎，漁獲量會減少。巴西表示願加入試驗性計畫，韓國表示研究顯示使用圓形鈎並不會降低漁獲率，請相關之國間繼續磋商，以達成共識。

(十八) 第一魚種小組(大目鮪)

1. 貝里斯要求捕撈大目鮪 2100 公噸之權利。
2. 中國解釋在 2004 年過度捕撈係因期待日本會轉讓配額，所以捕撈超過原有配額量。
3. 日本表示願意自 2005 至 2008 年轉讓 10 艘船 2000 公噸配額給中國，因為中日歷經一場漫長的協商，中國原擬增加漁船至 200 艘，經過日本多次要求，中國願意限制在 113 艘，並禁止建造新圍網船，故日本同意轉讓 10 艘船以及 2000 公噸大目鮪配額給中國，日本的船數則從 240 艘降至 230 艘，也將繼續與中國合作。
4. 惟美國則表示大目鮪的利用已經超過 MSY，中國也已經過度捕撈，中國是否具有管理能力令人質疑，即使日本轉讓配額，還是有超捕的問題，因此要求繼續討論，雖經中國代表說明後，惟美國仍要求至大會再討論。

(十九) 第二魚種小組

1. 主要為美國與歐盟間對黑鮪保育的討論，美國要求繼續召開黑鮪管理會議，歐盟則認為已經召開多次會議，無須重複。
2. 此外，土耳其提出有關黑鮪養殖之方案，並經歐盟修正。

(二十) 有關我貿易限制措施(PWG-115)

1. 該文件係由 PWG 主席提出(Chairman's working document，該案已先傳真)，內容包括：
 - 將我大西洋大目鮪船隊之大目鮪配額降為 0，所有漁船須於 2005 年底駛回台灣，不得轉至其他洋區從事其他漁業。長鰭鮪漁船可

有 1300 公噸大目鮪配額，該配額用罄後，長鰭鮪船隊必須停止作業。

- 必須履行附件相關管理要件，倘在 2006 年年會委員會認為中華台北執行不力，將於 2007 年 1 月 1 日對其大西洋大目鮪漁獲施以貿易限制措施。
- 附帶管理條件包括：減船計畫：必須在 2006 年 12 月 31 日確實解體 160 艘漁船，並有完整之報告；向委員會報告其國籍以及國人經營之外籍 20-24 米漁船狀況，並且調整其過度漁撈能力；以上項目必須提交季報；港口檢查計畫：必須涵蓋漁獲的 5~10%，否則不准卸魚；觀察員涵蓋率達努力量的 5% 等。調查 IUU 漁業；以及資料繳交，附帶條件中並述明各項工作的報告繳交期限。

2. 我方首先發表聲明，表示日本指控我國在 2004 年洗魚 24,130 公噸，完全沒有證據，我國也已提出正式說明。而且 ICCAT 的貿易限制只有在所有措施都無效的情況下，方能採取，過去遭 ICCAT 制裁的國家都是未回應委員會或未採取足夠措施者。就我國而言，我國已採取許多改善措施，加強 MCS，以及在 2005-2006 年承諾減少 120 艘船，並將再追加 40 艘，倘仍對我進行貿易限制或將配額減為 0，對我國並不公平，PWG 應該謹慎思考，將中華台北如此龐大的船隊納入管理較能達到資源保育的目的，或者迫使這些船隊因為貿易限制以及 0 配額導致其必須自尋生路，兩者何者為佳？各會員應該審慎考量。而且，由於目前的減船計畫係由留下經營的船主分攤減船費用，如果 0 配額，則這些船主將無力負擔，減船計畫也將難以推動。因此，如果各會員都認為我國應該加強漁業管理，則應該給予合理配額，以保留改善空間。
3. 日本再度表示應立即對中華台北採取措施，無法再等一年。因為中華台北涉入 IUU 漁捕行為可能長達五至十年，導致大西洋鮪類資源枯竭，雖然其他國家致力於復甦資源，中華台北卻肆無忌憚地濫捕、擴展其漁業。有部分會員指責日本未盡到市場國責任，也應該負責。日本表示身為進口國，將盡力阻止 IUU 漁獲進入日本市場，絕不進口不乾淨的漁獲 (unclean fish)，中華台北核發之統計證明書不值得相信。中華台北目前有 614 艘漁船，減船後仍有近五百艘，中華台北對違法漁船之懲處過輕，日本對違法漁船之處置為召回母港，並處罰其停止作業六個月。對於中華台北之違法行為絕不能再容忍一年。日本表示其提案尚允許 50 艘中華台北之長鰭鮪船在大西洋作業，並給予該等漁船 1,300 公噸之大目鮪混獲配額，對中華台北已經非常慷慨。再次強調應該懲罰不遵從 ICCAT 保育管理措施者，否則將會損及 ICCAT 之公信力。
4. 赤道幾內亞呼應日本說法，強調 ICCAT 應維護其公信力，不能有雙重標

準，過去中華台北利用該國洗魚，導致其遭 ICCAT 進行貿易制裁，因此不能對中華台北手軟，否則日後如何處罰不遵從者，ICCAT 應建立榜樣，通過日本之提案懲罰中華台北台灣，況且中華台北還在利用沿岸國發展其漁業，雙重標準不可取。

5. 歐盟表示需花時間整體審視日本提案之適切性，因其不僅關係到 ICCAT 之威信，並涉及中華台北履行該提案附帶條件之能力。歐盟提出若干建議，包括日本提案內容第一項要求中華台北於 2005 年底召回其大目魷船隊，其認為不符合建議案之程序，應為 2006 年一月；另去年 ICCAT 認定 (identify) 中華台北並去函告知，希望其改善漁業管理。今年委員會提案給予零配額，其程序是否無誤，中華台北所犯之罪行是否值得處以如此嚴厲的懲罰，目前持保留立場，需要時間及正式的資料判斷此種作法是否合適。
6. 美國表示這是個困難的決定，對委員會之將來影響很大，應考量短期和長期的影響。對中華台北而言，違規就應該有所付出，將有 160 艘漁船離開漁業，由於留存的業者需負擔減船補償費用，倘其不能作業，則無法負擔該筆費用。美方關切台灣的作業方式，應適時做出決定。台日雙方也應共同討論這個問題，美方也願意參與，必須在本次會議做出明確決定。
7. 塞內加爾對我方之作為表示歡迎，但支持日本之提案，認為 ICCAT 應公平對待所有國家，其公信力才得以維護，對中華台北懲罰具正當性，其他國家可從中汲取教訓。
8. 日本質疑為何有代表團不願通過此提案，要求所有會員應共同抵制 IUU 漁獲，重申日本別無選擇，不要台灣髒的漁產品，日本長期與台灣合作，台灣情況卻持續惡化，除非中華台北證明該國之魚貨是乾淨的，否則日本不會再進口台灣髒的漁產品。
9. 加拿大認為中華台北的問題延續多年，終於去年遭認定，從日本提供資訊證明今年繼續不遵守 ICCAT 規定，違法情況嚴重，應以合理的方式處理，需要時間審視用詞，也應注意程序之正當性，其支持懲罰中華台北，因其為 ICCAT 有史以來最嚴重的不遵從案例。對中華台北而言，會有很大的影響，但對委員會之公信力而言，也是影響深遠。
10. 韓國認為本提案已充分討論，支持通過。
11. 主席建議成立起草小組討論條文。
12. 日本對此建議表示，倘為技術問題可能需要成立小組討論，但僅有一代表團持保留態度，故作部份文字修正即可送大會裁決。
13. 歐盟再次表達需要時間考慮這份文件，不光是文字的問題，而是實質內容。

14. 主席表示無法確認 PWG 是否會再召開，建議將此案送大會裁決。

(二十一) PWG 會議---其他

1. 聖文森案：日本表示聖文森是台灣人經營 FOC 船下的另一個受害國家，認為這些小國欠缺執法能力，要求台灣應與其合作加強管理。歐盟建議去函要求改善，美國對於日本的說法不以為然，認為不能因其為台灣人經營的漁船就忽略國際法所賦予的船旗國責任。
2. 有關 IUU 名單，應日本要求，將哥倫比亞籍的信友 16 號以及 Emily 號列入 IUU 漁船名單(為聖文森籍漁船)。
3. 有關討論合作非會員身份案：有關我國部份，日本表示願意在通過 PWG-115 對中華台北管制案的前提之下，同意我國繼續合作非會員身份，並表示本議題將留待全席會議決定，各國均無異議，本案送交全席會議。

(二十二) 有關預算審查委員會，主要討論迦納會費遲未繳交的問題，迦納提出許多理由，表示將儘速支付，各國則要求迦納應提出明確的繳款計畫。

六、第 5 日會議(11 月 18 日)

(二十三) 第三魚種小組：主要討論主席選舉，美國提議由南非續任，無異議通過。

(二十四) 第四魚種小組

1. 美國提出「鯊魚保育補充建議案」(PA4-063)，要求 CPCs 應盡可能進行技術性措施研究，以降低鯊魚死亡率，並於 2007 年提出報告。另要求 CPCs 每年報告鯊魚管理措施及採取措施降低北大西洋 shortfin mako shark 死亡率。雖然加拿大及巴西支持，但歐盟認為該提案內容與第 04-10 號建議案重複，且 SCRS 亦有這方面的工作計畫，不必再重複，並表示正在進行此方面的研究，明年會依據結果提新案。日本則認為本案定義不清，很難執行，決定明年再議。
2. 有關下任主席，加拿大提議由日本擔任，無異議通過。

(二十五) 紀律委員會 (COC)

1. 有關轉載管理(PWG-111)，歐盟表示本案自去年延宕至今，本年所提修正案(PWG-111A)即將完成翻譯並分送，期能在本次會議通過。
2. 漁撈能力案：美國認為此議題相當重要，已參酌各國意見修正，歐盟表示可接受，中國要求主席說明美國修改重點並提建議，主席代為說明後，美國同意刪除第 5-7 條有關處罰條例，僅留統計資料透明化之 1-4 條，中國表示接受，巴西也強調統計重要性，以及發展中國家的需求，日本僅提部分文字修正後，本案通過。
3. Compliance Table:
 - (1) 加拿大復提利比亞案，要求利比亞解釋。

- (2) 美國提到 underage/overage 的調整可以在兩年內進行，所以會員應於提報 Compliance Table 時詳細說明。
- (3) 至於 CT 之大目鮪數量仍留待全會決定。
- 4. 有關養殖黑鮪之管理：
 - (1) 日本提修正案，表示只有實施採樣計畫之養殖黑鮪可以進口至日本。
 - (2) 歐盟詢問日本要求僅有採樣計畫養殖場的船可列入白名單，則是否要將不符條件的漁船自名單上刪除？日本確認，並表示唯有如此，才有進口管制依據。
 - (3) 摩洛哥表示這些養殖場及相關漁船都由政府核准作業，雖尚未執行採樣計畫，但已在推動，要求保留在名單上，僅在名單上作註記，若明年未達成則自動刪除。
 - (4) 美國理解日本的關切，但原決議案並無依據可將漁船自白名單刪除，認為日本要求不符程序，或許委員會可以去函要求，另提議修訂歐盟所提之 PA2-094 案亦可達成相同目的。歐盟有同樣考量，亦建議以 PA2-094 提案為基礎。
 - (5) 主席裁示日本提案不符原有決議，未通過。
- 5. 有關會員違規部份，日本再度質疑土耳其狀況，雖然土耳其解釋過量出口係因為年度間的差異，土耳其也願意與日本政府交換 SD 資料，並處分可能有的 IUU 行為，然日本表示並非進出口資料核對問題，而是究竟捕撈多少的問題？不管成長率用多少估算，都有過度捕撈的問題。日本願意與土國交換 SD 資料，但核對 SD 並無法解決問題，委員會應去函土耳其說明。土耳其表示會解決問題，不需要委員會寫信。日本認為土耳其已經違規，土耳其表示沒有超用配額表中「其他」的部份。歐盟則確認該等配額應至少有兩個國家可用，而非由土耳其獨享。
- 6. 有關日本提出的加強管理措施，主席裁示無共識，日本要求送大會討論。
- 7. 加拿大重提利比亞案，認為利比亞 2004 年超捕 872 噸，質疑是否在 2005 年扣回，利比亞回應 2005 年資料尚未定案，將會提供透明的資訊給大會。
- 8. 海上轉運：
 - (1) 歐盟表示由於 LSLV 大型鮪釣船海上轉運是 IUU 最重要的工具，勢需建立完善體制，此狀況也造成 CT 的 IUU 問題，但歐盟懷疑 CT 並非唯一有問題者，所以建議全部禁止海上轉載，然而若能通過本項建議案（COC-111A），可以不堅持須進港轉載。本方案有三項優點，包括觀察員能夠完整監控，可以蒐集科學資訊，且進港轉載有助港口國經濟。日本目前的觀察員監控系統似由產業主導，懷疑其有效性，日本最近的報告也顯示其資訊蒐集仍有所不足。新方案

已加以考慮，必須有運搬船白名單、觀察員完善制度等，詳實涵蓋海上轉載以及進港轉載的標準。其中最重要的是所有海上轉載運搬船皆要有觀察員，其費用應由轉載漁船之國家負擔。

- (2) 美國表示還需審慎檢視，希望明年再議。
 - (3) 迦納建議觀察員地位要相當於幹部。
 - (4) 中國表示可以同意，僅提議文字修正。
 - (5) 納米比亞建議費用分攤應建立在配額制度內。
 - (6) 貝里斯對觀察員國籍以及費用估計提出建議。
 - (7) 巴西原則支持，但希望有時間仔細檢視，並表示已禁止在其 EEZ 內的海上轉載。
 - (8) 日本表示目前執行的觀察員計畫為試驗性質，國籍多為日本，爾後的計畫可以再檢討。
 - (9) 歐盟強調觀察員必須具獨立性，是屬 ICCAT 觀察員，而非鮪釣船籍的。對於有些國家認為應該建立港口檢查機制，歐盟認為港口檢查應由各國國內法規決定，ICCAT 不宜處理，重點在於海上之管理，現有草案或許未盡完美，會再檢視各國的建議後決定如何修正。
 - (10) 韓國表示支持。
 - (11) 巴西建議繼續討論，主席表示另行安排會議時間。歐盟表示會透過雙邊方式修正各國質疑部分，未必需要再召開會議，也強調本提案須在本次會議通過。
9. 船長限制部份：之前的討論集中在將船長調整為 20 或 22 公尺。巴西仍基於對開發中國家的衝擊，要求保留。主席裁示無共識，不過也提醒會員，GFCM 已將標準調整至 15 公尺。
10. 漁船轉籍標準：赤道幾內亞提案，原要求會員間討論，但未見到修正案，赤道幾內亞表示已與貝里斯討論，且將提案提供給秘書處，秘書處表示再行了解。
11. 有關漁船租賃問題，主席代為說明，包括只有規定 IUU 不能租賃，沒有規定要租白名單的船等。
12. 赤道幾內亞提案要求各國提供 IUU 漁船歷史資訊，以便監控：赤道幾內亞解釋過去蒐集相關資訊(與烏拉圭有關)提供給 ICCAT，但調查過程相當冗長，有些港口國也沒有禁止此等漁船進港，故希望通過相關規定以便管理。
- (1) 烏拉圭理解抵制 IUU 的重要性，會與赤道幾內亞合作。
 - (2) 貝里斯支持，但認為 IMO 已有規定，應依 IMO 規定辦理。
 - (3) 主席裁示本案無共識。
13. 有關租船名單，巴西建議秘書處將之透明化，包括將租賃漁船資訊放在

白名單，並加以備註，可幫助會員了解其歷史。日本表示遭制裁國家的漁船不能有租船安排。

14. 有關主席選舉，加拿大建議歐盟連任，美國支持，無異議通過。

15. 主席並表示紀律委員會僅剩海上運搬管理草案以及漁船轉籍草案將送交大會討論。

（二十六） 第一魚種小組

1. 歐盟所提取消黃鰭鮪幼魚體型限制草案（PA1-112），前因美國反對而未達共識，歐盟再度說明係因大目鮪漁撈體型限制已取消，再限制同一漁業捕撈之黃鰭鮪漁獲體型意義不大。美國表示原希望在未有相對保護措施提出前，維持原案之限制，但若能在會議紀錄中說明 SCRS 將會繼續研究如何降低黃鰭鮪幼魚之方法，美國願同意，本案通過。

2. 有關日本大目鮪配額轉換中國一案（PA1-072），中國向美、加解釋，即使日本轉換 10 艘船作業權，中國會先移出 10 艘舊船至其他洋區作業，在大西洋仍將維持 45 艘作業船數，並承諾盡最大努力管理移轉過來的 2000 噸配額。惟美、加皆質疑，中國之配額加上日本移轉的，再扣除要五年攤還的超捕量，只剩 7000 餘噸，如何足夠讓 45 艘船用。中國回應，雖有 45 艘船，但只讓 35 艘船有權捕大目鮪，以一船 200 噸計，應該夠用。對此，美、加皆質疑配額轉讓之作法，但中國若保證只有 35 艘大目鮪船，不再超捕，則勉予同意。歐盟則希望日本能真正降低作業船數，另認為應將決議案改為建議案。日本則堅持必須為決議案，最後照案通過。

3. 有關下屆主席，歐盟提議現任主席連任，獲日本、塞內加爾附議通過。

（二十七） 第二魚種小組

1. 歐盟說明其黑鮪養殖管理之提案（PA2-094），認為黑鮪養殖和捕撈漁業不同，沒有卸魚、也沒有觀察員可登船，因此產量管理不能比照，故提案建議：要求拖曳船（tug vessels）填詳細報表，並隨時供查驗；拖曳船安裝 VMS；建立 ICCAT 之養殖場白名單，未在名單內的就視為違法；鼓勵 CPCs 立法禁止來自非 ICCAT 白名單養殖場之黑鮪漁獲等。克羅埃西亞認為在拖曳轉運過程很難蒐集資料填報表，僅能在魚死亡或銷售時統計，建議修改。美國則支持該案，土耳其及日本分別提出文字修正，歐盟同意後，該案獲通過。日本則再次警告養殖漁業國，雖然該案要明年才生效，但日本將自今年底就不准進口任何型式來自不符 ICCAT 規定的養殖魚貨，請各國準備該有的報告再轉運魚貨至日本，以免無法通關。

2. 挪威所提之保育地中海黑鮪資源建議案（PA2-118），禁止圍網船在 7 月 1 日至 8 月 30 日間進入地中海作業，其強調這種資源減少後要 20-30 年

才能恢復，因此必須採預警措施。冰島、美國皆支持該案。惟歐盟認為雖然歡迎只有少量黑鮪漁獲的挪威對黑鮪保育有興趣，但程序上應先有科學證據顯示此種作法對資源有意義，才訂定管理措施，而不能跳過科學程序直接選取想要的管理措施，希望等明年 SCRS 黑鮪資源評估完後再提完整管理計畫。此說法獲摩洛哥、利比亞支持，日本則對無共識表示失望，WWF 已警告黑鮪資源瀕臨崩潰，若 ICCAT 不採取行動，還再等一年，日本將很難面對環保組織，倘無法通過，明年一定要有真正行動。歐盟則回應除了圍網之外，還有其他漁業行為在大量捕撈黑鮪，造成價格下跌，關鍵在市場相當開放，因此歡迎日本作好市場管理，並認為大目鮪、黑鮪的市場國都應強化其管理措施，本案未獲共識，明年再議。

3. 有關下屆主席，現任主席依規定尚可續任，但加拿大另提法國代表，獲美國、日本支持通過。

（二十八） STACFAD 會議

1. 歐盟表示現在 ICCAT 秘書處的工作已不可同日而語，應請專家來檢視 ICCAT 之功用，否則秘書處的工作持續增加，預算持續提高。美、加認為茲事體大，應先檢視秘書處功能後再論。歐盟表示既無共識，將取消提案，但對此相當不悅，會員終將面對預算需求提高的問題。
2. 有關秘書處明年預算，原案將增加 13.85%，但依昨日會議要求，秘書處調整至僅增加 10%，惟歐盟仍不同意。加國建議某些項目可調整，應可降低至 8% 增加率，主席亦提若能降低至 6-7%，是否先讓此預算案通過。惟歐盟仍表示無法接受，美國表示僅 2006 年可接受，之後就無法承擔。因無共識，主席將再與秘書處討論，歐盟另考慮開源問題，詢問去年我國有自願性捐款，今年卻沒有看到。主席表示將於會後再與我國洽談今年捐款。

七、第 6 日會議(11 月 19 日)

（二十九） 大會

1. 於早上提出 PWG-115A 「我國大目鮪漁業管控案（Recommendation by ICCAT regarding Control of Chinese Taipei's Atlantic Bigeye）」重點包括：
 - 2006 年 CT 大西洋大目鮪配額為 4600 公噸，包括 1300 公噸為 51 艘 ALB 漁船之意外混獲，以及 15 艘試驗性大目鮪漁船，其他漁船均禁止在大西洋捕撈大目鮪，且不得列入白名單。
 - 大目鮪船部分，必須有 CT 官員每兩個月於開普頓以及拉斯進行港口檢查，漁獲日報、100% 觀察員涵蓋率，以及附帶的管理條件，並且於下屆年會前一個月提報報告。
 - 附帶條件包括減船 160 艘、調查小船狀況及漁撈能力調整計畫、季

報、港口採樣及檢查，5%觀察員涵蓋率，VMS、調查 IUU 關聯性，提報資料等等。

- 委員會將於下屆年會檢視 CT 執行狀況，倘相關違法情況仍未被改善，則將對 CT 採取無歧視之貿易限制措施。

(三十) PWG 會議時，日本首先表示本案可在此達成共識，倘無共識，則送交全會討論，在此不應重開討論。歐盟表示對於決議內文與附件的一致性還需要檢視，例如 VMS 部分似不明確，美國特解釋有關 VMS 部份，也同意送交全會討論。至於 CT 合作身分案，日本發言表示如果 CT 下年度經委員會檢視後被制裁，則 CT 的合作身分必須立刻被撤銷，日本並要求將此點列入紀錄，PWG 主席表示此議題將送全席會議討論。

(三十一) 下午會議中，大會提出 PWG-115C，主要為文字修正，包括將”實驗性”大目鮪漁船改為”專業船”，提交漁船名單的時間提早至 2006 年 12 月 20 日，以及漁船每三個月進港時，必須由 CT 官員以及港口國官員共同監控。當大目鮪漁船的 220 公噸用罄後必須進港等等。

(三十二) 全席會議討論修正後 PWG-115C「對 chinese Taipei 大目鮪漁業管控案」，

1. 中國首先表示遺憾 ICCAT 必須做此決定，此措施將導致合法業者必須進港懲罰一年，對於 CT 產業、經濟衝擊很大，極不願通過此措施，然而，體認到部分會員所提供的資訊在在顯示 ICCAT 必須採取進一步措施，所以中國不會反對本案，但要求列入兩點紀錄，首先，這些要求 CT 在 2006 年所必須達到的各項措施，中國絕對不能接受將之作爲爾後要求遠洋漁業國家管理的標準。其次，如果 CT 在 2006 年的行爲未被改善，則將以 03-15 案處理 CT 議題。假若 CT 在 2006 年達到各項措施，往後應恢復配額，此案不宜作爲爾後遠洋漁業違規案件之處理慣例。其次，違法事件應依議定規定處理，採取無歧視措施。
2. 主席則表示決議案第一段沒提到 2007 及 2008 年，所以倘 CT 在 2006 年通過委員會檢驗，則可以恢復原有配額。
3. 歐盟僅提出兩點細部文字修正，並對於通過本決議感到遺憾，然歐盟也鼓勵 CT 能夠持續改善管理，並遵守 ICCAT 的規定。
4. 美國也發言表示此決議爲委員會不得不做出的決定，至於觀察員部分，應該將 100% 觀察員能兼顧 compliance 以及 scientific，也希望 CT 的問題能在 2007 年得到妥善解決。
5. EC 對美國意見不以爲然，認爲觀察員應 100% 執法用，科學觀察員部分僅要 5% 即可。
6. 主席裁示兩點修正，並未准許我國發言即宣佈通過。
7. 我代表團只得於決議通過之後發言，除對在 PWG 會議中支持程序正義給

我公平對待的會員表達感謝，也遺憾部分會員忽略我國的努力，採取如此嚴重的措施，並嚴正表示無法接受(can not accept)，未來我政府會努力達成相關措施，要求大會將我方聲明列入紀錄。

8. 日本發言表示本決議對於未來配合 ICCAT 以及遏止 IUU 漁業有其重要及象徵性，但未達到日本要求，日本原意希望將 CT 之大目鮪配額降為 0，大目鮪此結果遠超過日本原來之預期，因為現通過之措施（4600 公噸）仍有洗魚空間，日本雖作出調整，但會繼續監督 CT，也會執行市場國責任，拒絕不守規定的產品進口，也希望 CT 能夠展現對付 IUU 的決心，日本願意與 CT 繼續合作。不過，在討論過程中，發現有些會員(指歐盟)指責 CT 的 IUU 的同時，不當要求日本應以市場國身份單方面採取措施制止，且杯葛日本提出的對 CT 之貿易制裁案，日本不能接受此類雙重標準之指控，如果 CT 持續違規，ICCAT 又不處理，則將由所有會員國付出代價，因為是 ICCAT 委員會決定讓 CT 能夠繼續捕魚，日本要求會員不應該繼續幫助 CT 的違法行為。日本要求前述發言列入紀錄。
 9. 歐盟請問日本所指某些會員為何？是否是指歐盟，請日本說明，日本則回應隨歐盟解釋。
 10. 歐盟非常嚴肅的表示，歐盟很坦白及公開的說，ICCAT 決策過程的透明化很重要。首先，有關市場國方面，解釋 CT 的問題過於粗糙，歐盟始終認為美國、日本乃至歐盟自己身為市場國，都有責任負起保育責任，應遵守相關保育措施，使其不致受損，假若進口量超出配額則會損及保育措施的效力，日本光光抱怨 CT 違規捕魚持續增加進口量，卻未採取任何措施，並不負責。對於 CT 議題，歐盟認為懲罰必須與其違法行為相稱才合理、適度，歐盟認為將配額刪減為 0 並不合理，也始終堅持此立場，特別是 CT 是在去年 11 月才接到 ICCAT 的要求信函，對於有如此船隊規模的國家，都應該理解在此短期間內難圓滿達成，應該給兩年時間才較合理。歐盟表示願在任何場所與各國爭論此問題，並要求其發言亦列入紀錄。
 11. 有關 CT 之 Cooperating status，主席表示根據 PWG 報告可以再給一年，但倘下年度發現 CT 未達到 ICCAT 的要求，則須自動撤銷其合作身分，主席並要求將此點列入紀錄。對此，歐盟不接受「自動生效」的決定，而應由明年年會檢討決定。主席雖說此意見與 PWG 決議不同，但接受歐盟主張，換言之我國合作會員身分由明年年會決定。
- (三十三) COC 會議：
12. 海上轉載 (COC-111B)
 - (1) 歐盟說明尚有部分內容需修正，執行該措施前，秘書處需處理費用事宜。巴西、美國、日本等多國也提出文字修正。

- (2) 納米比亞對觀察員計畫之費用分擔有異議，由於觀察員計畫生效日期為 2007.1.1，主席建議明年度再討論費用問題，歐盟則表示觀察員計畫不影響各締約方對 ICCAT 之捐獻比例，塞內加爾、加拿大等國支持，本案送大會通過。
13. 赤道幾內亞修正其「全長超過 15 公尺漁船登記及船旗變更」提案 (COC-031A)，說明其提案動機為防止漁船經由變更船名、登記及船旗從事 IUU 漁捕。巴西、日本、烏拉圭、塞內加爾等國均發言全力支持。美國、加拿大、貝里斯及象牙海岸則提出文字修正，美國對第二項規定「CPC 應於漁船登記前進行調查，使其未列名在黑名單內」有意見，經磋商後修正文字通過。
- (三十四) PWG 會議：
14. 主席總結對於非會員之處理狀況，並通過主席致各非會員之信函。
15. IUU 名單：本次計有三艘新增漁船名單，赤道幾內亞表達希望將幾艘前赤國籍之漁船納入 IUU 名單，主席表示理解，但因不符程序(赤國過晚提報，且赤國現為會員，其漁船無法列入名單)，恐無法於本次會議列入。全席會議
16. 漁撈能力工作小組 (PLE-064A)：美國說明將工作小組會議時間修正為 2007 年，但鑑於中國及中華台北超捕及漁撈能力擴張問題嚴重，應儘速建立漁撈能力工作小組。巴西表示應於提案中述明開發中國家之需求，歐盟同意先通過開會日期，至於該工作小組會議的範疇(Terms of Reference)則待下屆年會討論，主席並建議美歐可先討論，本案通過。
17. Mail voting：加拿大認為程序尚待釐清，建議明年再議。主席裁示應於年會前 60 天提供詳細程序予委員會，再轉送全體 CPCs 參酌後討論。
18. 有關決議條文解釋案 (PLE-018)：日本建議成立工作小組，以該文件為基礎進行討論，主席則要求所有 CPCs 詳讀該報告並確定立場，以利明年作出決議。
19. 協助開發中沿岸國家：
- (1) 日本及美國資助開發中國家改善其統計資料系統，主席表示今年所有的提案皆是由已開發國家提出，未來開發中國家可提案由秘書處協助改善其資料統計系統。
- (2) 歐盟表示目前正透過 FAO 協助地中海國家改善主要魚種的統計，另將協助大西洋開發中國家進行科學研究、VMS 裝設、及執法等，希望加強開發中國家之漁業管理。
- (3) 加拿大表示聯合國有一基金可協助開發中國家改善其統計系統，感謝美國捐獻大筆經費透過該基金協助開發中國家，並宣佈亦將提供 50 萬美金供該基金使用。

- (4) 日本去年資助巴西改善資料，協助迦納進行採樣，另秘書長表示今年仍有許多計畫進行中。
 - (5) 摩洛哥、納米比亞表示開發中國家需要更密集的協助其改善資料蒐集系統，希望有類似案件能提供更多資訊。
 - (6) 迦納、塞內加爾等數個開發中國家皆發言感謝日本、美國、加拿大、歐盟之協助，改善其管理漁撈能力及訓練蒐集資料統計能力，並建議能建立統計機制及統計人員，讓其能使用所蒐集到的資料。
20. 加拿大、歐盟、美國及象牙海岸共同提出「加強 ICCAT 功能」建議草案 (PLE-074A)
- (1) 由加拿大說明委員會應於 2006 年年會依據漁業相關文書檢視 ICCAT 之保育管理措施，並研擬一工作計畫，以加強組織功能。為此，秘書處應於明年八月一日前提供各締約方相關國際文書，及列表對應之保育管理措施。
 - (2) 巴西及貝里斯表示不清楚此建議案對開發中國家之影響程度，建議 ICCAT 審慎考慮。另對於建議案中針對締約方未參與之宣言，ICCAT 欲擔任領頭之角色困難度高。日本認為此提案已考量到前幾天各國關切之議題（打擊 IUU），原則上支持，承諾依照提案推動，主動於 2007 年 1 月 22 至 26 日主辦該會議。迦納、摩洛哥、塞內加爾等國亦表達支持。中國認為應改為決議案，且提出加拿大 St. John's 宣言之簽署國並不多，建議移除。主席提議修改部分文字後通過。
21. 美國說明其「有關圓形鈎」提案 (PLE-062A)，鼓勵 CPCs 進行表層延繩釣漁業適用之圓形鈎尺寸研究，降低海龜之死亡率，本案通過。
22. 美國認為漁業破壞其藻類生態，提案要求 CPCs 提供藻類相關資訊予 SCRS，以進行研究。日本及中國認為 ICCAT 之管理領域未涵蓋海藻，建議修正文字，主席鼓勵 CPCs 協助蒐集此類資訊，本案通過。
23. 娛樂漁業：美國及歐盟各提出一草案，分為 PLE-093 及 PLE-097，歐盟說明去年其提案遭否決，今年提案係禁止娛樂漁業使用企業化之漁具，且其漁獲不可買賣，CPCs 應加強蒐集此類資料提供予 SCRS。美國表達無法接受歐盟之提案，另提案要求 CPCs 按年提供娛樂漁業之 Task I 及 Task II 予 SCRS，並說明其管理娛樂漁業之方式。雙方各持己見，主席建議雙方再協商。
24. 第一魚種工作小組報告：本年度通過黃鰭鮪體長限制以及日本轉讓大目鮪配額給中國日本之決議案，美國並要求將中國先前的漁撈能力限制計畫列入紀錄。
25. 第二魚種工作小組報告：本年通過歐盟所提有關養殖黑鮪管理之決議。
26. 第三魚種工作小組報告：本年度無任何決議。
27. 第四魚種工作小組報告：通過鯊魚保育修正決議。

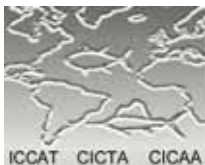
28. COC 會議結果：

- (1) 「發展 ICCAT 觀察員計畫」(COC-103) 因無共識未通過。
- (2) 「未使用及超額使用配額之處理」建議案 (COC-029)，COC 主席報告此案未達共識，主席裁示此議題將先經魚種小組討論後，明年再議。
- (3) 「遵從提報統計資料義務」(COC-101A)，無異議通過
- (4) 「大型延繩釣船轉載計畫」(COC-111C)，土耳其及日本等國提出若干文字修改後通過。
- (5) 「全長超過 15 公尺漁船登記及船旗變更」提案 (COC-031B)，第二項規定歐盟認為有必要執行，建議將其改為決議案，赤道幾內亞則認為維持為建議案，因多國對第二項規定有不同之意見，主席建議修改為決議案明年再議。
- (6) 日本對其所提之加強 SD 管理案(COC-067)未通過感到遺憾，重申貿易制裁需與統計證明書作連結，該提案有助於避免超額使用配額，主席裁示延至明年再議，但鼓勵日方拒收 IUU 漁獲。
- (7) 赤道幾內亞表示遺憾其漁船轉籍之提案(COC-121)未達共識，主席鼓勵其準備更完善的提案於明年提出。日本則發言如欲阻絕 IUU，建議其與其他 CPCs 合作。赤國則表明該國打擊 IUU 之決心。
- (8) 有關 Compliance Table：日本表示中華台北之 2003 及 2004 年大目鮪漁獲量未有定論，建議擱置，主席同意延至明年決定。
- (9) 財務預算委員會報告：本年為 Madrid Protocol 生效後首次應用，部分會員未繳費，期建立繳費程序，並敦促未繳費會員儘速繳交。對於兩年未繳交會費應停止投票權之建議，歐盟建議給最後通牒要求付款，否則應剝奪投票權，另有開發中國家表示實在有困難。至於 2006 及 2007 年預算表與各締約方之捐獻金額，美國表示秘書處所列之周轉金過高，秘書處說明因部分締約方未對 ICCAT 做出捐獻，為順利支付工作人員之薪水及固定業務支出，不得不如此。巴西希望僅通過 2006 年之預算，並於明年檢視經費使用概況。主席則表示 2007 年之預算表僅是預估，承諾明年將針對預算計算方式進行深入討論。
- (10) 下屆年會時間及地點：2006 年 11 月 20 至 26 日於克羅埃西亞。
- (11) 下任主席選舉：由美國 Bill Hogarth 接任主席，第一副主席則由歐盟 John Spencer、第二副主席為赤道幾內亞 Mbo nchama 擔任。
- (12) 會議在各國紛紛感謝卸任主席宮原以及期許新任主席 Hogarth 中，於 11 月 19 日下午七時提早結束。

參、心得與建議

基於本次會議決議，我國應積極採取下列措施：

- (一) 未來一年應強化之管理措施，包括：
1. 實施執法觀察員制度，確實查核漁船作業實績；
 2. 透過 VMS 監控漁船作業動態；
 3. 力行港口檢查；
 4. 嚴審核發漁獲統計文件；
 5. 擬定港口採樣計畫；
 6. 詳細調查漁船活動，若有違規情事，依規定嚴懲；
 7. 與市場國或卸貨國保持密切合作，特別日本、美國和歐盟，交換鮪類貿易資訊；
 8. 與相關國家合作消除賸餘之 IUU 漁船。
- (二) 對於管控國人經營權宜國籍漁船部分，應儘速訂定特別法，並透過檢調單位。對過去之 IUU 行為加以清查。
- (三) 為回應國際之要求，應確實減少大型延繩釣漁船 160 艘，並於 2006 年進行第二年之減船計畫，並加強對於小型漁船之管控。
- (四) 應加強與日本、歐盟、美國以及加拿大之雙邊聯繫，特別是恢復與日本之合作關係。



INTERNATIONAL COMMISSION FOR THE
CONSERVATION OF ATLANTIC TUNAS

COMMISSION INTERNATIONALE POUR LA CON-
SERVATION DES THONIDES DE L'ATLANTIQUE

COMISION INTERNACIONAL PARA LA
CONSERVACION DEL ATUN ATLANTICO

PROCEEDINGS

19TH REGULAR MEETING OF THE COMMISSION *(Seville, Spain, – November 14 to 20, 2005)*

(PROVISIONAL)

JANUARY 2006

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PROCEEDINGS OF THE 19TH REGULAR MEETING OF THE INTERNATIONAL COMMISSION FOR THE CONSERVATION OF ATLANTIC TUNAS

(Seville, Spain – November 14 to 20, 2005)

1. Opening of the meeting

The 19th Regular Meeting was opened on Monday, November 14, 2005 by the Commission Chairman, Mr. Masanori Miyahara, who expressed his gratitude to the European Community, the Government of Spain and the *Junta de Andalucía* for hosting the meeting. Mr. Miyahara welcomed the delegates, in particular, those from the new Contracting Parties, Senegal and Belize.

Mr. Miyahara reminded the delegates that this year was an exceptional one, since there had not been any assessments, and thus the discussions should center on finalizing pending work and on the preparation of the next stock assessment sessions for bluefin tuna and swordfish. Mr. Miyahara also recalled that this year a new Chair is to be elected and he asked that negotiation and consensus be the basis of the Commission's work.

Mr. Miyahara thanked the Mrs. Elena Espinosa Mangana, Minister of Agriculture, Fishing and Food of Spain, Mr. Isaías Pérez Salda, Counsellor of Agriculture and Fishing of Andalusia, and Mr. Juan Carlos Martín Fragueiro, Secretary General of Maritime Fishing of Spain and for their presence at the opening session. He then gave the floor to the Counsellor who, on behalf of the *Junta de Andalucía*, welcomed the participants and expressed his government's recognition of the Commission's work, which are fundamental for the sustainability of the basic resources for Andalusia. The Minister, who then welcomed the participants on behalf of the Government of Spain, reiterated the Spanish Government's commitment to the conservation objectives of the Commission and expressed the need to strengthen the RFMOs as essential fora for the maintenance of the fishing resources.

The opening addresses are attached as **ANNEX 3.1**.

2. Adoption of Agenda and arrangements

The Agenda was reviewed and amended to include, under Item 13, a discussion on the strengthening of Regional Fishery Management Organizations and the reduction of by-catches, proposed by Canada and the United States, respectively. The Agenda, as amended, was adopted and is attached as **ANNEX 1**. (PLE-002)

The Chairman reviewed the work schedule, which is included in **ANNEX 1** (PLE-004) and proposed that the election of the new Chair take place on Thursday during the meeting of Head Delegates.

The ICCAT Secretariat served as rapporteur for the Plenary Sessions.

3. Introduction of Contracting Party Delegations

Thirty-six (36) Contracting Parties attended the meeting: Algeria, Belize, Brazil, Canada, China (People's Republic), Equatorial Guinea, European Community, Côte d'Ivoire, Croatia, France (St. Pierre & Miquelon), Ghana, Guatemala, Guinea (Republic), Iceland, Japan, Korea (Republic), Libya, Morocco, Mexico, Namibia, Norway, Panama, Philippines, Russia, South Africa, Senegal, St. Tomé & Príncipe, Trinidad & Tobago, Tunisia, Turkey, United Kingdom (Overseas Territories), United States, Vanuatu and Venezuela. The List of Participants is attached as **ANNEX 2**.

The opening statements by the Contracting Parties to the Plenary Sessions are attached as **ANNEX 3.2**.

4. Introduction and admission of Observers

The Executive Secretary listed the observers present that had been admitted by the Commission. The participants included a Representative from the Food and Agriculture Organization of the United Nations (FAO), the depository of the ICCAT Convention, delegates from Chinese Taipei, as a Cooperating non-Contracting Party,

Entity or Fishing Entity, and observers from Seychelles. The following intergovernmental organizations also participated: Caribbean Community (CARICOM), Inter-American Tropical Tuna Commission (IATTC), General Fisheries Commission of the Mediterranean (GFCM), Ministerial Conference on Fishing Cooperation among African Coastal States of the Atlantic (COMHAFAT). Observers from the following non-governmental were also admitted: Association of Professional Organizations of the Fishing Sector of Mediterranean Coastal Countries (MEDISAMAK), International Confederation of Sport Fishing (CIPS), Organization for the Promotion of Responsible Tuna Fisheries (OPRT), Wrigley Institute of Environmental Studies (WIES), and World Wildlife Fund (WWF). The opening statements by the observers were presented in writing, to be attached to the report (see ANNEX 3.3 and 3.4). The list of observers is included on the List of Participants (ANNEX 2).

The closing statements presented to the Plenary Sessions are attached as ANNEX 3.5.

5. Summary Report of the Standing Committee on Research and Statistics (SCRS)

The 2005 SCRS meeting was held in Madrid, Spain, from October 3 to 7, immediately following the meetings of the species groups. The SCRS Chairman, Dr. Joao Gil Pereira, presented a summary of the report [PLE-013] during the first day of the Plenary Sessions. The discussions on the individual stocks were postponed until the meetings of the pertinent Panels.

Dr. Pereira outlined the various intersessional meetings held in 2005, including the 3rd Ad Hoc GFCM-ICCAT Working Group on Sustainable Tuna Farming/Fattening Practices in the Mediterranean (Rome, Italy, March 16-18, 2005), a Data Preparatory Meeting for the 2006 Billfish Assessment (Natal, Brazil, May 9-13, 2005), the Planning Meeting for Bluefin Tuna Research (Madrid, Spain, June 27-30, 2005), and the Workshop on Methods to Reduce Mortality of Juvenile Tropical Tunas (Madrid, Spain, July 4-8, 2005).

Dr. Pereira called attention to the changes in format that have been made in the ~~national~~ research programs as well as the Executive Summaries, particularly those corresponding to species for which no assessment has been carried out. Dr. Pereira recalled that the Executive Summaries had been revised following a recommendation from the Commission, and he pointed out that, in their new version, these summaries are very heterogeneous. He asked the Commission to define more precise guidelines concerning the format in order to incorporate these in the future.

The SCRS has proposed numerous assessments and various intersessional meetings for 2006, as shown in detail under item 14.1 of the SCRS Report, including stock assessment sessions for the North swordfish stock, South swordfish, East bluefin tuna, West bluefin tuna, blue marlin, white marlin and data preparatory meetings of the Albacore and Tropical Tunas Species Groups. Further, a workshop is scheduled for early 2006 on swordfish stock structure, in response to questions raised by the Commission. The SCRS Chairman expressed the need for the Committee to propose assessments when an analysis of stock indicators shows possible situations of risk, independently of the assessments proposed by the Commission.

Dr. Pereira explained that the SCRS recommendations that have direct implications for the Commission are found under item 15 of the SCRS Report.

The SCRS Chairman also pointed out that the SCRS had prepared various responses to the requests from the Commission, which will be presented at the various Panel meetings.

Of the recommendations made by the SCRS, Dr. Pereira highlighted the request for a coordinator for the management of information and for the by-catch database. He noted this is necessary given the Commission's increasing in this matter and the large volume of data that are being generated, the convenience of maintaining per reviews of the stock assessments carried out within the SCRS, and the need to complete the updating of the Field Manual. Likewise, he called attention to the fact that the Committee's recommendations reach the Commission after the budget has been prepared, and thus the funds needed to carry out this work are limited. Dr. Pereira suggested the release of funds, within the budget, as a possible solution to this problem.

Lastly, Dr. Pereira announced the election of Dr. Gerry Scott as the new Chairman of the scientific committee.

The Commission Chairman requested that each Panel review the results of the SCRS, including the new format for the Executive Summaries. He also asked the Panels to study the possibility of postponing any assessments

foreseen for 2006 in order to lighten the intense schedule for next year. Mr. Miyahara congratulated Dr. Pereira for the excellent work carried out and he welcomed Dr. Scott as the new Chairman of the Committee.

Various delegates then intervened who, after praising the work done by Dr. Pereira as Chairman of the Committee and congratulating the new Chairman, asked that an estimate be prepared of the economic repercussions of the recommendations, in order to present it to STACFAC.

The 2005 SCRS Report was adopted by the Commission.

6. Report of the Standing Committee on Finance and Administration (STACFAD)

Mr. Jim Jones (Chairman of STACFAD) summarized the work carried out by the Committee. The Commission approved the Committee's recommendation to adopt an amendment to the *ICCAT Staff Regulations and Rules* to make them compatible with the United Nations Joint Staff Pension Fund, once this negotiation is finalized (see the Secretariat's Administrative Report).

Mr. Jones pointed out that the Committee had analyzed the first budget prepared after the entry into force of the Madrid Protocol, and presented two issues: the decision on the possible suspension of voting rights of Cape Verde, Gabon and Honduras, and the approval of the budget, on which the Committee had not reached an agreement.

As regards the first issue, several delegations supported the suspension of voting rights, taking into account that they had not responded to the Commission's request for the presentation of a plan for the payment of overdue contributions. Other delegations were in favor of writing one last letter clearly specifying that if a positive response were not received with regard to the payment of past due contributions, then voting rights would be suspended at the 2006 meeting. The latter proposal was adopted.

With regard to the second issue, a proposal for a budget and Contracting Party contributions for 2006 and 2007 was presented. The Chairman of the Committee explained that the proposal was comprised of two options (A and B), and that the latter option included the SCRS recommendations.

Option B did not receive any support from the delegations, some of which expressed that their contributions would increase considerably with the Madrid Protocol and that including the SCRS proposals would make the increase even higher.

The delegate from the European Community praised the work done by the Secretariat and insisted on the proposal brought up in the Committee that an external review be carried out on the functioning of the Secretariat. He indicated that his delegation could assume an increase of approximately 6% for 2006, with respect to 2005, but he conditioned the acceptance of future increases in the budget to such a revision, since the new Community policy required that such revisions be carried out in organizations in which the Community contributes substantially to the budgets.

The delegate of Brazil thanked the Secretariat for preparing an explanatory document on the new scheme to calculate the contributions according to the Madrid Protocol, and pointed out that with the new scheme no medium-term forecast of the contributions could be made, since the classification of the Contracting Parties in the various groups depended on variables that could change from one year to another, such as the GNP and catch.

Mr. Jones confirmed that inclusion in the different groups depended on these and other variables, and that the Protocol contemplated that the most recent values be used for each variable. Mr. Jones also indicated that it was possible to use values from previous years or from an average of years if the Commission so decides, and requested that the Commission establish criteria to follow in order to do the calculations if it the Commission so wished.

The delegate of Brazil proposed a revision of the proposed budget that would result in a decrease in Brazil's contribution.

The STACFAD Chairman, together with the Executive Secretary, presented a new budget proposal in which the costs in the "Travel" and "Contingencies" Chapters were reduced, and which used the Working Capital Fund for

the hiring of the Compliance Officer in 2006. They explained that the “Salaries” Chapters could not be changed since they are subject to the compliance of the *ICCAT Staff Regulations and Rules*.

The Delegate of Brazil indicated he understood the inflexibility of some chapters, such as “Salaries”, but he asked that the Working Capital Fund be utilized inasmuch as possible to attenuate the contributions and that the hiring of the Compliance Officer be postponed.

The Chairman of STACFAD distributed a last proposal in which there was no increment with respect to 2005, and explained the danger of its acceptance since it did not include the salary and remuneration of the newly hired Publications Coordinator, or the costs for moving to the new Secretariat Headquarters and some basic expenses such as electricity and communications. He alerted that the use of the Working Capital Fund for such expenses, combined with receipt of only 75% of the contributions corresponding to the fiscal period, could provoke a lack of solvency in the short-term which could lead the Commission to bankruptcy.

The Commission adopted the 2006-2007 budget, the basic information to calculate the Contracting Party contributions for 2006 and 2007, the individual Contracting Party contributions for 2006 and 2007, the contributions by group for 2006 and 2007, and the catch and canning figures of the Contracting Parties (attached as **Tables 1 to 7 to ANNEX 7**). The 2007 budget will be revised at the next meeting of the Commission

The delegates of the United States and Japan, as well as the Commission Chairman, expressed their concern in view of the situation that the acceptance of this proposal would provoke and the use of the Working Capital Fund in such a large measure.

The Executive Secretary emphasized that the freeze of the budget that had been adopted, while it was not going to involve a significant decrease in the Contracting Party contributions, it would indeed result in a negative impact on the functioning of the Secretariat, which has continually demonstrated dedication and good will. In this way, the Secretariat will not be able to rely on a legal advisor and it will be difficult to respond to the requirements of the Commission such as are stipulated in the Resolution [**Res. 05-10**] and in the Recommendation [**Rec. 05-06**] which includes an observer program, managed by the Secretariat, for at-sea transshipments.

The delegate of Brazil proposed that the 2007 budget be revised at the next meeting of the Commission, and asked that the data on the group classifications in which these are based be the same as those used for the 2006 budget.

The Report of STACFAD is attached as **ANNEX 7**.

7. Reports of Panels 1 to 4 and consideration of any proposed recommendations therein

The Reports of Panels 1, 2, 3 and 4 were presented by the respective Chairmen during the Final Plenary Session. The Commission reviewed the Reports and the Recommendations and Resolutions proposed by the Panels and adopted the following measures:

Panel 1

- *Recommendation by ICCAT on Yellowfin Size Limit (ANNEX 5, [Res. 05-01]).*
- *Resolution by ICCAT to Authorize Catch Limit Adjustments in the Bigeye Tuna Fishery (ANNEX 6, [Res. 05-03]).*

The Delegate of the United States expressed his concern for the effect that these measures could have on the stocks and insisted on the need that such measures be linked to the recommendations of research and future assessments included in the SCRS Report and to China’s firm commitment to limit its capacity.

Furthermore, Panel 1 supported the Work Plan of the SCRS Tropical Tunas Species Group which proposes that a working group meet in 2006 to analyze the aspects related to the multi-species character of the fishery and to increase knowledge of the biological parameters, such as natural mortality (see Appendix 13 to the 2005 SCRS Report).

Panel 2

- *Recommendation by ICCAT to Amend the Recommendation on Bluefin Tuna Farming [Rec. 04-06] (ANNEX 5, [Rec. 05-04]).*

The delegate of Japan noted the fact that this Recommendation implied the closure of the Japanese market to parties that do not comply with it, including the participation in the sampling program. He recalled that the Recommendation and the subsequent trade consequences would not enter into force until mid-2006.

The proposal from the Working Group to Develop Integrated and Coordinated Bluefin Tuna Management Strategies to hold another meeting in 2006 was accepted. The European Community offered to host the meeting, coinciding with the second meeting of the Working Group to Review Statistical Monitoring Programs. The proposal was reviewed and accepted.

Panel 2 supported the Work Plan proposed by the SCRS that included the assessment of the East and West stocks of bluefin tuna (see Appendix 13 to the 2005 SCRS Report).

Panel 3

Panel 3 supported the Work Plan proposed by the SCRS (see Appendix 13 to the 2005 SCRS Report). The Panel did not present any proposal.

Panel 4

- *Recommendation by ICCAT to Amend the Recommendation [Rec. 04-10] Concerning the Conservation of Sharks Caught in Association with Fisheries Managed by ICCAT (ANNEX 5, [Rec. 05-05]).*

The Panel Chair recalled that no consensus had been reached in Panel 4 on this proposal. After the discussions at the final session of Panel 4, a revised proposal was presented. The Recommendation was adopted, after slight modifications, and is included in ANNEX 5.

The Panel Chair informed that some Parties had expressed their wish to participate in swordfish fishing. It was decided that their requests would be discussed in 2006.

The Panel agreed with the Work Plan proposed by the SCRS, which included the assessment of the North and South swordfish stocks (see Appendix 13 to the 2005 SCRS Report). The need was stressed to make a special effort in research on by-catch species.

The Report of Panel 3 was adopted during the meeting; the reports of the other Panels were adopted by correspondence. The Panel Reports are attached as ANNEX 8.

8. Report of the Conservation and Management Measures Compliance Committee (COC) and consideration of any proposed recommendations therein

Mr. Friedrich Wieland, Chairman of the Compliance Committee, informed that the Compliance Committee had reviewed and adopted the Compliance Tables, except for the table corresponding to bigeye tuna, which was adopted by the Commission after having added a footnote to the 2003-04 catches of Chinese Taipei specifying that they will be subject to revision in 2006. The Tables are attached to the report of the Committee as **Appendix 3 to ANNEX 9**). The Chairman also commented that the Committee's Agenda would have to be restricted in the future.

The Compliance Committee proposed three recommendations for their adoption by the Commission:

- *Recommendation by ICCAT on Compliance with Statistical Reporting Obligations. (ANNEX 5, [Rec. 05-09])*
- *Recommendation by ICCAT Establishing a Programme for Transshipment by Large-Scale Longline Fishing Vessels. (ANNEX 5, [Rec. 05-06]).*

The Commission adopted the two recommendations. The second recommendation implied the preparation of an observer program that must be planned and managed by the Secretariat, although its financing will be fully paid for by the parties that carry out transfers.

The third recommendation proposed was adopted as a resolution, proposing its revision in 2006 for its acceptance as recommendation.

- *Resolution by ICCAT Concerning the Change in the Registry and Flagging of Vessels (ANNEX 6, [Res. 05-07].*

Other proposals that had not reached a consensus by the Panel were also transferred to the Commission:

- *Draft recommendation on additional measures for compliance of the ICCAT conservation and management measures (attached as ANNEX 11.1) (COC-067).*
- *Draft Recommendation by ICCAT concerning cooperation in the fight and persecution of IUU vessels in the ICCAT area (attached as ANNEX 11.2) (COC-121).*

Japan presented the first proposal as an attempt to avoid the unilateral application of sanctionable measures. The proposal did not reach a consensus by the Commission and Japan informed that it maintained its proposal for discussion in 2006.

The second proposal, presented by Equatorial Guinea did not reach a consensus either considering that the proposal included difficult aspects, which do not fit in well with the current ICCAT regulations. With the aim of presenting a recommendation throughout the 2006 meeting, it was recommended that Equatorial Guinea revised the proposal with the help of the Secretariat. Equatorial Guinea expressed its absolute wish to condemn this situation.

The Chairman also informed of other matters that were object of discussion. Regarding the treatment of excess and surplus, he insisted on the need to elaborate clear criteria that may allow a systematic application. The panels were recommended to define the regulations that should be followed and the measures to be adopted. The Chairman also informed on the solution of differences between Recommendation [Rec. 02-21] and Recommendation [Rec. 02-22] and expressed concern of the fragmented presentation or inadequate format of data.

The report of the Compliance Committee is attached as **ANNEX 9**.

9. Report of the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG) and consideration of any proposed recommendations therein

Ms. Kimberly Blankenbeker, PWG Chair, reported on the activities and proposals arising from the 2005 meeting of the PWG.

She informed the Commission Plenary that the PWG considered that a second meeting of the Working Group on Statistical Monitoring Programs was needed and should be held in 2006 at a time and place to be decided by the Commission. The Commission concurred with this proposal and agreed to hold the meeting in conjunction with the next intersessional meeting of the Working Group to Develop Integrated and Coordinated Management Strategies for Bluefin Tuna, to be hosted by the EC.

Ms. Blankenbeker indicated that the Working Group carried out a case-by-case review of cooperation of non-Contracting Parties, Entities or Fishing Entities in accordance with the *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating non-Contracting Party, Entity or Fishing Entity in ICCAT* [Rec. 03-20] and the *Resolution by ICCAT Concerning Trade Measures* [Res. 03-15]. The results of this review are summarized in the “Summary Table of PWG Activities in 2005” (see **Appendix 2 to ANNEX 10**). In this regard, Ms. Blankenbeker reported that the PWG had had extensive debate concerning Chinese Taipei given the identification decision taken in 2004 in accordance with the *Resolution by ICCAT Concerning Trade Measures* [Res. 03-15]. The PWG agreed in principle that strong action was called for to address bigeye tuna quota compliance and laundering activities. As there was no consensus within the PWG as to the proper step to be taken, the PWG agreed to refer the matter to the Commission for final action. In support of that discussion, the

PWG Chair introduced a revised version of the Chair's proposed recommendation on this matter. The proposal called for a significant quota reduction in Chinese Taipei's bigeye tuna fishery and improvements in monitoring and control measures, among other things. After some debate and modification, the following Recommendation was adopted:

- *Recommendation by ICCAT Regarding Control of Chinese Taipei's Atlantic Bigeye Tuna Fishery (ANNEX 5, [Rec. 05-02]).*

It was emphasized that the measures contemplated in the Recommendation referred exclusively to 2006 and that these would not be extended to other longline fleets.

Chinese Taipei regretted the adoption of the Recommendation and presented a statement to this effect (included in **ANNEX 3.5**).

The closing statement by Japan concerning the adoption of the above Recommendation is also included in **ANNEX 3.5**.

The PWG Chair summarized the other decisions and actions it was proposing pursuant to its review of non-member cooperation. The Commission concurred with the proposed decisions and agreed to send following letters (see **Appendix 8 to ANNEX 10**):

- Letter to Netherlands Antilles renewing Cooperating Status and expressing concern about bigeye tuna harvest levels..
- Letter to Sri Lanka requesting information on fishing activities in the ICCAT Convention area.
- Letters to St. Vincent and the Grenadines regarding identification in accordance with the Trade Measures Resolution.
- Letters to Cuba, Singapore, and Costa Rica regarding continuation of identification in accordance with the *Resolution by ICCAT Concerning Trade Measures*.
- Letter to Togo requesting information on the fleet and on monitoring, control and surveillance measures (MCS).
- Letter to Ecuador requesting information regarding its catch of Atlantic bigeye tuna and on monitoring, control and surveillance measures (MCS).
- Letters to Bolivia and Georgia regarding continuation of bigeye tuna trade restrictive measures.
- Letter to Cambodia seeking information on vessel registry and MCS measures in force.
- Letter to Colombia seeking information on a flag vessel on ICCAT's IUU list.
- Letter to Maldives requesting information on fishing activities and on monitoring, control and surveillance measures (MCS).
- Letter to Sierra Leone requesting information on monitoring, control and surveillance measures (MCS), including the process and rules for vessel registration.
- Letter to Egypt informing that Cooperating Status could not be granted as terms of Recommendation 03-20 were not fully met.
- Letter to Chinese Taipei transmitting the Recommendation to reduce bigeye catch limits and improve fleet control and renewing Cooperating Status.

In addition, it was agreed to renew Guyana's Cooperation Status. The Secretariat will send a letter to Guyana informing them of this renewal. With regard to Chinese Taipei, the Commission agreed to maintain Cooperating Status for another year. At least one party noted that if Chinese Taipei does not rectify its fishing activities, the Commission will need to reconsider the appropriateness of renewing Chinese Taipei's Cooperating Status in the future.

The PWG Chair noted that the PWG had developed the 2005 "List of Large Longliners Presumed to be Involved in Illegal, Unreported and Unregulated (IUU) fishing activities in the Convention Area and Other Areas" (see **Appendix 9 to ANNEX 10**). The Commission adopted this list in accordance with the *Recommendation by ICCAT to Establish a List of Vessels Presumed to Have Carried out Illegal, Unreported and Unregulated Fishing Activities in the ICCAT Convention Area* [Rec. 02-23] in order to publish it electronically on the ICCAT web site.

The draft Recommendations, letters, list of IUU vessels, and the summary of the PWG's activities in 2005 were adopted by the Commission, and the remainder of the report will be adopted by correspondence. With regard to the election of Chair, it was reported that consideration of this matter had been deferred until the 2006 ICCAT

meeting pending intersessional work to look at the possible restructure of the PWG and the Compliance Committee. The Report of the PWG is attached as **ANNEX 10**.

The Chairman praised the excellent work carried out by Ms. Blankenbeker as Chair of the group and appreciated her dedication and efficiency. Various delegations joined in the recognition expressed by the Commission Chairman.

10. Plans for a revised Compendium of ICCAT Conservation and Management Measures

The Key Contacts of the Working Group to Consider the development of an Compendium of Recommendations and Resolutions met in June 2005 (the Report of the 2nd Meeting of Key Contacts is attached as **ANNEX 4.3**) to develop a draft Abridged Compendium which was presented to the Working Group during its second meeting held the day prior to the opening of the Commission meeting in November 2005. The Commission should consider the Working Group's recommendations and decide on how to proceed.

The Chairman of the Working Group, Mr. Carlos Domínguez Díaz (EC) explained the background of the Group and presented the report of the second meeting, insisting on the need for the Commission to decide on the legal incorporation of the Abridged Compendium, developed by the Group, within the ICCAT framework. Along these lines, the Chairman of the Working Group explained the possibilities contemplated by the Group that included its consideration as a simple document of consultation, without any legal value, its immediate entry into force, in substitution of the framework of the current recommendations and resolutions, or its entry into force, in the medium-term, with a period of overlapping with the current measures in effect. Mr. Domínguez Díaz expressed the Group's preferences for a prompt adoption of the Abridged Compendium, whilst making it clear that it was up to the Commission to make the final decision.

With regard to the future of the Group, Mr. Domínguez Díaz considered that if the Commission decided its adoption as a legal framework, then the Group will have completed its mandate and should not be continued.

After various interventions, mostly in favor of its adoption, but with a period for analysis, it was decided to aim for its adoption at the 2006 meeting and to establish a two-month period, prior to the meeting, as the maximum time limit to present comments. Notwithstanding, the Commission Chairman suggested that the deadline for adoption could be changed if there were fundamental objections by some of the Parties.

