

出國報告（出國類別：其他）

出席大西洋鮪類資源保育委員會 （ICCAT）第 16 屆特別會議報告

服務機關：行政院農委會漁業署

姓名職稱：蔡日耀副署長等

派赴國家：摩洛哥馬拉喀什（Marrakech）

出國期間：97 年 11 月 17 日至 11 月 24 日

報告日期：98 年 2 月 17 日

摘要

「大西洋鮪類資源保育委員會」(ICCAT) 第 16 屆特別會議於本(2008)年 11 月 17 日至 24 日於摩洛哥馬拉喀什(Marrakech)召開，我國由本署蔡日耀副署長率本署同仁、對外漁協、學者及鮪魚公會組團參加會議。謹將各會議結果扼陳如下：

一、重要魚種魚種保育措施：

- (一) 大目鮪：延長第04-01號「大目鮪多年期保育管理計畫」建議案至2009年，並俟2009年年會期間重新討論大目鮪配額分配，我國2009年配額仍維持在14,900公噸。
- (二) 東大西洋及地中海黑鮪：2009年總可捕量由2006年議定之27,500公噸調降至22,000公噸，計歐盟、日本、韓國等9國調降配額，我國則維持原66.3公噸。
- (三) 西大西洋黑鮪：2009年總可捕量從2008年之2,100公噸調降至1,900公噸，我國並無是項漁獲配額。
- (四) 北大西洋劍旗魚：展延第06-02「修改北大西洋劍旗魚復育計畫之補充建議」案效期一年。我國2009年配額維持為270公噸。
- (五) 鯊魚：要求儘量釋放捕撈時仍存活之大眼狐鮫，另捕獲量及釋放量需詳實紀錄並回報予ICCAT；於2009年ICCAT與海洋調查國際理事會(ICES)將對大西洋鯖鯊共同舉行資源評估會議。

二、紀律委員會：通過建立遵從資訊之審核與提報程序案，要求會員國於年會前120天提供任一懷疑有可能不遵從ICCAT保育管理措施之情事資料予ICCAT 秘書處，並依程序告知秘書處調查之結果，ICCAT秘書處應於年會前傳送相關案件資訊予所有會員國，並於年會中提出總結報告。

三、永久工作小組：通過黑鮪漁獲文件計畫之修正案，加強黑鮪漁獲物執行細節，使大西洋黑鮪貿易及養殖實踐更為嚴謹。

四、其他重要事項：

- (一) 為加強與ICCAT合作，我方於會中表示將持續捐助ICCAT 10萬歐元，並另捐助5,000歐元支持旗魚研究計畫。
- (二) 有關ICCAT績效評估報告，其中包含我國參與ICCAT問題，決定於2009年召開之「未來工作小組」進一步討論。

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壹、目的

- 一、ICCAT 成立於 1969 年，係專責管理大西洋鮪類資源使得永續利用，並為最具歷史且扮領導角色之區域性政府間國際鮪漁業組織，目前計有 46 個會員國，我國則係以合作非會員身分參與相關會議，該組織定期每年召開一次年會，將年度各次委員會會議結果提送至此討論，以通過相關管理措施。
- 二、ICCAT 第 16 屆特別會議於 2008 年 11 月 17 日至 11 月 24 日於摩洛哥馬拉喀什 (Marrakesh) 舉行，計有 42 個公約締約方與會，國家、政府間組織、非政府組織以觀察員身分參加，我國由行政院農業委員會漁業署蔡日耀副署長率本署同仁、對外漁協、學者及鮪魚公會組團參加會議。
- 三、該次會議重要議題仍為東大西洋及地中海黑鮪，另與我國相關議提有大目鮪、北大西洋劍旗魚及鯊魚等魚種保育管理措施、審議會員及非會員有無遵守保育管理規定、審定「違法、未受管理及未報告」(IUU)漁船名單、2009 年委員會工作計畫及預算等。
- 四、另 2007 年 11 月 ICCAT 第 20 屆會議期間，大會要求我國應於會議前交「長鰭鮪漁業管理報告」及「24 米以下漁船作業報告」，經提交前揭報告並經各國檢視後均無異議，於會中我國無任何附帶條件獲順利更新合作非締約方身份。

貳、會議過程

會前雙邊會談

I、台加雙邊會談

- 一、台加雙邊會談於 11 月 16 日上午 10 時於加團會議室舉行，加方由團長 Jim Jones、PWG 加籍主席 S. Lapointe 及其他相關團員參加。
- 二、加方表示本次會議的關鍵議題有三：東大西洋黑鮪保育、會員遵從 (Compliance) 問題以及 ICCAT Performance Review。我方則表示我團關切焦點包括：大目鮪資源保育、ICCAT Performance Review、我國合作地位 (cooperating status) 延續以及 IUU 暫定名單中之我國籍天寶號案，特別是天寶號部份，我方認為秘書處在處理程序上似有瑕疵。PWG 主席 S. Lapointe 表示因為該案已經進入相關程序，我方亦已提出報告，若各方無意見，該船應可順利自 IUU 暫定草案移除。
- 三、加方就大目鮪資源部份，認為依據 SCRS 評估，目前漁獲量在安全水準，應該不會是問題，現有決議應該會沿用。我方則提醒圍網在幾內亞灣捕撈大目鮪幼魚的問題必須注意。加方表示有同感。
- 四、加方提到在檢視 Greenpeace 提出之相關資料時，發現我方 2006 年所核發之漁獲統計文件 (SD) 貿易資料與我國所提報之漁獲量資料不符，我方則提醒加方，我國已在去年年會前就已經針對該問題向秘書處提出說明並週知各會員，我亦函 Greenpeace 要求更正其報告，加方隨後表示經查確實已找到去年我方提出的說明文件，對此加方無進一步疑問，也附帶說明加方已經準備了 46 個有關 Compliance 問題，將在會中向相關國家提問，針對我國這個已獲解決，就不會再提出。
- 五、加方表示對於地中海黑鮪議題，如果無法妥善處理，導致黑鮪資源枯竭危機，會讓外界質疑 ICCAT compliance、reporting 能力，以及不尊重 SCRS 決議，就有可能被提到 CITES 去討論，而 CITES 討論單一物種，並不會分系群，屆時東西大西洋黑鮪都會一起受到管制。我方表示這兩年都未開放黑鮪漁業，加拿大表示這是聰明的決定。我方認為 ICCAT 當年針對台灣採取強制措施要求改善，但對於會員違規超捕黑鮪卻沒有採取措施。加方也認為應該要以台灣為例，強化對於會員違規的處理方式。包括加方也注意到西班牙與利比亞在同一塊水域作業，但黑鮪漁獲量以及 VMS 回報頻度差異很大，似乎漁獲量與 VMS 回報頻率不成比例，其中可能有資料虛報問題。而法國資料也有低報問題。

六、有關 ICCAT Performance Review，我方表示該報告很真實的反應了 ICCAT 的問題，特別是對於黑鮪，而有關於我國合作非會員問題，公約是否應該修正等問題，報告撰寫人 Glenn Hurry 亦有提及，ICCAT 實在應該採取積極措施。加方表示對於該報告中的 77 點建議都完全支持，ICCAT 應該正視所有問題，而非選擇性處理，包括經費分攤問題、檢討公約合理性等等，不過本次會議應該無法處理這些細節，可能需要組成工作小組進一步討論。我方回應表示有關捐款部分，我國目前雖係合作非會員，惟所捐助之規模已接近會員身分之標準，不過我國國會仍要求要有與 ICCAT 正式之法律聯結。

II、台英（領地）雙邊會談

一、台英（領地）雙邊會談於 11 月 16 日下午 2 時於我團會議室舉行，英方由環境糧食及農村事物局海洋漁業保育處 Andy Carroll 參加。

二、我方首說明雙方對天寶號之聯繫過程，C 氏再次表達英方對我處理天寶號所採取的行動滿意的立場，但對 ICCAT 秘書處將天寶號納入 IUU 暫定名單表示遺憾。我方提出天寶號納入 IUU 暫訂名單可能引發其他締約方的誤解，希英方於會中主動提出滿意我方的處置方式。C 氏表示渠本次係第一次參加 ICCAT 會議，對本案所受訓令係希簡單而順利解決，勿佔據會議太多時間或成爲焦點，PWG 會議討論本案時，英方會發言附和，渠另表示，EU 對本案並未有任何意見，由渠判斷，天寶號應可順利自 IUU 暫訂名單移除。我方對 C 氏說明，表示感謝。

三、我方繼之表示，我業者有意與英屬亞森松進行漁業合作並前往該水域作業，惟我方亦了解英屬亞森松水域目前不對外開放，感謝英方提供英屬聖海倫納島漁業合作方案，我方目前初步獲悉有 6 艘漁船有參加意願業。英方表示該等漁船亦會捕撈黃鰭鮪，英方顧慮的是 ICCAT 已有規定黃鰭鮪之漁撈能力不得超過 1992 年水平，因此如何妥善處理該顧慮及有關入漁合作之技術方面等細節，將待其同仁抵達後樂與我方進一步交換意見。

四、我方提出對 ICCAT Performance Review 報告之看法，特別是我方與 ICCAT 合作之方式。我方說明我國多年來以合作非締約方參與 ICCAT，卻無任何參與決策權利，反觀其他區域性鮪漁業組織，如 WCPFC 或 CCSBT，我國已是正式會員或延伸委員會會員。ICCAT 績效評估小組建議 ICCAT 修訂公約或通過建議案，改善我國之參與方式。C 氏同意我方看法，其他 RFMOs 既然能建立相關之安排，ICCAT 應沒有理由不可，但渠認爲真正問題關鍵在於實現我方立場之文字用語，倘有任何有關此議題之提案，英方原則上支持我方之立場。

III、台美雙邊會談

- 一、台美雙邊會談於 11 月 16 日下午 3 時於美團會議室舉行，美方由團長 Rebecca Lent、國務院 Deirdre Warner-Kramer 等參加。雙方先簡單點出關切議題，我方首先表示對本屆會議所關切議題包括 ICCAT Performance Review、我國合作非會員地位更新及大目鮪保育管理措施。美方則以東大西洋黑鮪保育、會員遵從及擴大大目鮪禁漁區及禁漁期。
- 二、有關 ICCAT Performance Review，美方重申支持台灣參與漁業組織之一貫立場，惟對於 ICCAT 是否要重啓公約談判以納台灣參與，恐須要再討論且將係一長遠路程。我方表示，或許 ICCAT 有過渡期間參採「南方黑鮪保育委員會」(CCSBT)的作法，以通過決議案的方式，台灣與 CCSBT 締約方在延伸委員會享有相同權益與義務。美方另表示，我國在 ICCAT 雖無決策權，惟似可以自由發言，我方解釋，雖我國可以發言，惟必須俟所有締約方對該討論議題沒有意見以後才輪由我國發言，往往失去提供意見之時機及價值，希望 ICCAT 能比照 WCPFC 或 IATTC 的實踐，對於會員與合作非會員的發言權沒有差別待遇，美方對此表示理解，並建議或許可做為推動我國參與 ICCAT 之短期目標，對於我國合作非會員地位，美方亦表示當無問題。
- 三、有關遵從問題，美方表示注意到目前有許多會員有未遵守養護管理措施的情況，並讚賞我國過去為遵守 ICCAT 措施所做的努力，美方認為非會員可以做到的，沒有理由不要求會員亦應做到（暗指歐盟），我方表示，關鍵問題在如何確保會員必須遵守管理措施，以目前 ICCAT 之共識決之決策機制，會員只要認定某措施對其不利，多予否決或 opting out，因此看不出未來對提昇會員遵守之問題可以獲得多大的改善。
- 四、有關東大西洋黑鮪，我方提及美方所提出建議草案，要求凍結捕撈黑鮪之漁撈能力在 2007~2008 現役漁船數之水準。並表示我國雖近二年未授權漁船捕撈黑鮪，但不等同於我國沒有權利，我方建議以漁撈能力應與配額相稱為妥。美方對此表示理解。
- 五、有關擴大大目鮪禁漁區及禁漁期，我方表示，由 SCRS 報告，近年大目鮪幼魚的漁獲死亡率升高主因在圍網漁業等表層漁業，美方表示，該議題確係仍以圍網漁業等表層漁業為對象，希望 ICCAT 回復 99-01 建議案所訂之禁漁措施，要求在集魚器附近作業之表層漁業船隊自 11 月 1 日起至次年 7 月 31 日止，禁止於幾內亞灣大目鮪產卵區作業。我方表示，只要圍網國家能接受，而我方對該議題並沒有其他意見。
- 六、我方最後提及本月初邀 ICCAT 旗魚工作小組主席 Dr. Die 來台訪問情形，為表示我國對 ICCAT 旗魚研究工作的重視，將呼應該小組希望各方踴躍捐助該研究計畫的呼籲，捐助 5000 歐元予該計畫，並會在本年會議中視情形宣

布，美方對我國是項捐助表示感謝。

IV、台日雙邊會談

- 一、我團於下午 5 時 30 分赴日團會議室進行雙邊會談，日方由宮原審議官、鹿田課長補佐、田中課長補佐等參加。宮原首先表示，本年會議主要議題為黑鮪，且面臨非常險峻情況，因為 2010 年將召開 CITES 會議，若本年 ICCAT 沒有作為，CITES 將會取而代之討論該魚種之保育措施，對 ICCAT 的未來將會是災難，因此不知我團此次關切議題及對我團能提供什麼樣的協助。
- 二、我團繼之表示對 Performance Review、我國合作非會員地位及大目鮪配額分配等議題之關切及看法，並希望日方的協助。日方回應表示：(一) 有關 Performance Review，日本長期以來支持台灣參與各項國際漁業組織，惟本年對 ICCAT Performance Review，將不會有深入討論，留待明年於工作小組會議中再詳議；(二) 有關台灣之合作非會員地位，日方表示似無問題；(三) 有關大目鮪配額分配，因本年沒有時間處理該議題，因此舊的配額分配機制將延用一年，並於明年再做討論。而歐盟可能會再度提出全面禁止公海轉載之建議草案，日方將原則同意限縮以黑鮪為限，以換取歐盟對黑鮪保育的讓步，至於其他魚種，會延至明年以後再議。
- 三、我團另表示本年會議似將討論漁船單一識別號碼(Unique Vessel Identification, 簡稱 UVI) 議題，我國因非 IMO 會員，因此希望參採 WCPFC 技術與紀律委員會對本議題之分析建議，採納勞氏號碼，而非 IMO 號碼。日方表示理解並予以考慮。
- 四、日方另表示，日本將於本年 12 月於韓國釜山召開之「中西太平洋漁業委員會」(WCPFC) 年會中提出大目鮪保育管理措施對案，以逐步減少漁獲死亡率的方式達成保育目標，第一階段將建議減少 10% 之漁獲死亡率，希望台方支持。我方希望日方提供建議草案內容，俾台方能提供意見。

V、台、貝里斯非正式會談

我方就 ICCAT Performance Review 與貝里斯 Angelo Mouzourououlos 交換意見，渠支持我方見解，並允將在會中適時發言。另我國合作非會員地位延續案，亦獲渠允支持。

11 月 17 日會議（全席會議及紀律委員會）

I、全席會議

一、議程 1(開幕)

- (一) ICCAT 主席 Fabio Hazin 致詞表示，ICCAT 身爲一個國際組織，卻面臨無法達成最初成立宗旨的嚴重問題，許多會員國無法落實 ICCAT 通過之保育措施，特別是未遵守議定之漁獲限制、未能及時提報資料、以及無法有效執行管理監控措施。倘本屆會議之討論結果仍不尊重及依循科學建議，ICCAT 將沒有未來，且無可避免地損及 ICCAT 長久建立之聲譽。H 主席促請各締約方及合作非締約方(CPCs)認真面對這些問題，特別是在處理東大西洋黑鮪(E-BFT)之復育問題，渠認爲 ICCAT 若無法妥善保育單一魚種資源，則其他魚種也無法倖免同樣的命運，期許本屆會議有重大突破。
- (二) 隨後由會議地主國農糧事務部部長致開幕詞，渠表示摩國刻正修改其漁業政策，期 ICCAT 能通過新的建議或決議，保育瀕危魚種，打擊 IUU 漁業行爲。
- (三) 依往例各締約方之開幕詞採書面方式提送。

二、議程 2(通過議程及會議安排)：

- (一) 利比亞建議將議程草案之第 6 項(ICCAT 績效評估(Performance Review)) 提前並與原議程之第 5 項(SCRS 會議報告)互換，由於各方對利比亞建議並無反對意見，主席表示採納利比亞建議並通過議程。
- (二) 秘書長 Dr. Meski 繼之說明本次會議之庶務性事項安排，包括各節會議或活動時間、網路使用與繳交資料應注意事項等。

三、議程 3&4 (介紹締約方及觀察員)：

- (一) 秘書長逐一唱名出席本次會議之締約方計 40 國，另阿爾巴尼亞於今年 3 月成爲 ICCAT 第 47 個締約方。
- (二) 本年之觀察員計有 18 個政府或組織，包括我國、荷屬安地列斯（以上合作非締約方）、茅利塔尼亞、剛果、喬治亞及 OPRT、WWF 等非政府組織。

四、議程 5(ICCA 績效評估)：

- (一) 澳洲漁業管理局官員暨中西太平洋漁業委員會(WCPFC)主席 Mr. Glenn Hurry 代表外部專家小組簡報所提出之外部專家評估報告：
 1. 第一部份爲審核 ICCAT 公約及其通過之保育和管理措施，是否足以反應聯合國海洋法公約(UNCLOS)、聯合國魚類種群協定(UNFSA)及其他有關魚類系群保育和漁業管理文書所建立之全球性原則與標準，在所有

檢討項目中，特別點出生態系統之管理及預警方式、對開發中國家協助等事項，另亦包括合作非會員問題，渠特別表示係與中華台北參與 ICCAT 有關，雖然認知到該問題的困難性，惟 ICCAT 迄今尚未觸及該問題。

2. 第二部分為 ICCAT 是否達成其有關魚類系群養護目標，小組認為因 SCRS 缺乏即時與正確之資料，致三魚種之資源評估結果具極大之不確定性。在 14 種管理系群中，僅大目鮪、北大西洋劍旗魚、南大西洋劍旗魚、黃鰭鮪符合 ICCAT 管理目標。
 3. 第三部分為針對魚種保育及漁業管理部分，考量 CPCs 實際履行 ICCAT 通過之建決議案的情況。此節小組無法接受 ICCAT 對東大西洋及地中海黑鮪之漁業管理和養殖黑鮪之規範，因其與 ICCAT 之宗旨不一致，建議 ICCAT 暫時停止東大西洋及地中海黑鮪漁撈，直到 CPCs 完全遵從 ICCAT 對黑鮪之建議。另有關過去未使用之配額應立即停止 carry over，並調整所有漁業之漁撈能力，以反映漁撈機會或配額分配。
 4. 該小組認為 ICCAT 疏於達成其任務，許多主要魚類資源低於最大可持續生產量 (MSY)，因其 CPCs 未落實其對 ICCAT 應負之責任 (缺乏紀律)。ICCAT 應認真看待改善其 MCS 制度，除了對未遵守之非會員施予貿易措施外，亦應擬定對會員之懲處制度。倘 CPCs 改變其態度朝向履行 ICCAT 相關規定及通過 MCS 程序，ICCAT 之管理成效將獲得改善。
- (二) H 主席請各方針對該報告提供綜合性的意見，至於對特定事項之意見，建議留待明年召開之 ICCAT 未來工作小組深入討論。渠並表示，外部專家小組所提出之評估報告提供各方思考 ICCAT 缺失及改進方向的重要參考，因非法律文件，因此無關通過或接受的問題。
- (三) 相關 CPCs 對該評估報告提出看法或問題，摘要如次：
1. 日本提出兩個問題，ICCAT 與 WCPFC 之架構不同，對 ICCAT 而言何為特定之懲處制度，另一為 ICCAT 會員國多達 46 個，ICCAT 應有獨立的檢查制度，該如何實現？Hurry 回應 WCPFC 與 ICCAT 之情況不同，WCPFC 為新公約，且開始運作時資源狀況相對較佳，使得會員國有時間協商採行必要的執行管理工具，因此現在其已有登臨檢查的規定，而 ICCAT 公約尚未有相對應機制。至於未來的登臨檢查制度似可優先適用於黑鮪養殖漁業。
 2. 歐盟請 Hurry 進一步說明其對 CDS 等市場機制之看法。Hurry 認為 CDS 是有用的管理工具，但若要有成效，就須有良好的制度設計與配套的監督制度。另外 EC 詢為確保遵守可考慮採行之制裁措施。Hurry 建議對於持續的違規或缺乏管理能力之行爲，類如停止捕魚權之措施似可考慮。

3. 挪威希望有關 ICCAT 公約修訂的問題可以留待明年工作小組會議討論，但可以立即著手的事項，例如黑鮪養護管理措施，不應因此受到延遲處理。
4. 利比亞多次發言表示本屆會議應立即對小組報告做出通過該報告及其中各項建議的決議，例如立即著手修改 ICCAT 公約之工作，以顯示 ICCAT 支持本報告之程度。往者已矣，ICCAT 不應著重處理會員國不遵守之行為，而應專注於未來 ICCAT 將如何改進。渠並質疑主席為何認為本報告非法律文件，無須大會通過。主席對此再次解釋該報告之性質，但並不表示 ICCAT 不重視小組評估報告。評估報告仍將是未來 ICCAT 改革之藍圖。就此巴西指出評估報告是小組之建議，CPCs 可根據其建議進一步採取具法律上拘束力之措施。
5. 中國認為本報告提出要修約係很政治的問題，應要謹審，因此本報告僅能作為一項方針(guideline), 而不是政策。另就其記憶所及，ICCAT 已有針對會員未遵守的情形有處分措施(由部分市場國採取措施)。另中國亦請 Hurry 就公海轉載表示意見。Hurry 表示理想上所有轉載皆應在港口進行，但考量到業者的負擔，在嚴格的監控下進行之海上轉載似仍應允許。就此 ICCAT 目前已採行之措施似可供其他 RFMOs 參考。
6. 加拿大認為小組做出的 70 項建議，並不需要都交給 ICCAT 未來工作小組處理。其中有些是需要較長時間考慮的，例如修約，但亦有許多是可以立即採取行動的，在今年的年會中就可以加以考慮。就此主席裁示交由各 Panel、COC 及 PWG 就其職權內應可參酌小組報告採取措施之事項，優先考量。
7. 摩洛哥表示報告的內容明白指出 ICCAT 的許多缺失，許多小錯失可及時修正，其他重大錯誤應有修正動作，如提供及時正確的資料、打擊 IUU 等。敘利亞亦強調委員會應尋求改善會員紀律問題的辦法。
8. 貝里斯表示支持修約或研擬新公約時，必須考慮 ICCAT 與其他 RFMOs 措施之間之調和。就此主席整理時認為大會就此點已取得共識。
9. 納米比亞感謝 Hurry 提及開發中國家管理能力之建立問題，並請 CPCs 再次注意此問題之重要性。
10. 土耳其、巴西、迦納、烏拉圭、突尼西亞、萬那杜等國皆發言肯定此報告是 ICCAT 未來改進之路的指導原則。
11. 美國發言強調小組報告傳遞的最主要的訊息為，ICCAT 的制度架構本身是健全的，問題出在 CPCs 之欠缺遵循。因此再次強調對於不遵循行為施予制裁之必要性。
12. 塞內加爾認為重點在各會員的遵守問題，若各會員不遵守，既使有最現代化的公約，也是枉然。

13. 我團發言指出評估報告第一部份建議 ICCAT 考量修訂公約或更新及通過進一步保育管理措施，填補小組發現之缺口，包括我國之參與方式及權益，我團建議 ICCAT 參酌其他 RFMOs 之發展，以修訂通約或在未修約之過渡期以通過建決議案之方式處理與我國之進一步合作方式，賦予我國決策權。貝里斯嗣後再次發言認為 ICCAT 應展現包容性，具體呼應我方主張。

五、議程 6 (SCRS 會議報告)：

- (一) SCRS 主席 Dr. Scott 說明(1)2008 年 SCRS 之主要活動與成果；(2)各魚種資源狀況；(3)今年鯊魚與黃鰭鮪、正鰹等資源評估會議結論；(4)對一般議題之主要建議；及(5)各魚種小組之 2009 年工作計畫，包括舉行：(i)熱帶鮪類魚種小組會議分析標識資料；(ii)北大西洋長鰭鮪資源評估會議；(iii)劍旗魚資源評估會議；(iv)雨傘旗魚資源評估會議等。至於黑鮪部分，SCRS 議定 3~4 年內不會召開資源評估會議，因黑鮪資源短期內不會顯著的改善，將著重於科研部分。
- (二) 各方對 SCRS 會議報告意見及 S 主席回應摘述如次：
 1. 巴西詢問有關黑鮪評估狀況，S 主席認為應在第二魚種小組討論。
 2. 有關資料提報部分，加拿大發言表示許多國家都忽略資料提報期限，摩洛哥則認為各國均有義務，阿爾及利亞也發言附和。
 3. 加拿大亦認為對鮪漁業與生態系互動之評估，包括鯊魚、海龜、海鳥等，似乎很有限。
 4. 中國提出大目鮪資源評估應配合管理計畫。S 主席回應有關大目鮪評估近期結果顯示還在安全範圍，倘 ICCAT 希望調整時程，SCRS 可遵照辦理，此問題可在第一魚種會議討論。
 5. 美國詢問有關資料回報問題，如果沒有資料，就勢必採取預警制。究竟目前取得之資料有無進展？S 主席表示，因有相關基金在協助資料收集，所以已經有改善。
 6. 日本表示近期因為有資料核對及檢視，所以資料應該會逐漸改善。但特別提及有很多船長小於 24 公尺之小型延繩釣船在中美洲捕鯊魚，IUU 資料嚴重短缺，詢問 SCRS 了解嗎？另有關 BIAS 及拋棄量等，如果配額少、船數多將使漁船作業時間變短，資料涵蓋率降低，資料偏差可能會更嚴重。S 主席表示，日本鮪釣是重要評估資料，近兩年活動減少的確令人關切，漁獲率下降，資料品質理論上也會下降。有關中美洲鯊釣，尚沒有特別處理，可能需要特定國家提供資料。目前漁獲評估可能參採貿易資料，而不是針對特定小範圍或特定國家，當然如有資料會更好。至於誤差，如果能得到相關資訊來推估當然最好，例如觀察員，建議委員會可以參考。

7. 塞內加爾表示全力支持開發中國家提升統計資料品質，並期在 SCRS 指導下進行。

六、議程 7 (漁撈能力工作小組會議報告)：

- (一) 漁撈能力工作小組主席美籍 Chris Rogers 扼要說明會議成果，包括 CPCs 之船隊資訊不完整，且地中海黑鮪之漁撈能力過剩，導致漁獲量遠超出 ICCAT 所設定之水準。該次會議達成共識之提案包括 PLE-113「ICCAT 漁撈能力之限制」及 PLE-114「參與 ICCAT 黑鮪漁業之漁船資訊交換」，提交委員會考量。
- (二) 美國、加拿大、利比亞認為此兩項提案應於第二魚種小組討論。加拿大並表示黑鮪漁撈能力不僅應凍結，更應進一步縮減，歐盟發言為保育資源可考慮縮減。
- (三) 貝里斯重申船長定義對漁撈能力議題的討論非常重要，船長小於 24 公尺的小船管理問題浮現，其他 RFMOs 已有小船管理體制，但 ICCAT 尚未有，另建議在船長定義應與 IMO 一致。
- (四) 主席最後裁示工作小組所提出之二項建議草案，提交第二魚種小組會議討論，另通過漁撈能力工作小組會議報告。

七、議程 12 (協助開發中國家及能力建置)：

- (一) 首由 ICCAT 秘書 Meski 報告 2008 年 ICCAT 協助開發中國家之摘要，包括 ICCAT 基金來源及 2008 年取得之款項、援助沿岸國提升統計及資源評估能力之資訊與費用，包括補助差旅費、改善資料蒐集系統及培訓課程等。
- (二) 迦納、烏拉圭、納米比亞、瓜地馬拉等國陸續發言感謝 ICCAT 基金對渠等受惠良多，改善渠等之統計及漁業管理能力。