Mr. Miyahara expressed his appreciation for the excellent work carried out by Mr. Domínguez Díaz and the rest of the Working Group.

The Commission adopted the Group's Report of the November 2005 meeting, which is attached as **ANNEX 4.4**.

11. Matters pending from the 2004 Meeting

At its 2004 meeting, the Commission decided to postpone various matters to 2005. The following matters were discussed under this Agenda item:

Clarification of the mail voting procedures. The Chairman presented his proposal on the procedure that established a four-step process. After a brief debate, it was decided to submit it for discussion within the framework of the Standing Committee on Finance and Administration (STACFAD), which could not include it on its Agenda due to the large volume of work to carry out. The matter will remain pending for discussion in 2006 (see **ANNEX 11.3**). The Chairman recalled that any proposal presented on this subject should be presented at least 60 days in advance of the meeting, since it would involve a change in the ICCAT *Rules of Procedure*.

Proposal to establish a Working Group on Capacity (attached as **ANNEX 11.4**) (PLE-064B). Taking into account the workload for 2006, it was decided to postpone the discussion of the proposal until 2007 as no consensus was reached. The Chairman urged the Parties to work on a consensual proposal that will be included on the Agenda for the 2006 meeting.

Interpretative issues related to the ICCAT Recommendations and Resolutions. The Chairman presented his proposal to respond to the major interpretative issues, definition of terms, as well as reporting formats and dissemination of information. This proposal includes a suggestion to establish a small group to study and

develop the formats for presentation of information required by the Commission. This group will have an inter-sessional meeting although, given the work schedule for 2006, the meeting should be postponed until 2007. Due to the lack of consensus on this issue, the Chairman proposed postponing it until the 2006 meeting, while pointing out the importance of the subject and the need to finalize this matter, without fail, at the next meeting. Notwithstanding, it was decided that use of the new formats could start now, on a trial basis, without waiting for their formal adoption, which should come about once the small group has presented its report. In this sense, it was suggested to the Parties that they begin to use the new formats, even though the adoption would be postponed to 2007. The Chairman's proposal is attached as **ANNEX 11.5**.

12. Assistance for developing coastal States

The Chairman called attention to the need to increase the Contracting Parties' capacity to implement ICCAT conservation and management measures. The Chairman summarized the initiatives that have been carried out by some Parties, such as the special funds established by the United States, Japan and other Parties, for the improvement of statistics and urged the Parties to join in this initiative.

The Chairman also pointed out the scant number of proposals from developing countries and recalled the full availability of the Secretariat to assist these countries in the development of proposals that would result in more participation of such countries in the Commission's work.

Canada expressed its willingness to contribute to these funds and the European Community provided information on the various programs of assistance for the improvement of statistics and global management of resources that it is carrying out within the framework of FAO.

The Executive Secretary informed on the actions carried out in 2005, within the Japan Data Improvement Project, and those envisioned for 2006. This five-year project, initiated in 2004, has a budget of US\$1,500,000. He also informed of the availability of \$96,987 corresponding to the fund, contributed by the United States for data improvement.

During the numerous interventions that took place, mainly by developing countries, the interest in this type of assistance projects was recognized. The Commission also recognized the need that these projects not be limited to data improvement but that they have a more global focus with a view towards a development that includes human resources.

Given the importance of this matter, it was decided to include it as a permanent item on the Agenda of the Commission meetings. It was also decided that the Secretariat should develop a document identifying the current major problems in the ICCAT statistical system and the stock assessments. This document will result in establishing priorities in the projects of assistance.

13. Other matters

The delegate of Canada presented a recommendation to strengthen ICCAT. In his presentation, he summarized the excellent work carried out by the Commission in the 40 years since its creation and justified the recommendation due to the need to establish an action plan in order to confront the future challenges. This plan should be a part of the different initiatives that are being carried out, at the international level, designed to consider fishing as a component of the ecosystem. The proposal was the subject of an extensive discussion that demonstrated general agreement with its form. After some changes, the *Resolution by ICCAT to Strengthen ICCAT* [**Res. 05-10**] was adopted and is included in **ANNEX 6**.

The delegate of the United States presented a proposal for a *Resolution by ICCAT on Circle Hooks*, as a measure aimed at reducing the incidental catch of marine turtles. In his presentation, the delegate referred to different scientific studies that showed the efficiency of this type of hooks to reduce turtle mortality without reducing, and even increasing, the catches on target species. In the discussion that followed the presentation, various delegations provided information on research projects they have carried out or are currently carrying out along these same lines. After introducing some changes, the Resolution was adopted [**Res. 05-08**] and is included in **ANNEX 6**.

The delegate of the United States also presented a proposed *Resolution by ICCAT on Pelagic Sargassum*, in which, under an ecosystem approach, he requested the Parties to provide information on activities that could have an impact on this seaweed and asked the SCRS for advice on the ecological importance of this seaweed for tunas and tuna-like species. After introducing some changes, the Recommendation was adopted [Res. 05-11] and is included in ANNEX 6. Notwithstanding, the Chairman asked that when a proposal refers to a new subject for the Commission, it be presented sufficiently in advance so that the Parties can obtain supplemental information on the matter.

Sport fishing was the subject of two draft recommendations presented by the European Community (PLE-093) and the United States (PLE-097), respectively. The EC proposal centered more on measures tending to the regulation of this fishing type, it being an extension to the Atlantic Ocean of Recommendation [Rec. 04-12], adopted in 2004 for the Mediterranean. The U.S. proposal was directed at promoting research. The regulatory measures contained in the EC proposal were the subject of extensive discussion. It was not possible to unify the proposals or to reach consensus on them. The U.S. and EC delegates indicated their intention to present these proposals in 2006 (attached as ANNEXES 11.6 and 11.7, respectively). The Chairman invited both delegations to work together so as to be able to arrive at the 2006 meeting with only one consensual proposal.

The Executive Secretary of GFCM, after noting the excellent collaboration developed between the two Commissions, presented a proposal to make such collaboration permanent, with new terms of reference for a Joint GFCM/ICCAT Permanent Working Group on Large Pelagic Species in the Mediterranean. In the discussions that followed, concern was expressed about the duplication of mandates that this proposal could entail, as the SCRS had noted at its 2005 meeting. It was further noted that proposal was presented to ICCAT before the GFCM had expressed an opinion on it. The Commission decided to return to this proposal in 2006, once GFCM has taken a decision on this matter.

14. Date and place of the next meeting of the Commission

The Chairman brought up the convenience of revising the meeting setup of the meeting room of the Commission taking into account the increase in the number of Contracting Parties. A change should be considered in the setup to adapt to this situation.

The delegate of Croatia offered to host the 15th Special Meeting of the Commission in Dubrovnik, from November 20 to 26, 2006. The Commission appreciated and accepted this invitation.

15. Election of Commission Officers

Dr. William Hogarth, Head of the United States Delegation, was elected Chairman of the Commission for a period of two years. Mr. John Spencer, Head of the European Community Delegation, was elected First Vice-Chairman and Mr. Fortunato-Ofa Mbo Nchana, Minister of Agriculture and Environment and Head of the Equatorial Delegation, was elected Second Vice-Chairman.

The newly elected Officers thanked the delegates for their confidence, expressed appreciation for the excellent work carried out by the out-going Chairman, and demonstrated their clear commitment to open and transparent processes and teamwork.

16. Adoption of the Report and adjournment

The Executive Secretary thanked the hosts of the meeting, the European Community, the Spanish Government and the Junta de Andalucía, for the perfect organization of the meeting. Furthermore, he congratulated the new Chairman and Vice-Chairmen, and expressed the Secretariat's full disposition to assist them in the development of their new functions. Likewise, he thanked the interpreters and the Secretariat staff for the excellent work carried out during the meeting. Lastly, the Executive Secretary expressed his recognition to Mr. Miyahara for his dedication and excellent collaboration by presenting him with a commemorative plaque.

The out-going Chairman thanked everyone for their tokens of recognition expressed and he welcomed the new Officers. The Chairman expressed his appreciation to the Executive Secretary and to the Secretariat for their assistance during his mandate.

It was agreed that the Report would be adopted by correspondence. The 2005 Commission Meeting was adjourned on November 20, 2005.

AGENDA

1. Opening of the meeting
2. Adoption of Agenda and arrangements
3. Introduction of Contracting Party Delegations
4. Introduction and admission of Observers
5. Summary Report of the Standing Committee on Research and Statistics (SCRS)
6. Report of the Standing Committee on Finance and Administration (STACFAD)
7. Reports of Panels 1 to 4 and consideration of any proposed recommendations therein
8. Report of the Conservation and Management Measures Compliance Committee (COC) and consideration of any proposed recommendations therein
9. Report of the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG) and consideration of any proposed recommendations therein
10. Plans for a revised Compendium of ICCAT Conservation and Management Measures
11. Matters pending from the 2004 Meeting
12. Assistance for developing coastal States
13. Other matters
14. Date and place of the next meeting of the Commission
15. Election of Commission Officers
16. Adoption of the report and adjournment

Commission Timetable

<i>Day</i>	<i>8:30-9:00</i>	<i>9:00-10:30</i>	<i>10:30-11:00</i>	<i>11:00-13:00</i>	<i>13:00-14:30</i>	<i>14:30 16:00</i>	<i>16:00-16:30</i>	<i>16:30-18:00</i>
Sunday 13	-		WG Compendium			-		OFC
Monday 14	HD	PLE	COFFEE BREAK	PLE	LUNCH	PLE	COFFEE BREAK	PWG
Tuesday 15	-	COC		PA1/PA2		PA3/PA4		STF
Wednesday 16	-	PWG		COC		PWG		COC
Thursday 17	HD (9:00-9:30)	PLE (9:30-10:30)		PA1/PA2		PWG		STF
Friday 18	PA3	PA4		COC		PA1/PA2		STF
Saturday 19	PLE	PLE		PLE		PLE		PLE
Sunday 20	PLE	PLE		PLE				

HD = Head Delegates only (closed session).

COC = Compliance Committee.

PWG = Permanent Working Group.

STF = STACFAD.

PA1-PA4 = Panels 1 to 4.

PLE = Plenary session.

OFC= Commission Officers.

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OPENING ADDRESSES & STATEMENTS TO THE PLENARY SESSIONS

3.1 OPENING ADDRESSES

By Mr. Masanori Miyahara, Commission Chairman

First of all, I would like to thank Minister Espinosa Mangana for addressing us at this opening session and to express my sincere appreciation to Spain, the European Community and to the Government of Andalusia for hosting the 19th Regular Meeting of the Commission in this beautiful and historical city of Seville. At the same time, I would like to take this opportunity to express, on behalf of the Commission, our profound gratitude to the Government of Spain for all the assistance provided to ICCAT as the host country since its inception nearly 40 years ago. It is a great honor for me to open this meeting.

As I asked all fellow Commissioners to give up the oral presentation of statements, I should make my statement as brief as possible. Please be patient for a while.

I would like to welcome the new Contracting Parties to the Commission. Last December, Senegal rejoined the Commission after being absent for 17 years. Belize became a new Contracting Party in June of this year, bringing the number of members up to 41. We welcome you and we are all looking forward to working with you.

In terms of the work that lies ahead this week, I would like to point out that this is an atypical year because we do not need to agree on new conservation and management measures for any of our major stocks. Next year will be different, as we will have to decide on management measures for some important species.

For this reason, I invite you to work hard this year so that we can conclude some of the work that we have been undertaking recently in other areas. As I informed you in a letter of September 21, we need to make substantial progress on a number of monitoring, control and surveillance issues, such as defining effective controls for transshipments. We also need to continue to adapt our instruments to the ever-changing practices of illegal, unreported and unregulated fishing, including laundering activities. And the Commission should consider good preparation for next year's meeting so that decisions on bluefin tuna, swordfish, and other species will be made smoothly and constructively in 2006.

Then, the last important item this year is the election of the Commission officers for the next biennial period. I sincerely ask all of you to cooperate to reach consensus on choosing my successor and the other officers early on, and to ensure that this matter does not spoil the work of the whole week for fruitful outcomes of this meeting. Let me confirm my commitment to serve you and the Commission to this end.

ICCAT has always strived to play a leading role as a Regional Fisheries Management Organization that adapts itself to new situations, with utmost transparency in its deliberations. At a time when RFMOs are being subjected to increased scrutiny at the international level, we need to ensure that decision-making at ICCAT will remain effective, efficient and transparent. In early 2007, the joint meeting of tuna RFMOs is scheduled. It is important for us to keep this in mind this week and to be determined to work hard so ICCAT can play a leading role in the joint meeting for the global conservation of tuna and tuna-like resources.

I would also like to insist that a congenial and respectful atmosphere is a keystone to the process of consensus-building. As such, I invite you to build and maintain a propitious climate for negotiations. And, of course, I would also like to encourage you to take some time to enjoy this beautiful city of Seville.

Thank you for your patience, and let's start our business.

By Mr. Isaías Pérez Saldaña, Counselor of Agriculture and Fishing in Andalusia

I would like to greet and welcome the authorities and other participants. There are 40 Contracting Parties present, from Europe, Asia, Africa and America, and some Parties, such as the European Community, include various countries. In addition, there are other, non-Contracting Parties and governmental and non-governmental organizations that are also participating in the meeting.

I would like to thank ICCAT for having accepted Seville's invitation to host the 19th special meeting of ICCAT, and Spain for having supported our invitation.

Furthermore, I would like to convey special greetings to the delegation of the United States that hosted last year's meeting in New Orleans, where all the participants were treated exquisitely, and which has been the victim of one of the worst natural disasters in recent times.

The fishing sector in Andalusia

Andalusia is a region where the fishing sector has great importance. In spite of the reductions in recent years, Andalusia still has a fleet of nearly 3,000 vessels, mainly artisanal vessels and some towns are highly dependent on fishing.

Andalusia is very interested in maintaining the populations of tuna and tuna-like species at levels that allow maximum sustainable catches, above all taking into account the importance and tradition in Andalusia of the fisheries of two species regulated by this Commission, namely bluefin tuna and swordfish. The migratory nature of these species complicates any conservation and management measure that may be promoted by a region or even a coastal State. Only multilateral measures and international decisions are effective for their protection. Therein lays the importance of an international Commission such as ICCAT.

Tuna fishing in Andalusia

Bluefin tuna fishing is carried out in Andalusia in three very distinct areas:

- In the Strait of Gibraltar, in Tarifa and Algeciras, a fleet comprised of 42 small artisanal vessels operates, with rod and reel and live bait, adapted with small fish farms for the bait, with an average of three or four crew members per vessel.
- In the Mediterranean fishing ground bluefin tuna are caught seasonally by the surface longline fleet that usually targets swordfish.
- In the Atlantic, bluefin tuna are caught by trap gear. This gear has been used since Phoenician times (3000 years). With time, the number of traps installed in the Gulf of Cadiz has been declining, to the four that were set in 2005 in Barbate, Conil, Tarifa and Zahara de los Atunes, in the province of Cadiz. These four traps generate more than 500 direct jobs during more than six months a year, and an even higher number of indirect jobs in transformation activities. In recent years, there has been a significant decrease in catches that could jeopardize the continuity of this activity. Therefore, at this or at subsequent meetings, it is especially important to adopt effective measures that will guarantee the sustainable exploitation of this species, such as the implementation of extensive closed seasons in the Mediterranean spawning area or the progressive introduction of a minimum size or weight of catch-at-first-sexual-maturity of this species to reduce juvenile catches.

Swordfish

Other tuna species also have a migratory nature, in particular swordfish, which is also the target species of an important fishery for the Andalusian surface longline fleet. Andalusia has 67 vessels, which is 70% of the Spanish surface longline fleet of the Spanish Mediterranean Communities. More than 50% of these Andalusian vessels are based at Carboneras, in the province of Almería. This fleet targets large pelagic migratory species, mainly swordfish and, to a lesser extent, bluefin tuna.

The swordfish fishery is also undergoing a delicate situation due to the decrease in catches and competition from other fleets that continue to use driftnets.

The importance of ICCAT for sustainability

The existence of the International Commission for the Conservation of Atlantic Tunas is thus of great importance to Andalusia and its fishing sector. I hope that its work at this meeting results in a move towards the implementation of measures that guarantee the conservation of fishing resources that are so valuable for the biological diversity of our seas and the future of our fisheries, which is vitally important for the economy of our

coastal towns. I would like to reiterate the commitment of the Andalusian government and fishing sector to the conservation and sustainable use of resources.

Finally, I would like to wish all the participants a pleasant stay in our Autonomous Community and this beautiful city of Seville. On our part, we have done everything possible to make your stay pleasant.

By Elena Espinosa Mangana, Minister of Agriculture, Fishing & Food of Spain

In my name and in the name of the Spanish Government, I would like to welcome you to this historic city of Seville and, at the same time, thank the Governing Body of Andalusia for hosting the organization and celebration of the 19th Regular Meeting of the International Commission for the Conservation of Atlantic Tunas.

Throughout all these years of sound policy, the Government of Andalusia has demonstrated its commitment to sustainable fishing that looks towards the future with optimism, and an indication of this is this very event we are celebrating today.

It is personally satisfying to address you and share the thoughts, wishes and concerns that the Government has regarding the fishing for tunas and tuna-like species. I consider this forum to be the most adequate place for this.

As you all know, the International Commission for the Conservation of Atlantic Tunas started its work in the 1960s, as a result of the consensus and the interest of the States to conserve the tuna resources of the Atlantic and Mediterranean for future generations.

The objectives that were set forth at that time, aimed at maintaining the stocks of tunas and tuna-like species at levels that would allow obtaining maximum sustainable benefits of these stocks, have not changed and must continue being our standard for the future, and this Organization is the spearhead to achieve this goal.

Tuna fishing and commerce have significant relevance in Spain as they hold a very important place in the national economy.

This is because both the most modern and capable fleets that operate in distant fishing grounds as well as artisanal vessels are dedicated to fishing this valuable resource.

Likewise, this is a dynamic, diversified and ever-changing industrial sector, which also strives to meet the new challenges in matters of sustainable management of the fishing resources.

A fishing sector that does not include sustainable values among its objectives can not be considered today a modern sector and I can assure you that the Government and the Spanish fishing sector have made a great effort to become a reference in the defense of these values.

In this sense, we are conscious of the responsibility that we assume in this new encounter and the importance of our decisions, in particular, when the renewal of the New York Agreement on highly migratory species starts next year, for which the tuna RFBs must demonstrate their commitment to the conservation and sustainable use of the resources.

A good indication of this would be to adopt effective regulatory measures for the stock of bluefin tuna in the Mediterranean, such as the establishment of a closed fishing season from July until the end of the year, due to the serious state of the stock. This would respond to the wishes of many of the Contracting Parties and representatives of the sectors involved here present who want a Commission that is effective and coherent in its approaches to sustainability.

We believe this should be a common effort and an example for other organizations, as has been the case since the beginning of ICCAT.

In another context, for some years now, our attention has concentrated on the world-wide fight against illegal, unreported and unregulated fishing.

We believe that without firm control over these activities, we will not achieve the objectives that were established by this Organization.

For this reason, as Minister of Fisheries fully convinced of this, I would like to urge all Contracting Parties and

other participants, to unite efforts and continue to advance in adopting measures that assure the complete eradication of this blemish, which endangers the adequate sustainable development of fishing, and with it, the maintenance of an activity that is fundamental from an economic point of view, and more importantly, from a social and environmental point of view.

I am sure that in order to confront the future challenges of fishing, it is essential that the Regional Organizations competent in the regulation and management of the resources initiate a process of profound transformation.

This transformation will allow us to reach the fundamental objectives, such as the aforementioned fight against illegal fishing, the carrying out of fishing that respects the environment, the limiting of the fleet capacity by means of a quota system of the fishing grounds and the promotion of responsible trade of the fishing products.

Thus, it is necessary to improve compliance of the Recommendations that emanate from the Regional Fishery Bodies, since they are the only mechanism that can regulate the fisheries of straddling and migratory species.

Therefore, I would like to recall that to achieve their goals, these Organizations have the necessary legal instruments, such as, amongst others, those derived from the provisions of the United Nations in fishing matters or from FAO itself, in whose framework the Code of Conduct for Responsible Fishing was approved 10 years ago, of which Spain was one of its major promoters.

This Code offers adequate guidance to achieve sustainable and responsible fishing, and countries have already incorporated many of its principles and regulations in their legislation.

It is essential that countries develop strategies to counteract against fishing that does not respect the marine environment, especially if we take into account that, according to recent studies, this activity is increasing.

Such fishing is seriously undermining national and regional efforts for sustainable conservation and management of the marine stock, and we must all collaborate to end this activity.

In this sense, I would like to transmit to you the message calling for the need to strengthen the role of the Regional Fishery Bodies as a common project for us all.

It is precisely in these fora where the guidelines for responsible fishing must be established with the application of the same decalogue for all the fleets that operate in fishing grounds and a harmonization of the technical measures of conservation in a way that will affect them all equally.

Today's problems are global and thus, the solutions must also be global.

Furthermore, and we must not forget, that we as Contracting Parties must fully assume our responsibilities, working and providing sound and reliable statistical data that serve as a reliable instrument to scientists who carry out the assessments of the stocks and their forecasts for the future.

Without this adequate contribution, international credibility is undermined, which is a basic milestone so that all the sectors concerned become aware of the problem.

If we really believe that fishing is an activity that contributes invaluable benefits to society, we must be very serious about its responsible management and we must direct all the necessary measures and efforts towards this objective.

Although it may seem repetitive, we must not forget that the transmittal of continuous and systematic messages in defense of the environment will allow, as is now occurring more and more, that the society as a whole unites in the defense of these values.

A committed society is the best mechanism to achieve the future for which we all hope.

Fora such as this facilitate the work and thus have an added value that I would like to emphasize.

Furthermore, I consider that the decisions adopted in this important forum constitute a clear example for other fishery Organizations at the world level, and thus the work that is achieved here must be responsible and coherent with the commitments established by this Commission.

In this context I would like to conclude my address by reiterating my country's commitment to sustainable and responsible fishing in the international framework, i.e., fishing of the 21st century. This is the path that we must follow and the one we cannot renounce.

Thus, I would like to open the 19th Regular Meeting of the International Commission for the Conservation of Atlantic Tunas, once again thanking you for your presence at this forum, sure of its success and convinced that at the end of the meeting we will be closer to fully achieving the objectives for which the Commission was created.

3.2 OPENING STATEMENTS BY CONTRACTING PARTIES

Belize

It is indeed an honor for Belize to become a Contracting Party of ICCAT. I believe that most of you will be familiar with the enormous progress which we have made in ensuring the effectiveness of ICCAT conservation measures during the period from 2001 up to date. I can assure you that our total commitment is ongoing. As a Contracting Party we now look forward to participating together with all other Contracting Parties in furthering the interests of conservation of all species which come within the ambit of ICCAT. In so doing, we will be placing an equal emphasis on the responsibilities and performance of developed fishing nations as well as those of developing fishing nations and registries in the interests of diminishing IUU activities.

I take this opportunity to refer to our 2005 Annual Report which was submitted to the ICCAT Secretariat and circulated to you from which you will observe our continuing progress. Also, I would like to inform you that we have reported to the Executive Secretary on July 27, 2005 at the time of the submission of our statistics that there are no Belize registered fishing vessels on the high seas catching tuna or tuna-like species within the ICCAT Convention area. As a Contracting Party, this will change in 2006. We will therefore be applying for catch allocation at this meeting by attending the following Panels:

- Panel 1: Tropical Tunas (Yellowfin, Bigeye, Skipjack)
- Panel 4: Other Species (Swordfish, Billfishes, Small Tunas)

As a small developing nation, we wish to participate in this important industry. We will be guided by the advice of the Caribbean Regional Fisheries Mechanism (CRFM) and those delegates and Contracting Parties who have long-standing experience in this field.

I wish you all a successful and enjoyable meeting in Seville.

Brazil

Brazil is pleased to be in beautiful and historic Seville for the 19th Regular Meeting of ICAT. We would like to thank the Government of Spain for the excellent organization of this event and for the warm hospitality we have received. We also wish to recognize the hard work by the Executive Secretary and the Secretariat staff in the preparation for this meeting.

The Brazilian Delegation expresses as well its appreciation for the firm and able leadership of the Commission Chairman, Mr. Masanori Miyahara, under whose wise stewardship we have made significant progress and adopted important decisions to achieve the management and conservation objectives of ICCAT.

There are important issues on the table before us this year. In fact, some of the decisions that will be made in the current session could have an impact on the workings of the Commission for years to come.

We have before us the crucial task of choosing a new Commission Chairman. Brazil believes that this must be carried out in a manner that strengthens the consultation process and helps build greater trust and understanding among delegations. In this regard, we are prepared to work with all delegations in reaching a consensus decision on this matter.

The future status of the Compendium of ICCAT Management and Conservation Recommendations and Resolutions prepared by the Working Group and its possible legal implications are a sensitive issue. It must be dealt with in a balanced and careful manner, one that addresses the need to allow Parties to the Commission to fully participate in the decision/making process.

Only decisions that take into account the interests of all Parties will ultimately lead to effective management and conservation measures. In this context, we should bear in mind the particular situation of developing country members and ensure that, as we strive to attain the Commission objectives, we do not undermine their legitimate right to sustainably develop their fisheries.

Another issue of concern to Brazil has been the application of ICCAT Recommendations and Resolutions in a fair and transparent manner, in order not to go beyond the scope of what was agreed upon, particularly when involving trade restrictive measures. This is important not only in the case of Resolution 03-15 but, as we have seen, on Recommendations such as [Rec. 02-22], on the positive list of vessels. Such situations are especially unfortunate if they should negatively affect developing country exports.

Greater and more effective cooperation among all parties is the only way to achieve the objectives we share as members of ICCAT. Brazil, as always, is ready to work with a constructive spirit to this end.

Canada

Canada is delighted to be in Seville, a city not unlike ICCAT itself, with a unique blend of people, cultures and religions molded by twenty-seven centuries of history and a strong maritime influence. We would like to especially thank our Spanish hosts for all their efforts in organizing the 2005 Annual Meeting.

As members of ICCAT know all too well, fish stocks around the world are being depleted. According to United Nations estimates, 75 per cent of the world's fish stocks are fully exploited or overexploited. In some fisheries, illegal, unreported and unregulated fishing is responsible for catches of up to three times greater than permitted levels.

Many tuna stocks are overfished and the state of other related species is also uncertain. Such over-fishing poses a direct threat to conservation and to the viability of coastal communities around the world that rely on strong, healthy fisheries.

Canada, as do all ICCAT members, takes over-fishing very seriously.

Canada was pleased to host the Conference on the *Governance of High Seas Fisheries and the UN Fish Agreement* last May. The theme of the Conference was *Moving from Words to Action*, and brought together fishing nations to confirm our shared commitment to strong, sustainable fisheries into a concrete, measurable reality.

In the Declaration, fisheries Ministers committed to the review and strengthening of Regional Fisheries Management Organizations so that these organizations would be mandated to make decisions based on sound science; apply the precautionary approach to ensure fish stocks conservation. We need to ensure their rules are clear, understandable and consistent with international agreements. Vessel capacity should reflect catch limits to ensure compliant fishing behavior.

Canada is hopeful that these commitments will lead to progress this year at ICCAT. While ICCAT has made significant achievements in the fight against IUU fishing, Canada believes that ICCAT's ability to properly manage must be improved. We need to reconfirm our shared commitment to guarding fish stocks from the threat of IUU, and generate the political will to implement concrete, practical ways to rebuild and sustain these stocks over the long-term.

We have no doubt that all ICCAT members want to make a difference. By working together, we are confident we can strengthen ICCAT by using the many tools at our disposal, and finding ways to put these tools to work to build a brighter future for tuna and tuna-like species in the Atlantic and for the thousands of coastal communities who rely on these fish stocks for their very existence.

We look forward to productive discussions this week.

Croatia

We would like to reiterate our appreciation to the Executive Secretary for his continuous cooperation and the Government of the Kingdom of Spain and the City of Seville for hosting this meeting.

Although the Tentative Agenda for this year's Commission Meeting does not indicate thorough and difficult discussions, we are drawing closer to the time when stocks shall be re-assessed and new multi-year managing decisions will have to be taken. Thus, we believe that this year the preparatory discussions shall already commence, and the Commission is going to face some stormy seas.

Following all the communications and all the discussions in the past, particularly the intersessional activities, we would first of all like to thank Mr. Miyahara for his instructions, and would like to support his views and suggestions. This Commission has thus far reached important decisions, and has managed to work out the most difficult negotiations, but nevertheless we believe that there is still room for some improvements. The timely tabling of the proposals and focused discussions are, by all means, steps in the right direction. This is the track that we would strongly encourage and support.

The Republic of Croatia, as has been said many times, is one of the pioneers in tuna farming, and is strongly supporting responsible and sustainable development of this activity. The results of the Fukuoka meeting provide a good basis for this and, in particular, the document drafted by the ICCAT/GFCM Working Group. However, this document needs to be discussed, and further enhancement of farming as well as fattening activities needs to be considered.

Concerning the issues at hand, we have all recently closely followed the discussions on the matter of the stock delimitation line. This, of course, is an important issue, and we believe that responsible scientific advice should be the one that will make the difference. The scientific community needs to evaluate and assess the status of the stocks, just as much as it needs to provide the answer to the question on the mixing of stocks. The issues of spawning stock biomass may not be overlooked when considering the protection of the stocks. All these questions are time and resource-consuming, but we strongly believe that only with them answered can we truly move to the level of decisions. Provisional decisions on any of these issues, reached without strong support from the scientific community, may in the end prove to be not only wrong, but to some extent disastrous both for the stocks and for those living from this activity.

Regarding the implementation of the recommendations, we would like to use this opportunity to inform the Commission that the Republic of Croatia has implemented all relevant provisions, including the minimum landing size, and is enforcing the control measures to the maximum extent possible with the available institutional capacities and resources. Along this line, we have also initiated the VMS system, tracking the activities of tuna fishing vessels, and are currently working on further installations. The Republic of Croatia has also, following the recommendations adopted last year, initiated the monitoring program of tuna farms.

Tuna-related activities have developed significantly in the last years. Perhaps now is also the time to consider not only the issues of the biological and ecological significance, but those related to the market as well. It is our strong belief that only through a good regulation of the market can we truly control what goes on in the field. The fish can be caught by any one vessel in any one area, and this might be difficult to control, but it will in any case reach the market at some fixed point. The export and import data, verified by the countries, can indicate what is actually happening both in the sea as on the market. Just as well, market-related mechanisms can be the only ones truly effective when it comes to the issues of the IUU. Following the FAO resolution reached in February in Rome, all regional fisheries management organizations are called upon to discuss and take measures to prevent, deter and eliminate IUU fishing. This has in the past shown to be the most difficult issue, and the white and black lists have not had a true effect so far. Perhaps it is now time to consider what actual mechanisms can be employed to this end.

Another pending issue is the question of the relation of this Commission with other RFMO's covering the areas of the Atlantic and the Mediterranean. The Republic of Croatia is willing to support any option acceptable to the Commission, but feels that this issue should be resolved in order to prevent future overlapping and misunderstandings that could be caused by them.

Finally, allow me to once again to thank the Executive Secretary and to congratulate him for all the achievements and efforts he has put into successful functioning of the Commission, and to wish us all a fruitful meeting.

European Community

Firstly, on behalf of the European Community, I would like to extend a warm welcome to all participants to this year's ICCAT meeting here in Seville and, in particular, a special welcome to our new ICCAT members.

This ever-growing membership, now at 41 Contracting Parties, while reflecting the desire of parties to cooperate for the conservation and management of resources, poses its own challenges for the effective functioning of this organization.

The major challenge is ICCAT's capacity to achieve the objectives that it has set itself in managing and conserving the tuna stocks in the Atlantic Ocean. The continued expansion of ICCAT over recent years brings to the fore the issue of arriving at consensus on effective conservation policy. In our view, increased dialogue and consultation is essential to ensure that all Parties' legitimate interests are taken into consideration when decisions are being taken. Equally, however, whilst we must strive for that consensus, we cannot afford to progress at the pace of those members resistant to change and innovation and, in particular, the application of the most recent international law on fisheries.

Of particular importance for the EC is the management of bluefin tuna. As everybody knows, this stock, amongst others, will be "center stage" in ICCAT's deliberations at the 2006 annual meeting as we have to adopt a new multi-annual management program.

In 2002, ICCAT adopted a coherent and balanced package for the management of this stock. Some measures, such as those regulating the farming activities, have been subject to progressive improvements to take account of the reality of this activity.

However, and despite the panoply of measures adopted by ICCAT, significant management and conservation concerns still subsist. Over the last year there are worrying indications of developments and practices which undermine significantly the management objectives fixed by ICCAT for this stock. The organization should not hesitate to examine each case of non-compliance and apply the necessary measures to penalize those who are not respecting, be they Contracting or non-Contracting Parties.

The EC is confident that the deliberations in the ICCAT working group during 2006 will facilitate the identification of what should be the content of the new multi-annual management program for bluefin tuna. Parties should be conscious that an important factor for the success of these negotiations will be the input of the Scientific Committee. To this end, we should ensure that it disposes of all the data needed for a proper evaluation.

Furthermore, in regard to certain key stocks, ICCAT needs to give more consideration to market issues and ensure that conservation measures adopted by ICCAT for stocks, such as bluefin tuna and bigeye tuna, are not undermined by the level of imports into the final consuming markets. Of course, flag States have the primary responsibility to control their vessels, but importing States must also act in a responsible manner by monitoring their level of imports of such products and ensuring that agreed ICCAT quotas and catch levels are being respected. IUU fisheries are essentially market driven and this needs to be addressed in our discussions.

We agree with the priority issues identified by the Chair that need to be addressed in the days ahead. In particular, those relating to compliance issues and to monitoring, control and surveillance, notably the management of transshipment activities, need to be resolved.

Compliance is an issue of particular concern for the European Community. We have seen that the sacrifices by certain fleets for conservation objectives and the result of these actions have been damaged and undermined by the actions of other Contracting Parties' fleets. This activity is putting the credibility of the organization as a whole into question. ICCAT has to be seen to be standing up against this blatant disregard of the organization.

The momentum that was generated regarding the actions adopted to combat IUU fishing activities must be maintained. This is a continuing battle, as those involved in such activities are quick to adapt and find ways to evade corrective action.

A priority for the Community is the budgetary problem faced by ICCAT. There is a growing trend for Contracting Parties not to respect their financial obligations. This is putting the organization into serious operational difficulties. ICCAT shall have to consider additional measures to address this problem, including withdrawing rights from Parties if they continue this practice of non-payment, or late payment, of their obligatory contributions. The result of this non-payment effectively means that the others have unfairly to cover a greater share of the budget.

Finally, I would like to refer to the selection of the Chairperson of the Commission. The person who is elected will be the motor of the work of the Commission. Given the challenges that I have earlier pointed out for coming meetings, this will not be an easy task. It is one of the major decisions to be taken at this session, and it is one that must not be taken lightly. We need a high caliber person for this responsibility, a person who has the confidence of all members.

I would like to close by reiterating the Community's commitment to this organization, its desire for transparency, dialogue, and consultation with our partners in ICCAT. We look forward to a very busy week which, with the willingness and commitment of all around the table, should provide the results that we expect from this leading regional fisheries organization.

France (Saint Pierre & Miquelon)

In the name of France (on behalf of St. Pierre & Miquelon) I would like to thank Spain for hosting the 19th Regular Meeting of the International Commission for the Conservation of Atlantic Tunas. I would also like to express our satisfaction at the growth of this Commission which acquired new members this year, and to whom we extend a welcome.

France (on behalf of St. Pierre & Miquelon) shares the concerns of the countries here present concerning the protection of the tuna stocks in the Atlantic, which consists of fishing in a sustainable manner, particularly so that future generations as well as the populations dependent on fishing can develop greater respect of our environment and its resources.

In 1998, France (on behalf of St. Pierre & Miquelon) was allocated a fixed quota of 4 tons of West Atlantic bluefin tuna per year, of which the overages or underages have to be added to or deducted from the year following the year of the catch. Likewise, as concerns North Atlantic swordfish, France (on behalf of St. Pierre & Miquelon) has been allocated a fixed quota of 35 tons per year, for which the overages or underages must be added or deducted two years after the year of the catch.

If after these implementations, the reports of underages have resulted in an increase in the annual fishing possibilities, these initial quotas are insufficient for our archipelago whose population of 7,000 is dependent on fishing.

Thus, following the stock assessment scheduled for 2006 by ICCAT Recommendations [Rec. 04-05] and [Rec. 03-03], France (on behalf of Saint Pierre & Miquelon), will request a significant increase of the catch quotas of West Atlantic bluefin tuna and North Atlantic swordfish than that currently assigned to them in order to respond to the needs of the population of Saint Pierre & Miquelon.

We wish you every success at this meeting, and that following responsible and constructive discussions, together we can continue on the path to sustainable management of fisheries for which we all aim.

Japan

It is a great pleasure for Japan to be here in the beautiful city of Seville. On behalf of the Japanese delegation, I would like to extend our sincere appreciation to the Government of Spain and the European Community for hosting the 19th Regular meeting of ICCAT.

Taking this opportunity, I would like to raise the following issues in which Japan places high priority at this meeting.

ICCAT marked significant progress in taking conservation and management measures as well as combating IUU fishing. ICCAT also took actions as regard to compliance so as to ensure the effectiveness of the conservation and management measures. However, non-compliance by some CPCs is still a serious problem which threatens the sustainability of tuna resources not only in the Convention area but also in every ocean. Last year Japan provided information on laundering activities and excessive catches by Chinese Taipei fishermen. Chinese Taipei was identified and requested to rectify its fishing activities within one year. After last year's decision, Japan has been monitoring and examined the import records and other relevant information. To our regret, it again turned out that the situation has not been rectified and even became worse.

I would like to point out here that this Chinese Taipei problem is not a problem of one year. Over ten years, Japan strenuously worked to eliminate IUU fishing by tuna longline vessels. The Commission acknowledged our effort and extended assistance to this effort. The IUU vessel list and positive listing measures are good examples of the Commission's actions for this purpose. However, the Chinese Taipei fishing industry always found loopholes and backdoors of those measures and tenaciously continued in innovative and changing ways, their over-fishing, excessive fishing capacity building and involvement in IUU fishing. In our firm belief, Chinese Taipei fishermen are continuing laundering activities and depleting tuna and tuna-like resources by excessive and illegal exploitation. It is time to take decisive action on this long-standing problem. To wait and see is not an option this year.

I would like to refer to another compliance issue.

In 2006, the Commission will face critical decisions on new TAC and other conservation and management measures for some important species such as bluefin tuna and swordfish.

Japan considers it a good idea to start from this year a review process of the existing measures, putting particular emphasis on the following point. Catches of East Atlantic bluefin tuna for farming have been increasing and reached over two-thirds of TAC, the appropriate management and monitoring of farming are indispensable. The level of implementation of Recommendation 03-09 is extremely low. Even a total amount of fish for farming is not reported. As a result, a reliable total catch of East Atlantic bluefin tuna is unknown. Bluefin tuna farming is a sort of black box for East bluefin tuna management. The Commission should review compliance with Recommendations 03-09 and 04-06. Those farming facilities with non-compliance should be de-listed from the record of farming facilities.

The last point I would like to express is the effective regulation on transshipment. We presented our proposal after consultation with other concerned Parties and are open to any constructive suggestions. It is our sincere hope that the Commission agrees on transshipment control measures based upon our proposal this year.

Korea

On behalf of the Korean delegation it is a great honor and pleasure to be a part of the 19th Regular Meeting of the Commission in this historical and beautiful city of Seville.

We would like to convey our respect and gratitude to Mr. Driss Meski, Executive Secretary of ICCAT, and his staff for their hard work for this meeting. In addition, we would like to extend our thanks to the Government of the Kingdom of Spain and, in particular, the *Junta de Andalucía* for hosting the 19th ICCAT Meeting.

Korea, as a responsible fishing country, signed the ICCAT Convention in 1970 and initiated its fishing for tuna in the Atlantic Ocean in 1991. Korea has actively participated in any measures necessary for the stock conservation and would like to ask non-contracting parties to cooperate in the stock management measures and to become a member of the Commission.

ICCAT, with the long history among tuna-related international fisheries organizations, has set the standard for excellence in systematic management and framework, enabled the Commission to recommend and implement various schemes for stock conservation and management in the Convention area, resulting in serving as a model for other regional fisheries management organizations.

In this respect, we are sure that the task of consolidating the ICCAT management and conservation measures will provide useful tools for the Commission and will put us ahead of other international RFMOs. We would also like to express our appreciation to the Standing Committee on Research and Statistics for their dedicated activities to evaluate our common and valuable resources for our mutual goal of conserving the tuna and tuna-like species in the Atlantic Ocean.

We all know that we have discussed a variety of important issues in previous years at our annual Sessions, working group meetings and special meetings. During this session we should continue to discuss these troublesome and persistent issues along with other issues, such as, transshipments, under/over harvests, and the establishment of a Working Group on Fishing Capacity, for the conservation and management of tuna and tuna-like species in the ICCAT Convention areas. We should discuss these matters openly and bare our innermost thoughts so that we may discover each others' compliance capabilities for ensuring the effectiveness of ICCAT's conservation and management measures.

Finally, we express our appreciation to Mr. Miyahara for his extraordinary leadership at the ICCAT meetings and we would like to extend our thanks to the Panel Chairs for their efforts. We expect that this meeting will have fruitful results through full discussions.

Libya

The Libyan Delegation would like to thank the ICCAT Secretariat for its continuous hard work in the preparations and arrangements for the Commission meetings. The Libyan Delegation is very pleased to take part in this meeting while we regret that we were not able to attend in the meetings of the last few years due to some reasons beyond our control.

Fishing for tuna and tuna-like species has been an important activity in the Libyan fishery and forms a large component of the total pelagic catch. It is also an old Libyan tradition to catch this highly migratory species along the Libyan coast since the beginning of the last century and occupies an advanced place in the Libyan economy, where there were several canning factories and several means for catching tuna, such as trap nets. Nowadays, the Libyan fleet for catching tuna consists of nine longliners and 19 purse seine vessels.

As a Contracting Party of this Commission, Libya fulfills its obligation to ICCAT Recommendations, since historic catch data were provided and Libya is taking part in SCRS activities.

As concerns research, Libya continues to participate in research projects within the COPEMED program. Even after the completion of this program, the Marine Research Center is taking part in different areas of research concerning bluefin tuna, the objective of which is to study the fishing, ecology and biology of this valuable species and to compare the results with others from the region. In the meantime, several scientific papers on bluefin tuna have been published in the ICCAT *Collective Volume of Scientific Papers*. The ultimate aim is to improve our present knowledge in order to take the necessary measures to conserve large pelagic fish.

Although Libya did not take part in tagging experiments, it has recovered several tags which were transmitted to the ICCAT Secretariat.

As you know, Libya faced a long embargo, which affected our plans to improve our fishing activities from one time to another. Libya issues fishing permits to a limited number of vessels working under joint ventures, with the condition that they observe the ICCAT regulations. For example, part of those precautions was ensuring the presence of Libyan observers on board each vessel during the fishing season. However, during the last two years Libya, in its legislation, has granted fishing permits only to those vessels carrying a Libyan flag and we are doing our best to improve our fishing fleet to work within ICCAT measures. While doing so, our country faces some problems, such as the illegal, unregulated and unreported fisheries which is one of the most serious concerns facing Libyan authorities and one that undermines the conservation and management measures of the Libyan bluefin tuna fishery. Each year several IUU and other flag vessels are recorded in the Libyan jurisdictional waters, so that we strongly hope that the Commission will take the necessary measures to eliminate all IUU activities in the region. Due to this, Libya has recently announced a fishing protected zone up to 62 nm from its territorial waters.

The second problem we are facing is quota allocation. Considering that we were unable to attend the meetings as previously mentioned where quota has been allocated, we feel that such allocation is unjustifiable, inequitable, and unfair. Libya does not agree with any measure adopted in a discriminatory manner that jeopardizes acquired rights or that do not take into account our legitimate aspirations as a developing country towards improvements in the Libyan economy and social advancement by such allocation. In the light of the unfair adopted recommendation concerning a multi-year bluefin tuna quota allocation in the East Atlantic and Mediterranean, Libya found itself in a position to object to the allocated quota. In spite of this, Libya, as a Contracting Party, respected that allocated quota in the past few years, hoping that the Commission will consider justifiable and fair quotas in the future, taking into account the potential and the activity of Libya in the fishing bluefin tuna.

While doing so, Libya will do its best to remain in conformity with all ICCAT regulations as we have been doing, and we shall continue to contribute and collaborate with international organizations such as FAO, GFCM and ICCAT, towards the responsible and sustainable management of tuna fishing and for general fishing in the region.

We wish you a successful meeting this year and we thank the Secretariat again for its efforts. Finally, we would like to thank the Spanish authorities for hosting this meeting in this historical famous city.

Namibia

The Namibian delegation would like to express its sincere appreciation to the Government of the Kingdom of Spain and, in particular, the *Junta de Andalucía*, for hosting this august meeting in the beautiful city of Seville. We are grateful to the broad membership of ICCAT for the innovativeness and flexibility with which this Commission has crafted and implemented management measures in the direction of greater sustainable utilization of the species under its mandate.

As a developing coastal state, Namibia has devoted valuable scarce resources to the design and implementation of a national fisheries management regime. In no more than fifteen years of our existence as an independent nation state, Namibia has taken bold steps to manage her fisheries and discharge her flag state obligations in a responsible manner. Namibia's Monitoring, Control and Surveillance (MCS) system ranks among the most efficient in the world, conferring full control over all fishing activities and processing plants. The quota management of Namibia's share of marine resources under the purview of ICCAT is incorporated in our rights-based Individual Quota (IQ) management system, ensuring effective implementation of ICCAT management and conservation measures under our national laws. An autonomous Fisheries Observer program provides for complete observer coverage and, notwithstanding economic hardships, progress is made in achieving complete Vessel Monitoring System (VMS) coverage for all trawlers, longliners and Surface Bait boats under the national VMS regulatory regime. Namibia's National Plan of Action for the Management of Sharks is in its second year of implementation, the National Plan of Action for combating Illegal, Unreported and Unregulated Fishing (IUU) is its final stage of coming into force.

As a member of the ICCAT family, Namibia is convinced that we are all responsible enough to accommodate full implementation of the *ICCAT Criteria for the Allocation of Fishing Possibilities*. It is this common responsibility that propelled the ICCAT family to develop and implement sharing arrangements and corresponding conservation and management measures. Our view is that these sharing arrangements, these gentlemen's agreements, only constitute a transitional stage. The opportunity is now propitious for the broad membership of ICCAT to steamroll the implementation of the *ICCAT Criteria for the Allocation of Fishing Possibilities*.

Namibia believes that progress towards efficient allocation of fishing possibilities should be accompanied by concrete measures to address the issue of overcapacity in ICCAT fisheries. Measures to equilibrate capacity are important as the growing interests of developing states to have their fair share of the resources are recognized. It is in the common interest of all parties that productivity of the stocks and their economic performance are the most efficient.

Norway

It is a pleasure to express our sincere appreciation to the Government of Spain and the city of Seville for hosting the 19th Regular Meeting of ICCAT and for providing us with convenient facilities in this beautiful area of Andalusia.

Norway became a full member of ICCAT in March 2004. It had a central role in science and fishing of Atlantic bluefin tuna up until around 1970, providing detailed catch statistics starting in 1950 comprised of individual fish weight and total numbers caught by purse seine set in each fishing region around the Norwegian coast for the period. During the last decades very few adult Atlantic bluefin tuna have been migrating and feeding in the highly productive northern ecosystems such as the Norwegian Sea. Norway claims that this situation is indicative of the unhealthy state of the bluefin tuna population, represents long-term sign of considerable growth over-fishing, signaling that the bluefin tuna population is not managed in a sustainable way.

Norway aims to work actively within ICCAT for collecting credible catch data from the fishing fleet including fish transfer operations in order to perform reliable assessment and precautionary quota recommendations on the eastern Atlantic bluefin tuna stock. Norway strongly supports lower overall fishing quotas for the next assessment period and increased minimum landing size due to the current degree of over-exploitation.

Norway would like to see more efforts made by ICCAT members to combat the illegal over-fishing including illegal catches and landing of undersized fish, which not only contributes to over-fishing, but also makes formal stock assessments problematic. In addition, Norway would also request that members make every effort to record the levels of wild caught fish used for on-growing purposes so that they are reported in the official landing statistics. Norway would suggest ICCAT to consider the possibility to apply egg surveys on Atlantic

bluefin tuna as a possible mechanism to provide a future fishery independent assessment. Norway will work within ICCAT to let the bluefin tuna regain its historical heights in biomass, distribution area and migration patterns beneficial for all member states.

Sao Tomé & Príncipe

Sao Tomé & Príncipe would like to express its satisfaction at being able to participate in the 19th Regular Meeting of the Commission, and also congratulates the Secretariat of the Commission for the organizational work it has done for the ICCAT membership, as well as the Government of Spain and the authorities of Seville for their hospitality.

For Sao Tomé & Príncipe, and I am sure for all the members, fishing resources are of fundamental importance in reducing poverty and for the well being of the population.

My country is considered as having insignificant fishing since there are no industrial landings of fish at the ports. However, we know that we have great fishing potential. I am talking about a country in the Gulf of Guinea with more than 130,000 m² of maritime territory, where resources are being utilized by those that know we do not have the capacity to monitor our Exclusive Economic Zone and who therefore extract the resources at no cost. We are sure that through ICCAT we will analyze the possibilities of combating the inequalities and adopt measures in the distribution of quotas or scientific studies, taking into consideration that the resources of each country constitute national wealth and as such are a key component for the well being of the nation.

To improve the fishing sector, my government is developing programs aimed at strengthening the current management scheme and analyzing the data available to guarantee the vitality of the fishing sector. To achieve these objectives, it will be necessary to build our technical and analytical capacity with the assistance of everyone.

Turkey

As the Turkish delegation we are delighted to be here in this beautiful city, Seville. We would like to thank the Spanish Government for hosting the 19th Regular Meeting of the Commission.

Turkey, being fully aware of the importance of the sustainability of the living marine resources, has been cooperating with ICCAT since 1992 and has been sharing the necessary information with ICCAT. After becoming a member of ICCAT, Turkey has made strenuous efforts to fully comply with the ICCAT rules. Necessary steps have been taken to implement the ICCAT rules in our country as a result of the austere measures, such as reducing the quota to the level specified by ICCAT, though originally amounting to 4,900 tons and despite the insufficient and unfair amount of quota according to our view. For implementing the ICCAT rules, new legislation has been passed and implemented in order to provide for the sustainable development of bluefin tuna farms and to monitor and control bluefin tuna fishing which interests thousands of people, the socio-economic perspective being taken into consideration.

Furthermore, research in fields where deficiencies are detected has been initiated and the necessary contribution has been made to the research carried out on an international basis. Turkey attaches the utmost importance to the research for the determination of the structure of the bluefin tuna stocks and the aquaculture, and to the allocation of sufficient funds and development of a new management plan in the light of the data to be obtained from the above-mentioned research. In this scope, it is obvious that the dispatch of the necessary information by the related countries to the ICCAT is of great importance.

Turkey points to the necessity of revision of the minimum catch size and weight of bluefin tuna to be caught, being aware of the need of giving a chance to every bluefin tuna in nature to breed once, in order to provide for the sustainability of the living marine resources.

Moreover, we certainly believe in the necessity of underlining the importance of fair distribution of the total allowable catches to be determined by scientific methods among the Contracting Parties to ICCAT.

As the Turkish delegation, we hope that the outputs of this meeting will contribute to a better functioning of ICCAT and we would like to extend our gratitude to the Chairman for his leadership and the Secretariat for its support of the Commission's work.

United States

It is a pleasure to be in Seville, Spain. We would like to thank the Government of Spain for hosting the 19th Regular Meeting of ICCAT. Seville is historic and beautiful and we look forward to enjoying the city and its interesting Andalusian culture.

This year we have a busy meeting ahead of us, including the election of a new Commission Chairman. The United States would like to acknowledge the excellent progress the organization has made under the able leadership of our current Chairman, Mr. Masanori Miyahara. Mr. Miyahara's good efforts to improve the transparency and inclusiveness of the organization should be celebrated and continued.

We have expressed concern in the past about the effectiveness of decision-making when proposals are developed in small, informal meetings and circulated for the first time very late in the meeting. The burden this practice places on all delegations is particularly significant and can lessen the effectiveness of the process. We firmly believe that greater efforts should be made to circulate documents early and discuss them thoroughly in formal sessions. Such practices will inevitably lead to more inclusive and informed decision-making.

ICCAT needs to improve its capacity for science-based decision making. Poor data monitoring and reporting in a number of fisheries has been a fundamental problem for ICCAT for a very long time. Efforts made to date have not effectively addressed data gaps, particularly those inhibiting robust stock assessments. ICCAT needs a process to clearly identify and fill those gaps. We believe the issue of improving data should be ICCAT's top priority this year. It is of principal importance to ensure that ICCAT remains a science-based management organization. We acknowledge the first steps the Commission has made in reforming data collection with the data fund, and we support Chairman Miyahara's suggestion that this fund be included in the Commission's annual budget.

The United States is proud that one of our prominent fisheries scientists, Dr. Gerald Scott, has been elected as SCRS Chairman. We know he will serve the Committee well. The SCRS has a tremendous workload over the next two years, and we are concerned about the impact it may have on the ability of the SCRS to maintain its high scientific standards to support management. The United States is interested in addressing stock-related issues this year. In particular, we would like to revisit the changes made in 2004 to the Gulf of Guinea time and area closure, and consider the outcomes of the SCRS review of the stock assessment for shortfin mako shark in 2005.

With regard to the management of Atlantic bluefin tuna, the United States believes that the Commission needs to continue its work on integrated management. The SCRS has provided a prioritized research proposal that supports the development of operational models. ICCAT should endorse this proposal and fund this research. Furthermore, we look forward to hearing reports from parties on their implementation of commitments made at the 2002 ICCAT meeting with regard to reductions of small fish and data improvement, as well as those relating to farming.

ICCAT needs to continue to be a leader in international fisheries governance. In that regard, the Commission should continue to take the full impacts of its fisheries on the marine ecosystem into consideration by continuing to develop approaches that minimize by-catch. The United States agrees with statements of other Parties that ICCAT needs to take a serious look at its monitoring, control, and surveillance (MCS) measures, particularly transshipments. We also think the use of observers in ICCAT fisheries needs full consideration. Observers are a valuable means for monitoring fisheries and improving data. In addition, we would like to see the discussion of implementing observer programs continue this year.

The United States also recognizes and supports measures to improve the functioning of the Commission, including the development of a new compendium of management measures and mail voting procedures. We would like to see a continuation of the effort by the Commission Chairman and the support of all Parties involved in improving the ICCAT process.

We look forward to working with you all on these and other matters at this year's meeting.

Uruguay

On behalf of the delegation of Uruguay, I would like to express our appreciation to the city of Seville and to the Government of Spain for hosting the 19th Regular Meeting of the International Commission for the Conservation

of Atlantic Tuna. We would also like to thank the Secretariat staff for the preparation and organization of the meeting.

During this year Uruguay has made a great economic effort in canceling a large part of the debt it had with the Commission. It has participated actively in the SCRS meeting and is present here today for the first time with a delegation comprised of various participants from the national fishing sector. This effort shows Uruguay's commitment to this Commission.

The new administration that has started in our country is exerting its greatest efforts to apply the Code of Conduct for Responsible Fishing and to collaborate with all the organizations of management and conservation of fishing resources. In this sense, Uruguay has initiated the process of developing plans of action for the conservation of sea birds and sharks.

As a coastal State of the Atlantic Ocean which has an impoverished economy, Uruguay claims a fairer distribution of the resources under the mandate of the Convention of this organization. These straddling and highly migratory resources spend part of their life cycle in the jurisdictional waters of many coastal States.

It is essential to improve the scope of participation of the different working groups of the Commission, generating plural attendance, where poorer countries are represented, since their economies depend in large part on these resources.

Uruguay is confident that this 19th Regular Meeting of the Commission will strengthen the functioning and the commitment of this organization, and that of the Contracting Parties, with the conservation and an equitable distribution of the resources.

3.3 OPENING STATEMENTS BY COOPERATING NON-CONTRACTING PARTIES, ENTITIES OR FISHING ENTITIES

Chinese Taipei

First of all, on behalf of my delegation, I would like to extend my appreciation to the government of Spain for hosting this 19th Regular Meeting of ICCAT in this beautiful city of Seville and for its warm hospitality. With a heavy agenda in front of us, we still hope we have chance to see other parts of Seville other than the hotel. My appreciation also goes to the Secretariat for arranging the logistics of the meeting.

Last year the ICCAT Commission meeting requested Chinese Taipei to improve its fisheries management. During the year, the fisheries authority of Chinese Taipei has done its utmost to rectify the deficiency of its fisheries management, MCS, and reduction of vessels commensurate with fishing quota of bigeye tuna. A PowerPoint presentation has been prepared to allow members of ICCAT to have an in-depth understanding of what efforts Chinese Taipei has made in the year to improve its fisheries management.

During the year, the authority of Chinese Taipei, in particular, decision-making officials in the government, have been facing a tremendous challenge, and have made all efforts to convince high-level administration to squeeze budget to undertake a vessel reduction program to 120 large-scale tuna longline fishing vessels in 2005-2006, and to enhance measures on the management of fisheries. Facing the difficulty of shortage of manpower, recruitment of military service substitutes was even applied. The authority of Chinese Taipei dare not say it has done a perfect job, as time is needed for the implementation and experiences should be accumulated on some of the measures, thus proving to be effective.

As a democratic and open society, formulation of policies will always encounter political pressures from different sectors. The determination and will expressed by the fisheries authority in facing huge pressure from the industry can well demonstrate the understanding and good will of our government in dealing with the matter. Some of the major measures taken can be considered as a forefront in the world:

- In order to cut any linkage between the legitimate licensed longline fishing vessels and the IUU fishing vessels such that the statistical document issued to the legitimate licensed vessels would not be used by the IUU vessels, to those ocean areas under the competence of IOTC and WCPFC, which have not yet adopted quota allocation, Chinese Taipei has made a self-restraint on the fishing activities of its fleet by applying individual quota to fishing vessels;

- To prevent expansion of global fishing capacity, before adoption of such measures by RFMOs, regulations have been promulgated to prohibit exportation of fishing vessels unless replacement of scrapped or lost vessels as declared by the importing countries or at the approval of the relevant RFMOs;
- In order to combat IUU fishing vessels, only those vessels on the positive list of RFMOs are permitted to enter into the ports of Chinese Taipei.

It is noteworthy that the measures pushed by the fisheries authority of Chinese Taipei are facing huge political pressures from various sectors, including acute criticisms from the shipbuilding industry. Yet the Fisheries Agency has stuck firmly to its decision. This demonstrates the good faith of the government of Chinese Taipei, and it is hoped that these efforts will have the support and recognition by the international community. In addition, such positive attitude from the international community will provide the government of Chinese Taipei a firmer position to resist the criticism from the shipbuilders.

The development of the high seas fisheries of Chinese Taipei has a long history. It was only after the adoption of the UN Fish Stocks Agreement in 1995 that the international community had gradually provided room for accommodating Chinese Taipei as a partner in the conservation and management of high seas fisheries. The special consideration of the international community in our situation should be cherished, and the Fisheries Agency is willing to exert its greatest efforts in managing the fisheries resources to ensure their sustainability.

Rome was not built in a day. Likewise, a package of stable and proper fisheries management measures cannot be done in one day. Under the encouragement from members of the international community, Chinese Taipei has strived to make improvement. We know we have to do more, and thus our government has decided in further reduction of 40 large-scale tuna longline fishing vessels, making a total reduction of 160 vessels.

Some members insisted that Chinese Taipei should be sanctioned on its continued non-compliance with the conservation measures adopted by the Commission. I am not expecting all members to speak kind words for us, but I hope that we are treated fairly. In the past, only those non-members that have not responded to ICCAT's letter of warning were sanctioned. The Commission may continue sending us a warning letter, giving us deadline for rectification, yet sanctioning is much too harsh and unfair.

As a prestigious fisheries organization like ICCAT, the Commission has always been treating controversial matters fairly and we hope the Commission can also be fair in our case.

Finally I hope this regular meeting of the Commission will be fruitful.

3.4 OPENING STATEMENTS BY OBSERVERS FROM NON-GOVERNMENTAL ORGANIZATIONS

International Game Fish Association (IGFA)*

The International Game Fish Association (IGFA) was founded in 1939 and is a not-for-profit organization committed to the conservation of game fish and the promotion of responsible, ethical angling practices through science, education, rule making and record keeping. Originally housed in the American Museum of Natural History in New York City, IGFA has always had strong ties with fisheries research and management.

In the subsequent 66 years, IGFA has endeavored in its goal of promoting the sport of angling not only as recreation, but as a source of scientific data and economic prosperity. In addition to compiling decades of catch information from around the world, IGFA staff, trustees, and international representatives have participated in international cooperative research and management efforts. Presently, IGFA represents its membership and recreational anglers in general on numerous regional, national and international fisheries management panels, and also funds and participates in research relating to highly migratory species and their habitats.

When educating recreational anglers and representing their interests, it is of utmost importance to follow the activities of national and international fishery management organizations such as ICCAT. The species of fish under ICCAT's purview are also of great socio-economic importance to recreational anglers.

*Due to exceptional circumstances, the IGFA was unable to attend the Commission Meeting, as planned, but submitted this statement by mail.

IGFA has an International Committee of Representatives with individuals in almost 100 countries around the world, including nearly all ICCAT Contracting Party nations. These men and women have been chosen for their integrity, fishing knowledge and concern for sportsmanship and conservation. The International Committee's members report to IGFA on various issues affecting recreational fishing interests and serve as an informational conduit to their respective regions.