II、紀律委員會 (COC)：

- 一、紀律委員會於本日下午 5 時召開，由美籍 Dr. Chris Rogers 擔任 C 主席。COC 主席開宗明義表示，倘 ICCAT 對每一魚種設定漁獲限制，且各國均尊重決議採取適當措施，則無任何紀律問題。希望 COC 會議能審慎檢討各會員或非會員遵守委員會通過之保育管理措施情形，在會期間能就若干議題達成共識，以具體改善 COC 所應發揮的功能。美國表示應以透明、公正、公平的程序，檢視會員遵守的狀況。
- 二、R 主席逐一檢視 COC 議程及文件，有關日本所提之黑鮪 CDS 修正草案，將併入 PWG 討論。在歐盟及利比亞等國表示若干意見後，主席宣布確認議程。
- 三、議程 4 (逐項檢討 CPC 執行及遵守 ICCAT 措施情況)
 - (一) 由秘書處 Papa Kebe 說明去年 11 月底至今年 11 月中各國繳交資料狀況 (PLE-105)。

1. 挪威發言澄清表示該國無黑鮪作業漁船，所以沒有資料，但文件中卻呈現未交資料，兩者意義不同。秘書處表示對於類此情形，將以註記或空白方式標示。
2. 日本及歐盟提出程序問題，建議核對細節可於會外逕洽秘書處處理，應針對未交報告及資料者，逐一請相關國家說明。
3. 主席請未提交國家報告之 CPC 提出說明，敘利亞、冰島、法國(麥克隆)、利比亞等國或表示因誤解等理由而未提交國家報告，惟將立刻提交。秘書長希望在下節 COC 會議前全數資料能收悉。
4. 利比亞表示，在渠看了秘書處整理各 CPC 提交報告資料狀況一覽表，發現中華台北最優，均是綠色（按：秘書處以綠、黃、紅標示報告或資料提交概況），或許是遭懲處後獲得改善，對中華台北的努力表示感謝。另一方面，對會員普遍有不遵守的情況深感汗顏。

11 月 18 日會議（魚種小組會議、紀律委員會及財務委員會）

I、第一魚種小組

- 一、 議程 1~4（開幕）：由南非籍 Djobo Anvra Jeanson 擔任主席，確認議程及選任美國代表 Judy 擔任紀錄員，由秘書長 Meski 逐一宣讀加入該小組之締約方，本次英國要求加入本小組，經通過後，第一魚種工作小組小組成員總計 33 個。
- 二、 議程 5（SCRS 報告）：由 SCRS 主席 Dr. Scott 說明熱帶鮪類資源評估狀況，本節重點如下：
 1. 去年完成大目鮪評估，今年評估正鰹以及黃鰹鮪，今年特別針對圍網捕撈大目以及黃鰹幼魚的狀況進行評估。
 2. 圍網作業集中在較近岸水域，正鰹評估顯示資源指標穩定，東西系群皆無過漁之虞，故 SCRS 無任何建議。
 3. 黃鰹鮪部份，顯示黃鰹鮪資源狀況較 2003 年評估佳，顯示生物量接近 Bmsy，漁獲死亡率略低於 Fmsy，資源狀況尚屬安全。SCRS 建議維持目前的漁獲水平有助於系群健康，另建議採取有效措施，降低幼魚的漁獲死亡率，以提昇長程的資源量。
 4. 至於大目鮪，去年評估結果顯示在安全水準，而圍網在幾內亞灣的捕獲幼魚比例則顯示因為禁漁區（期）縮小而增加。SCRS 建議總漁獲量應低於 85,000 公噸，擴大現行禁漁期/區規範。
 5. 多國就熱帶鮪類幼魚捕獲量及禁漁區（期）等議題發言：
 1. 迦納憂心幼魚比例的增加，特別是 FAD 禁漁區（期）效果不佳，必須

採取措施。南非則強調科學證據的重要性，除調整禁漁措施外，亦應減少已開發國家的漁撈能力。

2. 日本認為禁漁區（期）針對圍網漁業，原係由圍網業界所倡議，但禁漁區（期）效能仍有不足，故需作調整。此外，圍網漁獲因辨識不易，故有大目鮪漁獲低報問題。對於鮪釣漁業，日本說明在與中華台北合作後，IUU 船數已大量減少，再加上運搬船觀察員計畫，已有效獲得管控。但從市場國可看出，小釣漁獲狀況猖獗，捕撈生鮮鮪魚到美國及歐盟，但 SD 尚未適用於生鮮漁獲，是一大漏洞，ICCAT 缺乏完善的小釣船監控措施。S 主席表示，評估顯示禁漁期在第四季以及第一季是最佳選擇，不過目前的港口採樣計劃仍有不足，需要繼續執行並加強採樣計畫，才能獲得更確實的資訊。倘船上有觀察員就更好，對於洗魚部分則感謝日本提供的資訊。
3. 巴西發言多年來多次強調圍網漁業混獲幼魚之嚴重性，支持調整禁漁區（期）。貝里斯附和保育幼魚的重要性，另提及轉載問題，貝國並未參與 ICCAT ROP，倘經濟上需要合宜的轉載措施，透過適當監控即可，詢問 SCRS 何時可評估轉載船觀察員資料？貝國亦憂心小釣逃避各種 MCS 措施，建議一併檢視此問題。S 主席答覆 SCRS 亦希望取得轉載觀察員資料，但目前該資料被視為機密，SCRS 無法取得僅有總量資料。
4. 歐盟則引用 SCRS 報告，指出目前 IUU 漁獲量資料不足，評估結果有很多不確定性，要求禁止海上轉載，才能完整蒐集資訊，希望委員會審慎考量。
5. 中國表示對於小船問題，願意共同發展管理 MCS 措施，蒐集相關資訊。至於海上轉載有其重要性，對其他沒有採用的魚種（特別提及黑鮪），資料反而較不透明。
6. 美國表示樂見正鯉資源狀況佳，但須重視圍網捕撈了 70% 大目鮪幼魚之問題，詢問有無方法更容易辨識幼魚？S 主席回應因圍網漁獲量大，而漁獲體長接近，故難以分辨。

II、第二魚種小組

四、議程 1~4（開幕）：由歐盟籍 Julien Turenne 擔任主席，經確認議程及選任摩洛哥代表擔任紀錄員後，秘書長 Meski 逐一宣讀加入該小組之締約方，阿爾巴尼亞加入本小組，本小組成員總計 23 個會員。

五、議程 5（SCRS 報告）：由 SCRS 主席 Dr. Scott 說明北方鮪類資源評估狀況，茲分述如下：

- （一）北長鰹鮪：去年 7 月完成評估，北長鰹鮪的 MSY 約 30,200 公噸，2007 年總漁獲量 21,549 公噸，較前一年(36,077 公噸)降低近 25%。

- (二) 東大西洋及地中海黑鮪：今年之評估結果較去年悲觀，SCRS 認為現行管理體制極有可能進一步削減產卵群生物量，該漁業及系群具崩潰之高度風險，且在 2023 年以前復育黑鮪系群至 MSY 是不可能的任務。短期建議 TAC 應低於 15,000 公噸。
- (三) 西大西洋黑鮪：產卵群緩慢復甦中，但並沒有預期中的樂觀。但 SCRS 反對增加 TAC，認為之前 TAC 2,100 公噸設定過於樂觀，應該要再降低。
- (四) 經過一個多小時冗長的簡報後，主席宣布各國提問延至明天，旋即結束會議。

III、第三魚種小組

- 一、 議程 1~4 (開幕)：由墨西哥籍 Aguilar Sánchez, Mario 擔任主席，經確認議程及選任歐盟代表擔任紀錄後，秘書長 Meski 逐一宣讀加入該小組之締約方，墨西哥提出加入本小組，本小組成員總計 9 個會員。
- 二、 議程 5 (SCRS 報告)：由 SCRS 主席 Dr. Scott 說明南長鰹鮪資源狀況，現有漁撈量低於 MSY，尚在安全範圍內。至於南方黑鮪，主要參酌 CCSBT 之相關資訊，特別是 CCSBT 部分建議，有興趣者可以逕洽 CCSBT 或者參予 CCSBT。小組成員無任何提問。

IV、第四魚種小組

- 一、 議程 1~4 (開幕)：由日籍 Miyahara, Masanori 擔任主席，經確認議程及選任歐盟代表擔任紀錄後，秘書長 Meski 逐一宣讀加入該小組之締約方，墨西哥提出加入本小組，本小組成員總計 26 個會員。
- 二、 議程 5 (SCRS 報告)：由 SCRS 主席 Dr. Scott 說明旗魚類、鯊魚資源狀況，本節重點如下：
 - (一) 鯊魚：SCRS 於今年進行水鯊及大西洋煙仔鯊之資源評估，結果顯示兩者之生物量仍足以支撐 MSY，但具有高度不確定性。建議考量對資源瀕危種類實施預警管理措施，盡可能對特定種類設定管理措施，如最小漁獲體型限制。
 - (二) 劍旗魚：地中海劍旗魚資源持續下降，建議通過漁業管理計畫或考量禁漁措施；北劍旗魚資源量接近 99% MSY，補充群較 MSY 略增，南劍旗魚資源則處於良好狀態，但仍有些許不確定性。對兩系群之建議皆是維持現有管理體制。
 - (三) 黑皮旗魚及紅肉旗魚：資源仍低於最適量，至少維持目前之管理措施至資源復育成功為止，另改善資料之可信度、鼓勵更換漁具（如圓形鈎）或魚餌等。
 - (四) 其他旗魚：明年將進行芭蕉旗魚資源評估。

(五) 各國提問如下：

1. 美國詢問如果有充分資料，明年能否進行旗魚資源評估？SCRS 主席表示如果有漁獲比例，或許能夠進行，但對此表示保留。
2. 主席表示劍旗魚資源評估會議將於明年召開，但現行北劍旗魚管理建議僅分配漁獲限制至 2008 年，是否延拓一年至明年資源評估會議後再議新的管理建議，希望各國能夠先行協商，劍旗魚部分將延用原有決議，CPCs 如有新管理提案需在明日前提出。另有關鯊魚以及地中海劍旗魚保育措施等，能儘早提出，以結束本小組會議。
3. 巴西則表示會提出有關鯊魚保育建議，歐盟也表示會提鯊魚保育建議。主席建議歐盟也思考有關地中海劍旗魚。

(六) 加拿大大使特別要求播放錄影帶，表達加國在保育黑鮪之積極行動。

V、紀律委員會 (COC)

六、 議程 4.1 (提交國家報告)

- (一) 主席表示已有更新文件 (COC-303A)，惟許多國家尚未取得，致此部分討論受阻。
- (二) 加拿大發言表示去年提及會員不遵從議題，並提出建議處置方式，很遺憾未通過，另加國表示去年年會時，Greenpeace 等 NGO 曾提出文件指明有關國家違規問題，基於透明原則，加國認為相關國家亦需要對 NGO 之報告提出說明，加國目前獲悉中華台北有提出回應報告，惟其他 CPC 還沒有，希望有關之 CPC 應提出說明。
- (三) 日本表示包括合作非締約方中華台北在內，僅有 27 國有繳交國家報告，遵從比例過低，應有所行動，需點出未提報的國家並列入紀錄，可在其他小組討論。美國呼應上述說法。
- (四) 主席逐國點出未提報國家報告之國家，少數國家發言表示抱歉，包括萬那度、敘利亞、瓜地馬拉等國，並表示將儘快提交報告及資料。主席詢問儘快是何時？敘利亞答覆一星期內，但無法確定時間。
- (五) 巴西提及 PWG 曾依 06-13 對不遵從的國家做出認定，甚至懲處，COC 應該也如此對待不遵從的締約方，讓 COC 能夠確實發揮效果。提交國家報告已經是很容易達到的要求，希望對連國家報告都沒交者提出警告信函，明年不交就要考慮予以認定 (Identification)。歐盟認為缺乏標準作業流程，此部分在 PWG 已有較完整的程序，利比亞亦有類似想法，宜先整體評估各國遵從狀況，而不侷限在單一因素，此外，利比亞希給各個國家一個解釋的機會，貝里斯表同意。

七、 議程 4.2 (提交統計資料狀況)

- (一) 接續昨日討論，檢視 PLE-105 秘書處彙整各國資料繳交狀況表。

- (二) 貝里斯表示該國資料遲交一天，儘管 05-09 規定資源評估會議資料需在兩星期前提交，但希望秘書處提供確定之提交日期，以便處理。秘書處答覆仍希望 CPC 儘早繳交，以免遇到假期。
- (三) 巴西認為秘書處認定遲交前，應給予 CPC 一個解釋機會。南非要求 CPC 逐一做出解釋。中國則發問，未參與會議的國家又該如何處置？利比亞認為此作法將耗時一週，建議停止討論，UK 深有同感。主席則表示昨日討論即要求 CPC 向秘書處提出解釋，仍有部分國家未有動作，且有 7 國未參與本次會議。
- (四) 巴西強烈表示 COC 不能再依循舊制處置締約方遵從狀況，既有資料繳交確定日期大家就應該遵守。期所有 CPCs 團結一致改善此情勢，ICCAT 才會有進步。歐盟強調要有方法，不然會很浪費時間。
- (五) 主席表示依據決議還是需要進行檢討，計有 30 國發言：
1. 萬那度、敘利亞：明日前提交秘書處。
 2. 中國：該國 Task I & II 遲交 11 天，明年會改進。另船數將提報秘書處。
 3. 南非、土耳其：該國統計已有所改善，希明年能更有進展。
 4. 日本：認為 Task I 資料與各國之漁獲限額有關，攸關各國遵從與否，理應提供，因此顯示紅色的國家（未提報資料）應視為違規。該國遠洋漁船資料回報較晚，需花很多時間查核確認資料品質，因此提交資料時間皆有延遲之情形，鯊魚資料狀況類似。目前已有所改善，希望明年度能有進步。
 5. 歐盟：在未確定資料品質是否適用前，不敢貿然提交給 SCRS 用於研究分析。
 6. 挪威、迦納：表示該國並無漁獲之魚種，不應標示紅色，應改為空白。
 7. 塞內加爾、納米比亞：該國於期限內繳交，但秘書處資料並非如此。
 8. 眾多國家對遲交或未交資料進行說明，包括利比亞、美國、加拿大、麥克隆、巴西、烏拉圭、克羅埃西亞、突尼西亞、赤道幾內亞、奈及利亞、象牙海岸、加彭、摩洛哥、宏都拉斯、俄羅斯、瓜地馬拉、墨西哥及聖多美普林西比。
 9. 另我國亦對我資料部份提出說明，表示因無黑鮪及地中海劍旗魚漁業，且該等魚種漁獲量為零，因此應將紅色標識改為白色，另 TASK-2 正鰹及黃鰭鮪資料因為傳送時技術問題而超過提交期限。另雨傘旗魚部分，在 ICCAT 旗魚工作小組主席協助下，目前正進行資料分離的工作，希望能儘速完成並提交秘書處。
 10. 後秘書長逐一點名未提出解釋的國家，阿爾及利亞、幾內亞共和國、埃及、聖文森等國也被動發言說明。
- (六) 會議結束前，巴西再次強調明年秘書處製作本表傳遞所有 CPCs 時，應

要求所有遲交或未交資料國家提出說明，以加速大會討論。

VI、財務委員會 (STACFAD)：

一、 議程 1~3 (開幕)：由加拿大籍 Mr. Jim Jones 擔任主席，並確認識程及選任摩洛哥代表擔任紀錄後開議。

二、 有關將阿拉伯語列入官方語言一案增列至議程 9。

三、 議程 4 (秘書處報告)：

(一) 行政報告 (STF-201)：此份文件概述 ICCAT 組織架構、今年度召開會議狀況、ICCAT 參與其他組織會議情形、秘書處催款動作、聘用人事及其他重要事項，如喬遷新總部時程、進行 ICCAT 績效評估等。墨西哥、巴西、摩洛哥等國發言感謝秘書處之貢獻，並歡迎 Victor 重返 ICCAT 擔任助理秘書長，本文件在歐盟、摩洛哥等國對 ICCAT 事務人員退休金及會計師表示意見後通過。

(二) 2008 年財務報告 (STF-202)：此份文件為 ICCAT 之財物結算及至 2008 年 10 月締約方繳交年費概況及經費運用比例，第 5 頁 (額外預算收入) 及結算表單 4 提及我方於今年度捐款 10 萬歐元。歐盟發言秘書處預估 ICCAT 之 VMS 基金將透支，建議在討論 2009 年預算前，確認該基金該基金是否由所有 CPCs 分攤，惟埃及無法於現場答覆。

四、 主席續說明

(一) 議程 5 (審查欠繳年費計畫進展) 文件 STF-204，確認拖欠年費金額等於或超過兩年應繳費用之締約方包括、委內瑞拉、萬那度、塞內加爾、聖多美普林西比、巴拿馬、尼加拉瓜、宏都拉斯、幾內亞、迦納、加彭及維德角。

(二) 議程 6 (2009 年預算及各締約方年費) 文件 STF-205，整體預算預期增加 3.4%。

(三) 主席總結請各方考量 ICCAT VMS 基金、阿拉伯語轉譯及 2009 年預算案，下節再議。

VII、其他事項：

參加公海轉載觀察員計畫 (ROP) 之亞洲國家，包括我國、日本、韓國、中國及菲律賓等於會外非正式磋商 2009/2010 年度之經費分攤方案，對於目前秘書處所擬之二項方案 (2003~2005 漁獲量平均，或 2004~2006 漁獲量平均) 因各有堅持未達成共識，尚需進一步協調。

11 月 19 日會議（永久工作小組、魚種小組及紀律委員會會議）

I、永久工作小組

一、議程 1~3（開幕）：由加拿大籍 Sylvie Lepointe 任主席，經確認議程及選任歐盟代表擔任紀錄員後，主席表示績效評估報告認為本工作小組對於 IUU 漁船以及貿易措施等成效有限，希在本節討論。

二、議程 4（統計證明書計畫之執行與功能）：

（一）首由秘書處報告討論文件 PWG-401 彙整狀況。

（二）歐盟發言表示 EC 未提報 2008 年上半年報，係因在提報時程上有困難，詢問其他國家是否有同樣問題，惟無國家回應。另注意到有許多 IOTC 之漁獲再出口至 ICCAT 締約方。秘書處對其他洋區再出口資料是否需要 ICCAT 再出口證明一節尋求解釋。 歐盟認為還是需要提報。

三、議程 5（黑鮪漁獲文件計畫之執行與功能）：

（一）主席表示此節日本有兩提案，請日代表說明。

（二）日本指出黑鮪漁獲文件計畫（BCD）自今年 7 月 4 日實施，大致面臨三類困難，一為各方對條款之解讀不一，其次是圍網漁業聯合作業問題，第三則是各方對 07-10 建議案之誤解。對此，日本提出 PWG-408 文件表達有意在明年二或三月在日本東京召開會議，希望在明年漁季前，邀請黑鮪捕撈國、養殖國、進口國與日本各進行半天左右的雙邊諮商，討論 BCD 相關表格及流程修正議題，或對 07-10 進行必要的修正，歡迎任何希望改善 CDS 之國家至日本團會議室討論。

（三）有關 COC-307 裡所述之問題，歐盟深表贊同。美國發言感謝日本之提案，亦讚賞秘書處因應 07-10 建議案之生效修改相關條文，建議先討論 CDS 改善方式，再回頭檢視 SD。秘書處對此表示，處理 CDS 耗費時日，特別是查核部分，希望能有改善。歐盟也希望合作改善，但不希望修改太多細節，避免增加行政人員負擔。

（四）土耳其、加拿大、中國等國表達本年執行 BCD 亦遭遇若干問題，支持日本提議，願與日本合作改善 BCD 之執行。挪威則對 CDS 與漁獲量的關連性有所疑問。

（五）主席開放本議題於會外繼續討論，下節再議。

四、議程 6（非會員合作狀況）：

主席報告收到 PWG-402 所載之 10 份報告，包括我國的長鰭鮪報告及小船報告，另秘書處彙整非會員回應主席信函資訊如 PWG-403。爾後逐一檢視對非會員之合作狀況：

（一）波利維亞：主席說明去年維持波利維亞貿易制裁，波國回函提供 2 艘 IUU

漁船相關資訊，惟日本發言要求續維持貿易制裁，貝里斯附議。美國認為警示函中可以更明確表達 ICCAT 的訴求，歐盟表贊同。

- (二) 柬埔寨：去年維持認定但仍無回應，日本表示去年年會後在另一國際會議場合與柬國高級官員代表有所接觸，提及 ICCAT 對柬國之認定，並提供有關資料，惟之後就沒有接到柬國的回應。美國認為有反應才算有進展，歐盟附議。貝里斯發言之前南非提報柬埔寨船為 IUU 時，並未獲得直接證實，柬國並非任一 RFMOs 會員，應強化信函內容，請其提供詳細資料，俾 ICCAT 作進一步考量。主席請會員於會外討論對柬國進行制裁或者維持認定，本案先擱置。
- (三) 喬志亞：去年維持貿易制裁，惟無回應。無會員發言，主席裁示維持貿易制裁。
- (四) 獅子山共和國：去年維持認定，獅國回應兩艘 IUU 漁船已除籍。南非支持維持繼續認定。貝里斯認為 IUU 名單雖將該兩艘改為無國籍船，但資訊顯示國際呼號仍屬於獅子山，建議去函要求獅子山船籍註冊單位調查該兩艘船之船籍註冊與漁業執照註冊兩套系統。秘書長對此回應有困難，但仍可去信要求獅國與 ICCAT 合作，提供該國管理資訊，加拿大附議。美國表示受理該兩艘船的機構係在美國，不過經查並無進一步資訊，認為應維持認定，特別是該國宣稱有管理，但詳細管理資訊闕如。歐盟、FAO、加拿大等國建議透過多重管道與獅國接觸，貝里斯表示從最新資料追查並無船籍但仍有 IMO 號。塞內加爾則認為應直接與獅國當局聯繫。主席表示對獅國維持認定以達共識，去函獅國。
- (五) 多哥 (Togo)：去年函告被認定，該國回應主席信函，包含其所採取 MCS 措施、漁獲報告等資訊。主席裁示解除多哥之認定不採取行動。

II、第二魚種小組

五、議程 5 (SCRS 報告)：

- (一) 接續昨日 SCRS 主席報告，鑑於資源評估結果較前一年更悲觀，各國關切東大西洋及地中海黑鮪資源狀況及未來管理建議，紛紛提問，簡述如下：
 1. 日本確認 SCRS 之建議保育管理措施，SCRS 主席答覆建議將 TAC 調降到 15,000 公噸，另配合其他禁漁區等措施，並且在六、七月產卵期全面禁漁。
 2. 加拿大表示 SCRS 評估結果仍很悲觀，特別是因為資料不足。SCRS 主席表示已嘗試許多可能組合以及模式，的確需要許多努力才能使資源有恢復機會。
 3. 挪威：今年 SCRS 建議與去年不同，差別在哪裡？是否需採取預警措施？SCRS 主席指出，各國對於如何恢復資源深感興趣，所以此次採用

更多種模擬方式評估，以及評估暫停作業(moratorium)的成效。就科學家角度，應該著重於評估模式，是否採取預警措施則由委員會決定。

4. 巴西：只有三個主要漁獲國家提供評估資料，何以致之？相關國家應該被警告，不應該以迴避提供資料躲避資源評估可能的悲觀結果。ICCAT 必須依據 UNCLOS 等相關國際公約，應該根據最佳可得之科學證據，做出適合的決定，相關國家應該要提供科學資料，更不得以資料不足為理由，質疑 SCRS 評估之可靠性。
5. 摩洛哥：昨日檢討各國繳交資料狀況，今日又發現未繳資料影響資源評估，詢問影響評估結果程度？SCRS 主席說明依現有資料評估結果顯示，目前漁獲水準只會導致資源繼續下降，即使未來有高補充群亦然。美國呼應摩洛哥的關切，也感謝摩洛哥準時提供資料，請教 SCRS 如何利用 2007 年有限的資料評估？SCRS 主席表示，實際運用 2007 年資料有限，因為資料筆數過少，採用一些假設及少數體長頻度資料進行評估。
6. 土耳其：2007 年禁漁期延長，如採用往年模式估計單船量可能有問題。評估運用 6%採樣資料，是否充分？漁獲量估計 61,000 公噸是否過高？現有漁撈能力是否足以涵蓋？主席回應資料已有下修，估計結果屬合理。圍網 6%採樣率的確令人憂心，但採用日本的體長資料也顯示類似趨勢。至於漁撈能力或許沒有被充分運用。
7. 歐盟：該國應有提供資料，為何資料未被採用？各國資料應保持機密性，例如 VMS 資料。請教採樣比例及透過漁撈能力估計漁獲量之評估方法是否妥適？特別是假設此區域有 30 艘圍網船，不知依據為何？歐盟強調因超捕而提早關閉漁區，也要求超捕者償還超捕量，應該不至於讓總漁獲量達到六萬餘公噸。SCRS 主席陳述所利用的體長資料較為侷限，變異性較大，用體重估計比用體長估計變異更大，用體長指數比較好。至於漁獲量估計，主要是由參與評估的各國科學家提供，會再提供詳細資訊。評估當時（六月）尚無歐盟資料，且原始資料需轉換等，故當時未採用歐盟資料。
8. 埃及建議配合加強其他措施，如最小體長限制、禁漁期等。SCRS 主席表示年間變動很大，少數措施可能沒法保證保育措施奏效，應有全面性管理體制。
9. 利比亞：VMS 資料應可應用於研究，秘書處對此表示，決議規定 VMS 資料只能在三年後開放給 SCRS 使用。
10. 貝里斯、冰島、墨西哥、納米比亞、突尼西亞、萬那度等國亦加入此節討論，在主席的堅持下結束冗長的兩小時提問。

(二) 西大西洋黑鮪部分，如同東大西洋黑鮪亦有許多締約方踴躍發問，包括許

多非西大西洋黑鮪捕撈國，詢問 SCRS 西大西洋黑鮪之資源評估基準與結果、東西系群混合研究進展等項。

- (三) 利比亞對於不停的問答感到不耐，部分發言比回答還要冗長，希望主席能夠讓會議有實際進展。主席表示希望各位 CPCs 能夠節制發言，採秘書長建議結束本議程。

六、議程 8 (檢視 MSAB 會議報告並考量未來需採取之行動)：

- (一) 利比亞不滿地提出程序問題，質問主席為何跳過議程 6 (管理措施) 及議程 7 (研究)？日本發言認同利比亞的說法，對於迄今沒有討論案也感到不解，認為黑鮪資源瀕危應優先研討保育措施，巴西、墨西哥附議。主席表示再下一節應該就會有決議可以討論，日本要求最少可以稍微就提案與否提出討論。
- (二) 利比亞代表此時憤而離席，主席與秘書長討論後，改討論議題 6。

七、議程 6 保育管理措施：

- (一) 敘利亞首發表認為捕撈黑鮪的國家應做的比復育計畫之規定更多，且捕撈黑鮪的權益並非只屬於具有黑鮪漁獲實績者，亦應考慮地理因素，暗示該國亦享有分配黑鮪漁獲限額的權利。
- (二) 巴西要求將 TAC 降低到 SCRS 建議的 15,000 公噸，配合其他措施，如產卵場禁漁期等。日本表示 2010 年前未妥善保育東大西洋黑鮪，該系群將被列入華盛頓公約 (CITES) 瀕危物種，屆時各國將無捕撈配額，請大家審慎考量科學家的建議。加拿大、美國及墨西哥附議堅守依循 SCRS 建議。
- (三) 摩洛哥建議評估暫停作業(moratorium)的成效。
- (四) 歐盟認為 2006 年之決議成效尚無時間檢視，明日將有提案提出，包括禁漁區等措施。
- (五) 埃及詢問為何要實施黑鮪產卵區之禁漁措施。墨西哥表示實施該禁漁措施對該國影響甚大，但為保育資源也是無可厚非。阿爾及利亞認為墨西哥禁漁措施已行之多年，倘締約方不遵守該措施，復育計畫成效將大減。突尼西亞發言附和墨西哥的看法。挪威亦發言表示該國為了執行禁漁措施而放棄每年之漁獲配額，並提醒各國亦應考慮另兩個管理措施之選項：一是將 TAC 降到 8500 公噸，另一是在建立有效控制措施之前，實施全面性之暫停捕撈。

III、紀律委員會 (COC)

八、議程 4.2(提交統計資料狀況)