IGFA would like to draw the Commission's attention to the recreational/charter fishing requirements for a biomass well above MSY in order to sustain viable recreational fisheries. Specifically, marlin, sailfish and spearfish are very important recreational species, and their utilization by this sector will frequently represent a more sustainable long-term economic return for members within the ICCAT area of competence. Subsequently, IGFA and its members remain concerned with the poor condition of these stocks, particularly white and blue marlin. It is imperative that by-catch of these recreationally important species is reduced and by-catch that does occur is accurately reported in a timely manner.

In many of the international fisheries commissions, recreational and charter fishing have not previously been adequately recognized as a significant user group that provides valuable revenues to many nations, especially with long-term secure access to well managed fish resources. IGFA strongly believes that responsible recreational fishing and fishing tourism brings very significant economic benefits to many countries that should be recognized in forums such as those provided by ICCAT. Existing examples of the positive economic benefits in the Commission's area of competence include Cape Verde, Guatemala, Mexico, Panama and the United States, just to name a few. To that end, IGFA recommends to all the Contracting Party nations of ICCAT to examine their recreational fisheries or prospective recreational fisheries, as a means to build a sustainable tourism economy within their jurisdiction. We hope that, as an observer, IGFA will be able to accurately represent recreational anglers, and contribute to the commission so that our fisheries resources are managed in a sustainable manner for all users.

Medisamak

Medisamak is the Association of professional organizations of the fishing sector of Mediterranean coastal countries. It was created on May 7, 2004 in Tunisia with the financial support of the European Union within the framework of the plan of action for the Mediterranean.

Today Medisamak represents the professional organizations of the fishing sector of 14 coastal countries (Albania, Algeria, Croatia, Cyprus, Egypt, France, Greece, Italy, Libya, Malta, Morocco, Tunisia, Slovenia, and Spain). The Association deploys all the necessary efforts to assure dialogue with the countries that are not yet represented.

Included among the principal objectives of the Association are: the defense of the general and specific interests of the fishing professionals in the Mediterranean in a spirit of sustainable management of the resource, the harmonization of the conservation and management measures of the fishing resources in the Mediterranean and the promotion of relations among the member organizations in establishing among them the lines of cooperation and collaboration.

In addition, Medisamak constitutes an important platform for dialogue among the Mediterranean fishing professionals as regards consensus and research on matters related to fishing and the environment.

Medisamak enjoys permanent observer status in GFCM, and follows the work of the European institutions, ICCAT, the United Nations, FAO and all organizations actively involved in the management of fish in the Mediterranean, in respecting the specific needs of each country represented.

On the other hand, Medisamak has notably created a working group on bluefin tuna which has met three times since its creation at the end of 2004 and in a framework in which collaboration with the International Federation of Sport Fishing at Sea is assured. The proposals of Medisamak adopted during the last meeting of this working group on October 18 and 19, 2005 are available, as well as the statutes of the Association and a press release on the work of the Association.

3.5 CLOSING STATEMENTS TO THE PLENARY SESSIONS

Chinese Taipei concerning the adoption of Recommendation 05-02

First of all, I must extend my appreciation to those who spoke in the PWG to protect the due process of the Commission in taking such action against us. I regret that, despite our effort in improving our fisheries management and MCS and implementing a huge vessel scrapping program, the Commission has decided to impose a heavy catch limit reduction on our bigeye tuna fishery based on *prima facie* assumption presented. We have no alternative but to say we cannot accept the decision made by the Commission. However, I am sure our entire government will make its best effort to comply with provisions of the Annex to rectify the deficiency in our fisheries management.

Japan concerning the Adoption of Recommendation 05-02

First of all, Japan can go along with the proposal. Japan believes that the adoption of this recommendation regarding control of Chinese Taipei's Atlantic bigeye tuna fishery is a necessary step to maintain confidence of the Commission. But at the same time, Japan notes that this decision establishes a precedent and clearly adversely affects the Commission's future ability to take effective counter measures against IUU fishing.

This proposal is far less than what Japan wished to see. According to the proposal, we will have to wait another full year to ensure total rejection of the recurrence of IUU operations by Chinese Taipei. The proposal does allow Chinese Taipei to continue its bigeye fishery in the Convention area in 2006. This makes market States continue to confront risks of import of illegally caught bigeye.

Secondly, Japan has shown maximum flexibility to enable the Commission to retain its credibility. However, Japan's flexibility should not be seen as deviation from its fundamental position.

Japan will continue to be keen on how Chinese Taipei will fulfill its obligation set forth in the proposal. At the same time, Japan will spare no effort to fulfill its responsibility not to import illegally caught tuna and will do so in the most serious manner during 2006. Namely, Japan will make its utmost effort not to import tunas without a guarantee of 100% compliance with ICCAT conservation and management measures. Japan strongly hopes that Chinese Taipei will do its best to comply with all the conditions and demonstrate its determination to fight against IUU fishing in 2006, thereby contributing significantly to cooperation in the Commission. Japan is willing to continue to work with Chinese Taipei to this end.

Lastly, Japan wishes to point out that, during the course of the difficult work towards finalizing this proposal, we observed a very strange phenomenon. Certain delegations strongly accused IUU fishing by Chinese Taipei and the openness of the Japanese market and requested strongly and repeatedly that Japan close the market against IUU products and over-caught tunas. The same Parties opposed the Japanese proposal to take trade restrictive measures against Chinese Taipei and strongly supported to allow Chinese Taipei to continue fishing operations in the Convention area. Japan does not support the unilateral imposition of trade restrictive measures and therefore cannot accept unreasonable accusation from such a double standard.

If IUU fishing of Chinese Taipei origin continues in the future and if the Commission cannot take trade measures against other countries in the future on the basis of fairness and equity, the responsibility lies, not with Japan, but with those who opposed the trade measure and pushed hard to allow Chinese Taipei to continue its fishing operations in the Convention area.

Japan's view is that CPCs will not help in any form Chinese Taipei longline vessels, other than those indicated here, to continue to operate in the Convention area.

ANNEX 4 – REPORTS OF INTER-SESSIONAL MEETINGS

[ADOPTED, not included]

RECOMMENDATIONS ADOPTED BY ICCAT IN 2005

[Rec. 05-01]

RECOMMENDATION BY ICCAT ON YELLOWFIN TUNA

TAKING INTO ACCOUNT the concern expressed by the SCRS on the inapplicability of the minimum size for yellowfin due to the characteristics of this fishery,

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

The 1972 *Recommendation by ICCAT on a Yellowfin Size Limit* [Rec. 72-01] is repealed.

[05-02]

**RECOMMENDATION BY ICCAT REGARDING CONTROL OF
CHINESE TAIPEI'S ATLANTIC BIGEYE TUNA FISHERY**

RECOGNIZING the authority and responsibility of ICCAT to manage populations of tuna and tuna-like species in the Atlantic Ocean and adjacent seas, at the international level;

NOTING the need for all non-Contracting Parties, Entities or Fishing Entities fishing for such species in the Atlantic Ocean or its adjacent seas to cooperate with ICCAT's conservation and management measures;

EXPRESSING CONCERN with regard to the overfished status of bigeye tuna in the Atlantic Ocean;

RECALLING the adoption in 2003 of the *Resolution by ICCAT Concerning Trade Measures* [Res. 03-15];

CALLING ATTENTION to the 2004 decision by the Commission, based on data and associated information submitted by Contracting Parties, Cooperating non-Contracting Parties, Entities, or Fishing Entities, to identify Chinese Taipei pursuant to the *Resolution by ICCAT Concerning Trade Measures* [Res. 03-15] because of its excessive catches and laundering activities in bigeye tuna fisheries and that the Commission duly notified Chinese Taipei of the identification and requested that it rectify the situation;

CAREFULLY REVIEWING the information regarding efforts by the Commission to obtain the cooperation of Chinese Taipei since the 2004 meeting, including information that Chinese Taipei has taken insufficient action to rectify the situation and continues to operate in a manner that diminishes the effectiveness of ICCAT conservation and management measures by, *inter alia*, the continuation of excessive catch and laundering activities in bigeye fisheries, failing to control effectively the large-scale longline vessels registered to Chinese Taipei and continuous involvement of Chinese Taipei fishing vessels in illegal, unregulated and unreported (IUU) fishing;

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

1. By way of derogation from the provisions of paragraphs 4 a) and 5 of the *Recommendation by ICCAT on a Multi-Year Conservation and Management Program for Bigeye Tuna* [Rec. 04-01], the catch limit of Atlantic bigeye tuna for Chinese Taipei in 2006 shall be 4,600 t for the following fishing operations by Chinese Taipei's fishing vessels in the Convention area:
 - By-catch in the albacore fishery by 60 fishing vessels up to a maximum annual catch of 1,300 t of bigeye.
 - Targeted fishing campaign for bigeye tuna as provided in the paragraph 2 below.

No other fishing for bigeye tuna by Chinese Taipei's fishing vessels is authorized in 2006 in the Convention area. All fishing vessels of Chinese Taipei, other than the 60 vessels engaged in albacore fishing and the targeted fishing campaign for bigeye (in paragraph 2) shall be deleted from the ICCAT record of fishing vessels over 24 meters authorized to operate in the Convention area.
2. To ensure compliance with the ICCAT conservation and management measures, Chinese Taipei may allow no more than 15 fishing vessels under its registry to conduct a directed fishing campaign for bigeye tuna with a maximum catch of 3,300 t of Atlantic bigeye tuna in the Convention area. The list of these 15 vessels and their individual vessel quota of 220 t shall be notified to the Commission by December 20, 2005. The vessels shall be subject to the following monitoring and enforcement measures.
 - No at-sea transshipment is permitted for these 15 vessels and their catch must be transshipped or landed at two designated ports (Cape Town and Las Palmas).
 - The vessels shall visit one of these ports every three months, where they will be subject to mandatory port inspection by Chinese Taipei officers and port state officials. The inspection reports shall be transmitted to ICCAT at the latest one week after the inspection.
 - Daily catch reporting to Chinese Taipei authorities, by VMS or radio.
 - Chinese Taipei authorities will send a quarterly catch report to ICCAT.
 - Once the individual vessel quota of 220 t is exhausted, the vessel must return to its home port.
 - 100% compliance observer coverage will be ensured in the entire targeted fishing campaign.

In addition, Chinese Taipei shall comply with the conditions set out in the **Attachment** to this recommendation. Chinese Taipei shall report to the Commission the result of the targeted fishing campaign and monitoring and enforcement activities no later than one month before the 2006 Commission meeting.

3. By the 2006 Annual Meeting, Chinese Taipei shall demonstrate that it has complied with the conditions set out in this recommendation and the attachment. The Commission shall then evaluate Chinese Taipei's compliance with such conditions as well as any other applicable ICCAT conservation and management measures and consider any new information in this regard. In the event that this leads to a finding that Chinese Taipei has neither complied with these conditions nor otherwise rectified the situation, the Commission shall decide on the imposition of non-discriminatory trade-restrictive measures against Chinese Taipei pursuant to paragraph 7 of the Resolution 03-15.

***Attachment to the Recommendation by ICCAT Regarding Control of
Chinese Taipei's Atlantic Bigeye Tuna Fishery***

Vessel reductions:

Vessels greater than 24 meters: Chinese Taipei (CT) has already committed to scrapping 120 vessels from its fleet. CT shall increase that number by at least an additional 40, for a total of 160 vessels, to ensure that capacity is commensurate with fishing possibilities for ICCAT species in the Atlantic. This fleet reduction program shall be completed by December 31, 2006, and shall include effective measures to halt fishing activities by the vessels that are to be scrapped during the scrapping period, such as by calling vessels back and confining them to their home ports until scrapping is complete. CT shall promptly provide to ICCAT a report that includes:

- A description of the each vessel being scrapped (e.g., name, identification number, size, age, fishing and documentation history for the past 5 years, disposition of scrapped vessel and equipment).
- Proposed timing of these activities (including detailed description of any intermediate steps, which must include effective steps to remove vessels from the Atlantic bigeye fleet).
- Expected reduction in catch, by ocean area and stock, when the scrapping is completed.

Vessels between 20 and 24 meters: CT shall report to ICCAT by July 1, 2006, on the vessels fishing for tuna and other highly migratory species, by ocean, under its flag and foreign flags owned or controlled by CT businesses, including:

- An analysis of the number of vessels and their capacity.
- Comparison of fishing capacity to harvest possibilities (including by-catches) within each Regional Fisheries Management Organization's (RFMO's) area of jurisdiction.
- A fleet adjustment plan designed to reduce any overcapacity of these vessels, when considered together with its large-scale vessels.

Quarterly reports: Quarterly progress reports shall be submitted to ICCAT on the process of implementation of these programs.

Port inspection and sampling programs:

- CT's limited port sampling program must be promptly expanded to cover a statistically adequate percent (5-10%) of its catch.
- More importantly, CT shall institute a combined port inspection and sampling program to verify compliance by its fleet with quotas and other rules, as well as to sample catches, which includes, *inter alia*, periodic mandatory visits of its fishing vessels to designated ports.
- CT shall prohibit landing by its fleet in any port, including a foreign port, which does not have a CT port inspector.
- CT shall submit to ICCAT the specifics of this program by March 31, 2006 and thereafter submit quarterly reports.

Observer coverage:

- CT shall increase its observer program to cover at least 5% by effort for its Atlantic longline fleet.
- CT shall place observers on all of its transport vessels to monitor transshipment at sea and shall ensure that its fishing vessels only transship to vessels carrying CT observers or, in the case of foreign flagged transport vessels, third party observers.
- CT vessels shall not conduct at-sea transshipments to any fishing vessel unless observers are present on one of the vessels.

These steps shall be taken as soon as possible and reported to ICCAT by November 1, 2006.

VMS: To complement its implementation of VMS on its fishing vessels over 24 meters, CT shall:

- Extend the VMS requirement to all vessels 20 meters or greater in length.
- Place VMS on all of its transport vessels.
- Monitor the vessels with VMS consistent with ICCAT rules.

Efforts to control IUU fishing: CT shall control IUU fishing by vessels of any size that fish for ICCAT species in the Atlantic Ocean, by:

- Thoroughly investigating alleged 2003, 2004 and 2005 laundering activities by its flag vessels, taking appropriate enforcement actions, and submitting a complete report of the investigations and resulting actions to ICCAT by July 1, 2006.
- Identifying foreign flagged vessels owned or controlled by CT businesses and submitting to ICCAT by July 1, 2006, a comprehensive report on each such vessel, including a description of the nature of the economic and beneficial relations between such CT business interests and the vessel.
- Taking effective steps, including meaningful enforcement measures with respect to CT flag vessels and CT business interests that own foreign flag vessels, to eliminate IUU fishing activities through, at a minimum:
 - Cutting beneficial and financial relations with IUU operators.
 - Working with the respective flag countries, to the extent practicable, to improve monitoring and control of vessels and stopping foreign flagged vessels owned by CT business interests from exporting under the name of CT.

Quarterly reports shall be submitted to ICCAT on the progress made in implementing these and other steps to eliminate IUU fishing.

Data:

- CT shall take steps to ensure that its data are reported consistent with ICCAT rules.
- Moreover, CT must evaluate past reports submitted to ICCAT and correct them as necessary, including providing the basis for any corrections.

In undertaking these improvements, CT shall develop and submit to the Commission an implementation schedule, consistent with the above, by July 1, 2006. CT must report on the results of implementation of these items/issues to ICCAT in accordance with the above implementation schedule.

[05-04]

**RECOMMENDATION BY ICCAT TO AMEND THE RECOMMENDATION
ON BLUEFIN TUNA FARMING [Rec. 04-06]**

TAKING INTO ACCOUNT the increasing development of bluefin tuna farming activities, especially in the Mediterranean;

RECALLING the conclusions of the 6th Ad Hoc GFCM/ICCAT Joint Working Group Meeting on Stocks of Large Pelagic Fishes in the Mediterranean Sea relative to the effects of the bluefin tuna farming and on the solutions that could be studied to regulate this activity;

CONSIDERING the advice of the 2001 Standing Committee on Research and Statistics (SCRS) on effects of bluefin tuna farming in the Mediterranean on the collection of data and consequently on stock assessment procedures;

DESIRING to gradually implement effective management measures that permit the development of bluefin tuna farming in a responsible and sustainable manner in relation to the management of bluefin tuna;

NOTING the potential advantages of the use of underwater video monitoring in estimating the number of fish,

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

1. Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (hereafter referred to as CPCs) whose flag vessels fish or transfer quantities of bluefin tuna to cages for farming shall undertake the necessary measures:
 - a) to require that the captains of vessels (including tugs and towing vessels) carrying out transfer operations of bluefin tuna for caging maintain vessel logs and report the quantities transferred and the number of fish as well as the date, place of harvest and name of the vessel and of the company responsible for the caging. This detailed information shall be entered into a register which shall contain details of all the transshipments carried out during the fishing season. This register shall be kept onboard and be accessible at any time for control purposes.
 - b) to require the reporting of the total amount of the transfers of bluefin tuna for fattening and farming, carried out by their flag vessels, and include this information in the Task I data.
 - c) to set up and maintain a list of their flag vessels that fish for, provide or transport bluefin tuna for farming purposes (name of the vessel, flag, license number, gear type), i.e., fishing boat, transport vessel, vessels with pools, etc.
 - d) these tugs and towing vessels must also be equipped with an operational satellite tracking and monitoring system (VMS).
2. The CPCs under whose jurisdiction the farms for bluefin tuna are located in the Convention area shall adopt the necessary measures to:
 - a) ensure that a caging declaration is presented by the operator in accordance with the ICCAT format in the attached **Annex**, on each fishing or transport vessel that participated in the transfer of tuna to cages for fattening, including the quantities of bluefin tuna destined for farming. This declaration shall include information relative to the quantities (in t) of fish transferred to the cages, the number of fish, the date, the place, the location of the harvest, the name of the vessel, as well as its flag and license number;
 - b) ensure that the tuna farms and the national scientific institutes obtain data as specified in the following paragraph on the size composition of the fish caught as well as the date, time and area of catch and the fishing method used, in order to improve statistics for stock assessment purposes;

To this end, establish a sampling program for the estimation of the numbers-at-size of the bluefin tuna caught which requires notably that size sampling at cages must be done on one sample (= 100 specimens) for every 100 t of live fish, or on a 10% sample of the total number of the caged fish. Size samples will be collected during harvesting¹ at the farm, following the ICCAT methodology for reporting Task II. The sampling should be conducted during any harvesting, covering all cages. Data must be transmitted to ICCAT, by 31 July² for the sampling conducted the previous year.

- c) ensure the reporting of the quantities of bluefin tuna placed in cages and of estimates of the growth and mortality while in captivity and of the amounts sold (in t);
- d) set up and maintain a registry of the farming facilities under their jurisdiction;
- e) each CPC referred to in this paragraph shall nominate a single authority responsible for coordinating the collection and verification of information on caging activities and for reporting to and cooperating with the CPC whose flag vessels have fished the caged tuna.

This single authority shall submit, to the CPCs whose flag vessels have fished the caged tuna, a copy of each caging declaration referred to in paragraph 2a, within one week after the completion of the transfer operation of bluefin tuna into cages.

- 3. CPCs referred to in paragraphs 1 and 2 shall take the appropriate measures to verify the accuracy of the information received and shall cooperate to ensure that quantities caged are consistent with the reported catches (logbook) amount of each fishing vessel.
- 4. The CPCs that export farmed bluefin tuna products shall ensure that the description of these products includes "Farming" in the ICCAT Bluefin Tuna Statistical Document (BTSD) or the ICCAT Bluefin Tuna Re-exportation Certificate (refer to the 2003 *Recommendation by ICCAT Concerning the Amendment of the Forms of the ICCAT Bluefin/Bigeye/Swordfish Statistical Documents* [Rec. 03-19]).
- 5. The CPCs shall transmit, each year, to the Executive Secretary, prior to 31 August:
 - the list of flag vessels provided for in paragraph 1c),
 - the results of the program referred to in paragraph 2 b),
 - the quantities of bluefin tuna caged during the previous year,
 - the quantities marketed during the previous year.
- 6. The CPCs referred to in this recommendation as well as the Contracting Parties that import bluefin tuna shall cooperate, particularly through the exchange of information.
- 7. The Commission shall request non-Contracting Parties that farm bluefin tuna in the Convention area to cooperate in the implementation of this recommendation.
- 8. Based on the information referred to in paragraph 4 on the BTSD reports and the Task I data, the Commission shall review the effectiveness of these measures.
- 9. a) The Commission shall establish and maintain an ICCAT record of farming facilities authorized to operate for farming of bluefin tuna caught in the Convention area (hereafter referred to as FFBs). For the purposes of this recommendation, FFBs not entered into the record are deemed not to be authorized to operate for farming of bluefin tuna caught in the Convention area.
- b) Each CPC under whose jurisdiction FFBs are located shall submit electronically, where possible, to the ICCAT Executive Secretary by 31 August 2004 the list of its FFBs that are authorized to operate for farming of bluefin tuna. This list shall include the following information:
 - name of the FFB, register number,
 - names and addresses of owner (s) and operator (s),
 - location,
 - farming capacity (in t)

¹ For fish farmed more than one year, other additional sampling methods should be established.

² For 2006 (transmission of data relative to 2005), this date is advanced to 31 May.

- c) Each CPC shall notify the Executive Secretary, after the establishment of the ICCAT record of FFBs, of any addition to, any deletion from and/or any modification of the ICCAT record of FFBs at any time such changes occur.
- d) The ICCAT Executive Secretary shall maintain the ICCAT record of FFBs, and take any measure to ensure publicity of the record through electronic means, including placing it on the ICCAT website, in a manner consistent with confidentiality requirements noted by CPCs.
- e) The CPCs under whose jurisdiction FFBs are located shall take the necessary measures to ensure that their FFBs comply with the relevant ICCAT measures.
- f) To ensure the effectiveness of ICCAT conservation and management measures pertaining to bluefin tuna:
 - i) CPCs under whose jurisdiction FFBs are located shall validate Bluefin Tuna Statistical Documents only for the farms on the ICCAT record of FFBs,
 - ii) CPCs shall require farmed bluefin tuna, when imported into their territory, to be accompanied by statistical documents validated for FFBs on the ICCAT record of FFBs and,
 - iii) CPCs importing farmed bluefin tuna and the States that authorize the FFB shall cooperate to ensure that statistical documents are not forged or do not contain misinformation.
 - iv) The CPCs under whose jurisdiction FFBs are located shall exclude from the ICCAT record the FFBs that do not respect the sampling requirements mentioned in paragraph 2b).
- g) Each CPCs shall take the necessary measures, under their applicable legislation, to prohibit the imports and sale of bluefin tuna from farms not registered in the ICCAT record of farming facilities authorised to operate as well as those that do not respect the sampling requirements foreseen in paragraph 2b and/or do not participate in the sampling programme referred to in paragraph 2 b).
- 10. a) The Commission shall establish and maintain an ICCAT record of vessels that fish for, provide or transport bluefin for farming, i.e. fishing boats, transport vessels, vessels with pools, etc.

For the purpose of this recommendation the vessels not entered into the record are deemed not to be authorized to fish for, provide or transport bluefin tuna for farming.

- b) Each CPCs shall submit, electronically where possible, to the ICCAT Executive Secretary by 31 August 2006 the list of the vessels that are authorized to operate for farming of bluefin tuna. This list shall include the following information:
 - name of the vessel, register number
 - previous flag (if any)
 - previous name (if any)
 - previous details of deletion from other registers (if any)
 - international radio call sign (if any)
 - type of vessels, length and gross registered tonnage (GRT)
 - name and address of owner (s) and operator (s)
 - gear used
 - time period authorised for fishing and/or providing or transporting bluefin tuna for farming
- c) Each CPC shall promptly notify, after the establishment of the initial ICCAT record, the ICCAT Executive Secretary of any addition to, any deletion from and/or any modification of the ICCAT record and any time such changes occur.
- d) The ICCAT Executive Secretary shall maintain the ICCAT record and take any measure to ensure publicity of the record and through electronic means, including placing it on the ICCAT website in a manner consistent with confidentiality requirement noted by CPCs.

11. Each CPC shall take the necessary measures so that the FFBs do not receive tuna from vessels that are not included in the ICCAT record (fishing vessels, transport vessels, vessels with pools, etc.
12. The SCRS shall undertake trials to identify growth rates including weight gains during the fattening or caging period.
13. This recommendation replaces the 2004 *Recommendation by ICCAT on Bluefin Tuna Farming* [Rec. 04-06].

ICCAT DECLARATION ON CAGING FOR FATTENING

<i>Vessel name</i>	<i>Flag</i>	<i>Registration number</i>	<i>Date of catch</i>	<i>Place of catch</i>	<i>Date of caging</i>	<i>Quantity placed in cage (kg)</i>	<i>Number of fish placed in cage for fattening</i>	<i>Fattening facility*</i>

* Facility authorized to operate for fattening of bluefin tuna caught in the Convention area.

[05-05]

**RECOMMENDATION BY ICCAT TO AMEND RECOMMENDATION [REC. 04-10]
CONCERNING THE CONSERVATION OF SHARKS CAUGHT IN ASSOCIATION WITH
FISHERIES MANAGED BY ICCAT**

RECALLING that the SCRS concluded that measures to reduce fishing mortality are necessary to improve the status of the North Atlantic shortfin mako shark population;

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

In point 7 of the 2004 *Recommendation by ICCAT Concerning the Conservation of Sharks Caught in Association with Fisheries Managed by ICCAT* [Rec. 04-10], a new paragraph is added:

“Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (CPCs) shall annually report on their implementation of this Recommendation. CPCs that have not yet implemented this recommendation to reduce North Atlantic shortfin mako shark (*Isurus oxyrinchus*) mortality, shall implement it and report to the Commission.”

[05-06]

**RECOMMENDATION BY ICCAT ESTABLISHING A PROGRAMME
FOR TRANSHIPMENT BY LARGE-SCALE LONGLINE FISHING VESSELS**

TAKING ACCOUNT of the need to combat illegal, unregulated and unreported (IUU) fishing activities because they undermine the effectiveness of the conservation and management measures already adopted by ICCAT;

EXPRESSING GRAVE CONCERN that organized tuna laundering operations have been conducted and a significant amount of catches by IUU fishing vessels have been transshipped under the names of duly licensed fishing vessels;

IN VIEW THEREFORE OF THE NEED to ensure the monitoring of the transshipment activities by large-scale longline vessels in the Convention area, including the control of their landings;

TAKING ACCOUNT of the need to collect catch data of such large scale long-line tuna to improve the scientific assessments of those stocks;

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

INTRODUCTION

1. The Commission establish a program of transshipment which applies initially to large-scale tuna longline fishing vessels (hereafter referred to as the “LSTLVs”) and to carrier vessels authorized to receive transshipment from these vessels.

The Commission shall at its 2008 annual meeting, review and, as appropriate, revise this Recommendation.

2. The flag Contracting Party, Cooperating non-Contracting Party, Entity or Fishing Entity (hereafter referred to as CPCs) of LSTLVs shall determine whether or not to authorize their LSTLVs which fish for tuna and tuna-like species to transship at sea. However, the flag CPC may authorize the at-sea transshipment by its flag LSTLVs on the condition that such transshipment is conducted in accordance with the procedures defined in Sections A, B and D below.
3. Transshipments by LSTLVs in waters under the jurisdiction of CPCs are subject to prior authorization from the coastal State concerned.

A. RECORD OF VESSELS AUTHORISED TO RECEIVE TRANSHIPMENT IN THE ICCAT AREA

4. The Commission shall establish and maintain an ICCAT Record of Carrier Vessels authorized to receive tuna and tuna-like species in the Convention area from LSTLVs. For the purposes of this Recommendation, carrier vessels not entered on the record are deemed not to be authorized to receive tuna and tuna-like species in transshipment operations.
5. Each CPC shall submit, electronically where possible, to the ICCAT Executive Secretary by 1 July 2006 the list of the carrier vessels that are authorized to receive transshipments from its LSTLVs in the Convention area. This list shall include the following information:
 - The flag of the vessel
 - Name of vessel, register number
 - Previous name (if any)
 - Previous flag (if any)
 - Previous details of deletion from other registries (if any)
 - International radio call sign
 - Type of vessels, length, gross registered tonnage (GRT) and carrying capacity
 - Name and address of owner(s) and operator(s)
 - Time period authorized for transshipping

6. Each CPC shall promptly notify the ICCAT Executive Secretary, after the establishment of the initial ICCAT record, of any addition to, any deletion from and/or any modification of the ICCAT record, at any time such changes occur.
7. The ICCAT Executive Secretary shall maintain the ICCAT record and take measures to ensure publicity of the record and through electronic means, including placing it on the ICCAT website, in a manner consistent with confidentiality requirements notified by CPCs for their vessels.
8. Carrier vessels authorized for at-sea transshipment shall be required to install and operate a VMS in accordance with the 2003 *Recommendation by ICCAT Concerning Minimum Standards for the Establishment of a Vessel Monitoring System in the ICCAT Convention Area* [Rec. 03-14].

B. AT-SEA TRANSHIPMENT

CPCs shall take the necessary measures to ensure that LSTLVs flying their flag comply with the following:

9. Transshipment operations at sea may only be undertaken in accordance with the procedures detailed below.

Flag State authorization

10. LSTLVs are not authorized to transship at sea, unless they have obtained prior authorization from their flag State.

Notification obligations

11. *Fishing vessel:*

To receive the prior authorization mentioned in paragraph 10 above, the master and/or owner of the LSTLV must notify the following information to its flag State authorities at least 24 hours in advance of the intended transshipment:

- the name of the LSTLV and its number in the ICCAT record of fishing vessels,
- the name of the carrier vessel and its number in the ICCAT record of carrier vessels authorized to receive transshipments in the ICCAT area, and the product to be transshipped,
- the tonnage by product to be transshipped,
- the date and location of transshipment,
- the geographic location of the tuna catches

The LSTLV concerned shall complete and transmit to its flag State, not later than 15 days after the transshipment, the ICCAT transshipment declaration, along with its number in the ICCAT record of fishing vessels, in accordance with the format set out in **Annex 1**.

12. *Receiving carrier vessel:*

The master of the receiving carrier vessel shall complete and transmit the ICCAT transshipment declaration to the ICCAT Secretariat and the flag CPC of the LSTLV, along with its number in the ICCAT record of carrier vessels authorized to receive transshipment in the ICCAT area, within 24 hours of the completion of the transshipment.

13. The master of the receiving carrier vessel shall, 48 hours before landing, transmit an ICCAT transshipment declaration, along with its number in the ICCAT record of vessels authorized to receive transshipment in the ICCAT area, to the competent authorities of the State where the landing takes place.

14. *Regional Observer Program*

Each CPC shall ensure that all carrier vessels transshipping at sea have on board an ICCAT observer, not later than 1 January 2007, in accordance with the ICCAT regional observer program in **Annex 2**. The ICCAT observer shall observe the respect of this Recommendation, and notably that the transshipped quantities are consistent with the reported catch in the ICCAT transshipment declaration.

15. Vessels shall be prohibited from commencing or continuing transshipping in the ICCAT area without an ICCAT regional observer on board, except in cases of 'force majeure' duly notified to the ICCAT Secretariat.

C. IN-PORT TRANSHIPMENTS

16. CPCs shall take the necessary measures to ensure that LSTLVs flying their flag comply with the obligations set out in **Annex 3**.

D. GENERAL PROVISIONS

17. To ensure the effectiveness of the ICCAT conservation and management measures pertaining to species covered by Statistical Document Programs:
 - a) In validating the Statistical Document, Flag CPCs of LSTLVs shall ensure that transshipments are consistent with the reported catch amount by each LSTLV.
 - b) The Flag CPC of LSTLVs shall validate the Statistical Documents for the transshipped fish, after confirming that the transshipment was conducted in accordance with this Recommendation. This confirmation shall be based on the information obtained through the ICCAT Observer Program.
 - c) CPCs shall require that the species covered by the Statistical Document Programs caught by LSTLVs in the Convention area, when imported into the territory of a Contracting Party, be accompanied by statistical documents validated for the vessels on the ICCAT record and a copy of the ICCAT transshipments declaration.
18. The CPCs shall report annually before 15 September to the Executive Secretary:
 - The quantities by species transshipped during the previous year.
 - The list of the LSTLVs registered in the ICCAT record of fishing vessels which have transshipped during the previous year.
 - A comprehensive report assessing the content and conclusions of the reports of the observers assigned to carrier vessels which have received transshipment from their LSTLVs.
19. All tuna and tuna-like species landed or imported into the CPCs either unprocessed or after having been processed on board and which are transshipped, shall be accompanied by the ICCAT transshipment declaration until the first sale has taken place.
20. Each year, the Executive Secretary of ICCAT shall present a report on the implementation of this Recommendation to the annual meeting of the Commission which shall review compliance with this Recommendation.

ICCAT REGIONAL OBSERVER PROGRAMME

1. Each CPC shall require carrier vessels included in the ICCAT record of vessels authorized to receive transshipments in the ICCAT area and which transship at sea, to carry an ICCAT observer during each transshipment operation in the Convention area.
2. The Secretariat of the Commission shall appoint the observers and shall place them on board the carrier vessels authorized to receive transshipments in the ICCAT area from LSTLVs flying the flag of Contracting Parties and of non-Contracting Cooperating Parties, Entities or Fishing Entities that implement the ICCAT observer program.

Designation of the observers

3. The designated observers shall have the following qualifications to accomplish their tasks:
 - sufficient experience to identify species and fishing gear;
 - satisfactory knowledge of the ICCAT conservation and management measures;
 - the ability to observe and record accurately;
 - a satisfactory knowledge of the language of the flag of the vessel observed.

Obligations of the observer

4. Observers shall:
 - a) have completed the technical training required by the guidelines established by ICCAT;
 - b) be nationals of one of the CPCs and, to the extent possible, not of the flag State of the receiving carrier vessel;
 - c) be capable of performing the duties set forth in point 5 below;
 - d) be included in the list of observers maintained by the Secretariat of the Commission;
 - e) not be a crew member of an LSTLV or an employee of an LSTLV company.
5. The observer tasks shall be in particular to:
 - a) monitor the carrier vessel's compliance with the relevant conservation and management measures adopted by the Commission. In particular the observers shall:
 - i) record and report upon the transshipment activities carried out;
 - ii) verify the position of the vessel when engaged in transshipping;
 - iii) observe and estimate products transshipped;
 - iv) verify and record the name of the LSTLV concerned and its ICCAT number;
 - v) verify the data contained in the transshipment declaration;
 - vi) certify the data contained in the transshipment declaration;
 - vii) countersign the transshipment declaration;
 - b) issue a daily report of the carrier vessel's transshipping activities;
 - c) establish general reports compiling the information collected in accordance with this paragraph and provide the captain the opportunity to include therein any relevant information.
 - d) submit to the Secretariat the aforementioned general report within 20 days from the end of the period of observation.
 - e) exercise any other functions as defined by the Commission.
6. Observers shall treat as confidential all information with respect to the fishing operations of the LSTLVs and of the LSTLVs owners and accept this requirement in writing as a condition of appointment as an observer;
7. Observers shall comply with requirements established in the laws and regulations of the flag State which exercises jurisdiction over the vessel to which the observer is assigned.

8. Observers shall respect the hierarchy and general rules of behavior which apply to all vessel personnel, provided such rules do not interfere with the duties of the observer under this program, and with the obligations of vessel personnel set forth in paragraph 9 of this program.

Obligations of the flag States of carrier vessels

9. The responsibilities regarding observers of the flag States of the carrier vessels and their captains shall include the following, notably:
 - a) Observers shall be allowed access to the vessel personnel and to the gear and equipment;
 - b) Upon request, observers shall also be allowed access to the following equipment, if present on the vessels to which they are assigned, in order to facilitate the carrying out of their duties set forth in paragraph 5:
 - i) satellite navigation equipment;
 - ii) radar display viewing screens when in use;
 - iii) electronic means of communication;
 - c) Observers shall be provided accommodations, including lodging, food and adequate sanitary facilities, equal to those of officers;
 - d) Observers shall be provided with adequate space on the bridge or pilot house for clerical work, as well as space on deck adequate for carrying out observer duties; and
 - e) The flag States shall ensure that captains, crew and vessel owners do not obstruct, intimidate, interfere with, influence, bribe or attempt to bribe an observer in the performance of his/her duties.

The Secretariat, in a manner consistent with any applicable confidentiality requirements, is requested to provide to the flag State of the carrier vessel under whose jurisdiction the vessel transshipped and to the Flag CPC of the LSTLV, copies of all raw data, summaries, and reports pertaining to the trip.

The Secretariat shall submit the observer reports to the Compliance Committee and to the SCRS.

Observer fees

- a) The costs of implementing this program shall be financed by the flag CPCs of LSTLVs wishing to engage in transshipment operations. The fee shall be calculated on the basis of the total costs of the program. This fee shall be paid into a special account of the ICCAT Secretariat and the ICCAT Secretariat shall manage the account for implementing the program;
- b) No observer shall be assigned to a vessel for which the fees, as required under subparagraph a), have not been paid.

Annex 3

IN-PORT TRANSHIPMENT BY LSTLVs

1. Transshipment operations in port may only be undertaken in accordance with paragraph 3 of the Introduction and the procedures detailed below:

Notification obligations

2. *Fishing vessel:*

- 2.1 Prior to transshipping, the captain of the LSTLV must notify the following information to the Port State authorities, at least 48 hours in advance:
 - the name of the LSTLV and its number in the ICCAT record of fishing vessels,
 - the name of the carrier vessel, its number in the ICCAT record of carrier vessels, and the product to be transshipped,
 - the tonnage by product to be transshipped,
 - the date and location of transshipment,
 - the geographic location of the tuna catches

2.2 The captain of a LSTLV shall, at the time of the transshipment, inform its Flag State of the following;

- The products and quantities involved
- the date and place of the transshipment
- the name, registration number and flag of the receiving carrier vessel and its number in the ICCAT record of vessels authorized to receive transshipment in the ICCAT area
- the geographic location of the tuna catches.

The captain of the LSTLV concerned shall complete and transmit to its flag State the ICCAT transshipment declaration, along with its number in the ICCAT record of fishing vessels, in accordance with the format set out in **Annex 1** not later than 15 days after the transshipment.

Receiving vessel:

3. Not later than 24 hours before the beginning and at the end of the transshipment, the master of the receiving carrier vessel shall inform the Port State authorities of the quantities of catches of tuna and tuna-like species transshipped to his vessel, and complete and transmit the ICCAT transshipment declaration, along with its number in the ICCAT record of carrier vessels to the competent authorities within 24 hours.

Landing State:

4. The master of the receiving carrier vessel shall, 48 hours before landing, complete and transmit an ICCAT transshipment declaration, along with its number in the ICCAT record of carrier vessels to the competent authorities of the landing State where the landing takes place.
5. The port State and the landing State referred to in the above paragraphs shall take the appropriate measures to verify the accuracy of the information received and shall cooperate with the flag CPC of the LSTLV to ensure that landings are consistent with the reported catches amount of each vessel. This verification shall be carried out so that the vessel suffers the minimum interference and inconvenience and that degradation of the fish is avoided.
6. Each flag CPC of the LSTLV shall include in its annual report each year to ICCAT the details on the transshipments by its vessels.

[05-09]

**RECOMMENDATION BY ICCAT ON COMPLIANCE WITH
STATISTICAL REPORTING OBLIGATIONS**

WHEREAS the reporting of basic catch and effort statistics is a fundamental obligation of Contracting Parties under Article IX, Rule 2 of the Convention and for Cooperating non-Contracting Parties, Entities and Fishing Entities under the terms of the 2003 *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* (Rec. 03-20);

NOTING that, despite the adoption of numerous measures intended to address the matter, lack of compliance with reporting obligations has been a persistent problem for the Commission over the entire history of its work;

FURTHER NOTING that SCRS has frequently identified incomplete, missing, or late data as a contributor to uncertainty in assessments for several stocks, a factor that limits its ability to formulate specific and science-based management advice;

RECOGNIZING the need to establish a clear process and procedures to identify data gaps, particularly those that limit the ability of SCRS to conduct robust stock assessments, and to find appropriate means to address those gaps;

RECALLING that the *ICCAT Criteria for the Allocation of Fishing Possibilities* (Reference Document 01-25) clearly links fishing access with the obligation to provide accurate data on fishing effort and catch;

COGNIZANT of the differing levels of development of ICCAT's membership and recalling the 2003 *Resolution by ICCAT on Improvements in Data Collection and Quality Assurance* (Res. 03-21);

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

1. The Secretariat shall prepare, as part of its annual report on statistics and research, a list of specific data elements that are lacking for each stock. Such listing shall indicate the missing data elements pertaining to catch, by-catch, effort, and/or size composition, by fleet, gear, and fishing area to the extent such fishing operations are presumed to have occurred based on secondary sources.
2. In view of the report of the Secretariat, SCRS shall provide:
 - a) an evaluation of the extent to which missing data have adversely affected the most recent assessment or update,
 - b) an appraisal of the effect on new stock assessments if the data remain unavailable or incomplete, and
 - c) the consequences of the data deficiencies with respect to the formulation of management advice.
3. Each Contracting Party and Cooperating non-Contracting Party, Entity, or Fishing Entity (CPC) shall provide an explanation regarding its reporting deficiencies including the reasons underlying the identified data gaps, capacity challenges and plans for corrective action. The Commission, through the Compliance Committee or Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG), as appropriate, shall evaluate the information provided by the Secretariat, SCRS and CPCs under this Recommendation.
4. Based on the information provided under Paragraphs 1-3, the Compliance Committee or PWG shall identify problematic data deficiencies and recommend appropriate actions by the respective CPC to address the problem. In making this determination, the Compliance Committee or PWG shall take into account:
 - a) any explanations and/or plans for corrective action,
 - b) the responsible CPC's record of late, incomplete, and/or missing data submissions,
 - c) the extent to which the responsible CPC has requested and/or received data collection assistance from the Food and Agriculture Organization, other CPCs, the Secretariat, including through the data fund established by the 2003 *Resolution by ICCAT on Improvements in Data Collection and Quality Assurance* (Res. 03-21), or others, and
 - d) the effect of the data deficiency(ies) on the Commission's ability to determine the status of the stock(s) and on the effectiveness of the ICCAT conservation and management measures.

RESOLUTIONS ADOPTED BY ICCAT IN 2005**[05-03]****RESOLUTION BY ICCAT TO AUTHORIZE CATCH LIMIT
ADJUSTMENTS IN THE BIGEYE TUNA FISHERY**

GIVEN that the 2001 *Recommendation by ICCAT Regarding the Temporary Adjustment of Quotas* Rec. 01-12 established that any temporary quota adjustment shall be done only under authorization of the Commission;

NOTING that Japan and China agreed to a transfer of fishing capacity of 10 large scale tuna longline vessels from Japan to China;

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

1. The 2,000 t transfer of bigeye tuna catch limit from Japan to China, to be applied each year in 2005, 2006, 2007 and 2008, be authorized.
2. Japan reduce the number of its fishing vessels larger than 24 meters length overall which will fish for bigeye tuna in the Convention area by 10 vessels from the average number of its fishing vessels actually having fished for bigeye tuna in the Convention area for the two years of 1991 and 1992.

[05-07]

**RESOLUTION BY ICCAT CONCERNING
THE CHANGE IN THE REGISTRY AND FLAGGING OF VESSELS**

RECALLING that ICCAT has adopted an extensive variety of conservation and management measures aimed at achieving the objective of the Convention of maximum sustainable catches of tunas and tuna-like species in the Convention area,

CONCERNED that, in spite of the adoption of these measures, large longliners that carry out illegal, unregulated and unreported fishing activities in the Convention area resort to constant changes in vessel names, registration and flags as new stratagems to undermine the effectiveness of the ICCAT conservation and management measures,

CONVINCED of the need to adopt new measures that result in halting the use of these practices to evade the ICCAT conservation and management measures,

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

1. As a prior condition for the registration or flagging of vessels, the Contracting and non-Contracting Parties should require the presentation of a Certificate of Deletion from the previous Registry or flag or any other proof of consent to the transfer of the ship, issued by the previous Contracting Party or non-Contracting Party State.
2. Prior to the registry of any fishing vessel, the CPC should investigate the history of compliance of the subject vessel in ICCAT and other regional management organizations, in order to determine if such vessel is on the negative lists and/or is currently registered in the sanctioned CPCs or non-Contracting Parties.

[05-08]

RESOLUTION BY ICCAT ON CIRCLE HOOKS

RECOGNIZING that ICCAT Parties should already be reporting data on incidentally caught sea turtles to the SCRS;

IN SUPPORT OF the 2004 Food and Agricultural Organization (FAO) Technical Consultation on Sea Turtles Conservation and Fisheries and the Guidelines to Reduce Sea Turtle Mortality in Fishing Operations, which were adopted by the Committee on Fisheries (COFI) in March 2005;

RECALLING that the 2003 *Resolution by ICCAT on Sea Turtles* [Res. 03-11] encourages “technical measures to reduce the incidental catch of turtles” and resolves to “support efforts by FAO to address the conservation and management of sea turtles, through a holistic approach”;

NOTING that recent international scientific studies on circle hooks show a statistically significant decrease in sea turtle by-catch when such hooks are used in pelagic longline fishing, but that studies and trials continue in different geographic areas;

FURTHER NOTING that scientific studies indicate that, with the use of circle hooks, the hooking location can lead to a decrease in post-release mortality of incidentally caught species;

CONSIDERING that the United Nations Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks calls on nations to take ecosystem considerations into account and that many countries, including Contracting Parties, are moving to incorporate ecosystem considerations into fisheries management; and

ALSO RECALLING that both blue marlin and white marlin are currently under a rebuilding plan and the use of circle hooks has been experimentally shown to significantly reduce their post-release mortality;

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

1. All Contracting Parties, Cooperating non-Contracting Parties, Entities, and Fishing Entities (CPCs) are encouraged to undertake research trials of appropriate-size circle hooks in commercial pelagic longline fisheries.
2. CPCs should also encourage research and trials on the use of circle hooks in recreational and artisanal fisheries.
3. CPCs are encouraged to exchange ideas regarding fishing methods and technological gear changes that improve the safe handling and release of incidentally caught species including, but not limited to, the use of de-hookers, line cutters, and scoop nets.
4. When feasible and appropriate, SCRS should present the Commission with an assessment of the impact of circle hooks on the dead discard levels in ICCAT pelagic longline fisheries.

[05-10]

RESOLUTION BY ICCAT TO STRENGTHEN ICCAT

RECALLING the provisions set out in the United Nations Convention on the Law of the Sea, the Food and Agriculture Organization (FAO) Code of Conduct for Responsible Fisheries, as well as the associated International Plans of Action;

TAKING INTO account the significant measures that ICCAT has already implemented to prevent, deter and eliminate illegal, unregulated and unreported (IUU) fishing;

WELCOMING the recent declarations at the FAO Ministerial Meeting on Illegal, Unreported and Unregulated (IUU) Fishing (March 2005), the St. John's Conference on High Seas Fisheries and the United Nations Fish Agreement (UNFSA) (May 2005), and the 2nd Asia-Pacific Economic Cooperation (APEC) Oceans-related Ministerial Meeting (September 2005);

RECALLING the meeting of tuna regional fisheries management organizations in January 2007, to be hosted by Japan, with a view to coordinating the global management of tuna and tuna like species;

ANXIOUS that ICCAT, a regional fisheries management organization (RFMO) of long standing, should as a matter of priority, address issues and concerns with a view to its strengthening;

CONSCIOUS that if these issues are to be addressed efficiently, their consideration should be channelled through existing mechanisms within ICCAT, where possible.

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

1. At the 2006 annual meeting, the Commission should review ICCAT's conservation and management program taking account of the provisions set out in relevant international fisheries instruments. Following the review, the Commission should, at the 2006 annual meeting, develop a workplan to address the strengthening of the organization.
2. To assist the Commission in this task, the Secretariat should compile, for circulation to members by August 1, 2006, a list of the provisions of the relevant international fisheries instruments and, where appropriate, indicate where ICCAT's conservation and management program addresses those provisions.

[05-11]

RESOLUTION BY ICCAT ON PELAGIC *SARGASSUM*

RECALLING that the Commission is responsible for the study of the populations of tuna and tuna-like fishes and that such study includes research on the abundance, biometry and ecology of the fishes, the oceanography of their environment, and the effects of natural and human factors upon their abundance;

RECOGNIZING that pelagic *Sargassum* supports a diverse assemblage of marine organisms, including over 140 species of fish, and that the fishes associated with pelagic *Sargassum* include tuna and tuna-like species at different life stages;

WHEREAS the greatest concentrations of pelagic *Sargassum* (*Sargassum natans* and *S. fluitans*) are found within the North Atlantic Central Gyre in the Sargasso Sea, providing nutrients and habitat for large pelagic fish traversing the otherwise nutrient-poor, energy-poor open ocean;

RECOGNIZING that certain stocks under ICCAT jurisdiction could be adversely impacted by a decline in the abundance of pelagic *Sargassum*, diminishing the Commission's ability to maintain the stocks at maximum sustainable levels;

RECALLING that the United Nations Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks calls for consideration of habitat and biodiversity in the marine environment, refers to the need to take ecosystem considerations into account, and that many countries, including Contracting Parties, are moving to incorporate ecosystem considerations into fisheries management;

FURTHER RECALLING that the Commission's Sub-Committee on the Environment, meeting October 6, 2005, recommended expanding its area of research to ecosystem matters;

CONFIRMING that the objective of including ecosystem considerations in fisheries management, including protection of fish habitat, is to contribute to long-term food security and to human development and to assure the effective conservation and sustainable use of the ecosystem and its resources;

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

1. Contracting Parties, Non-Contracting Parties, Entities and Fishing Entities, where appropriate, undertake to provide to the SCRS information and data on activities that impact pelagic *Sargassum* in the Convention area on the high seas, directly or indirectly, with particular emphasis in the Sargasso Sea.
2. The SCRS should examine available and accessible information and data on the status of pelagic *Sargassum* and its ecological importance to tuna and tuna-like species.

REPORT OF THE MEETING OF THE STANDING COMMITTEE ON FINANCE AND ADMINISTRATION (STACFAD)

1. Opening of the meeting

The 2005 Meeting of the Standing Committee on Finance and Administration (STACFAD) was opened on Tuesday, November 15, 2005, by the Committee Chairman, Mr. Jim Jones (Canada).

2. Adoption of the Agenda

The delegate of the United States asked the Chairman to include the mail voting process in item 8. With this inclusion, the Agenda was adopted (**Appendix 1 to ANNEX 7**).

3. Appointment of the Rapporteur

The ICCAT Secretariat was appointed Rapporteur.

4. 2005 Administrative Report

The 2005 Administrative Report (STF-043) was presented by the Chairman, who outlined its contents, i.e., the Commission and Secretariat administrative matters in 2005: Contracting Parties to the Convention, entry into force of the Madrid Protocol, adoption and entry into force of the Recommendations and Resolutions in 2005, ICCAT inter-sessional meetings and Working Groups, meetings at which ICCAT was represented, tagging lottery, Commission's Chairman's letters to various Parties, Entities or Fishing Entities (relative to compliance with the conservation measures, compliance with budgetary obligations, and the submission of a payment plan for past due contributions), list of publications and Secretariat documents, the organization and management of Secretariat staff, change in the auditing firm, proposals for amendment and updating of the *Staff Regulations and Rules*, and other matters.

After outlining the items of the Report, the Chairman also presented Addendums 1, 2 and 3 to the Report, regarding payment plans by Senegal, Ghana, Panama and the Republic of Guinea, respectively, which had been distributed and pointed out that they would be reviewed under item 6 of this Report.

Mr. Jones commented that this Report was more substantial than in previous years because it explained in detail each one of the activities carried out by the Secretariat in 2005, including a description of the internal organization and management following the restructuring carried out, as well as the responsibilities and functions of all the personnel (Appendix 1 to the report), a summary of the meetings at which ICCAT was represented (Appendix 2), and the *Guidelines and Criteria for Granting Observer Status at ICCAT Meetings* with proposed changes (Appendix 3).

The Chairman expressed gratitude to the Spanish Authorities for the generous offer of the new Secretariat headquarters in Madrid, and asked the delegate of the European Community to thank them on behalf of the Commission.

The Chairman pointed out other important matters in the Report, such as the funds received for data improvement activities from the United States and the data improvement project initiated by Japan in December 2004, the signing of the contract with Deloitte & Touch in 2005 to audit the accounts of the Commission, the proposed amendment of Articles 6.1 and 6.2 of the *Staff Regulations and Rules* to change these once the procedures are finalized to join the United Nations Joint Staff Pension Fund, and the deletion of a paragraph in Article 6.2 that no longer applies.

The delegate of the European Community appreciated the presentation of the Report, as well as the Secretariat's continuous efforts and proposed that, as has been done recently in other regional fishery bodies, a review of the

functioning of the Secretariat be carried out in order to improve the services provided and the level of response to the Commission's exigencies.

The Chairman asked the delegate to specify the type of review he was proposing to be carried out, and identified two possibilities, one of efficiency to make the most of the resources of the Commission and extract the maximum performance, and another, through a global perspective over the long-term, identifying ICCAT requests and needs, so that once these are known, the Secretariat is informed of them and work can then proceed.

The delegate of the United States proposed that this review be carried out from a global perspective on the scope and future of the organization.

The delegate of Senegal recommended a strategy review regarding the perspective of the Commission's mandate.

The Executive Secretary pointed out that the Secretariat had always carried out its work within the framework of the attributions assigned to it in the text of the Convention, and that all the staff were assigned tasks with clear descriptions of their jobs and indicated he was always willing to improve his management.

The delegate of Morocco pointed out that there already was a dynamic of organization in the Commission and that this should continue to obtain good results.

During the following sessions, the delegate of the European Community explained in detail that his proposal consisted of contracting a consultancy expert who would assess and review the functions of the Secretariat, as well as the resources it has available, to help improve the future activities of the Commission. He explained that the requests of the Commission had changed and as a result there has been an increase in work and in responsibilities. Because of this, he requested an analysis that would revise the structure of the Organization.

The delegate of the United States reiterated that the first thing to do was to restructure the Organization and afterwards revise the Secretariat.

The delegate of Canada proposed that first an analysis of the activities of the Commission be carried out in order to strengthen them and afterwards the functions entrusted to the Secretariat should be revised, to check that they are paired. She suggested postponing the European Community's proposal so as to follow this procedure. She also requested a study of the budgetary repercussion that the contracting of a management consultant would have.

The delegate of the European Community pointed out that his proposal was with a view towards the future and that it could be postponed since there was no consensus.

The Chairman indicated that during 2006 he would work with the Executive Secretary to prepare a proposal that would be presented at the next meeting of the Commission.

5. 2005 Financial Report

The Chairman presented the Financial Report (STF-044) that had been distributed in advance.

Mr. Jones indicated that a copy of the Auditor's Report had been transmitted to all the Contracting Parties in May 2005. He then cited each one of the Statements of this Report: Status of the Contracting Party contributions; breakdown by chapters of the budgetary and extra-budgetary expenses; budgetary and extra-budgetary income received; and composition and balance of the Working Capital Fund. He noted out that as of October 31, 2005, the balance in the Fund, estimated to the end of fiscal year 2005, was a negative €19,811.81 and pointed out that this negative Fund was due to the continuous problem of the delays in the payment of the contributions. Such was the problem that as of the close of the fiscal periods in recent years the Commission had only received an average of 75% of the contributions of that period (see **Appendix 2 to ANNEX 7**) (STF-109).

The delegate of the European Community pointed out the importance of complying with the budgetary obligations for the smooth functioning of the Commission. He also indicated that financial support for SCRS work and the increase in the Secretariat's activities would not be possible if the Contracting do not comply with these obligations.

The delegate of Equatorial Guinea informed that his country had already proceeded to the cancellation of its pending contribution.

At the second session, the Chairman presented an update of the Financial Report including the changes that had occurred from October 31 to November 17, 2005 (STF-044A).

6. Review of plans for the payment of arrears

The Chairman summarized the decision presented at the Commission Meeting held in New Orleans in 2004 concerning the application of Article X.8 of the ICCAT Convention to those Contracting Parties with accumulated arrears equal to or exceeding that due from it for the two preceding years, following the review of the payment plans of each of these Parties. He explained that the procedure followed to request the payment plans had been to send three letters: one in March, another in May and a final one in October 2005. He added that in Addendums 1, 2 and 3 of the Administrative Report the payment plans for Senegal, Ghana, Panama and the Republic of Guinea were presented. He further informed that the remainder of the Contracting Parties (Cape Verde, Gabon, Honduras and Sao Tome and Principe) had not notified any payment plan, although Sao Tome had made a payment in 2005, canceling part of its debt.

The delegate of the European Community asked the Contracting Parties concerned to include the installment periods and the amounts to be paid in their payment plans. He also pointed out that the Parties not only had to cancel the past due amounts but their total debt.

During the second session, the Chairman invited the Parties that had presented payment plans of their arrears to explain them, according to the Addendums distributed.

The delegate of Ghana explained that its payment plan consisted of canceling approximately US\$400,000 per year, starting in 2005, being up to date on payments in 2007. He also informed that in 2005 Ghana had already complied with the payment plans presented.

The delegate of Panama explained that they would cancel €24,090.13, with only the payments of the last two years remaining to be paid.

The Delegate of the Republic of Guinea explained that in three years they would liquidate their debt by paying about €20,000 in 2005, another €20,000 in 2006, and about €40,000 in 2007.

The delegate of Sao Tome and Principe explained that during 2005 they had started to transfer funds to ICCAT and that in 2006 they would continue this process and would submit a payment plan for the cancellation of their debt.

The delegate of the European Community asked that the payment plans distributed by the Secretariat as Addendums 1, 2 and 3 to the Administrative Report be accompanied by the firm commitments from each Party concerned, in order to consider the application of Article X.8 of the Convention.

At the third session, the official letters received by the Secretariat regarding payments of arrears were distributed as Addendum 4 to the Administrative Report.

The delegate of the European Community considered these notifications sufficient for their acceptance as payment plans and asked the delegate of Sao Tome and Principe to send its payment plan in 2006 so that it be reviewed at the next meeting of the Commission.

The Executive Secretary, in response to a question on the possibility that the notifications had not reached their destinations, listed the means by which the Secretariat sent correspondence of this type, such as electronic mail, registered mail, and faxes to Embassies, Ministries of Foreign Affairs and to Directors of Fisheries.

The delegate of Ghana confirmed that the means used by the Secretariat had been very useful in order to take the necessary actions for the cancellation of its pending debt.

The Chairman accepted this consideration and indicated that for Cape Verde, Gabon and Honduras, he was going to recommend that the Commission apply Article X.8 of the ICCAT Convention.

7. Budget and Contracting Party contributions for 2006-2007

The budget proposal and the Contracting Party contributions for fiscal years 2006 and 2006 were presented in the document entitled “Explanatory Note on the ICCAT Budget for 2006-2007” (STF-046). The Chairman explained that the proposal contained two options (A and B) and that the latter included the SCRS recommendations.

The Secretariat presented budgetary Option A and explained in detail the chapters that had increases as compared to the budget approved for 2005. It was pointed out that Chapters 1 and 8A (salaries) included the benefits of the Publications Coordinator and the future hiring of a Compliance Officer, whose salaries were not included in the 2005 budget. With regard to Chapter 6, Operating Expenses, it was pointed out that this Chapter would see a marked increase in 2006 and 2007, due to the new operating costs of the new headquarters (electricity, security, etc.), as would Chapter 9, Contingencies, in which it is expected to include the costs for the renovations and the adaptation of a meeting room for the Commission meetings.

The SCRS Chairman cited the recommendations of the Scientific Committee that had financial repercussions: the financing of the Bluefin Research Program, the annual financing of the Billfish Program, the hiring of a By-Catch Coordinator, the updating of GAO software, the invitation of experts as peer reviewers, the preparation of the Field Manual, and financing for the recovery of historical data.

The delegate of the European Community pointed out that since Contracting Parties requested more financial support for SCRS work, it was necessary to support these costs. In order to do so, the Parties should comply by paying their contributions. He indicated that his delegation could assume an increase of approximately 6% with respect to 2005.

The delegate of Morocco accepted the proposal in Option A.

The delegate of Brazil thanked the Secretariat for preparing the document on the “Group Classifications under the Madrid Protocol” (STF-110) that explained the new scheme to calculate the contributions in accordance with the Madrid Protocol. He pointed out that depending on the data referring to some variables, such as the Gross Domestic Product and the catch and canning, the Parties were included in the different Groups of the budget, for which no forecast of the contributions could be made.

The Chairman explained that the inclusion in the different Groups depended on variables, and requested the Commission to set the criteria to follow in order to carry out the calculations. The explanation of the Group Classifications under the Madrid Protocol is attached as **Appendix 3 to ANNEX 7**.

The delegate of Equatorial Guinea suggested using the proposed payment plans to attenuate the increase in the budget.

The delegate of Brazil proposed a revision of the proposed budget and indicated that Brazil could not agree to even an increase of 6%.

Since no consensus was reached, the Committee decided to refer the adoption of the budget to the Plenary Sessions.

The 2006-2007 budget, the basic information to calculate the Contracting Party contributions for 2006 and 2007, the individual Contracting Party contributions for 2006 and 2007, tables showing the contributions by group for 2006 and 2007, and the catch and canning figures of the Contracting Parties are attached as **Tables 1 to 7** to this Report.

8. Other matters

Due to time constraints, discussion of the mail voting procedure was postponed to next year’s meeting (see **ANNEX 11.3**).

9. Election of Chair

Mr. J. Jones (Canada) will continue his mandate for the next two years.

10. Adoption of the report and adjournment

The Chairman declared that the adoption of the STACFAD report would be done by correspondence.

Table 1. 2006-2007 Commission Budget (Euros) - OPTION A

<i>Chapters</i>	<i>2005</i>	<i>Increase Revised</i>	<i>2006</i>	<i>Increase Revised</i>	<i>2007</i>
1. Salaries	981,663.78	0.00%	981,663.78	0.00%	981,663.78
2. Travel	43,102.69	0.00%	43,102.69	0.00%	43,102.69
3. Commission meetings (annual & inter-sessional)	115,884.75	0.00%	115,884.75	0.00%	115,884.75
4. Publications	52,470.04	0.00%	52,470.04	0.00%	52,470.04
5. Office Equipment	8,047.55	0.00%	8,047.55	0.00%	8,047.55
6. Operating expenses	112,665.73	0.00%	112,665.73	0.00%	112,665.73
7. Miscellaneous	6,438.05	0.00%	6,438.05	0.00%	6,438.05
8. Coordination of research					
a) Salaries	555,762.73	0.00%	555,762.73	0.00%	555,762.73
b) Travel to improve statistics	36,471.51	0.00%	36,471.51	0.00%	36,471.51
c) Statistics-Biology	46,032.00	0.00%	46,032.00	0.00%	46,032.00
d) Computer-related items	25,750.00	0.00%	25,750.00	0.00%	25,750.00
e) Database maintenance	16,899.86	0.00%	16,899.86	0.00%	16,899.86
f) Phone line-Internet domain	10,300.00	0.00%	10,300.00	0.00%	10,300.00
g) Scientific meetings (including SCRS)	77,256.50	0.00%	77,256.50	0.00%	77,256.50
h) ICCAT Bluefin Year Program (BYP)	14,588.60	0.00%	14,588.60	0.00%	14,588.60
i) ICCAT Billfish Research Program	11,273.01	0.00%	11,273.01	0.00%	11,273.01
j) Miscellaneous	6,116.14	0.00%	6,116.14	0.00%	6,116.14
<i>Sub-total Chapter</i>	<i>800,450.35</i>	<i>0.00%</i>	<i>800,450.35</i>	<i>0.00%</i>	<i>800,450.35</i>
9. Contingencies	20,600.00	0.00%	20,600.00	0.00%	20,600.00
10. Separation from Service Fund	30,900.00	0.00%	30,900.00	0.00%	30,900.00
TOTAL BUDGET	2,172,222.94	0.00%	2,172,222.94	0.00%	2,172,222.94

Table 2. Basic information to calculate the Contracting Party contributions in 2006-2007 - OPTION A

Contracting Parties	Groups ^a	GNP ^b 2003	GNP ^b 1991	Catch ^c	Canning ^d	Catch + Canning	Panels ^e				Total Panels	Contracting Parties
							1	2	3	4		
Algérie	C	2,049	1,766	3,878	2,800	6,678	-	X	-	X	2	Algérie
Angola	D	725	625	336		336	X	-	-	X	2	Angola
Barbados	C	9,868	8,507	197		197	-	-	-	-	0	Barbados
Belize	C	3,364	2,900			0	X	-	-	X	2	Belize
Brazil	B	2,700	2,328	40,155	25,399	65,554	X	-	X	X	3	Brazil
Canada	A	27,097	23,359	2,438		2,438	X	X	-	X	3	Canada
Cap-Vert	D	1,766	1,522	2,848	35	2,883	X	-	-	-	1	Cap-Vert
China, People's Rep. of	C	1,100	948	8,027	0	8,027	X	X	-	X	3	China, People's Rep. of
Communauté Européenne	A	24,218	20,878	198,755	130,000	328,755	X	X	X	X	4	Communauté Européenne
Côte d'Ivoire	D	886	764	241	472	241	X	-	-	X	2	Côte d'Ivoire
Croatia	C	6,398	5,516	977		1,449	-	X	-	-	1	Croatia
France (St. P. & M.)	A	29,222	25,191	37		37	X	X	-	X	3	France (St. P. & M.)
Gabon	C	4,155	3,582	748		748	X	-	-	X	2	Gabon
Ghana	C	354	305	67,949	44,093	112,042	X	-	-	X	1	Ghana
Guatemala, Rep. de	D	1,963	1,692			0	X	-	-	-	1	Guatemala, Rep. de
Guinea Ecuatorial	C	5,915	5,099			0	X	-	-	X	2	Guinea Ecuatorial
Guinea, Rep. of	D	424	366			0	-	-	-	-	0	Guinea, Rep. of
Honduras	D	980	845			0	X	-	-	-	1	Honduras
Iceland	A	36,329	31,318	0	0	0	-	X	-	-	1	Iceland
Japan	A	33,819	29,154	25,626		25,626	X	X	X	X	4	Japan
Korea, Rep. of	C	11,059	9,534	97		97	X	X	-	X	3	Korea, Rep. of
Libya	C	3,640	3,138	670		670	X	X	-	-	2	Libya
Maroc	C	1,463	1,261	12,286	1,173	13,459	X	X	-	X	3	Maroc
Mexico	B	5,945	5,125	14,848	357	15,205	X	X	-	X	3	Mexico
Namibia	C	2,307	1,989	6,526		6,526	X	-	X	X	3	Namibia
Nicaragua, Rep. de	D	750	647			0	-	-	-	-	0	Nicaragua, Rep. de
Norway	A	48,880	42,138	1,282		1,282	-	X	-	-	1	Norway
Panama	C	3,400	2,931	1,427		1,427	X	X	-	-	2	Panama
Philippines, Rep. of	D	1,005	866	970		970	X	-	-	-	1	Philippines, Rep. of
Russia	C	3,026	2,609	2,283		2,283	X	-	-	-	1	Russia
São Tomé e Príncipe	D	361	311	52		52	X	-	-	-	1	São Tomé e Príncipe
Senegal	C	641	553	2,273	9,083	11,356	X	-	-	-	1	Senegal
South Africa	B	3,551	3,061	8,237		8,237	X	-	-	X	3	South Africa
Trinidad & Tobago	B	7,607	6,558	5,155		5,155	X	-	-	X	2	Trinidad & Tobago
Tunisie	B	2,561	2,208	6,674	2,045	8,719	-	X	-	X	2	Tunisie
Turkey	B	3,418	2,947	8,956	3,713	12,669	-	X	-	X	2	Turkey
United Kingdom (O.T.)	A	30,355	26,168	238		238	X	X	X	X	4	United Kingdom (O.T.)
United States	A	36,924	31,831	24,978	27,618	52,596	X	X	X	X	4	United States
Uruguay	C	3,274	2,822	1,761		1,761	-	-	-	-	1	Uruguay
Vanuatu	D	1,142	984			0	-	-	-	-	0	Vanuatu
Venezuela	B	2,994	2,581	16,667	2,184	18,851	X	-	-	X	2	Venezuela

^a Group A: Members with developed market economy, as defined by the United Nations Conference on Trade and Development (UNCTAD).

Group B: Members whose GNP per capita exceeds US\$ 2,000 and whose combined catches and canning of tuna exceeds 5,000 t.

Group C: Members whose GNP per capita exceeds US\$ 2,000 or whose combined catches and canning of tuna exceeds 5,000 t.

Group D: Members whose GNP per capita does not exceed US\$ 2,000, and whose combined catches and canning of tuna does not exceed 5,000 t.

^b GNP: Gross National Product per capita in US\$. Source: UNCTAD.

^c GNP with values adjusted to 1991 using a multiplier of 1.16 (Source: U.S. Federal Reserve Board's "Broad Index")

^d 2002 Catches (t).

^e Panel membership: Panel 1 = Tropical tunas; Panel 2 = Temperate tunas-South; and Panel 4 = Other species

Table 3. Contracting Party Contributions 2006 (Euros) - OPTION A

Exchange rate: 1 € = 1.170 US\$ (11/2005)

Contracting Party	Group ^a	Catch + Canning ^a	Panels ^a	% Catch + Canning ^b	% Member + Panels ^c	Membership fee ^d	Panel Membership ^e	Variable fees for Member ^f	Variables fees Catch-Canning ^g	Total fees ^h	Contracting Party
Algérie	C	6,678	2	4.01%	6.67%	855.00	1,710.00	6,868.46	8,253.52	17,686.98	Algérie
Angola	D	336	2	7.50%	15.79%	855.00	1,710.00	2,003.19	1,902.18	6,470.37	Angola
Barbados	C	197	0	0.12%	2.22%	855.00	0.00	2,289.49	243.48	3,387.96	Barbados
Belize	C	0	2	0.00%	6.67%	855.00	1,710.00	6,868.46	0.00	9,433.46	Belize
Brazil	B	65,554	3	48.78%	16.67%	855.00	2,565.00	24,202.60	141,669.23	169,291.83	Brazil
Canada	A	2,438	3	0.59%	12.50%	855.00	2,565.00	53,618.12	5,089.24	62,127.36	Canada
Cap-Vert	D	2,883	1	64.32%	10.53%	855.00	855.00	1,335.46	16,321.38	19,366.84	Cap-Vert
China, People's Rep. of	C	8,027	3	4.81%	8.89%	855.00	2,565.00	9,157.95	9,920.79	22,498.73	China, People's Rep. of
Communauté Européenne	A	328,755	4	79.99%	15.63%	855.00	3,420.00	67,022.65	686,264.76	757,562.41	Communauté Européenne
Côte d'Ivoire	D	241	2	5.38%	15.79%	855.00	1,710.00	2,003.19	1,364.36	5,932.55	Côte d'Ivoire
Croatia	C	1,449	1	0.87%	4.44%	855.00	855.00	4,578.97	1,790.86	8,079.83	Croatia
France (St. P. & M.)	A	37	3	0.01%	12.50%	855.00	2,565.00	53,618.12	77.24	57,115.36	France (St. P. & M.)
Gabon	C	748	2	0.45%	6.67%	855.00	1,710.00	6,868.46	924.47	10,357.93	Gabon
Ghana	C	112,042	1	67.20%	4.44%	855.00	855.00	4,578.97	138,475.75	144,764.73	Ghana
Guatemala, Rep. de	D	0	1	0.00%	10.53%	855.00	855.00	1,335.46	0.00	3,045.46	Guatemala, Rep. de
Guinea Ecuatorial	C	0	2	0.00%	6.67%	855.00	1,710.00	6,868.46	0.00	9,433.46	Guinea Ecuatorial
Guinea, Rep. of	D	0	0	0.00%	5.26%	855.00	0.00	667.73	0.00	1,522.73	Guinea, Rep. of
Honduras	D	0	1	0.00%	10.53%	855.00	855.00	1,335.46	0.00	3,045.46	Honduras
Iceland	A	0	1	0.00%	6.25%	855.00	855.00	26,809.06	0.00	28,519.06	Iceland
Japan	A	25,626	4	6.24%	15.63%	855.00	3,420.00	67,022.65	53,493.39	124,791.04	Japan
Korea, Rep. of	C	97	3	0.06%	8.89%	855.00	2,565.00	9,157.95	119.88	12,697.83	Korea, Rep. of
Libya	C	670	2	0.40%	6.67%	855.00	1,710.00	6,868.46	828.07	10,261.53	Libya
Maroc	C	13,459	3	8.07%	8.89%	855.00	2,565.00	9,157.95	16,634.34	29,212.29	Maroc
Mexico	B	15,205	3	11.31%	16.67%	855.00	2,565.00	24,202.60	32,859.64	60,482.24	Mexico
Namibia	C	6,526	3	3.91%	8.89%	855.00	2,565.00	9,157.95	8,065.66	20,643.61	Namibia
Nicaragua, Rep. de	D	0	0	0.00%	5.26%	855.00	0.00	667.73	0.00	1,522.73	Nicaragua, Rep. de
Norway	A	1,282	1	0.31%	6.25%	855.00	855.00	26,809.06	2,676.13	31,195.19	Norway
Panama	C	1,427	2	0.86%	6.67%	855.00	1,710.00	6,868.46	1,763.67	11,197.13	Panama
Philippines, Rep. of	D	970	1	21.64%	10.53%	855.00	855.00	1,335.46	5,491.41	8,536.87	Philippines, Rep. of
Russia	C	2,283	1	1.37%	4.44%	855.00	855.00	4,578.97	2,821.62	9,110.59	Russia
São Tomé e Príncipe	D	52	1	1.16%	10.53%	855.00	855.00	1,335.46	294.38	3,339.84	São Tomé e Príncipe
Senegal	C	11,356	1	6.81%	4.44%	855.00	855.00	4,578.97	14,035.19	20,324.16	Senegal
South Africa	B	8,237	3	6.13%	16.67%	855.00	2,565.00	24,202.60	17,801.04	45,423.64	South Africa
Trinidad & Tobago	B	5,155	2	3.84%	12.50%	855.00	1,710.00	18,151.95	11,140.51	31,857.46	Trinidad & Tobago
Tunisie	B	8,719	2	6.49%	12.50%	855.00	1,710.00	18,151.95	18,842.69	39,559.65	Tunisie
Turkey	B	12,669	2	9.43%	12.50%	855.00	1,710.00	18,151.95	27,379.07	48,096.02	Turkey
United Kingdom (O.T.)	A	238	4	0.06%	15.63%	855.00	3,420.00	67,022.65	496.82	71,794.47	United Kingdom (O.T.)
United States	A	52,596	4	12.80%	15.63%	855.00	3,420.00	67,022.65	109,792.34	181,089.99	United States
Uruguay	C	1,761	1	1.06%	4.44%	855.00	855.00	4,578.97	2,176.47	8,465.44	Uruguay
Vanuatu	D	0	0	0.00%	5.26%	855.00	0.00	667.73	0.00	1,522.73	Vanuatu
Venezuela	B	18,851	2	14.03%	12.50%	855.00	1,710.00	18,151.95	40,739.03	61,455.98	Venezuela

^a Table 1.

^b Percentage of catch and canning within the group in which the member is a part.

^c Percentage for Commission membership and Panel membership within the group in which the member is a part.

^d US\$ 1,000 annual contribution for Commission membership.

^e US\$ 1,000 annual contribution for each Panel membership in which the member belongs.

^f Variable fee in proportion to the percentage as a member of the Commission and Panels.

^g Variable fee in proportion to the percentage according to catch and canning.

^h Total contribution.

Table 4. Contributions by group 2006. Fees Expressed in Euros - OPTION A

Groups	Parties ^a	Panels ^b	Catch + Canning ^c	% of each Party ^d	% of the Budget ^e	Fees ^f	Panels fees ^g	Other fees ^h	Total fees ⁱ
A	8	24	410,972.00	---	60.50%	6,840.00	20,520.00	1,286,834.88	1,314,194.88
B	7	17	134,390.00	3.00%	21.00%	5,985.00	14,535.00	435,646.82	456,166.82
C	16	29	166,720.00	1.00%	16.00%	13,680.00	24,795.00	309,080.67	347,555.67
D	10	9	4,482.00	0.25%	2.50%	8,550.00	7,695.00	38,060.57	54,305.57
TOTAL	41	79	716,564.00		100.00%	35,055.00	67,545.00	2,069,622.94	2,172,222.94

^a Number of Contracting Parties per Group (Table 1).^b Number of Panels within each Group^c Total catch and canning, in t, of each Group.^d Percentage of the budget financed by each member of each Group according to the Madrid Protocol^e Percentage financed of the budget for each Group^f Commission membership fees within each Group^g Panel membership within each Group^h Other fees: 1/3 for Commission and Panel membership and 2/3 for clatch and canningⁱ Total fees per Group.

Table 5. Contracting Party Contributions 2007 (Euros) - OPTION A

Contracting Party	Group ^a	Catch + Canning ^a	Panels ^a	% Catch + Canning ^b	% Member + Panels ^c	Membership fee ^d	Panel Membership ^e	Exchange rate: 1 €=		Variables fees Catch-Canning ^g	Total fees ^h	Contracting Party
								1.170	US\$ (11/2005)			
Algérie	C	6,678	2	4.01%	6.67%	855.00	1,710.00	6,868.46	8,253.52	17,686.98		Algérie
Angola	D	336	2	7.50%	15.79%	855.00	1,710.00	2,003.19	1,902.18	6,470.37		Angola
Barbados	C	197	0	0.12%	2.22%	855.00	0.00	2,289.49	243.48	3,387.96		Barbados
Belize	C	0	2	0.00%	6.67%	855.00	1,710.00	6,868.46	0.00	9,433.46		Belize
Brazil	B	65,554	3	48.78%	16.67%	855.00	2,565.00	24,202.60	141,669.23	169,291.83		Brazil
Canada	A	2,438	3	0.59%	12.50%	855.00	2,565.00	53,618.12	5,089.24	62,127.36		Canada
Cap-Vert	D	2,883	1	64.32%	10.53%	855.00	855.00	1,335.46	16,321.38	19,366.84		Cap-Vert
China, People's Rep. of	A	8,027	3	4.81%	8.89%	855.00	2,565.00	9,157.95	9,920.79	22,498.73		China, People's Rep. of
Communauté Européenne	C	328,755	4	79.99%	15.63%	855.00	3,420.00	67,022.65	686,264.76	757,562.41		Communauté Européenne
Côte d'Ivoire	D	241	2	5.38%	15.79%	855.00	1,710.00	2,003.19	1,364.36	5,932.55		Côte d'Ivoire
Croatia	C	1,449	1	0.87%	4.44%	855.00	855.00	4,578.97	1,790.86	8,079.83		Croatia
France (St. P. & M.)	A	37	3	0.01%	12.50%	855.00	2,565.00	53,618.12	77.24	57,115.36		France (St. P. & M.)
Gabon	C	748	2	0.45%	6.67%	855.00	1,710.00	6,868.46	924.47	10,357.93		Gabon
Ghana	C	112,042	1	67.20%	4.44%	855.00	855.00	4,578.97	138,475.75	144,764.73		Ghana
Guatemala, Rep. de	D	0	1	0.00%	10.53%	855.00	855.00	1,335.46	0.00	3,045.46		Guatemala, Rep. de
Guinea Ecuatorial	C	0	2	0.00%	6.67%	855.00	1,710.00	6,868.46	0.00	9,433.46		Guinea Ecuatorial
Guinea, Rep. of	D	0	0	0.00%	5.26%	855.00	0.00	667.73	0.00	1,522.73		Guinea, Rep. of
Honduras	D	0	1	0.00%	10.53%	855.00	855.00	1,335.46	0.00	3,045.46		Honduras
Iceland	A	0	1	0.00%	6.25%	855.00	855.00	26,809.06	0.00	28,519.06		Iceland
Japan	C	25,626	4	6.24%	15.63%	855.00	3,420.00	67,022.65	53,493.39	124,791.04		Japan
Korea, Rep. of	A	97	3	0.06%	8.89%	855.00	2,565.00	9,157.95	119.88	12,697.83		Korea, Rep. of
Libya	C	670	2	0.40%	6.67%	855.00	1,710.00	6,868.46	828.07	10,261.53		Libya
Maroc	C	13,459	3	8.07%	8.89%	855.00	2,565.00	9,157.95	16,634.34	29,212.29		Maroc
Mexico	B	15,205	3	11.31%	16.67%	855.00	2,565.00	24,202.60	32,859.64	60,482.24		Mexico
Namibia	C	6,526	3	3.91%	8.89%	855.00	2,565.00	9,157.95	8,065.66	20,643.61		Namibia
Nicaragua, Rep. de	D	0	0	0.00%	5.26%	855.00	0.00	667.73	0.00	1,522.73		Nicaragua, Rep. de
Norway	A	1,282	1	0.31%	6.25%	855.00	855.00	26,809.06	2,676.13	31,195.19		Norway
Panama	C	1,427	2	0.86%	6.67%	855.00	1,710.00	6,868.46	1,763.67	11,197.13		Panama
Philippines, Rep. of	D	970	1	21.64%	10.53%	855.00	855.00	1,335.46	5,491.41	8,536.87		Philippines, Rep. of
Russia	C	2,283	1	1.37%	4.44%	855.00	855.00	4,578.97	2,821.62	9,110.59		Russia
São Tomé e Príncipe	D	52	1	1.16%	10.53%	855.00	855.00	1,335.46	294.38	3,339.84		São Tomé e Príncipe
Senegal	C	11,356	1	6.81%	4.44%	855.00	855.00	4,578.97	14,035.19	20,324.16		Senegal
South Africa	B	8,237	3	6.13%	16.67%	855.00	2,565.00	24,202.60	17,801.04	45,423.64		South Africa
Trinidad & Tobago	B	5,155	2	3.84%	12.50%	855.00	1,710.00	18,151.95	11,140.51	31,857.46		Trinidad & Tobago
Tunisie	B	8,719	2	6.49%	12.50%	855.00	1,710.00	18,151.95	18,842.69	39,559.65		Tunisie
Turkey	B	12,669	2	9.43%	12.50%	855.00	1,710.00	18,151.95	27,379.07	48,096.02		Turkey
United Kingdom (O.T.)	A	238	4	0.06%	15.63%	855.00	3,420.00	67,022.65	496.82	71,794.47		United Kingdom (O.T.)
United States	C	52,596	4	12.80%	15.63%	855.00	3,420.00	67,022.65	109,792.34	181,089.99		United States
Uruguay	A	1,761	1	1.06%	4.44%	855.00	855.00	4,578.97	2,176.47	8,465.44		Uruguay
Vanuatu	D	0	0	0.00%	5.26%	855.00	0.00	667.73	0.00	1,522.73		Vanuatu
Venezuela	B	18,851	2	14.03%	12.50%	855.00	1,710.00	18,151.95	40,739.03	61,455.98		Venezuela

^a Table 1.

^b Percentage of catch and canning within the group in which the member is a part.

^c Percentage for Commission membership and Panel membership within the group in which the member is a part.

^d US\$ 1,000 annual contribution for Commission membership.

^e US\$ 1,000 annual contribution for each Panel membership in which the member belongs.

^f Variable fee in proportion to the percentage as a member of the Commission and Panels.

^g Variable fee in proportion to the percentage according to catch and canning.

^h Total contribution.

Table 6. Contributions by group 2007. Fees expressed in Euros - OPTION A

<i>Groups</i>	<i>Parties^a</i>	<i>Panels^b</i>	<i>Catch + Canning^c</i>	<i>% of each Party^d</i>	<i>% of the Budget^e</i>	<i>Fees^f</i>	<i>Panels fees^g</i>	<i>Other fees^h</i>	<i>Total feesⁱ</i>
A	8	24	410,972.00	---	60.50%	6,840.00	20,520.00	1,286,834.88	1,314,194.88
B	7	17	134,390.00	3.00%	21.00%	5,985.00	14,535.00	435,646.82	456,166.82
C	16	29	166,720.00	1.00%	16.00%	13,680.00	24,795.00	309,080.67	347,555.67
D	10	9	4,482.00	0.25%	2.50%	8,550.00	7,695.00	38,060.57	54,305.57
TOTAL	41	79	716,564.00		100.00%	35,055.00	67,545.00	2,069,622.94	2,172,222.94

^a Number of Contracting Parties per Group (Table 1).^b Number of Panels within each Group.^c Total catch and canning, in t, of each Group.^d Percentage of the budget financed by each member of each Group according to the Madrid Protocol.^e Percentage financed of the budget for each Group.^f Commission membership fees within each Group.^g Panel membership within each Group.^h Other fees: 1/3 for Commission and Panel membership and 2/3 for catch and canning.ⁱ Total fees per Group.

Table 7. Catch and canning figures (in t) of the Contracting Parties

Parties	2002			2003			2004			Parties
	Catch	* Canning	Total	Catch	Canning	Total	Catch	Canning	Total	
Algérie	3,878	2,800	6,678	3,949	2,900	6,849			0	Algérie
Angola	336 t		336	48 t		48			0	Angola
Barbados	197 t		197	240 t		240			0	Barbados
Belize			0			0			0	Belize
Brazil	40,155	25,399	65,554	43,094	27,210	70,304		26,659	26,659	Brazil
Canada	2,438 t		2,438	2,246 t		2,246			0	Canada
Cap-Vert	2,848	35	2,883	3,240	33	3,273			0	Cap-Vert
China, People's Rep. of	8,027	0	8,027	10,048	0	10,048	1,220 p+	48	1,268	China, People's Rep. of
Communauté Européenne	198,755	130,000 co	328,755	218,000		218,000			0	Communauté Européenne
Côte d'Ivoire	241 t		241	276 t		276			0	Côte d'Ivoire
Croatia	977 t	472 co	1,449	1,139 t		1,139			0	Croatia
France - St. P. & M.	37 t		37	4 t		4			0	France - St. P. & M.
Gabon	748 t		748	234 t		234			0	Gabon
Ghana	67,949 t	44,093 co+	112,042	65,153 t		65,153			0	Ghana
Guatemala, Rep. de			0			0			0	Guatemala
Guinea Ecuatorial			0			0			0	Guinea Ecuatorial
Guinea, Rep. of			0			0			0	Guinea, Rep. of
Honduras			0			0			0	Honduras
Iceland	0	0	0	0	0	0	0	0	0	Iceland
Japan	25,626 t		25,626	29,188 t		29,188			0	Japan
Korea, Rep. of	97 t		97			0			0	Korea, Rep. of
Libya	670 t		670	666 t		666			0	Libya
Maroc	12,286	1,173	13,459	10,104	1,173	11,277	10,947	1,123 p	12,070	Maroc
Mexico	14,848	357	15,205	15,991 p		15,991			0	Mexico
Namibia	6,526 t		6,526	3,698 t		3,698			0	Namibia
Nicaragua, Rep. de			0			0			0	Nicaragua, Rep. de
Norway	1,282 t		1,282	0		0			0	Norway
Panama	1,427 t		1,427			0			0	Panama
Philippines, Rep. of	970		970	1,066		1,066	2,227		2,227	Philippines, Rep. of
Russia	2,283		2,283	652		652			0	Russia
São Tomé e Príncipe	52 t		52			0			0	São Tomé e Príncipe
Senegal	2,273	9,083	11,356	2,271	9,459	11,730			0	Senegal
South Africa	8,237		8,237	4,543		4,543	5,773		5,773	South Africa
Trinidad & Tobago	5,155		5,155	3,417		3,417			0	Trinidad & Tobago
Tunisie	6,674	2,045	8,719	3,581	3,365	6,946			0	Tunisie
Turkey	8,956	3,713	12,669	9,650	6,061	15,711	1,075	8,998	10,073	Turkey
United Kingdom (O. T.)	238 t		238	214 t		214			0	United Kingdom (O. T.)
United States	24,978	27,618	52,596	21,135	27,065	48,200			0	United States
Uruguay	1,761 t		1,761	43 t		43			0	Uruguay
Vanuatu			0			0			0	Vanuatu
Venezuela	16,667	2,184	18,851	12,402	1,818	14,220			0	Venezuela
TOTAL	467,592	248,972	716,564	466,292	79,084	545,376	21,242	36,828	58,070	TOTAL

p = Preliminary data.

p+ = Only partial data (quick estimates or selected gears, species, regions only).

co = Transfer of the information on data provided in 2003.

co+ = Carry over from 1999 canning estimate.

t = Obtained from the database, because there was no official communication.

* Data updated until 31 August 2005.

Appendix 1 to ANNEX 7**Agenda**

1. Opening of the meeting
2. Adoption of the Agenda
3. Appointment of the Rapporteur
4. 2005 Administrative Report
5. 2005 Financial Report
6. Review of plans for the payment of arrears
7. Budget and Contracting Party contributions for 2006-2007
8. Other matters
9. Election of Chair
10. Adoption of the report and adjournment

Appendix 2 to ANNEX 7**Percentage of Budget Received, 2002-2005**

<i>Budget</i>	<i>Contracting Party contributions</i>	<i>Contributions paid to the Budget</i>	<i>%</i>
2002	€615,001.56	€085,701.82	67.23%
2003	€679,601.62	€257,541.66	74.87%
2004	€937,860.99	€511,084.47	77.98%
2005	€172,222.94	€605,408.10	73.91%

Appendix 3 to ANNEX 7**Group Classifications under the Madrid Protocol**

This document was prepared by the Secretariat in response to requests from several Delegations for an explanation of how Contracting Parties contributions are calculated under the Madrid Protocol.

Regulation 4 of the Financial Regulations contains the Madrid Protocol for the provision of funds.

Group classifications are as follows:

- A: Developed market economies (according to UNCTAD).
- B: Parties with per capita GDP \$,000 **and** combined catch and canning \$,0 00 t (GDP is adjusted to 1991 dollar values using a weighted index published by the U.S. Federal Reserve Board).
- C: Parties with either GDP \$,000 **or** catch and canning \$,000 t.
- D: Other Parties.

After all Parties have been classified according to the above criteria, each Group is assigned a percentage of the total budget:

- D: 0.25% per member.
- C: 1% per member.
- B: 3% per member.
- A: Remainder

The next step, after a percentage of the overall budget has been assigned to each group, is to calculate the contribution of each member within a Group. This is done as explained in Regulation 4.1.b.ii, according to membership in Panels and according to the member's amounts of catch and canning.

In conclusion, a number of different variables affect the relative contributions of the Contracting Parties to the budget. These include:

- Each Party's catch, canning, Panel membership, degree of economic development, and GDP.
- The number of Parties that are classified into each of the four Groups.

REPORTS OF THE MEETINGS OF PANELS 1-4

REPORT OF THE MEETING OF PANEL 1

1. Opening of the meeting

Panel 1 was chaired by Dr. Djobo Anvra Jeanson, Counselor to the Minister of Animal Production and Fishing Resources of Côte d'Ivoire.

2. Adoption of Agenda

Japan supported the adoption of the Agenda (**attached as Appendix 1 to ANNEX 8**) and recalled that they distributed a draft proposal for a recommendation to authorize catch limits adjustment in the bigeye tuna fishery [PA1-072] that will be reviewed under "Other matters".

3. Appointment of Rapporteur

Ms. Estelle Loeuille (France-Saint-Pierre & Miquelon) was appointed Rapporteur for Panel 1.

4. Review of Panel membership

This year Panel 1 welcomes two new members: Belize and Equatorial Guinea, bringing its total membership to 30 Contracting Parties. Thus, Panel 1 is comprised of the following: Angola, Belize, Brazil, Canada, Cape Verde, China, Côte d'Ivoire, Equatorial Guinea, European Community, France (St. Pierre and Miquelon) Gabon, Ghana, Guatemala, Honduras, Japan, Korea, Libya, Mexico, Morocco, Namibia, Panama, Philippines, Russia, Sao Tome & Principe, Senegal, South Africa, Trinidad and Tobago, United Kingdom (Overseas Territories), United States of America, and Venezuela.

After an exchange of views on the payment of membership fees to Panel 1, the Executive Secretary, Mr. Driss Meski, recalled that the contribution of each Contracting Party is calculated for a total amount that is assessed taking Panel memberships into account. Thus, the total contributions include catches, canning and Panel membership.

5. Report of the Standing Committee on Research and Statistics (SCRS)

Dr. Joao Gil Pereira, Chairman of the SCRS, explained that this year's report does not mention an assessment on the stocks of tropical tunas but only includes an updating of data on yellowfin, bigeye and skipjack tuna. Dr. Pereira indicated that the report uses a new reporting format.

As regards yellowfin tuna, Dr. Pereira emphasized the importance of natural mortality. Since 2001, the catches in the Atlantic have continued to decrease, in harmony with the reduction of purse seine effort. Dr. Pereira indicated that the size limit should be coherent for all the species in a multi-species fishery. Thus, the minimum size limit should be eliminated for yellowfin tuna, as has already been done for bigeye tuna.

The SCRS report noted that for bigeye tuna there has been a general declining trend of catches for all gears. The decrease in longline catches is attributed mainly to the drop of Japanese catches and the estimated catches from IUU fishing.

As regards skipjack, this species has not been assessed since 1999. The increasing use of FADs (Fish Aggregating Devices) has altered the composition of the schools and their movement.

With regard to tropical tunas, the European Community pointed out the important problem of the lack of data on the longline fisheries. The European Community regretted that certain countries do not provide their data and urged them to remedy this situation.

5.1 Protection of juvenile tropical tunas

The SCRS reviewed the potential impact of the time-area closure established by Recommendation 04-01 on the reduction in mortality of juvenile tropical tunas and expressed its concern regarding the fact that Recommendation 04-01 does not take into account the SCRS assessment on the moratorium. The Committee requests the Commission to consider the scientific advice before making any decisions that might have an impact on the stocks. Some delegations pointed out that it is essential that Contracting Parties apply the measures concerning the submission of data. In its report, the Committee presented a study on the moratorium area. It is expected that the change in the time-area closure will result in an important increase of juvenile catches, since the catches are mainly carried out during the first quarter of the year. The Committee's general response was prepared during a workshop that took place in July 2005. For more details, the Contracting Parties are invited to refer to the conclusions of this workshop.

The United States stressed that the current closure is not very efficient, as it has been noted that catches of juvenile bigeye tunas represent 50% of total catches. As regards the impact of the seasonal closure, a more detailed study needs to be carried out. The United States proposed the drafting of a resolution. They consider that the SCRS study is still insufficient.

The European Community was surprised by the references in the Report (particularly section 16.1 regarding the responses to the Commission on the effectiveness of the time-area closure). The European Community hopes that the SCRS provides more precise proposals as concerns the solutions to be adopted. The EC requested the SCRS to go further in their analysis. For example, they can rely on what has already been done in other regional fishery bodies. The United States should take into account this consideration.

The Chairman of the Panel noted the need to adopt other measures to reduce the mortality of juveniles.

The European Community suggested a recommendation aimed at eliminating the minimum size of yellowfin tuna.

The Delegate of Ghana noted that this problem is already the basis of studies in his country, as there is some concern as regards the manner of applying all these measures by the vessels. Thus, a calendar should be proposed for the implementation of these recommendations.

Dr. Pereira responded to the United States that no new assessment is foreseen for next year for yellowfin tuna and he is waiting for instructions from the Commission.

5.2 Other matters

No other matters were discussed under this item.

6. Measures for the conservation of stocks and implementation of ICCAT Criteria for the Allocation of Fishing Possibilities

The Chairman indicated that the two recommendations received from the United States and the European Community will be successively reviewed.

The United States specified that their proposal for a draft recommendation for an area/season closure to protect juvenile bigeye and yellowfin tunas [PA1-058] is based on the SCRS report. Noting that the new time-area closure seems to be less effective than the previous one for the protection of juvenile bigeye and yellowfin tuna. The United States hoped that the SCRS continues its work and provides supplemental information on time-area closures aimed at decreasing the catches of juveniles of these species in an acceptable proportion. The SCRS should present fewer options regarding the large number of identified closures. The SCRS could expand its analysis to other species, in particular, skipjack tuna.

The European Community again requested the SCRS to propose alternative measures to decrease the mortality of tropical tunas. Numerous problems still exist: it is essential that Chinese Taipei and other Contracting Parties submit their data. As regards the European proposal for a yellowfin size limit [PA1-112], the European Community recalls that purse seiners do not differentiate between sizes. Thus, it is inconceivable to have regulations that the fisheries cannot implement. The European Community is currently carrying out trials on its fleets aimed at eliminating incidental catches of marine turtles and to avoid catching small bigeye tuna. As soon as the results are known they will be presented to the Commission. Primarily, this would imply adopting comprehensible measures regarding the gears and the fisheries. Therefore, work should continue in workshops, taking the European trials into account.

The Chairman called the Panel's attention to the recurring problem regarding the collection and transmission of data by some Contracting Parties.

At this stage of the discussions, Belize indicated that they hoped to have a maximum of 2,000 t of bigeye tuna.

The United States believed that the European proposal still required adjustments that should be based on scientific aspects. They do not oppose to the elimination of the yellowfin minimum size, but they expressed concern regarding this matter and requested the SCRS to conduct a supplemental study, since the stock of this species is not in a good state.

Canada supported the position of the United States that consists of requesting the SCRS to continue with its work concerning the American and European proposals.

Ghana supported the European proposal. They pointed out that the east Atlantic fishery does not have selective gears for bigeye and yellowfin tuna sizes.

The European Community understood the strategic reasons for which the United States hoped to maintain a minimum size limit. However, in practice, the implementation of this measure has never been carried out. The report regarding this matter is very clear. It would be reasonable to eliminate the size limit. The European Community invited the United States to reconsider its proposal and proposed to work together to find a suitable text for the identification of time-area closures for the targeted species.

The Chairman invited the parties to come together in order to agree on these texts.

The United States requested China to be more precise as they wish to know if catches are adjusted to the quotas for bigeye tuna.

China clarified that they are counting on limiting longliners to 113, whereas in the past, the total number of their vessels fishing tunas exceeded 500, including mainly small sized vessels.

Libya pointed out that its fleet was privatized and that restarted fishing. Thus, it hopes to have a quota for bigeye tuna.

China recalled that following a state of over-fishing for three years, the situation has been rectified and that currently there is very precise monitoring of the catches by vessels.

Sao Tomé and Príncipe envisages the chartering of vessels and would like to have a quota.

The European Community informed the parties which have requested a quota that, according to Recommendation 04-01], CPCs can fish up to 2,100 t of bigeye tuna and that there is no quota. The wishes of these parties can therefore be satisfied. Moreover, the European Community thanked the Chinese authorities for their explanations and their clarifications.

During the discussions, the United States asked that Panel 1 had closely examined the Report on the Working Group regarding Measures Aimed at reducing the mortality of juvenile tropical tunas and take due note of its advice and recommendations. Panel 1 requested the SCRS to continue with the work and to particular attention to finding alternative measures to decrease the mortality of the fish and in particular juveniles, taking into account the multi-species nature of the fishery. At the end of the discussion, the United States withdrew its proposal.

The European Community agreed with this approach that results in advancing in a more logical manner regarding this issue.

The Chairman concluded this item by inviting the SCRS to continue this work.

7. Research

Dr. Pereira reviewed the work plan included in the report and, in particular, Appendix 13 of the SCRS report that suggests to continue with the general review on fisheries as well as holding a working group next year to review different measures for the three tropical species.

8. Other matters

Regarding the document presented by Japan and China for the resolution to authorize catch limits adjustment in the bigeye tuna fishery [PA1-072], the Japanese delegate indicated that this proposal is the result of very complicated bilateral discussions between the two countries. Japan asked the Chinese government to avoid increasing fishing activity, in particular for bigeye tuna, a species that is already over-exploited. After numerous negotiations, China has accepted to limit the number of its large longliners to 113 and has committed to prohibit the construction of new vessels. As for Japan, they have accepted to transfer their fishing capacity of 10 longliners to China. The Japanese fleet decreased from 240 to 230 vessels. Japan is also ready to transfer 2,000 t of its bigeye tuna catch limit to China. Japan expressed its gratitude to for its collaboration and hoped that in the future it would continue its efforts not to increase its fishing capacity.

The United States expressed concern regarding this transfer that presents several problems, as this situation of overfishing already exists in China. Besides, the proposal foresees a transfer of 2,000 t that would add to this overfishing carried out in China. The presence of observers is necessary. This proposal must be discussed in greater depth, in particular regarding control measures.

The Chairman asked the Contracting Parties to come together in order to achieve an agreement.

In the third meeting of Panel 1, China responded to the concerns of the United States specifying that the 10 vessels transferred have a fishing license and that China is ready to respect the catch limits fixed by the Commission and to concentrate their efforts in eliminating overfishing of their fleet. In 2004, the level of Chinese vessels was fixed at 45.

Canada asked China for some clarification regarding large longliners that fish bigeye tuna. Canada inquired about the way China guarantees its monitoring measures when catches are about 200 t per vessel for 45 vessels, which amounts to 9,000 t.

China clarified that only 30 vessels fish in the area and that monitoring measures already exist to guarantee the limit of 2,000 t.

The United States noted that in subtracting 2000 t from 9,000 t, there are still 7,000 t. However, China has 37 vessels and the U.S. delegate asked how this number corresponds to the quotas.

China pointed out that the monitoring of 35 vessels is assured.

The United States thanked China for the clarifications, but like Canada, expressed continued concern and considered that retroactive transfers are not the best solution. Real guarantees are necessary so as not to exceed the limits.

Canada expressed present satisfaction for China's explanations and commitments.

The European Community expressed its recognition to the Contracting Parties that have voiced their concerns. The EC noted China's transparency in responding to the questions of the Commission. The European Commission believes that a recommendation would be more appropriate than a resolution. However, if the majority of Contracting Parties are in agreement, it would not object to the proposal.

Japan requested that, if possible, the resolution be adopted as is.

In conclusion, the Chairman declared the resolution adopted.

9. Election of the Chairman

The European Community proposed Côte d'Ivoire, represented by Dr. Djobo to chair Panel 1.

Japan and Senegal supported the proposal of the European Community.

After having appreciated the honorable gesture made towards Côte d'Ivoire, Dr. Djobo accepted the chairmanship.

10. Adoption of the Report and adjournment

The Report of Panel 1 was adopted by correspondence.

REPORT OF THE MEETING OF PANEL 2

1. Opening of the meeting

The meeting was opened by the Chairman of Panel 2, Mr. François Gauthiez (EC-France). No opening statements were made.

2. Adoption of Agenda

The Agenda was adopted without change (see **Appendix 1 to ANNEX 8**).

3. Appointment of Rapporteur

Ms. Kelly Denit (United States) was appointed Rapporteur.

4. Review of Panel membership

At the start of the meeting, Panel 2 comprised 18 Contracting Parties: Algeria, Canada, China, Croatia, European Community, France (St. Pierre and Miquelon), Iceland, Japan, Korea, Libya, Morocco, Norway, Mexico, Panama, Tunisia, Turkey, United Kingdom (Overseas Territories), and the United States.

The International Confederation of Sport Fly Fishing (CIPS) and the World Wildlife Fund (WWF), who attended the Panel as observers, presented statements, which are attached as **Appendices 2 and 3 to ANNEX 8**. (PA2-053 and PA2-082)

5. Report of the Standing Committee on Research and Statistics (SCRS)

Dr. Joao Gil Pereira, SCRS Chairman, presented the relevant portions of the SCRS Report, including responses to the Commission's requests.

Following the report, the Chairman of Panel 2 opened the floor. Norway intervened and discussed the need to protect the eastern bluefin tuna stock. The statement by Norway is attached as **Appendix 4 to ANNEX 8** (PA2-098).

The United States pointed out that as part of the agreement on eastern Atlantic total allowable catch (TAC) from 2002, the European Community (EC) would submit a plan (PA2-061) to reduce the take of juvenile bluefin tuna. They expressed concern over the lack of specific information in the plan that was submitted, particularly with regard to the catch in the purse seine industry that is not being transferred to bluefin fattening farms.

6. Report of the 3rd Meeting of the Working Group to Develop Integrated and Coordinated Atlantic Bluefin Tuna Management Strategies

The Chair of the 3rd Meeting of the Working Group, Mr. Julien Turenne (EC-France), reported on the meeting held in Fukuoka, Japan in April of this year 2005. The report of this meeting is attached as **ANNEX 4.1**. Following the Chair's report, the floor was opened for discussion.

Many Parties expressed their positive reaction to the meeting in Fukuoka. They further stressed the importance of the SCRS response to the Working Group recommendations. The SCRS Chair reiterated the work they are doing to respond to the Working Group and the fact that the SCRS will need more time to address some of the recommendations. He also mentioned the utility of operational models to help answer some of the outstanding questions.

The EC, Canada and the United States all expressed support for an additional meeting of the Working Group in 2006. The EC offered to host the meeting. The United States will present a proposal on integrated management of bluefin tuna and will coordinate with the EC regarding its contents.

7. Measures for the conservation of stocks and implementation of ICCAT Criteria for the Allocation of Fishing Possibilities

The United States introduced a measure tasking SCRS to further explore the use of operational models as a means to provide better management advice to the Commission, especially as it relates to the mixing of the stocks and taking into account recent studies on the movement of bluefin (PA2-095). The EC pointed out the recommendations from the meeting report of the 3rd Meeting of the Working Group to Develop Integrated and Coordinated Atlantic Bluefin Tuna Management Strategies. The United States agreed to withdraw its proposal with the stipulation that its view is reflected in the meeting report. Parties agree that the meeting report from Fukuoka already recommends that the SCRS undertake numerous evaluations of alternative management strategies. That could be completed in the context of the next assessment in 2006.

Turkey introduced a measure to conduct research on the growth rate of caged bluefin tuna (PA2-076). However, there were several interventions regarding the proposal and after discussion Turkey agreed to withdraw the proposal. They did note that they would still conduct the experiment and present the information to SCRS next year.

The EC presented its proposal for amending the current recommendation on bluefin tuna farming, requiring sampling of caged bluefin in order to maintain the operation on the ICCAT Farming list (PA2-094). In addition, the recommendation requires tug or towing vessels used in caging operations to have VMS. Croatia expressed concern about the methods for sampling size distribution of farmed fish (*i.e.*, fish farmed for more than one year) and asked for further guidance on how to collect such statistics, given that with the available sampling protocol accurate data in the year of the catch may only be obtained for fattened fish, while the data from farming may only be obtained by dead fish. Turkey, the United States and Japan presented language to be added to the recommendation. Japan further noted that they will be paying particular attention to farmed bluefin product entering their market so Parties should ensure that all the necessary documentation is in proper order before shipping it. After some minor amendments, the EC proposal was accepted by the Panel (see **ANNEX 5 [Rec. 05-04]**).

Norway introduced its proposal for extending dates of the time area closure in the Mediterranean (PA2-118). Iceland, Mexico and the United States all expressed support for the measure. However, several Mediterranean countries expressed concern. Japan articulated disappointment that no consensus could be reached given the concern over the status of the eastern bluefin stock. Canada further noted the need to protect juvenile bluefin tuna in the Mediterranean, but expressed concern about the effect of the displaced fishing effort if the closure was extended in duration. The EC noted that the issue of time/area closures, such as proposed here, is but one of the range of issues, including trade, needed to be addressed by ICCAT in its management of bluefin tuna. It considered that this issue should be addressed therefore in the context of the bluefin tuna management plan to be discussed next year. Therefore, the Parties agreed to take up the matter next year after the bluefin tuna assessment.

During the course of the discussions, statements were presented to the Panel by France, on behalf of St. Pierre & Miquelon (attached as **Appendix 5 to ANNEX 8**) (PA2-107), and a joint statement by Medisamak and the International Federation of Sport Fishing at Sea (FIPS), (observers at the Panel) (attached as **Appendix 6 to ANNEX 8**) (PA2-091).

8. Research

The SCRS work plan for the bluefin tuna assessment was noted. There was no further discussion.

9. Other matters

No other matters were discussed.

10. Election of Chair

Mr. Julien Turenne on behalf of (EC-France) was elected as the next Chair of Panel 2. The Parties thanked Mr. François Gauthiez (EC-France) for his hard work and dedication to the Panel.

11. Adoption of the report

The report of Panel 2 was adopted by correspondance.

REPORT OF THE MEETING OF PANEL 3

1. Opening of the meeting

The meeting of Panel 3 was opened by the Commission Chairman, Mr. Masanori Miyahara (Japan), who chaired the meeting.

2. Adoption of Agenda

No changes proposed, hence the Agenda was adopted without modification (see **Appendix 1 to ANNEX 8**).

3. Appointment of Rapporteur

Mr. Naozumi Miyabe (Japan) was appointed Rapporteur for Panel 3.

4. Review of Panel membership

At the request of the Chairman, the Executive Secretary stated that Panel 3 currently comprises eight Contracting Parties: Brazil, European Community, Japan, Namibia, South Africa, United Kingdom (Overseas Territories), United States of America and Uruguay. All the members were present.

5. Report of the Standing Committee on Research and Statistics (SCRS)

5.1 Southern bluefin tuna

Dr. Joao Pereira, the SCRS Chairman, briefly reminded the Panel that southern bluefin tuna was under the management of the Commission for the Conservation of Southern Bluefin Tuna (CCSBT), and that the report on this species for this year was prepared by that organization.

5.2 South Atlantic albacore

The SCRS Chairman reported that the last assessment of the southern albacore stock was conducted in 2003 and no assessment was conducted in 2005. Therefore, the SCRS report on the stock status of this species was similar to that in previous reports. The Committee, however, did look at the most recent trends in the fisheries as well as other relevant studies on this stock this year. The 2004 catch (22,500 t) of South Atlantic albacore indicated a decrease of 5,500 t from the previous amount in 2003, the lowest since 1984. This appeared to be caused by the reduction of fleet size for both Chinese Taipei and Brazil.

6. Measures for the conservation of stocks and implementation of *ICCAT Criteria for the Allocation of Fishing Possibilities*

6.1 Southern bluefin tuna

Since this stock is managed by the Commission for the Conservation of Southern Bluefin Tuna (CCSBT), there was no discussion on this matter.

6.2 South Atlantic albacore

The Chairman of the Panel 3 noted that a multi-year management program is in effect for this stock. There was no discussion on the measures at this time.

7. Research

The SCRS Chairman noted that the Committee proposed to hold a data preparatory meeting in 2006, as the next assessment was scheduled for 2007. He also reiterated and stressed the needs of data submission required for that process by all the participating fisheries.

8. Other matters

No other matters were discussed.

9. Election of Chair

South Africa was unanimously re-elected as Chairman of the Panel.

10. Adoption of the report and adjournment

The Report of Panel 3 was adopted and the meeting was adjourned.

REPORT OF THE MEETING OF PANEL 4

1. Opening of the meeting

The Meeting of Panel 4 was opened by the Chairperson, Dr. Rebecca Lent (United States) who extended a welcome to the members of the Panel and the observers.

2. Adoption of Agenda

The Agenda was adopted without change and is attached as **Appendix 1 to ANNEX 8**.

3. Appointment of Rapporteur

Dr. Delphine Leguerrier Sauboua Suraud (EC-France) was appointed Rapporteur of Panel 4.

4. Review of Panel membership

Panel 4 is comprised of the following 22 Contracting Parties. Algeria, Angola, Brazil, Canada, China, Côte d'Ivoire, Equatorial Guinea, European Community, France (St. Pierre and Miquelon), Gabon, Japan, Korea, Morocco, Mexico, Namibia, South Africa, Trinidad and Tobago, Turkey, United Kingdom (Overseas Territories), United States, Uruguay, and Venezuela.

The Panel admitted Belize, which brings to 23 the number of members of Panel 4.

5. Report of the Standing Committee on Research and Statistics (SCRS)

Dr. Joao Pereira, Chairman of SCRS, summarized the pertinent sections of the SCRS Report that are of concern to Panel 4.

5.1 Atlantic swordfish

The catches indicated in the last report are considered provisional.

The Committee noted its concern that, in some cases, the regulatory measure [transposed from Rec. 02-02, amended by Rec. 04-02, imposing a TAC on the North Atlantic stock] had included swordfish discards in the North stock and this could have, to some degree, affected the behavior of the fleet fishing the South Atlantic swordfish stock.

A workshop on stock structure of the stock will be carried out in early 2006.

The United States pointed out the good condition of the North stock and the improvement of the South stock, as well as the need to adapt the schedule such that the SCRS concentrates on the most urgent matters (mainly the bluefin tuna stock assessment in 2006). The SCRS confirmed the observations made by the delegate from the United States as concerns the development in the catch trends and transmitted to the Commission the decision of adjusting the schedule of stock assessments. It was also pointed out that postponing these assessments would lead to a very heavy schedule in 2007. The European Community, Morocco and Canada preferred to maintain the schedule established for the next assessments.

The Chairman of Panel 4 recalled that the Commission Chairman had requested the Panels to discuss the matter of the SCRS work load and that these comments will thus be transmitted to the Plenary.

5.2 Mediterranean swordfish

The report is identical to the previous one.

5.3 Billfishes (*blue marlin and white marlin*)

The objective of the preparatory meeting that took place in May 2005 was to update information collected on blue marlin and white marlin. The Committee emphasized the importance of obtaining data in the framework of the next assessment (2006) and to continue improving the historical estimates.

In 2005, the CPUE analysis methods for marlins did not improve sufficiently. The scope of the 2006 assessment will be limited. According to the Committee, it is unlikely that the next assessments will differ much from earlier ones.

5.4 Sharks

The SCRS should provide some responses to the Commission's questions. Furthermore, the review by the SCRS of the 5% rate of retention of fin-body weight of sharks led the SCRS to observe that the criteria are very different according to the fleets. The ratio of 1 to 5% is based on taking into account only the primary fins and not the adjacent fins. For example, based on the sampling of catches carried out on the European Community longline fleets, the SCRS observed that, if the adjacent fins are also considered, a ratio of 14% is obtained with respect to the body weight after their preparation. Consequently, the SCRS thus recommended that the conversion coefficients between the fin weight and body weight be developed according to the species and/or according to the fleets.

The Chairman of the SCRS emphasized that up to now there is still no basis to recommend catch limits for these stocks, due to the problem of the information related to the current catch levels. The modification of the fishing gears, the restriction of the fishing zones, the establishment of minimum size limits are measures that could prove beneficial to decrease fishing mortality on shortfin mako, such as the SCRS recommended.

5.3 Other species

The Chairman of the SCRS pointed out that its comments are identical to those expressed in previous years, i.e. the majority of the countries do not report their catches of small tunas. This results in a lack of information on the catches and on the biological aspects of these species.

6. Measures for the conservation of stocks and implementation of the ICCAT Criteria for the allocation of Fishing Possibilities

6.1 Draft Recommendation on the conservation of sharks caught in association with fisheries managed by ICCAT

The United States proposed a draft recommendation on decreasing fishing mortality of shark by-catches and research that should be carried out on this matter. This proposal is presented in the context of the decision of the United Nations to deal with stocks whose management is not yet regulated by FAO, from the current lack of knowledge on some shark stocks, and on the advice provided by the SCRS in its management recommendations for these species, in particular, shortfin mako.

Canada and Brazil supported this proposal, aimed at improving the management of by-catches. The European Community recalled that Recommendation 04-10 adopted by the Commission in 2004 already covers the first point of the U.S. proposal, which refers to research, and that the second point should be clarified. The European Community and South Africa requested some clarification on the scope of this proposed text, to which the United States responded that the fisheries involved were those that fish sharks as by-catch as well as those that target these species. When asked, the SCRS Chairman confirmed that the report specifically cited shortfin mako among the species that could benefit from a reduction in fleet capacity and effective effort.

The European Community informed on on-going research within the framework of a process of revision of the Community regulations. Consequently, the Community will present the results at the next ICCAT meeting, in order to amend Recommendation 04-10, if necessary. For the moment, according to the European Community, this Recommendation is only in its first year of implementation, and it is too early to supersede it by a new one, in which some terms could contradict those already adopted.

Belize pointed out that some countries had already implemented the provisions in this sense, but that they had not yet necessarily provided the results. A summary to be included in the annual report could be requested. Japan indicated that the current text mentions a decrease in shark mortality, a point that is not included in Recommendation 04-10, but that point 2 was difficult to apply as is, since it is not very precise.

The Panel 4 Chair thus closed the discussion and proposed an in-depth review of Recommendation 04-10 at the 2006 ICCAT meeting. It will consist in preparing a summary on what the CPCs have done during the intersessional period to comply with the requirements of Recommendation 04-10. The Chair insisted on the responsibility of the CPCs concerning this matter during the intersessional period, and the United States recalled that the SCRS had recommended a decrease in fishing mortality on these species.

6.2 Allocation of fishing possibilities

France (on behalf of St. Pierre and Miquelon) presented a statement (attached as **Appendix 7 to ANNEX 8**). He noted he did not intend to start a discussion at this time, which will take place next year, but to set a date for the future.

As a new Panel member, Belize informed its intention to participate in the North Atlantic swordfish fishery (for which it will request a quota of 200 t) and in the South Atlantic swordfish fishery (for which it will request a 200 t quota). Furthermore, the Belizean fleets would target small tunas but not billfishes. Finally, Belize will participate in the ICCAT plan to rebuild the stocks of blue marlin and white marlin [Recs. 00-13, 01-10, 02-13 and 04-09].

7. Research

The SCRS Chairman requested financial support to strengthen the billfish research program. This request should be submitted to STACFAD.

As concerns by-catches and sharks, the SCRS Chairman requested the creation of a By-Catch Coordinator position at the Secretariat. In response to the European Community, the Chairman clarified that, given the work load this involved (maintaining the database and coordinating information) this position will be full time one.

8. Other matters

No other matters were discussed.

9. Election of Chair

Canada proposed Japan for the chairmanship of Panel 4. The United States and the European Community supported this candidacy and the European Community pointed out Japan's extensive experience in the fishing of the four species that are managed by this Panel.

Japan accepted the nomination.

10. Adoption of the report and adjournment

The Report of Panel 4 was adopted by correspondence.

Appendix 1 to ANNEX 8**Panel Agendas*****Panel 1***

1. Opening of the meeting
2. Adoption of Agenda
3. Appointment of Rapporteur
4. Review of Panel membership
5. Report of the Standing Committee on Research and Statistics (SCRS)
 - 5.1 Protection of juvenile tropical tunas
 - 5.2 Other issues
6. Measures for the conservation of stocks and implementation of the *ICCAT Criteria for the Allocation of Fishing Possibilities*
7. Research
8. Other matters
9. Election of Chair
10. Adoption of the report and adjournment

Panel 2

1. Opening of the meeting
2. Adoption of Agenda
3. Appointment of Rapporteur
4. Review of Panel membership
5. Report of the Standing Committee on Research and Statistics (SCRS)
6. Report of the 3rd Meeting of the Working Group to Develop Integrated and Coordinated Atlantic Bluefin Tuna Management Strategies
7. Measures for the conservation of stocks and implementation of the *ICCAT Criteria for the Allocation of Fishing Possibilities*
8. Research
9. Other matters
10. Election of Chair
11. Adoption of the report and adjournment

Panel 3

1. Opening of the meeting
2. Adoption of Agenda
3. Appointment of Rapporteur
4. Review of Panel membership
5. Report of the Standing Committee on Research and Statistics (SCRS)
6. Measures for the conservation of stocks and implementation of the *ICCAT Criteria for the Allocation of Fishing Possibilities*
7. Research
8. Other matters
9. Election of Chair
10. Adoption of the report and adjournment

Panel 4

1. Opening of the meeting
2. Adoption of Agenda
3. Appointment of Rapporteur
4. Review of Panel membership
5. Report of the Standing Committee on Research and Statistics (SCRS)
 - 5.1 Blue marlin and white marlin
 - 5.2 Other species
6. Measures for the conservation of stocks and implementation of the *ICCAT Criteria for the Allocation of Fishing Possibilities*
7. Research
8. Other matters
9. Election of Chair
10. Adoption of the report and adjournment

**Statement by the Observer of the International
Confederation of Sport Fly Fishers (CIPS) to Panel 2**

Following the intervention by our organization, the French Federation of Sea Fishers (*Fédération Française des Pêcheurs en Mer*), in representation of the Ministry of Youth and Sports for sport and amateur fishing in France, we would like to inform the ICCAT Plenary of the almost total disappearance of large spawners over 100 kg along the French Mediterranean coasts (see attached tables and figures).

A full report regarding this subject (SCRS/2005/100) was submitted to the SCRS at its meeting which was held October 3-7, 2005 in Madrid.

Supplemental information concerning this situation has been requested from the Italian Federation of Sport Fishing (*Federazione Italiana Pesca Sportiva*, FIPS-AS) and the Spanish Federation of Fishing (*Federación Española de Pesca*, FEPYC).

In presentation of the SCRS Report (Madrid 2005) one is aware of the important role of large spawners in the management of the stock. Recent scientific articles have shown that older females produce larvae and recruits which have a greater capacity for survival and growth than the young adults and that they play a key role in the adaptability, persistence and productivity of the stocks.

Furthermore, the modification of the date concerning the time/area closure in the Mediterranean area aimed at protecting the concentration of spawners during the spawning period was pointed out at this meeting.

We request the ICCAT Plenary to be aware of this problem, and with scientific advice, take the necessary measures to assess this disappearance of the large spawners which is detrimental to the good management of the stocks.

We also request the following:

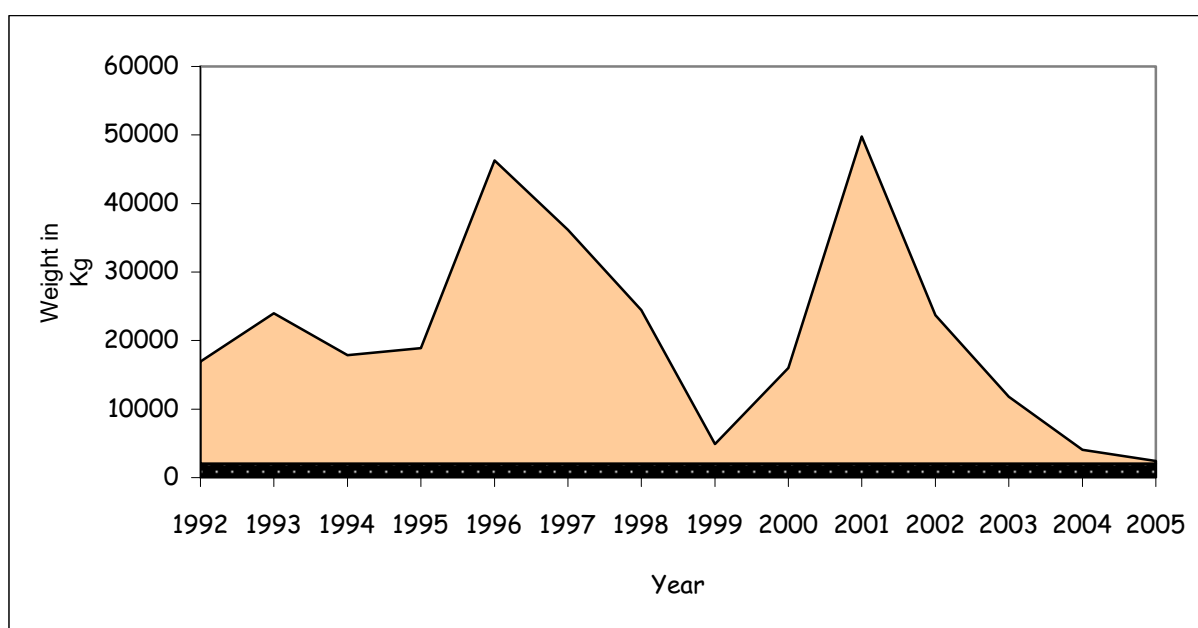
1. That the regulatory minimum weights for bluefin tuna, without any tolerance, be harmonized in the Mediterranean and east Atlantic.
2. Full compliance with quotas allocated by ICCAT.
3. Fight against all illegal fishing at the national and international level it is imperative to eradicate this type of IUU fishing without delay.
4. That Recommendation Rec. 04-12, adopted by ICCAT at its 14th Special Meeting, concerning sport and non-commercial fishing activities in the Mediterranean, be applied to the entire Atlantic Ocean.