- (一) 奈及利亞等昨日未提出解釋的國家逐一發言說明。
- (二) 美國指出 PLE-105 顯示 ICCAT 目前遭遇之問題，許多締約方未交、遲交

或提交不完全資料予 ICCAT，使 SCRS 評估時運用之資料不足，造成評估結果不確定性極高，要求所有締約方重視資料之提交。

九、 議程 4.3(依據 ICCAT 保育管理措施提交資料狀況)

(一) 審視會議文件 COC-303 & COC-315，有關東大西洋黑鮪作業漁船部分(表二)，主席要求資料中標記為「不適用(N/A)」的冰島、挪威及我國作說明詳情及未來動向，冰島及挪威均表明去年無黑鮪漁業，日本詢問近兩年漁撈能力是否縮減及如何確認漁獲報告？冰島答覆因無配額所以沒有船前往作業，另有 5%的觀察員涵蓋率可以查核。我國亦發言表示 2007 及 2008 年因業界沒有提出申請，因此未核准任漁船捕撈東大西洋及地中海黑鮪，因此無漁獲資料，惟我國沒有黑鮪漁業係暫時性。主席表示獲悉我未來仍有可能參與東大西洋及地中海黑鮪漁業。

(二) 其次，審查 COC-303 附錄(履行 06-05 報告)，主席要求各國逐一報告並詢問有無異議：

1. 中國表示該國有 4 艘漁船，日本詢問如何確認 CDS 上的漁獲量，美國則詢及 VMS 管控，中國表示技術上有問題，將儘速改善。
2. 克羅埃西亞輕描淡寫報告其黑鮪漁業狀況，日本發言應詳述有幾艘作業漁船、漁獲核實機制、VMS 管控、檢查制度等。克國表示其 VMS 管控有技術問題，將儘速解決。
3. 歐盟詳述其管理規範長達 15 分鐘，多國提出問題如次：
 - (1) 日本表示尊重 EC 的努力，詢問 i)如何分配配額予其會員國？ii)採取何措施改善透明度，特別是將活黑鮪置入箱網有無錄影？iii)採樣計畫執行狀況？歐盟答覆有設定單船配額，要求每日紀錄漁獲，另確認聯合作業符合 06-05 規定，避免重複計算，黑鮪置入箱網均有使用攝影機，至於採樣計畫，倘未履行有懲處制度。
 - (2) 美國指出 COC-303 表 18 所載之箱網申報書總數與 COC-312 不符，且未有漁獲報告，EC 對此表示歉意，坦承養殖數量確實有誤，並於會中報告其漁獲量，承諾往後會採取適當措施，改善漁獲回報之準確性。
 - (3) 巴西希歐盟加強其檢查機制、採樣計畫等。

IV、會外事項:

另我團與澳中西太平洋漁業委員會(WCPFC)主席 Mr. Glenn Hurry 談及主懷 638 號及進豐財等 2 艘漁船遭提報 WCPFC 之 IUU 名單案交換意見，Mr. Glenn Hurry 表示將就主懷 638 號漁船部份協助與東加溝通，至於進豐財漁船，因坦承違規後又潛逃，因此恐無能為力，我方對於 Mr. Glenn Hurry 之協助表示感謝，另渠業於本日離摩返國。

11 月 20 日會議（魚種小組及紀律委員會會議）

I、第一魚種小組

一、會議開始時主席開宗明義表示，希本節可結束第一魚種小組討論。

二、議程 6（保育措施及履行 ICCAT 漁獲可能分配標準）：

（一）主席表示此節有新提案（迦納及象牙海岸）及先前歐盟之提案。

（二）奈及利亞表示奈國自 2007 年成爲 ICCAT 締約方，今年始加入第一小組，希瞭解熱帶鮪類之資源動態及未來管理建議，SCRS 對此再次進行說明。

（三）有關保育管理建議：

1. PA1-503 歐盟提案

（1）歐盟說明提案內容大意爲將 04-01 建議案之效期延至 2009 年，渠表示 04-01 內容相當多樣，其中包括中國及中華台北之償還計畫直到 2009 年。至於 SCRS 對禁漁區之建議可在未來予以考量，故認爲迦納以及象牙海岸的提案，建議在爾後再考量。

（2）美國表示目前先集中討論 PA1-503，詢問配額是否沿用 2008 年，另有些字眼與原有決議略有不同（04-01 爲 annual catch limit，而歐盟提案爲 initial quota），歐盟回應兩種文字都可。加拿大附議，但指出應重視 SCRS 對禁漁措施的建議。

（3）中國表示基於 SCRS 將於明年進行資源評估，同意延用，但有關日本轉讓配額部份是否也沿用？另要求 SCRS 深入探討圍網大目鮪資料。SCRS 回應表示下次大目鮪資源評估時程爲 2010 年，而非 2009 年。

（4）日本表示原則支持歐盟提案，僅要求微幅文字修正，亦會提案繼續轉讓二千公噸配額給中國，中國表示同意。

（5）韓國發言表示勉強同意，只是這兩年的漁獲量略超過漁獲配額，加上資源狀況還不錯，要求下次討論管理提案時應該增加韓國的配額。

（6）歐盟強調其提案要求 2009 年配額與 2008 年之配額相同。貝里斯發言引用 SCRS 之建議，倘各國依據 04-01 捕滿漁獲限制將超過建議之 TAC，另有幼魚保育問題，建議 04-01 延用一年，並未見任何相對措施。

（7）美國發言表示在此之前多國對 PA1-504 已有共識，可否先討論 PA1-504，主席同意。

2. PA1-504 迦納及象牙海岸提案

（1）迦納引用 SCRS 之條文說明提案內容，爲保育幾內亞灣之幼魚修改

04-01 建議案第 8 及 9 款，恢復原 19991 年設定之禁漁措施，即禁漁期自原先之一個為延長為三個月，禁漁範圍擴大（北緯 5 度至南緯 4 度間之西經 20 度至非洲海岸）。另修改第 11 款將資源評估時程設定在 2010 年，為收集禁漁區之全年度漁獲資料，修改第 15 款要求進入禁漁區作業之所有圍網、延繩釣船及 50% 竿釣船需有觀察員，收集全部的生物資料，如海龜、海鳥、海洋哺乳類等，包括體長、生物樣本（決定年齡）、魚種別 CPUE。

- (2) 歐盟建議通過其 PA1-503 提案，另認為迦納之提案新增許多條款，應將該提案提供 SCRS 作進一步考量。並說明該國漁業已有所改變，致力於縮減規模，希望 ICCAT 在作任何改變前，確認所有締約方遵從其新措施。
 - (3) 南非強烈表達保育幼魚應有所行動，希條文用字有所修正，原則上支持本案。
 - (4) 美國請 SCRS 主席呈現新舊禁漁範圍差異，並引用 SCRS 建議原文，強調幼魚保育的重要性，指出該禁漁措施並非僅對大目鮪有利，對黃鰭鮪及正鰹資源亦有所助益。另強調不希望 ICCAT 只偏重管理單一魚種，有關遵從問題，應全面適用，不僅是黑鮪，對大目鮪也是一樣。
 - (5) 日本表示原則支持本案的方向，但希依照科學建議進行修正，近兩年幼魚捕獲量高，有關以禁止使用 FAD 以保育幼魚之措施，在其他洋區有所討論，特別是 WCPFC，如何監控？事實上有其困難度。減少作業天數也是減少幼魚漁獲量的保育措施之一，惟實際作業中難以辨識小大目鮪，SCRS 應規劃並儘速執行採樣計畫。儘管如此，還是支持本提案精神，但希望考量其他措施。
 - (6) 納米比亞、俄羅斯、加拿大原則上支持，認為捕撈幼魚浪費未來的資源，要求所有會員遵守禁漁措施，而非僅是將原措施延用一年。巴西、UK、聖文森完全支持。
 - (7) 貝里斯指出條款中對觀察員之語言限制，有許多技術上困難。
3. 主席總結要求歐盟與迦納協商，提出共同提案，明日再議。SCRS 主席再次發言強烈建議實施禁漁措施，對大目鮪及黃鰭鮪資源復育效益大。

II、第三魚種小組

由於沒有會員表示任何意見，第三魚種小組會議僅進行不到 5 分鐘，主席宣布結束該小組會議。

III、第四魚種小組

- 一、 奈及利亞表示加入該魚種小組。
- 二、 議程 6（保育措施及履行 ICCAT 漁獲可能分配標準）：
 - （一） PA4-806（修訂北劍旗魚復育管理計畫）
 1. 主席說明上節討論對北劍旗魚管理建議延伸一年已達共識。
 2. 加拿大支持，各方無異議通過本案。
 - （二） PA4-808（地中海劍旗魚提案）
 1. EC 說明本案包括三款，一為設定地中海劍旗魚禁漁期，其次為 CPCs 應有效監控此禁漁措施之執行，第三為研擬 ICCAT 要求所需提供之科學資料格式，並提供資料與 SCRS。
 2. 土耳其表示支持，並提及去年倡議地中海劍旗魚禁漁期至少需要三個月，以保護幼魚及產卵群。
 3. 摩洛哥發言闡述該國近幾年對流網轉作延繩釣之努力，美國對此表示將續與摩國合作。美國另請教 SCRS 主席此提案與 SCRS 建議之差別？SCRS 主席答覆，針對不同保育對象，各有禁漁一個月、三個月及六個月之建議。
 4. 日本請教禁漁是否只針對專業船，EC 回應傾向涵蓋混獲漁業，日方提出文字修正故第一款改為 Fishing for all Mediterranean swordfish shall be prohibited in the Mediterranean during…。
 5. 土耳其表示不應針對混獲物種採取禁令，該國有混獲鯊魚，該措施關係到該國漁業法，要求請示國內政府。阿爾及利亞亦發言表示該國至少有 8% 的混獲率。
 6. 主席裁示地中海劍旗魚已瀕危，通過本案。
 - （三） PA4-802（保育 B 提案）及 PA4-804（hammerhead shark(黃髻鯊)提案）
 1. 巴西說明提案（PA4-802）要求不得卸岸，但提案內容需要進一步修改，避免轉載至其他洋區。
 2. 南非肯定提案保育鯊魚之精神，但此提案僅限制單一魚種，是否應適用於全數瀕危鯊魚，建議文字上作修正。
 7. 烏拉圭認為許多鯊魚已面臨滅絕，應關注未來資源問題，技術上監控鯊魚鰭之卸岸。
 8. 美國陳述該國管理鯊魚之政策與措施，對漁船設定漁獲限制，相關提案涉及 5 種，是否超出 SCRS 之管理建議？對此主席表示 hammerhead shark 係被小型延繩釣漁業所捕，目前最重要的是蒐集資料，日本有再追蹤此議題，包括向中華台北要資訊，但未果。
 9. 日本認為 EC 的提案涵蓋太廣，建議兩提案合併。此外，EC 提案內容（encourage to release）與 SCRS 建議（could be effective）有出入，建議改為 required。另有關要求提報拋棄資料，建議

改為鼓勵，因實際經驗難以要求漁民釋放時再收集相關資訊。

10. 塞內加爾表示 Hammerhead shark 是其主要漁獲種類，該國漁業已發展出自身的鯊魚管理體制。
11. 巴西同意南非的修正意見，至於日本的建議，巴西認為已無資料不允許任何特例。鯊魚釋放後存活率高，此為提案之目的，且只針對兩魚種，辨識上無困難。
12. 中國表示無專捕漁業，但有混獲量，相關資料均提送 SCRS。資料固然重要，但活體釋放並量測相關資料，漁民的安全會有所顧慮，因此同意日本的想法。
13. 摩洛哥認為魚種辨識十分重要。
14. SCRS 主席發言除水鯊外，資料均有限，資料收集不可忽視。南非呼應此點，日本表示可提供觀察員資料，中國則表示漁民可以使用不同釣鉤，避免捕獲鯊魚。
15. 我團則發言呼應收集資料的重要性，如要求漁民釋放鯊魚確實難以取得資料，初期以鼓勵漁民釋放鯊魚以利蒐集資料能供研究使用。
16. 墨西哥問題產卵場確定否？SCRS 主席表示資料不足無法判定。
17. 歐盟將併入巴西提案至其提案。巴西同意
18. 主席裁示，一般看法已達共識，但仍須進行文字修正，請歐盟及巴西討論後提出新提案。

(四) PA4-805 (大西洋鯖鯊提案)

1. 歐盟提案 ICCAT 於 2009 年與 ICES 合辦會議，進一步評估大西洋鯖鯊 (Probeagle)。
2. 無異議通過本案。

(五) PA4-809 (水鯊及短鰭馬加鯊提案)

1. 歐盟提案 (PA4-809) 則限制水鯊及短鰭馬加鯊之漁獲努力量在 2008 年水準，而短鰭馬加鯊之漁獲量則限制在 2005~2007 年水平。
2. 南非表示正研擬延繩釣漁業計畫，發展漁業是沿岸國的權利，已給予延繩釣漁業 10% 的混獲權利。
3. 巴西發表對鯊魚保育的關切，不能將水鯊及短鰭馬加混為一談，不支持本案。日本亦達同樣關切，水鯊資源狀況佳，為何被列入？另關切意外捕獲部分。
4. 美國發言要求每一 CPC 均應提交鯊魚資源評估資料。
5. 爾後日本逐條表示意見，美國要求 SCRS 於 2009 年進行評估給予更多的建議，需多點時間審視本案。

(六) 主席總結共同討論後對鯊魚瀕危物種作一通案，或先針對短鰭馬加鯊，

希望相關國家會外協商。

IV、紀律委員會（COC）

一、議程 4.3a&b(履行 06-05 報告&黑鮪養殖)

(一) 接續昨日議程，各國逐一報告其履行 06-05 所採措施，並開放各方提問：

1. 日本：歐盟詢問未來有意派遣日本巡護船前往大西洋公海檢查？日本回應表示將持續與相關國家合作執行公海檢查。另美國發言讚賞日本為保育黑鮪所做之努力。
2. 韓國：日本表示韓國之圍網船漁獲主供養殖，請教韓國核實漁獲所採措施？美國指出秘書處彙整文件內顯示未收到韓國 VMS 資料，韓方解釋應船長小於 24 公尺，經請教過秘書處回應不用送。秘書處補充表示小於 24 公尺漁船並無 VMS 規定。
3. 利比亞：日本關切利國近兩年之漁撈能力是否下降及圍網漁獲核對方式。利國答覆近兩年船數，另表示以尾數核對圍網漁獲。歐盟建議請締約方報告時闡明執行 06-05 所遇問題，並表示未來與利國合作處理聯合作業衍生問題。
4. 摩洛哥報告其可完全監控黑鮪漁業，特別是採取 8 種禁漁措施，避免超捕。日本關切摩國有無圍網船捕撈黑鮪供養殖使用及漁獲貿易去向，摩國答覆有圍網船作業供應養殖漁獲，但妥善受到監控。日本相信摩國已採取嚴格管控黑鮪的措施，EC 亦讚賞摩國的努力。
5. 敘利亞：強調該國無圍網船，也無養殖黑鮪漁業。其作業漁船係家計型漁業，船長小於 18 公尺，因國內規定離開 EEZ 作業之漁船必須大於 24 公尺；每日均有核對漁獲。無會員國提問。
6. 突尼西亞：之作業船均有 VMS，國內有 4 座養殖場，另有檢查制度核實漁獲。
7. 土耳其：開宗明義解釋去年核准 34 艘船捕撈黑鮪，核准船數有增加，但實際作業船數為 29 艘，每船均有 VMS，且每一養殖場均有觀察員確認數量。土國的報告引發日本、歐盟及美國詢問多項問題，包括 ITQ、採樣計畫、養殖漁獲標識等。但日本對土國之解釋存疑，土國代表表示會期間可提供資料與日本，使其信服。

(二) 本節討論結束前，日本發言表示，本年係第一次針對各國遵守養護管理措施進行檢討，雖令人感到不舒服，但總是開始，各國需努力改善其監控效能，期待明年檢討時更為順利。EC 感謝秘書處辛苦彙整各國相關資訊，希瞭解締約方為何有不遵從的狀況，才能進一步考量改善監控。

二、議程 4.3c(黑鮪漁獲文件制度)

(一) 土耳其、歐盟、敘利亞等國逐一報告其 BCD 執行概況，多國表示執行 BCD 之困難，中國表示該國 BCD 制度剛建置完成，明年將可實施。日本再次提醒對 BCD 執行有問題者，歡迎到日方會議室交換意見。

(二) 加拿大 COC-318 文件：

1. 加拿大解釋 COC-318 文件係加國彙整外界（主要為 NGO）對 ICCAT 締約方可能之違規行為之舉發資料，共計 44 案，加國認為基於透明性的原則，希瞭解締約方是否對該舉發有所回應及對違規行為採取適當作為，加拿大表示提出本份文件，只是希望聽取相關國家的回應，確認有無違規情事，加國特別提及目前僅中華台北已以 Circular #2161/07 就其有關之舉發案予以澄清。
2. 土耳其對加國所提出的文件表示失望，土國解釋表內所載三項有關土耳其之可疑違規行為，其中稱一艘土國漁船未列明 ICCAT 名單但在地中海作業，土國指絕無其事，該船確實已列名 ICCAT 名單；另該報告指控有 2800 噸未報漁獲事，反質疑該漁獲何去何從？
3. 日本說明曾就所指控 9 艘釣船於禁漁期違規於地中海捕撈黑鮪案洽綠色和平組織說明，經日方調查，其中有 6 艘疑似假冒日本船名之非日本國籍漁船。
4. 歐盟強調任何作為都需要證據。中國表示倘國家接獲其他國家懷疑其所屬漁船從事 IUU 行為訊息，理應進行調查說明。名列 COC-318 表內之國家陸續發言，包括克羅埃西亞、利比亞、突尼西亞等。
5. 另此份文件提出之合適性亦引發討論，貝里斯、烏拉圭、墨西哥等國亦發表看法，歐盟表示不喜歡用針對性的方式(finger point approach)討論遵從的問題，因歐盟漁船佔該 COC-318 文件舉發案的大部分，若要逐一回應，將耗費許多時間，歐盟質疑引用 NGO 文件指責各會員國的做法是否適當？利比亞亦質疑 NGO 資料的正確性。
6. 主席認為歐盟的觀點值得考慮，另慮及時間限制，建議各方應思考檢討 non-compliance 的程序問題，各國爰未再就加國所提出之文件進行回應。
7. 歐盟認為許多 non-compliance 問題攸關 06-05 之提報程序，建議在第二魚種小組討論。

三、議程 4.3d(24 公尺以上漁船名單)及 4.3e(北長作業漁船)：各方沒有異議。

四、議程 4.3f(幾內亞灣禁漁措施)

歐盟對只有歐盟提出有關幾內亞灣禁漁措施報告表示驚訝，要求其他未提出報告之國家說明。迦納表示，2004 年開始以 VMS 實施監控，相信其漁船未於禁漁期進入禁漁區作業。

五、議程 4.3g(地中海流網禁令之履行)

加拿大根據 NGO (OCEANA) 所提出地中海流網漁船違規作業資料，要求相關國家提出說明。歐盟表示早已規定禁止流網作業，已採取許多努力以消除地中海流網。另加拿大根據摩洛哥之國家報告，摩國仍有小船使用流網，要求摩洛哥進行說明，秘書處代為解釋該國之流網網持續減少，因其國家計畫禁止該漁法。歐盟邀求摩國做好管理，摩國表示星期六將提供相關資訊。

六、議程 4.3h(租船)

鑑於 ICCAT 未收到任一租船總報告，美國要求相關國家依規定提供總報告，迦納、日本、土耳其、加拿大及阿爾及利亞說明其租船狀況，認為應是租船締約方提報，秘書處解釋雙方都要提報。象牙海岸首發言確認有租韓國 3 艘船，主席逐一點名請相關國家進行說明，包括南非、摩洛哥。

七、議程 4.3i(其他資訊)

- (一) 日本說明文件 COC-313，日方以 DNA 確認韓國 2008 年輸日之大目鮪漁獲物有以大西洋混充太平洋之情形。另一 COC-311 文件為發現幾內亞漁船 (DANIAA) 之黑鮪漁獲輸韓後，自韓國再出口至日本，經查幾內亞並無黑鮪配額，而該艘漁船的經營者係韓國公司。
- (二) 幾內亞以 COC-317 回應該國是此樁騙局的犧牲者，且涉案漁船當時未擁有幾內亞船籍，要求日本、韓國甚至其他進口幾內亞漁獲之國家與幾國合作，在進口前與幾國確認是否真正核發產證。另要求 ICCAT 秘書處將該船自幾國漁船名冊移除。
- (三) 韓國回應產證核發魚種錯誤，日後會多加注意小心。至於幾國黑鮪案，係不小心涉入。美國發言該批漁獲自拉斯出口，要求 EC 說明，惟 EC 未能回應美國的問題，美國建議該艘漁船應提報至 PWG 討論。

11 月 21 日會議（魚種小組及財務委員會）

I、第一魚種小組

- 一、秘書長首說明依會議安排，希本節議定所有討論事項。
- 二、續討論議程 6（保育措施及履行 ICCAT 漁獲可能分配標準）：
 - (一) 起草小組共同提案 (PA1-503A)；
 1. 歐盟說明依昨日會議結論，組成草案起草小組以合併歐盟及迦納兩案，最後起草小組決定以歐盟草案為主，主要內容係將 04-01 建議

效期延長至 2009 年，並新增下列條款包括：1) 日本轉讓 2,000 公噸大目鮪配額予中國；2) 要求 SCRS 於 2009 年會前，以現有之港口採樣計畫所蒐集之圍網漁業在幾內亞灣之大目鮪、黃鰭鮪及正鰹資料進行評估，及評估迦納提案 (PA1-504) 中有關禁漁措施之成效，並提出建議供 2009 年年會討論。至於單一年度可轉移之未使用漁獲限制，仍以年漁獲限制之 30% 為限；特定國家之 2009 年漁獲限制則維持 2008 年之水準，包括我國之 16,500 公噸。此外，中國及中華台北之償還計畫仍須執行至 2009 年。

2. 俄羅斯請 SCRS 主席說明禁漁措施成效是否有經過 SCRS 討論，SCRS 主席稱是。
3. 南非認為 ICCAT 績效評估指出 ICCAT 為依循科學建議議定管理措施，SCRS 已對禁漁措施進行評估並提出建議，而歐盟提案又再要求 SCRS 對禁漁措施進行研究，對此深感不解，因此反對歐盟提案。
4. 貝里斯詢問 04-01 建議只規定特定國家可轉移之 30% 未使用漁獲限制，新提案對其他國家的規定為何？秘書長表示適用於所有國家。貝里斯認為轉移幅度過大，建議新提案應與 04-01 有所不同，應依循科學建議作修正。
5. 摩洛哥詢問 SCRS 是否可處理本提案之要求，在明年年會前評估港口採樣計畫及禁漁措施成效。歐盟對此表示，有此要求是希望明年年會討論新管理計畫有所依循，並可使禁漁措施於 2010 年生效。
6. 美國說明黃鰭鮪是其漁業主漁獲，認為管理提案依循科學建議，該國已做好充分準備執行新的禁漁措施，ICCAT 不應承襲舊制，應立即通過新的禁漁措施，SCRS 仍可繼續研究。至於漁獲限制轉移則應維持原規範即可。
7. 中國支持歐盟提案，並呼應貝里斯之關切，另同意美國的看法，應優先通過禁漁措施。
8. 主席建議先擱置本案，另討論迦納提案(PA1-504A)。

(二) 迦納與象牙海岸之修正提案(PA1-504A)

1. 迦納說明本案之用意在保護幼魚，修正部分僅是依昨日南非等國之意見進行文字修正，使提案引用條款語意更為清楚。大致內容維持舊案，包括：1) 幾內亞灣之禁漁期延長為三個月，擴大禁漁區為北緯 5 度至南緯 4 度間之西經 20 度至非洲海岸；2) 進入禁漁區作業之所有圍網、延繩釣船及 50% 竿釣船需有觀察員，以收集禁漁區之全年度漁獲資料及生物資料，包括海龜、海鳥、海洋哺乳類等，包括體長、生物樣本、魚種別 CPUE；CPC 應對違反禁漁措施的漁船予以懲處等。有別於歐盟之提案，要求 SCRS 分析本措施之效力

時程訂在 2011 年。

2. 日本認為延繩釣漁業沒有使用 FAD，建議提案第 2 點之文字（修正 04-01 第 8 款）應移除延繩釣。迦納同意移除。
3. 歐盟表示 PA1-503A 以作出若干修正，期確認 PA1-503A 是否獲得共識？主席表示先討論本案，也是想確認歐盟提案是否獲共識。
4. 日本再次發言 PA1-504A 只是 PA1-503A 的參考文件，無關通過與否，但可討論，認為禁漁措施應只針對圍網及竿釣漁業。
5. 經過各方修正文字後，主席詢問是否同時通過兩案，各國對此爭論不休。歐盟堅持 PA1-503A 係起草小組唯一提出之文件，日本也認為 PA1-504A 僅係參考資料，明年再做深入討論，並提及昨日小組對此兩案已有明確共識係通過歐盟提案。多國發言表示看法，同意通過 PA1-503A 且明年再議 PA1-504A 者，主席最後裁示通過歐盟修正提案。

三、議程 8（其他事項）：無會員發言，但美國針對議程 7（研究）部分發言，重申支持增加圍網漁業之採樣計畫及魚種組成分析，鼓勵 SCRS 與其他 RFMOs 在此部分進行合作。

II、財務委員會（STACFAD）

一、續討論議程 6（2009 年預算及各締約方年費；STF-205）及議程 7（考量計畫所需之基金）

- （一）加拿大籍主席 Mr. Jones 首先指出中華台北長期捐助 ICCAT，今年亦捐款 10 萬歐元，特此表示感謝。
- （二）本節會員之討論焦點著重於 SCRS 優先研究項目、會員國未準時繳交會費、VMS 計畫經費來源等問題。

二、議程 8(ROP 參與方之捐獻的計算基準)

- （一）主席請 ICCAT ROP 之參與方對 STF-203 文件表示意見，並提示是否願意繼續執行公海轉載觀察員計畫。
- （二）日本表示該國願意繼續參與公海轉載計畫，有關經費分攤，日本傾向選擇以參與該計畫之各國 2004-2006 年漁獲量平均按比例分攤，韓國亦表示繼續參與該計畫，惟傾向選擇以各國 2003-2005 年漁獲量平均按比例分攤，中國表示繼續參與意願，我方亦發言將繼續參與公海轉載觀察員計畫，並願與其他有關國家於會外磋商經費分攤方案。主席裁示將繼續執行公海轉載觀察員計畫並請參與方另外協商經費分攤方式。

三、議程 9(其他事項)：本節主要討論語言轉譯問題，歐盟提出若干建議，表示此部分對某些國家很重要，主席表示尚未收到有關之提案無法有定論，敘利亞發言附和歐盟之看法，主席裁示下節再議後散會。