Table 1. Weights of bluefin tuna (over 100 kg) caught in the Mediterranean from 1992 to 2005.

<i>Years</i>	<i>Weight (in kg)</i>
1992	14,929
1993	21,975
1994	15,884
1995	16,913
1996	44,277
1997	34,161
1998	22,444
1999	2,921
2000	13,985
2001	47,790
2002	21,705
2003	9,808
2004	2,067
2005	405
Total	269, 264

Table 2. Number of catches of bluefin tuna (over 100 kg) in the Mediterranean from 1992 to 2005.

<i>Years</i>	<i>No. of catches</i>
1992	104
1993	131
1994	94
1995	110
1996	290
1997	273
1998	162
1999	17
2000	98
2001	299
2002	153
2003	98
2004	27
2005	3
Total	1,859

**Figure 1.** Diagram representing the weights of bluefin tuna (over 100 kg) caught in the Mediterranean from 1992 to 2005.

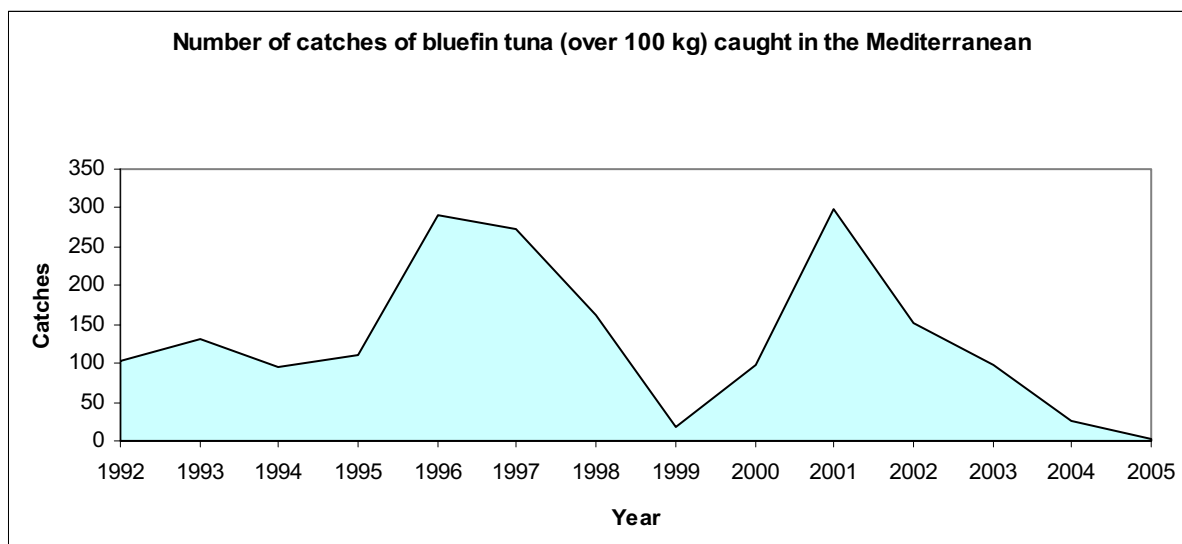


Figure 2. Diagram representing the number of catches of bluefin tuna (over 100 kg) caught in the Mediterranean from 1992 to 2005.

Statistics on *Thunnus thynnus* collected by FFPM samplers on all the French Mediterranean coasts of the Languedoc Roussillon and Provence Côte d'Azur (from Collioure to Marseille) regions.

Appendix 3 to ANNEX 8

Statement by the Observer of the World Wildlife Federation (WWF) to Panel 2

WWF is documenting and denouncing since 2001 how the uncontrolled expansion of tuna farming in the Mediterranean is exacerbating the mismanagement of the East Atlantic stock of bluefin tuna. The “Cartagena Call for Action for Sustainable Tuna Farming in the Mediterranean”, promoted by WWF in 2002, was supported by more than 100 scientists and NGOs from the region. Two monographic reports on tuna farming were issued by WWF in 2002 and 2004¹, which demonstrated that catches on the stock are far above the ICCAT quota and that the fishery is exclusively driven by market forces in a context of ever growing tuna farming -and fleet-overcapacity. This picture was confirmed in September 2004 by the report issued by the tuna-farming consulting company ATRT².

Confronted with the alarming decrease of captures due to the rampant overexploitation of the stock, OPP 51 organized in July 2005 the 1st Tuna Trap International Seminar, with the support of WWF and A.M.P.T., to analyze the situation and propose measures to defend the livelihoods of more than 500 direct workers in the five Spanish tuna traps (*almadrabas*) and around 800 in Morocco. As a result, the Seminar’s participants proposed that ICCAT and the Contracting Parties implement urgent measures that would reverse the declining trend of bluefin tuna in the Mediterranean.

The information referred to the spring-summer fishing season in 2005 is dramatically alarming, pointing to the widespread violation of management rules, including huge over-the-quota catches, reflagging of vessels without notification to ICCAT, IUU farms and use of spotting airplanes in June, all these particularly affecting Southern Mediterranean waters. These evidences led WWF to address a letter of concern to ICCAT Secretariat already in early June. Again, more than 22,000 t of tuna would have been caged this year, which would mean total annual catches far above the quota.

Facing this extremely grave situation, which is undermining the very conservation and management credibility of ICCAT, WWF, OPP 51 and A.M.P.T., calls on national delegations to undertake a deep and far-reaching move in the ICCAT meeting this year by promoting the adoption of the following four measures:

¹ http://www.panda.org/news_facts/publications

² http://www.panda.org/about_wwf/what_we_do/marine/news/news.cfm?uNewsID=15352

1. The current overcapacity of tuna farms around the Mediterranean (41,212 t, to be compared to a total quota of 32,000 t) results in a real race for the last tuna from the start of the fishing season to the start of the seasonal closure of the purse seine fishery, the 15th July. All evidences point to the widespread violation of ICCAT management rules during this period, including the ban on aerial spotting in June.

In this context, only clear effort management measures, easy to apply and control, can lead to a real reduction of fishing effort, consistent with the actual harvesting possibilities offered by the stock. Consequently, WWF, OPP 51 and A.M.P.T. propose to extend the seasonal closure of purse seine fishing 15 more days, to last from 1st July to 15th August. Given the unsustainable situation, this measure should be implemented already during the 2006 fishing season.

2. In parallel, a specific quota for tuna caging (as a maximum limit) should be immediately allocated to ICCAT parties' fishing fleets, out of their overall catch quota on the East Atlantic bluefin tuna stock. Such a limitation of fish-for-farming rights is essential to put and immediate end to current farm overcapacity and the resulting race for the last tuna, as well as to safeguard the short-term profitability of the tuna sector itself.

Based on the levels of tuna farming production during 2000-2002, before the start of the current overcapacity crisis, and the needs of other tuna harvesters, like tuna traps, longliners and hook-and-line ones, the total annual farming quota shouldn't be in excess of 12,000 t.

3. The current quota system is little more than a political tool to share fishing opportunities among Contracting Parties; it should urgently be transformed into an operational management tool. To this end, taking into account the enormous difficulties to obtain reliable statistics, the strong concentration of catches in a very short main fishing season and the high economic profitability of the fishery, a compulsory observer programme should be put in place covering 100% of purse seiners, ideally during the whole fishing period (and, at least, during the main fishing season, from the start of the activity in spring to the start of the purse seining closure in July; see point 1).
4. The current size limit of 10 kg is not biologically consistent. It should be based on scientific studies on size at maturity and set at 30 kg.

Appendix 4 to ANNEX 8

Statement by Norway to Panel 2

Norway became a full member of ICCAT in March 2004. We had a central role in science and fishing of Atlantic bluefin tuna up until around 1970, providing detailed catch statistics starting in 1950. During the latest decades very few adult Atlantic bluefin tuna has been migrating and feeding in the highly productive northern ecosystems such as the Norwegian Sea. I refer you to document PA2-079 for further details. This situation is indicative of the unhealthy state of the bluefin tuna population and it represents a long-term sign of considerable growth over-fishing, signalling that the bluefin tuna population is not managed in a sustainable way.

In order to remedy this situation Norway suggests that ICCAT adopt ecosystem based research and management principles. Atlantic bluefin tuna and other important fish species managed by ICCAT should not be treated as individual and isolated species, rather be linked and understood within their respective natural ecosystems and ecological niche. This means for instance that if major prey species for Atlantic bluefin tuna are over exploited, it may lead to lack of proper, highly energetic food for tuna populations and reduce their growth and possibly threaten the survival of these populations. Thus, ecosystem considerations are important to implement in the future management and conservation of Atlantic bluefin tuna.

The ecosystem approach has been generally recognized as the guiding principle of modern fishing management, as expressed in the Reykjavik Declaration from the 2001 FAO Conference on Responsible Fisheries, as well as in the Johannesburg Implementation Plan from the 2002 World Summit on Sustainable Development.

The ecosystem approach has been strongly recommended by the International Council for the Exploration of the Seas (ICES) for adoption by regional fisheries management organisation such as the Northeast Atlantic Fisheries Commission (NEAFC). The newly established South East Atlantic Fisheries Organisation (SEAFO) is another organisation adopting the principles of ecosystem-based management. In the Barents Sea Norway and Russia

manage the capelin stock according to the interrelationship and stock sizes of predator species such as marine mammals, cod and herring in an ecosystem based framework.

ICCAT also needs reliable fishery independent data collection for increased biological and ecological understanding as well as for assessment purposes. International coordinated egg surveys targeted around the main spawning grounds will both increase our vital understanding of the dynamics of the stocks as well as provide us with a possible fishery independent assessment tool in the future. International coordinated egg surveys have been successfully used for stock assessment purposes on Atlantic mackerel for many years, showing the feasibility and success of applying such fishery independent research data on other highly migratory pelagic fish species in the North Atlantic.

An international reference fleet within ICCAT should be recognised as a possible alternative and complementary data collection platform to increase the quality of essential catch data such as length, weight and age distribution. Such measures could easily be implemented. Technological creep (gradual changes in the fleet effort due to technological improvements for finding the fish and catching the fish) is an increasing challenge when applying the principles behind Catch Per Unit Effort (CPUE) for assessment purposes. Therefore, using a representative and standardized international reference fleet should improve the quality of the data from the fishing fleet.

Finally, Norway recommends that the minimum landing size for bluefin tuna should be increased to 30 kg in order to reflect the size at maturity.

Appendix 5 to ANNEX 8

Statement by France (St. Pierre & Miquelon) to Panel 2

France (on behalf of Saint Pierre & Miquelon) reiterates the statement presented in the last Commission meetings. It is recalled that France (St. Pierre & Miquelon) supported the Recommendations concerning the conservation of the West Atlantic bluefin tuna stock, with the condition that, during the 2006 ICCAT meeting, the management measures on this stock would be reexamined [Rec. 02-07] and [Rec. 04-05], and that the *ICCAT Criteria for the Allocation of Fishing Possibilities* adopted in 2001 [Ref. 01-25], be duly taken into account. In this sense, France (on behalf of Saint Pierre & Miquelon) recalls the question formulated in 2002 and reiterated in 2003 for a significant re-evaluation of its quota. Once again, France (on behalf of Saint Pierre & Miquelon) will present this request at the 2006 ICCAT Commission meeting.

In fact, in 1998, France (on behalf of Saint Pierre & Miquelon) was allocated a fixed quota of 4 tons per year of West Atlantic bluefin tuna, for which the overages or underages could be added to or deducted from two years following the year of the catch.

If after 2003, the reports of underages have allowed to increase the possibilities of annual catches, the initial quota is insufficient for our archipelago whose population of 7,000 is dependent on fishing.

Thus, following the stock assessment scheduled for 2006 by ICCAT Recommendation [Rec. 04-05], France (on behalf of Saint Pierre & Miquelon), will request a significant increase in the catch quota of West Atlantic bluefin tuna than that currently assigned to them, with the aim of responding to the needs of the population of Saint Pierre & Miquelon.

Appendix 6 to ANNEX 8

Joint Statement by the Observers of Medisamak and FIPS* to Panel 2

During Medisamak's 3rd meeting of the Bluefin Tuna Working Group, which took place on October 18 and 19, 2005, to prepare for the ICCAT meeting in Seville, the Medisamak member organizations of the tuna sector and

* The *Fédération Internationale de la Pêche Sportive* (FIPS) is part of the *Confédération Internationale de la Pêche Sportive* (CIPS).

Turkey, as well as the *Fédération Internationale de la Pêche Sportive en mer* (FIPS), developed the following proposals aimed at contributing to the improvement of bluefin tuna conservation measures.

1. It is essential to harmonize the regulatory minimum weights for bluefin tuna in the Mediterranean and in the East Atlantic, without any tolerance, in order to assure a better management of the bluefin tuna stocks, better protection of juveniles, and to avoid the difficulties linked to the controls on land. Harmonizing the minimum weights will result in avoiding, in part, the development of illegal fishing.
2. It is urgent that the professional structures be strengthened in the countries where they are still fragile or even inexistent, and to create permanent working groups of consultation in the different States in order to improve communication between the professionals and the institutions concerning bluefin tuna, which involves an important number of fishing companies, communities and families that are dependent on it.
3. Medisamak and FIPS request the support of the competent authorities to carry out programs and projects of common interest at the national or international level, in particular: studies, seminars, collaboration of the professionals with the scientific sector or any other initiative that might be pertinent for the improvement of the conservation of the fishing resources in the Mediterranean, which is the main objective of Medisamak.
4. Medisamak and FIPS earnestly request the competent authorities to adopt, without further delay, a regulation for non-commercial fishing practices and to ensure its implementation and compliance. They request the prohibition on commercializing products from sport fishing/non-commercial fishing in the Atlantic as well as the Mediterranean, to avoid discrimination and to fight more effectively against pillage.
5. It is absolutely essential and urgent to fight against all forms of illegal fishing, at the national and international level, by all possible means. Medisamak and FIPS earnestly request the organisms concerned (ICCAT, GFCM, EU, European Control Agency, etc.) do everything possible to implement these as soon as possible, to eradicate IUU fishing. The professionals of the tuna sector who work in the respect of the regulations should not be penalized, as they are easily controllable and suffer the consequences of the pillage of the resources by the IUU vessels.
6. Medisamak and FIPS deplore the lack of response of the national authorities following the notification of the activity by illegal vessels reported by the professionals during recent fishing campaigns, as well as the lack of control of the activities of these vessels. Both organizations denounce the lack of political willingness as concerns this issue.
7. Taking into account the impact of IUU fishing on the state of the resources and the interest of the professionals in assuring a sustainable management of the bluefin tuna stocks, and the lack, up to now, of the necessary legal framework to improve the situation, Medisamak and FIPS request that no additional constraints be imposed on the professional fishers whilst the authorities concerned do not adopt a proactive attitude in fighting against illegal fishing, and present concrete results.

Appendix 7 to ANNEX 8

Statement by France (Saint Pierre & Miquelon) To Panel 4

In 2003, France (on behalf of Saint Pierre & Miquelon) was allocated a fixed quota of 35 tons of North Atlantic swordfish per year, for which the overages or underages could be added to or deducted from two years following the year of the catch.

If, after 2003, the reports of underages have allowed an increase in the possibilities of annual catches, the initial quota is insufficient for our archipelago whose population of 7,000 is dependent on fishing.

Thus, following the stock assessment scheduled for 2006 by ICCAT Recommendation [Rec. 03-03], France (on behalf of Saint Pierre & Miquelon), will request a significant increase of the catch quota of West Atlantic bluefin tuna than that currently assigned to them, with the aim of responding to the needs of the population of Saint Pierre & Miquelon.

REPORT OF THE MEETING OF THE CONSERVATION AND MANAGEMENT MEASURES COMPLIANCE COMMITTEE

1. Opening of the meeting

The Conservation and Management Measures Compliance Committee met during the 19th Regular Meeting of the Commission (Seville, Spain, November 14 to 19, 2005). The meeting was opened by the Committee Chair, Mr. Friedrich Wieland (European Community) who took the opportunity to welcome Belize and Senegal as new Contracting Parties to the Committee's proceedings.

2. Adoption of the Agenda

No changes were made to the draft Agenda as circulated. The Agenda was adopted and is attached as **Appendix 1 to ANNEX 9**.

3. Appointment of the Rapporteur

Mr. Robert Thomas (European Community) was appointed Rapporteur.

4. National rules for the application of ICCAT measures

Delegates' attention was drawn to the document distributed by the Secretariat containing a compilation of Contracting Parties' annual reports. There was no discussion on this point.

5. Status of the compliance of Contracting Parties concerning statistics

The Chair reminded delegates of the Secretariat's Report on Statistics and Coordination of Research.

In response to an information note submitted by Japan concerning imports of processed tuna, China noted its intention to implement the statistical document programs in a comprehensive manner in 2006.

The European Community thanked the Secretariat for its report. It noted that many Contracting Parties had not supplied statistics and encouraged them to do so for management and conservation purposes. It underlined the importance of monitoring the market for fishery products. Closing markets to products arising from illegal, unreported and unregulated (IUU) fishing would be an effective means of preventing this practice. Importing countries, as well as flag States, had an important role to play in this regard.

Japan was encouraged by China's plan to fully implement the statistical document programs. Echoing the European Community's concerns, Japan highlighted the poor level of response on the part of Contracting Parties to the submission of Task I and Task II data and stressed the importance of such data for scientific purposes. Japan encouraged Contracting Parties to submit the necessary information.

At the invitation of the Chair, the United States presented a proposal for a recommendation on compliance with statistical reporting obligations that it believed would assist the Committee in analyzing issues of non-compliance by Contracting Parties.

Japan recalled the assistance offered to developing countries via the trust fund it had established.

The Committee adopted the proposed recommendation subject to a number of modifications to the text (**see ANNEX 5 [Rec. 05-09]**). (COC-101A)

The United States then introduced a proposal concerning the development of an ICCAT observer program (COC-103). After some discussion, the Committee decided that the issue should be discussed in the framework of discussions on transshipment under point 8.1 of the Agenda and the proposal was withdrawn eventually.

6. Status of the compliance of the Contracting Parties concerning ICCAT conservation and management measures

The Chair thanked the Secretariat for its report on information received in 2005 in relation to compliance with and observance of ICCAT conservation and management measures, which would serve as a reference for the Committee's deliberations of Agenda items 6.2 to 6.8.

6.1 Review of the Compliance Tables

The Committee then turned its attention to the review of the Compliance Tables on a species-by-species basis.

North Atlantic albacore

The European Community noted that it intended to carry forward its under-harvest in accordance with the *Recommendation by ICCAT on North Atlantic Albacore Catch Limits for the Period 2004-2006* [Rec. 03-06].

Canada requested clarification regarding the presentation of the adjusted quota figures for those Contracting Parties having initial catch limits/quotas of 200 tons, stressing the need for such information to be presented in a consistent manner.

South Atlantic albacore

There were no comments on this table.

North Atlantic swordfish

The European Community noted that it intended to carry forward its under-harvest of 42.5 tons.

South Atlantic swordfish

The European Community requested clarification regarding the carry forward of under-harvests for this stock as it did not believe this practice to be permitted by the relevant recommendation. It also requested explanations from those Contracting Parties that had recorded over-harvests.

In response, Brazil recalled that it, as well as Uruguay and South Africa, had objected to the *Recommendation by ICCAT Regarding Compliance in the South Atlantic Swordfish Fishery* [Rec. 97-08]. Therefore, Brazil considered that the *Recommendation by ICCAT Regarding Compliance with Management Measures which Define Quotas and or Catch Limits* [Rec. 00-14] which permitted the carry forward of under-harvests applied in this situation.

Japan remarked that, in its case, the carry forward of under-harvests was clearly specified in the *Recommendation by ICCAT on South Atlantic Swordfish Catch Limits* [Rec. 02-03].

Uruguay recalled the earlier remarks made by Brazil and noted that its increased catches resulted from lower catches in 2002.

Korea noted that it had taken 70 tons as by-catch. Korea did not have a national allocation for this stock. Korean fishermen had been informed accordingly. In 2005, 17 tons had been taken to the end of September. Korea intended to ask for an allocation at the appropriate moment.

East Atlantic bluefin tuna

Japan drew the Committee's attention to an information document concerning bluefin tuna catches caged in farming facilities, which suggested excessive catches by certain Contracting Parties. Japan explained the methodology used in its analysis of bluefin tuna imports from Turkey. This suggested a Turkish catch in excess

of 3,000 tons in 2003. Japan expressed concern at the increase in the number of Turkish vessels targeting the stock.

Turkey responded that one of the main reasons it had decided to accede to ICCAT was to improve the means by which Turkish catches could be regulated. Turkey questioned the accuracy of the growth rate used by Japan in its analysis. Turkey outlined the catch reporting requirements it imposed on its fishermen. Consequently, there was no direct relationship between the number of vessels and the amount harvested.

The European Community remarked that it was premature to assess the amount of bluefin tuna caged for farming in 2005 as Japan had done in its document.

Libya recalled that it had submitted its Annual Reports to the Secretariat in respect of 2002 and 2003. Libya's 2004 Annual Report had not been submitted until shortly before the meeting and certain corrections might be required. Libya held the view that it was in compliance with ICCAT requirements and was ready to provide all relevant information to the Secretariat.

The Chair emphasized that pursuant to *Recommendation by ICCAT on Application of Three Compliance Recommendations* [Rec. 98-14], the submission of Annual Reports in itself was not sufficient. Contracting Parties remained under an obligation to submit correct data and to provide explanations about their under and/or over-harvests. Consequently, the figures for Libya and Turkey might need to be revisited at the Committee's meeting in 2006.

West Atlantic bluefin tuna

There were no comments on this table.

Atlantic bigeye tuna

Canada recalled the decision taken in 2004 not to carry forward under-harvests of this stock and requested clarification of the figures presented in respect of the European Community.

The United States proposed that Parties carrying forward under-harvests should provide appropriate explanations of their calculations in a footnote to the compliance table.

The European Community indicated that it wished to carry forward its 2004 under-harvest to 2006 in line with the *Recommendation by ICCAT on Bigeye Tuna Conservation Measures* [Rec. 03-01]. The European Community explained that its 2005 adjusted catch limit reflected its 2003 under-harvest that it had carried forward to 2005. At the same time, the Community recalled that in accordance with the *Recommendation by ICCAT on a Multi-year Conservation and Management Program for Bigeye Tuna* [Rec. 04-01] Contracting Parties would only be permitted in future to carry forward 30% of their under-harvest. The European Community requested explanations from those Contracting Parties that had recorded over-harvests.

Japan highlighted possible amendments to be made to the 2003 and 2004 catch figures reported by Chinese Taipei to take into account its alleged laundering activities and over-harvest. Japan moved that approval of the compliance table for Atlantic bigeye tuna be deferred to the Plenary pending the outcome of parallel discussions in the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG) on this issue. Japan also drew attention to the continuing high level of catches reported by Netherlands Antilles although its reference-year figure was zero.

Japan presented information showing an important increase in bigeye tuna imports of filleted bigeye from China (attached as **Appendix 2 to ANNEX 9**). (COC-048)

Billfishes

Brazil recalled its prohibition on the commercialization of blue marlin and white marlin and asked for the tables to be corrected.

In response to a request from the United States for clarification concerning Mexican catches of blue marlin, Mexico drew attention to the footnote to the table and repeated that the figures reported represented by-catches.

Size limits for species with size regulations for 2004

The European Community expressed regret that very few Contracting Parties had submitted data on minimum sizes and encouraged such Parties to do so. The delegate noted that it was difficult for the Committee to assess the implementation of measures in the absence of this information.

The United States noted the zero per cent figure reported by the European Community in respect of Mediterranean bluefin tuna and looked forward to discussions on this issue in the appropriate panel.

Uruguay stated that it had submitted information detailing that it targeted only adult fish. As a result, catches below minimum sizes were practically zero.

Adoption of the Compliance Tables

The Committee adopted the Compliance Tables with the exception of the one for Atlantic bigeye tuna and forwarded them to the Plenary for final approval (attached as **Appendix 3 to ANNEX 9**). (COC-027A)

6.2 List of vessels over 24 m authorized to operate in the Convention area

The Secretariat informed the Committee that it was currently restructuring the database for the register of vessels over 24 meters and that the correct functioning of this base would require the reporting of data to be in strict accordance with a standard format. It was envisaged that in the future the base may be linked to other vessel lists required by ICCAT measures but the possibility of such linking was again dependent on the submission of information in the correct format. While the relational database would take some time to complete, Contracting Parties were advised that they might need to prepare their own database structure to be able to submit the information in conformity with ICCAT requirements, as currently information submitted often did not include all the information required by the relevant Recommendation [Rec. 02-22] and the variety of structures in which it was received made it difficult, or in some cases impossible, to incorporate the information in the database.

6.3 List of vessels fishing for northern albacore

There were no comments on this item.

6.4 Limitation of bigeye vessels

The European Community noted that not all Contracting Parties had complied with the requirement to report bigeye vessels to ICCAT as specified in the *Recommendation by ICCAT on a Multi-year Conservation and Management Program for Bigeye Tuna* [Rec. 04-01].

Brazil responded that this requirement did not apply to Parties having a catch limit less than 2,100 tons.

Ghana repeated certain information from its Annual Report concerning purse seine and baitboat vessel numbers. Ghana noted that these vessels also took skipjack and yellowfin.

6.5 Status of closed season/area in the Gulf of Guinea

The European Community stated that its Member States had complied with the closure requirements and that information relevant to this issue had been included in its Annual Report.

6.6 Bluefin tuna farming

The Chair recalled the *Recommendation by ICCAT on Bluefin Tuna Farming* [Rec. 04-06] adopted by the Commission in 2004.

Japan observed that only the European Community and Turkey had submitted information to the Secretariat regarding sampling programs. It urged other Parties to do likewise during the course of the meeting. Buyers in Japan had been informed by the Japanese authorities of ICCAT's reporting requirements for bluefin tuna farming. Japan requested the Secretariat to prepare a list of those establishments where sampling had taken place and moved that non-sampled farms be deleted from the list of authorized establishments.

Morocco noted that it had authorized three farming projects. However, as none of the farms was as yet operational, no sampling had been carried out.

Turkey remarked that the harvesting campaign had just begun and that the relevant data would be submitted to the Secretariat in due course.

Croatia informed the Committee that it had introduced sampling at the beginning of 2005. As the harvesting season was now underway, the relevant data would be submitted to the Secretariat in due time.

The European Community agreed with Japan as to the serious nature of the issue and noted the European Community's intention to table a proposal to reinforce the measures in place. The European Community did not consider there was sufficient legal basis to simply delete farms from the list and suggested that the issue be addressed by the relevant Panel.

The suggestion was accepted by the Committee.

6.7 Vessel chartering

The European Community noted the apparent absence of flag State consent for some of the charters listed in the document prepared by the Secretariat.

Canada informed the Committee that additional information concerning the chartering by France on behalf of St. Pierre & Miquelon of a Canadian registered vessel would be provided.

Brazil noted that all chartered vessels had flag State consent. Rules had been put in place so that no chartered vessel could enter Brazilian ports unless it had the written consent of its flag State.

Japan highlighted the charter arrangements between Korea and Turkey. It believed these arrangements were contrary to the spirit of the *Recommendation by ICCAT on Vessel Chartering* [Rec. 02-21].

Korea noted the financial advantage of chartering compared to the cost of moving vessels from the Pacific to the Atlantic Ocean. Korea recalled that it had sought to transfer some of its quota to another Party in 2004 but that this had not been approved by the Commission.

6.8 Other

No issues were discussed under this Agenda item.

7. Issues of non-compliance by Contracting Parties

Japan introduced a proposal on additional measures for compliance with ICCAT conservation and management measures.

After some discussion, the Committee agreed that the issues raised were better suited to further discussion within the framework of the *Ad Hoc* Working Group to Review Statistical Monitoring Programs.

Belize

Japan welcomed Belize as a Contracting Party to the Commission and encouraged Belize to desist from practices that could encourage IUU fishing. The Committee concurred that no action was warranted.

Equatorial Guinea

The Chair recalled that the Commission had decided to lift the trade measures against Equatorial Guinea at the 2004 Commission meeting.

Equatorial Guinea regretted the lack of progress regarding its request for technical assistance from the Secretariat. The Chair encouraged Equatorial Guinea to take advantage of the Committee meeting to liaise with the Secretariat regarding future cooperation. The Committee noted that no action was warranted.

Panama

In reply to a comment from Panama concerning the appropriate recipient for ICCAT correspondence, the Executive Secretary reminded delegates of the Secretariat's normal procedures for the transmission of letters and called on them to keep the Secretariat informed of changes.

The Committee noted that no action was warranted.

Senegal

The Committee noted that no action was warranted.

Honduras

In view of information submitted by Brazil concerning a vessel sighting, the Committee agreed to address a letter to Honduras (attached as **Appendix 4 to ANNEX 9**) requesting information on its vessel monitoring and control procedures.

Vanuatu

Japan drew the Committee's attention to the absence of Task I data for Vanuatu.

Vanuatu assured the Committee of its compliance with ICCAT measures and undertook to submit relevant information to the Secretariat.

Turkey

Japan repeated its concern at the apparent over harvest by Turkish vessels of bluefin tuna (attached as **Appendix 5 to ANNEX 9**). (COC-047)

Turkey responded that its reported catches complied with applicable ICCAT measures (attached as **Appendix 6 to ANNEX 9**). (COC-066)

The European Community reminded the Committee that the "Others" quota was not the sole preserve of Turkey and was shared with two Member States of the European Community.

The Chair encouraged the parties concerned to continue their cooperation and noted that it might be necessary to revert to the issue at the Committee's meeting in 2006.

Libya

Canada observed that on the basis of information contained in Libya's 2003 Annual Report there had been an 872 tons over-harvest of bluefin tuna.

The Chair reminded Libya of its obligation to comply with the *Recommendation by ICCAT on Application of Three Compliance Recommendations* [Rec. 98-14] and noted that it might be necessary to revert to the issue at the Committee's meeting in 2006.

8. Matters pending from 2004 Meeting**8.1 Transshipments**

The European Community underlined the importance and urgency for the Commission of establishing effective procedures for transshipments by large-scale longline fishing vessels. The development of an independent ICCAT observer program was highlighted as a key element. The revised proposal addressed the concerns of the longline fleet and demonstrated the flexibility of the European Community to reach agreement with other Contracting Parties on this issue.

Many delegations sought clarifications from the European Community concerning aspects of the proposal and suggested amendments to the text.

Japan presented the results of the experimental observer program for at-sea transshipment (attached as **Appendix 7 to ANNEX 9**). (COC-049)

After further discussion, the Committee reached consensus on the proposed recommendation establishing a program for transshipment of large-scale longline fishing vessels and recommended that it be adopted by the Plenary (see **ANNEX 5 [Rec. 05-06]**). (COC-111C)

8.2 Treatment of under/over harvests

The European Community announced its intention to withdraw its proposal (COC-029) for a recommendation under this Agenda item in view of the other priority issues to be discussed.

Canada suggested that, in line with the suggestion of the European Community to defer this issue and its recommendation to the 2006 Commission meeting, and given that the SCRS will be providing advice on many of ICCAT managed stocks at this meeting, the SCRS be asked to provide scientific advice on the possible conservation impacts of carrying forward under-harvests on a stock by stock basis. The Committee agreed to proceed in this manner. The deferred proposal is attached as **ANNEX 11.8**.

8.3 Definition of large-scale fishing vessels

The Chair recalled the decision taken at the 2004 Commission meeting to defer consideration of this issue pending additional information from Contracting Parties as to the number of their vessels between 15 and 24 meters in length.

The Committee then discussed a revised proposal from the United States (COC-030) that highlighted the resolutions and recommendations which could be affected by a change in the definition of large-scale fishing vessels.

However, the Committee was unable to reach a consensus on the proposal and it was again decided to defer further discussion to the 2006 Commission meeting (see **ANNEX 11.9**).

8.4 Change in registry and flagging of vessels larger than 15 m

The Committee discussed a proposal from Equatorial Guinea for a recommendation concerning the change in the registry and flagging of vessels over 15 meters in length.

The Chair cautioned Delegates that the matter under discussion was beyond the competence of the Committee.

After further debate and amendments to the text (COC-031B), it was decided to recommend the adoption of the proposal as a resolution (see **ANNEX 6 [Res. 05-07]**).

8.5 Vessel chartering in relation to [Rec. 02-22]

Brazil reminded the Committee of discussions on this issue at the 2004 Commission meeting and Brazil's statement to that year's Compliance Committee. It hoped the Committee would be able to reach an understanding on this issue so as to avoid potential interruptions to trade flows.

The Chair outlined his interpretation of the interrelation between the *Recommendation by ICCAT on Vessel Chartering* [Rec. 02-21] and the *Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels over 24 Meters Authorized to Operate in the Convention Area* [Rec. 02-22]. He noted that as Recommendation 02-21 contained special rules concerning chartering it took precedence over the general rules contained in Recommendation 02-22. Furthermore, paragraph 9 of Recommendation 02-21 did not require chartered vessels to be selected from the list established under Recommendation 02-22.

The Chair explained that problems could arise because paragraph 1 of Recommendation 02-22 implied that vessels not on the list were deemed to be unauthorized. In addition, paragraph 3 of Recommendation 02-21 permitted Contracting Parties to also charter vessels from so-called "responsible non-Contracting Parties".

However, as the chartering country grants an authorization for each vessel to fish pursuant to paragraph 9 of Recommendation 02-21, it followed that the chartering country was authorized to put the chartered vessel on the list, thereby fulfilling the requirements of Recommendation 02-22. Therefore, the Chair concluded that it was unnecessary to amend either Recommendation.

Brazil and Japan concurred with the interpretation but the latter questioned whether the chartering of vessels from countries that had been identified by ICCAT or were subject to trade measures [Res. 03-15] should be excluded. The Chair replied that it could be assumed that no responsible Contracting Party would charter a vessel that appeared on a list of IUU vessels. However, he did not discount the need to amend the Recommendation at a future date.

9. Other matters

The Committee took note of a proposal from Equatorial Guinea (COC-121) for a recommendation concerning cooperation in the fight and persecution of IUU vessels in the ICCAT area. However, there was no consensus to adopt the proposal.

Brazil requested the Secretariat to improve the clarity of information contained in the positive list of vessels in respect of vessels under chartering arrangements.

10. Election of Chair

Upon a motion from Canada, seconded by the United States, the Committee re-elected Mr. Friedrich Wieland (European Community) as Chair.

11. Adoption of the Report and adjournment

It was agreed to adopt the 2005 Report of the Compliance Committee by correspondence. The 2005 meeting of the Compliance Committee adjourned on November 19, 2005.

The Report of the Compliance Committee was adopted by correspondence.

Appendix 1 to ANNEX 9

Agenda

1. Opening of the meeting
2. Adoption of the Agenda
3. Appointment of the Rapporteur
4. National rules for the application of ICCAT measures
5. Status of the compliance of Contracting Parties concerning statistics
6. Status of the compliance of Contracting Parties concerning ICCAT conservation and management measures
 - 6.1 Review of the Compliance Tables
 - 6.2 List of vessels over 24 m authorized to operate in the Convention Area
 - 6.3 List of vessels fishing for northern albacore
 - 6.4 Limitation of bigeye vessels
 - 6.5 Status of closed season/area in the Gulf of Guinea
 - 6.6 Bluefin tuna farming
 - 6.7 Vessel chartering
 - 6.8 Other
7. Issues of non-compliance by Contracting Parties
8. Matters pending from the 2004 Meeting
 - 8.1 Transshipments
 - 8.2 Treatment of under/over harvests
 - 8.3 Definition of large-scale fishing vessels
 - 8.4 Draft recommendation on licensing and flagging of vessels larger than 15 m
 - 8.5 Vessel chartering in relation to [Rec. 02-22]

9. Other matters
10. Election of Chair
11. Adoption of the report and adjournment

Appendix 2 to ANNEX 9

Information by Japan on the Import of Processed Tuna

With regard to the trend of Japan's bigeye tuna import from China, the import of filleted bigeye has been increasing rapidly although the amount is still small. **Figure 1** shows a remarkable increase after the laundering activities were detected in July and September 2004. There are rumors that some IUU catches were imported into Japan through processing factories in China. It is essential for China to comply with [Rec. 01-21] as an importing country and introduce the Statistical Document Program into its import system for effective management.

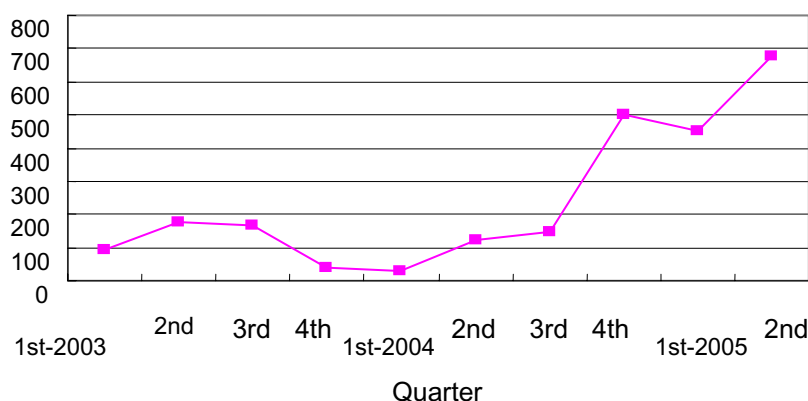


Figure 1. Import of filleted bigeye tuna from China (product weight: t) (Source: Ministry of Finance).

Appendix 3 to ANNEX 9

Compliance Tables Compliance with catch limits and quotas in 2004

The *Recommendation by ICCAT on Application of Three Compliance Recommendations* [98-14] requires Contracting Parties to provide information on statistics and compliance with ICCAT Recommendations for the preparation of the "Compliance Annex" at least one month in advance of the Commission meeting.

In accordance with the decision taken by the Commission at its 18th Regular Meeting, held in 2003, the draft Compliance Tables were circulated by the Secretariat three weeks in advance of the Commission meeting on 21 October 2005 through ICCAT Circular 1657/05. This draft was compiled on the basis of the Reporting Tables received before that date.

To take account of developments since the adoption of this Recommendation, the Secretariat has developed an alternative reporting format to that adopted in 1998. However, as this format is currently not binding, some Contracting Parties continue to use the 1998 forms, which do not segregate billfish catches by gear, nor do they allow for the calculation of adjusted quotas.

The figures entered on the Compliance Tables are as reported by the Contracting Parties and Cooperating non-Contracting Parties, Entities and Fishing Entities (CPCs), and are shown in **bold**. Where no compliance report was received the Secretariat has used Task I data. By the final deadline set by the Commission for the receipt of changes (18:00 hours on 14 November 2005), reporting tables had been received from the following CPCs: Algeria, Brazil, Canada, China, European Community, Guatemala, Japan, Korea, Mexico, Namibia, Philippines, Russia, South Africa, Trinidad and Tobago, Tunisia, USA and Chinese Taipei.

The Secretariat seeks confirmation from the Commission, through the Compliance Committee, of the following issues which have been raised by Contracting Parties during the year and required for the compilation of the Compliance Tables:

Southern swordfish:

There is no provision for the carry over of under-harvests and quotas may not be adjusted upward, but over-harvest will be deducted from the quota. Such adjustment may be annual or biennial. However, several Contracting Parties have carried over their under-harvest, and these figures have been included in the table for consideration by the Committee.

Bigeye tuna:

Those CPCs with catches less than 2,100 t (i.e. between 0 and 2099t) of bigeye tuna in 1999 are not subject to either catch or capacity limits, unless specified in paragraphs 2 and 4 of Rec. 04-01.

North Atlantic Albacore Compliance Table for 2005.

	Initial Catch limits / Quotas						Current catches						Balance					Adjusted quota										
	2000	2001	2002	2003	2004	2005	2000	2001	2002	2003	2004	2000	2001	2002	2003	2004	2000	2001	2002	2003	2004	2000	2001	2002	2003	2004	2005	
BARBADOS	200	200	200	200	200	200			0.0	2.0	5.2	5.0					200.0	198.0	194.8	195.0								
BRAZIL	200	200	200	200	200	200			3.7	0.0	0.0	0.0	0.0				196.3	200.0	200.0	200.0	200.0							
CANADA	200	200	200	200	200	200			121.7	51.0	112.7	55.7	27.1				78.3	149.0	87.3	144.3	172.9							
CHINA	200	200	200	200	200	200			104.7	56.5	195.8	155.2	32.1				95.3	143.5	4.2	44.8	167.9							
EC		28712	28712	28712	28712	28712			25741.0	18786.4	16295	17296.0	16912.6					9925.6	12417.5	21341.6	24216.9							
FRANCE (St. P. et M.)	200	200	200	200	200	200			0.0	0.0	3.8	0.0	7.0				200	200.0	396.2	400.0	293.0							
JAPAN	952*	761*	617*	756*	608*	*			724	1074	698	781	1169.0															
MAROC					200	200						81.0	120.0								80.0							
TRINIDAD & TOBAGO		200	200	200	200	200			1.6	11.0	9.0	12.0	12.2				189.0	191.0	188.0	187.8								
UKOT	200	200	200	200	200	200			2.0	2.0	2	0.1	1.0				198.0	198.0	198.0	199.9	199.0							
USA		607	607	607	607	607			415.0	453.1	487.8	446.3	645.9				153.9	119.2	160.7	121.8								
VENEZUELA		200	200	270	270	270			1374.0	349.0	161.5	423.5	457.0					-149.0	38.5	-153.5	-340.5							
CHINESE TAIPEI		4453	4453	4453	4453	4453			5299.0	4399.0	4305.0	4539.0	4278.0					54	148	116.0	175.0							
Recommendation number	98-8	00-6	01-05	02-05	03-06	03-06																						

* JAPAN to endeavor to limit North albacore catches to no more than 4% of its total bigeye tuna catch (3% in 2000; 5.6% in 2001; 4.5% in 2002, 4.1% in 2003).
CHINESE TAIPEI: adjusted 2003 quota from 2001 and 2002 balances. Catches in 2003 do not include 18 t taken by re-registered vessels.

South Atlantic Albacore Compliance Table for 2005.

		Initial Catch limits / Quotas					Reference Years Avg(92-96)	Current Catch					Informative balance					Adjusted catch limit (over-harvest)					
		2000	2001	2002	2003	2004		2005	2000	2001	2002	2003	2004	2000	2001	2002	2003	2004	2001	2002	2003	2004	2005
BRAZIL																							
NAMIBIA																							
SOUTH AFRICA																							
CHINESE TAIPEI																							
CHINA																							
EC																							
JAPAN																							
KOREA																							
PHILIPPINES																							
UKOT																							
URUGUAY																							
USA																							
Rec. number																							

* JAPAN endeavour to limit its total South albacore catches to no more than 4% of its total bigeye tuna catch in South of 5 degrees North (4.5% in 2000, 4.2% in 2001, 2.5% in 2002 and 2.5% in 2003).

** USA endeavour to limit its total south albacore catches to no more than 4% of its total longline swordfish catch in South of 5 degrees North.

EC has applied Ref. 00-14 and adjusted the 2003 quota by adding the 2001 balance. Rec. 02-07 paragraph 11 does not allow carry over of under-harvest.

CHINESE TAIPEI 2003 catch does not include 204 t taken by re-registered vessels.

South Atlantic Swordfish Compliance Table for 2005.

	Initial Catch limits / Quotas						Reference Years		Current Catch					Balance					Adjusted Quota / Catch limit				
	2000	2001	2002	2003	2004	2005	1995	1996	2000	2001	2002	2003	2004	2000	2001	2002	2003	2004	2001	2002	2003	2004	2005
BRAZIL	2339	4720	4720	4086	4193	4193	1975.0	1892.0	3409.1	4081.8	2909.9	2919.9	2913.5	-1069.9	638.2	1810.1	1166.1	1279.5			4086.0	4193	5462.1
CHINA		480	480	315	315	315			344.0	200.3	423	192.2	277.8	-344.0	279.7		122.8	37.2					
CÔTE d'IVOIRE	23			100	100	100	19.0	26.0	20.0	18.9	19.0	43.0	54.0	2.5			57.0	46.0					
EC	6233	6233	6233	5950	5850	5850	11670.0	10011.0	6342.0	6181.0	6120.7	4885.3	5828.8	2.0	52.0	114.3	1116.7	21.8	6233.0	6235.0	6002.0		6966.7
GABON												8.6											
GHANA	122			0	0	0	103.0	104.0	116.5	531.0	372	576.0	343.0	5.0			-576.0	-343.0					
JAPAN	3765	3765	3765	1500	1500	1500	3619	2197	727	726	1127	972	523.0	3037.6	3038.6	2419.6	3247.6	3631.0	3764.6	3546.6	4219.6	4154	
KOREA	86			0	0	0	164.0	7.0	9.7		1.5	24.0	61.0	75.8			-24.0	-70.0					
NAMIBIA		2000	2000	890	1009	1070			468.7	751.0	503.7	191.5	231.5	-468.7	1249.0		817.5	839.5					
PHILIPPINES				0	0	0				6.0	0.79	52.4	5.0				-52.4	-5.0					
SOUTH AFRICA	3	1500	1500	890	1009	1070	4.0	1.0	328.0	547.0	649.0	292.0	277.0	-325.0	953.0	851.0	598.0	793.0					
UKOT		100	100	25	25	25				20.0	3.9												
URUGUAY	695	800	1000	850	850	850	499.0	644.0	713.0	789.0	768.0	850.0	1105.0	-18.5			0.0	-255.0					595.0
USA	384	384	384	100	100	100		384.0	124.7	92.8	20.5	15.0	15.0	259.3	291.2	363.5	85.0	85.0			359.6	444.6	529.6
CHINESE TAIPEI	2875	1170	1170	925	825	780			1303.0	1167.0	1073.0	1089.0	745.0	1571.5	2.6	96.6	-64.0	16.0			1025.0	761	
Recommendation	97-07	00-04	01-02	02-03	02-03	02-03															02-03	02-03	02-03

BRAZIL, URUGUAY and S. AFRICA objected to Recommendation 97-08.

All 2001 and 2002 catch limits are automatic in accordance with Recommendations 00-04 and 01-02.

JAPAN: Catches in 2003 were revised in line with fishing year. 2003 and 2004 underages are controlled to 3000 t, and carried over.

Data for 2003 and 2004 are preliminary. Adjusted quota in 2002 excludes 109*2, in 2003 excludes 218 t, 2004 excludes 346 t to count as Japanese N. SWO catch (Rec. 00-3), and 100 t in 2003 transferred to Chinese Taipei.

USA: 1996 catch figure (384 t) is based on fishing year and was agreed at the intersessional meeting of Panel 4 in 1997 (Brazil).

CHINESE TAIPEI catches do not include 61 t catch by re-registered vessels. 2003 quota includes 100 t transfer from JAPAN, and underages from 2001 and 2002. Japanese quota has been adjusted accordingly.

The Commission agreed that quotas for 2003 would not be adjusted unless specified in Recommendation 02-03.

SOUTH AFRICA: Swordfish catches for 2000-2003 have been adjusted according to the revised figures submitted to the SCRS meeting in 2005. Revision of Longline catch figures were necessary as they were reported in dressed weight.

SENEGAL reported 108 t of swordfish in East tropical area, which cannot be assigned to North or South.

East Atlantic Bluefin Tuna Compliance Table for 2005.

	Initial Catch limits / Quotas					Ref. yrs. <i>max (93-94) (SCRS 97)</i>	Current Catch					Balance					Adjusted Quota / catch limit				
	2000	2001	2002	2003	2004	2005	2000	2001	2002	2003	2004	2000	2001	2002	2003	2004	2001	2002	2003	2004	2005
ALGERIE				1500	1550	1600	2152.0	2407.0	1710.0	1586.0	1541.0				-86.0	-77.0				1464.0	1523.0
CHINA	76	76	76	74	74	74	77.0	68.1	39.1	19.3	41.0	-1.0	7.9		54.7	33.0	75.0			128.7	
CROATIA	876	876	876	900	935	945	930.0	903.0	977.0	1139.0	827.0	383.0	356.0		16.0	124.0	1259.0		1155.0	951.0	
EC	18590	18590	18590	18582	18450	18331	19475.0	17912.3	18129.0	16607.3	17284.3	1696.0	649.7	2157.0	2624.4	1165.7	18562.0		19231.7		
ICELAND				30	40	50	17.0		1.1	0.0	0.0				30.0	30.0	Underage to be allocated to E.C.				
JAPAN	2949	2949	2949	2949	2930	2890	3522	2344	2641	2829	2958	-741.5	605	(172)	120	92	2949	2813	2949	3050	2982
KOREA	619	619					5.6	0.5	0.0	0.0	700.0	1810.4	2428.9		2428.9	1728.9	2429.4		2428.9	2428.9	1728.9
LIBYA	1199	1570		1286	1300	1400	1549.3	1940.5													
MAROC	3028	3028	3028	3030	3078	3127	2923.0	3008.0	2986.0	2557.0	2780.0				473.0	771.0				3551.0	
TUNISIE	2144	2144	2543	2503	2543	2583	2184.0	2493.0	2528.0	792.0	2639.0	369.3	20.3		1711.0	1615.0	2513.3			4254.0	4197.0
<i>Others quota</i>				1146	1100	1100															
TURKEY							1070.0	2100.0	2300.0	3300.0	1075.0										
EC-MALTA									240.0	255.2	264.2										
EC-CYPRUS									650.0	78.9	104.7										
CHINESE TAIPEI	658	658	658	827	382		313.0	633.0	666.0	445.0	51.0	810.0	835.0	827.0	382.0	331.0	1468.0	1493.0	827.0	382.0	331.0
<i>Rec. no.</i>	<i>98-05</i>	<i>00-09</i>		<i>02-08</i>	<i>02-08</i>	<i>02-08</i>											<i>01-13</i>		<i>02-08</i>		<i>02-08</i>

LIBYA and MOROCCO lodged an objection to Recommendation 98-05; catch limit for 2000 is autonomous.

Recommendation 00-09 provides that MOROCCO and LIBYA established a catch limit of 3,028 t and 1,570 t, respectively, for 2001.

ALGERIA reported a autonomous quota of 4,000 t for 2000 and 2001.

For 2002, no catch limits/quotas were in force. Shaded cells indicate autonomous catch limits.

It was agreed that no carry over of under harvest from 2002 to 2003 would be permitted. EC and CROATIA adjusted 2003 quota using 2001 balances, from which CROATIA deducted its 2002 over-harvest.

CHINESE TAIPEI 2003 catch limit was adjusted using 2002 figures, as the quota share for Chinese Taipei will not be activated until the under harvest is fished.

EC adjusted quota for 2004 includes 30 t unused quota from ICELAND. EC-Cyprus and EC-Malta are counted under "Others" quota, not EC quota.

West Atlantic Bluefin Tuna Compliance Table for 2005.

	Initial Catch Limits						Current Catch					Balance					Adjusted Quota/Catch limit				
	2000	2001	2002	2003	2004		2005	2000	2001	2002	2003	2004	2000	2001	2002	2003	2004	2001	2002	2003	2004
BRAZIL	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.2	0.0	0.0	0.0	0.0	-0.22	0.0	0.0	0.0					
CANADA	573.0	573.0	573.0	620.2	620.2	620.2	549.1	523.7	603.6	556.6	536.9	20.4	21.7	-8.9	25.8	109.0	553.0	594.7	580.0	645.9	731.8
FRANCE (St. Pierre et M.)	4.0	4.0	4.0	4.0	4.0	4.0	0.4	0.0	2.6	0.9	9.8	7	11	12.4	15.51	9.71	11	15	16.4	19.51	13.71
GUINEA ECUATORIAL	0.0	0.0	0.0	0.0	0.0	0.0	143.0														
JAPAN	453	453	453	478.25	478.25	478.25	322	676	363	376	460	6.5	-217	90	-24	18	460	453	352	478.3	473
MEXICO			25.0	25.0	25.0	25.0	28.7	10.0	12.0	22.0	9.0	-28.7	-10.0	13.0	3.0	16.0			25.0	28.0	
UKOT	4.0	4.0	4.0	4.0	4.0	4.0	1.0	1.0	1.0	0.3		6.0	9.0	12.0	15.8		10.0	13.0	16.0	19.8	
USA	1387.0	1387.0	1387.0	1489.6	1489.6	1489.6	1185.0	1589.0	1846.8	1472.9	899.25	438	248.3	-211.5	-194.8	395.5	1825	1635.275	1283.7444	1294.8	1881.4
WEST BFT DISCARDS																					
CANADA	5.6	5.6	5.6	5.6	5.6	5.6	46.0	13.2	36.9	0.9	0.4	-40.4	-7.6	-31.3	4.8	5.2					
JAPAN	5.6	5.6	5.6	5.6	5.6	5.6	0	0	0	0	0	5.6	5.6	5.6	5.6	5.6					
USA	67.7	67.7	67.7	67.7	67.7	67.7	30.0	41.4	56.4	57.6	71.8	37.7	26.3	11.3	10.1	-4.1					
Recommendation number	98-7	98-7	98-7	02-07	02-07	02-07											98-13	98-13	02-07	02-07	02-07

MEXICO: Requested 120 t quota over the last 6 years. Bluefin tuna is caught as by-catch. Reported an autonomous catch limit of 25 t for 2002, but according to Recommendation 98-07 catch limit was 0 t.
USA 2005 adjusted quota includes the predicted overage in bluefin tuna dead discards for 2004.

Atlantic Bigeye Tuna Compliance Table for 2005.

	Initial Catch limits / Quotas					Reference years		Current catches					Balance					Adjusted Catch limit					
	2000	2001	2002	2003	2004	2005	Average (91-92)	1999 (SCRS/00)	2000	2001	2002	2003	2004	2000	2001	2002	2003	2004	2001	2002	2003	2004	2005
BARBADOS							0.0	0.0	18.0	6.0	10.5	10.5											
BRAZIL							570.0	2024.0	2372.2	2622.3	2581.5	2455.1	1378.7										
CANADA							46.5	263.0	327.0	241.0	279.3	181.6	143.1										
CAP VERT							128.0		2.0	0.0	1.0	1.0	1.0										
CHINA		7300	4000	5000	5000	5400			6563.5	7210.0	5839.5	7889.7	6555.3										
CÔTE d'IVOIRE									458.0	0.0	0.0	0.0	0.0										
EC		26672	26672	26672	26672	25000	26672.0	21970.0	17989.0	16504.0	17406.8	17362.6	13929.5										
FRANCE (St. Pierre et Miqu.)											20.7	0.0	28.2										
GABON		3478	3478	3478	3478	4000	3478.0	11460.0	5586.0	2358.0	2034.0	4816.0	6944.0										
GHANA																							
GUATEMALA													831.0										
JAPAN		32539	32539	32539	32539	27000	32539	23690	23812	19030	18977	18909	15202.0										
KOREA							834.0	124.0	43.4	1.3	87.3	143.0	557.0										
LIBYA							254.0		400.0	30.9	593.0	593.0											
MAROC									770.0	857.4	913.0	889.0	919.0										
MEXICO							0.0	6.0	6.0	2.0	7.0	3.0	5.0										
NAMIBIA							0.0	423.0	589.0	639.8	273.6	214.9	203.9										
PANAMA						3500	8724.5		995.3	89.0	63.0												
PHILIPPINES							0.0	943.0	974.8	377.0	732.0	855.2	1854.0										
RUSSIA									91.0	0.0	0.0	0.0	0.0										
SENEGAL							5.0	0.0	1131.0	1308.0	565.0	407.0	548.0										
SOUTH AFRICA							57.5		248.5	238.9	340.5	112.5	270.0										
TRINIDAD & TOBAGO							131.5		5.2	11.0	30.0	6.5	4.8										
UKOT							6.5		8.3	10.0	5.0	0.2	1.0										
URUGUAY							38.0	59.0	25.0	51.0	67.0	59.0	1.0										
USA							893.5	1261.0	589.2	1363.0	595.6	345.0	413.7										
VENEZUELA							373.2	128.0	226.2	660.9	629.1	515.6	1060.0										
CHINESE TAIPEI	16500	16500	16500	16500	16500	16500	12698.0	16837.0	16795.0	16429.0	16503.0	121563.0	17717.0										
NETHERLANDS ANTILLES							0.0		2359.0	2803.0	1879.0	3202.7											
Recommendation number		00-1	01-00	02-01	03-01	04-01																	

CHINA lodged an objection to Rec. 00-01 which set a limit of 4000 t. 2002 catch limit includes 1,100 t from Japan (bilateral agreement) and 1,250 for 2003. The Japanese catch limit has been adjusted accordingly.

CHINA has proposed a five year pay-back plan.

CHINESE TAIPEI: 2003 adjusted quota includes 1,250 t from Japan. Japanese quota has been adjusted accordingly. 2003 catch does not include 1,822 t taken by re-registered vessels.

CHINESE TAIPEI: Current catches for 2003 and 2004 are provisional and are subject to review in 2006.

SOUTH AFRICA: Bigeye catches for 2000-2003 have been adjusted according to the revised figures submitted to the SCRS meeting in 2005. Revision of longline catch figures were necessary as they were reported in dressed weight.

JAPAN: Data for 2003 and 2004 are preliminary. Adjusted quota in 2002 excludes 1,100 t trasferred to China, and in 2003 excludes 1,250 t trasferred to China and Chinese Taipei, respectively.

White Marlin Compliance Table for 2005.

	Initial Catch (landings) Limits					Reference years		Current Landings					Balance*					Adjusted landings limit		
	2001	2002	2003	2004	2005	1996 (PS+LL)	1999 (PS+LL)	2001	2002	2003	2004	2001	2002	2003	2004	2003	2004	2003	2004	2005
								total	LL+PS	total	LL+PS	total	LL+PS	total	LL+PS	LL+PS	LL+PS	LL+PS	LL+PS	
BARBADOS	8.3	8.3	8.3	8.3	8.3		25.3													
BRAZIL	51.8	51.8	51.8	51.8	51.8	70.0	157.0	171.4	171.5	406.9	341.9	265.6	265.6	80.5	80.5					
CANADA	1.7	2.6	2.6	2.6	2.6	8.0	5.0	3.2	3.2	2.1	2.1	1.4	1.3	1.7	1.4	-1.5	0.5	1.3	1.2	
CHINA	9.9	9.9	9.9	9.9	9.9	9.0	30.0	19.8	19.8	22.8	22.8	4.7	4.7	6.5	6.5	-9.9	-12.9	5.2	3.4	
CÔTE D'IVOIRE						0.0	0.0	2.4	0.0	1.8	0.0	3.0	0.0	1.0	0.0					
EC	46.5	46.5	46.5	46.5	46.5	104.1	141.0	2.4	2.4	5.8	5.8	33.8		20.6		40.7				
GHANA								20.9	0.0	2.3	0.0	1.0	0.0	1.0	0.0					
JAPAN	37.0	37.0	37.0	37.0	37.0	112.0	43.0	50.0	50.0	28.0	28.0	31.0	31.0	29.0	29.0	-9.0	9.0	5.9	14.0	51.0
KOREA	0.0	19.5	19.5	19.5	19.5	59.0		0.0	0.0			2.0	2.0	0.0	0.0	0.0	19.5	17.5	19.5	
MEXICO	3.6	3.6	3.6	3.6	3.6	11.0	11.0	44.0	44.0	15.0	15.0	15.0	15.0	28.0	28.0	-40.4	-11.4	-11.4		
PHILIPPINES	4.0	4.0	4.0	4.0	4.0	12.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	4.0	4.0	4.0		
SAO TOME & PRINCIPE	0	0	0	0	0			0.0				14.6								
SOUTH AFRICA						0.0	0.0									0.0	-2.0	0.0	0.0	
TRINIDAD & TOBAGO	0.0	0.0	0.0	0.0	0.0			2.3	2.3	5.0	5.0	8.8	8.8	5.9	5.9	-2.3	-5.0	-8.8		
UKOT	1.0	0.0	0.0	0.0	0.0			0.4	0.0	0.0	0.0	0.5	0.0	1.0	0.0					
VENEZUELA	14.2	50.0	50.0	50.0	50.0	151.6	42.9	72.4	65.9	109.9	93.3	109.9	93.3	23.0	23.0	-51.7	-43.3	-43.3		
CHINESE TAIPEI	153.5	186.8	186.8	186.8	186.8	566.0	465.0	152.0	152.0	165.0	165.0	104.0	104.0	172.0	172.0	1.5	21.8	84.3	14.8	
USA	Total no. fish WHM + BUM	250	250	250	250	250		193		279		136		149		57		-29	114	101

BRAZIL: catches include discards difficult to estimate.
 JAPAN applied Recommendation 00-14 to years 2000 and 2001.
 MEXICO: landings are only retained dead by-catch. All live marlin are released.
 CHINESE TAIPEI has adjusted the 2003 quota to include 2001 underage. Catches do not include 11 t of WHM t taken by re-registered vessels.
 SOUTH AFRICA: Catches of white and blue marlin have exceeded reference catches of 1996 and 1999 as South Africa has started to develop a longline fishery in 1998.

COMPLIANCE WITH SIZE LIMITS IN 2004

Species	2004 catches						Percentage of fish under minimum size					
	BET	YFT	SWO	BFT			BET	YFT	SWO	BFT		
	Area	ATL	ATL	AT.N	AT.S	AT.E+ MED	ATL	ATL	AT.N	AT.S	AT.E	Medi AT.W
Rec. Number							79-1	72-1	90-2 (95-10)		02-08	02-08 91-1
Min weight (kg)							3.2	3.2	25 kg or		6.4	4.8 30
Min size (cm)							--	--	125 cm OR (119 cm)		--	-- 115
Tolerance (% of total)							15%	15%	15% (0%)		10%	0% 8%
Tolerance type (weight/number)							number	number	number		number weight	weight
Algerie												
Angola												
Barbados												
Belize												
Brazil	1378.7	6985			2914		0%		11.10%			
									1% <125			
Canada	143.5	303.5	1248.1			536.9	0%	0% cm				0%
Cap Vert		1896										
China	6555.3	1305.2	55.8	277.8	41		0%	0%	0%	0%	0%	
Côte d'Ivoire		565										
Croatia												
E.C.	19329.5	45297	6798.8	5828	17284		13.00%	10.00%	15.00%	1.00%	1.00%	0.00%
France (St.P & M)			35.6			9.8						
Gabon												
Ghana		15137										
Guinea Ecuatorial												
Guinee Republique												
Guatemala	831											
Honduras												
Iceland												
Japan	15202	5457	640	523	2929	386	<15%	<15%	<15%	<15%	<10%	<8%
Korea	557	984	0	61	700	0	0%	0%		0%	0%	
Libya												
Maroc		95										
Mexico	5	1208	44			16	0%					0%
Namibia		85										
Nicaragua												
Norway												
Panama												
Philippines		367										
Russia	0	0	0	0	0	0						
Sao Tomé												
Senegal		681										
South Africa	270	402		277			0%	0%	2.88%			
Trinidad & Tobago	4.8	224	87.7				0	0				
Tunisie												0%
Turkey												
UKOT												
									3.4 %	2.1 %		12.8%
USA	413.7	6500	2596.6	15	0	899.25			<119 cm	<119 cm		
Uruguay		204										
Vanuatu												
Venezuela		5774										
Chinese Taipei	16399	5825	30	745	51	0						

Appendix 4 to ANNEX 9

Commission Chairman's Letter to Honduras

Subject: Requesting Information in Relation to MCS Measures Taken by Honduras

I have the honor to inform you that the International Commission for the Conservation of Atlantic Tunas (ICCAT) examined, at its 19th Regular Meeting, held 14-20 November 2005, information submitted by Brazil on the termination of a chartering arrangement between Brazil and Honduras in relation to the vessel “*Auster*”, due to practices of mis-recording and mis-reporting of catches and to threatening behavior of the vessel's crew against the observer placed on board the vessel.

The information from Brazil was sent to the Honduran authorities on 24 August 2005 (copy attached).

The Commission expressed concern about possible practices of willful mis-recording and mis-reporting of catches and of preventing the observer from carrying out his duties as shown by the information received to date. Consequently, Honduras is hereby requested to submit to the Commission any available information on the case at issue, on compliance and enforcement measures taken in respect of the vessel in question and on the set of monitoring, control and surveillance measures currently in place to ensure compliance with ICCAT conservation and management by vessels flying the flag of Honduras.

The Commission will review the situation of Honduras at its next meeting, scheduled for November 20-26 2006 in Croatia, and it would be appreciated if information regarding the above mentioned matters were submitted to ICCAT at least 30 days in advance of the meeting.

In closing, I should like to draw your attention to the *Recommendation by ICCAT concerning the Duties of Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities in Relation to their Vessels fishing in the ICCAT Convention Area [Rec. 03-12]*, which obliges Contracting Parties, *inter alia* to ensure they do not authorize their vessels to fish in the ICCAT Convention area unless they are able to effectively exercise their responsibilities in respect of such vessels, including monitoring and controlling their fishing activities.

I should like to take this opportunity to thank you in advance for your consideration in this matter and to assure you of my highest consideration.

Appendix 5 to ANNEX 9

Information by Japan on Bluefin Tuna Catches Caged in Farming Facilities

The increasing demand for live bluefin tuna resulted in the rapid expansion of bluefin tuna farming. In Turkey, the amount of bluefin tuna caged for farming has also been increasing rapidly. The following information suggests excessive catches by certain members. We hope that it will be of some use in the works of the Compliance Committee this year.

(1) 2003

Turkey reported its bluefin tuna catch in 2003 was 3,300mt in their annual report submitted to the annual meeting last year. It would be safe to assume that the Japan's imports of bluefin tuna products during the second half of 2003 and the first half of 2004 were originally caught in 2003. The data of the statistical documents accompanied with bluefin tunas imported from Turkey during the said two periods suggests the total Turkish catch as 3,302 t (**Table 1**) in 2003. This amount was calculated on assumption that total weight of fish in a cage increases by 20% during farming even after deducting weight of fish dead during farming. The Turkey's bluefin tuna catch limit for 2003 was less than 1,146 t (“others” category) which also includes at least two other nations' catches. This amount does not include tunas killed due to storms, although the actual dead amount is unknown.

Table 1. Original weight of Turkish farmed bluefin before farming (round weight: t).

<i>Origin</i>	<i>2nd-half 2003</i>	<i>1st-half 2004</i>	<i>Total</i>
Turkey	771	2,531	3,302
Total	771	2,531	3,302

(2) 2004

Farmed bluefin products originally caught by foreign flag vessels are exported to Japan as Re-exported products from Turkey. The Re-export certificates issued by the Turkish authority and the Statistical Documents issued by countries of origin are accompanied with such products. Data collected from the Statistical Documents shows composition of Turkish farmed bluefin by countries of origin.

Japan's imports of bluefin tuna including farmed products during the second half of 2004 and the first half of 2005 were assumed to be caught originally in 2004. According to the results of calculation of data from the Statistical Documents submitted to Japan during the above two periods and by applying the same growth rate of 20%, **Table 2** shows the amounts of fish by each origin. Those amounts do not include 700-950 t tuna killed reportedly in storms.

The estimated amount of bluefin tuna caught by Turkey in 2004 was 2,550 t, although its catch quota was less than 1,100 t ("others" category).

Table 2. Original weight of Turkish bluefin before farming (round weight: t).

<i>Origin</i>	<i>2nd-half 2004</i>	<i>1st-half 2005</i>	<i>Total</i>
Turkey	1,853	699	2,552
Korea (charter)	87	906	993
Libya	16	607	623
Tunisia	--	302	302
Total	--	--	4,470

(3) 2005

According to information from industry sources, the amount of bluefin tuna caged into Turkish farming facilities this year was 3,050 t as of August 1 (**Table 3**). Since there is no information about Turkey's tuna imports and catches, an amount of catch by Turkish vessels are not identified so far.

Table 3. Amount of bluefin tuna caged for farming, based on industry information (as of August 1), in t.

<i>Country / Year</i>	<i>2005</i>
Spain	4,150
Croatia	3,390
Turkey	3,050
Italy	2,850
Malta	2,800
Tunisia	2,700
Cyprus	1,900
Greece	600
Total	21,440

*Including amount of fish caged in previous year.

Addendum 1 to Appendix 5 to ANNEX 9

Additional information to Table 2 of Appendix 5 to ANNEX 9 concerning the original weight of Turkish bluefin tuna before farming.

Table 1. Original trade data (see conversion factors below)				(t)
<i>Origin</i>	<i>2nd half 2004</i>	<i>1st half 2005</i>	<i>Total</i>	
Turkey	2,223	838	3,061	
Korea (charter)	104	1,087	1,191	
Libya	19	727	746	
Tunisia		363	363	
Total			5,361	

Table 4. Growth rate 20%				(t)
<i>Origin</i>	<i>2nd half 2004</i>	<i>1st half 2005</i>	<i>Total</i>	
Turkey	1,853	699	2,552	
Korea (charter)	87	906	993	
Libya	16	607	623	
Tunisia		302	302	
Total			4,470	

Table 2. Growth rate 33%				(t)
<i>Origin</i>	<i>2nd half 2004</i>	<i>1st half 2005</i>	<i>Total</i>	
Turkey	1,672	630	2,302	
Korea (charter)	78	871	949	
Libya	14	547	561	
Tunisia		273	273	
Total			4,085	

Table 5. Growth rate 50%				(t)
<i>Origin</i>	<i>2nd half 2004</i>	<i>1st half 2005</i>	<i>Total</i>	
Turkey	1,482	559	2,041	
Korea (charter)	69	724	793	
Libya	13	485	498	
Tunisia		242	242	
Total			3,574	

Table 3. Growth rate 75%				(t)
<i>Origin</i>	<i>2nd half 2004</i>	<i>1st half 2005</i>	<i>Total</i>	
Turkey	1,271	479	1,750	
Korea (charter)	60	621	681	
Libya	11	415	426	
Tunisia		207	207	
Total			3,064	

Table 6. Growth rate 100%				(t)
<i>Origin</i>	<i>2nd half 2004</i>	<i>1st half 2005</i>	<i>Total</i>	
Turkey	1,112	419	1,531	
Korea (charter)	52	543	595	
Libya	14	364	378	
Tunisia		181	181	
Total			2,685	

Note: Conversion factors

GG→RD: 1.16

DR→RD: 1.19

FL→RD: 1.59

OT→RD: 1.59

Appendix 6 to ANNEX 9**Information by Turkey on Bluefin Tuna Catches, Import, Export and Farming in Turkey**

In the information provided by Japan on bluefin tuna cages in farming facilities (COC-047) (see **Appendix 5 to ANNEX 9**), it is mentioned that certain members perform over-fishing and also that the bluefin tuna aquaculture activities are increasing in capacity. Some figures for other countries have been provided though; only the situation in Turkey has been analyzed in detail in the document. For this reason, Turkey felt the need of the following explanations to be submitted to the Commission.

1. The ICCAT Convention was endorsed by the Turkish Parliament on July 23, 2003 and Turkey applied to become a member of ICCAT as of this date. Before that date, the Turkish Administration did not have any legal tools in order to ban bluefin tuna catches for Turkish fisherman at a certain amount. This was also an important reason why Turkey became a member of ICCAT.
2. The figures used in the ref. paper were found exaggerated and the information through Japanese industry was preferred to the information and data provided by the official bodies of related institutions and the Turkish Government officials with an unknown reason. Such as;
 - a) In Japan's information (COC-047) the growth rate of bluefin tuna was assumed as 20% in six months while for a different feeding time period and different size of bluefin tuna it is completely different. In this respect "The Summary of National Survey Report Forms for ICCAT GFCM Ad Hoc Working Group on Bluefin Tuna Farming" prepared by the Working Group reporter might set a sample. Some countries which have never been blamed for excessive catch and farming claim that bluefin tuna grow more than 100% in six months when they are small. Taking into account that the mean size of the bluefin tuna caught in Turkish catch grounds is 60-70 kg.; the 6-8 month growth rate of bluefin tuna is considered 50% and the annual growth rate is considered 75%, which is more realistic than the assumed figure in Japan's information.
 - b) In Japan's information it states that "The actual dead amount is not known in the year 2003 and 700-950 tons were killed reportedly in 2004 by the storms". Explanations to these allegations are as follows;
 - (1) It is not understood "reported" by whom. If it is the report given to ICCAT GFCM Ad Hoc Working Group by the Turkish member of this Working Group, the actual amount is known and the loss at the end of the feeding season in three farms in 2003 was 700 tons and only 187 tons of bluefin tuna found dead. Since the accident was broken and sunk cages due to storms and very high waves, the rest (approx. 500 tons) of the fish were released to the nature by nature itself.
 - (2) The second accident was sinking of the cages due to storms and very high waves in 2004.

In July 2004, a Turkish farming company bought two cages of bluefin tuna from a Mediterranean based company with an ICCAT Statistical Document. The said ICCAT document was not from the exporting company's country. It was from a third Mediterranean country, endorsed 1.5 years ago and was re-exported from a fourth Mediterranean country. Since the history of the document has caused some suspects on it; the origin country and the ICCAT Secretariat was informed and validity and authenticity was requested about this document from both authorities. Until now, no answer has been received from any authority. The buyer (Turkish Farm Company) insisted on that they have the ICCAT certificate and import and export should be allowed. The National authority did not allow the company neither to import nor to export the mentioned fish. Finally because of bad weather conditions 225 tons of bluefin tuna were back in the nature by the nature itself again, except the 23 tons of dead fish picked up from the sea. This event is one of the best evidence of Turkey's strict application of ICCAT regulations.

- c) It is not easy to calculate every year's catch, farm, and import and export amounts. This is why the balance calculations are made in a three-year time period. In this respect, the annual calculations as stated in the ref. paper (It would be safe to assume that Japan's imports of bluefin tuna products during the second half of 2003 and the first half of 2004 were originally caught in 2003) is not expected to reflect the correct results.

- d) In the above mentioned document, apart from the data that cover the pre-accession data of 2003 and 2004, import data that have been submitted to ICCAT by the Turkish Government as well as the import data that will be submitted for 2005 are included and it has been stated that Turkey has exceeded its quota. By this statement, one might get the wrong impression about importation as an illegal activity. It is a fact that like every other country, Turkey has the sovereign right to import every kind of fish from every country with proper certification while Japan and other countries import hundreds of thousands tons of fish from tens of countries every year.
3. The catch amounts, farm operations, imports and exports of Turkey are detailed in **Table 1** below. After the written explanations and using the correct calculation methods, it is clear that the paper proposed by Japan is not likely to reflect the existing situation and it brings a question in mind. Why are only Turkey's catch and farm operations opened to discussion by the Japanese Delegation, while there are other countries, mentioned in the information submitted by Japan, whose bluefin tuna caging and export amounts are three/four times more than their allocated catch quota and the ICCAT Secretariat is informed about imports and exports of Turkey in time?

Table 1. Catch, import, farming and exports by Turkey (in t).

<i>Year</i>	<i>Catch</i>	<i>Import</i>	<i>Carry over ⁽¹⁾</i>	<i>Growth ⁽²⁾</i>	<i>Expected outputs of farms</i>	<i>Lost fish</i>	<i>Allowable max. export amount (t)</i>
2003	3,300	0	0	1,650	4,950	700	4,250
2004	1,075	1,478	170	1,404	4,127	225	3,902
2005	990	2,473	433	2,056	5,952	0	5,952

1. Carryovers are from the previous year and the ICCAT Secretariat was informed accordingly.

2. Growth rates: 6-8 month growth is 50% and annual growth is 75%.

<i>Turkey's imports, by country (in t)</i>			
<i>Country</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>
South Korea	0	700	972
EC	0	0	430
Libya	0	538	271
Tunisia	0	240	800
Total	0	1478	2473

Addendum 1 to Appendix 6 to ANNEX 9

Explanation and Assessment by Turkey on Addendum 1 to Appendix 5 to ANNEX 9 by Japan

- According to Addendum 1 to Appendix 5 to ANNEX 9 the bluefin tuna import amount (the sum of the import amount of the second half of 2004 and the import amount of the first half of 2005) of Japan from Turkey is 5,361 t.
- Using the conversion factors referred to in Addendum 1 to COC-047, the amounts on the ICCAT Statistical Documents issued by the Turkish Authority for the same period are:
 - 3,736,786 kg to Japan
 - 48,808 kg to USA
 - 5,491 kg to EC
 - 375 kg to Korea
 - 58 kg to Rumania

91,518 kg TOTAL
- Turkey did not exceed the "others" quota either in 2004 or 2005.

4. In this case, the possibility is:

As common practice, Japanese importers ship their products to Korea or China or elsewhere due to the low cold storage costs and 6-8 months later these products are shipped to Japan. In this case, the 2003 harvest is likely to enter Japan in the second half of 2004 or in the first half of 2005. An indication of this possibility is that Turkey's export amount in the 2003 catch related period is over 4,000 t, while the Japanese import figure is 3,302 t.

That is why in the explanatory paper COC-066 it indicates that:

- a) It is not easy to balance the calculations of a certain year, within either the same year or the following year.
 - b) To assume that the sum of the imports of the second half of given year and the first half of the following year would set the base for the referred year's catch is not likely to reflect the exact situation.
5. Turkey asks for close cooperation and data/information exchange with the Japanese authorities, including studying and comparing the Statistical Documents issued by the Turkish Authority and the Statistical Documents received by the Japanese Authorities

Appendix 7 to ANNEX 9

Report by Japan of the Experimental Observer Program for At-Sea Transshipment

Background

At the 2004 annual meeting, laundering activities by LSTLVs involving cargo vessels were exposed, and effective monitoring and control measures for transshipment, in particular at-sea transshipment, were discussed. Japan proposed an observer program to strictly monitor at-sea transshipment to eliminate laundering activities using cargo vessels.

Japan conducted an experimental observer program from June to September of this year to examine feasibility and effectiveness of a measure to deploy neutral observers to freezer cargo vessels for monitoring at-sea transshipment and issuing certificate of transshipment to verify the catch data reported by fishing vessels.

Implementation

The experimental program was implemented by the Organization for the Promotion of Responsible Tuna Fisheries (OPRT) and the cost was covered by contribution of OPRT members.

From the end of June to the beginning of September, each of three cargo vessels conducting transshipment in the Atlantic accepted one observer (**Table 1**).

Table 1. Result of the cruises.

<i>Vessel</i>	<i>Cargo vessels</i>		<i>Boarding</i>
	<i>Tonnage</i>	<i>Flag</i>	
A	1,500	Japan	Jun. 27 – Jul. 31 (35 days) (Las Palmas - Panama)
B	2,100	Panama	Jul. 7 – Aug. 23 (46 days) (Cape Town - Cape Town)
C	2,700	Japan	Aug. 5 – Sep. 1 (28 days) (Cape Town - Las Palmas)

Although this experimental program was implemented as a voluntary basis, the observers selected were internationally recognized surveyors belonging to survey and inspection institutes authorized to conduct inspections by laws and regulations. The observers collected the following data and information, and submitted a Note of Confirmation to OPRT and the Japanese Fisheries Agency for each at-sea transshipment..

Fishing vessel:	Name
	Flag
	International radio call sign
	Positive List number
	Length, tonnage, fish holding capacity
Catch transshipped:	Date and location of transshipment
	Species and quantities of catches transshipped
	Date of catch

Result

During 109 days of total boarding days for three cargo vessels, 2,042.5 t of catches were transshipped to the cargo vessels from 45 fishing vessels. Most of the transshipments were conducted at high sea area off Abidjan (**Table 2**).

Table 2. Results of transshipments.

<i>Cargo vessel</i>	<i>Transshipment</i>		<i>Flag</i>	<i>Number of cargos imported to Japan (as of October 14)</i>
	<i>Number of transshipments (Number of cargos)</i>	<i>Total weight (t)</i>		
A	16	682.5	China, Japan	12
B	21	934	Chinese Taipei, Philippines, Japan	17
C	8	426	Chinese Taipei, Japan	

The Japanese Fisheries Agency checked the Note of Confirmation with the Statistical Document at the application for the import. There was no discrepancy between the Note of Confirmation and the Statistical Document.

Cost

The cost includes personnel cost, travel, accommodation, communication, food and insurance. The cost was calculated by each cargo vessel (**Table 3**).

Table 3. Cost per cargo vessel. (Unit: US\$)

	<i>Cargo vessel</i>		
	<i>A</i>	<i>B</i>	<i>C</i>
Personnel cost	11,455	14,181	9,000
Travel	6,843	7,411	7,508
Accommodations	452	273	285
Communication	57	140	33
Food	636	836	509
Insurance	148	406	148
Others	302	0	249
Total	19,280	23,247	17,732

Discussions

This program was implemented as voluntary cooperation by the cargo vessels as well as the fishing vessels. In some cases, the observers had difficulty with obtaining the information from the fishing vessels such as the name and the call sign, and date and area of the catches transshipped. To ensure effective implementation of

observations, some mechanism to allow observers to access to the necessary information of the fishing vessels should be established.

As a technical aspect, species identification of catches is difficult especially in case where highly processed. However, it was proved that the skill can be established through the technical training.

In conclusion, monitoring of at-sea transshipments and issuance of the Note of Confirmation can be effectively implemented to eliminate falsification of vessel names, catches and species. Further, the monitoring of transshipment at sea makes it difficult to falsify area of catches in light of the location of transshipment. The Note of Confirmation issued by observers on board the cargo vessels will contribute flag states of fishing vessels to monitor and control their fishing vessels by checking the Note of Confirmation with the catch report by the vessels.

REPORT OF THE MEETING OF THE PERMANENT WORKING GROUP FOR THE IMPROVEMENT OF ICCAT STATISTICS AND CONSERVATION MEASURES (PWG)

1. Opening of the meeting

The meeting was opened by the Chair, Ms. Kimberly Blankenkemper (United States). No opening statements were made.

2. Adoption of the Agenda

The Agenda was adopted as proposed (see **Appendix 1 to ANNEX 10**).

3. Appointment of the Rapporteur

Mrs. Pamela Toschik (United States) was appointed rapporteur.

4. Implementation and functioning of Statistical Document Programs

4.1 Review of bi-annual data reports

The Chair drew attention to the summary document produced by the Secretariat that described all of the data received by the Secretariat from Contracting Parties under the ICCAT Statistical Document Programs for bluefin tuna, bigeye tuna, and swordfish. The Parties thanked the Secretariat for its work.

4.2 Report of the Working Group to Review the Statistical Monitoring Programs, including consideration of recommendations

The Chair identified several documents to assist in consideration of this Agenda item. The Chair noted the Report of the Meeting of the Working Group to Review Statistical Monitoring Programs (PWG-036) and a working document prepared by the Chair to facilitate discussion (PWG-057)*. The PWG Chair, who also chaired the Statistical Monitoring Working Group, reported on the meeting held in Fukuoka in April of this year. The Report of the Working Group meeting is attached as **ANNEX 4.2**. The PWG expressed appreciation for the report of the working group.

Upon inquiry from the delegate from Japan, it was confirmed that the Secretariat had followed up on the recommendations in the Fukuoka report to remind CPCs of their implementation responsibilities. In that regard, the delegate from Japan introduced a document describing their imports of processed tuna from China, which suggested Japan had imported IUU bigeye tuna from China. Japan noted that the import of filleted bigeye tuna from China, while still a small quantity, had increased rapidly since the third quarter of 2004, when closer monitoring of vessels was implemented. China indicated they would respond to Japan's concerns in the Compliance Committee.

The Chair recalled discussion amongst parties at the Fukuoka meeting regarding many small technical changes to the statistical document programs which could be implemented. The Chair noted that other items could be considered in an additional intersessional meeting that addressed the larger issues holistically. A clarification was made that "non-CPCs," should be provided access to ICCAT data, as referred to in the Fukuoka report, provided access was limited to official persons.

There was some discussion as to whether small changes should be made to the statistical documents themselves at this stage. The delegate from the EC noted their appreciation for the working document and Fukuoka meeting report; however, he noted a problem of philosophy. He indicated that the EC was not inclined to agree to changes on a piecemeal basis without addressing fundamental problems as described in the meeting report and

* Available from the Secretariat.

working document. He noted that the EC was in favor of a further meeting of the Working Group next year. He also requested that parties opposed to including vessel names on statistical documents provide a better explanation for this position.

The delegate from the United States clarified that statistical documents for bluefin tuna, bigeye tuna, and swordfish, already include the vessel name, vessel identification number, and vessel length. At issue was the link to the catching and offloading events to which the documents pertain. He provided an example that the United States and Canada require carcass tags on individual fish, which make a direct link to the vessel, dealer, and offloading events. He also noted the United States was not opposed to linking the statistical document to catch event. At issue was an efficient means of recording that event. He noted further that the United States believes it would be more efficient to link catch and trade events if ICCAT engaged in discussion that would lead down path of electronic documentation, a pragmatic approach.

The delegate from Brazil highlighted the understanding of the Working Group on statistical documents reflected in its report that for those CPCs whose national laws do not require an individual nomination, that lack of provision of individual names and sample signatures to the ICCAT Secretariat shall not be used on grounds to refuse imports from that CPC. In this regard, Brazil indicated that Brazilian law does not require an individual nomination, so that Brazil will provide the Secretariat with the name and address of the approving institution as well as its official seal with the expectation that the ICCAT Secretariat and importing CPCs will respect this understanding of the Working Group on statistical documents and have in a manner that will not result in any hindrance to Brazilian exports of fish species managed by ICCAT. The Chair confirmed that the current statistical document recommendations do not require the provision of individual nominations and signatures, that working group report from Fukuoka was clear on this matter, and that a way forward on this issue had been developed.

Following this exchange of views, the parties agreed that a second meeting of the Working Group would be needed in light of the diversity and complexity of many of the issues raised in Fukuoka, particularly with respect to the Working Group Terms of Reference 2 b, c, and d of Resolution 04-16. The PWG recommended, therefore, that the ad hoc working group hold a second meeting at a time and place determined by the Commission to further develop recommendations for submission to the 15th Special Meeting of ICCAT. It was clarified that these meetings would attempt to finalize work already initiated on these topics.

The EC offered to host the meeting in conjunction with the next meeting of the bluefin tuna working group on integrated management, which they have offered to host in the spring 2006.

5. Review of cooperation by non-Contracting Parties, Entities or Fishing Entities and determination of actions to be taken under the 2003 Resolution by ICCAT Concerning Trade Measures [Res. 03-15]

Prior to discussing this Agenda item, the Chair called attention to the numerous documents relating to this Agenda item. She also highlighted the responses to special letters, trade data, and the draft PWG Actions Table. This last was used to guide the country-by-country discussion. The Chair also noted that discussions regarding Guyana and the Netherlands Antilles would be held under Agenda item 7. The Chairman noted that was an error in PWG-037A; in the English version of Table 13, Grenada is shown taking 267.6 of bluefin tuna, this should read blackfin tuna.

The final Summary Table of 2005 PWG Actions is attached to the report (**Appendix 2 to ANNEX 10**).

Chinese Taipei

There was a great deal of discussion on the issues associated with Chinese Taipei, and parties concurred on many of the issues. Many parties were concerned about the activities of Chinese Taipei and expressed support for Japan's proposal to impose trade sanctions, although some had suggestions for improvement. Many parties felt that the credibility of ICCAT rested on the decision made on this case; they recognized the severity of the case and the longstanding nature of the issues. Most parties expressed a need to take decisive action, and they called for consistency in the implementation of the trade measures resolution. Many parties felt that the information provided by Chinese Taipei, and the remedial actions proposed by Chinese Taipei, were insufficient to address their concerns. It was noted that some parties had been sanctioned for lesser infractions in the past. Several parties also noted that the measures proposed by Chinese Taipei to rectify the situation were existing ICCAT requirements that should have already been implemented. Some parties expressed concern about the fate of Chinese Taipei's fleet in the case of trade measures or a zero quota, suggesting the possibility of the vessels

reregistering under flags of convenience and continuing IUU fishing activities in the Atlantic or other oceans. Several parties also commented that ICCAT will be judged by outsiders based on its action in this case. The importance of encouraging Chinese Taipei to continue their efforts to promote a responsible fishery by its fleet was mentioned by several parties. A summary of additional points made during the discussion is provided below.

The observer from Chinese Taipei recalled that in 2004 ICCAT passed a resolution asking Chinese Taipei to improve their fisheries management. He introduced a document concerning briefings on improvement of fisheries management (attached as **Appendix 3 to ANNEX 10**) (PWG-055) with summary text and slides describing Chinese Taipei's response to ICCAT's request.

The observer from Chinese Taipei explained that they faced tremendous pressure to convince their government to undertake the fleet reduction program and enhance fisheries management. He noted that they have strived to make improvements, and explained that some of the fisheries management measures they have implemented are at the forefront of the world, and ahead of the requirements of many RFMOs. He gave the following examples: implementation of a program to differentiate between licensed and IUU vessels to prevent illegitimate use of statistical documents by IUU vessels; addressing capacity size by scrapping vessels; only allowing positive listed vessels to enter Chinese Taipei's ports; and additional management measures. He noted further that Chinese Taipei has demonstrated good faith, and they hope this is recognized by the international community. In addition, he noted that a positive response by the global community would provide a positive message to the government of Chinese Taipei.

The observer from Chinese Taipei also noted that Chinese Taipei will set individual quotas for by-catch and target species, including three fishing groups in the Atlantic: bigeye tuna (market is Japan), albacore (market is the United States and Thailand), yellowfin tuna (market is the United States). Concerning Chinese Taipei's ability to monitor catch weekly, he noted that by the end of October 2005, the total weekly reported catch of bigeye tuna was 11253 t live weight. One of the slides in the presentation* illustrated the statistical document issuing control, including cross checking the OPRT landing record and sales record, then cross checking with the statistical document and individual quota. The Observer from Chinese Taipei also discussed improvements in data collection, noting that scientific observer coverage in 2005 is about 8%, next year they anticipate it will rise to about 10%. He reminded parties that Chinese Taipei had responded to requests from ICCAT, and that their goodwill and effort should be recognized by ICCAT Commission members.

The presentation by Chinese Taipei also included several suggestions for ICCAT, including development of a mechanism for monitoring at-sea transshipment (such as observers on transshipment vessels), creation of a positive vessel list for transshipment vessels, and equipping transshipment vessels with VMS.

The delegate from Japan explained that the source of the problem with Chinese Taipei is not one issue, it is longstanding, and provided a brief history of this issue, which is summarized below:

The delegate from Japan explained that in the mid-1990s Chinese Taipei's local bigeye tuna stock was overfished and depleted; Chinese Taipei then shifted their fleet to the Atlantic Ocean, where their catch of bigeye tuna greatly increased, leading the Commission to set a quota of 16,500 t for bigeye tuna for Chinese Taipei in 1997. Chinese Taipei continued to increase their fishing capacity, and increased their catch using flag of convenience vessels, later called IUU vessels. In 1999, the Commission for first time created an IUU vessel list on which over 300 vessels were listed for IUU fishing; almost all had Chinese names and addresses in Chinese Taipei. Since then, the Commission took a series of measures to contain illegal activities of Chinese Taipei. Chinese Taipei cooperated and reduced those vessels by a certain number, but the delegate from Japan noted that approximately 60 vessels remain active. Chinese Taipei called back vessels registered under flags of convenience to their own registry, which increased their capacity rapidly, but their catch limit remained the same.

The delegate from Japan noted that fish laundering by Chinese Taipei's fleet was reported in 2003 and that they believed this is still happening as a result of Chinese Taipei's excess fishing capacity. The delegate from Japan elaborated on their discoveries related to fish laundering. They noted that a fishing measure was implemented in 2002 requiring legitimate Chinese Taipei names for vessels; fish laundering was a response to avoid this requirement. Last year, the Japanese Coast Guard and Fisheries Agency of Japan arrested two vessels found in organized laundering activities with Chinese Taipei's vessels. The delegate from Japan estimated that

* Available from the Secretariat.

approximately 18,000 t of bigeye tuna were taken in excess of Chinese Taipei's catch limit (16,500 t), totaling over 30,000 t of bigeye tuna, which was exported to Japan.

The delegate explained that Japan was upset because they have been involved in strenuous efforts to reduce IUU efforts for past 10 years, but the Chinese Taipei vessels have found ways around inspections and management measures. The delegate insisted that this cannot be allowed to continue. He recalled that the Commission identified Chinese Taipei after a long effort to combat IUU, but Chinese Taipei's fishermen tenaciously continued their activities. He noted that the Commission expected proof that the situation was rectified this year, not plans for future improvements. In addition, Japan wanted to stress that the responsibility to prove that the situation is rectified is Chinese Taipei's, not Japan's. The delegate from Japan acknowledged the information provided by Chinese Taipei this year, but did not feel it rectified the situation.

The delegate from Japan then provided a brief explanation of the information papers they submitted to the Working Group on this topic. Details can be found in Japan's "Information Paper on Activities by Chinese Taipei Fishing Vessels and Industry in the Atlantic Ocean" (attached as **Appendix 4 to ANNEX 10**) (PWG-050) and "Additional Information Paper by Japan on Chinese Taipei", attached as **Appendix 5 to ANNEX 10** (PWG-056). The delegate from Japan explained that the Chinese Taipei industry devised creative ways to avoid inspection in Japanese ports. The information documents provided by Japan described three methods used to avoid inspection: processing fish in more lenient countries then importing fillets to Japan, importing fish in freezer containers, and discarding small fish (< 40 kg). The delegate from Japan reported that the Japanese public has become more environmentally aware and is saying no to products without legitimate origins.

The delegate from Japan pointed out several problematic aspects of Chinese Taipei's fleet reduction program, noting that some of the vessels to be scrapped are old, sunken, do not have record of bigeye tuna fishing in past, or are less than 24 meters. He also noted that the fleet capacity will still be significantly larger than Chinese Taipei's quota after the proposed fleet reduction. The delegate from Japan also noted that the Chinese Taipei fishing industry is still building vessels less than 24 m, and has at least 100 of these vessels operating under foreign flags in the Atlantic, all unreported, catching tuna, sharks, and other ICCAT regulated species. While Chinese Taipei was asked to work with their fishermen to provide information on these vessels, no data were received. Japan noted that they received responses to questions posed by the Commission to Chinese Taipei, but Japan felt that the responses did not satisfy the requests made by the Commission. They noted that the additional actions Chinese Taipei will be taking are existing requirements of ICCAT, and should have been implemented 10 years ago. Japan stressed the need for correct, complete, and accurate catch data, but noted that these were not presented. They urged Chinese Taipei to investigate illegally caught and laundered fish, so that ICCAT can accurately estimate the amount of fish caught. Japan hopes that the seriousness and longevity of this matter were understood. The delegate from Japan also noted that Brazil and the United States had provided information on IUU vessels owned by businesses in Chinese Taipei.

The observer from Chinese Taipei responded that they were encouraged by Japan's recognition of the effort required by the Chinese Taipei government to address this issue. Chinese Taipei recalled a meeting they hosted last month, with four ICCAT members. The Observer recalled the general feeling of this informal meeting was that most participants appreciate the effort Chinese Taipei has made, but all say that they have to do more. Based on this, the fisheries agency agreed to scrap an additional 40 vessels to make a total of 160 vessels all together. The observer from Chinese Taipei noted that this is very difficult financially.

The observer from Chinese Taipei made oral responses to some specific assertions made by Japan, and responded to others with additional documents submitted to the PWG (attached as **Appendix 6 to ANNEX 10**) (PWG-060) and **Appendix 7 to ANNEX 10** (PWG-105). The observer noted that sunken vessels still have ship building rights, so buying back these rights is a way of eliminating fishing capacity. For vessels less than 24 m built in Chinese Taipei's ship yard, the information from Japan was not correct; these vessels are all replacements for old tonnages, half are under 20 tons and are utilized for coastal fisheries. He noted that Chinese Taipei has already made a regulation to prohibit new vessels, unless approved by the RFMO or importing country. The Observer from Chinese Taipei noted that some of the things mentioned by Japan were exaggerations, and that he regrets assumptions are so often used to attack Chinese Taipei. The Observer stated that Chinese Taipei knows they have to make more improvements, but they hope that Chinese Taipei will receive positive recognition for their efforts, rather than punishment.

The delegate from Japan questioned some of the contents of Chinese Taipei's explanatory document, (PWG-055). He noted that SCRS has indicated bigeye tuna can be caught in almost the entire Atlantic Ocean; consequently fishing zones may not work. He suggested that VMS should not be relied on for 100% of

monitoring, and recommended the use of patrol vessels and inspections. He questioned Chinese Taipei's use of the CPUE formula developed by Japan and Korea, commenting that Japan has observed larger crews and more frequent setting of lines on Chinese Taipei's vessels than those used to develop the CPUE formula. The observer from Chinese Taipei responded that there is limited crew space on their vessels, and lines can only be retrieved once per day. They also explained that they use monitoring and control tools in addition to VMS, including statistical documents and surveyors at the landing points.

The delegate from Ghana inquired as to why vessels over 10 years old were being scrapped, noting that it should rather be modern vessels. The observer from Chinese Taipei explained that they kept new vessels to maintain safety in the bigeye tuna fleet, scrapping less efficient vessels.

The delegate from Canada noted that during the discussion it was difficult to follow all calculations, and asked for clarifications in relation to Chinese Taipei's fleet. The Observer from Chinese Taipei responded that after scrapping the proposed vessels, their remaining fleet will average 500-600 gross tons, the total annual number of fishing days for bigeye tuna vessels would be approximately 26,833, with approximately 100 vessels fishing.

The delegate from Japan introduced a document (PWG-092) recommending trade restrictive measures on Chinese Taipei and reiterated his concerns about magnitude of Chinese Taipei's activities, the history of IUU fishing by Chinese Taipei, and the issue of equity in implementation of the trade measures. He provided additional detail on the magnitude of the problem, estimating 10,000 t of bigeye tuna laundered through the Indian Ocean, 2,000 t of filleted fish, 2,000 t of frozen fish, and 1,000 t of discarded small fish laundered for a total of 15,000 t of bigeye tuna laundered and exported to Japan. He also recalled the history of Chinese Taipei, with over 300 vessels on the initial ICCAT IUU vessel list. The delegate further commented that Japan had requested repeatedly that the Chinese Taipei authorities seriously investigate this issue; this year the Chinese Taipei authorities admitted 8,000 t of bigeye tuna were caught on IUU vessels were exported to Japan. The delegate from Japan suggested that this was an underestimate because Japan believes 60 IUU longline vessels are still operating out of Chinese Taipei, each capable of catching 300 t or more per year. The delegate from Japan calculated that the total IUU caught bigeye tuna could be conservatively estimated at 15,000 t + 8,000 t bigeye tuna, meaning at least 23,000 t of bigeye tuna were caught illegally. The delegate reiterated his comments about consistency and credibility, and noted that if ICCAT does not take action, they will face very serious challenges from outsiders.

The delegate from the United States noted that any action on Chinese Taipei should have concrete measures and timeframes for compliance, and he described a number of specific measures, which were later included in the Chairman's proposal.

The delegates from the United States, Sao Tome, and Brazil expressed appreciation for Japan's proposal, but concern about the implications of it. The delegate from the United States recalled that ICCAT had identified Chinese Taipei in response to bigeye tuna issues, but noted that Japan included swordfish and bluefin tuna. The delegate indicated that the United States was not comfortable adding these species because they were within their quota, on average, over the past three years. While the delegate from the United States agreed that Chinese Taipei must take measures to improve, he suggested more thought must be given to what action ICCAT should take, particularly in light of the significant economic impact of the trade measures proposed by Japan. The delegate from Belize wondered what the incentive was to prevent reflagging, and the ability of Chinese Taipei to enforce it. He further noted that Chinese Taipei has large quota but contributes very little money to ICCAT compared to what it derives. He suggested imposing fines when violations are found if this was possible. The delegate from Japan expressed concern over these comments. He recognized the U.S. concern about the impact on the economy of Chinese Taipei, but wondered if this concern was fair based on ICCAT's past actions. He also urged the United States to conduct a study of swordfish and albacore in their market, similar to that the Japan conducted for bigeye tuna. The delegate from Japan responded to the comments from Belize, recalling that Japan scrapped hundreds of vessels in the North Pacific for salmon. He noted that Chinese Taipei is not poor and must make a real fleet reduction.

The delegate from the EC noted the need for consistency and coherence among RFMOs. He noted that the activities of the fleet of Chinese Taipei have been a source of considerable concern for many RFMOs. He commented that ICCAT has facilitated, by inaction, the continued non-respect of ICCAT measures, has closed their eyes to concerns about transshipment, and that ICCAT's importing states have not done their part. He explained that the EC has banned swordfish imports from Chinese Taipei when they have exceeded their quota. He proposed that if Chinese Taipei wants to continue to fish and transship, they must transship in designated ports to be properly monitored, and they should not be granted the luxury of at-sea transshipment.

The delegate from Canada identified two fundamental issues for Chinese Taipei: their ability to control their fleets, and their ability to control their residents relative to IUU fishing. He also noted ICCAT members' obligations not to have any involvement with vessels from Chinese Taipei if trade measures or a zero quota are implemented.

The delegate from Namibia called for Chinese Taipei to accelerate the pace of its vessel reduction program to ensure capacity falls within the quota. He also noted that fleet capacity should correspond to both quota and the ability of Chinese Taipei to control its fleet.

The delegate from China asked Chinese Taipei how many vessels were involved in laundering activities, noting that China has punished individual non-compliant vessels in its fleet. The delegate recognized that China may be one route for fish laundering, but expressed their desire to eliminate IUU products in their market.

The delegate from Brazil commented that this brings up the fundamental question of the way ICCAT recommendations and resolutions are implemented. He recalled that Resolution [03-15] was the object of much debate, and it was important to ensure the measures were transparent. He noted that the trade measures were identified as a last resort, and that quota reductions should be implemented before trade sanctions. He suggested that PWG consider how to address this case to promote compliance and set a precedent for how ICCAT enforces conservation measures.

The delegate from Senegal recalled that small countries have been subject to sanctions for smaller infractions. She asked that sanctions be applied fairly, with a time limit, and that they be properly assessed and decided upon before the conclusion of the meeting.

The Chair introduced a working document on a recommendation regarding control of Chinese Taipei's Atlantic bigeye tuna fishery (PWG-115), and noted a possible improvement to language, requiring Chinese Taipei to prove when they have met the required conditions.

The observer from Chinese Taipei stated that the requirements in this document for a zero quota in the 2006 fishing season were not workable. He explained that if there were no vessels operating in 2006, there would be insufficient funds to pay for the vessel reduction program, as the vessels remaining in the fleet are required to pay for part of this program. He asked that parties base their decision on evidence, not on hearsay. He also expressed concern about the fate of the Chinese Taipei fleet if sanctions were taken, noting that the vessel reduction program will not take place in that case.

The delegate from Japan commented that Chinese Taipei has been over-fishing bigeye tuna for 5 to 10 years by a huge amount, which has been threatening the stock of bigeye tuna, while other parties made a strenuous effort to protect bigeye tuna. He noted that fishing vessels in Japan are called back to port and confined when violations are found and that Chinese Taipei should take similar measures.

The delegate from Equatorial Guinea reminded the PWG not to have double standards, but to apply the same rules across the board.

The delegate from the EC made a procedural note that if ICCAT requires vessels to return to port, this must happen in 2006 after normal implementation of conservation measures. He also noted that he needed to consider if the proposed actions were manageable in the short term, if the actions were appropriate in view of letter sent last year to Chinese Taipei, and whether this was a way to guarantee improvement in the situation.

Many countries expressed appreciation for the Chairman's working document, and supported the recommendations in it. There were some suggestions for technical and wording changes, and some reservations were expressed.

Based on discussions, a revised working document was submitted to PWG. The Chair explained that the provisions in the document included a 4,600 t quota of bigeye, consisting of an allowance of 1,300 t of by-catch in the albacore fishery (limited to 60 vessels), and 3,300 t for an experimental directed bigeye tuna fishery (limited to 15 vessels); all other vessels must stop fishing and would be deleted from ICCAT's authorized vessel list; Chinese Taipei must provide the list of authorized vessels to ICCAT; vessels fishing must submit to a mandatory check in Cape Town or Las Palmas; Chinese Taipei must also implement attached monitoring and control measures on a set timescale; they must report results of the experimental fishery and monitoring and control systems at least one month before the 2006 ICCAT meeting; and they must demonstrate compliance with

these requirements at the 2006 ICCAT meeting. If Chinese Taipei has not rectified the situation by the dates set in the document, the Commission will decide whether or not to take trade restrictive measures on bigeye tuna.

The delegate from the EC requested additional time to review the Chair's working document to ensure the language in the operative paragraphs and attachment were consistent, included a VMS provision for all vessels, and required lists of both albacore and bigeye tuna fishing vessels that will be allowed to fish in 2006. It was clarified that the document already contained strict VMS requirements. The PWG agreed, therefore, to submit the Chair's working document for a recommendation regarding control of Chinese Taipei's Atlantic bigeye tuna fishery (PWG-115C) (see **ANNEX 5 [Rec. 05-02]**) to plenary for further consideration.

Bolivia

The Chair noted that sanctions were maintained last year and no additional information was provided by Bolivia this year. The Working Group agreed to maintain sanctions and notify Bolivia by sending them a letter (attached as **Appendix 8.1 to ANNEX 10**).

Cambodia

The Chair noted that Cambodia had responded to last year's letter from the Commission, and that they indicated they have no vessels licensed to fish in Atlantic. They did express interest in having vessels listed on ICCAT's positive list. The Working Group agreed to send a letter (attached as **Appendix 8.2 to ANNEX 10**) to Cambodia requesting further information, including: inquiring whether Cambodia has submitted their list of vessels to FAO, what the size of their global fleet is, how vessel registration is conducted in Cambodia, details on their monitoring and surveillance program. It was noted that Cambodia may have recently changed their vessel registration process, and that two Cambodian vessels are listed under the IATTC IUU list, and one Cambodian vessel is listed on the CCAMLR IUU list.

Colombia

The Working Group agreed to send a letter to Colombia (attached as **Appendix 8.3 to ANNEX 10**) based on a report of a Colombian flag vessel observed by a U.S. Coast Guard cutter operating in vicinity of Colombian EEZ and targeting ICCAT regulated species. The Chair noted that the Commission can discuss reports such as these both in terms of the IUU vessel list and at the country level under terms of Resolution 03-15.

Costa Rica

The Chair noted that Costa Rica has been identified for past two years. They did not directly respond to the 2004 letter from the Commission. They did provide some statistical document information indicating zero catch, which appeared valid based on zero trade data. The Working Group agreed to maintain the identification of Costa Rica. It was agreed to send a strongly worded letter (attached as **Appendix 8.4 to ANNEX 10**) seeking relevant fishery information, and the Working Group called upon the Executive Secretary to pursue responses to their questions via embassy liaisons, as Costa Rica has not responded to past letters from the Commission. The delegate from Belize noted administrative complications in Costa Rica, and suggested that the Executive Secretary confirm that they are pursuing the correct diplomatic channels.

Cuba

The Chair noted that no catch or trade information was provided by Cuba. The Working Group agreed to send a strongly worded letter (attached as **Appendix 8.5 to ANNEX 10**), and to request that the Executive Secretary pursue responses to ICCAT's questions via embassy liaisons, as Cuba has not provided sufficient responses to letters from the Commission.

Ecuador

Noting a report that Ecuador harvested 46 t of bigeye tuna from the Atlantic Ocean, the Working Group agreed to send a letter of inquiry to Ecuador regarding fleet size, area of catch, and MCS measures in place (attached as **Appendix 8.6 to ANNEX 10**).

Georgia

Given the lack of response from Georgia, the Working Group agreed to maintain sanctions and agreed to send a letter notifying Georgia of this decision (attached as **Appendix 8.7 to ANNEX 10**).

Israel

The PWG took note that Israel had exported 0.8 t of bluefin tuna in 2004. The Chair recalled that Israel had expressed strong views with regard to ICCAT inquiries in the past, although they were not interested in seeking cooperating status with ICCAT at that time. It was agreed that no action was warranted at this time.

Maldives

Noting a report of Maldives catching 15 t of bluefin tuna, from unknown locations, and noting Maldives does not have bluefin tuna quota, the Working Group agreed to send a letter of inquiry to Maldives (attached as **Appendix 8.8 to ANNEX 10**), seeking information about fleet size, area of catch, and monitoring and control measures in place.

Mauritania

Mauritania responded to ICCAT's letter with a request for information on becoming a Contracting Party. The PWG agreed that no action under Resolution [03-15] was warranted at this time.

Palau

The Chair noted that a response had been received from Palau, albeit through unusual channels. The letter claimed that Palau had no record of the vessel on the ICCAT negative list. Based on this, the Working Group felt that no additional action was necessary, but that it would be monitored in the future as necessary. It was agreed that this vessel would remain on the IUU list, under "unknown" flag.

Seychelles

The Working Group agreed that no action was warranted as there were no outstanding issues involving the Seychelles.

Sierra Leone

Noting that the Commission did not receive the additional information requested from Sierra Leone in 2004, and after thorough discussion, the Working Group agreed to send a follow-up letter to Sierra Leone (attached as **Appendix 8.9 to ANNEX 10**) seeking answers to the issues raised in the 2004 letter. The PWG also requested the Executive Secretary to pursue a response from Sierra Leone via embassy liaisons.

Singapore

The delegate from the EC noted that their difficulties with Singapore had only been rectified in part. They reported that Singapore was cooperative when contacted by the EC, but that the implementation of the statistical document program was incomplete. Singapore only issues re-export certificates (as they have no catches), and these certificates are only issued at the request of operator. If an operator does not request a re-export certificate, the consignment will be re-exported without that document. In addition, there is no verification of exports across the board, as would be warranted by relevant measures. The customs system in Singapore has not provided for proper means to apply correctly the ICCAT statistical document program. While appreciating Singapore's cooperative stance, the Working Group agreed to maintain the identification of Singapore due to the remaining lacunae that need to be addressed. Singapore will be informed of this decision with a letter and thanked for their progress to date (attached as **Appendix 8.10 to ANNEX 10**).

Sri Lanka

The Chair noted that Sri Lanka did not respond directly to the Secretariat's request for information; however, they did provide statistical document validation information. It was agreed to send a strong letter (attached as

Appendix 8.11 to ANNEX 10) and to ask the Executive Secretary to pursue responses to ICCAT's questions via embassy liaisons.

St. Vincent and the Grenadines

The delegate from the United States introduced a report (PWG-059) on information obtained by the U.S. Coast Guard during a routine boarding of a vessel, flagged to St. Vincent and the Grenadines. The report noted a number of ICCAT species aboard, and connections to ICCAT members and a cooperating non-contracting party. The catch on the vessel included 50 t of bluefin tuna. The Chair noted that St. Vincent and the Grenadines has been a cause for concern to the PWG for many years.

It was also noted that Brazil had submitted information in relation to the IUU activities of the St. Vincent and the Grenadines vessel *Southern Star 136*, and that this vessel had been included in the draft "List of Vessels Presumed to Have Carried out IUU Fishing Activities in the ICCAT Convention Area".

The delegate from Japan expressed sympathy for St. Vincent and the Grenadines, commenting that they were another victim of Chinese Taipei but that the response of St. Vincent and the Grenadines to ICCAT's inquiry on the matter was not sufficient because no serious investigation was made. The delegate also recognized the possible involvement of Japan interests in this incident and committed to investigate the matter, while encouraging Chinese Taipei to investigate its involvement. It was agreed to identify St. Vincent and the Grenadines in accordance with the *Resolution on Trade Measures* [Res. 03-15], to send a letter to St. Vincent and the Grenadines (attached as **Appendix 8.12 to ANNEX 10**) informing them of this decision, and to ask Chinese Taipei to work with St. Vincent and the Grenadines to take enforcement measures on fishing vessels controlled by businessmen from Chinese Taipei.

Togo

The identification of Togo was revoked in 2004. No direct response to the Secretariat's letter was provided, although some data were received. The delegate from Japan indicated that their request for information last year was not addressed. The Working Group agreed to send a letter to Togo (attached as **Appendix 8.13 to ANNEX 10**) asking for information on its fleet, including MCS measures and vessel licensing and registrations processes.

6. Development of IUU vessel list

The Chair introduced the draft IUU vessel list prepared by the Secretariat, which contained 8 vessels and accompanying evidence, and attention was drawn to two documents, one submitted with additional information on a vessel flagged to St. Vincent and the Grenadines, *F/V Emily 21* (PWG-059) and another on a vessel flagged to Colombia, *F/V No. 16 Shin Yeou* (PWG-081). Based on the information in the documents, the Working Group agreed to add these vessels to the IUU vessel list.

The Secretariat produced a revised list incorporating all the proposed changes. The PWG agreed to forward the revised list to the Commission for adoption. The agreed "2005 List of Vessels Presumed to Have Carried out IUU Fishing Activities in the ICCAT Convention Area" (IUU List) is attached as (**Appendix 9 to ANNEX 10**).

7. Requests for Cooperating Status

The Chair briefly reviewed the relevant documents pertaining to the Cooperating Status issue.

Chinese Taipei

The delegate from Japan noted that they would like to maintain the Cooperating Status of Chinese Taipei until next year if the PWG Chair's proposal (submitted under agenda item 4.2) was adopted by the Commission. It was agreed to defer the decision on Chinese Taipei's Cooperating Status to the plenary meeting in conjunction with discussion of Chair's proposal. The delegate from Japan noted that if ICCAT decided not to take strong action against Chinese Taipei in accordance with Resolution [03-15], Cooperating Status should be revoked. He asked the PWG to confirm that if Chinese Taipei fails to meet the conditions agreed on this year, it will result in revocation of Cooperating Status immediately at the 2006 meeting. Some members expressed concern about

prejudging what actions would or should be taken in 2006. The letter to Chinese Taipei is attached as **Appendix 8.14 to ANNEX 10**.

Egypt

The Chairman explained that Egypt was seeking Cooperating Status. She recalled that Egypt submitted a request two years ago that suggested they may not have fully understood what Cooperating Status entailed. Information was provided to Egypt on this regard after the 2003 meeting.

The delegate from Japan noted that the response from Egypt to the Commission was not sufficient in that it did not make a commitment to observe the Commission's conservation and management measures. It was agreed to send a letter explaining the requirements and seeking additional information (attached as **Appendix 8.15 to ANNEX 10**). The PWG agreed that cooperating status should not be granted under the circumstances.

Guyana

The Working Group agreed to continue Guyana's Cooperating Status.

Netherlands Antilles

The delegate from Japan reminded the Working Group that the Netherlands Antilles continued to violate ICCAT regulations. He recalled that the Netherlands Antilles made a commitment in 2004 to abide by Commission rules, but did not do so. He proposed to revoke Cooperating Status.

The delegate from Belize noted that the Working Group should consider the monitoring and control processes that the Netherlands Antilles has implemented before making a decision and he asked what was known in this regard. The Working Group did not have this information at hand.

The delegate from the EC recalled that the decision on the Cooperating Status of the Netherlands Antilles was the subject of a long debate at the previous ICCAT meeting, which in the end resulted in the granting of cooperating non-contracting status. He questioned the basis for revoking Cooperating Status. He suggested that the reported catch was probably due to activities by specific vessels, and that ICCAT's normal course of action would be to inform the party and request further information. It was agreed to send a letter (attached as **Appendix 8.16 to ANNEX 10**) seeking detailed information on this matter, requesting that the Netherlands Antilles comply with the Commissions' regulations, and indicating that cooperating status would be reviewed in 2006 based on information received.

8. Measures to improve fishery statistics required by ICCAT

The delegate from the United States proposed a recommendation to enhance data and record keeping in recreational fisheries, noting this area of data collection had been weak in the past. He explained that the proposal asked CPCs to submit Task I and II data and explain techniques used to manage sport and recreational fisheries as well as methods used to collect data. He explained that this type of information would be of great help to SCRS in terms of stock assessments as well as for the Commission when considering management measures. The delegate from the EC responded that the U.S. proposal was interesting and relevant, and he noted that another proposal on recreational fisheries would be discussed in plenary. He suggested, therefore, that the two recreational proposals could be dealt with jointly. The United States noted important distinctions between the two proposals. Specifically, the EC proposal addressed fishing mechanisms or means, and the U.S. proposal addressed the data collection process. It was agreed to refer the U.S. recreational proposal to plenary to facilitate a more comprehensive discussion.

9. Other matters

No additional matters were discussed.

10. Election of Chair

The Chair of ICCAT recalled that during a meeting of Head Delegates, it was decided to consider a restructuring of ICCAT's PWG and Compliance Committee. He noted that some of the restructuring work will be done

intersessionally and may be reported back to the Commission in 2006. He explained that the objective was to consider whether and how to merge these bodies. Since the PWG may not convene in 2006, the decision on the election of the Chair should be deferred until next year. The delegate from the United States noted that it will take the experience of the current Compliance Committee and PWG Chairpersons to make this change successful. He further noted that the United States is prepared to give up the Chair of PWG, but Ms. Blankenbeker should collaborate with Mr. Wieland during the intersessional period to develop a way forward. The delegate from Japan expressed gratitude to the Chair, noting her excellent work as Chair for the past five years, including the production of many letters, and her work day and night.

11. Adoption of the report and adjournment

The Chair thanked the members of the PWG for their patience and hard work. She also expressed appreciation for the efforts of the Rapporteur, interpreters, and Secretariat staff. The 2005 meeting of the PWG was adjourned on Saturday, November 19.

The final Report of the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures will be adopted by correspondence.

Appendix 1 to ANNEX 10

Agenda

1. Opening of the meeting
2. Adoption of the Agenda
3. Appointment of the Rapporteur
4. Implementation and functioning of Statistical Document Programs
 - 4.1 Review of bi-annual data reports
 - 4.2 Report of the Working Group to Review the Statistical Monitoring Programs, including consideration of recommendations
5. Review of cooperation by non-Contracting Parties, Entities or Fishing Entities and determination of actions to be taken under the 2003 *Resolution by ICCAT Concerning Trade Measures* [Res. 03-15]
6. Development of IUU vessel list
7. Requests for Cooperating Status
8. Measures to improve fishery statistics required by ICCAT
9. Other matters
10. Election of Chair
11. Adoption of the report and adjournment

Actions taken in relation to Non-Contracting Parties, Entities and Fishing Entities in 2005 (PWG-038C)

2004 Action	Direct Response to Chair's letter	Catch data reported	SDP validation information provided	Reported as IUU under 02-21	Unreported catch estimates from SDP	Unreported catch estimate from other trade data	Observations / other information	2005 Actions
Further details available in document number	PWG-040	PLE-007 (and addendum) and PWG-037-A	PWG-037-A	PWG-037-A /PWG-040	PWG-007 (with addendum)			
COOPERATING NON-CONTRACTING PARTIES, ENTITIES OR FISHING ENTITIES								
<i>CHINESE TAIPEI</i>	Yes.	Yes	Yes	No	BFT Exports greater than Task I in 2004, but may include products caught in 2003. BET exports in 2003 greater than Task I.	Information from Japan contained in Japan PWG-050.	133 vessels on ICCAT Record of Vessels, 98 targeting BET. Submitted Annual Report (PWG-041)	Recommendation agreed in Plenary calling for significant reduction in BET catch limit and implementation of additional fleet control measures to address past overharvesting/other fishery problems; cooperating status continued. Letter regarding these matters will be sent by the Commission Chairman
<i>GUYANA</i>	No indirect response but requested information provided	Yes	No	No	No	No	Submitted Annual Report (PWG-041)	Cooperating status to be maintained. Secretariat to inform Guyana of this.
<i>NETH ANTILLES</i>	n/a	Yes	No	No	No	No	0 vessels +24 m fishing in Atlantic since August 2004.	Cooperating status to be maintained but with letter to Netherlands Antilles expressing concerns in relation to catch levels and requesting details on their MCS measures, and requesting them to comply with ICCAT conservation and management measures.

	2004 Action	Direct Response to Chair's letter	Catch data reported	SDP validation information provided	Reported as IUU under 02-21	Unreported catch estimates from SDP	Unreported catch estimate from other trade data	Observations / other information	2005 Actions
OTHER NON-CONTRACTING PARTIES, ENTITIES OR FISHING ENTITIES									
<i>BOLIVIA</i>	sanctions maintained (BET)	No	No	No		No	No		Sanctions maintained. Bolivia to be informed by letter from Chairman.
<i>CAMBODIA</i>	Sanctions lifted. Letter to Cambodia with provision that Cambodia should liaise with RFMOs to ensure that there are no IUU fishing activities being carried out under the Cambodian flag and confirm that they are respecting ICCAT conservation and management measures.	Limited response		No	No	No	No	Cambodia reported that no vessels are licenced to catch tuna. (see PWG-040).	Chairman to send letter requesting further information on vessel registry, whether vessels have been reported to FAO and MCS measures in force.
<i>COLOMBIA</i>					Yes, Vessel sighted in 2005. See PWG 081	No	No		Chairman to send letter requesting further information on fishing activities and explanation of the activities of the vessel sighted.
<i>COSTA RICA</i>	identification maintained (SWO)	No direct response, but Costa Rica has provided information on Statistical Document validation	No	Yes	No	No	No		Identification maintained. Chairman to send strong letter indicating that no response to Commission's concerns and requests may lead to further action. Executive Secretary to liaise with Costa Rica through diplomatic channels to ensure that Commission letter has been received and attempt to elicit a response.

	<i>2004 Action</i>	<i>Direct Response to Chair's letter</i>	<i>Catch data reported</i>	<i>SDP validation information provided</i>	<i>Reported as IUU under 02-21</i>	<i>Unreported catch estimates from SDP</i>	<i>Unreported catch estimate from other trade data</i>	<i>Observations / other information</i>	<i>2005 Actions</i>
<i>CUBA</i>	identification maintained (BFT)	No	No	No	No	No	No		Identification maintained. Chairman to send strong letter indicating that no response to Commission's concerns and requests may lead to further action. Executive Secretary to liaise with Cuba through diplomatic channels to ensure that Commission letter has been received and attempt to elicit a response.
<i>ECUADOR</i>					No	46 t of BET exported in 2004, but no catch data reported.	No		Chairman to send letter requesting information on BET catches, fleet size and area of catch and MCS measures in place.
<i>EGYPT</i>		Not applicable	Yes	No	No	No	No	Egypt has requested Cooperating status. Decision on granting cooperating status to Egypt was deferred in 2003 pending clarification of intent.	Cooperating status not granted as Egypt did not confirm its commitment to respect by ICCAT management cooperating status to measures. Letter to be sent explaining requirements and requesting further information.
<i>GEORGIA</i>	sanctions maintained (BET)	No	No	No	No	No	No		Sanctions maintained. Chairman to send letter to Georgia informing them of this decision.
<i>MALDIVES</i>					No	15 t of BFT exported in 2004, but no catch data received.	No		Chairman to send letter requesting clarification of species and area and MCS measures in place.
<i>PALAU</i>	Letter sent requesting information relating to vessel placed on IUU list in 2004	Yes.	No	No	1 vessel 2004	No	No		No action warranted at country level. Monitor in 2006.