III、第二魚種小組

一、 議程 6（保育措施及履行 ICCAT 漁獲可能分配標準）：本節有多項提案提出討論，統整如下：

- （一） PA2-618（06-05 修正案 B）：歐盟說明其提案係修正 06-05 部分條款文字，另整合 PLE-113（凍結黑鮪漁業漁撈能力在 2007 年 1 月至 2008 年 7 月之現役船數）及 PLE-114（提供黑鮪作業船資訊）。內容包括 2009 年及 2010 年之 TAC 分別降為 25,500 公噸及 22,500 公噸，特提及 2011~2013 年之 TAC 可依 SCRS 建議作調整。另增列 1)船長定義為全長；2)各國需於每年 3 月 1 日及 10 月 15 日前依序提交年度漁業計畫及下一年度漁業計畫；3)聯合作業規範；4)延長圍網、竿釣、遠洋拖網等漁業之禁漁期；5) 混獲漁船適用之條款包括轉載、漁獲日誌及指定港口等；6)未來兩年應逐年降低漁撈及養殖漁撈能力，縮減計畫應在 2009 年 10 月 15 日前提交 ICCAT；7)限制轉載時地且全程需有檢查員；8)漁船及養殖作業均需有攝影記錄；9)加強貿易措施，如建議黑鮪貿易商名單、冷凍儲存設備名冊等；10)養殖成長係數換算限制。
- （二） PA2-610（圍網禁漁期案）：本案由巴西及巴拿馬聯合提案，並獲南非、瓜地馬拉及俄羅斯支持，美國說明依循 SCRS 建議之禁漁期為 5 月至 7 月，故將 06-05 建議第 15 款之禁漁期提前兩個月實施，即圍網漁船自 5 月 1 日起不得前往地中海捕撈黑鮪。美國強調 ICCAT 之管理一定要尊重科學建議，東大西洋黑鮪漁業才有未來。
- （三） PA2-617（06-05 修正案 A）：本案由摩洛哥、阿爾及利亞、突尼西亞、埃及及敘利亞聯合提案，摩洛哥說明提案內容是將 2009 年之 TAC 降為 25,500 公噸（原為 27,500 公噸），另新增多款包括聯合作業規範、採取必要措施避免超捕、提供 VMS 蒐集之資料予 SCRS 等。
- （四） 日本表示 2006 年議定 TAC 遠高於科學建議，2007 年有 3 國超捕，相信渠等今年亦是超捕。提及 PA2-614（修改黑鮪 TAC 案）原要掛名，但目前只有顯示巴西、巴拿馬等國，說明該案係依科學建議修改 06-05 建議所設定之 2009 及 2010 年 TAC 為 15,000 公噸，至於各國配額依同一比例進行調降（倘如此我方配額僅餘 36 公噸）。日本強調 ICCAT 已有兩種違規，一為超過建議案設定之 TAC，另一為不尊重 SCRS 建議之 TAC，建議停止黑鮪漁業一年。強調該國黑鮪漁業完全符合 06-05 建議案所有規範，停止所有黑鮪漁業對日本而言一件很困難的事，需面對許多漁民，但呼籲大家共體時艱，此為特殊時期的特別作為。日本關切締約方之紀律問題，並評論歐盟提案，懇請相關漁業國自我約

束，至於 TAC 應設定如同 PA2-614，而禁漁措施應加入延繩釣，自 5 月至 7 月。強調養殖作業每尾魚皆須有檢查員確認。日本的發言引發利比亞不滿，認為日本挾關閉其黑鮪市場要脅大會通過 TAC 調降為 15000 噸，另不滿美國提出之禁漁期讓圍網漁業何去何從，透過 15 分鐘冗長的言論，抨擊歐盟之管理提案。

- (五) 敘利亞發言表示在仍是 ICCAT 觀察員身分時，獲得少量之黑鮪配額，現已成爲會員確仍無法增加配額，認爲不應再忽視黑市問題，應追蹤漁獲流向，監控市場，找出元兇，予以嚴懲。
- (六) 歐盟一一解釋其提案條款之精神，但美國引用歐盟之 2371/2003 之條文，指責歐盟之提案不符合國內法保育精神，並一一指出歐盟及摩洛哥提案若干條款不符合科學建議。加拿大表示該國雖無東大西洋黑鮪漁業，但關切其資源狀況，認爲應尊重科學建議，巴西及墨西哥發言附議。該等提案引發土耳其、阿爾及利亞、突尼西亞、美國、摩洛哥等國輪番發表不同之看法。
- (七) 美國說明其 PA2-613 (黑鮪標誌) 案，要求每一黑鮪需在捕撈時固定一標識，顯示獨一無二的國家特定辨識號碼，直到被黑鮪被宰切成多塊時才可卸下。阿爾及利亞及摩洛哥表示有意願配合執行，但開發中國家執行上有困難。土耳其則表示該國自養殖池捕撈黑鮪至送到加工船宰切整個過程不超過 45 小時，執行 BCD 已經足夠。加國已對黑鮪進行，發言說明該國執行概況。日本認爲該提案應作部分修正，美國表示將進行若干修正。
- (八) 韓國針對歐盟及美國提案內凍結黑鮪漁業漁撈能力規定表示不能接受，要求特例加註允許該國擁有 2~3 艘延繩釣在地中海作業。我方亦發言表示我國在 2007 年 1 月至 2008 年 7 月並無漁船前往地中海捕撈黑鮪，但我國仍有配額，不能因此剝奪我利用該配額權利，否則係對資源有保育者之處罰。冰島對此亦表示該國於 2007 年 1 月至 2008 年 7 月沒有漁船作業，但目前有 1 艘，希能保有該艘船作業權利。日本表示在該期間沒有漁業者惟有配額者應保有其作業權益，但不鼓勵該等國家爲利用其配額之目的而增加作業船。阿爾及利亞則希望該款修正爲調整漁撈能力，而非凍結。
- (九) 鑑於提案過多，各國意見紛歧，利比亞及日本建議召開小組或非正式會議協商。美國表示仍有研究相關提案，認爲目前管理議題很多，可選擇數項主要項目優先執行。主席表示大家均有共識需修正 06-05 建議案，特別是監控措施、核實漁獲等，惟尙未有定論，建議成立起草小組協商提案內容，歐盟同意後散會。

IV、其他事項

- 一、我團洽英屬領地代表 Andy Carroll 獲悉，渠已洽 PWG 加籍主席 S. Lapointe 有關天寶號案，表達英方滿意我方的處置方式，預期天寶號可順利自 IUU 暫定名單移除。
- 二、今日中午召開第四魚種小組非正式會議，包括我團、中國、日本及歐盟四國會商有關鯊魚提案，有關大眼鼠鮫及 Y 髻鮫，限制不得有專捕該二類鯊魚之漁業，漁船不得在船上保有、卸下或貿易該二類鯊魚。另一案為針對馬加鯊及水鯊，漁獲努力量均須維持於 2008 年之水準，漁獲量不得超過 2005-2007 年平均水準。由於日、中、及我國之意見與歐盟意見相左，會議未能就草案達成共識。
- 三、財務委員會主席 Mr. Jones 於休會期間向我團表示，希我方能於 2009 年繼續捐款，我方回應承諾將會持續捐助 ICCAT，並在會中擇機宣布，惟不便宣布金額，另我方亦將捐助旗魚研究計畫 5,000 歐元，J 主席表示感謝。

11 月 22 日會議（魚種小組會議、紀律委員會及財務委員會）

I、第四魚種小組

- 一、主席確認上節通過地中海劍旗魚禁漁期建議、大西洋鯖鯊（Probeagle）決議案及同意北大西洋劍旗魚管理措施延長一年。關於北大西洋劍旗魚管理措施延長一年，歐盟表示需要時間確認文字，本案尚未達成共識，中國要求提至大會討論。巴西則要求維持劍旗魚配額。
- 二、關於執行 04-10 建議案之 5%鯊魚鰭身比規定，南非表達港口國在執行上有實務困難，尤其是 5%的定義仍有疑問，要求有過渡期的配套作為。歐盟對此表達其亦面臨同樣的問題，但不適合在此討論，要求 SCRS 於明年會議就本案提出建議，另希相關 CPCs 告知秘書處所採取的定義，並將此資訊傳遞給所有 CPCs，並列入記錄。主席裁示第四魚種小組要求 SCRS 於明年檢驗 5%鯊魚鰭身比的定義。巴西認為 SCRS 已有行動，無須再要求。南非則再次表達期 SCRS 提供更多資訊。
- 三、歐盟表示其與南非已草擬一過渡期解決方案，即將提出，主席回應提案時間已過，強調過程透明化。但承認南非無法監控 5%鯊魚鰭身比確實是一實際上執行的問題。徵詢各方意見後，秘書處建議變更會議安排後結束本節。

II、財務委員會（STACFAD）

- 一、續討論議程 7 (考量計畫所需之基金)：歐盟首表示 VMS 計畫明年仍可繼續執行，爾後聚焦討論 SCRS 之研究優先項目，加拿大籍主席 Mr. Jones 請各方檢視會議文件 STF-207，由 SCRS 主席說明黑鮪之研究優先項目，包括 VMS、標示放流、生物性研究計畫等。多國對此持不同看法，主席總結各方關切黑鮪東西系群混合及研究等問題，並承諾會另外考量相關會員提列特別基金等方式作因應。歐盟應確定研究優先順序並思考全盤狀況，另希望 ICCAT 公平對待相關會員。美國則表示相關經費能更合理分配到多年度，俾所有計畫逐步進行，另期秘書處廣開財源尋求更多資助，如 FAO 計畫等。
- 二、議程 6 (2009 年預算及各締約方年費；STF-205A)：主席說明 2009 年預算較去年議定增加 11.17%，除人事薪俸外，大部分為增加研究所需，多國發言表示意見，在歐盟之堅持下 2009 年預算仍未通過，主席裁示提交全席會議決定。

III、永久工作小組 (PWG)

- 一、續討論議程 6 (非會員合作狀況；PWG-404)：
 - (一) 古巴：去年議定不需採取任何行動，已告知其所有漁獲僅供國內消費而無國際貿易。同意自討論名單中移除。
 - (二) 柬埔寨：上節擱置續進一步討論，日本建議維持認定，貝里斯附議。歐盟認為需有所進展，反對僅是作出認定。主席裁示維持認定並去函柬國，另鼓勵日本繼續與柬國透過雙邊機會進行接觸。
- 二、議程 7 (檢視 ICCAT 漁船名冊)
 - (一) PWG 主席說明今年新增 3 艘，2 艘為波利維亞籍，另一艘中華台北籍。
 1. 秘書處說明波籍兩艘提報過程，提及已向利比亞確認非該國漁船，可能是土耳其籍。歐盟發言需確認該兩船之船籍，利比亞發言確認該等漁船並非該國籍，根據其船旗懷疑是萬那度籍，強調波利維亞並無漁船作業。主席裁示將船籍改為不詳，期所有 CPCs 提供更多資訊。
 2. 有關我國之天寶號，秘書處說明已收到我方之調查報告及懲處資訊，UK 並表示滿意我國對該船所採取的行動。中國發言建議移除天寶號，貝里斯附議，UK 亦發言感謝我方與其合作，支持移除。日本、美國、歐盟及加拿大等國亦發言表示該船已受懲處同意移除。主席裁示該船不列入 IUU 名單。
 3. 主席續表示今年 ICCAT IUU 名單納入 IOTC 及 IATTC 之 IUU 名單，惟美國反對納入。美國說明其反對原因是並無該等漁船違規

之詳細資料，如被列入的原因、時地等，希秘書處與 IOTC 及 IATTC 秘書處取得詳細資料後再作進一步討論。主席表示係依據 07-09 決議案整併 RFMOs 之 IUU 漁船名單，但其程序問題、合法性及資料機密性引發多國表示意見，包括歐盟、利比亞、阿爾及利亞、墨西哥、象牙海岸、阿爾及利亞、挪威、加拿大，部分國家同意整併，有些國家則持保留態度。主席裁示不將 IOTC 及 IATTC 之 IUU 名單併入 ICCAT IUU 名單，另請秘書處將本年 ICCAT 通過之 IUU 名單送各鮪漁業組織參考，及同意秘書處與其他 RFMOs 就此議題交換意見，並於下次鮪類 RFMOs 會議及 COFI 會議深入討論。

三、 議程 8 (申請合作地位)：主席依序檢視我國、蓋亞那及荷屬安地列斯合作非締約方地位，主席並表示我國已繳交長鰭鮪管理報告及 24 公尺以下漁船報告，各方均無異議，順利通過我國、蓋亞那及荷屬安地列斯合作非締約方地位之延續案。

四、 議程 9 (其他事項)

(一) 貝里斯表示獅子山共和國並非任一 RFMOs 之締約方或合作非締約方，鼓勵 ICCAT 繼續與其接觸，獲得更多資訊並協助其管理更上軌道。

五、 議程 5 (BCD)

日本表示正在進行協商，將力圖修改幅度最小化，提案將在最後一節 PWG 會議提出。

IV、第二魚種小組

一、 有關東大西洋及地中海黑鮪管理措施，主席表示起草小組尚未有協商結果，建議下午再召開小組會議，明日再議，無會員表示意見。

二、 西大西洋黑鮪管理措施

(一) PA2-609 (西大西洋黑鮪復育計畫修正案)；

1. 加拿大說明科學建議 TAC 應低於 2,100 公噸，使產卵群生物量足以復甦，進而修改原 06-06 建議，將 2009 年及 2010 年之 TAC 分別設為 1,900 公噸及 1,800 公噸。美國、加拿大及日本之漁獲限制依同比例減少，但墨西哥之漁獲限制有增加，各國未使用之配額每年轉讓比例不得超過 10%。美國強調為保育西大西洋黑鮪資源，應立即終止過漁採取嚴格措施。加拿大對此表示過去五年西大西洋黑鮪捕獲量均未超過各國之漁獲限制，彰顯相關 CPCs 之紀律，且維持原管理體制已足夠。墨西哥發言表示提案內容十分適當。

2. 歐盟、埃及、阿爾及利亞、利比亞及突尼西亞徵詢 SCRS 主席有關東西系群產卵群管理建議及相關問題。
3. 環保團體 Greenpeace 於會中發表強硬聲明，倘 ICCAT 仍未遵循 SCRS 建議減少東大西洋黑鮪 TAC，除將失去信譽，最後導致東大西洋黑鮪資源崩潰，屆時 Greenpeace 及 WWF 將不再派代表參加 ICCAT，並會糾出使資源瀕竭元兇。
4. 聖多美普林西比於會中提出該國未共同聯署支持 PA2-614A 提案，不解文件裡會何會出現其國名，對此利比亞質疑秘書長該文件係如何產出？為何相關國家未參與共同提案惟文件卻出現該國名？利比亞代表大罵以 ICCAT 為恥，並憤而離席。日本稍後也指出其亦非 PA2-614B 聯合提案國，秘書處會儘速了解狀況。

V、紀律委員會

一、 續討論加拿大 COC-318 文件內容

(一) 土耳其發言解釋文件內所載可疑違規案例後，歐盟逐一澄清外界對其 29 項舉發案，克羅埃西亞表示已送相關文件予秘書處，會中不再累述。加拿大再次申明提出本項文件，只是希望瞭解相關國家是否對外界質疑事件有所回應，倘證實為違規行為是否採取適當作為，以增加遵從議題討論之透明度。美國發言支持加國之作爲。

(二) 然此份文件之合適性再次引發討論，發言國家包括突尼西亞、利比亞。日本認爲該等國家的解釋透明度不足，要求歐盟提供詳細的調查報告，包括其所採之措施。指責外界（特別是 WWF 及 Greenpeace）有許多 ICCAT 締約方之違規資訊是 ICCAT 之恥。歐盟只允諾表列該國之調查結果與作為。利比亞強調相關資料應於會前提供，而非抵達會場才要求當事國一一說明。加拿大表示尊重，建議此議題在議程 5 討論。

二、 議程 4.4(促進國人遵從報告)：日本說明其 COC-314 文件，表示去年年會接獲 Greenpeace 提供其國人經營小釣船在馬爾他港停泊之許多照片，陳述該國對本案之調查經過及該船之行蹤，及該船作業資訊回報之情形，目前該船已入籍維德角。歐盟表示，該船雖已入籍維德角，惟經營者似仍是日本人，基於 UNFSA 規定，各締約方仍有責任要求其國民遵守養護管理措施，詢問日本是否有採取有關措施？日本答覆因該船之船東亦係船長，經年在其他國家，超越日本管轄範圍。

三、 議程 4.5(檢討 ICCAT ROP)

(一) 秘書長簡報 ICCAT ROP 實施後之執行狀況，並播放觀察員在海上值勤的動態影像，報告中提及目前僅收到中華台北對此計畫之建議，至於

ROP 報告，日本及中國未繳交。此外，其他 RFMOs 也將執行類似計畫，未來將需要合作並給予建議。

- (二) 我團發言 ICCAT 是第一個執行 ROP 的 RFMOs，感謝秘書處的努力，並期繼續執行 ROP。歐盟關切觀察員是否適任，如何確保觀察員能切實估算尾數、重量與執法，以杜絕洗魚。
- (三) 日本說明其未提出報告乃因去年沒參加 ROP，並非不遵從，強調所有轉載船都是有登記的合法船，非 IUU 船，且轉載重量對轉載船及漁船都是相當重要的資訊，牽涉到金錢故無作假之虞。觀察員工作重點在於檢查漁船名單及文件確定沒有 IUU 漁獲轉入，但對於確認魚貨量，難度很高，也非必要到確實數量，所有漁獲皆進入日本市場，海關會予以查核。
- (四) 中國對疏於提交轉載報告致歉，明年會準時繳交。
- (五) 摩洛哥請教 ROP 之運作流程，認為需要法律顧問處理觀察員遇到的執法問題。秘書處表示如有問題，FAO 可以提供法律諮詢。而日本則依現行 ROP 運作狀況答覆摩國。歐盟詢問未來 ROP 是否適用於黑鮪漁業？秘書處表示 ROP 執行有時間上的限制。

四、 議程 4.6(檢討 CPCs 之遵從，包括配額、漁獲限制及最小漁獲體型；文件 COC-404A)：主席逐表詢問各方意見

- (一) 北長鰭鮪漁獲限制遵守情形：
 - 1. 萬那度：近三年超捕，主席尋求解釋，惟無代表在場。南非代表表示去年已檢討萬那度之超捕情況，指出其超捕年度係租船予納米比亞，關切萬國無能力管控其船隊。納國表示該兩年資料似乎有重複計算情況，將儘速整理資料提送秘書處。日本發言本案無關納米比亞，而是與中華台北國人經營漁船有關，請中華台北與納國及萬那度合作查明。
 - 2. 委內瑞拉：亦有三年超捕，惟無代表在場。
 - 3. 塞內加爾：近兩年無漁獲，塞國代表回應仍有捕撈北長及北劍，主席請其儘速提供資訊。
 - 4. 墨西哥：無 2007 漁獲，墨國代表對遲交致歉將提供秘書處。
- (二) 南長鰭鮪漁獲限制遵守情形：
 - 1. 歐盟詢問日本數值為何打問號，日本解釋其數值係以其大目鮪漁獲之 4% 計算，因尚未有完整漁獲資料因此無法計算。
 - 2. 聖文森超捕，惟無代表在場。
 - 3. 瓜地馬拉：有混獲將儘速繳交數值。
 - 4. 南非：詢確認中華台北等四國共享 26336.3 公噸配額之依據，秘書處答覆依據 07-03。

5. 貝里斯：要求其漁獲限制得 carryover。

(三) 北劍旗魚漁獲限制遵守情形

1. 中國：去年之調整配額計算有誤，今年修正。
2. 加拿大請韓國說明其僅有 50 公噸漁獲限制，為何 2007 年漁獲大增超捕 145 公噸，韓國解釋因其大目鮪船隊有混獲，之前已在第一魚種小組及第四魚種小組要求更多的配額，表內數值顯示該國面臨的問題，再次要求增加配額。主席要求韓國應對超捕有所作為，韓國表示會約束其漁民。主席表示依照 ICCAT 規定，配額不足應要求漁船拋棄。加拿大認為韓國 2006 年及 2007 年之漁獲差異過多，雖韓國稱係大目鮪漁船所混獲，惟韓國大目鮪漁獲量並未呈比例增加，應是漁業型態有所變更。韓國對此表示渠亦不知道是否係作業型態改變，可能是以前未提報給 SCRS，以後會報如果 SCRS 需要。
3. 塞內加爾、墨西哥、貝里斯發言表示要調整配額，將另洽秘書處。

(四) 南劍旗魚漁獲限制遵守情形

1. 聖文森超捕。
2. 美國請中國說明調整配額欄顯示” n.a” 之意，中國表示有意使用其歷史剩餘配額，主席表示 02-03 規定不得 carryover，中國表示那是很久以前規定，為何現在也不能 carryover？巴西說明規定就是如此。歐盟認為應有彈性，同意中國的說法，利比亞附議。

VI、鯊魚案小組諮商

本日上午 8 時日本、歐盟、中國、韓國、巴西、美國、加拿大及我國等代表於歐盟會議室磋商鯊魚保育建議案。有關 Thresher Sharks 及 Hammerhead Sharks 保育案，各方同意將 Hammerhead Sharks 排除，另將 Thresher Sharks 限縮於 Bigeye Thresher Shark 一種，惟歐盟堅持漁船不得持有、轉載、卸魚一部分或全部鯊魚體，日本認為有充分科學證據證明資源有問題的東大西洋黑鮪都沒有採取如此嚴格規定，對歐盟建議不能接受。另水鯊及馬加鯊保育案，同意排除水鯊，並將草案限縮於馬加鯊，惟因討論時間限制，各方未及對草案有所共識。

11 月 23 日會議（全席會議、永久工作小組、紀律委員會及魚種小組會議）

I、紀律委員會

一、秘書長首說明各 CPC 之 carryover 及調整配額有清楚解釋。至於劍旗魚之 carryover 給予中國彈性，但 02-03 已失效沒有必要作調整，也無調整新決議之必要。理解中國之狀況，不特別採取措施而已。另提及克羅埃西亞對加

拿大文件之回應已有文件，對克國表示感謝。

二、續討論議程 4.6(檢討 CPCs 之遵從，包括配額、漁獲限制及最小漁獲體型；文件 COC-404A)：有關昨日討論提及之調整配額及 carryover 部分尙未有新文件，以原文件繼續逐表詢問各方意見

(一) 東大西洋黑鮪漁獲限制遵守情形：

1. 中國質疑 SCRS 估計之總漁獲量達 61,000 公噸的透明度，主席表示此議題無關 compliance table，歐盟發言呼應中國的說法，迦納附議。
2. 在各方維持沈默下，主席原意通過此表，日本發言表示，表內之總漁獲量與 SCRS 估計數值差異過大，確認 2007 年總漁獲量超過 06-05 設定之 TAC，只有歐盟承認超捕，要求逐一檢視各國提報數值，另建立償還計畫，甚至對超捕國家進行懲處。COC 須將總超捕量列入討論，由相關會員分攤才是負責任的態度，不然只有承認的國家被處分，現階段不適合通過本表，可由期中工作小組檢討資料。美國、阿爾及利亞及摩洛哥表支持，建議深入檢討可能的超捕來源，讓相關會員負起責任，同意日本的說法暫時擱置本表，需要更多資訊再議定下一步作為。
3. 多國對其所報數值作出回應，並強調無超捕，包括利比亞、突尼西亞、敘利亞、克羅埃西亞、韓國及土耳其，歐盟重申已提報所有超捕量，其餘超捕量不能算在歐盟頭上，主席裁示擱置本表。

(二) 西大西洋黑鮪漁獲限制遵守情形：無異議通過。

(三) 大目鮪漁獲限制遵守情形：因迦納 2006 年超捕 4538.7 公噸，使其 2007 及 2008 年之調整配合原低於其船隊所需配額，加拿大關切迦納未來之漁業管理計畫，迦納表示配合 SCRS 確認漁獲量。日本表示迦納並非個案，圍網船漁獲混合狀況本來就很難估計。歐盟認為迦納之超捕情況應有同樣的對待，需有償還計畫。主席通過本表。

(四) 紅肉旗魚漁獲限制遵守情形：於墨西哥、千里達對其連續三年超捕作說明後通過。

(五) 黑皮旗魚漁獲限制遵守情形：無異議通過。

(六) 體長限制遵守情形：

1. 美國、歐盟、土耳其、貝里斯及巴西西說明其東大西洋黑鮪體長限制規定及漁獲比例，歐盟針鋒相對詢問日本表內為何顯示無資料，日本回應無相關漁業並非不遵從，要求未提供數值的國家提供詳細資料，重申對紀律差的國家應予以懲處，烏拉圭附議。
2. 挪威、迦納及象牙海岸則表示該國無捕撈劍旗魚或黑鮪漁業，墨西哥、敘利亞則表示未來將改善體長資料蒐集系統。
3. 主席請相關國家提供資料予秘書處更新本表。

四、議程 6(考量整合監控措施工作小組會議建議)：

- (一) 主席簡述該會議通過歐盟及加拿大之港口國措施及因應 07-10 生效修改相關建、決議內容。至於 ICCAT 觀察員計畫、聯合登檢等案需再研議，無會員有意見後通過該會議報告。
- (二) 討論 COC-306B (建立遵從資訊之審核與提報程序)：
 1. 主席說明此為加拿大及美國之提案，使 NGO 可提供訊息與 ICCAT，美、加說明提案目的係要求 CPCs 提供對任一懷疑有可能不遵從 ICCAT 保育管理措施之情事資料予 ICCAT 秘書處，ICCAT 秘書處傳遞該等訊息予相關 CPCs，CPCs 應告知 ICCAT 秘書處調查結果及所採行動，如在年會前無法完成調查，需告知所需調查期間。ICCAT 秘書處應於年會前傳送上述資訊予全數 CPCs，並於年會中提出總結報告，供 COC 及 PWG 考量。
 2. 烏拉圭、歐盟表示此舉須在透明不歧視的前提下進行，貝里斯認為過程應與 IUU 等決議時程一致，會員才有時間討論與反應。我團發言指示我國曾對 ICCAT 秘書處第 2014 號函，有關 Greenpeace 指控我漁獲量與日本所彙報我國 SD 漁獲量不符案，檢附實證去函 Greenpeace 澄清，並請其改正不實各節，惟未獲該組織回應。因此建議遇類似情形，ICCAT 應要求不實指控之 NGO 需回應相關 CPCs。UK 贊成審核過程透明無歧視，歐盟表示文字應加註此點。烏拉圭亦認為提案內容未納入非締約方。主席請加拿大修正提案內容。

五、議程 8(其他事項)：加拿大提出 COC-308 (船長測量)，說明前幾年歐盟提出的案子，惟遲無定案，如有定案對管理較佳。貝里斯對船長議題一如往年提出高見，認為定義應該清楚，但贊成本案精神。南非支持認為應該涵蓋所有公海作業漁船，日本附議，本案通過送大會。

六、議程 5(對不遵從的締約方應採取之行動)：

(一) COC-323 (關切信函)

2. 主席說明其提案內容為對特定國家 (不遵從 05-09 建議之統計資料回報義務的 CPC) 寄出關切信函，會視各國狀況決定信函內容。
3. 南非、歐盟及美國支持本信函，惟各國對信函內容表示不同看法：貝里斯認為信中應寫明不遵從項目；日本依據事實要求改善應是妥適；巴西表示不僅是書面警告，還要告知後續因果，如 06-13 條文所訂之認定、減配額及實施貿易措施；利比亞認為無須特別信函，資訊已夠透明；墨西哥則表示信函固定格式無法反映所有事實，應有所彈性，巴西對此持不同看法；塞內加爾建議改為提醒信函。

(二) COC-310 (2009 年 COC 期中會議)

1. 日本表示將於 2009 年召開為期四天的 COC 期中會議，地點尚未確定。旨在漁季前檢視相關會員過去幾年履行及有效管控大西洋黑鮪漁業之能力，倘發現能力不足應立即停止大西洋黑鮪之貿易及養殖。巴西表支持。
2. 主席表示該會議亦將檢視 Compliance Table。
3. 歐盟、UK 詢問該會議之旨意，日本回應只針對東大西洋黑鮪。利比亞持反對態度致本案擱置。

II、全席會議

一、 主席詢問是否通過 SCRS 報告，利比亞表示僅通過報告，但不通過建議部分。中國表示保留東大西洋黑鮪建議部分，土耳其則質疑 SCRS 對東大西洋黑鮪漁獲之估算等項。

二、 議程 8(財務委員會報告)

(一) 由加拿大籍主席報告會議結果：

1. 通過 STF-201 (行政報告)、STF-202 (有關財務報告) 及 STF-204 (締約方欠款資訊)，值得注意的是 2006 年以前之預算只收足 85%。提交預算。
2. 2009 年預算並未獲得通過，因部分會員關切研究部分之開支，本案提交大會討論。其他計畫預算部分，則多著墨於 VMS 計畫及黑鮪研究計畫之討論。
3. 有關 ICCAT ROP 基金則由參與方自行討論議定。
4. STF-207 (黑鮪研究計畫及所需經費案) 則尚未通過。

(二) 經主席詢問後，同意通過 2009 年預算案 (STF-205A)。至於 STF-207，歐盟、美國及加拿大則對研究優先順序提出若干看法，希望研究費用能精簡。埃及及土耳其則對研究項目提出建議。

(三) 我方發言我國今年捐助 10 萬歐盟，2009 年將繼續捐助予 ICCAT，另將捐款 5,000 歐元予旗魚研究計畫。

(四) 鑒於轉譯其他語言係由工作資金支出，利比亞要求明列為阿拉伯語，土耳其持保留態度，中國認為可考慮，本案後獲通過，將其他語言改列阿拉伯語。

三、 議程 9(魚種小組報告)