	2004 Action	Direct Response to Chair's letter	Catch data reported	SDP validation information provided	Reported as IUU under 02-21	Unreported catch estimates from SDP	Unreported catch estimate from other trade data	Observations / other information	2005 Actions
SINGAPORE	Identified. SWO exports and failure to implement SDP	Singapore has submitted information on Stat. Doc. validation, which was requested by Chairman.	No	Yes	No	No	No		Maintain identification. Chairman to send letter thanking Singapore for action taken and request further action in relation to the implementation of the SDPs.
SRI LANKA	Letter - further concerns regards IUU activities and request information on monitoring and control	No	No	Yes	No	No	No		Chairman to send strong letter indicating that no response to Commission's concerns may lead to further action. Executive Secretary to liaise with Sierra Leone through diplomatic channels to ensure that Commission letter has been received and attempt to elicit a response.
SIERRA LEONE	sanctions lifted (BFT; BET; SWO)	No		Yes	No	No	No		Chairman to send letter requesting response to issues raised in 2004 letter. Executive Secretary to liaise with Sierra Leone through diplomatic channels to ensure that Commission letter has been received and attempt to elicit a response. Continue to monitor in 2006.
ST. VINCENT & THE GRENADINES	Letter sent encouraging efforts of St. Vincent, but expressing serious concerns about harvest levels and noting that steps must be taken to improve the situation in the near future. SVG to work with ICCAT CPs in these efforts.	No response. ICCAT was copied with letter to owner of Southern Star 136 requesting information in relation to IUU allegation. (not circulated)	Yes	No	Yes - 3 vessels 2004; 2 additional vessel submitted in 2005.	No	No		Identified. Letter to St. Vincent & the Grenadines expressing concerns in relation to IUU vessels' activities and reminding them of their flag state responsibilities. Request Chinese Taipei to assist St. Vincent in controlling these vessels.

	<i>2004 Action</i>	<i>Direct Response to Chair's letter</i>	<i>Catch data reported</i>	<i>SDP validation information provided</i>	<i>Reported as IUU under 02-21</i>	<i>Unreported catch estimates from SDP</i>	<i>Unreported catch estimate from other trade data</i>	<i>Observations / other information</i>	<i>2005 Actions</i>
<i>TOGO</i>	identification revoked (SWO)	No direct response, but Togo reported data, which was requested by Chairman.	Yes	No	No	No	No		Chairman to send letter requesting information on fleet size and MCS measures in place.
NON CONTRACTING PARTIES MONITORED IN 2005									
<i>ISRAEL</i>	Monitor and review in 2005	n/a	No	No	No	Exported 0.8t BFT in 2004, but no catch data reported	No		No action warranted.
<i>MAURITANIA</i>	No action deemed necessary. Continue to monitor.	n/a	No	No	No	No	No	Mauritania requested information in relation to the possibility of becoming a Contracting Party	No action warranted.
<i>SEYCHELLES</i>	identification revoked (BET)	no response received or required	n/a	Yes	No	No	No		No action warranted.

Information by Chinese Taipei on Improvement of Fisheries Management

Last year the ICCAT Commission meeting passed a Resolution requesting Chinese Taipei to improve its fisheries management. During the year, the fisheries authority of Chinese Taipei has done its utmost to rectify the deficiency of its fisheries management, MCS, and the reduction of vessels commensurate with the fishing quota of bigeye tuna. The PowerPoint presentation has been prepared to allow members of ICCAT to have an in-depth understanding of what efforts Chinese Taipei has made in the year to improve its fisheries management. This will be of help to reduce the time spent on the topic during the Commission meeting in November, for the sake of efficiency of the Commission meeting.

During the year, the authority of Chinese Taipei, in particular the decision-making officials in the government, have been facing a tremendous challenge, and putting all efforts to convince the high-level administration to squeeze the budget to undertake a vessel reduction program on the large-scale tuna longline fishery, and to enhance measures on the management of fisheries. Facing the difficulty of shortage of manpower, the recruitment of military service substitutes was even applied. The authority of Chinese Taipei dare not say it has done a perfect job, as time is needed for the implementation and experience should be accumulated on some of the measures, in order that they can be proven to be effective.

As a democratic and open society, formulation of policies will always encounter political pressures from different sectors. The determination and will expressed by the fisheries authority in facing huge pressure from the industry, can well demonstrate the understanding and good will of the fisheries authority in dealing with the matter. Some of the major measures taken can be considered as a forefront in the world:

- In order to cut any linkage between the legitimate licensed longline fishing vessels and the IUU fishing vessels such that the statistical document issued to the legitimate licensed vessels would not be used by the IUU vessels, to those ocean areas under the competence of IOTC and WCPFC, which have not yet adopted quota allocation, Chinese Taipei has made a self-restraint on the fishing activities of its fleet by applying individual quotas to fishing vessels has been applied;
- To prevent expansion of global fishing capacity, before adoption of such measures by RFMOs, regulations have been promulgated to prohibit exportation of fishing vessels unless replacement of scrapped or lost vessels as declared by the importing countries or at the approval of the relevant RFMO;
- In order to combat the IUU fishing vessels, only those vessels on the positive list of RFMOs are permitted to enter into the ports of Chinese Taipei.

It is noteworthy that the measures pushed by the fisheries authority of Chinese Taipei are facing huge political pressures from various sectors, including acute criticisms from the shipbuilding industry. Yet the Fisheries Agency has stuck firmly to its decision. This demonstrates the good faith of the government of Chinese Taipei, and it is hoped that these efforts will have the support and recognition by the international community. In addition, such a positive attitude from the international community will provide the government of Chinese Taipei a firmer position to resist the criticism from the shipbuilders.

The development of the high seas fisheries of Chinese Taipei has a long history. It was only after the adoption of the UN Fish Stocks Agreement in 1995 that the international community had gradually provided room for accommodating Chinese Taipei as a partner in the conservation and management of high seas fisheries. The special consideration of the international community in our situation should be cherished, and the Fisheries Agency is willing to exert its greatest efforts in managing the fisheries resources to ensure their sustainability.

Rome was not built in one day. Likewise, a package of stable and proper fisheries management measures cannot be done in one day. Under the encouragement from members of the international community, Chinese Taipei has strived to make improvement.

Appendix 4 to ANNEX 10

**Japan's Information Paper on Activities by Chinese Taipei
Fishing Vessels and Industry in the Atlantic Ocean**

1. Situation after exposure of the laundering cases

In July and August of 2004, the Japan Coast Guard and Fisheries Agency of Japan arrested two cargo vessels involved in tuna laundering activities organized by Chinese Taipei fishermen. Other data and evidences suggested that such laundering activities are not limited to those two cases but rather being widely conducted in the entire Chinese Taipei's fishing fleets. In view of the seriousness of this matter, ICCAT and other Tuna Regional Fisheries Management Organizations took almost the same decisions to request Chinese Taipei to conduct through investigation on the laundering activities, report back the results and take effective measures to eliminate such activities. After the exposure of the two tuna laundering incidents, the following phenomena were observed in Japanese tuna import data.

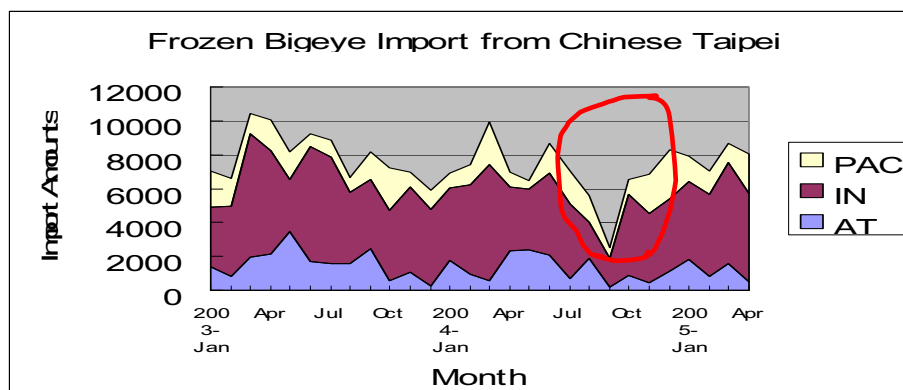
(1) Import trend of bigeye caught by Chinese Taipei fishing vessels

The following table and figure show the trend of Japanese import of frozen bigeye caught by Chinese Taipei fishing vessels. Just after the incidents of exposure of the laundering activities in July, 2004, the import amount dropped sharply but soon recovered to the previous level (**Table 1 and Figure 1**). If the laundering activities had been restricted effectively after the incidents, the amount of the import must have been reduced significantly. But this is obviously not the case.

Table 1. Frozen bigeye import from Chinese Taipei (round weight: t).

	<i>Atlantic</i>	<i>Indian</i>	<i>Western Central Pacific</i>	<i>Eastern Pacific</i>	<i>Total</i>
2003-1st quarter	4,158	14,920	2,616	2,367	24,061
2 nd quarter	7,339	15,903	2,855	1,311	27,408
3 rd quarter	5,599	14,536	2,286	1,259	23,680
4th quarter	1,857	13,717	2,464	2,093	20,131
2004- 1st quarter	3,276	16,371	2,750	1,920	24,317
2 nd quarter	6,767	12,176	1,847	1,252	22,042
3 rd quarter	2,766	8,215	2,683	1,467	15,130
4th quarter	2,522	13,041	4,557	1,584	21,704
2005-1st quarter	4,191	15,416	3,271	752	23,630
2 nd quarter	3,847	11,107	2,875	823	18,652

Source: Fisheries Agency of Japan.

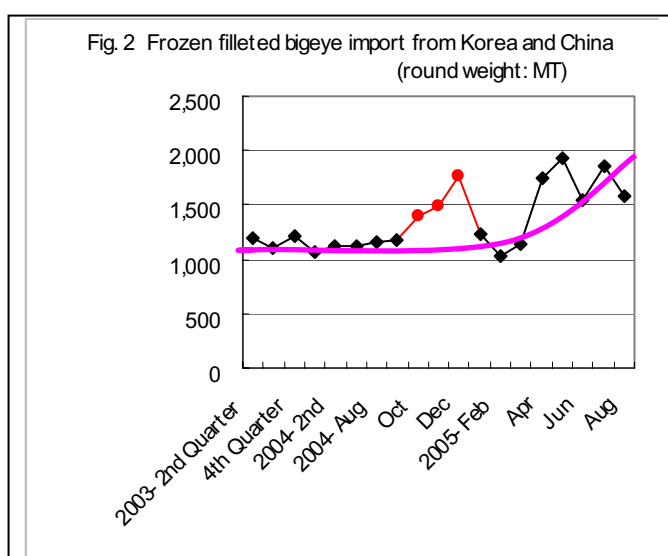
**Figure 1.** Frozen bigeye imports from Chinese Taipei.

The Japanese authority intensified landing inspection of freezer cargo vessels to check the Chinese Taipei frozen tuna products. But after the incidents, the captain and crew of the cargo vessels became vigilant, showing flawless documents to the officers. It is extremely difficult to identify ocean origins of bigeye from observation of frozen products. Thus Japan is now working hard to establish inspection techniques to use DNA analysis for such identification. And because of the difficulties with landing inspection, Japan is also proposing to maintain inspectors onboard all the cargo vessels as one of transshipment control measures to be adopted by the Commission.

Although greatly appreciating Chinese Taipei's effort, one can never be convinced that the laundering activities stopped this year. The Chinese Taipei authority does not conduct landing or boarding inspection to verify reported catch by its fishermen. Chinese Taipei's fleet reduction program that has a very limited effect to rectify the situation as described below has yet to be fully implemented. Further, the Chinese Taipei fishing industry is creating more complicated and innovative ways to circumvent inspection.

(2) Import through detour routes

After July, 2004, import of filleted frozen bigeye from Korea and China increased significantly (**Figure 2**). It is almost impossible for Japanese inspectors to track back from filleted tuna products to fishing vessels having originally caught fish. Inspection at the first points of import in Korea or China became essential to overcome this difficulty, but the inspection there is not so severe as in Japan. According to the information from industry sources, a substantial amount of illegally caught Atlantic bigeye (probably over a thousands t) have been sent to those intermediate processing countries and going through the Japanese customs in fillet form since the July incidents.



Note: Up to June 2004, the monthly average of each quarter of the year.

Figure 2. Frozen filleted bigeye tuna imports from Korea and China.(round weight: in t).

Another detour the Chinese Taipei fishermen found useful to avoid inspection is a freezer container. The import of Chinese Taipei frozen bigeye in freezer containers jumped after the July incidents (**Figure 3**). In case of import of tunas in freezer containers, each lot is much smaller than that of freezer cargo vessels and thus requires much more frequent inspection, which is hard for Japan to cope with. Further, the containers usually go through customs without being opened to avoid deterioration of qualities and are delivered directly to freezer storage houses in Japan. Thus, frozen bigeye in containers are hardly subject to effective inspection.

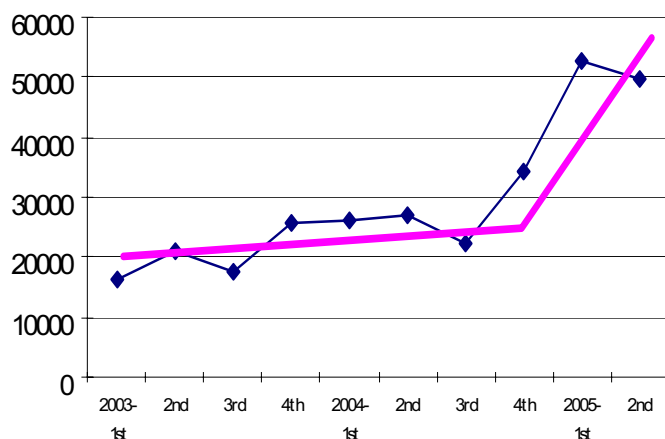


Figure 3. Frozen tuna imports from Chinese Taipei by container (major companies) (product weight: in t).

2. Atlantic bigeye tuna laundering in 2004

At the 2004 meeting of the Commission, it was decided to reduce the annual catch limit for Chinese Taipei by 1,600 t for 2005-2009 because of the minimal estimated overage of Atlantic bigeye laundered in 2003 only. ICCAT confirmed laundering activities in 2004. Based upon the import data, the laundered amount of Atlantic bigeye by Chinese Taipei fishermen in 2004 was estimated to be at least 9,750-16,000 t. This estimation used the data of Indian Ocean bigeye import only. The laundering activities also involve Pacific bigeye and yellowfin as disguise. Then the estimated amount here is a minimal estimate.

In the estimating process, the data and information in the comments of Chinese Taipei presented to the 2004 meeting were used. Since the comments pointed out “one cannot determine whether a vessel has the capacity of ultra low temperature freezing from vessel’s age”, we dropped the estimated laundered amount based on old vessels’ export to Japan 4,000 t in the 2004 information paper (see Appendix 5 to ANNEX 10 of the 2004 PWG Report). The Chinese Taipei 2004 paper also described “the ratio between bigeye and yellowfin catch in the Indian Ocean has changed accordingly with more weighting on bigeye catch, and maintained at about 2:1” (see Appendix 7 to ANNEX 10 of the 2004 PWG Report). If we use this 2:1 ratio and consider that an amount of Indian Ocean bigeye import of one vessel over twice of yellowfin import ($Y \times 2$) is a laundered amount of Atlantic bigeye, the total laundered amount in 2004 is 16,000 t (**Table 2**). If we use a 3:1 ratio, which was used in the last year’s Japanese paper, for conservative estimation, the total laundered Atlantic bigeye becomes 9,750 t. Further, this estimate is based upon import of the vessels that exported over 100 t of bigeye to Japan only. There are other vessels with import records of less than 100 t. Then one can easily understand the very conservative nature of this estimate, and that the actual magnitude of the laundering activities by Chinese Taipei fishermen is far larger than this estimate.

Table 2. Estimated amount of Atlantic bigeye tuna import under disguise of Indian bigeye.

		2001	2002	2003	2004
Total import of Indian Ocean bigeye from Chinese Taipei	(a)	31,208	42,632	59,009	49,803
Estimated Atlantic bigeye disguised as Indian (lower end estimate)	(b)	3,775	6,306	17,592	9,745
(Total bigeye amount of each vessel exceeded BE:YF=3:1 or = 2:1)					-15,957
Estimated actual amount of Indian bigeye	(a-b)	27,433	36,326	41,417	40,058
					-33,846
Number of vessels exported Indian bigeye (exported over 100 t)		301 (88)	303 (133)	332 (164)	317 (231)

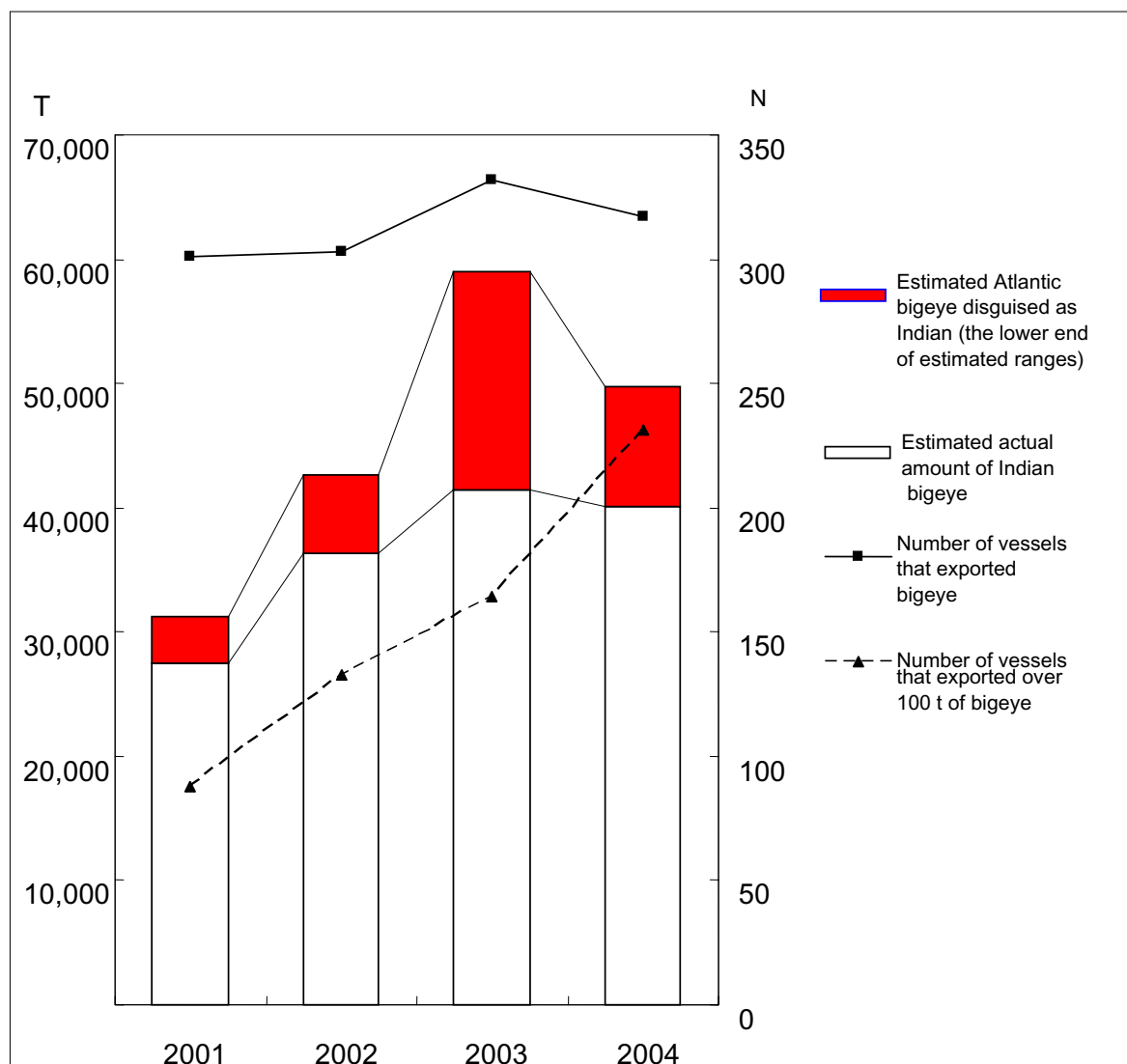


Figure 4. Estimated amount of Atlantic bigeye imports.

3. Effect of the fleet reduction program announced by Chinese Taipei

Chinese Taipei recently announced a fleet reduction program for large-scale tuna longline vessels; a total of 120 vessels will be reduced in 2005 (73) and 2006 (47). Among those 120 vessels, 28 vessels are planned to be scrapped in the Atlantic (**Table 3**); these vessel names were already announced too. Japan very much appreciates this effort by Chinese Taipei and strongly wishes it would result in tangible improvement of the level of compliance. To our regret, however, we must say that the fleet reduction program will not rectify significantly the situation the Commission identified as problematic last year.

Table 3. Fleet Reduction Program announced by Chinese Taipei.

	Area				Total
	ICCAT	IOTC	IATTC	WCPFC	
Current number of LSTLVs	144	337	90	90	614
Number of reduction	28	62	5	25	120
Number of remaining vessels	116	275	85	65	494

According to the results of the following analysis, the effect of the planned fleet reduction is concluded to be far less than the level needed to ensure compliance of Chinese Taipei with its Atlantic bigeye catch limit. The total catch of Atlantic bigeye by Chinese Taipei in 2004 is estimated to be at least 26,250 t (16,500 t (catch limit) + 9,750 t (minimal estimated laundered amount)), whereas Chinese Taipei's catch limit is supposed to be 12,950 t if the Commission applies the same five-year pay-back plan to the 2004 overage by Chinese Taipei (14,900 t (the current catch limit) - 9,750 t/5(one-fifth of the 2004 overage)). Thus the needed level of capacity reduction for the Chinese Taipei fleet in the Atlantic is at least 12,300 t (26,500 t-12,950 t). The estimated effect of the planned fleet reduction is much less than this level.

(1) Expected reduction of Atlantic bigeye catch by the fleet reduction

According to the announced list of the vessels planned to be scrapped in the Atlantic, they are not necessarily the vessels targeting Atlantic bigeye, including old and/or small (<24 m) longliners. The total amount of their export of Atlantic bigeye to Japan was just 2,277 t in 2004 (Japanese trade data). Even if we apply the general under-reporting rate in 2004 (26,250 t/16,500t) to this amount, it becomes merely 3,519 t, which is well below the needed level (12,300 t).

(2) Remaining fishing capacity

According to the Chinese Taipei Fleet Reduction Program, 60 large-scale longliners will remain to catch Atlantic bigeye.

	<i>BET</i>	<i>Main target</i>		<i>Total</i>
		<i>YFT</i>	<i>ALB</i>	
Current number of vessels (2004)	90	10	44	144
Planned number of vessels after 2007	60	5	51	116

However, all of those vessels are relatively new and exclusively targeting Atlantic bigeye. The past export records show one of those vessels can easily catch 300 t of Atlantic bigeye annually. In total, they can catch 18,000 t. In addition, Chinese Taipei does not have intention or capability to inspect landing by not only those bigeye longliners but also yellowfin and albacore longliners, many of which are to be converted from bigeye fishing to yellowfin or albacore fishing. The only tool to monitor their catches is landing inspection conducted by the Japanese authority at Japanese ports, but the Chinese Taipei industry seems to work hard to create and expand detour routes circumventing the Japanese inspection as described in section 1 above. In short, one can never be assured that the remaining fishing capacity is a safely low level ensuring compliance with the Chinese Taipei's bigeye catch limit or that the planned fleet reduction will eliminate the on-going laundering activities by Chinese Taipei fishermen.

4. Fishing vessels under 24m in length

According to the information from industrial sources, the demand for building small (under-100 t/24 m) tuna longline fishing vessels remains still high in Chinese Taipei. About 80 small longliners were reported to be built this year. The shipyards in Kaohsiung, Chinese Taipei, are fully booked for the coming three years for construction of the same type of small tuna longliners.

On the other hand, it was already observed that several tens of small longliners controlled by the Chinese Taipei industry were operating in the Atlantic to export tunas to the U.S. and other markets, whereas Chinese Taipei or any other Party did not report catches of those small vessels to the Commission. This is another hidden fishing operation by Chinese Taipei fishermen. It should be noted here that financial compensation paid to the Chinese Taipei fishermen in Chinese Taipei's fleet reduction program may well be used for construction of these small longliners.

5. Conclusion

- The laundering activities by Chinese Taipei fishermen of Atlantic bigeye in probably continuing to the some extent as last year.
- The laundered amount of Atlantic bigeye by Chinese Taipei fishermen in 2004 is estimated to be at least 9,750 - 16,000 t.
- Although Chinese Taipei's effort should be appreciated greatly, its fleet reduction program does not have a sufficient effect to rectify the situation the Commission identified last year.
- The number of small longliners operated by the Chinese Taipei industry in the Atlantic is probably increasing but unreported yet. The level of their tuna catch can be another serious threat to the tuna resources in the Atlantic.

Appendix 5 to ANNEX 10

Japan's Additional information Paper on Chinese Taipei

1. Chinese Taipei did not comply with the Commission's requests

(1) Although Chinese Taipei authority's effort should be appreciated greatly, none of the Commission's requests were complied with according to Chinese Taipei's response to the Commission (ICCAT Circular #1611/05). The Commission requested, by the Chair's letter of December 15, 2004, Chinese Taipei to take the following measures and submit the information for the review by the Commission at its 2005 meeting;

- a) to cease and desist from any activities which is in breach of official ICCAT conservation and management measures: the IUU and laundering activities are believed to be continuing,
- b) to take effective actions including MCS measures to rectify the activities at issue as to not diminish the effectiveness of the said measures: same measures were and/or will be taken but are not demonstrated effective enough,
- c) "b" should include additional actions to ensure appropriate monitoring, control and surveillance of its fleet and to report complete and accurate catch and effort data to ICCAT: no accurate data were reported,
- d) to ensure fishing capacity is commensurate with its fishing possibilities, keeping in mind that any solution should not include export of capacity to other oceans: still the over fishing capacity exists and is believed to remain even after the fleet reduction.

On items a) and d), the original Japanese Information Paper (see **Appendix 4 to ANNEX 10**) (PWG-050) describes the details. On item b), it is unclear from their response whether Chinese Taipei conducted a thorough investigation on laundering and/or IUU cases. Even if it did so, no results including imposed punitive measures were reported.

Chinese Taipei reported the following as additional actions:

- i. the implementation of VMS program,
- ii. weekly reporting requirement,
- iii. stringent control of issuing of statistical documents,
- iv. prohibit shifting of albacore fishing vessels to target on bigeye tuna,
- v. scrutinizing, detecting and investigating unusual activities of fishing vessels,
- vi. port sampling at foreign ports,
- vii. requesting fishing vessels to report sightings of IUU fishing activities.

Actions i and vii are the existing requirements. Actions ii, iii, v and vii are the actions that should have been taken well before to ensure compliance to the existing conservation and management measures. Thus these five items should not be counted as additional actions.

With respect to actions iv and vi, all of their albacore and bigeye catches are landed in many foreign ports. Chinese Taipei does not provide effective mechanisms to verify their catch amounts at foreign ports. Moreover, Japan pointed out in its original Information Paper (see **Appendix 4 to ANNEX 10**) (PWG-050), there exist detour routes such as processing plants in foreign countries and transshipment using frozen containers. Port sampling is a scientific activity and can not be an effective enforcement activity. Another way to avoid the landing inspection at Japanese ports were also found as described in (2) below.

On item c., the Annual Report of Chinese Taipei (ANN-042/2005) did not provide any catch and effort data based on the assessment on the amount of catch by over-fishing in the past and laundering activities in 2003 and 2004. On the contrary, Chinese Taipei's SCRS bigeye catch table was corrected downward this year. They did not include their admitted amount of laundered Atlantic bigeye (3,800 t) in their 2003 catch.

2004 SCRS Report: bigeye catch in 2003 was 19,541 t.

2005 SCRS Report: bigeye catch in 2003 is 18,682 t and 2004 is 16,399 t.

(2) A new way for Chinese Taipei vessels to pass the Japanese landing inspection was found in the Japanese import data. Body weight percentage composition of bigeye tuna imported to Japan by August in 2005 showed that the percentage of bigeye tuna larger than 40 kg is over 80% in 34 vessels out of the total of Chinese Taipei vessels (94). This 80% is an abnormally high figure in light of the past records. Among the 34, 4 vessels landed bigeye all of that was large fish (100%) whereas 15 vessels recorded over 90% of large bigeye in their total bigeye landing. In 2004, 23 vessels out of 110 vessels recorded higher than 80% and only 3 vessels recorded more than 90%. Obviously, some of fishermen are sending only large bigeye to Japan and landing small fish in other countries so that the Japanese bigeye import record matches Chinese Taipei's catch limit.

The number of Chinese Taipei tuna fishing vessels by each ratio of over 40 kg fish to their Atlantic bigeye catch imported to Japan:

<i>Fish over 40 kg</i>	<i>2005 (up to August)</i>	<i>2004</i>
>100%	4 vessels	1 vessel
90% - 100%	11 vessels	2 vessels
80% - 90%	19 vessels	20 vessels
<80%	60 vessels	87 vessels
Total	94 vessels	110 vessels

(3) In Chinese Taipei's Fleet Reduction Program, the following problems were found in addition to the original Japanese Information Paper (PWG-050).

Chinese Taipei's Fleet Reduction Program:

- i. Scraps only hull and allows fishermen to use engine, freezer, line hauler and all other vessel equipments and fishing gears. Taking account of the information that a substantial number of smaller longline vessels are being built in Chinese Taipei, their reduction program is eventually a fleet renewal program. Fishermen receiving compensatory money from the fleet reduction program see this payment as an opportunity for further fisheries investment.
- ii. Includes small vessels and vessels that may have not been operating. There observed, among the vessels moored for scrapping in Chinese Taipei ports, newly painted vessels or vessels painted different names on top of their original names.
- iii. Includes 9 sunken vessels.
- iv. Includes 10 IUU vessels that returned to Chinese Taipei. These vessels are to be eliminated from the beginning and thus should not be included in the fleet reduction program.

2. Chinese Taipei fishermen are still involved in the IUU fishing activities

Chinese Taipei stated in its response:

"The amount of Atlantic bigeye tuna catch being reported as catch from other oceans is estimated to be around 3,800 tons. On the other hand, the over-reported amount of bigeye tuna catch to Indian Ocean is estimated to be 12,000 tons, of which, 3,800 contributed from the Atlantic catch, and the remaining 8,200 tons from catch of IUU fishing vessels".

This means that IUU fishing activities have been conducted under the name of the Chinese Taipei fishery. However, Chinese Taipei did not provide any concrete results of their investigations on these over-fishing and laundering activities. Chinese Taipei did not demonstrate either that their fishermen have no legal, beneficial or financial interest in, or control of the IUU vessels involved so that they cease and desist from any activities which is in breach of official ICCAT conservation and management measures.

The Chinese Taipei authorities admitted that about 40 to 60 IUU large tuna longline vessels owned and operated by Chinese Taipei residents still exist. But no action seems to have been taken to eliminate the IUU fishing activities yet, although it acknowledged at least 8,200 t of bigeye tuna laundered between IUU fishing vessels and Chinese Taipei vessels.

In this respect, Japan would like to commend Brazil highly for its outstanding contribution to investigation on the IUU activities involving Chinese Taipei fishermen. Brazilian report (ICCAT Circular #1511/05, dated September 29, 2005) showed clear evidence that a strong connection still exists between St. Vincent & the Grenadines vessel *Southern Star 136* and Chinese Taipei fishermen and conducting IUU fishing.

According to the report, the officers and crew of *Southern Star 136* testified that their catch was exported to Japan. But Japan has no import record from St. Vincent and the Grenadines in 2004. The only possible explanation for this information gap is fish laundering.

Southern Star 136 (flag: St. Vincent & the Grenadines) is owned by Kwo Jeng Fisheries Co., Ltd. This company is represented by Mr. I-Cheng Huang, a legitimate Chinese Taipei tuna longline fisherman. He also served as a member of the Board of Directors and the Chairman of the Atlantic Ocean Committee of the Taiwan Deep Sea Tuna Boatowners & Exporters Association last year. The 2002 ICCAT list of IUU vessels listed a total of 31 tuna longline vessels of this company and his group. He told Japan that he operated 100 small and large-scale tuna longliners in the Atlantic under various flags. A leader of the Chinese Taipei tuna industry is deeply involved in IUU fishing business.

3. Conclusion

The measures taken by Chinese Taipei to date are insufficient and the connection between Chinese Taipei residents and IUU fishing vessels still continues.

The Commission has taken sanction measures against countries that undermine the effectiveness of ICCAT conservation and management measures. For the sake of fairness, a similar measure should be taken for Chinese Taipei.

If the Commission did not step forward, Chinese Taipei fishermen may take it as an unspoken approval by the Commission of their fishing activities and continue such irresponsible operations.

Addendum 1 to Appendix 5 to ANNEX 10

Chinese Taipei vessels to be Scrapped in 2006

	<i>Vessel Name (English)</i>	<i>Vessel Name (Chinese)</i>	<i>GRT</i>	<i>Length</i>	<i>Year Built</i>	<i>Age</i>	<i>Remarks</i>
1	CHIN CHING 1	金進1	719	56,3	1990	15	Sunk
2	SUNG HUEA 1	松輝1	424	44,3	1982	23	
3	WIN FAR 326	穩發326	492	53,1	1980	25	
4	LUNG TAN	龍騰	343	39,6	1971	34	
5	CHIN HORNG CHAN 3	金宏展3	419	46,0	1983	22	
6	TAI YUAN 313	泰源313	462	49,3	1989	16	
7	JIN YUN HORNG	金佑鴻	353	44,7	1982	23	
8	YU SHIH SIANG	裕世祥	329	40,9	1982	23	
9	SHUU CHANG 1	旭昌1	353	39,9	1983	22	
10	HSIN YU HSING	新宜興	737	57,3	1988	17	
11	SI CHUEN 1	西春1	357	39,5	1982	23	
12	JUI DER 6	瑞德6	315	43,0	1985	20	
13	TUNG YUAN 6	東源6	403	45,4	1981	24	
14	YIH HANG 2	義航 2	433	42,9	1990	15	Sunk
15	JIN CHIANG	錦江	452	51,0	1983	22	
16	MING KIEH 1	明杰1	343	34,5	1971	34	Sunk
17	YING CHI HSIANG	盈啓祥	397	48,8	1987	18	
18	YUAN BAO 168	元寶168	473	43,9	1979	26	
19	YU SHENG SHYANG 7	裕勝祥7	406	46,0	1983	22	
20	HAUR CHUEN 12	豪春12	449	43,3	1980	25	
21	HSIN CHEN FA	新成發	368	38,7	1974	31	
22	HORNG SHUENN YIH 32	鴻順益32	588	42,4	1979	26	
23	CHIEN CHING 212	建慶212	413	43,6	1981	24	
24	SHIN YIH	新益	202	28,3	1974	31	
25	SHIN YEOU 3	信友3	453	42,0	1985	20	
26	YUH YEOU 6	昱友6	451	42,0	1985	20	
27	CHIN FU 1	金富1	492	50,3	1980	25	
28	KAO FONG 287	高豐287	454	50,0	1980	25	
29	CHIN YONG WEN	金詠穩	343	39,6	1971	34	
30	JIN LONG 232	金隆232	400	48,8	1982	23	
31	TAI HAO 101	泰豪101	716	55,7	1984	21	
32	SI TAI 201	西泰201	391	39,2	1985	20	
33	SI TING 166	西盈166	520	39,5	1981	24	
34	HSIANG FA 168	翔發168	79	27,0	2000	5	
35	YUNG CHI 101	永季101	359	39,2	1985	20	
36	WEN SHUN 126	穩順126	78	22,5	1989	16	Sunk
37	WEN SHUN 202	穩順202	71	22,2	1992	13	
38	LAIN JYI CHUN 16	連吉春16	333	39,3	1974	31	
39	YUH YIH HSIANG 16	裕億祥16	437	47,8	1984	21	
40	HSIANG CHANG 202	翔強202	75	27,0	1999	6	
41	HSIANG FA 688	翔發688	79	27,0	2000	5	
42	YUNG YOW	榮祐輪	492	49,9	1985	20	
43	LI SHENG	立昇	431	43,3	1979	26	
44	SHANG JEN 168	祥仁168	778	57,6	1993	12	

45	HANN CHUN 26	漢春26	705	48,3	1985	20	
46	CHUN HONG 202	群弘 2 0 2	78	22,1	1995	10	Sunk
47	HUI TA 201	輝達201	93	22,9	1995	10	Sunk
48	CHIN CHING 16	晉慶16	717	49,2	1991	14	
49	CHI FU 1	啓富1	352	47,1	1982	23	
50	YING SHUN HSIANG	盈順祥	440	51,5	1989	16	
51	SHIN YEOU 1	信友1	439	41,8	1985	20	
52	AN LONG	安隆6	339	38,5	1971	34	
53	HSIEH HSUAN 686	協玄 6 8 6	459	41,8	1985	20	
54	YUH DER SHYANG 71	裕得祥71	420	48,9	1985	20	
55	YU I HSIANG 211	裕億祥211	364	48,8	1987	18	
56	YING MAO HSIANG	盈茂祥	351	46,2	1987	18	
57	SHANG SHUN 126	興順126	451	48,8	1985	20	
58	LUNG SOON 888	隆順888	377	44,4	1980	25	
59	LUNG SOON 666	隆順666	349	41,7	1974	31	
60	CHIN CHING 2	吉慶2	447	43,3	1980	25	
61	WIN FAR 336	穩發336	577	54,2	1981	24	
62	SHIN CHUEN 1	欣春1	497	55,3	1975	30	
63	WELL RICH 168	偉發 1 6 8	368	42,0	1981	24	
64	MAN YU NO.11	滿裕11號	442	45,0	1975	30	
65	MING CHUN	名春	205		1968	37	
66	CHIEN CHYANG	建強	465	43,0	1989	16	
67	FU YUAN NO.21	富元21	491	51,0	1980	25	
68	CHIEN TONG NO.202	建通202	436	49,0	1984	21	Sunk
69	HWA SHYUAN NO.16	華玆16	352	44,0	1981	24	
70	FENG YA NO.21	豐亞21	330	42,0	1979	26	
71	KAO FONG NO.113	高豐113	315	43,0	1986	19	
72	ZHONG I NO.316	中義316	390	47,0	1965	40	Sunk
73	KIN SHUN AN NO. 3	金順安3	159	31,0	1973	32	Sunk

Shaded: Sunken and/or more than 25 years old and/or less than 24 m in length.

Appendix 6 to ANNEX 10

Chinese Taipei's Response to Japan's Information Paper

1. Introduction

The 2004 ICCAT meeting identified Chinese Taipei for non-compliance of ICCAT conservation measures. After the meeting, Chinese Taipei implemented various measures, including strict verification and issuance of Statistical Documents, individual quota, improved VMS, monitor transshipment, placing of observers, implementing a vessel reduction program. These measures were already mentioned in the briefing made to the participants of the informal meeting held in Taipei on October 28, 2005, with copy of the PowerPoint presentation circulated to members. The effects of these measures will become more and more evident in end of 2005. Chinese Taipei is disappointed that Japan did not wait until the effect of the measures begin to take place, but used past data to come to a wrong conclusion as well as using incorrect information to mislead other members of the commission. We will take this opportunity to defend ourselves of the wrongful accusations by Japan.

2. Situation after the cases in the 3rd quarter of 2004

(1) Decreasing trend in the export of bigeye of CT

Japan stated that in the 3rd quarter of 2004, Chinese Taipei's export to Japan decreased suddenly, thus assuming this trend will continue; but the results showed otherwise.

In July and August of 2004, the two fish transport vessels involved in fish laundry were investigated by Japan. The two vessels were carrying about 2000 t fish which was refused customs clearance and rejected by Japan. In addition, Japan stated that all high sea transshipments were in contravention to its regulations. Therefore, fishing vessels postponed their transshipment and transport vessels delayed their calls at Japanese ports during the period. Not until they received approval from the Japanese government in October 2004 that they resumed normal offloading and thus in the 4th quarter of 2004 the total unloading quantity reverted back to normal.

Comparing Japanese data of the first half year for the 2003, 2004 and 2005, the total bigeye tuna exported to Japan were 54,469 t in 2003, decreased to 46,359 t for the same period in 2004 and then further decreased to 42,282 t in 2005. From the above tonnage, the bigeye tuna from Atlantic Ocean were 11,497 t, 10,043 t and 8,038 t in 2003, 2004 and 2005, respectively; the bigeye tuna from the Indian Ocean were 30,823 T, 28,547 t and 26,523 t in 2003, 2004 and 2005, respectively. As to the tuna exported to Japan based on latter half of the years, the quantities were 43,811 t and 36,834 t in 2003 and 2004, respectively. From these figures, the quantity from Atlantic Ocean was 7,456 t in 2003 and decreased to 5,288 t in 2004; the quantity from Indian Ocean dropped from 28,253 t to 21,256 t during the same period. The above data shows that the bigeye tuna exported to Japan from 2003 to 2005 was in a decreasing trend.

Moreover, the effects of the vessel reduction program will become more evident in the 4th quarter of 2005, where the quantity of bigeye tuna harvested will be reduced.

(2) Responsibility of the Operator State of cargo vessels

Japan believes “after the incident, the captain and crew of the cargo vessels became vigilant, showing flawless documents to the officers.” Therefore no discrepancies were to be found.

Japan is in essence suspecting and accusing Japanese captains and companies of the transport vessels, since all captains of the transport vessels are Japanese citizen. It was reported that they became very strict and cautious when transshipping fish in order to follow the Japanese government’s requirements after the incident. They carefully checked that each fishing vessels are indeed on the white-list vessels before allowing the fish to be transhipped.

(3) Strict control and monitoring of catch by Chinese Taipei

Japan criticized Chinese Taipei for not conducting landing and boarding inspection to verify reported catch of its fishermen.

We would like to report to the Commission that we have increased observers and port visiting in 2005, implemented weekly report system, requested the captains of transport vessels to sign transshipment documents during transshipment. There were also surveyors present for inspection when unloading fish at discharging port. All these improvements have been in effect starting from 2005. Chinese Taipei believes these measures will effectively deter the laundering activities of bigeye tuna after 2005.

3. Shipments to Japan through detour routes?

(1) Through Korea and China?

Japan indicated that the increase of processed sashimi bigeye tuna from China and Korea significantly increased after the incident, estimating that the export of processed sashimi bigeye tuna from illegally caught Atlantic bigeye, suspecting the fish caught by Chinese Taipei was entering into Japan through a detour route.

From our records, Chinese Taipei issued Statistical Documents for a total 849 t (live weight) of frozen bigeye tuna to export to Korea and China in 2004. During the 10 months ending on October 24, 2005 the quantity had decreased to 618 t (live weight).

It was noted that Korea did not report to ICCAT the re-export of Chinese Taipei’s fish from Korea to Japan nor did China. Therefore, it was obvious that the fish exported to Japan from Korea and China should have been caught by these two countries.

(2) Increase of container shipments in 2005 due to exceptionally good fishing of yellowfin tuna in Indian Ocean

Japan indicated that an increase of container shipment of tuna in the 3rd quarter of 2004 to 5000 t in the 2nd quarter of 2005.

The increase of container shipments in 2005 was due to exceptionally good fishing of yellowfin tuna in Omani and Pakistani waters. More than 40,000 t of yellowfin tuna were caught in the first half of 2005, a 35% increase from that of 2004. Insufficient transport vessels in the first half of 2005 prompted owners to use containers to ship out the excess cargo. Most fishing vessels called at Muscat in Oman, Port Oasim in Pakistan, Port Louis in Mauritius, Colombo in Sri Lanka and Singapore for transshipment by containers.

As far as we can understand the container company will not release the container unless it can be sure that the vessels are indeed on the white list. Surveyors will be present during loading to examine and confirm the cargo loaded is from the white list vessel that actually reserved the container. After this process the bill of lading will be issued. By common commercial practice another confirmation process is done by surveyors in unloading port in Japan upon discharge of the container by species and weight.

4. Extent of Atlantic bigeye tuna laundering in 2004

Japan used those vessels in the Indian Ocean which exported more than 100 t of bigeye tuna to Japan as base to estimate the laundering of Atlantic bigeye tuna in disguise of Indian bigeye tuna to be between 9,750 and 16,000 t.

We have made an estimate on the extent of bigeye tuna laundering using the average CPUE from various sources and the total number of fishing days by different types of vessels. In finding out the average CPUE, sources such as catch logbook, observers report (observer program started in 2002) and CPUE of Japanese vessels were used as references. The number of fishing days of the total fleet was calculated from the VMS tracking records of the fishing vessels targeting on bigeye and those catching bigeye as bycatch (albacore vessels), by areas of fishing: bigeye area (between 15° N and 15° S) non-bigeye area (outside the bigeye area). The CPUE of fishing vessels fishing in the bigeye area was 670 kg per day, and non-bigeye area 50 kg per day. Since from 2003 all tuna longline vessels fishing in the Atlantic Ocean were required to install VMS (100% coverage). Those vessels with navigation speed of less than 250 km in a day were considered as vessels that were fishing, and based on this criterion, it was calculated that 25,636 fishing days were made in the bigeye area and 10,819 days in the non-bigeye area in 2004. From the above information, we could arrive to a preliminary conclusion that the total catch of bigeye tuna was 17,717 t, and our catch limit for bigeye in 2004 was 16,500 t. In other words, we had an overharvest or false-reported catch of 1,217 t. Without any concrete proof, Japan's assumption that the laundering of bigeye tuna by our fleet was between 9,750 and 16,000 t was groundless.

Table 1. Calculation of false-reported catch by the Chinese Taipei fleet in 2004.

<i>Group</i>	<i>Fishing Days</i>	<i>CPUE</i>	<i>Catch estimate</i>
Bigeye tuna	25,636	670	17,176
Non-bigeye tuna	10,819	50	541
Total			17,717
Quota			16,500
False-reported			1,217

5. Commensuration between catch and fleet size after the implementation of fisheries adjustment and vessel scrapping program

Japan indicated the needed level of capacity reduction for the Chinese Taipei fleet in the Atlantic is at least 12,300 t (26,500 t-12,950 t). The estimated effect of the planned fleet reduction is much less than this level.

Due to the fact that bigeye vessels are younger than albacore vessels, Chinese Taipei allowed the bigeye tuna vessels of better condition to change to albacore targeting vessels and scrap the same number of older albacore vessels. This was done due to the consideration of maintaining a younger and safer fleet. After the fisheries

adjustment and vessel scrapping, the number of bigeye vessels in the Atlantic Ocean will be reduced from 100 to 60.

As mentioned above, the catch of bigeye tuna was estimated to be 17,717 t in 2004, and that catch false-reported was 1,217 t. This will be paid back in four years from 2006, that is, Chinese Taipei's annual catch limit will be reduced from 14,900 t to 14,596 t.

Once the fisheries adjustment and vessel scrapping program is completed in 2007 the fleet will consist of 60 bigeye tuna vessels. Each bigeye vessel will be allocated a quota of 220 t, but if one takes into consideration the current CPUE figure, this individual quota allowance should be able to meet each vessel's operational viability. Considering the cost for Atlantic bigeye tuna vessels is around NTD 47 million (US\$1.4 million) at the present high fuel price and the sales of average catch of bigeye tuna 180-220 t plus by-catch yellowfin tuna 60 t, and other fish 20 t, will generate around NTD 46-51 million (US\$1.5 million), it shows the individual quota should be enough for bigeye tuna vessels to break even or with a small profit. Also we allow transfer of quota among vessels with prior approval from the fisheries authority.

In addition, other measures and regulations are being implemented to ensure compliance and deter the possibility of fish laundering. They include designation of fishing areas for the different types of fishing vessels to be monitored by VMS, increase in the number of observers, and carrying out more frequent port visits. We will also utilize the already very effective surveyor inspection system during unloading in Japan.

6. Fishing vessels under 24m in length

Japan reported Chinese Taipei is continuing to build vessels under 100 GRT and vessels <24 m, and there are 80 vessels built this year, shipyards are full with order for the next three years.

Chinese Taipei has adopted a limited entry program on tuna fisheries management since 1991 restricting the addition of the total number of vessels. During the first ten months of 2005, a total of 71 small longline vessels (bottom and surface fisheries) were built in Chinese Taipei. However, the majority of them were to replace old tonnages, and half of them are under 20 GRT for coastal fisheries.

It should also be noted that on June 29, 2005 Regulations were promulgated to prohibit the exportation of fishing vessels, unless for the replacement of sunk or lost vessels as declared by the importing countries or at the approval of the relevant RFMO, to prevent increase of global fishing capacity.

As for the small-scale vessels operating in Atlantic Ocean, there are 23 small vessels operated by citizen of Chinese Taipei, registered in Panama and Vanuatu and chartered to Brazil under ICCAT chartering arrangement. In addition, it was reported some 50 small scale vessels were registered in St. Vincent and the Grenadines. Through diplomatic contact with St. Vincent and the Grenadines, it was confirmed that these vessels are controlled and managed by St. Vincent and the Grenadines.

7. Conclusion

Japan not only used misleading data, but also continually accused Chinese Taipei of these infractions from such data. Chinese Taipei feels that it must stand up to defend itself from incorrect allegation and prove to the international community the actions we have taken since.

Following last year's ICCAT meeting Chinese Taipei realized that it needed to improve its fleet management and control. Therefore, it has implemented very strict and stringent measures such as fleet reductions, tighter controls etc. It is our hope that the Commission will appreciate and recognize our efforts. The measures implemented will also need the cooperation of other members to be truly successful and it is our hope and desire such assistance will be forthcoming. In view of the measures taken and our persistent efforts in rectifying our deficiency in fisheries management, we hope that all members of the Commission will continue to support us in attaining Cooperating Status.

Chinese Taipei's Response to Japanese Additional Information Paper

1. Efforts in complying with Commission's request in one year

In the presentation we made on November 14, 2005 (PWG-055)*, we have given details of the actions we have taken in improving our fisheries management and the scrapping of 120 large-scale tuna longliners in 2005 and 2006. We appreciate the positive response from some members of the Commission for our actions, though we knew that we have to do more. We have openly announced that we will scrap an additional 40 large-scale fishing vessels to make a total of 160 vessels to be scrapped.

We also hope to have your understanding that it has been a great challenge for our government to make improvement in fisheries management and seek scrapping a large number of vessels within one year. Due to limited time, perhaps there were not enough broader thinking or there could be some points of negligence. Chinese Taipei is willing to humbly make review for further rectification. As some of the management measures taken are rather complicated some countries might have different views and have made judgment from another direction. In addition to the response we have made in the paper (PWG-060), we would like to take the opportunity to clarify our philosophy. In any event, it is hoped that the objective of the ultimate conducts and suggestions will be of help to the conservation of tuna resources by ICCAT.

Japan mentioned in its additional information paper (PWG-056) that the MCS measures we have done, were part of the normal MCS and they should have done by us anyway. We would like to point out that if we can implement these MCS measures properly it would certainly be helpful to the management of Atlantic tuna fishery.

2. Based on the measures of limited entry rebuilding right of sunken vessels are in fact part of the vessel reduction

Chinese Taipei has been implementing limited entry in tuna fisheries management since 1990, and buying out of fishing license of sunken vessels and rebuilding right on re-registered vessels was considered similar result as control of fishing capacity. Japan queries the inclusion of sunken vessels as the target for vessel reduction, that among the 73 vessels to be scrapped, nine of them were sunken vessels and 10 were vessels for reduction in the re-registration program. Our clarification is as follows:

- From our information, there were only five sunken vessels. It should be noted that any vessel sunken the owners are still entitled to have the replacement qualification and maintain the rebuilding right. The government has paid a lower fee to buy-out the rebuilding right, resulting a global reduction in fishing capacity. If members have concern on this process, we will consider not accepting such replacement qualification as target for vessel reduction in the second phase of the vessel reduction program. Among the vessels which have joined the vessel reduction program, four of them sank during the voyage of their returning to homeport, and they were considered as being scrapped, and should not be categorized as sunken vessels.
- Japan pointed out that 10 re-registered vessels were included in the vessels under the vessel reduction program. It must be noted that in the course of our implementing the re-registration program, in order to maintain our existing fishing capacity, we have required any vessel which sought re-registration to have one vessel scrapped. In the past three years, 38 vessels have been scrapped to let those vessels to seek re-registration. We did not emphasize this effort in the past, and merely expressed to the international community our effort in promoting vessel re-registration. Up to this year, there remained 10 vessels pending to be scrapped, and they were included in the present vessel reduction program. We have not tried to hide anything, and during bilateral talks with Japan we have made this very clearly and frankly. When the representatives from the four countries came to Taipei, their general feeling was that we should reduce more vessels. As such, we officially announce that we agree to scrap an additional 40 vessels in a global basis.

* The powerpoint presentation given by Chinese Taipei is available from the Secretariat.

3. Scrapping of small vessels on ICCAT positive list in the vessel reduction program

As the issue of small vessels being scrapped, 98 vessels targeting bigeye tuna were approved by ICCAT in the 2004 recommendation, included five vessels under 100 GRT, and they could certainly be listed as targets for vessel reduction in the Atlantic Ocean. As to whether or not the catch limit for bigeye is enough, it can be further discussed, but no one can deny that reduction of small vessels is also of help to the reduction of fishing capacity.

4. High percentage of large fish in shipments of tuna to Japan

As to the question of high percentage of large fish in our shipments of bigeye to Japan, this has been a normal commercial practice and also a request from the Japanese industry to ship larger fish to Japan in order to reduce to quantity of bigeye import to Japan. Smaller fish has thus been shipped to other countries (China and Korea). Despite this fact, there were still 60 vessels with shipments of less than 80% proportion of bigeye to Japan. In 2005 shipment of bigeye to China and Korea amounted to 700 t.

5. Efforts of Chinese Taipei in eliminating IUU fishing

As for the issue of IUU vessels, to allow no room for fish laundry, even in those areas where the regional fisheries organizations such as IOTC and WCPFC have not adopted measures for catch limits, we have implemented individual quota for vessels by fishing areas and species. The global application of individual quota on our vessels would cut any connection between the legitimate vessels of Chinese Taipei and the IUU vessels. We are willing to cooperate with all parties to track the remaining IUU vessels.

In 1999 Japan and Chinese Taipei entered into a joint action plan in cooperation to eliminate IUU fishing vessels. In the review of the performance made in 2003, 44 vessels have escaped the scrapping program offered by Japan, and two vessels built in Chinese Taipei escaped the re-registration program, and a new action plan was concluded, but there was no development since. More efforts should exerted by both sides to eliminate the remaining IUU vessels.

6. Japan's concern on the possibility of bigeye catch in the albacore area

By application of individual quota of bigeye to bigeye vessels and by-catch quota of bigeye (20 t) to albacore vessels under strict monitoring and control in the issuing of statistical documents, there should be no over-catch of bigeye by vessels targeting on albacore. Japan's concern on the possibility of over-catch of bigeye by albacore should not happen.

7. The case of IUU vessel reported by Brazil

As to the IUU vessel reported by Brazil, Chinese Taipei has made contact with St. Vincent and Grenadines and found out that the vessel was originally built in 1982 in Japan and exported as second-hand vessel. We do not know whether this vessel was among the vessels escaped Japan's scrapping program, and this needs further investigation. According to St. Vincent and Grenadines it belongs to a company called Way Wong Ltd. which is different from the one as indicated by Brazil. Thorough investigation on the matter should be made. As to the individual company Kwo Jeng Marine Services as referred to by Japan, we will make further investigation.

8. Consistency in imposing trade restrictive measures by ICCAT

We would to take the opportunity to draw the attention of members that when the PWG is making its decision under the Resolution on Trade Measures [Res. 03-15] not only should this Working Group abide by the wording of the resolution, but it also needs to pay attention to the related practice accumulated from the past years. Such related practice serves the purpose of providing reference with which people can interpret the real meaning of the wording of Resolution 03-15 and those resolutions replaced by Resolution 03-15. Moreover, such practice has to be taken into consideration in order for the PWG decision-making process to maintain its consistency and credibility. In this connection, Chinese Taipei has examined the PWG practice between 2002 and 2004, with respect to its decision-making in imposing sanction upon a country which was previously identified. Chinese Taipei also carefully reviewed the PWG's decision to continue or renew certain country's identification status during these three years. We believe that such study can provide valuable guidance for the present PWG Members to consider when they are selecting the most appropriate approach to address the issue of Chinese Taipei, which was identified in 2004 ICCAT Meeting under Resolution 03-15. Chinese Taipei found out that there are four countries whose identification status has been renewed. There are another three countries which received sanction. Compared with what has been done by these two kinds of countries, the rectification measures

that have been taken by Chinese Taipei since 2004 New Orleans Meeting can be safely said to be quite sufficient and warranting Chinese Taipei's continued identification status, instead of receiving trade sanction as proposed by Japan. In order not to embarrass the countries concerned their names are not included in this paper. The reason is very simple. For those four countries whose identification status has been renewed by the PWG, what they have done is much less than the achievements of Chinese Taipei for the past year. On the other hand, for those three countries which received trade sanctions, what they have done or have not done are much worse than the work of Chinese Taipei.

9. Conclusion

1. All the information provided by Japan is based on assumption. In response to the concern from a number of members of the Commission that the issue is in fact a global issue, Chinese Taipei has, therefore, decided to scrap an additional 40 vessels, making a global vessel reduction of 160 vessels.
2. Chinese Taipei is willing to cooperate with concerned countries to seek ways to track to remaining IUU vessels and to further improve our MCS measures.
3. With the above consideration in mind, and with all the work done by Chinese Taipei in improving its fisheries management and MCS measures, we believe such work should be welcomed and appreciated rather than imposing trade sanction to discourage the party who is do its utmost to make improvement.

Appendix 8 to ANNEX 10

Commission Chairman's Special Letters to Non-Contracting Parties, Entities or Fishing Entities

8.1 Letter to Bolivia: Letter regarding continuation of bigeye tuna trade restrictive measures

I am writing to inform you that the International Commission for the Conservation of Atlantic Tunas (ICCAT) took a decision at its 2005 annual meeting to continue the prohibition on the import of bigeye tuna and its products in any form from Bolivia by ICCAT Contracting Parties, as well as those non-Contracting Parties, Entities or Fishing Entities with Cooperating Status, in accordance with the Commission's *Recommendation by ICCAT Regarding Bolivia Pursuant to the 1998 Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area* [Rec. 02-17]. A copy of the subject measure is enclosed for your information. The decision was taken in accordance with the provisions of ICCAT's *Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area* [Res. 98-18].

For your information, I am enclosing herewith a Compendium of ICCAT's Management Recommendations and Resolutions. It includes an instrument entitled *Resolution by ICCAT Concerning Trade Measures* [Res. 03-15], adopted by ICCAT at its 2003 meeting. The 2003 Resolution both broadened the scope of ICCAT's existing trade regime and established a more transparent process for the application of trade restrictive measures. Although the Resolution 03-15 replaces the *Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area* [Res. 98-18], previous decisions taken in accordance with this measure will remain in force until otherwise decided by the Commission.

ICCAT members have been operating under a strict management regime of time and area closures, capacity limitations, and catch limits relative to bigeye tuna to ensure its conservation and that the cooperation of all countries is required to support the effectiveness of these measures. In the absence of any additional information regarding Bolivia's monitoring control and surveillance measures or actions taken to address past activities, the Commission concluded that it would not be appropriate to lift the bigeye tuna trade restrictions in place against your country.

As in previous communications, ICCAT hereby requests Bolivia to take effective measures to rectify the fishing activities of vessels on its registry so as not to diminish the effectiveness of ICCAT conservation measures for bigeye tuna and to implement fully ICCAT conservation and management decisions, including instituting measures to ensure appropriate monitoring, control, and surveillance of your fleet and reporting catch and effort data to the Commission. We would, therefore, be grateful to receive detailed information regarding: (1) the types of monitoring, control and surveillance methods used by Bolivia with respect to its fishing vessels; (2) Bolivia's total catch of tuna and tuna-like species in 2005 and prior years; (3) the markets to which Bolivia exports bigeye tuna and/or its products; and (4) the maritime areas in which Bolivian vessels fished bigeye tuna.

The Commission will again review the situation of Bolivia at its next meeting, scheduled for November 20 to 26, 2006 in Croatia. Information concerning these matters should, therefore, be submitted to ICCAT at least 30 days prior to that meeting. The information requested above will be valuable to the Commission when it considers trade-related matters relative to Bolivia during its 2006 review. It is imperative that Bolivia respond to the questions posed by ICCAT and demonstrate that the situation has been rectified in order for the Commission to make a determination to lift trade restrictive measures, if appropriate.

In closing, the Commission would like to invite Bolivia to participate in the 2006 ICCAT meeting as an observer. Information concerning that meeting will be furnished in due course. Further, the Commission would remind Bolivia that it can join ICCAT or seek cooperating status if your country maintains an interest in exploiting species under the purview of ICCAT. With respect to requesting cooperating status, I would draw your attention to the provisions of the *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* [Rec. 03-20]. For your convenience, this Recommendation is included in the attached Compendium.

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

8.2 Letter to Cambodia: Seeking information

This letter is further to earlier correspondence from the International Commission for the Conservation of Atlantic Tunas (ICCAT) dated December 15, 2004 (copy enclosed). In that letter, the Commission requested that Cambodia supply information on the monitoring, control, and surveillance (MCS) measures it has in place to ensure Cambodia's ability to control its fleet and abide by ICCAT management measures.

To-date, the Commission has not received a direct response from your government to our 2004 letter. On behalf of the Commission, I would like to draw this fact to your attention and request that Cambodia provide a response to the matters raised in the 2004 letter, including detailed information on your MCS measures and process and rules for vessel registration. Furthermore, the Commission requests that you confirm that Cambodia has submitted to the Food and Agriculture Organization (FAO) information on those Cambodian vessels that fish on the high seas, which is required by the FAO Compliance Agreement.

Information concerning the matters raised in our 2004 and 2005 letters to your authorities should be submitted to ICCAT at least 30 days prior to the next meeting of the Commission, which is scheduled for November 20 to 26, 2006, in Croatia.

For your information, I am enclosing herewith a Compendium of ICCAT's management recommendations and resolutions. It includes an instrument entitled *Resolution by ICCAT Concerning Trade Measures* [Res. 03-15] under which fishery related information for the Convention area relative to the activities of both ICCAT members and non-members will be reviewed.