(一) 第一魚種小組：

1. 主席說明該小組會員部分支持自明年執行 SCRS 建議之禁漁措施 (PA1-504A)，保護大目鮪及黃鰭鮪之幼魚；有些則傾向支持 PA1-503A 提案，將原 04-01 建議案延長一年，且日本同意於 2009 年轉讓 2,000 公噸予中國，另要求 SCRS 於 2009 年對 PA1-504A 中所述

禁漁措施進行深入評估。兩案經起草小組協商後，同意提送 PA1-503B 至大會通過。

2. 美國提出若干文字修正後，通過第一魚種小組會議報告。
- (二) 第三魚種小組報告：由墨西哥籍主席說明該小組之資源狀況，並無任何提案提出。
 - (三) 第四魚種小組報告：日本宮原表示該小組尚未對鯊魚保育有共識，明日再報告。
 - (四) 檢視魚種小組結構：主席建議整併北長鰭鮪及南長鰭鮪至第三魚種小組，而將南方黑鮪整併至第二魚種小組。南非、貝里斯、納米比亞發言表示支持，但敘利亞表示如此需要多加入一小組，歐盟認為此議題應在魚種小組裡討論。日本認為第二魚種小組應只有北方黑鮪，巴西附議。在無共識下本議題移送魚種小組討論，作出建議供委員會考量。
 - (五) 在鮪類 RFMOs 中統合單一漁船識別號碼：
 1. 秘書長報告今年鮪類 RFMOs 主席會議同意，著手研究鮪類 RFMO 可應用之漁船單一識別 (Unique Vessel Identifier; UVI) 系統。
 2. 歐盟、加拿大發言期下一屆 COFI 會議在此議題有所進展，亦鼓勵秘書處注意此方面的訊息。會員對 UVI 應採用何系統所諸多討論，貝里斯希望漁船運用 FAO 之 IMO 號碼作為辨識；日本則對此表示中華台北取得 IMO 號碼有困難，可採用不同的系統，中國也發言其所屬漁船無 IMO 號碼；我方發言表示 UVI 採用何系統時，應考量我國之特殊地位。主席總結請秘書處密切注意此議題之進展。

III、永久工作小組

- 一、 議程 7(檢視 IUU 漁船名單)：COC-311 所述之漁船 DANIAA，列入 IUU 漁船名單，船籍未知。
- 二、 議程 5(執行及改善 BCD)：
 - (一) 歐盟提出 PWG-409 文件，經非正式小組會議後修正如 PWG-409A，日本逐一敘述修改處，大致加入條文內所提 CPC 之正確定義及蒐集國內貿易、活魚貿易、養殖等資訊。
 - (二) 土耳其提出若干修正意見。歐盟認為有些調整屬於技術性，有其必要性，有些澄清也助於執行。不過對於附錄一等仍有意見，增加轉口單位有助貿易流程追蹤，但不希望增加現行使用者困擾，希望小幅修正就好，文件一致性(harmonized)也很重要，總結來說可接受。
 - (三) 主席表示請日本參考土耳其意見修正後提出新版本送大會討論。

【PWG 會議在本日結束。】

IV、紀律委員會

- 一、 主席表示 COC-306C 已修正，無會員有異議。
- 二、 討論議程 COC-310A (COC 期中會議)：
 - (一) 美國認為參加該會議可能會失去西大西洋黑鮪配額，美國之黑鮪貿易量非常有限。日本表示還有些微幅修正，COC-310B 可避免誤導。
 - (二) 墨西哥認為紀律非常重要，提案精神可嘉，但有些國家未必有辦法參加，該會議主要目的是檢視 06-05 之履行狀況，但還有許多決議也被列入，究竟該會議牽涉幾個決議，似乎相當複雜，且有義務參加本會議與否。
 - (三) 日本希望先停止討論，待版本再討論，然墨西哥又發言建議數點。利比亞表示第七條提及沒繳資料者要扣配額，第八條之 simple majority 是否與公約互斥？
 - (四) 主席宣布停止討論。

V、第二魚種小組

- 一、 議程 7(研究)：
 - (一) SCRS 主席表示研究議題已於本組之 SCRS 報告及財務委員會報告，土耳其認為應處理成長率問題，歐盟呼應並表示應改善體長資料蒐集，埃及、敘利亞表示有參與相關計畫的意願。國際休閒漁業聯盟 (NGO) 亦就標識議題提出建言，期各國自動進行標識及其他採樣研究。
 - (二) 研究提案：
 1. 美國說明 PA2-615 (大西洋黑鮪系群來源及混合研究建議案)，鼓勵會員蒐集耳石及肌肉組織，供研究及 DNA 分析之用，有助科學家研究系群混合問題。亦鼓勵會員轉讓配額以配合相關研究保育計畫，但不能 carryover。
 2. 歐盟認為 SCRS 工作內容已涵蓋不需重複，歐盟支持由 SCRS 進行。摩洛哥表明該國定置網已有採集生物樣本，可供作研究。
 3. 日本認為耳石採樣不需轉移過多配額，提議 50 公噸接近會員國配額，如有意研究就自己做，不需要轉移給他國承作，本案應該重新思考後送給 SCRS 考慮。美國對此表示配額轉讓議題可再討論，如果要大魚的耳石，其實 50 噸並不多，希望有充裕的樣本。日本同意部分條文，但部分有意見，特別是耳石部分不太合理，建議先擱置。美國表示保留有共識的部份，討論後再修改。

4. 主席裁示明早再議。

二、 議程 6(保育管理措施)：討論 PA2-618A (修正 06-05 案)，日本要求起草小組繼續修正提案內容，今日暫不討論。

VI、會議觀察：

原訂 COC 會議於本日結束，然 Compliance Table 及若干提案皆未有定論。觀察新任主席之主持會議原則似乎有待改進，常隨著會員意見而反覆不定，不如往年歐盟籍主席有原則。

VII、會外事項：

另本日下午 16 時我團林科長頂榮與日方於我團會議室就我國小型延繩釣漁船管理情形進行意見交換，日方主要關切我國小船船數、VMS 之裝設、23 至 24 公尺漁船重新丈量、印度洋及太平洋小船作業船數限制、小船所持作業執照及主要漁獲物等問題。我方表示將依據台日行動方案持續推行，另向日方說明我國小船定義為 20 噸已上 100 噸以下之漁船，並一一回答日方所提，日方除表示感謝我方之說明外，另亦表示希望我國可以於耶誕節前將小船相關管理資料提供予日方，我方表示將向上級提及此事。

11 月 24 日會議（紀律委員會、全席會議及魚種小組會議）

I、魚種小組保育措施

一、 第一魚種小組：同意大目鮪多年保育及管理計畫延長一年，且日本同意於 2009 年轉讓 2,000 公噸予中國，禁漁期及禁漁區則維持原議（04-01），僅要求 SCRS 於 2009 年對擴大禁漁措施進行深入評估。

二、 第二魚種小組：

(一) 通過西大西洋黑鮪多年復育計畫修正案（PA2-609），依 SCRS 建議調降未來兩年度之 TAC，但配額超過 4 公噸的國家可 Carryover 其年度配額之 15%，較往年增加 5%。

(二) 東大西洋及地中海黑鮪多年復育計畫修正案（PA2-618B）經多次小組會議協商，利比亞對該案表達不滿，認為沒有反應 SCRS 建議及助長 IUU 漁業，在發表近 10 分鐘之聲明後，宣告離席退場。利比亞退席後，多國雖亦表達對草案內容不完全滿意的立場，惟亦均表示無意阻礙本案共識的達成，該建議案最後經主席裁示修正若干文字後通過。該建議案將調降 2009 年 TAC 為 22,000 公噸，包括歐盟、日本、韓國等皆較 06-05 建議案所定之 2009 年配額調降 4~5%，我國配額則獲維持 66.3 公噸，另

暫訂 2010 年 TAC 為 19,950 公噸，倘 2009 年委員會會議確認 2009 年有超捕則調整 2010 年 TAC。至於我方關切之漁撈能力凍結部分，經我團昨日參與小組會議討論至凌晨的努力，提案加入排除特定 CPC 適用之有關內容，即漁撈能力凍結得不適用於擁有配額且有意發展黑鮪漁業之特定 CPC（特別是開發中 CPC），因此我國 2009 年仍保有赴東大西洋及地中海捕撈黑鮪的權利，惟必須提出必須利用配額而發展漁撈能力之計畫，至於 2010 年始，各國均需提出凍結漁撈能力及減少漁撈能力以與配額相稱之計畫。

(三) 至於美國大西洋黑鮪系群來源及混合研究案 (PA2-615B)，在修正為不具拘束力之決議案後通過，鼓勵會員考量部分配額供作研究之用，研析東西系群混合問題。

三、第三魚種小組無相關提案提出，至於北長鰭鮪是否列入本組討論，明年再議。

四、第四魚種小組：

(一) 通過北劍旗魚復育計畫修正案 (PA4-806A)，展延 06-02 建議效期一年。而地中海劍旗魚之禁漁期則增長為三個月 (PA4-808)。

(二) 關於鯊魚保育案，經多次非正式會議諮商後，通過大眼狐鮫保育案 (PA4-804A)，要求儘量釋放捕撈時仍存活之大眼狐鮫，另意外捕獲量及釋放之活魚量需有紀錄並回報予 ICCAT。另通過大西洋鯖鯊決議案 (PA4-805)，於明年與 ICES 共同舉行會議，進一步評估該魚種。至短鰭馬加鯊保育案 (PA4-809A)，因遲未能達成協議，歐盟撤回提案。

II、紀律委員會

一、通過 Compliance Table (COC-304B)，除東大西洋及地中海黑鮪外，該表將於明年 COC 期中會議討論。多國提出提報程序問題，主席裁示日後 Compliance Table 提報時程提前至 7 月 31 日。

二、同意於 2009 年召開期中會議 (COC-310C)，要求所有黑鮪漁業國參加該會議檢視渠等遵從 06-05 建議狀況，倘相關 CPCs 未在該期中會議前提交 Task I 及 Task II 資料，將面臨配額降低或暫時終止黑鮪漁業，倘在會議無法對任一 CPC 之遵從狀況達成共識，則以電郵投票決定之。歐盟將舉辦該會議，地點容後告知，財務有困難之 CPCs 歐盟會支助旅費。

三、通過建立遵從資訊之審核與提報程序案 (COC-306C)，比照 IUU 漁船名冊之提報審核程序，要求 CPCs 於年會前 120 天提供任一懷疑有可能不遵從 ICCAT 保育管理措施之情事資料予 ICCAT 秘書處，秘書處在年會前 90 天傳遞該等訊息予相關 CPCs，CPCs 應於年會前 30 天告知 ICCAT

秘書處調查結果及所採行動，如在年會前無法完成調查，需告知所需調查期間。ICCAT 秘書處應於年會前傳送上述資訊予全數 CPCs，並於年會中提出總結報告，供 COC 及 PWG 考量。

四、 通過船長之測量案 (COC-308)，定義 ICCAT 通過之建決議案所提全長為船隻船首端點至船尾端點的直線距離。

五、 未達共識者如下：

- (一) 為改善 CPCs 之紀律，秘書處表列各 CPC 可能之不遵從問題，包括未交或遲交 Task I 及 Task II 資料、超捕、忽略保育管理措施要求事項等，表內另有相關 CPC 在會中之回應及 ICCAT 應採行動 (COC-325)，多國認為各項之提報期限不明確，且對該表所載內容與事實不符表達不滿，幾番爭吵後該表未獲通過。
- (二) 各方對秘書處關切信函 (COC-323) 內容各國意見紛歧。

III、永久工作小組

- 一、 通過黑鮪漁獲文件計畫之修正案 (PWG-409B) 及因應 07-10 建議案之生效修正 ICCAT 11 項建議案與 3 項決議案 (PWG-407)。
- 二、 對非締約方採取之行動 (PWG-404A)，包括給予中華台北、蓋亞那及荷屬安地列斯合作非締約方身分，另對玻利維亞及喬治亞維持貿易制裁，對柬埔寨、獅子山共和國維持認定，至於多哥 (Togo) 則是解除認定。
- 三、 關於 IUU 漁船名單，移除中華台北之天寶號漁船，新增兩艘玻利維亞籍、一艘前船籍為幾內亞之 DANIAA 及兩艘前船籍為利比亞漁船。而 IATTC 及 IOTC 之 IUU 漁船名冊則暫不納入。

IV、財務委員會

- 一、 通過 2009 年預算案。
- 二、 關於 ICCAT ROP 基金由參與方自行討論，於計畫年度結束前議定。
- 三、 我方發言我國將捐助 5,000 元予旗魚研究計畫，另明年也會繼續捐助 ICCAT 10 萬歐元。

V、其他

- 一、 明年度期中會議：包括 ICCAT 未來工作小組會議、休閒及娛樂漁業工作小組會議、COC 期中會議。除休閒及娛樂漁業工作小組會議確認於年會前一天召開外，其他二項工作小組會議確定召開日程及地點俟決定後通知。
- 二、 貝里斯發言指出評估報告第一部份建議 ICCAT 考量修訂公約或更新及通過進一步保育管理措施，特別是中華台北之參與方式及決策權益，建

議 ICCAT 重視我國多年來持續捐助及合作狀況，作出適當處理，賦予我國與會員國相同之發言權。主席表示應該要對所有合作非締約方一起考量，而非僅對單一特定國家，主席裁示後，未有其他國家對此有不同意見。休會期間，主席 Fabio Hazin 特向我團致意表示，有關我國發言權，嗣後將與締約方擁有平等發言權利，我方對主席之協助促成表示感謝。

三、 我方於閉會致詞時表示，我國長期參與 ICCAT 並與 ICCAT 合作，惟過去未能擁有平等發言權利，致無法及時和有意義地參與討論，今日大會決定我國可與締約方享有平等發言權，我國將以所能，參與 ICCAT 會議討論，並貢獻相關科學工作，我方承諾 2009 年將繼續捐助 10 萬歐元，以支持 ICCAT 相關工作。

四、 下屆會議日期為 2009 年於 11 月 13-22 日，於巴西拉西斐召開，其中 11 月 13 日為休閒及娛樂漁業工作小組會議、14 至 15 日為 COC 會議，11 月 16-22 日則為第 21 屆年會。

ICCAT 第 16 屆特別會議在各方對主席 Dr. Fabio Hazin 及地主國摩洛哥致謝詞後，於 11 月 24 日晚間近 10 時結束全部會議。我團並將搭乘 25 日清晨班機自摩洛哥取道荷蘭返國。

參、心得與建議

- 一、東大西洋及地中海黑鮪：會議期間，東大西洋及地中海黑鮪仍為注目焦點，該物種因超捕情形嚴重，導致資源有崩潰之虞，超捕國遭嚴重抨擊，會議期間於歐盟、日本、美國等主要國家斡旋下，2009 年黑鮪配額降低，並加強各項作業監控措施，以遏止違規情事發生。我國雖有配額可作業，但地中海區域皆為各沿岸國 200 海里經濟水域，不參與合作將無作業之空間，我國業者因漁業合作無法完成，已連續 2 年未前往作業，基於此魚種係國際關注焦點，未來若有業者有意前往，應嚴加審核業者作業申請，以避免影響我國聲譽。
- 二、積極參與科學會議：本次會議各魚種管理主要仍依詢科學會議建議，有爭議之管理部份（例如幾內灣禁漁區部分）皆要求加強資料之搜集並經 SCRS 會議評估後提出管理建議，2009 年度大目鮪及北大西洋劍旗魚配額將重新調整，可預見此配額訂定取決於科學會議所做出之評估結果，本署應積極派遣科學家參與科學會議，貢獻我國資料、掌握管理脈動並適時參與資料之討論，並可提供年會期間可能之管理議題，俾適時因應與美、日、歐盟及加拿大等國進行雙邊會談，降低影響。
- 三、提交資料狀況：各國資料繳交已成為會議另一焦點，本屆會議花相當多時間檢視各國資料提交情形及各國針對缺失部份進行解釋，2009 年亦將召開紀律委員會期中會議，以檢討各國過去一年遵守管理措施及違規情況。我國須注意按照建決議案所定各項提交資料及管理報告之時程，完成各項要求，避免於會中遭指責，進而影響我國配額分配權益。
- 四、混獲魚種管理日趨嚴格：鯊魚管理議題日益受重視，大西洋鯖鯊、水鯊、Y 髻鮫及短鰭馬加鯊等魚種於會中均被提及，雖然我國並無以鯊魚為主漁獲之漁業，惟會議中已將風險評估管理觀念導入，對於漁業及生物資料不足之物種（包含海鳥），若經風險評估物種產生問題，雖未經資源評估獲得結果，仍可進行管理。我國為主要遠洋漁業國家，未來鯊魚若全面管理，恐影響我延繩釣漁船作業，應加強教育漁民填寫資料之重要性，協助蒐集完整之資料，以供資源評估之所需。
- 五、我國參與地位：本次會議中 ICCAT 績效評估報告建議 ICCAT 考量修訂公約或更新及通過進一步保育管理措施，以填補目前缺失，包括我國參與方式及權益。我國亦建議 ICCAT 參酌其他區域漁業組織（RFMOs）之發展，長期以修訂公約為目標，或短期內在未修約之過渡期以通過建決議案之方式，處理與我國之進一步合作方式，賦予我國決策權。會議決定有關 ICCAT 績效評估報告（包含我國參與 ICCAT 問題），於 2009 年召開之「未來工作

小組」進一步討論。此部份持續配合外交部運作，提升我參與 ICCAT 地位事宜。

肆、附件

一、參加會議代表團名單

NO	姓名	職銜	NAME	Title
1	蔡日耀	副署長	Tsay, Tzu-Yaw	Deputy Director-General, Fisheries Agency
2	林頂榮	科長	Lin, Ding-Rong	Section Chief, Fisheries Agency
3	邱文毓	技士	Chiu, Wen-Yu	Specialist, Fisheries Agency
4	何勝初	執行長	Ho, Peter Shing-Chor	President, OFDC
5	宋承恩	法律顧問	Sung, Chen-En	Legal Adviser, OFDC
6	夏翠鳳	秘書	Hsia, Tsui-Feng	Secretary, OFDC
7	黃向文	行政科學家	Huang, Hsiang-Wen	Assistant Professor, NTOU
8	林奇邦	主任委員	Lin Chi-Pang	Chairman of Committee(Atlantic), Taiwan Tuna Association
	何世杰	秘書	Ho, Shih-Chieh	Secretary, Taiwan Tuna Association

二、會議報告



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

16th SPECIAL MEETING OF THE COMMISSION *(Marrakech, Morocco, – November 17 to 24, 2008)*

(PROVISIONAL)

FEBRUARY 2009

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PROCEEDINGS OF THE 16th SPECIAL MEETING OF THE INTERNATIONAL COMMISSION FOR THE CONSERVATION OF ATLANTIC TUNAS

(Marrakech, Morocco – November 17 to 24, 2008)

1. Opening of the meeting

The Commission Chair, Dr. F. Hazin, opened the 16th Special Meeting of the Commission on November 17, 2008. Dr. Hazin thanked the Minister of Agriculture and Fisheries of Morocco and the Government of Morocco for hosting the meeting, and also expressed his appreciation for the financial assistance provided by the European Community for the organization of the meeting. He reminded delegates that ICCAT credibility was at stake, and insisted that ICCAT should abide by the scientific advice and that all the Contracting Parties should implement the management and conservation measures adopted by the Commission. He also stated that during that meeting ICCAT would have to address serious challenges such as compliance issues and management measures for bluefin tuna.

In his opening address, Mr. A. Akhenouch, the Minister of Agriculture and Fisheries of Morocco, highlighted that ICCAT was at a turning point. He then expressed the concern of Morocco for the conservation and management of tunas as well as for a sustainable exploitation of natural resources.

The opening addresses by the Minister of Agriculture and Fisheries of Morocco and the ICCAT Chairman are attached as **ANNEX 3.1**.

2. Adoption of Agenda and meeting arrangements

The Agenda was adopted with a modification in order to address item 6 before item 5. The amended Agenda is attached as **ANNEX 1**.

3. Introduction of Contracting Party Delegations

The Executive Secretary introduced the following 41 Contracting Parties that attended the meeting: Albania, Algeria, Belize, Brazil, Canada, China, Côte d'Ivoire, Croatia, Egypt, Equatorial Guinea, European Community, France (St. Pierre and Miquelon), Gabon, Ghana, Guatemala, Guinea, Iceland, Japan, Korea (Rep.), Libya, Mexico, Morocco, Namibia, Nigeria, Norway, Panama, Philippines, Russian Federation, St. Vincent and the Grenadines, Sao Tomé and Príncipe, Senegal, South Africa, Syrian Arab Republic, Trinidad and Tobago, Tunisia, Turkey, United Kingdom (Overseas Territories), United States of America, Uruguay, Vanuatu and Venezuela.

The List of Participants is attached as **ANNEX 2**.

Opening statements to the Plenary were submitted in writing by the following Contracting Parties: Belize, Brazil, Canada, Egypt, European Community, Japan, Uruguay and the United States, and these are included in **ANNEX 3.2**.

4. Introduction of observers

The Executive Secretary introduced the observers present that had been admitted. A Representative from the Food and Agriculture Organization of the United Nations (FAO), depository of the ICCAT Convention, attended the meeting.

Chinese Taipei and the Netherlands Antilles attended the meeting as Cooperating non-Contracting Parties, Entities or Fishing Entities.

The Congo Republic and Mauritania attended the meeting as non-Contracting Parties.

AGENDA

1. Opening of the meeting
2. Adoption of Agenda and meeting arrangements
3. Introduction of Contracting Party Delegations
4. Introduction of Observers
5. ICCAT Performance Review
6. Summary Report of the Standing Committee on Research and Statistics (SCRS)
7. Consideration of the Report of the Working Group on Capacity and any necessary actions
8. Report of the Standing Committee on Finance and Administration (STACFAD)
9. Reports of Panels 1 to 4 and consideration of any proposed recommendations therein
 - Review of Panel structure
10. Report of the Conservation and Management Measures Compliance Committee (COC) and consideration of any proposed recommendations therein
11. Report of the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG) and consideration of any proposed recommendations therein
12. Assistance to developing coastal states and capacity building
13. Inter-sessional meetings in 2009
 - Working Group on Sport and Recreational Fishing
 - Working Group on the Future of ICCAT
 - Joint tuna RFMO meeting
14. Consideration of necessary actions for the harmonization of tuna RFMO vessel lists
15. Other matters
16. Date and place of the next meeting of the Commission
17. Adoption of the report and adjournment

The following inter-governmental organizations also attended the meeting: Caribbean Community (CARICOM), General Fisheries Commission for the Mediterranean (GFCM) and Conférence Ministérielle sur la Coopération Halieutique entre les Etats Africains Riverains de l'Océan Atlantique (COMHAFAT).

The following non-governmental organizations were also admitted as observers: International Confederation of Sport Fishing (CIPS), Federation of European Aquaculture Producers (FEAP) Greenpeace, International Game Fish Association (IGFA), Association of Professional Organizations of the Fishing Sector of the Mediterranean Coastal Countries (MEDISAMAK), Oceana, Organization for the Promotion of Responsible Tuna Fisheries (OPRT), Pew Environment Group, The Ocean Conservancy, and the World Wildlife Fund for Nature (WWF).

The list of observers is included in the List of Participants (**ANNEX 2**).

The opening statements to the Plenary Session, submitted in writing by the observers, are included in **ANNEXES 3.3, 3.4 and 3.5**, respectively.

5. ICCAT Performance Review

Dr. Glenn Hurry, the Coordinator of the ICCAT Independent Performance Review Committee, presented the report prepared by the Committee [PLE-106] and highlighted the following issues: the Convention needs to be modernized, ICCAT would improve with a change of attitude, a penalty regime is required, the bridge science/management should be reinforced and timely and accurate data are essential for the good functioning of ICCAT. Notwithstanding, he also indicated that ICCAT has developed reasonably sound conservation and fisheries management practices, that the ICCAT Standing Committee on Research and Statistics (SCRS) and Panel structure is sound and that the Commission's subsidiary bodies provide timely advice to ICCAT. The performance of the Secretariat was also considered sound and well regarded as both efficient and effective by CPCs. The Independent Performance Review Committee also considered that the SCRS carried out good work, but recognized the difficulties they faced in relation to data availability and quality.

Following the presentation, the Chair pointed out that the performance review report was neither for approval nor for adoption, but that it should be the basis for the Working Group on the Future of ICCAT, in 2009.

During the discussion that followed the presentation, many delegations welcomed the report of the independent Committee and considered it as a guideline and good basis for the discussion on the future of ICCAT. Some delegations asked the Coordinator of the Independent Performance Review Committee for suggestions to improve the Compliance Committee, to establish a penalty system as well as an inspection system common to RFMOs. Some delegates were of the view that the penalty system among RFMOs should be harmonized and that market measures which would be useful to track catches should be developed.

Many delegations considered that compliance issues were a priority to be discussed before the Working Group on the Future of ICCAT and urged that action be taken during that Commission meeting instead of postponing action to 2009, noting that transparency and capacity in ICCAT would have to be reviewed. The Chair concluded that, to the extent possible, the recommendations of the report of the Independent Performance Review Committee should be considered during that Commission meeting by the relevant Panels and Committees. He also pointed out that compliance issues should be harmonized among RFMOs and therefore the Report should be sent to the other RFMOs.

The Executive Summary of the Performance Review is attached as **ANNEX 7**.

6. Summary report of the Standing Committee on Research and Statistics (SCRS)

The 2008 SCRS meeting was held in Madrid (Spain), from September 29 to October 3, immediately after the meetings of the Species Groups. The SCRS Chair, Dr. G. Scott, presented a summary of the "Report of the SCRS" [PLE-104] and indicated that the specific recommendations by species would be presented in the pertinent Panels. He informed the participants that he would focus his presentation on the species for which updated assessments were conducted (i.e. bluefin tuna, Mediterranean swordfish, yellowfin tuna and skipjack, and sharks). He also presented a stock status report by species for 2008 as well as a summary of the inter-sessional meetings conducted in 2008. He then welcomed the extra-budgetary funds that had allowed the participation of scientists to SCRS meetings and encouraged Contracting Parties to continue contributing with

these funds. In response to the Commission's request, the SCRS Chair pointed out how data deficiencies were affecting the assessment and management advice. He reiterated the concern of the SCRS on the poor quantity and quality of fishery statistics (Task I and Task II). He also reported the concern of the SCRS on the incomplete information on fishing capacity submitted to the Secretariat. Then, he presented the recommendations made by the SCRS highlighting the need to improve data reporting, capacity-building and quality assurance as well as the scientific support by increasing the Secretariat's staff with a By-catch Coordinator and a Population Dynamics Expert as well as to re-establish the peer-review mechanism. Finally, the SCRS Chair recalled the proposed calendar of ICCAT scientific meetings for 2009.

The Commission Chair reminded delegates that the SCRS recommendations would have to be considered for approval in the Panels.

Several delegations acknowledged the work conducted by the SCRS and congratulated the SCRS Chair on the excellent presentation. The Libyan delegate stated that he appreciated the work undertaken by the SCRS but that his country could not back the proposals for Recommendations presented by the SCRS. The Delegations of China and Turkey raised concerns in relation to the insufficient data on 2007 catches available to the SCRS. The Commission, taking into account the comments by the three above-mentioned delegations, adopted the 2008 SCRS Report.

The SCRS Report and the presentation of materials used at the meeting were posted on the ICCAT website for reference.

7. Consideration of the Report of the Working Group on Capacity and any necessary actions

The Commission took note of the Report of the Meeting of the Working Group on Capacity (as attached in **ANNEX 4.3**) [PLE 101], held on July 15 to 16, 2008 in Madrid (Spain). The Commission adopted that Report and agreed to refer to Panel 2, for consideration, and to the Compliance Committee, for discussion, the following proposals:

- Draft Recommendation by ICCAT on the Limitation of Capacity [PLE-113]
- Draft Recommendation by ICCAT for Provision of Information on Vessels That Have Participated in the Eastern Atlantic and Mediterranean Bluefin Tuna Fishery [PLE-114]

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

The Chair of STACFAD, Mr. J. Jones (Canada), reported to the Commission that the Committee had reviewed the Secretariat's "2008 Administrative Report" [STF-201], the Secretariat's "2008 Financial Report" [STF-202] and the "Detailed Information on the Debt Accumulated by ICCAT Contracting Parties" [STF-204]. He informed that the Committee had recommended "*BDO Audiberia Auditores, S.L*" to carry out the audit of Commission accounts for 2008 to 2010. He also informed that the Contracting Parties participating in the Regional Observer Program (ROP) had expressed their willingness to continue the program and that they would inform the Commission of the financing. He also presented for approval by the Commission the "ICCAT Budget for Fiscal Year 2009" [STF-205A] which would entail an increase of 11.17%. In the proposed budget for 2009, he highlighted:

- The permanent costs for the Population Dynamics Expert, to be hired as recommended by the SCRS
- The costs for one person in the General Services category to assist with tasks related to Compliance issues,
- the costs for one person in the General Services category for some new tasks including those related to the new Secretariat headquarters,
- The additional costs for interpretation services in Arabic during the annual meeting, to be financed from the Working Capital fund in 2009,
- The travel expenses for the Commission and SCRS Chairs to participate in meetings where they represent ICCAT, in 2009, to be financed from the Working Capital Fund,
- The extra costs due to the change of Secretariat headquarters.

The Commission adopted the 2008 Administrative Report, the 2008 Financial Report, the Future Basis for ROP Funding [STF-203], and the Detailed Information on the Debt Accumulated by ICCAT Contracting Parties.

The Commission also adopted the 2009 Budget, as well as the Contracting Party contributions for 2009, the contributions by Group, and the catch and canning figures of the Contracting Parties (see **Tables 1 to 5** attached to the STACFAD Report).

It was agreed that the VMS program would continue to be funded by the Contracting Parties participating in the eastern Atlantic and Mediterranean bluefin tuna fishery.

With regard to the “Bluefin Tuna Research Priorities and Potential Costs” [STF-207] covering a period of five to six years presented by the SCRS Chairman, no consensus was reached in relation to the research priorities (see **Appendix 10 to ANNEX 9**). The Commission agreed that the SCRS review this matter and establish research priorities.

It was agreed that the STACFAD Report would be adopted by correspondence. The Report is attached as **ANNEX 8**.

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

The Reports of the Panels were presented by their respective Chairs. The Commission reviewed the reports, the Recommendations and the Resolutions proposed by the Panels.

Panel 1

The Chair of Panel 1, Dr. Djobo (Côte d’Ivoire), reported to the plenary the proposal adopted within the Panel for a *Recommendation by ICCAT to Amend the Recommendation by ICCAT on a Multi-year Conservation and Management Program for Bigeye Tuna* [PA1-503B] (see **ANNEX 5 [Rec. 08-01]**). The Commission adopted this Recommendation. The European Community informed the plenary that it would send written comments on the adopted Recommendation.

It was agreed that the Report of Panel 1 [PA1-501] would be adopted by correspondence. The Report is included in **ANNEX 9**.

Panel 2

The Chair of Panel 2, Mr. F. Gauthiez (European Community), informed the Commission about the agreement within the Panel on:

- The draft *Supplemental Recommendation by ICCAT Concerning the Western Atlantic Bluefin Tuna Rebuilding Program* [PA2-609],
- The draft *Recommendation Amending the Recommendation by ICCAT to Establish a Multi-annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [PA2-618B] and,
- The draft *Resolution by ICCAT Concerning Atlantic Bluefin Tuna Scientific Research on Stock Origin and Mixing* [PA2-615B].

These proposals were adopted by the Commission in plenary and are attached in **ANNEX 5 [Rec. 08-04]**, **[Rec. 08-05]**, and **ANNEX 6 [Res. 08-06]**, respectively.

It was agreed that the Report of Panel 2 [PA2-602] would be adopted by correspondence. The Report is included in **ANNEX 9**.

Panel 3

The Chair of Panel 3, Mr. M. Aguilar (Mexico), presented the report of the Panel that included the review of the stock of South Atlantic albacore by the SCRS. No comments were made.

It was agreed that the Report of Panel 3 would be adopted by correspondence. The Report of Panel 3 [PA3-701A] is included in **ANNEX 9**.

Panel 4

The Chair of Panel 4, Mr. M. Miyahara (Japan), presented the three proposals agreed within the Panel:

- A proposal for a *Supplemental Recommendation by ICCAT to Amend the Rebuilding Program for North Atlantic Swordfish* [PA4-806A] and,
- A draft *Recommendation by ICCAT on Mediterranean Swordfish* [PA4-808].
- A proposal for a *Resolution by ICCAT on Porbeagle Shark* [PA4-805],

These proposals were adopted by the Commission and are attached as **ANNEX 5 [Rec. 08-02]**, **ANNEX 5 [Rec. 08-03]**, and **ANNEX 6 [Res. 08-08]**, respectively.

Further to a discussion in plenary, the Commission adopted the draft *Recommendation on the Conservation of Big Eye Thresher Sharks Caught in Association with Fisheries Managed by ICCAT* [PA4-804A]. This Recommendation is attached as **ANNEX 5 [Rec. 08-07]**.

It was agreed that the Report of Panel 4 [PA4-801] would be adopted by correspondence. The Report is included in **ANNEX 9**.

Review of Panel structure

The Commission Chair proposed to review the structure of the Panels to include northern albacore in Panel 3 and southern bluefin in Panel 2. Since there was no consensus on that proposal, it was decided to refer the discussion to the Working Group on the Future of ICCAT.

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

The Chair of the Compliance Committee, Dr. C. Rogers (United States), informed the Commission that the Compliance Committee (COC) had reviewed and approved the Compliance Tables [COC-304B], with the exception of the eastern bluefin tuna table, due to the possible undeclared catches, given the discrepancies between total reported catches and the SCRS estimates.

He also informed the Commission that the Secretariat had presented to the Committee a “Progress Report on the Regional Observer Program for Transshipment”, as attached in **Appendix 4 to ANNEX 10** [COC-305]. It was agreed that ICCAT could cooperate with the CCSBT in the implementation of its observer program in the areas which coincided with the ICCAT Convention area.

The Compliance Committee Chair also noted the approval of the Report of the 4th Meeting of the Working Group on Integrated Monitoring Measures, which was endorsed by the Commission (see **ANNEX 4.4**).

He then presented to the Commission the proposals that the Compliance Committee had referred to the plenary for adoption:

- Draft *Recommendation by ICCAT to Establish a Process for the Review and Reporting of Compliance Information* [COC-306C],
- Draft *Recommendation by ICCAT to Harmonize the Measurement of Length of the Vessels Authorized to Fish in the Area of the Convention* [COC-308],
- Draft *Recommendation by ICCAT to Hold a Compliance Committee Intersessional Meeting in 2009* [COC-310B], and a
- Draft Letter of concern to CPCs. [COC-323A]

The Commission adopted:

- The Compliance Tables, except the eastern bluefin tuna table, as attached as **Appendix 5 to ANNEX 10**, and a new deadline for the Compliance Tables, which in future should be submitted to the Secretariat by 31 July.

- The *Recommendation by ICCAT to Establish a Process for the Review and Reporting of Compliance Information* [COC-306C],
- The *Recommendation by ICCAT to Harmonize the Measurement of Length of the Vessels Authorized to Fish in the Area of the Convention* [COC-308],
- The *Recommendation by ICCAT to Hold a Compliance Committee Intersessional Meeting in 2009* [COC-310B], for which some Contracting Parties agreed to provide assistance to developing coastal States,

The three above recommendations are attached as **ANNEX 5 [Rec. 08-09]**, **ANNEX 5 [Rec. 08-10]** and **ANNEX 5 [Rec. 08-13]**, respectively.

There was no agreement to adopt the draft letter of concern to be sent by the Chair of the Compliance Committee to CPCs not having fully or effectively complied with ICCAT obligations. The Commission decided to defer this issue to the 21st Regular meeting of the Commission. In relation to the draft table on “Actions to be Taken Against CPCs in 2008” [COC-325] submitted by the Chair of the Compliance Committee, the Commission requested the Chair to correct and update his proposal with the view to discussing it at the forthcoming Regular meeting of the Commission.

It was agreed that the Report of the Compliance Committee would be adopted by correspondence. The Report is attached as **ANNEX 10**.

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

The PWG Chair, Ms. S. Lapointe (Canada), reported to the Commission the measures agreed by the PWG, including the actions taken in relation to non-Contracting Parties, Entities and Fishing Entities in 2008 [PWG-404A] (attached as **Appendix 3 to ANNEX 11**) and the letters to be sent from the ICCAT Chairman [PWG-406] to the following non-Contracting Parties:

- To Bolivia and Georgia maintaining trade sanctions in 2009,
- To Cambodia maintaining identification in 2009,
- To Sierra Leone maintaining identification in 2009 and requesting further information on the International Ship Register of Sierra Leone, and
- To Togo lifting the identification.

These letters are attached as **Appendix 4 to ANNEX 11**.

The PWG also agreed to renew the Cooperating Status of Chinese Taipei, Guyana and the Netherlands Antilles. It was agreed that the Executive Secretary would inform these Parties, Entities, or Fishing Entities of the Commission’s decision.

The PWG further agreed on the “2008 List of Vessels Presumed to Have Carried Out Illegal, Unreported, and Unregulated (IUU) Fishing Activities in the ICCAT Convention Area” containing only the ICCAT IUU vessels due to the lack of background information on the IUU vessels of the IATTC and IOTC. It was agreed that the Executive Secretary would discuss the possibility of developing mechanisms for sharing such information in the future, and that information from ICCAT could be made available to other tuna RFMOs on request. The adopted ICCAT IUU list [PWG 405A] is attached as **Appendix 2 to ANNEX 11**.

The PWG also agreed on a proposal of *Recommendation by ICCAT Amending Ten Recommendations and Three Resolutions* [PWG-407], and for a *Recommendation by ICCAT Amending Recommendation 07-10 on an ICCAT Bluefin Tuna Catch Documentation Program* [PWG-409B] and on a proposal.

These Recommendations were adopted by the Commission and are attached as **ANNEX 5 [Rec. 08-11]** and **ANNEX 5 [Rec. 08-12]**, respectively.

It was agreed that the Report of the PWG would be adopted by correspondence. The Report is attached as **ANNEX 11**.

12. Assistance to developing coastal States and capacity building

The Commission took note of the ICCAT Secretariat report summarizing the assistance provided in 2008 to developing coastal States [PLE-109A]. The delegates of some countries, such as Ghana and Uruguay that received financial assistance allowing for a workshop, training of scientific experts and improvement of statistics expressed their appreciation to the donors. Developing States that are parties to the UNFSA were invited to request assistance to the United Nations (UNFSA Fund for Capacity Building Part VII) since this Fund was not fully used.

13. Inter-sessional meetings in 2009

The Commission agreed that the Working Group on Sport and Recreational Fisheries would meet on 13 November 2009 in Recife (Brazil).

The Commission decided that the Compliance intersessional would meet during the first quarter of 2009 at the invitation of the European Community (dates and place to be communicated by the European Community).

The Commission agreed on the need to hold a meeting of the Working Group on the Future of ICCAT; however, the host, the venue and timing remained to be determined.

As a follow-up to the first Joint Meeting of Tuna RFMOs, and to the meeting of the Chairs and the Executive Secretaries of the five tuna RFMOs in San Francisco in February 2008, the Chair announced that a second Joint Meeting of Tuna RFMOs would be held in 2009 in the European Community (probably in May and in Spain).

14. Consideration of necessary actions for the harmonization of tuna RFMO vessel lists

The Executive Secretary presented the Secretariat's report on the "Harmonization of a Unique Vessel Identifier" and requested instructions from the Commission to update the joint list of RFMOs and to move forward, together with the other tuna-RFMO Secretariats, to a format for a single list of vessels. Further to a discussion on the need for a definition of vessel fishing tuna to be agreed among the tuna-RFMOs, and acknowledging the work which was currently on-going at FAO, the Commission decided to refer the harmonization of vessel lists to the forthcoming joint tuna-RFMOs meeting due to be held in 2009.

15. Other matters

The Commission discussed the IUCN initiative to establish and manage standards for environmental sustainability. It was agreed that the Commission Chair, the SCRS Chair and Mr. M. Miyahara (Japan) would participate as observers in the IUCN meeting, on behalf of ICCAT.

Following a proposal by the delegate of Belize, the Commission agreed that at future meetings, Cooperating non-Contracting Parties, Entities or Fishing Entities could be granted the floor in turn, and would not necessarily have to wait until all Contracting Parties had intervened.

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

The delegate of Brazil offered to host the 21st Regular Meeting of ICCAT in Recife. The Commission thanked Brazil for its offer and agreed to hold the meeting from November 16 to 22, 2009. The Commission also agreed that the Compliance Committee would meet beforehand on November 14 and 15, 2009.

17. Adoption of the report and adjournment

The Chair thanked the Government of Morocco for hosting the meeting and the European Community for the invitation and financing. The Executive Secretary thanked all delegates, the Government of Morocco, the interpreters and the Secretariat staff for their work.

The Commission agreed that the report of the plenary sessions would be adopted by correspondence.

The 2008 Commission meeting was adjourned on November 24, 2008.

AGENDA

1. Opening of the meeting
2. Adoption of Agenda and meeting arrangements
3. Introduction of Contracting Party Delegations
4. Introduction of Observers
5. ICCAT Performance Review
6. Summary Report of the Standing Committee on Research and Statistics (SCRS)
7. Consideration of the Report of the Working Group on Capacity and any necessary actions
8. Report of the Standing Committee on Finance and Administration (STACFAD)
9. Reports of Panels 1 to 4 and consideration of any proposed recommendations therein
 - Review of Panel structure
10. Report of the Conservation and Management Measures Compliance Committee (COC) and consideration of any proposed recommendations therein
11. Report of the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG) and consideration of any proposed recommendations therein
12. Assistance to developing coastal states and capacity building
13. Inter-sessional meetings in 2009
 - Working Group on Sport and Recreational Fishing
 - Working Group on the Future of ICCAT
 - Joint tuna RFMO meeting
14. Consideration of necessary actions for the harmonization of tuna RFMO vessel lists
15. Other matters
16. Date and place of the next meeting of the Commission
17. Adoption of the report and adjournment

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OPENING ADDRESSES & STATEMENTS TO THE PLENARY SESSIONS**3.1 OPENING ADDRESSES**

By Dr. Fabio Hazin, Commission Chairman [PLE-118]

First of all, I would like to express my sincere thanks, through the Minister of Agriculture and Marine Fisheries, to the Royal Kingdom of Morocco for accepting to host the 16th Special Meeting of the Commission in this beautiful city of Marrakech, even though our request came late in the day. I would also like to thank the European Community for covering a large part of the cost which organizing this meeting involves.

The context in which our meeting is being held this year is exceptional in that it is a year in which a Performance Review of ICCAT has been carried out after 40 years of our organization being in existence. This Review confirms some of the successes of our organization, but also notes some shortcomings and areas which need to be improved. It is our task here to prioritize the areas which should be the primary focus of the first Working Group on the Future of ICCAT scheduled to meet in 2009.

The improvement in these areas of debility is an urgent matter for this organization, and I hope that the period of adversity through which the world economy is passing will not deter Contracting Parties from making available the resources needed to guarantee the continued protection of our tuna resources.

Following the discussions I have had with many of the delegations here present, I would like this meeting to focus mainly on compliance matters and on the urgent and inescapable subject of the status of bluefin tuna stocks. The credibility of our organization will be measured in large part by our actions in this regard and, as I stated in the letter I sent to all CPCs a couple of weeks ago, there will be no future for this Commission if we do not fully respect scientific advice. In the words of the Performance Review report, the effectiveness and credibility of ICCAT will depend largely on how much the Commission can succeed in improving the present situation. So, I do hope we will choose wisely and show the international community we do have the political will and the commitment to make the right decisions, in conformity with science, to assure the sustainability of such an iconic fish stock.

I am confident that all the delegations here present will make every effort to work with me on these important issues and to ensure the continued success of this Commission in conserving the valuable fishery resources under our mandate.

With the reiteration of my thanks to our hosts for their hospitality, I now have the honor of introducing the Minister of Agriculture and Marine Fisheries of the Royal Kingdom of Morocco, who will officially open this 16th Special Meeting of ICCAT. Thank you.

The Hon. A. Akhenouch, Minister of Agriculture, Rural Development & Fisheries of Morocco

First of all I would like to welcome our distinguished guests to the city of Marrakech, a city that today is proud to host, for a second time, a special meeting of the International Commission for the Conservation of Atlantic Tunas (ICCAT).

I would like to thank ICCAT for this choice which also reflects the important role that we assign to this Commission and its activities. As you know, the meeting that we are inaugurating today will constitute an important turning point for the future of ICCAT in achieving its objective of conservation of the tuna species and that sustainable management of tuna-like species.

This concern to protect the tuna resources is shared by Morocco, which has focused its actions within the scope of a new ethic fisheries management, advocating responsible and sustainable exploitation of maritime biological heritage.

We are determined active partners of such an approach, defending the rationalization of fishing and a better use of catches made at sea.

The number of States that have joined ICCAT currently amounts to 46 Contracting Parties, which reflects a growing adherence to the objectives that have been assigned to this organization and an awareness of the need to unite efforts towards concrete management of the tuna resources in the region.

Today, ICCAT is called upon to face new challenges concerning the state of over-fishing which affects some tuna species in the Atlantic and Mediterranean, and which are currently in serious condition.

Such a situation is of concern to all of us and compels us to implement new measures to manage the fisheries, which can preserve the fundamental harmony of the marine ecosystems and guarantee greater rationality in their management.

During this meeting, new regulatory mechanisms and new management measures will be adopted. To this effect, we are all responsible for taking action in a joint manner, regardless of the aspirations of each one, with a common sensitivity for this sustainable and responsible management of the resource.

Only by this commitment will the Commission conserve and strengthen the legitimacy and attention it enjoys at the international level.

Morocco stands as a supportive partner of all the initiatives aimed at guaranteeing a harmonious development of the tuna fisheries.

Our country that subscribes to these new dynamics is already engaged in a process of reform, at the institutional, judicial and technical level as well as an organizational level, to align with the new ethics fisheries governance, based on sustainable development and responsible fishing.

This mechanism is based mainly on:

- The strengthening of at-sea surveillance means, through the implementation of a monitoring and control system by satellite.
- The development of fishing plans integrating a management approach by quotas,
- The control of catch documents, and
- The establishment of a team of scientific observers and a national identification form of the fishery methods, which are mainly comprised of passive gears and artisanal boats.

The success of our new common task depends on the willingness of all of us to be more firm as regards matters of compliance of the conservation measures on these migratory species, to fight against all forms of illegal, unreported and unregulated fishing, and to adjust to according precision, which is the basis of any mechanism of organization of the fisheries of these tuna and tuna-like resources.

I am certain that this special meeting of ICCAT will give rise to fruitful discussions on the matters that bring us together today with the objective of protecting the Atlantic tuna fisheries from uncertainties.

Before ending, I would like to once again welcome the honorable delegates and the ICCAT Chairman who will know how to lead the work of this meeting with all their good sense and ability.

I would also like to express my most sincere gratitude to all of those who have made this important encounter possible, especially the ICCAT Executive Secretary and the local authorities of the city of Marrakech. In thanking you for your attention, I wish you a pleasant stay in Morocco and Marrakech and every success in our work.

3.2 OPENING STATEMENTS BY CONTRACTING PARTIES

Belize [PLE-125]

As you will have observed from Belize's Annual Report (2008), Belize continues to make progress in attaining the objective of becoming a Contracting Party of all RFMOs in whose Convention areas it has an operational presence. Currently, Belize is a Contracting Party to ICCAT and the IOTC, a Cooperating non-Contracting Party of IATTC and will become a Contracting Party thereof when the "Antigua Convention" to which it has acceded on June 12, 2007 comes into force, which is expected in 2010. Belize is a Cooperating non-Contracting Party of NEAFC and a Cooperating non-Member of WCPFC. Belize is also engaged in the negotiations for the formation of SPRFMO.

Amongst the important topics faced by Belize at this meeting are those of management measures and compliance which are fundamental to the purpose and function of an RFMO. Belize would also like to have some progress in the resolution of the issue of the Definition of Length for fishing vessels which was raised in our report dated April 11, 2007 which was distributed to the Chairmen and Executive Directors/Executive Secretaries of all RFMOs, as well as the FAO. Belize perceives that there is a pressing need to harmonize the definition of length so as to ensure consistency and transparency so as to avoid abuse in relation to VMS and Transshipment Recommendations.

As you are aware, Belize is already a member of panels 1, 2, 3 and 4. So far, it has licensed 13 longliners to fish a part of its allowances/quotas. As a small developing coastal State in the ICCAT Convention Area, Belize wishes to develop a meaningful participation in this important industry and, in so doing, you may rest assured that it is totally committed to ensuring the effectiveness of ICCAT's conservation and management measures. Belize wishes you all a successful and enjoyable meeting in Marrakech.

Brazil [PLE-120]

It is a great pleasure for the Brazilian delegation to be back, once again, in Marrakech, eight years after the first time ICCAT had the privilege of meeting in such a beautiful and welcoming city. Brazil would like to thank the Government and the people of Morocco for such an opportunity to visit such an ancient city once again, with the hope that its mystical atmosphere will inspire the Commission in these difficult times. As usual, Brazil would also like to praise the Secretariat for its hard work and efficient organization of such an important event, which will again be crucial for its success.

As usual, this year, the Commission is once more facing great challenges that will demand firm action, in order to assure the fulfillment of its obligations. For the first time in its history, however, we have the honor of having one of our citizens chairing this meeting. In congratulating you, Mr. Chairman, for your election for such an important position, which makes all of us proud, we would like also to assure you that we are fully aware of the great responsibility that comes along with our pride. We fully agree with the priorities you have chosen for this meeting, mainly the compliance issues and the bluefin tuna, noting that, not coincidentally, these were also the two main problems detected by the performance review panel. We fully agree with the views expressed in their report, including the need to suspend fishing on bluefin tuna in the eastern Atlantic and Mediterranean until the CPCs fully comply with ICCAT recommendations in relation to this species. Considering the critical situation this stock has reached we believe that a temporary moratorium would indeed be the best way to assure its sustainability in the short term. We are, nevertheless, open and willing to discuss with other delegations management alternatives that could ensure sustainability without resorting to such a drastic measure. What, however, Mr. Chairman, we will not be able to accept is the adoption of any measure in disrespect or in contradiction with the scientific advice. In this regard, Mr. Chairman, we do agree with your statement in a letter recently circulated to all CPCs that this Commission will not have a future unless it fully and duly abides by the science.

In relation to compliance, we wholeheartedly welcome the changes you are proposing in the way the Compliance Committee has been working, with the understanding that a better compliance by CPCs is crucial for ICCAT to improve its performance. In the words of the performance review panel, in regard to compliance, rather than ICCAT failing in its mandate it is ICCAT that has been failed by its members, for ICCAT has indeed, with a few exceptions, adopted in its basic texts and recommendations generally sound approaches to fisheries management. However this has been undermined by systemic failures by CPCs to implement such rules and recommendations. Time has come to change that. We understand this is not going to be easy, Mr. Chairman. As any significant change, it will be troublesome and time consuming but you can be assured that our delegation will do the best it can to help you and the Compliance Chairman in this process.

Finally, and running the risk of becoming tediously repetitive, we feel obliged to once again raise the issue of the progressive deterioration of the data submitted by the Contracting Parties. In our view, the obligation to supply accurate data in a timely manner should be the highest priority under ICCAT provisions. Without accurate data, sound scientific advice becomes impossible, and so becomes consequently the proper management of the exploited stocks. Quite unfortunately, however, this seems to be an endless problem in this Commission. We can only hope that the new approach to be undertaken by the Compliance Committee may also help to rectify this situation.

Brazil is ready to work with you and all the delegations to make this meeting a successful one and hopefully one of the most important in the history of the Commission, the one which, although difficult, the right decisions were wisely taken. Thank you, Mr. Chairman.

Canada [PLE-135]

Canada is pleased to be here in the beautiful and exotic city of Marrakech for the 16th Special Meeting of ICCAT. This is a significant and pivotal meeting for the Organization. The eyes of the world are on ICCAT. The role of ICCAT in the future management of tuna and tuna-like species in the Atlantic, particularly bluefin tuna, will be predicated on the decisions that are taken this week.

Sustainable fisheries for tuna and tuna-like species in the Atlantic are attainable. Our Organization has demonstrated successes when Parties choose to adhere to the scientific advice, to implement effective management measures and to enforce and comply with those measures. North Atlantic swordfish is evidence of this.

Canada implements strict controls beyond those required by ICCAT management measures, and we believe that these can be used as a roadmap for ICCAT to move forward with the goal of sustainability. We are proud of our ability to effectively manage these fisheries not only for the present, but for generations to come.

Public interest and media scrutiny continue to grow, particularly with respect to the status and management of the Eastern Atlantic and Mediterranean bluefin tuna stock. This intense focus places ICCAT in a position where we must demonstrate to all in a convincing fashion that we are committed to sustainability through effective management decisions.

But we cannot simply rest at the adoption of management measures. The recently completed Performance Review stated the concern that Parties are failing ICCAT, by not taking their obligations seriously and therefore weakening the efforts taken to manage ICCAT stocks sustainably. This situation must change and ICCAT Parties need to show the willingness to implement and enforce ICCAT measures. Reports of non-compliance are regularly circulated and these need to be taken into account when reviewing, and revising, management measures. We cannot continue to punish transparency and reward non-compliance.

Last year, when ICCAT took the decisive step towards strengthening this Organization by agreeing to a Performance Review, we led the way for other tuna RFMOs to follow. The final report of the Review Panel provides a substantial number of recommendations and conclusions, many of which can be taken and implemented immediately by the Commission. We must all show the strength and conviction to use these recommendations immediately to move forward and to allow the Organization to continue leading into the future.

This week, the stakes for the Organization are substantial. We are looking forward to constructive and productive discussions. We remain hopeful that our collective decisions will reflect well on the Organization and clearly reinforce ICCAT's continued management role for these important stocks.

Let us be absolutely clear - ICCAT has a choice - we can change overnight. We have the tools that have been agreed to which, if implemented, can reverse stock decline. The choice is ours to make. The consequences will be ours to live with.

Egypt [PLE-126]

As the Head of the Egyptian Delegation, it gives me pleasure to address this Special Meeting of the Commission.

In this capacity, firstly, I would like to thank the Commission for accepting and welcoming my country Egypt as an active member of ICCAT as of November 2007, and on behalf of Egypt, I would like to express Egypt's sincere appreciation to the Government of Morocco for hosting this Special Meeting of the Commission, and for the warm hospitality extended to all of us.

At the 20th Regular Meeting of ICCAT, which took place in Antalya, Turkey, November 9-18, 2007, the Head of the Egyptian Delegation briefed the distinguished members of the Commission's Panel 2 on Egypt's national research program and its work towards assessing the size and nature of its stock of bluefin tuna in the Mediterranean waters off the Egyptian coast. Egypt further pointed out that this program is fully supported by

the Government of Egypt, and is due to start in 2008. At this same meeting of Panel 2, our delegation indicated that further data and information, together with the preliminary results of our experimental fishing of bluefin tuna in the Egyptian Mediterranean waters, would be presented at the next meeting of the Commission, i.e., to this meeting supporting of our request for a quota allocation.

Since then, Egypt, as a new active member, and through our General Authority for Fish Resources Development, has been in contact with your Secretariat concerning the arrangements for officially requesting a bluefin tuna quota allocation for Egypt.

To this effect, the Commission's Standing Committee on Research and Statistics (SCRS) at its last meeting in Madrid was duly informed of the results of our experimental fishing, with the hope that our request for quota allocation will be considered by the SCRS and consequently approved by the Commission.

Egypt, as a developing country, is seeking the development of its fisheries resources, and while honoring its financial obligations towards the Commission, is keen and has a strong interest in obtaining this approval at the earliest possible date.

At this important moment of the history of the Egyptian fisheries, I would like to take the opportunity to reconfirm my Government's intention to keep up to the expectations of ICCAT as far as compliance with ICCAT rules and regulations is concerned, and to bear our responsibilities with regard to bluefin tuna stock management in our area of the Mediterranean.

In this context, we fully support the work of the Compliance Committee (COC) and are committed to strengthening international cooperation for protecting the stocks of the highly migratory species and for preserving the ecosystem, and shall do our best to provide the relevant statistical data and information in a timely manner.