Thank you for your attention to these issues, and please accept assurances of my highest consideration.

8.3 Letter to Colombia: Seeking information on a flag vessel on ICCAT's IUU list

On behalf of the International Commission for the Conservation of Atlantic Tunas (ICCAT), I am informing you that a large-scale tuna long line vessel flying the flag of Colombia was sighted operating in the Convention area in 2005.

Pursuant to the terms of the *Recommendation by ICCAT to Establish a List of Vessels Presumed to have Carried Out Illegal, Unreported, and Unregulated Fishing Activities in the ICCAT Convention Area* [Rec. 02-23], this vessel was listed on the 2005 ICCAT "List of Vessels Presumed to Have Carried Out IUU Fishing Activities in the ICCAT Convention Area" (the IUU list). Enclosed please find a copy of the 2005 IUU list together with a vessel sighting informational report submitted by the United States.

The Commission hereby requests Colombia to provide a response to the attached sighting report, including any relevant information it has with respect to the subject vessel. Further, pursuant to paragraph 8 of Recommendation 02-23, the Commission also requests Colombia, as appropriate, to take all necessary measures to eliminate the IUU fishing activities by its vessel, including, if necessary, the withdrawal of the registration or

of the fishing license of this vessel. Finally, the Commission asks that Colombia provide detailed information on its monitoring, control, and surveillance measures and process and rules for vessel registration.

Please inform the Commission with the requested information, including any measures taken with regard to this matter, at least 30 days in advance of the next meeting of the Commission, which is scheduled for November 20 to 26, 2006 in Croatia. At that meeting, the Commission will consider which vessels are to be included on the 2006 IUU vessel list.

For your use and information, I am enclosing a complete Compendium of ICCAT Recommendations and Resolutions, which contains Recommendation 02-23.

Please accept the assurances of my highest consideration.

8.4 Letter to Costa Rica: Regarding continuation of identification in accordance with the Resolution by ICCAT Concerning Trade Measures

This letter is further to earlier correspondence from the International Commission for the Conservation of Atlantic Tunas (ICCAT) dated December 15, 2004 (copy enclosed). The Commission also refers to a letter from Costa Rica dated May 11, 2005, ICCAT's response of May 12 and Costa Rica's further reply of June 30, 2005. ICCAT would like to thank Costa Rica for its provision of information on Statistical Document validation included in the June letter.

I am writing to inform you that the Commission decided at its November 2005 annual meeting to continue its identification of Costa Rica in accordance with the terms of the *Resolution by ICCAT Concerning Trade Measures* [Res. 03-15]. Each year, the Commission reviews fishery related information for the Convention Area relative to both ICCAT members and non-members. During its 2003 review, the Commission was reminded that swordfish from Costa Rica were imported by an ICCAT member in 2002. Such imports had been occurring since 1999 although Costa Rica has reported no Atlantic swordfish catch data to ICCAT. This information suggested that Costa Rican flag vessels were fishing outside the ICCAT management regime.

Costa Rica has not availed itself of the opportunity to clarify to the Commission the situation concerning these catches. In view of these circumstances, the Commission identified Costa Rica in 2003 as a non-Contracting Party whose vessels have been fishing for Atlantic swordfish in a manner that diminishes the effectiveness of ICCAT conservation measures. The Commission, therefore, requested the Government of Costa Rica to take the necessary actions to rectify the fishing activities of its vessels and to implement fully ICCAT's conservation and management measures. Having again received no response from Costa Rica in 2005 on this question, the Commission reiterates its request to receive detailed information regarding: (1) the types of monitoring, control and surveillance methods used by Costa Rica with respect to its fishing vessels; (2) Costa Rica's total catch of tuna and tuna-like species in 2005 and years prior to 2004; (3) the markets to which Costa Rica exports or exported swordfish and/or its products; and (4) the maritime area in which Costa Rican vessels fished swordfish.

The Commission will again review the situation of Costa Rica at its next meeting, scheduled for November 20 to 26, 2006, in Croatia. Information concerning actions taken by Costa Rica relative to these matters should, therefore, be submitted to ICCAT at least 30 days prior to that meeting. If it is determined that Costa Rica has not rectified the situation and continues to diminish the effectiveness of ICCAT, the Commission may recommend that its Contracting Parties take non-discriminatory trade restrictive measures on Atlantic swordfish and its products from Costa Rica. It is imperative that Costa Rica respond to the questions posed by ICCAT in order for the Commission to make a determination to lift the identification, if appropriate.

For your information, I am enclosing herewith a Compendium of ICCAT's Management Recommendations and Resolutions. It includes the *Resolution by ICCAT Concerning Trade Measures* [Res. 03-15], adopted by ICCAT at its 2003 meeting. The 2003 Resolution broadened the scope of ICCAT's previous measures and improved the transparency of the process for applying trade restrictive measures.

In closing, the Commission would like to invite Costa Rica to participate in the 2006 ICCAT meeting as an observer. Information concerning this meeting will be forwarded in due course. Further, the Commission would remind Costa Rica that it can join ICCAT or seek Cooperating Status if your country maintains an interest in exploiting species under the purview of ICCAT. With respect to requesting Cooperating Status, I would draw your attention to the provisions of the *Recommendation by ICCAT on Criteria for Attaining the Status of*

Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT [Rec. 03-20]. For your convenience, this recommendation is included in the attached Compendium.

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

8.5 Letter to Cuba: Regarding continuation of identification in accordance with the Resolution by ICCAT Concerning Trade Measures

This letter is further to earlier correspondence from the International Commission for the Conservation of Atlantic Tuna (ICCAT) dated December 15, 2004 (copy enclosed). ICCAT is also in receipt of the letter from Ing. Miguel Ortega of the Ministry of the Fishing Industry, dated November 25, 2004. At its 2005 annual meeting in Seville, Spain, the Commission undertook its annual review of fishery-related information for the Convention area relative to both ICCAT members and non-members. I am writing to inform you that the Commission decided at its November 2005 annual meeting to continue its identification of Cuba in accordance with the terms of the *Resolution by ICCAT Concerning Trade Measures* [Res. 03-15].

At its 2003 annual meeting, the Commission had reviewed the activities of Cuba pursuant to the Commission's *Resolution Concerning an Action Plan to Ensure the Effectiveness of the Conservation Program for Atlantic Bluefin Tuna* [Res. 94-3]. This Resolution called upon the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures to identify those non-Contracting Parties whose vessels have fished for Atlantic bluefin tuna in a manner that diminishes the effectiveness of ICCAT conservation measures. Resolution 94-3 was replaced by Resolution 03-15. For your information, I am enclosing herewith a Compendium of ICCAT's Management Recommendations and Resolutions. It includes Resolution 03-15, which broadened the scope of ICCAT's previous measures and established a more transparent process for the application of trade restrictive measures.

In deciding whether to identify a non-Contracting Party, the Permanent Working Group reviews catch data compiled by the Commission, trade information obtained through national statistics and the Bluefin Tuna Statistical Document Program, and other relevant information obtained in ports and on the fishing grounds. ICCAT will request identified Contracting Parties, non-Contracting Parties, Entities or Fishing Entities to take all necessary corrective actions, and will review those actions at its subsequent annual meeting. If those actions are judged insufficient, ICCAT will recommend effective measures, if necessary including non-discriminatory trade restrictive measures, on the subject species.

In its letter issued following the 2004 annual meeting, ICCAT requested detailed information regarding: (1) the types of monitoring, control and surveillance methods used by Cuba with respect to its fishing vessels; (2) Cuba's total catch of tuna and tuna-like species in 2004 and prior years; and (3) the markets to which Cuba exports ICCAT-managed species and/or their products. Having again received no response from Cuba in 2005 on this question, the Commission reiterates its request to receive detailed information regarding the above.

The Commission will again review the situation of Cuba at its next meeting, scheduled for November 20 to 26, 2006, in Croatia. Information concerning these matters should, therefore, be submitted to ICCAT at least 30 days prior to that meeting and should include data on Cuba's total catch of tuna and tuna-like species up to 2005. If the Commission determines in 2006 that Cuba has not rectified the situation and continues to diminish the effectiveness of ICCAT conservation and management measures, the Commission may recommend that its Contracting Parties take non-discriminatory trade restrictive measures on Atlantic bluefin tuna and its products from Cuba. It is imperative that Cuba respond to the questions posed by ICCAT in order for the Commission to make a determination to lift the identification, if appropriate.

In closing, the Commission would like to invite Cuba to participate in the 2006 ICCAT meeting as an observer. Further, the Commission would remind Cuba that it can join ICCAT or seek Cooperating Status if your country maintains an interest in exploiting species under the purview of ICCAT. With respect to requesting Cooperating Status, I would draw your attention to the provisions of the *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* [Rec. 03-20]. For your convenience, this Recommendation is included in the attached Compendium.

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

8.6 Letter to Ecuador: Requesting information regarding its catch of Atlantic bigeye tuna and MCS measures

The International Commission for the Conservation of Atlantic Tunas (ICCAT) coordinates the management of tuna and tuna-like species in the Atlantic Ocean and adjacent seas. The Commission annually collects and reviews data and information regarding the activities of both ICCAT members and non-members that can impact ICCAT fisheries. The *Resolution by ICCAT on Trade Measures* [Res. 03-15] calls on the relevant ICCAT subsidiary body to identify those non-Contracting Parties, Entities, or Fishing Entities that have failed to discharge their obligations under international law to cooperate with ICCAT in the conservation and management of tuna and tuna-like species. In deciding whether to make an identification, ICCAT reviews catch data compiled by the Commission, trade information obtained through national statistics and ICCAT's statistical document programs, the ICCAT list of vessels determined to be illegal, unreported and unregulated (IUU), and other relevant information obtained in ports and on the fishing grounds. ICCAT will request identified parties to take all necessary corrective actions to rectify the situation, and will review those actions at its subsequent annual meeting. If those actions are judged insufficient, ICCAT may recommend effective measures, if necessary including non-discriminatory trade restrictive measures.

The 2004 review under this instrument indicated that 46 t of bigeye tuna were exported from Ecuador in 2004. The Commission noted that Ecuador does not report catch data to ICCAT and has not been assigned catch limits; thus, any catches of Atlantic tuna or tuna-like species by Ecuador flag vessels are outside the ICCAT management regime. The Commission requests that Ecuador fully implement ICCAT's conservation and management measures, and provide information with respect to your fleet and fishing activities, including: (1) number of vessels in the fleet by length or tonnage; (2) monitoring, control and surveillance measures in place; (3) total catch of tuna and tuna-like species from the ICCAT Convention Area for 2005 and previous years; and (4) the maritime area in which Ecuador's fleet fishes for ICCAT species.

The Commission will review the situation of Ecuador at its next meeting, scheduled for November 20 to 26, 2006, in Croatia. Information concerning these matters should, therefore, be submitted to ICCAT at least 30 days prior to that meeting.

In closing, the Commission would like to invite Ecuador to participate in the 2006 ICCAT meeting as an observer. Information on this meeting will be provided in due course. Further, the Commission would advise Ecuador that it can join ICCAT or seek Cooperating Status if your country maintains an interest in exploiting species under the purview of ICCAT. With respect to requesting Cooperating Status, I would draw your attention to the provisions of the *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* [Rec. 03-20]. For your convenience, this Recommendation is included in the attached Compendium. The attached compendium also contains Resolution 03-15, which was mentioned above.

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

8.7 Letter to Georgia: Regarding continuation of bigeye tuna trade restrictive measures

I am writing to inform you that the International Commission for the Conservation of Atlantic Tunas (ICCAT) took a decision at its 2005 annual meeting to continue the prohibition on the import of bigeye tuna and its products in any form from Georgia by ICCAT Contracting Parties, as well as those non-Contracting Parties, Entities or Fishing Entities with Cooperating Status, in accordance with the Commission's *Recommendation by ICCAT for Bigeye Tuna Trade Restrictive Measures on Georgia* [Rec. 03-18]. A copy of the subject measure is enclosed for your information. The decision was taken in accordance with the provisions of ICCAT's *Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area* [Res. 98-18].

For your information, I am enclosing herewith a Compendium of ICCAT's Management Recommendations and Resolutions. It includes an instrument entitled *Resolution by ICCAT Concerning Trade Measures* [Res. 03-15], adopted by ICCAT at its 2003 meeting. The 2003 Resolution both broadened the scope of ICCAT's existing trade regime and established a more transparent process for the application of trade restrictive measures. Although the Resolution 03-15 replaces the *Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area* [Res. 98-18], previous decisions taken in accordance with this measure will remain in force until otherwise decided by the Commission.

As explained in previous communications, the Commission reviews annually fishery related information for the Convention area relative to both ICCAT members and non-members. During its 2003 review, the Commission reviewed information that large-scale tuna longline vessels continued to be registered to Georgia, although they were foreign-owned. At least one of these vessels had operated in the Convention area. Additionally, the Commission took note of the increasing level of Atlantic bigeye tuna harvests by Georgian flag vessels as indicated by trade and scientific data from 2001 and 2002. Given the available information, the Commission concluded that large-scale longline vessels of your country continued to operate in the Convention area in a manner that diminishes the effectiveness of ICCAT conservation and management measures and recommended the imposition of trade restrictive measures. These trade restrictions were continued in 2004. Further, in the absence of any additional information regarding Georgia's monitoring, control, and surveillance measures or actions taken to address past activities, the Commission concluded at its 2005 meeting that it would not be appropriate to lift the bigeye tuna trade restrictions in place against your country.

The Commission, therefore, again requests the Government of Georgia to take the necessary actions to rectify the fishing activities of vessels on its registry so as not to diminish the effectiveness of ICCAT conservation and management measures and to implement fully ICCAT conservation and management decisions, including instituting measures to ensure appropriate monitoring, control, and surveillance of its fleet and reporting catch and effort data to the Commission. Rectifying actions should be reported to the Commission. The Commission also requests that Georgia provide any information you may have concerning: (1) the foreign owners of the vessels registered to your country; (2) the types of monitoring, control, and surveillance methods used by Georgia with respect to its fishing vessels; (3) Georgia's total catch of tuna and tuna-like species in 2005 and prior years; (4) the markets to which Georgia exports or exported bigeye tuna and/or its products; and (5) the maritime areas in which Georgian vessels fished bigeye tuna.

The Commission will again review the situation of Georgia at its next meeting, scheduled for November 20 to 26, 2006, in Croatia. Information concerning these matters should, therefore, be submitted to ICCAT at least 30 days prior to that meeting. The information requested above will be valuable to the Commission when it considers trade-related matters relative to Georgia during its 2006 review. It is imperative that Georgia respond to the questions posed by ICCAT and demonstrate that the situation has been rectified in order for the Commission to make a determination to lift trade restrictive measures, if appropriate.

In closing, the Commission would like to invite Georgia to participate in the 2006 ICCAT meeting as an observer. Information concerning that meeting will be forwarded in due course. Further, the Commission would remind Georgia that it can join ICCAT or seek Cooperating Status if your country maintains an interest in exploiting species under the purview of ICCAT. With respect to Cooperating Status, I would draw your attention to the provisions of the *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* [Rec. 03-20]. For your convenience, this Recommendation is included in the attached Compendium.

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

8.8 Letter to Maldives: Requesting information on fishing activities and MCS

The International Commission for the Conservation of Atlantic Tunas (ICCAT) coordinates the management of tuna and tuna-like species in the Atlantic Ocean and adjacent seas. The Commission annually collects and reviews data and information regarding the activities of both ICCAT members and non-members that can impact ICCAT fisheries. The *Resolution by ICCAT on Trade Measures* [Res. 03-15] calls on the relevant ICCAT subsidiary body to identify those non-Contracting Parties, Entities, or Fishing Entities that have failed to discharge their obligations under international law to cooperate with ICCAT in the conservation and management of tuna and tuna-like species. In deciding whether to make an identification, ICCAT reviews catch data compiled by the Commission, trade information obtained through national statistics and ICCAT's statistical document programs, the ICCAT list of vessels determined to be illegal, unreported and unregulated (IUU), and other relevant information obtained in ports and on the fishing grounds. ICCAT will request identified parties to take all necessary corrective actions to rectify the situation, and will review those actions at its subsequent annual meeting. If those actions are judged insufficient, ICCAT may recommend effective measures, if necessary including non-discriminatory trade restrictive measures. For your use and information, please find enclosed ICCAT's Compendium of conservation and management measures, which contains Resolution 03-15.

During its 2005 review, the Commission took note that 15 t of bluefin tuna had been exported by the Maldives in 2004. The ocean of origin was unknown, however, and no catch data was provided by the Maldives to ICCAT. The Commission would greatly appreciate information on the ocean of origin of this bluefin tuna. In addition, the Commission would like to request information on the Maldives fleet, including number of vessels and size or tonnage, as well as on the monitoring, control, and surveillance measures for your fleet.

The Commission will review the situation of the Maldives at its next meeting, scheduled for November 20 to 26, 2006, in Croatia. Information concerning these matters should, therefore, be submitted to ICCAT at least 30 days prior to that meeting.

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

8.9 Letter to Sierra Leone: Requesting information on MCS, including process and rules for vessel registration

This letter is further to correspondence sent in 2004 from the International Commission for the Conservation of Atlantic Tunas (ICCAT) transmitting the *Recommendation by ICCAT Concerning the Lifting of Bigeye Tuna, Bluefin Tuna, and Swordfish Trade Restrictive Measures Against Sierra Leone*, adopted at the November 15-21, 2004, meeting of the Commission in New Orleans, Louisiana, USA.

In that letter, the Commission took note of the efforts made by Sierra Leone to address the concerns of the Commission, including providing data and revoking the registration of a vessel previously identified as conducting illegal, unreported, and unregulated (IUU) fishing activities in the Convention area and of Sierra Leone's stated intention to strengthen monitoring, control, and surveillance (MCS) of its fleet. The Commission stated that a key element of that effort would be improvement by Sierra Leone of its process and rules for vessel registration.

The Commission welcomed the participation of a representative of Sierra Leone at the 2004 Commission meeting and requested that Sierra Leone provide information on its plan for implementing MCS improvements and other issues of relevance to ICCAT, as promised by the Sierra Leone representative at the 2004 Commission meeting. To date, Sierra Leone has not provided the subject information. ICCAT hereby renews its request that this information be supplied by Sierra Leone at least 30 days prior to the next meeting of the Commission, which is scheduled for November 20 to 26, 2006, in Croatia.

In closing, the Commission would like to invite Sierra Leone to participate in the 2006 ICCAT meeting as an observer. Information concerning that meeting will be forwarded in due course. Further, the Commission would remind Sierra Leone that it can join ICCAT or seek Cooperating Status if your country maintains an interest in exploiting species under the purview of ICCAT. With respect to requesting Cooperating Status, I would draw your attention to the provisions of the *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* [Rec. 03-20], which is included for your convenience in the attached Compendium.

Thank you for your attention to these issues, and please accept assurances of my highest consideration.

8.10 Letter to Singapore: Regarding continuation of identification in accordance with the Trade Measures Resolution

On behalf of the International Commission for the Conservation of Atlantic Tunas (ICCAT), I am informing you that, on account of the findings below, the Commission decided to maintain Singapore's identified status in accordance with the *Resolution by ICCAT Concerning Trade Measures* [Res. 03-15] at its 19th Regular Meeting, held November 14-20, 2005, in Seville, Spain. The subject Resolution is enclosed for your information.

As noted in previous communications with your Government, the Commission annually collects and reviews data and information regarding the activities of both ICCAT members and non-members that can impact ICCAT fisheries. Resolution 03-15 calls on the relevant ICCAT subsidiary body to identify those non-Contracting Parties, Entities, or Fishing Entities that have failed to discharge their obligations under international law to cooperate with ICCAT in the conservation and management of tuna and tuna-like species. In deciding whether to make an identification, ICCAT reviews catch data compiled by the Commission, trade information obtained

through national statistics and ICCAT's statistical document programs, the ICCAT list of vessels determined to be illegal, unreported and unregulated (IUU), and other relevant information obtained in ports and on the fishing grounds. ICCAT will request identified parties to take all necessary corrective actions to rectify the situation, and will review those actions at its subsequent annual meeting. If those actions are judged insufficient, ICCAT may recommend effective measures, if necessary including non-discriminatory trade restrictive measures.

As noted in a previous communication, the 2004 review under this instrument indicated that more than 12,000 tons of swordfish products were imported from Singapore into three ICCAT members (the European Community, Japan, and the United States of America) in 2003, representing an increase from 4,433 tons in 2002 to 7,983 tons in 2003 to the European Community alone. As more than 90 percent of the imports are frozen fish and not filets, the bulk of this trade is composed of re-exported products. At the time of the 2004 Commission meeting, Singapore had refused to implement ICCAT's Statistical Document Program for Swordfish [Rec. 00-22]. It is referred in this context to the letter of July 29, 2003, from the Agri-Food and Veterinary Authority of Singapore and to the fact that Singapore did not answer ICCAT's letter of June 24, 2004 (enclosed). Further inquiries regarding this trade strongly indicate that, to a large extent, swordfish imported into Singapore is supplied by countries that do not implement relevant ICCAT conservation and management measures or is of unknown origin. There is a strong likelihood that some proportion of this swordfish was originally harvested in the ICCAT Convention area. This was of grave concern to the Commission given that, whilst Singapore is one of the largest traders in swordfish worldwide, the trade was not under the full control of Singapore authorities.

While the Commission is grateful to Singapore for the information provided in response to its previous communication, the 2005 review under this instrument indicated that, in 2004 and 2005, large volumes of swordfish products continue to be exported by Singapore to ICCAT members. The Commission took note that Singapore is implementing partly ICCAT's Statistical Document Program for Swordfish [Rec. 01-22]. It is referred in this context to the information from the authorities of Singapore advising the ICCAT's Secretariat on the April 21, 2005, that Singapore does not license any fishing vessels, and hence, only validates re-export certificates, to which are attached the relevant statistical documents. An evaluation of this situation has indicated that a large percentage of re-exports from Singapore are not accompanied by re-export certificates that also include the relevant statistical documents. Thus, the flag States of the fishing vessels remain unknown. The Commission remains gravely concerned that a significant part of Singapore's swordfish trade is still not under the full control of the authorities validating re-export certificates.

Singapore has a duty as an importing and re-exporting State to cooperate by helping the Commission track the trade of swordfish. Failure to implement fully the statistical document program while continuing to trade in swordfish product means that there is a significant loophole in ICCAT's ability to track the trade in swordfish catch, verify how much swordfish is being harvested and by whom, and counteract illegal, unreported, and unregulated fishing. Without such information, the scientific assessments for swordfish could be compromised, and ICCAT's conservation and management measures for swordfish could be undermined.

The Commission hereby requests Singapore to take effective measures to rectify this situation so as not to diminish the effectiveness of ICCAT's conservation and management measures. In addition, the Commission would be grateful to receive from Singapore a list of those countries and/or flag vessels that supply Singapore with swordfish or swordfish products.

The Commission will review the situation of Singapore at its next meeting, scheduled for November 20 to 26, 2006, in Croatia. Information regarding these matters should be submitted to ICCAT at least 30 days in advance of that meeting. If it is determined that Singapore has not rectified the situation and continues to diminish the effectiveness of ICCAT, the Commission may recommend that its Contracting Parties take non-discriminatory trade restrictive measures on ICCAT species from Singapore.

Thank you for your prompt attention to this important matter. I enclose copies of ICCAT's statistical document Recommendations and Resolutions for your use and information.

Please accept assurances of my highest consideration.

8.11 Letter to Sri Lanka: Requesting information fishing activities in the ICCAT Convention area

This letter is further to correspondence from the International Commission for the Conservation of Atlantic Tunas (ICCAT) in 2003 and 2004 (attached). In its previous letters, the Commission: (1) noted that since Sri

Lanka does not report catch data to ICCAT and has not been assigned catch limits, any catches of Atlantic tuna or tuna-like species by Sri Lanka flag vessels are outside the ICCAT management regime; (2) requested that Sri Lanka fully implement ICCAT's conservation and management measures, including measures to eliminate any illegal, unreported and unregulated fishing activities by its flag vessels; and (3) provide information on catches of ICCAT species and on the monitoring, control and surveillance program (including vessel registration processes) for its fleet. The Commission also advised Sri Lanka of its new *Resolution by ICCAT Concerning Trade Measures* [Res. 03-15] and that it can join ICCAT or seek Cooperating Status if it maintained an interest in exploiting species under ICCAT's purview.

To date, Sri Lanka has not provided the requested information. ICCAT is once again requesting that Sri Lanka provide this information, which is relevant to a determination of whether Sri Lanka is in compliance with ICCAT's conservation and management measures or whether any of its vessels are engaging in illegal, unreported or unregulated fishing activities in the Convention Area. If Sri Lanka does not provide this information, the Commission may take appropriate action pursuant to the *Resolution by ICCAT Concerning Trade Measures* [Res. 03-15]. This measure is enclosed for your use and information.

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

8.12 Letter to St. Vincent and the Grenadines: Regarding identification in accordance with the Trade Measures Resolution

This letter is further to earlier correspondence from the International Commission for the Conservation of Atlantic Tunas (ICCAT) dated December 15, 2004, (copy enclosed). I hereby inform you that, on account of the findings below, the Commission identified St. Vincent and the Grenadines in accordance with the *Resolution by ICCAT Concerning Trade Measures* [Res. 03-15] at its 19th Regular Meeting, held November 14-20, 2005, in Seville, Spain. The subject Resolution is enclosed for your information.

Each year, the Commission collects and reviews data and information regarding the activities of both ICCAT members and non-members that can impact ICCAT fisheries. Resolution 03-15 calls on the relevant ICCAT subsidiary body to identify those non-Contracting Parties, Entities, or Fishing Entities that have failed to discharge their obligations under international law to cooperate with ICCAT in the conservation and management of tuna and tuna-like species. In deciding whether to make an identification, ICCAT reviews catch data compiled by the Commission, trade information obtained through national statistics and ICCAT's statistical document programs, the ICCAT list of vessels determined to be illegal, unreported and unregulated (IUU), and other relevant information obtained in ports and on the fishing grounds. ICCAT will request identified parties to take all necessary corrective actions to rectify the situation, and will review those actions at its subsequent annual meeting. If those actions are judged insufficient, ICCAT may recommend effective measures, if necessary including non-discriminatory trade restrictive measures.

At its 2004 annual meeting, the Commission took note that St. Vincent and the Grenadines had reiterated its commitment to take steps to ensure that it did not support illegal, unreported and unregulated fishing, as well as its recent efforts to cooperate with ICCAT. However, the Commission also noted continuing concern about reported catches by St. Vincent and the Grenadines of Atlantic bigeye and Atlantic albacore. Additionally, the Commission advised St. Vincent and the Grenadines that three of its registered vessels appeared on the 2004 ICCAT "List of Vessels Presumed to have Carried out Illegal, Unreported, and Unregulated Fishing Activities in the ICCAT Convention Areas" (IUU List) and requested, pursuant to Recommendation 02-23, that St. Vincent and the Grenadines take all necessary measures to eliminate the IUU fishing activities of its vessels, including, if necessary, the withdrawal of registration or vessel fishing licenses. St. Vincent and the Grenadines has not provided the Commission with any information with respect to these vessels and they again are listed on the 2005 IUU List. A copy of the 2005 IUU List is enclosed. In addition, a vessel determined to be flagged to St. Vincent and the Grenadines, the F/V Emily 21, was boarded in the Caribbean by the U.S. Coast Guard in June 2005. According to the attached information report, it appears that the F/V Emily 21 fishes in the Caribbean and offloads its catch at sea to a transport vessel homeported in Port-au-Spain. The information before the Commission suggests that vessels flagged to St. Vincent and the Grenadines may be offloading their catches to transport vessels owned by Chinese Taipei interests and not reporting them as St. Vincent and the Grenadines' catch. Information was also provided on illegal fishing by the Southern Star 136, a St. Vincent and the Grenadines flag vessel found operating in Brazil's exclusive economic zone. This information is also enclosed for your use and information. Given the foregoing, it does not appear that St. Vincent and the Grenadines complied with the Commission's request to take all measures necessary to eliminate IUU fishing activities by its vessels.

In view of these circumstances, the Commission has identified St. Vincent and the Grenadines as a non-Contracting Party whose vessels have been fishing for ICCAT species in a manner that diminishes the effectiveness of ICCAT conservation measures. The Commission requests that you provide detailed information regarding: (1) the types of monitoring, control and surveillance methods used by St. Vincent and the Grenadines with respect to its fishing vessels; (2) total catch of tuna and tuna-like species in 2005 and prior years caught by vessels registered to St. Vincent and the Grenadines (wherever offloaded); (3) the markets to which St. Vincent and the Grenadines exports ICCAT species and/or their products; and (4) the maritime area in which St. Vincent and the Grenadines' vessels fished for ICCAT species.

The Commission will again review the situation of St. Vincent and the Grenadines at its next meeting, scheduled for November 20 to 26, 2006, in Croatia. Information concerning actions taken by St. Vincent and the Grenadines relative to these matters should, therefore, be submitted to ICCAT at least 30 days prior to that meeting. If it is determined that St. Vincent and the Grenadines has not rectified the situation and continues to diminish the effectiveness of ICCAT, the Commission may recommend that its Contracting Parties take non-discriminatory trade restrictive measures on Atlantic tuna and tuna-like species and their products from St. Vincent and the Grenadines. At that meeting, the Commission will also consider which vessels are to be included on the 2006 IUU vessel list.

For your information, I am enclosing herewith a Compendium of ICCAT's Management Recommendations and Resolutions. It includes the *Resolution by ICCAT Concerning Trade Measures* [Res. 03-15], adopted by ICCAT at its 2003 meeting. The 2003 Resolution broadened the scope of ICCAT's previous measures and improved the transparency of the process for applying trade restrictive measures.

In closing, the Commission would like to invite St. Vincent and the Grenadines to participate in the 2006 ICCAT meeting as an observer. Information concerning this meeting will be forwarded in due course. Further, the Commission would remind St. Vincent and the Grenadines that it can join ICCAT or seek Cooperating Status if your country maintains an interest in exploiting species under the purview of ICCAT. With respect to requesting Cooperating Status, I would draw your attention to the provisions of the *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* [Rec. 03-20]. For your convenience, this recommendation is included in the attached Compendium.

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

8.13 Letter to Togo: Requesting information on fleet and MCS

This letter is further to earlier correspondence from the International Commission for the Conservation of Atlantic Tunas (ICCAT) dated December 15, 2004, revoking Togo's identification status with respect to Atlantic swordfish. In that letter, ICCAT took note of Togo's commitment to abide by ICCAT conservation and management measures and encouraged Togo to take steps to strengthen its monitoring and control measures. At its 2005 meeting, ICCAT again reviewed fishery related information and noted that Togo provided catch data to the Commission; however, no details on Togo's fleet or on the monitoring, control, and surveillance measures in place to regulate it were provided. The Commission would greatly appreciate receiving information on the number of vessels fishing for ICCAT species in Togo's fleet and their size or tonnage, the MCS measures in place to control the fisheries, and Togo's process and rules for vessel registration.

ICCAT would appreciate receiving the subject information at least 30 days prior to the next meeting of the Commission, which is scheduled for November 20 to 26, 2006, in Croatia. Further, the Commission would like to invite Togo to participate in the 2006 ICCAT meeting as an observer. Information concerning that meeting will be forwarded in due course. In addition, the Commission would remind Togo that it can join ICCAT or seek Cooperating Status if your country maintains an interest in exploiting species under the purview of ICCAT. With respect to requesting Cooperating Status, I would draw your attention to the provisions of the *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* [Rec. 03-20], which is included for your convenience in the attached Compendium.

Thank you for your attention to these issues, and please accept assurances of my highest consideration.

8.14 Letter to Chinese Taipei: Transmitting Recommendation to Reduce Bet Catch Limits and Improve Fleet Control and renewing Cooperating Status

On behalf of the International Commission for the Conservation of Atlantic Tunas (ICCAT), I am transmitting to you the enclosed *Recommendation by ICCAT Regarding Control of Chinese Taipei's Atlantic Bigeye Tuna Fishery* [Rec. 05-02] adopted at the 19th Regular Meeting of ICCAT on November 14-20, 2005, in Seville, Spain.

Notwithstanding this decision, the Commission decided that, at this time, Chinese Taipei's Cooperating Status should not be revoked. Pursuant to the terms of the *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* [Rec. 03-20], the Commission will once again review Chinese Taipei's Cooperating Status at its 2006 annual meeting, scheduled for November 20 to 26, 2006, in Croatia. As you know, those non-Contracting Parties, Entities, and Fishing Entities with Cooperating Status accept the obligation to fully apply the conservation and management measures adopted by the Commission and to abide by data and other reporting requirements. In return, those with Cooperating Status receive certain benefits, such as qualifying to receive quotas and to enter their vessels on ICCAT's record of authorized vessels. Cooperating Status can be revoked by the Commission due to non-compliance with ICCAT conservation and management measures.

Thank you for your attention to these important matters.

8.15 Letter to Egypt: Informing that Cooperating Status could not be granted

The International Commission for the Conservation of Atlantic Tunas (ICCAT) is in receipt of your August 18, 2005, communication in which your country requests that it be granted Cooperating Status. At its 19th Regular meeting, the Commission considered this request pursuant to the *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* [Rec. 03-20].

While the Commission welcomed the information provided by Egypt, including the transmission of catch data and the explanation that Egypt has neither tuna vessels in its fleet nor bluefin tuna farming installations, Cooperating Status could not be conferred at this time as Egypt did not address all the criteria specified on Recommendation 03-20. In particular, Egypt did not confirm its commitment to respect ICCAT conservation and management measures. Should Egypt wish to seek Cooperating Status again next year, such a commitment is needed. In addition, the Commission also asks that Egypt provide information on the measures it has in place to monitor and control its vessels, including the process and rules for vessel licensing and registration.

Requests for Cooperating Status must be received by ICCAT no later than 90 days in advance of a Commission meeting in order to be considered at that meeting. The next meeting of the Commission is scheduled for November 20 to 26, 2006, in Croatia. For your use and information, enclosed please find a copy of ICCAT's Compendium of conservation and management measures.

Please accept assurances of my highest consideration.

8.16 Letter to Netherlands Antilles: Renewing Cooperating Status and expressing concern about bigeye tuna harvest levels

On behalf of the International Commission for the Conservation of Atlantic Tunas (ICCAT), I have the honor to inform you that the Commission renewed Cooperating Status for the Netherlands Antilles at its 19th Regular Meeting, held November 14-20, 2005, in Seville, Spain. As you know, those non-Contracting Parties, Entities, and Fishing Entities with Cooperating Status accept the obligation to fully apply the conservation and management measures adopted by the Commission and to abide by data and other reporting requirements. In return, those with Cooperating Status receive certain benefits, such as qualifying to receive quotas and to enter their vessels on ICCAT's record of authorized vessels. Cooperating Status can be revoked by the Commission due to non-compliance with ICCAT conservation and management measures.

In considering this matter at its 2005 meeting, the Commission took due regard that the Netherlands Antilles has been reporting catch data to the Commission. In reviewing that data, however, the Commission noted that bigeye tuna harvest levels by the Netherlands Antilles are quite high and have shown an upward trend in recent years. This raised concerns at the 2005 ICCAT Meeting with regards to your compliance with ICCAT's bigeye tuna

management measures. The Commission would like to request the Netherlands Antilles to provide an explanation of its bigeye tuna harvest levels, to ensure that harvests by your vessels are consistent with ICCAT's conservation and management measures, and to provide details on the monitoring, control, and surveillance regime in place to regulate your fleet.

Each year, Cooperating Status is reviewed by the Commission pursuant to the terms of the *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* [Rec. 03-20]. Therefore, ICCAT would appreciate receiving the subject information at least 30 days prior to the next meeting of the Commission, which is scheduled for November 20 to 26, 2006, in Croatia.

For your use and information, enclosed please find a copy of ICCAT's Compendium of conservation and management measures.

Thank you for your attention to these important issues. Please accept assurances of my highest consideration.

Appendix 9 to ANNEX 10

2005 List of Vessels Presumed to Have Carried Out IUU Fishing Activities in the ICCAT Convention Area (Adopted by the Commission in November 2005).

<i>Serial Number</i>	<i>Reporting CPC</i>	<i>Date Informed</i>	<i>Reference #</i>	<i>Current Flag</i>	<i>Previous Flag</i>	<i>Name of Vessel (Latin)</i>	<i>Name (Other)</i>	<i>Owner Name</i>	<i>Address</i>	<i>Area</i>
20040001	JAPAN	24/08/2004	1788	SAINT VINCENT & GRENADINES		NATIONAL NO. 101		KWO-JENG MARINE SERVICES LIMITED	TRINIDAD & TOBAGO	AT
20040003	JAPAN	24/08/2004	1788	SAINT VINCENT & GRENADINES	E. GUINEA	CHANG YOW NO. 212		CHANG YOW FISHERY /CONTINENTAL HANDLERS	SAINT VINCENT	AT
20040004	JAPAN	24/08/2004	1788	SAINT VINCENT & GRENADINES		AQUARUS				AT
20040005	JAPAN	24/08/2004	1788	UNKNOWN		BRAVO				AT
20040006	JAPAN	16/11/2004	PWG-122	UNKNOWN		OCEAN DIAMOND				AT
20040007	JAPAN	16/11/2004	PWG-122	UNKNOWN		MADURA 2		(P.T. PROVISIT)*	(INDONESIA)*	AT
20040008	JAPAN	16/11/2004	PWG-122	UNKNOWN		MADURA 3		(P.T. PROVISIT)*	(INDONESIA)*	
2005001	BRAZIL	03/08/2005	1615	SAINT VINCENT & GRENADINES		SOUTHERN STAR 136	HSIANG CHANG	KUO JENG MARINE SERVICES LIMITED	PORT OF SPAIN TRINIDAD & TOBAGO	AT
2005002	USA	10/11/2005	PWG-059	SAINT VINCENT & GRENADINES		F/V EMILY		CONTINENTAL LTD	C (O Fubon Inc. Co. Ltd, 237 Chen KVO SRD SECL, Taipei, Chinese Taipei	AT
2005003	USA	14/11/2005	PWG-081	COLOMBIA		F/V No. 16 SHIN YEOU			MAMONAL, Co. (Cartagena, Co)	AT

* According to 2002 ICCAT IUU Vessel List.

DOCUMENTS DEFERRED FOR DISCUSSION IN 2006

11.1 DRAFT RECOMMENDATION BY ICCAT ON ADDITIONAL MEASURES FOR COMPLIANCE OF THE ICCAT CONSERVATION AND MANAGEMENT MEASURES (COC-067)

STRESSING the need to improve control and management of quota and catch limit established by ICCAT,

RECOGNIZING that fresh bluefin tuna products require prompt handling to avoid deterioration of their quality;

RECOGNIZING the importance of cooperation between flag Contracting Parties and Cooperating Non-Contracting Parties, Entities and Fishing Entities (hereinafter referred to as “CPCs”) and importing CPCs to improve compliance of ICCAT conservation and management measures;

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

1. CPCs shall take necessary measures to closely monitor their catch amounts of species for which national quotas or catch limits are established by the ICCAT.
2. The Statistical Documents of species for which national quotas or catch limits are established shall indicate the accumulated export amounts and total quota or catch limits by the management year (of such quota or catch limits).
3. The flag CPCs shall validate the Statistical Documents only when the accumulated export amounts are within their quotas or catch limits of each management year.
4. CPCs, where there are reasonable grounds for believing that the catch of any other CPC in particular management year has reached its quotas or catch limits based on information such as collected statistical documents and imports statistics, may notify their findings to the relevant CPC directly and to the ICCAT Secretariat for circulation to all CPCs. The flag CPC which receives the above notification shall examine and take additional measures, if necessary, to ensure its obligation referred to in this recommendation.
5. CPCs shall require that the species for which national quotas or catch limits are established by ICCAT and covered by Statistical Document Programs, when imported into the territory of a Contracting Party, be accompanied with the Statistical Documents validated by the flag CPCs in accordance with paragraph 3. above.
6. CPCs importing species covered by Statistical Document Programs and the flag CPCs shall cooperate to ensure that statistical documents are not forged or do not contain misinformation.

11.2 DRAFT RECOMMENDATION BY ICCAT CONCERNING COOPERATION IN THE FIGHT AND PERSECUTION OF IUU VESSELS IN THE ICCAT AREA (COC-121)

RECOGNIZING ICCAT’s responsibility as concerns the management of stocks of tunas and tuna-like species in the Atlantic and adjacent seas, in the international framework;

CONSIDERING that achieving the objectives of ICCAT necessarily involves direct implication, without reserve, of all the Contracting Parties and Cooperating non-Contracting Parties, Entities and Fishing Entities (CPCs) in the persecution of IUU vessels;

CONVINCED that cooperation and forceful action of the CPCs is the best guarantee that such vessels do not find sanctuary in the Convention area;

RECALLING that by the letter dated August 21, 2004, addressed to the CPCs through the ICCAT Executive Secretary, as well as Decree No. 33/2004 of May 17, 2004, transmitted to all the CPC, the Government of Equatorial Guinea officially requested the collaboration of ICCAT and all its members to proceed to the immobilization of any fishing vessel licensed to this country or which flies its flag, in order to undertake the corresponding legal actions, in the interest of an effective fight against IUU vessels;

EXPRESSING with much regret that the Government of Equatorial Guinea's request has not had, up to now, any positive response from ICCAT or from its members, a situation which facilitates the impunity of the activity of these IUU vessels;

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

1. The Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities accept the collaboration requested by the Government of Equatorial Guinea and proceed to the immobilization of any fishing vessel licensed to this country or which flies its flag, wherever it may be found, and which has not been officially notified to ICCAT by the Government of Equatorial Guinea as having a legal license, and inform the Government of Equatorial Guinea of such immobilization for the corresponding purposes.
2. The CPCs implement this Recommendation as soon as possible, in accordance with their regulatory procedures.

11.3 PROPOSED AMENDMENT TO ICCAT'S RULES OF PROCEDURE ON MAIL VOTING (Rule 9)
(STF-119)

The Rules of Procedure shall be amended as follows:

Rule 9 – Voting*

1. Each member [] shall be entitled to one vote.
2. Decisions of the Commission shall be taken by a majority of the [members] of the Commission, except as are provided for in Article VIII, paragraph 1(b)(i) of the Convention.
3. Two-thirds of the member[s] of the Commission shall constitute a quorum for voting.
4. The Chairman or a Vice-Chairman acting as Chairman shall not vote, but may appoint another Delegate, expert or adviser from his delegation to vote in his place.
5. Votes shall be taken by show of hands, roll call or secret ballot.
6. A vote by roll call shall be taken upon request of a member [] of the Commission. Voting by roll call shall be conducted by calling in English alphabetical order the names of all member[s] of the Commission entitled to vote. The name of the first member to be called shall be designated by lot drawn by the Chairman.
7. Any matter shall be decided by secret ballot if the Commission so determines.
8. In cases of special necessity, where a decision cannot practically be deferred until the next meeting of the Commission, a matter may be decided during the period between meetings of the Commission by intersessional vote, either electronically via the Internet (e.g. e-mail, secure web site) or other means of communication.
9. The Chairman, on his or her initiative or at the request of a member of the Commission that has made a proposal, may move adoption without delay of such proposal by intersessional vote. The Chairman, in consultation with the Chair of the relevant Panel or other subsidiary body, as appropriate, shall determine

* Proposed changes are indicated by []; paragraphs 8 to 16 are new proposals.

the necessity of considering the proposal intersessionally and shall determine the appropriate majority required for decision-making, pursuant to paragraph 2 above.

10. Where the Chairman determines that it is not necessary to consider a motion proposed by a member intersessionally, or that a two-third majority of members of the Commission is necessary for approval of the subject proposal pursuant to paragraph 2 above, the Chairman shall promptly inform that member of such determination and the reasons therefor, at which time the proposer may request an intersessional vote on the Chairman's determination, to be subject to the majority decision rule.
 11. Where the Chairman initiates an intersessional vote, or concurs on the necessity of considering a proposal moved by a member intersessionally, the Executive Secretary shall promptly transmit the proposal and both determinations made by the Chairman under paragraph 9 to members via the official correspondents provided for in Rule 1, paragraph 4, requesting that responses be returned within 40 days.
 12. Members shall promptly acknowledge receipt of any request for an intersessional vote. If no acknowledgment is received within 10 days of the date of transmittal, the Executive Secretary shall retransmit the request and shall use all additional means available to ensure that the request has been received. Confirmation by the Executive Secretary that the request has been received shall be deemed conclusive regarding the inclusion of the member in the quorum for the purpose of the relevant intersessional vote.
 13. Members shall respond within 40 days of the date of transmittal of a proposal, pursuant to paragraph 11, indicating whether they cast an affirmative vote, cast a negative vote, or abstain from voting. If no reply from a member is received within 40 days of transmittal, that member shall be recorded as having abstained.
 14. The result of a decision taken by intersessional vote shall be ascertained by the Executive Secretary at the end of the voting period and promptly announced to all members. If any explanations of votes are received, these shall also be transmitted to all members.
 15. Proposals transmitted by the Executive Secretary for an intersessional vote shall not be subject to amendment during the voting period.
 16. A proposal that has been rejected by intersessional vote shall not be reconsidered by way of an intersessional vote until after the following meeting of the Commission, but may be reconsidered at that meeting.
- [17.]The voting rights of any member [] of the Commission may be suspended by the Commission if the arrears of contributions of that member [] equal or exceed the amount due for the two preceding years.

11.4 DRAFT RESOLUTION BY ICCAT TO ESTABLISH A CAPACITY WORKING GROUP (PLE-064B)

RECALLING that the Commission's management objective is to maintain populations of tuna and tuna-like species at levels that will support maximum sustainable yield;

FURTHER RECALLING that the Food and Agriculture Organization (FAO) International Plan of Action for the Management of Fishing Capacity (IPOA-Capacity) provides steps for better management of fishing capacity with particular priority on highly migratory fisheries;

RECOGNIZING that many stocks under ICCAT jurisdiction are fully or overfished;

AGREEING that overcapacity threatens the achievement of ICCAT's conservation and management objectives;

GIVEN the need to assess and address over-capacity in fleets participating in many ICCAT fisheries and seeking eventually to develop effective ways to address this problem in a comprehensive manner;

RECOGNIZING that the FAO's IPOA-Capacity notes the need to enhance the ability of developing countries to develop their own fisheries as well as to participate in high seas fisheries, including access to such fisheries;

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS RESOLVES AS FOLLOWS:

1. A Capacity Working Group is established, with the following terms of reference:
 - a) review and assess the level of capacity and the level of harvests, as indicated in SCRS assessments;
 - b) based on this review and assessment, identify fisheries with overcapacity, focusing primarily on those fisheries with industrial scale fleets;
 - c) develop measures for managing capacity in ICCAT fisheries, especially in cases where overcapacity is a contributing factor to over-harvests of total allowable catches;
 - d) consider the needs of developing countries in developing fishing capacity while ensuring sustainable use of tuna and tuna-like stocks.
 - e) report the results of deliberations to the Commission at its 2007 meeting, and, as appropriate, recommendations and proposals for next steps to manage fishing capacity in the Convention area.
2. The Working Group shall meet as early as possible in 2007.
3. The SCRS should provide the Working Group with relevant information on short- and long-term stock condition, harvest levels in ICCAT fisheries for the most recent year(s) available, and data on effort and CPUE by gear, season and area, in advance of the 2007 Working Group meeting to assist deliberations.
4. CPCs should submit data to the Commission, for SCRS review, on inputs in terms of numbers of vessels and their characteristics, including size, gear, area of operation, target species, and other relevant information, (e.g., days-at-sea, days fishing, use of transshipment vessels, hold capacity, port access agreements).
5. The Working Group should be supported by the ICCAT Secretariat staff. Broad representation from ICCAT's CPCs is encouraged. The Working Group should also draw as necessary on the technical work and expertise of the UN Food and Agriculture Organization (FAO) and the work of other regional fisheries management organizations (RFMOs). FAO and RFMO experts on capacity should be invited to participate. In addressing this work program, the Working Group should, as much as possible, include in its deliberations experts in the management of ICCAT fisheries and economics. The Working Group should also take into account the results of the joint tuna RFMO summit scheduled for January 2007.

11.5 PROPOSALS BY THE CHAIRMAN IN RELATION TO INTERPRETATIVE ISSUES, REPORTING FORMATS, DEFINITION OF TERMS AND DISSEMINATION OF INFORMATION (PLE-018)

1. Interpretative issues

1.a Interpretative issues raised in 2004

In 2004, both the Secretariat and the Key Contacts of the Compendium Working Group raised some interpretative issues that required consideration by the Commission. As there was insufficient time to consider these during the 2004 meeting, it was agreed that the Chairman would work on this during the inter-sessional period, and propose some solutions. The results of this work are as follows:

1. In relation to the treatment of artisanal longline and purse seine marlin fisheries, it had been agreed by the Commission that these fisheries were not included in the restrictions stipulated in the marlin rebuilding plan. The definition of small scale artisanal fisheries was now required, and some options are included in Appendix 2* of this document.
2. The wording of the Recommendation by ICCAT on North Atlantic Albacore Catch Limits for the Period 2004-2006 [Rec. 03-06], indicates that the 200t catch limit for northern albacore for those Contracting Parties without a specific quota was subject to the carry-over provisions of paragraph 6.

* Available from the Secretariat.

3. The rules pertaining to the treatment of under-harvest and over-harvests remained complex for some species. According to the current regulations in force, under-harvest of southern swordfish may not be carried over.
4. Following review of the implications of operative paragraph 4 of the Recommendation by ICCAT concerning conservation of western bluefin tuna. [Rec. 02-07] on the Recommendation by ICCAT to establish a rebuilding program for west Atlantic bluefin tuna [Rec. 98-07], it appears that no revised calculations are required.
5. In 2004, new measures relating to the minimum size of bluefin tuna were adopted. The Recommendation by ICCAT concerning a limit on bluefin tuna minimum size and fishing mortality [Rec. 74-1] on minimum size limits for bluefin tuna is no longer in force, resulting in the minimum size for western bluefin tuna being 30 kg with an 8% tolerance limit for fish under that size.

1.b Issues raised in 2005

A query has been raised in relation to the inclusion of vessels of exactly 24 meters in length. In 2003, the Commission agreed that in relation to the Recommendation by ICCAT concerning the establishment of a Record of Vessels over 24 meters authorized to operate in the Convention Area, vessels of less than 24 meters were not contemplated by the Recommendation and should not be included in the Record, which expressly provides only for vessels greater than 24 meters. The wording of the Recommendation indicates that those vessels of exactly 24 meters are exempt from the requirements of the Recommendation, but it is suggested that CPCs may include such vessels in the Record if they wish. In the event that the Commission decides to extend the Record to vessels greater than 15 meters, this issue will apply to vessels of exactly 15 meters.

2. Reporting formats

In 2004, the revised guidelines for the Submission of Annual Reports and format for Reports on Internal Actions taken to Ensure that Tuna Vessels on the ICCAT Record of Vessels over 24 Meters are Fishing in Accordance with ICCAT Management and Conservation Measures were adopted by the Commission.

In order to assist with the submission and assimilation of information submitted under the ICCAT management measures, it is suggested that a Working Group on Formats for Submission of Information be created to agree on standard formats for the submission of information required by ICCAT measures. The Secretariat will act as the coordinator of such a group, which would comprise representatives from those Contracting Parties who wish to participate. The Working Group would be a permanent body that would develop standard reporting formats for the collection of information. The Reporting Formats developed and adopted by the Working Group, including those developed during the inter-sessional period, will be binding, until such time as the Commission decides otherwise. The Group should ensure the compatibility and user-friendliness of formats as far as possible, in order to facilitate the submission of information by CPCs.

It is proposed that the initial task of this Working Group be the revision and adoption of the following formats, draft proposals of which are included in Appendix 1*:

1. Revised ICCAT Reporting Table for the Compliance Tables.
2. Reporting format for vessels greater than 24 meters authorized to operate in the Convention area.
3. Format for reporting lists of vessels participating in a directed fishery for northern albacore.
4. Forms for reporting Chartering Arrangements.
5. Form for reporting vessels suspected of IUU activities.
6. Format for reporting lists of vessels which fish for, provide or transport bluefin tuna for farming purposes.
7. Format for reporting farming facilities authorized to operate for farming of bluefin tuna caught in the ICCAT Convention area
8. New or revised existing formats may be proposed by the Group as necessary.

3. Definitions

The need to define certain terms used in the ICCAT Conservation and Management measures was considered by the Compendium Working Group, but this group considered that the task went beyond their mandate, as terms are not standardized, and that any given term may not have the same meaning in different Recommendations.

The Commission needs to decide whether they wish to continue with the work on definitions at this stage, or whether work on the standardization of terminology should be initiated.

Notwithstanding the above, the Chair requested the Secretariat in 2004 to initiate work on definitions, and Appendix 2* contains the work which has been carried out to date.

As a minimum, in the light of Section 1a, paragraph 1, however, it is suggested that the Commission define artisanal fisheries.

4. Proposed Guidelines for the dissemination of information submitted by CPCs

The increase in the number and complexity of the ICCAT Recommendations and Resolutions and other decisions taken by the Commission has in recent years implied an increase in the obligations of Contracting Parties and Co-operating non-Contracting Parties to submit information to the Commission, either through their Annual Reports or through the Secretariat.

In some cases, the pertinent management measures are clear as to the method and timing of dissemination of the information received, but in other cases, some guidelines and criteria are needed to ensure that the Secretariat is circulating all, but only, the information which the Commission requires it to disseminate.

The Secretariat, as a general rule, circulates information on request from a Contracting Party, even though the circulation of such information is not specified by the relevant management measures. In order to avoid conflict with the circulation of information and measures in force, and to ensure that all information circulated is directly relevant to the work of the Commission, it is suggested that the following guidelines for the dissemination of information be applied:

Requests for circulation of information not specified in ICCAT regulations:

At the request of a CPC, the Secretariat will circulate information to all other CPCs where:

1. The information submitted is related to an ICCAT conservation or management measure.
2. The information is of direct relevance to the scope and mandate of ICCAT.
3. The information is factual and not conjectural.
4. The information relates to acts of a government, institution or vessel, but not to individual persons.

Information circulated at the request of a CPC is usually translated into the three languages of the Commission. In order to avoid delays in circulation of submissions containing lengthy attachments and supporting documents, CPC are requested to send a summary of the salient points for translation. Supporting documents will be distributed in the original language, unless the Commission Chair or the Chair of the auxiliary body of the Commission at which the issue may be discussed considers their translation necessary for the discussions.

Information to be circulated on receipt or in advance of the annual meeting in accordance with Commission decisions:

Compliance Tables [Rec. 98-14 and 2003 Commission Report]
NGO applications for Observer Status [Ref. 98-19]
Results of port inspections of non- CPC vessels [Res. 99-11]
Bi-annual reports of data collected under the Statistical Document Programs [Res. 94-05; Recs. 01-21 and 01-22]
Sample Statistical Documents [Res. 94-05; Recs. 01-21 and 01-22]
Information relating to chartering arrangements [Rec. 02-21]
Draft IUU list [Rec. 02-23]

Information to be collected and made available at the annual meeting:

List of albacore vessels [Rec. 98-08]
Vessel sightings of Contracting Parties [Rec. 98-11]
Internal reports on the actions taken to ensure that tuna vessels on the ICCAT record of vessels over 24 meters are fishing in accordance with ICCAT management and conservation measures [Rec. 02-22]
Trade data [Res. 03-15]
List of vessels involved in farming operations [Rec. 04-06]

Reports on the time/area closure in the Gulf of Guinea [Rec. 04-01]
Annual Reports [Ref. 04-17]

Information to be published on the ICCAT web site (not circulated):

Institutions and Individuals authorized to validate ICCAT Statistical Documents [Res. 94-05; Recs. 01-21 01-22]
List of Vessels over 24 meters [Rec. 02-22]
Register of Farming Facilities [Rec. 04-06]

Information received from non-Contracting Parties:

As Cooperating non-Contracting Parties, Entities or Fishing Entities undertake to assume the same obligations as Contracting Parties, information received from these will be circulated in accordance with the same criteria as Contracting Parties.

Information from non-Contracting Parties that have not attained Cooperating Status will only be circulated where:

1. The information received supports an application for Cooperating Party status.
2. The Commission has written to a non-Contracting Party to request information or such party has been identified / sanctioned by the Commission, and the information received is pertinent to the concerns of the Commission.
3. The information is received in response to a reported allegation of activities believed to undermine ICCAT management and conservation measures.

11.6 DRAFT RECOMMENDATION TO IMPROVE RECREATIONAL FISHERY STATISTICS (PWG-097)

RECOGNIZING the responsibility of each Contracting Party, Cooperating non-Contracting Party, Entity, or Fishing Entity (hereinafter “CPC”) to provide annually, on a timely basis, data related to fishing activities in the Convention Area for species regulated by ICCAT;

RECOGNIZING the need to improve data from both recreational and commercial fisheries;

RECALLING that, at its 1999 meeting, the Commission adopted the *Resolution by ICCAT on Improving Recreational Fishery Statistics* [Res. 99-07], which called for CPCs to provide data on recreational fisheries and information on techniques used to manage these fisheries;

FURTHER RECALLING the *Recommendation by ICCAT to Adopt Measures Concerning Sport and Recreational Fishing Activities in the Mediterranean Sea* [Rec. 04-12] and the *Recommendation by ICCAT Concerning a Multi-Year Conservation and Management for Bluefin Tuna in the East Atlantic and Mediterranean* [Rec. 02-08];

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

1. Contracting Parties, Cooperating Non-Contracting Parties, Entities, or Fishing Entities shall submit to the ICCAT Secretariat, each year, data on their sport and recreational fisheries, specifically, Task I and Task II data;
2. CPCs shall explain in their annual reports to ICCAT the techniques used to manage their sport and recreational fisheries and the methods used to collect such data.

11.7 DRAFT RECOMMENDATION ON THE MEASURES CONCERNING SPORT AND RECREATIONAL FISHING ACTIVITIES IN THE ATLANTIC AND MEDITERRANEAN SEA (PLE-093)

TAKING INTO ACCOUNT the need to regulate sport and recreational fishing activities to ensure that these activities do not undermine sustainable exploitation of the stocks,

CONSIDERING that ICCAT adopted in 2004 the Recommendation 04-12 concerning sport and recreational fishing activities in the Mediterranean Sea and that there is a need to extend its coverage to include the Atlantic Ocean,

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

1. Contracting Parties, Entities, and Cooperating non-Contracting Parties, Entities of Fishing Entities (hereafter named CPCs) shall take the measures necessary to forbid the use, within the framework of sport and recreational fishing, of towed nets, encircling nets, seine sliding, dredgers, gill nets, trammel net and longline to fish for tuna and tuna-like species.
2. The CPCs shall ensure that catches of tuna and tuna-like species carried out in the ICCAT area from sport and recreational fishing are not marketed.
3. The CPCs shall take the necessary measures so that catch data from sport and recreational fishing are collected and transmitted to the SCRS.
4. This recommendation replaces in its entirety the Recommendation by ICCAT to adopt measures concerning sport and recreational fishing activities in the Mediterranean Sea (04-12).

**11.8 DRAFT RECOMMENDATION BY ICCAT CONCERNING MANAGEMENT AND APPLICATION
OF UNDERAGES AND/OR OVERAGES OF THE QUOTAS/CATCH LIMITS (COC-029)**

RECOGNIZING the need to simplify the rules by generalizing the treatment of underage and overage, both at the level of management and compliance, and to draw up clear rules;

TAKING ACCOUNT the deliberations of ICCAT Working Party on Compliance, held in Murcia, Spain on 11 November 2001.

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

1. Management measures

- a) For any species under a quota/catch limit management, the overage of a given year shall be deducted from either the quota/catch limit of the management period immediately after or of the following year.
- b) For any species subject to quota/catch limit management, the underage of a given year may be added either to the quota/catch limit of the management period immediately after or of the following year, within a maximum limit of 10% of the initial quota/catch limit.

The total of the underages carried over during the management period or the period of the management plan applicable to the stock concerned may not exceed 30% of the annual quota/catch limit allocated initially.

- c) The provisions referred to in sub-paragraphs a) and b) do not apply when a recommendation on a stock specifically deals with overages and underages.
- d) The provisions of subparagraphs a) and b) do not apply to the quotas fixed autonomously by the Contracting Parties.

2. Application measures

- a) If in the applicable management period a Contracting Party exceeds its quota/catch limit, this limit will be reduced in the next management period by 100% of the amount exceeding such quota/catch limit. However, ICCAT may authorize other alternative actions, and,

- b) If a Contracting Party exceeds its quota/catch limit during two consecutive management periods, the Commission will recommend appropriate measures, which may include a reduction in the quota/catch limit amounting to 125 % of the overage.

11.9 DRAFT RECOMMENDATION BY ICCAT CONCERNING THE DEFINITION OF LARGE-SCALE FISHING VESSELS (COC-030)

NOTING that several ICCAT recommendations and resolutions refer to vessels greater than 24 meters length overall, large-scale fishing vessels and/or large scale tuna longline vessels, including the *Recommendation Concerning the Establishment of an ICCAT Record of Vessels over 24 Meters Authorized to Operate in the Convention Area* [Rec. 02-22], and the *Recommendation Concerning Minimum Standards for the Establishment of a Vessel Monitoring System in the ICCAT Convention Area* [Rec. 03-13];

RECOGNIZING that a significant number of vessels just below 24 meters length overall have been and continue to be built and are operating in the ICCAT convention area;

INTERESTED in closing any potential loopholes with regard to efforts by fishing vessels just below 24 meters length overall to circumvent ICCAT's conservation and management measures;

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

1. Large-scale fishing vessels (LSFVs) and large-scale tuna longline vessels (LSTLVs) be defined as vessels larger than 15 meters in length overall in all ICCAT documents.
2. Any references in ICCAT's recommendations and resolutions to vessels "over 24 meters length overall" be changed to "over 15 meters length overall".