On another, yet related, front Egypt is also taking serious steps towards acquiring an effective Vessel Monitoring System (VMS) since we have the technical capability to operate it, and even for training others on its operation. To this effect, negotiations are progressing well with both GFCM and the European Union for obtaining their technical and financial support towards establishing such a system in Egypt. This will eventually help in the effectively monitoring of all tuna fishing vessels operating within our waters of the Mediterranean, and ultimately report in a timely manner on any IUU activities that may be observed in this area.

Before concluding, I would like to thank the Commission Chairman and Secretariat for all the work done in preparing for organizing this meeting, and to wish them in continuing playing a significant role in securing sustainable and more responsible fisheries management in the Mediterranean and all the areas covered by the Convention. Finally, we wish a successful and productive meeting. Thank you.

European Community [PLE-119]

A lot is at stake at this annual meeting of ICCAT. It is at a crucial moment in its history. The international community and civil society at large are watching us very closely and rightly so. The European Community is willing to focus on the following priorities.

First and foremost, the situation of the bluefin tuna stock is critical, and the Scientific Committee has sent us a strong warning: the recovery plan adopted in 2006 is a step in the right direction, but the status quo is not an option. Urgent action is needed to ensure the sustainability of this emblematic stock. We need to take full advantage of the review foreseen by the plan for this year and strengthen decisively existing measures. The European Community will spare no efforts to reach an ambitious result and expects other CPCs involved in the bluefin tuna chain to share the efforts, with the support of the whole ICCAT membership.

Secondly, ICCAT needs to address compliance shortcomings in a robust and thorough manner. The European Community is of the view that improved compliance is not about adopting new measures on compliance itself. It is about ensuring effective implementation of all existing instruments by all CPCs. It is also about limiting the adoption of new measures to what is strictly needed, so that all can cope with their obligations. Time is needed for an in-depth review of the compliance record of CPCs. The draft Agenda and methods foreseen for this annual meeting definitely go in the right direction, but more time will be necessary to complete the process. Therefore, the European Community considers that intersessional meetings of the Compliance Committee should be held in

2009 to review compliance across the whole range of ICCAT's mandate: 2009 must be the "Year of Compliance" for ICCAT.

Finally, while sharing the emphasis on bluefin tuna and compliance, the European Community is of the opinion that ICCAT should not forget that other species are also in need of urgent measures. In particular, in light of the scientific advice, Mediterranean swordfish and certain shark species must receive appropriate consideration.

Japan [PLE-122]

It is a great pleasure for us to be in Marrakech, one of the world heritage sites for this year's ICCAT annual meeting. We wholeheartedly thank the Government of Morocco for hosting this important meeting.

There is no question that this year's meeting will be one of the most critical meetings ever because of bluefin tuna issues. In 2006 ICCAT adopted the Multi-annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean after a series of very difficult negotiation. However, the implementation has been very poor. As a result, the SCRS now recommends that it will be impossible to achieve the objective set in the Recovery Plan and that the Total Allowable Catch be reduced to 15,000 t or less, that the closed season be extended in the spawning season, that better compliance be ensured, and that over-capacity be cut significantly. It further warns that the stock may collapse in the near future without these measures.

The world is watching how ICCAT is going to respond to this crisis. ICCAT must show political will and enough capacity to manage bluefin tuna stocks. If ICCAT fails to introduce bold measures based on scientific advice at this meeting, it is 100% sure that a proposal to list this species on a CITES appendix will be made at the next Conference of Parties of CITES in Qatar in early 2010. If the species is listed on a CITES appendix, the trade as well as introduction from the sea will be strictly regulated by another organization and be prohibited ultimately. Then a devastating impact would be given to all the industries and people involved in catching, farming, processing and trading of bluefin tuna. The effects of CITES listing may not be limited to bluefin tuna because it is likely that other tuna species will also be listed because of difficulty in identifying different tuna species at customs. CPCs should give serious consideration to this point.

It should be reminded that CITES listing proposals are to be submitted 180 days prior to the Conference of Parties. Therefore, the deadline for submission is August 19 next year. This means that this year's ICCAT meeting is the last chance to demonstrate its political will and capability to properly conserve and manage bluefin tuna stocks.

We frequently hear that Japan has a great responsibility for sustainable use of bluefin tuna resources as a CPC importing the largest amount of bluefin tuna. Japan agrees that not only fishing, farming or exporting states but also importing states have responsibilities. We will stop all the gray bluefin products at the entrance to the Japanese market. Acceptable products are only those for which the process of fishing, transferring, farming, harvesting and transshipping is properly validated with data and information verified by the relevant CPCs. The Government of Japan already confirmed Japanese buyers' willingness to cooperate in this direction.

In closing, the issue in front of us is very clear. We are being asked if ICCAT or ICCAT members, I should say, can take necessary actions right now to utilize bluefin tuna resources on a sustainable manner. If each CPC sticks to its short-term economic gains, it will face a much greater loss in just two years. Japan is committed to cooperating with other CPCs to avoid such a plight.

United States of America [PLE-124]

Let me begin by noting that the United States is very pleased to be back in this lovely and historic city. We would like to thank the Government of Morocco for agreeing to host this important meeting and the European Community for providing financial assistance. We also want to offer our particular appreciation to the Executive Secretary and his staff for their excellent meeting preparations.

Many of you will recall the 2000 ICCAT meeting held here in Marrakech. The Commission faced serious issues back then. And while we have seen progress in some areas since we were last here, the issues the Commission faces are even more serious now. ICCAT is at a crossroads.

Last year, this Commission courageously agreed to ask an independent panel of experts to evaluate how we do business and tell us how we can improve. We are now in possession of the fruits of that labor and, in places, it is

not a positive story. A priority message from the review panel is that ICCAT members have done a poor job in implementing and complying with many agreed decisions, especially when it comes to the conservation and management of eastern Atlantic and Mediterranean bluefin tuna.

The Panel also found that the management of eastern Atlantic and Mediterranean bluefin tuna fisheries was unacceptable and not consistent with the objectives of the Convention. This, together with ongoing fishery monitoring and control problems, led the experts panel to call on ICCAT to suspend the eastern Atlantic and Mediterranean bluefin tuna fishery until ICCAT members fully comply with the rules.

Our fellow Commission members will recall that this is exactly what the United States sought in 2007 given rampant and longstanding non-compliance in the fishery. The United States maintains that the inability of countries to effectively monitor and control their fleets and comply with multilaterally agreed management decisions should result in the loss of fishing opportunities.

There are many important recommendations stemming from the work of the experts panel, but ICCAT cannot address them all at this meeting. We believe the appropriate forum to assess the report fully and recommend a plan for future work is the Future of ICCAT Working Group. What the Commission can and, in fact, must do this week, however, is address the pressing issues of eastern Atlantic and Mediterranean bluefin tuna conservation and compliance.

The United States looks forward to working with our ICCAT partners to address these critical issues over the next eight days. In our view, there is nothing more central to the work of the Commission this year. And do not doubt that if we are not successful in finding real solutions, the organization, the bluefin tuna resource, and our fishermen and fishing communities will soon face even greater challenges. The United States sincerely hopes that the parties around the table have the political will to ensure this does not happen. Thank you.

Uruguay [PLE-131]

The delegation of the Oriental Republic of Uruguay would like to thank the Government and Moroccan people for hosting this 16th Special Meeting of the International Commission for the Conservation of Atlantic Tunas (ICCAT) meeting in the historic city of Marrakech. Likewise, we would like to express our recognition to the Commission Chairman and the Secretariat for all the work carried out for the organization of this meeting and to the European Community for providing financial assistance.

We have started a period of changes, with a renewal of Commission Officers, as well as an independent review of the Commission's performance. We celebrate the start of a period of changes that we hope will result in greater participation of developing countries in the functioning of the Commission.

With great concern, our delegation observes how this year the same problems are repeated concerning compliance and the quality of information transmitted to the Commission, in particular, on the resources whose status is frankly worrying. An example of this is the rebuilding plan established for eastern and Mediterranean bluefin tuna which could not be accomplished in its first year of management and that to date has failed again.

Matters regarding the effective functioning of this Commission which are raised last year emerge again today with greater emphasis together with the need to reinforce the mechanisms for which greater responsibilities are required from Contracting Parties as regards to the main mandate of the Convention, "the conservation of the species".

Within this framework, it is necessary to immediately strengthen the activities of the SCRS, providing the necessary and mandatory information that allow this Committee to effectively advise the Commission in order to take the most adequate political decisions. Our delegation understands that the Commission must comply in a stricter manner with the recommendations of the SCRS generating better possibilities in Contracting Parties for research, data collection, control and participation. Uruguay has urged that efforts for the management and administration of the resources be recognized and valued, especially in the case of developing coastal States.

We would like to reiterate the concepts already put forward, asking that the path continue towards generating for instruments of dialogue which will result in consensual and equitable agreements that include a fairer participation of all the Parties.

Our delegation is ready to work alongside all the Parties to reach a consensus to attain these objectives. Uruguay would like to greet all the Parties and wish them a productive meeting in 2008.

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

Chinese Taipei [PLE-130]

We appreciate the work and contributions of Mr. Glen Hurry and his group in reviewing the performance of ICCAT and producing this report. It is an excellent report and we totally agree with the recommendations in the report. We also share some of the views and comments given by the delegations who have spoken before me.

The Report of the Review Panel has made a list of recommendations, suggestions, observations and concerns of 70 items in total number. The Review Panel noticed that the ICCAT Convention predated the 1982 United Nations Convention on the Law of the Sea and the UN Fish Stocks Agreement and other modern instruments relating to the conservation of fish stocks and management of their fisheries. Thus, the Review Panel found “no provision in the Basic Texts and some but not adequate conservation and management measures regarding nine issues: ecosystem approach, precautionary approach, fishing allocations and opportunities, flag State duties, port State duties, cooperative mechanism to detect and deter non-compliance, market-related measures, cooperating non-members and fishing entities, and relationship to non-cooperating non-members.”

As a major fishing player in the ICCAT region, Chinese Taipei shares the observations, concerns, suggestions and recommendations that the Review Panel submits to the ICCAT for its consideration and deliberation. As a long-time non-member of the ICCAT, Chinese Taipei finds that, with its current organizational status as an observer, it cannot positively and actively engage with other Contracting Parties to the ICCAT Convention in a timely and effective manner. While the broad issues that have been identified by the Review Panel need to be addressed by all the ICCAT members, ICCAT is going to have the difficulty of incorporating Chinese Taipei in its deliberation and decision-making as a result of ICCAT’s outdated Basic Texts.

In response to the recommendations made by the Review Panel and with a view to modernizing the existing ICCAT Convention, Chinese Taipei considers that it is time for the ICCAT to amend its Basic Texts so as to bring the ICCAT Convention in line with the latest development of international instruments and best practices of major tuna RFMOs and to improve the effectiveness of the ICCAT as an RFMO. In this conviction, Chinese Taipei suggests that the members of ICCAT take the following measures in their consideration and deliberation on the Report of the Review Panel:

- 1) For the purpose of modernizing the ICCAT Convention, adopting a resolution or recommendation to establish a working group to review the Convention based on the findings of the Review Panel with a view to formulating possible amendments to the Convention and enable the active and equal participation of Chinese Taipei in the work of such working group; and/or;
- 2) Adopting a resolution to allow the active and equal participation of Chinese Taipei in the work of the ICCAT, including decision-making as an interim measure before the ICCAT Convention is amended and brought into line to the latest development of international instruments and the best practices of major tuna RFMOs.

3.4 OPENING STATEMENTS BY OBSERVERS FROM INTER-GOVERNMENTAL ORGANIZATIONS

Food and Agriculture Organization of the United Nations (FAO) [PLE-123]

FAO is very grateful for the invitation extended by the Secretariat of the International Commission for the Conservation of Atlantic Tunas (ICCAT) to observe its Sixteenth Special Meeting. FAO also wishes to express its gratitude for the warm hospitality provided by the Moroccan authorities. FAO has been keeping a close and effective working relationship with ICCAT and desires to continue such collaboration.

Regional Fisheries Management Organizations (RFMOs) play a unique role in facilitating international cooperation for the conservation and management of fish stocks. RFMOs represent the only realistic means of governing highly migratory fish stocks and those that occur either as straddling or shared stocks between zones of national jurisdiction or between these zones and the high seas, or exclusively on the high seas. Therefore, to strengthen RFMOs in order to conserve and manage fish stocks more effectively remains the major challenge facing international fisheries governance. The Twenty-seventh Session of the FAO Committee on Fisheries (COFI 27) held in March 2007 in Rome discussed this matter, as a stand-alone Agenda item for the first time in the history of COFI. Many Members requested that FAO continue supporting RFMOs and continue its work on issues of concern such as overcapacity, improvement of fleet statistics and the issues of countries and vessels

that undermine the effectiveness of RFMOs. Immediately after the session of COFI, the First Meeting of Regional Fishery Body Secretariats Network (RSN 1) was also held in Rome and reconfirmed the global perception that Regional Fishery Bodies (RFBs) have a significant role to play in implementing the Code of Conduct for Responsible Fisheries.

Many distinguished delegates will be aware that COFI, acknowledging the urgent need for a comprehensive suite of port State measures, agreed to proceed with the development of a legally-binding agreement on port State measures based on the 2001 FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated (IUU) Fishing and the 2005 FAO Model Scheme on Port State Measures to Combat IUU Fishing. A FAO Expert Consultation to Draft a Legally-binding Instrument on Port State Measures was held in Washington D.C., USA, from 4 to 8 September 2007 and elaborated a draft Agreement on Port State Measures to Prevent, Deter and Eliminate IUU Fishing. This document formed the basis of negotiations at a Technical Consultation on Port State Measures held in Rome from 23 to 27 June 2008. The process is ongoing. A resumed session of the Technical Consultation is scheduled to be held in Rome from 26 to 30 January 2009, where the outcome of an Informal Open-ended Technical Meeting to Review the Annexes of the Draft Legally-Binding Instrument on Port State Measures to Prevent, Deter and Eliminate IUU Fishing, 25-27 November 2008 will also be reviewed. The forthcoming Twenty-eighth Session of COFI (COFI 28) in March 2009 will be informed about progress with the development of the binding instrument.

I would also like to report that an Expert Consultation on the Development of a Comprehensive Global Record of Fishing Vessels was held in Rome from 25 to 28 February 2008. The Expert Consultation strongly endorsed the need for a Global Record of Fishing Vessels and that development should be progressed with urgency. As a result of the recommendations made by the Expert Consultation, a series of interim activities is underway to further consider a variety of technical issues and to promote and raise international and stakeholder awareness about the Record, and to refine its institutional development. The report of the Expert Consultation and the outcome of the interim activities will be presented to COFI 28.

Finally, I also wish to touch upon the High-Level Conference on World Food Security: the Challenges of Climate Change and Bio-energy held in Rome from 3 to 5 June 2008. While the main focus was soaring food prices and food security, it was also the first opportunity for FAO to address the issue on climate changes and fisheries substantially. FAO organized an Expert Workshop on Climate Change Implications for Fisheries and Aquaculture from 7 to 9 April 2008 and presented a technical background document for the Conference. This could be interpreted as “a scoping study” to identify the key issues on climate change as endorsed by COFI 27. It is expected that any potential follow-up action is to be discussed during COFI 28.

ICCAT is one of the world’s leading RFMOs, having a long history and much experience in the sustainable management of fisheries for Atlantic tunas. Therefore, it is highly expected that ICCAT will continue playing a significant role in regional action to secure sustainable and more responsible fisheries management. In this context, as Mr. Chairperson expressed, this meeting may very well be the most important one. FAO fully trusts that this Organization will prove and reconfirm its strong commitment toward further sustainable and responsible tuna fisheries. We are now in the mid of preparation for COFI 28 and the Second Meeting of the Regional Fishery Body Secretariats Network (RSN 2), both scheduled to be held in March 2009, and expect active participation of ICCAT in those meetings as it has done so far.

In conclusion, I would like to convey to the meeting greetings from FAO’s Assistant Director-General for Fisheries and Aquaculture, Mr. Ichiro Nomura. He wishes the meeting every success in its deliberations.

3.5 OPENING STATEMENTS BY OBSERVERS FROM NON-GOVERNMENTAL ORGANIZATIONS

International Angling Confederation (CIPS) [PLE-117]

The International Angling Confederation (CIPS) reviewed various ideas about the management of the bluefin tuna in Mediterranean Sea for the 2009 season.

We would like to inform the stakeholders of ICCAT that national federations or organisms affiliated with our confederation point out important quantities of juveniles (between 10 and 20 kg), in the northern Mediterranean Sea, sometimes near to the coasts (less than 5 miles), something that had not seen for a quite some time.

It seems thus that the measures taken by ICCAT concerning minimum size (30 kg or 115 cm) and the absence of certain fishing nets are beginning to become effective.

Out of concern for the protection and the good management of the resource, it is important to us that the 2009 season is completed by the following measures:

- a) Banning of all types of fishing during the spawning period in the reproduction areas (to define with the scientists);
- b) Complete respect of the minimum size of 30 kg (no bluefin tuna intended for the sale of the public, the shop or the catering, not must be lower than 30 kg or 115 cm);
- c) Obligation not to exceed the quotas allocated by ICCAT, at the risk of sanction going to banning of fishing for the offender;
- d) Intensification of the fight, on national and international level, against any kind of poaching;
- e) Maximum cooperation of countries buyers making a commitment to respect the obligations of the ICCAT.

For its part, the sport fishery is ready to respect the measures listed above, and it will continue to mark the bluefin tuna with tags or markers in order to help the scientists in their research. CIPS is also ready to provide to these and all the data concerned on the catches it makes.

It is recalled that several assessments show that it takes little, i.e., less than 1 to 2% of this species with regard to the catches allocated by ICCAT to the professionals.

Greenpeace [PLE-129]

In November 2006 in Croatia, one of the main tasks of the Contracting Parties attending the 15th Special Meeting of ICCAT was to adopt a management plan that would guarantee the recovery of one of the most valuable and at the same time threatened tuna populations worldwide: the Northern bluefin tuna.

Failing to raise to the level of their task, the Parties agreed on *Recommendation by ICCAT to Establish a Multi-Annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 06-05], a plan completely opposite to sound fisheries management and in absolute contradiction to the scientific advice of the SCRS, proving once again that decisions were more often driven by the short term interests of their fishing industries, trading companies and farming business, instead of their responsibility to safeguard the conservation of bluefin tuna.

During the past ten years the bluefin tuna industry, strongly supported by many Governments which are attending this meeting, invested millions of euros in building both fishing and farming capacity in the Mediterranean. The obvious consequence is that the Eastern Atlantic bluefin tuna population is currently at the worse state ever recorded.

In 2007 in Antalya, Greenpeace presented compelling evidence of non-compliance in the fishery proving that illegal fishing activities were the norm in the region rather than the exception. The SCRS estimate of a catch of 61,000 t of eastern bluefin tuna in the 2007 fishing season, supports Greenpeace's findings. Numerous cases of illegal activities have been documented and exposed again by Greenpeace and others during the 2008 fishing season. The level of disregard of the legal obligations of the Contracting Parties fishing fleets, is made evident in the preliminary report of the EC Fisheries Control Agency which states that in 2008 "*the level of apparent infringements detected in the tugs and the purse seiner fleet has been considerable*" and that "*it has not been a priority of most operators in the fishery to comply with the ICCAT legal requirements.*"

The huge overcapacities in this fishery lead to systematic violations of the rules and there is very little that improvements in control capacity in the region can do to counteract this. The outcomes of the ICCAT Inter-sessional Working Groups on Fishing Capacity are very discouraging, as no substantial progress seems to have been achieved. The report back from the last Working Group suggests that a freeze on capacity in the eastern Atlantic and Mediterranean bluefin tuna fishery is "*a necessary first step*" and recommends an agreement to limit the capacity at the 2007 and 2008 levels. Such a recommendation blatantly ignores the urgency of the situation. The proposals on the table to deal with the problem of overcapacity simply reinforce the calls for a complete closure of the fishery.

Meanwhile, Governments continue to fail to comply with their more basic responsibilities as signatories to an international convention. Last June 2008 ICCAT scientists were unable to complete their task to provide a new assessment of the bluefin tuna population because basic catch and size information had not been made available to the scientific committee. This resulted in a letter of complaint addressed to the ICCAT Chairman.

Two years under the current bluefin tuna '*non-recovery*' plan, the management of this fishery has not improved. Illegal fishing is still rampant and fishing capacity has increased. Calls of concern coming from outside the Commission are mounting. As a result of its very own failure, ICCAT is under rising scrutiny.

The Independent Panel that reviewed ICCAT's performance asked for the closure of the eastern bluefin tuna fishery; "*travesty in fisheries management*" and "*international disgrace*" are very clear messages that delegates attending this meeting cannot choose to ignore.

The 4th Session of the World Conservation Congress, held in Barcelona from 5 to 14 October 2008, adopted a Resolution on "*action for recovery of the East Atlantic and Mediterranean population of Atlantic Bluefin Tuna*". Following "*the dramatic ongoing overfishing*" of bluefin tuna, the Congress asked ICCAT to suspend the fishery - to be resumed only on a country by country basis and conditioned to meeting certain requirements - to establish a new recovery plan based on science, adopt a mandatory fleet reduction scheme and establish closed areas to protect the spawning grounds.

Delegates attending the ICCAT meeting in Marrakech are well aware that both the international community, other RFMOs as well as conventions whose mandate cover the protection of endangered living resources, such as CITES, are anticipating the outcomes of this meeting. This might well be the last chance for ICCAT Contracting Parties to prove they have the political will and determination to ensure a healthy stock and a sustainable bluefin tuna fishery in the future. If ICCAT fails once again to fulfill its mandate other institutions must take over.

Time and tuna are running out. The fishery is totally out of control. For yet two more years, fishing fleets have taken completely unsustainable bluefin tuna catches in 2007 and 2008, from a stock already on the verge of collapse. In light of this failure, and on the basis of the precautionary principle, Greenpeace calls on ICCAT Parties at their meeting in November 2008, to close the northern bluefin tuna fishery. It should not re-open until the species' spawning grounds are closed to fishing, fishing capacity has decreased to sustainable levels, and a new management plan in strict compliance with the scientific advice has been adopted and is being properly enforced.

International Game Fish Association (IGFA)

The International Game Fish Association (IGFA) is a non-profit organization that represents recreational anglers throughout the world. IGFA was established in 1939, has active members in 123 countries, is a governing body for international recreational fishing, and provides rules for ethical angling practices. Many of IGFA's members target highly migratory species managed by ICCAT.

IGFA has an International Committee of Representatives in nearly 100 countries that have been chosen for their integrity, fishing knowledge and concern for sportsmanship and conservation. These international representatives report to IGFA on issues affecting our interests and are a primary way that IGFA participates in the international recreational fishing community.

IGFA wishes to express its appreciation to ICCAT for arranging this 16th Special Meeting of the Commission and our gratitude to the city of Marrakech, Morocco, for hosting. We also wish to congratulate the new ICCAT Chairman, Dr. Fabio Hazin, on his appointment of Chairman. We hope that IGFA, as an observer, will be able to contribute to the management policies of the Commission so that our marine resources are managed in a sustainable manner for all users.

IGFA's primary interest in this meeting (as it has been in the past two meetings) is the conservation of bluefin tuna. Not only has this important fishery continued to decline over the past several years, but it has dominated the agenda of ICCAT, subsequently resulting in a lack of adequate attention being given to the other species under ICCAT's control. It is imperative that severe and meaningful actions are taken to stabilize the Atlantic bluefin tuna populations in a "last ditch" effort to prevent these stocks from totally collapsing. Additionally, it is equally important that the necessary attention be given to other species showing signs of distress, such as bigeye tuna and marlin. No longer can the Contracting Parties sit through data-supported presentations from the Standing Committee on Research and Statistics (SCRS) that provide clear science and direction, and completely ignore them.

IGFA read with great interest the conclusions of the Independent Panel that was assembled to evaluate the performance of ICCAT. The Panel provided much thoughtful advice that could help the Commission more effectively manage our resources. One of the more significant recommendations was "that all fishing for East Atlantic and Mediterranean bluefin tuna be immediately suspended until the Contracting Parties involved in those fisheries, their nationals and companies operating in their waters, agree to fully abide by the rules and recommendations of ICCAT and international fisheries law (...) and further recommends that ICCAT consider an immediate closure of all known bluefin tuna spawning grounds at least during spawning periods." Our organization strongly agrees with this recommendation. Furthermore, if meaningful changes are not taken our

organization would support the initiation of a petition to CITES in an effort to list Atlantic bluefin tuna as a Task I species, and a complete closure on directed and incidental fisheries for Atlantic bluefin tuna.

Other recommendations identified by the Panel that we wholeheartedly support and feel need to be addressed immediately are:

- 1) The Panel is concerned by the lack of data on billfishes and is concerned that ICCAT may still not be able to undertake reliable billfish stock assessments in 2010.
- 2) The Panel recommends that ICCAT CPCs take the issue of recreational and sport fishing seriously and be more inclusive towards the recreational and sport fishing sector in future deliberations of ICCAT regarding fisheries management.
- 3) The Panel strongly recommends that ICCAT, for all fisheries under its purview, immediately discontinue the practice of allowing the carry forward of uncaught allocations in all fisheries.
- 4) ICCAT should investigate and develop a strict penalty regime that either has the capacity to suspend member countries that systematically break ICCAT regulations or can apply significant financial penalties for breaches. These measures need to be severe in the sense that CPCs should clearly understand that they will suffer significant consequences if their actions are in breach of ICCAT rules.

The IGFA believes in fisheries management based on the best available science, and we urge the Commission to adopt and adhere to the recommendations set forth by the SCRS and give full consideration to the recommendations set forth by the Independent Panel.

Oceana [PLE-127]

Oceana appreciates the opportunity to participate as an observer in this year's ICCAT Commission meeting in Marrakech, Morocco.

Oceana is an international nongovernmental organization dedicated to conserving the world's oceans, actively working in Europe and around the globe for the protection of bluefin tuna, sharks and the total elimination of illegal driftnets.

Most large pelagic species like tuna, sharks and swordfish are overfished in the Atlantic Ocean and Mediterranean Sea, due to the extremely high prices their meat and/or fins can reach in markets around the world. East Atlantic bluefin tuna is on the verge of collapse. Scientists recommend a total catch of 15,000 t, but ICCAT contracting parties agreed to almost double this amount. According to calculations from the ICCAT Scientific Committee, total estimated catch in 2007 were 61,000 t, when the agreed TAC was only 29,500. This catch, half of which was illegal, was nearly four times that recommended by scientists.

- Oceana is calling for the total closure of the bluefin tuna fishery until the stock shows signs of recovery, a sustainable fishing management plan has been introduced and the overcapacity of the bluefin fleet is eliminated. Additionally, Oceana asks for the creation of marine reserves in spawning areas, such as the Balearic Islands.

Sharks are currently being caught in the Atlantic Ocean without any management measures. The majority of the species caught are threatened with extinction, according to the IUCN. Their depleted status is due to overfishing and "shark finning", a practice mainly carried out by Asian fleets in which the high-value fins are sliced off the body which is then dumped back to sea.

- Oceana is calling for the prohibition of targeted fisheries in the Atlantic for all pelagic shark species, except blue shark and shortfin mako. For these two species, which are those of most economic value to the fleets catching them, catch limits must be established if the fisheries are to continue. Regarding the practice of shark finning, the transshipment of fins and carcasses at sea, and their landing in separate harbors, must be prohibited. Instead, a "fins attached" policy must be established, in which fins must be left attached to the body in a natural way until landing.

Oceana urges ICCAT Contracting Parties to seize the opportunity to adopt these management measures to protect and recover the big pelagic fish of the Atlantic and the Mediterranean. We look forward to decisions this week that will turn the tide for the future of these stocks.

Ocean Conservancy and PEW [PLE-121]

Ocean Conservancy and Pew Charitable Trusts appreciate this opportunity to participate as observers to this year's annual meeting of the International Commission for the Conservation of Atlantic Tunas (ICCAT) in the beautiful and richly historic city of Marrakech, Morocco.

Our organizations were among the five founding members of the Shark Alliance, a coalition of conservation, scientific, recreational organizations dedicated to science-based shark conservation that has grown to nearly 60 members since April of 2006.

We are hopeful that ICCAT will this year become the first of the world's Regional Fishery Management Organizations to restrict catches of highly vulnerable species of sharks.

We support the scientific recommendations for shark conservation action offered by the Standing Committee on Research and Statistics (SCRS) and the expert panel convened by the Lenfest Ocean Program (full report at www.lenfestocean.org). Specifically, we urge ICCAT Parties to protect (through mandatory release and/or prohibition on retention) particularly vulnerable and/or depleted shark species taken in ICCAT fisheries. Of the suite of species recommended for protection by the Lenfest experts, we suggest priority be given to the following species, both of which have high rates of post release survival:

- Porbeagle (*Lamna nasus*) - likely the North Atlantic's most depleted oceanic shark species, classified by the IUCN (International Union for the Conservation of Nature) as *Threatened* with extinction on a global scale, *Endangered* in the Northwest Atlantic and *Critically Endangered* in the Northeast Atlantic.
- Bigeye thresher (*Alopias superciliosus*) - the species highlighted by the SCRS as the top candidate for protection based on exceptionally high inherent risk of overfishing, ease of identification, and low commercial value; all three species of thresher shark are categorized by IUCN as *Vulnerable*.

In addition, we encourage the adoption of concrete, international restrictions in order to implement the 2007 ICCAT Recommendation to reduce fishing mortality on North Atlantic shortfin mako sharks (*Isurus oxyrinchus*), also classified by IUCN as *Vulnerable*. Lenfest experts have specifically recommended that ICCAT prohibit take of smooth hammerheads (*Sphyrna zygaena*); because IUCN considers great hammerheads (*Sphyrna mokarran*) and scalloped hammerheads (*Sphyrna lewini*) to be *Globally Endangered*, we believe that all three of these hammerhead species warrant protection through ICCAT. Given the intense fishing pressure on blue sharks (*Prionace glauca*) in the face of uncertain status, we support a precautionary cap on catch of this species, to be revised safe fishing levels are determined.

Because most sharks grow particularly slowly, mature late, and produce a small number of young, they are generally more susceptible to overexploitation and long-standing depletion than other fish species taken in ICCAT fisheries. International catch restrictions on pelagic sharks are essential for preventing further depletion of these highly migratory and highly vulnerable species.

Based on these factors, we welcome decisive, landmark action by ICCAT to conserve Atlantic sharks, beginning this week with safeguards for porbeagles, threshers, hammerheads and shortfin makos.

We look forward to working with ICCAT Parties in the coming days and hope for progress toward improving the conservation status of Atlantic sharks.

World Wide Fund for Nature (WWF) [PLE-128]

Bluefin tuna in the Mediterranean has become a symbol of society's failure to manage global fisheries.

In April 2008 WWF released a report quantifying for the first time the fishing overcapacity of industrial fleets targeting the stock in the Mediterranean¹. The study showed that to fit sustainable catch levels the specialized Mediterranean purse seine fleet targeting bluefin tuna (BFT) should be reduced by a minimum of 283 units (meaning an elimination of 83% of the active fleet). Additionally, the report uncovered that despite this staggering overcapacity, the fleet is growing fast, with new units joining the fishery every year and others still under current construction in Mediterranean shipyards.

The EU's early closure of the purse seine fishery in 2008, as a last resort to avoid a massive overshoot of quotas, was a clear indication of the lack of control exerted by managers over this fishery, plagued as it is with overcapacity, illegal fishing and widespread violation of rules.

¹ *Race for the Last Bluefin*. WWF, March 2008. www.panda.org/tuna.

Not surprisingly, the assessment of the East Atlantic and Mediterranean bluefin tuna stock carried out by the Scientific Committee of the International Committee for the Conservation of Atlantic Tunas (ICCAT) in June 2008 confirms the risk of collapse now facing the stock, along with an alarming decrease in the spawning part of the population, now estimated to be below 40% the level it was some 30-40 years ago². Also, catches for 2007 are estimated by ICCAT's scientists to have been 61,000 t, more than twice the current total allowable catch (TAC) and some 4 times the estimated maximum sustainable catch level.

In this context, the report of ICCAT's independent performance review of September 2008, commissioned by ICCAT to a panel of three accredited international experts, describes the East Atlantic and Mediterranean bluefin tuna fishery as an "international disgrace" and States that current management measures by no means match scientific advice³. The expert panel recommends that ICCAT immediately suspend fishing, until conditions for sustainable fisheries management improve, as well as aligning management measures with scientific advice, including the closure of all known spawning grounds to fishing.

Further to this, governments and NGOs at the International Union for the Conservation of Nature (IUCN) World Conservation Congress in Barcelona, Spain, October 2008, voted overwhelmingly in favor of a resolution "Action for the Recovery of Eastern Atlantic Bluefin Tuna", calling on ICCAT to close the Mediterranean fishery, as well as advocating a scientifically based recovery plan and protected areas.

WWF therefore calls on ICCAT Contracting Parties attending the 16th Special Meeting of the Commission in Marrakech, Morocco (November 17-24, 2008) to:

- 1) Adopt a temporary suspension of fishing for bluefin tuna in the East Atlantic and Mediterranean. The fishing ban should last until conditions conducive to the meaningful enforcement of management rules are in place.
- 2) Adopt a new recovery plan strictly adhering to scientific advice from ICCAT's Scientific Committee. Therefore the plan must include a TAC within the range of 8,500 and 15,000 t per year, the establishment of bold seasonal closures, including all of May, June and July, and a radical and credible capacity reduction plan. These measures should be implemented as soon as the fishery is reopened after minimum prerequisites for management are met.
- 3) Create sanctuaries for bluefin tuna in the Balearic Sea and other key spawning grounds in Central and eastern Mediterranean.

Therefore, WWF calls for decisive action by ICCAT Contracting Parties in Marrakech, November 2008, to ensure the future of this iconic species and the survival of a millennial fishery.

ANNEX 4

REPORTS OF 2008 INTERSESSIONAL MEETINGS [ADOPTED, not included]

² Report of the 2008 Atlantic Bluefin Tuna Stock Assessment Session, ICCAT, July 2008. www.iccat.int

³ Report of the Independent Review ICCAT. G.D. Hurry, M. Hayashi & J.J. Maguire, September 2008. www.iccat.int

RECOMMENDATIONS ADOPTED BY ICCAT IN 2008

08-01

BET

RECOMMENDATION BY ICCAT TO AMEND THE *RECOMMENDATION BY ICCAT ON A MULTI-YEAR CONSERVATION AND MANAGEMENT PROGRAM FOR BIGEYE TUNA*

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

1. The terms of the 2004 *Recommendation by ICCAT on a Multi-Year Conservation and Management Program for Bigeye Tuna* [Rec. 04-01] are extended through 2009.
2. All underages or overages of the annual catch limit of bigeye tuna may be added/to or shall be deducted from the annual catch limit as follows:

<i>Year of catch</i>	<i>Adjustment Year</i>
2008	2009 and/or 2010
2009	2010 and/or 2011

3. The 2,000 t transfer of bigeye tuna catch limit from Japan to China, to be applied in 2009 be authorized.
4. The Commission requests the SCRS to evaluate before the Regular meeting of 2009:
 - the existing port sampling programmes aimed at collecting fishery data for bigeye, yellowfin, and skipjack tuna that are caught by purse seine and baitboat fisheries in the Gulf of Guinea,
 - the closure contained in the proposal from Ghana and Côte d'Ivoire (**Annex 1**), and any alternative closure, taking into account the need to reduce the catch of juvenile fish.

and make appropriate recommendations to improve the sampling programme and the closure so that they are implemented by 2010.

Reference Document Proposal by Ghana and Côte d'Ivoire

Draft Supplemental Recommendation by ICCAT to Amend the Multi-Year Conservation and Management Program for Bigeye Tuna

CONSIDERING the recent analysis by the Standing Committee on Research and Statistics (SCRS) which concluded that changes to the Gulf of Guinea time and area closure adopted in the 2004 *Recommendation by ICCAT on a Multi-Year Conservation and Management Program for Bigeye Tuna* [Rec. 04-01] are less effective at protecting small juvenile bigeye (BET) and yellowfin (YFT) tunas (<3.2 kg) than the previous closure specified in the 1999 *Recommendation by ICCAT on the Establishment of a Closed Area/Season for the Use of Fish-Aggregating Devices (FADs)* [Rec. 99-01];

CONCERNED that small juvenile bigeye tuna represent approximately 70 percent of bigeye catches, in number of fish, with a generally increasing trend (SCRS):

NOTING that, in 2005, SCRS identified modifications that would improve the effectiveness of the area/season closure applied to purse seine vessels and baitboats flying a CPC flag;

RECALLING the overfished status of Atlantic bigeye tuna and the 2007 and 2008 SCRS recommendations to reduce the total allowable catches of this species;

OBSERVING the mixed composition of the surface fisheries occurring in the Gulf of Guinea and SCRS recommendations to reduce fishing mortality of small juvenile yellowfin tuna to increase long-term sustainable yield:

RECOGNIZING the contribution that a reduction in the harvest of juvenile tunas in the Gulf of Guinea can contribute to the long-term sustainability of the stocks;

INTENDING to implement measures to substantially reduce the expected catch of small juvenile bigeye and yellowfin tunas (<3.2 kg) from recent levels;

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

1. The terms of the 2004 *Recommendation by ICCAT on a Multi-Year Conservation and Management Plan for Bigeye Tuna* [Rec. 04-01] are extended through December 31, 2010, except as provided for below.
2. Paragraph 8 of the *Recommendation by ICCAT on a Multiyear Conservation and Management Program for Bigeye Tuna* [Rec. 04-01] is replaced by the following:

Purse seine and baitboat vessels flying the flag of CPCs shall be prohibited from fishing around, under, or in association with floating objects, including fish-aggregating devices (FADs), during the time period and in the area specified in paragraph 3(b) of the Draft Supplemental Recommendation to Amend Recommendation 04-01.

- a) Vessels fishing in the area referenced in paragraph 3(b) of the Draft Supplemental Recommendation to Amend Recommendation 04-01 during the period referenced in paragraph 3(a) of the Draft Supplemental Recommendation to Amend Recommendation 04-01 shall retain and report all catches of Atlantic tunas to the Secretariat.
- b) CPCs shall establish domestic procedures to identify and sanction vessels flying their flags that do not comply with the area restrictions. CPCs shall report on their implementation of such procedures and compliance with the restrictions referenced in paragraphs 3(a) and 3(b) of the Draft Supplemental Recommendation to Amend Recommendation 04-01 to the Secretariat by August 1, each year. The Executive Secretary shall report to the Commission on compliance with the aforementioned restrictions in paragraphs 3(a) and 3(b) of the Draft Supplemental Recommendation to Amend Recommendation 04-01 during each annual meeting of the Commission.

3. Paragraph 9 of the Recommendation 04-01 is replaced by the following:

The time period and area referred to in paragraph 8 of Recommendation 04-01 are the following:

- a) The time period is from 1 November of one year to 31 January of the following year.
- b) The area is defined as:
 - Southern limit: parallel 4° South latitude
 - Northern limit: parallel 5° North latitude
 - Western limit: meridian 20° West longitude
 - Eastern limit: the African Coast.
- c) The Commission requests that the SCRS analyze all relevant data and recommend for consideration by the Commission at the 2010 annual meeting, a more effective restricted area that would reduce the relative proportion of small juvenile bigeye tuna and yellowfin caught, prevent growth overfishing, and increase the long-term sustainable yield.

4. Paragraph 10 of Recommendation 04-01 is replaced by the following:

The prohibition in paragraphs 8 and 9 of Recommendation 04-01 includes:

- Prohibition on launching any floating objects, with or without buoys;
- Prohibition on fishing around, under, or in association with artificial objects, including vessels;
- Prohibition on fishing around, under, or in association with natural objects;
- Prohibition on towing floating objects outside the area identified in paragraph 2 of Recommendation 04-01.

5. Paragraph 11 of Recommendation 04-01 is replaced by the following:

The Commission requests the SCRS to analyze in 2011, the efficacy of the area restrictions in paragraphs 3(a) and 3(b) of the Draft Supplemental Recommendation to Amend Recommendation 04-01 in reducing catches of small juvenile bigeye and yellowfin fishes and the impacts of these area restrictions on these affected fish stocks.

6. Paragraph 15 of Recommendation 04-01 is revised as follows to add a new paragraph:

CPCs shall ensure that all purse seine and longline vessels and not less than 50 percent of all baitboats affected by the measure have an observer on board vessels engaged in fishing activities on trips taking place during the period referred to in paragraph 3(b) of the Draft Supplemental Recommendation to Amend Recommendation 04-01, who shall observe the respect of the measure. The biological data collected on the fleet as a whole by these observers shall be provided to the SCRS for the purpose of carrying out analyses identified in paragraph 4 of Recommendation 04-01.

- a) Observers shall undertake robust data collection on all aspects of the total catch (including by-catch such as sea turtles, marine mammals, seabirds, etc.), which, at a minimum, includes size, biological samples to determine age, and catch per unit of effort information by species.
- b) The observers should possess the following skills in order to discharge their duties:
 - Sufficient experience to identify species and gear
 - Knowledge of the ICCAT conservation measures
 - Ability to carry out elementary scientific tasks, e.g., collecting samples, as requested and observe and record accurately,
 - Knowledge of the language of the flag of the vessel observed.

7. Paragraph 16 of Recommendation 04-01 is replaced by the following:

The Commission requests the SCRS to develop by 2010 a port sampling plan aimed at collecting fishery data for bigeye, yellowfin, and skipjack tunas that are caught in the vicinity of the restricted area referred to in paragraphs 3(a) and 3(b) of the Draft Supplemental Recommendation to Amend Recommendation 04-01.

Beginning in 2011, the port sampling program shall be implemented in all ports receiving such catches from fishing vessels. Data and information collected from the program shall be reported to the Secretariat each year beginning in 2012, describing, at a minimum, the following by country of landing and quarter: species composition, landings by species, length composition, and weights. Biological samples suitable for determining life history should be collected as practicable.

8. Paragraph 17 is added:

The Commission requests the SCRS to conduct an assessment of bigeye tuna in the year 2010 and every four years thereafter.

9. This Recommendation amends Recommendation [04-01].

08-02

SWO

**SUPPLEMENTAL RECOMMENDATION BY ICCAT TO AMEND
THE REBUILDING PROGRAM FOR NORTH ATLANTIC SWORDFISH**

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

1. The terms of the 2006 *Supplemental Recommendation by ICCAT to Amend the Rebuilding Program for North Atlantic Swordfish* [Rec. 06-02] are extended to 2009.
2. The table in paragraph 4 of Rec. 06-02 shall be revised as follows:

	<i>Catch Year</i>	<i>Adjustment Year</i>
North Atlantic swordfish	2007	2009
	2008	2010
	2009	2011

3. 2007-2008 in paragraph 5 of Rec. 06-02 shall be replaced with "2008-2009".

08-03

SWO

**RECOMMENDATION BY ICCAT
ON MEDITERRANEAN SWORDFISH**

RECOGNISING that the Commission's Standing Committee on Research and Statistics (SCRS) indicated in its 2007 stock assessment that the fishing mortality needs to be reduced to move the stock toward the Convention objective of biomass levels which could support MSY, and that seasonal closures are considered to be beneficial in moving the stock condition closer to the Convention objective;

NOTING that the SCRS in its assessment in 2007 estimated that fish less than three years old usually represent 50-70% of the total yearly catches in terms of numbers and 20-35% in terms of weight and indicates that a reduction in the volume of juvenile catches would improve yield per recruit and spawning biomass per recruit levels;

RECALLING the *Recommendation by ICCAT Relating to Mediterranean Swordfish* [Rec. 03-04], which encourages CPCs to take measures to reduce juvenile Mediterranean swordfish catches;

TAKING INTO ACCOUNT the SCRS advice given in 2008 advocating seasonal closures and pending the adoption of a more comprehensive management plan for Mediterranean swordfish;

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

1. Fishing for Mediterranean swordfish shall be prohibited in the Mediterranean during the period from 1 October to 30 November.
2. CPCs shall monitor the effectiveness of this closure and submit relevant information to the SCRS.
3. CPCs shall ensure the maintenance or development of adequate scientific information in the formats requested by ICCAT and in smallest time-area possible on the size distributions of the catches.
4. This Recommendation replaces the *Recommendation by ICCAT on Mediterranean Swordfish* [Rec. 07-01].

08-04

BFT

**SUPPLEMENTAL RECOMMENDATION BY ICCAT
CONCERNING THE WESTERN ATLANTIC BLUEFIN TUNA
REBUILDING PROGRAM**

RECALLING the 1998 Recommendation by ICCAT to Establish a Rebuilding Program for Western Atlantic Bluefin Tuna [Rec. 98-07], the Recommendation by ICCAT Concerning Conservation of Western Atlantic Bluefin Tuna [Rec. 02-07], the Recommendation by ICCAT Concerning the Western Atlantic Bluefin Tuna Rebuilding Program and the Conservation and Management Measures for Bluefin Tuna in the Eastern Atlantic and Mediterranean [Rec. 04-05], and the Supplemental Recommendation by ICCAT Concerning the Western Atlantic Bluefin Tuna Rebuilding Program [Rec. 06-06],

FURTHER RECALLING that the objective of the Convention is to maintain populations at levels that will support maximum sustainable catch (usually referred to as MSY),

CONSIDERING that the 2008 Standing Committee on Research and Statistics (SCRS) stock assessment indicates that a constant total allowable catch (TAC) below 2,100 t over the period of 2009-2010 would produce gains in spawning stock biomass (SSB) of western Atlantic bluefin tuna,

ACKNOWLEDGING that management actions taken in the eastern Atlantic and Mediterranean are likely to impact recovery in the western Atlantic, and that the current fishing mortality rate in the eastern Atlantic and Mediterranean bluefin tuna fisheries may be more than three times the level which would permit that stock to stabilize at the MSY level,

RECOGNIZING the need to amend the rebuilding program for western Atlantic bluefin tuna in light of scientific advice in the 2008 stock assessment,

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

1. The Contracting Parties whose vessels have been actively fishing for bluefin tuna in the western Atlantic will initiate a 20-year rebuilding program beginning in 1999 and continuing through 2018.

Effort and capacity limits

2. In order to avoid increasing fishing mortality of bluefin tuna in the eastern or western Atlantic, Contracting Parties, non-Contracting Parties, Entities and Fishing Entities will continue to take measures to prohibit any transfer of fishing effort from the western Atlantic to the eastern Atlantic and from the eastern to the western Atlantic.

Catch limits and quotas

3. The rebuilding program for bluefin tuna in the western Atlantic, which began in 1999 and will continue through 2018, will have a total allowable catch (TAC), inclusive of dead discards, of 1,900 t in 2009 and 1,800 t in 2010.
4. The annual TAC, maximum sustainable yield (MSY) target, and 20-year rebuilding period may be adjusted based upon subsequent SCRS advice. No adjustment to the annual TAC or the 20-year rebuilding period shall be considered unless SCRS advice indicates that the TAC under consideration will allow the MSY target to be achieved within the rebuilding period with a 50 percent or greater probability.
5. At such time as the SCRS determines the stock size has achieved the level that would produce MSY, TAC levels up to the level of MSY will be considered.
6. The allocation of the annual TAC, inclusive of dead discards, will be indicated as follows:

- a) The annual TAC shall include the following allocations:

<i>CPC</i>	<i>Allocation</i>
UK (in respect of Bermuda)	4 t
France (in respect of St. Pierre & Miquelon)	4 t
Mexico (including incidental catch in longline fisheries in the Gulf of Mexico)	95 t
USA (by-catch related to directed longline fisheries in vicinity of management area boundary)	25 t
Canada (by-catch related to directed longline fisheries in vicinity of management area boundary)	15 t

- b) After subtracting the amounts under paragraph 6 (a), the remainder of the annual TAC will be allocated as follows:

CPC	<i>If the remainder of the annual TAC is:</i>			
	< 2,413 t (A)	2,413 t (B)	> 2,413-2,660 t (C)	> 2,660 t (D)
USA	57.48 %	1,387 t	1,387 t	52.14 %
Canada	23.75 %	573 t	573 t	21.54 %
Japan	18.77 %	453 t	453 t + all increase between 2,413 t and 2,660 t	26.32 %

- c) Consistent with paragraphs 1 and 6 (b), the TAC for each of 2009 and 2010 results in the following CPC-specific quota allocations (not including by-catch allowances listed in 6 a):

	<i>2009</i>	<i>2010</i>
	(1,900 t)	(1,800 t)
USA	1,009.92 t	952.44 t
Canada	417.29 t	393.54 t
Japan	329.79 t	311.02 t

- d) Notwithstanding paragraph 8 below, in 2009, 73 t will be transferred to Canada from Mexico's 2007 underage.
- e) Notwithstanding paragraph 8 below, in 2010, underharvests carried forward by Mexico from 2008 to 2010 will be subsequently transferred to Canada, such that Canada's initial allocation (excluding the by-catch allowance listed in 6 a) for 2010 is 480 t. If such a transfer results in an initial Canadian allocation (excluding the by-catch allowance listed in 6 a) of less than 480 t, then a transfer of underharvest from the US will be used to bring Canada's initial 2010 allocation (excluding the by-catch allowance listed in 6 a) to 480 t.
- f) The two-year combined Canadian total catch (excluding by-catch allowed under 6 a) for 2009 and 2010 will be no more than 970 t.
7. Contracting Parties and Cooperating non-Contracting Parties, Entities and Fishing Entities (CPCs) holding TAC allocations of western Atlantic bluefin tuna agree to re-negotiate the quota allocations for this stock in 2010 and that, at such time, all directed fishing allocations are to be included in the allocation table in accordance with ICCAT's allocation criteria.
8. Any overharvest of a CPC's specific TAC allocation provided under paragraph 6 shall be subtracted from that CPC's specific TAC allocation for the next year. Any underharvest of a CPC's specific TAC allocation in a given year may be carried forward to the next year. In no event shall the underharvest that is carried forward exceed 50% of the CPC's initial TAC allocation under paragraph 6 above, with the exception of

those CPCs with initial allocations of 25 t or less. After 2010, the underharvest that may be carried forward by any CPC to the following year shall not exceed 10% of the CPC's initial TAC allocation. Each year shall be considered as an independent management period for the purposes of paragraph 9 below.

9. a) If, in the applicable management period, and each subsequent management period, any CPC has an overharvest of its TAC allocation under paragraph 6, its TAC allocation will be reduced in the next subsequent management period by 100% of the amount in excess of such TAC allocation; and ICCAT may authorize other appropriate actions.
 - b) Notwithstanding paragraph 9 (a), if a CPC has an overharvest of its TAC allocation under paragraph 6 during any two consecutive management periods, the Commission will recommend appropriate measures, which may include, but are not limited to, reduction in the CPC's TAC allocation equal to a minimum of 125% of the overharvest amount and, if necessary, trade restrictive measures. Any trade measures under this paragraph will be import restrictions on the subject species and consistent with each CPC's international obligations. The trade measures will be of such duration and under such conditions as the Commission may determine.
10. Notwithstanding the *Recommendation by ICCAT Regarding the Temporary Adjustment of Quotas* [Rec. 01-12], in between meetings of the Commission, a CPC with a TAC allocation under paragraph 6 may make a one-time transfer within a fishing year of up to 15% of its TAC allocation to other CPCs with TAC allocations, consistent with domestic obligations and conservations considerations. The transfer shall be notified to the Secretariat. Any such transfer may not be used to cover overharvests. A CPC that receives a one-time quota transfer may not retransfer that quota. For parties with a quota allocation of 4 t, the transfer may be up to 100% of the allocation.

Minimum fish size requirements and protection of small fish

11. Contracting Parties, non-Contracting Parties, Entities and Fishing Entities will prohibit the taking and landing of western Atlantic bluefin tuna weighing less than 30 kg or, in the alternative, having a fork length of less than 115 cm.
12. Notwithstanding the above measures, Contracting Parties, non-Contracting Parties, Entities and Fishing Entities may grant tolerances to capture western Atlantic bluefin tuna either weighing less than 30 kg, or in the alternative, having a fork length of less than 115 cm, provided they limit the take of these fish so that the average over the 2009 and 2010 fishing periods is no more than 10% by weight of the total bluefin tuna quota for each CPC, and institute measures to deny economic gain to the fishermen from such fish.
13. Contracting Parties, non-Contracting Parties, Entities and Fishing Entities will encourage their commercial and recreational fishermen to tag and release all fish less than 30 kg or, in the alternative, having a fork length less than 115 cm.

Area and time restrictions

14. There shall be no directed fishery on the bluefin tuna spawning stocks in the western Atlantic in spawning areas such as the Gulf of Mexico.

Scientific research and data and reporting requirement

15. The SCRS shall conduct a stock assessment of western Atlantic bluefin tuna in 2010 and thereafter every two/four years.
16. If scientific evidence results in an SCRS recommendation to alter the definition of management units, or to take explicit account of mixing between management units, then the rebuilding program shall be re-evaluated.
17. In 2010, the SCRS will conduct a stock assessment for bluefin tuna for the western Atlantic and eastern Atlantic and Mediterranean and provide advice to the Commission on the appropriate management measures, *inter alia*, on total allowable catch levels for those stocks for future years.

18. All Contracting Parties, non-Contracting Parties, Entities and Fishing Entities shall monitor and report on all sources of fishing mortality, including dead discards, and shall minimize dead discards to the extent practicable.
19. All Contracting Parties, non-Contracting Parties, Entities and Fishing Entities shall provide the best available data for the assessment of the stock by the SCRS, including information on the catches of the broadest range of age classes possible, consistent with minimum size restrictions.
20. This Recommendation replaces the *Supplemental Recommendation by ICCAT Concerning the Western Atlantic Bluefin Tuna Rebuilding Program* [Rec. 06-06].

08-05

BFT

**RECOMMENDATION AMENDING THE RECOMMENDATION BY ICCAT
TO ESTABLISH A MULTIANNUAL RECOVERY PLAN FOR BLUEFIN TUNA IN
THE EASTERN ATLANTIC AND MEDITERRANEAN**

TAKING INTO ACCOUNT the discussions in the ICCAT Compliance Committee in 2008 concerning the implementation of the recovery plan adopted in 2006,

TAKING INTO ACCOUNT the stock recovery scenario developed by SCRS based on the stock assessment carried out in 2008,

DESIRING to achieve a stock level consistent with the objective of the Convention within 15 years,

CONVINCED that to achieve this objective, it is necessary to strengthen the recovery plan for that stock adopted in 2006. The objective is to recover the stock through a combination of management measures which will protect the spawning stock biomass and reduce juvenile catches,

RECOGNIZING that the success of the recovery plan involves the strengthening of the control system, which should include a set of effective control measures to ensure the respect of the management measures and to ensure the traceability of all the catches,

CONSIDERING the necessity to improve the responsibility of the industry, flag States, port States, farm States and market States to ensure compliance with the present recommendation,

GIVEN the need to address the overcapacity of the fleet and the farming capacity;

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

**Part I
General provisions**

1. The Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (hereinafter referred to as CPCs), whose vessels have been actively fishing for bluefin tuna in the East Atlantic and Mediterranean shall implement a 15 year Recovery Plan for bluefin tuna in the East Atlantic and Mediterranean starting in 2007 and continuing through 2022, with the goal of achieving Bmsy, with greater than 50% probability.

Definitions

2. For the purposes of this Plan:
 - a) "Fishing vessel" means any vessel used or intended for use for the purposes of the commercial exploitation of bluefin tuna resources, including catching vessels, fish processing vessels, support ships, tug and towing vessels, vessels engaged in transshipment and transport vessels equipped for the transportation of tuna products and auxiliary vessels, except container vessels;
 - b) "Catching vessel" means a vessel used for the purposes of the commercial capture of bluefin tuna resources;
 - c) "Processing vessel" means a vessel on board of which fisheries products are subject to one or more of the following operations, prior to their packaging: filleting or slicing, freezing and/or processing;
 - d) "Auxiliary vessel" means any vessel used to transport dead bluefin tuna (not processed) from a cage to a designated port.
 - e) "Fishing actively" means, for any catching vessel, the fact that it targets bluefin tuna during a given fishing season;
 - f) "Joint fishing operation" means any operation between two or more catching vessels flying the flag of different flag States CPCs where the catch of one catching vessel is attributed to one or more other catching vessels in accordance with an allocation key;
 - g) "Transfer activities" means:

- any transfer of live bluefin tuna from the catching vessel net to the transport cage;
 - any transfer of live bluefin tuna from the transport cage to another transport cage;
 - any transfer of dead bluefin tuna from the transport cage to an auxiliary vessel.
 - any transfer from a bluefin tuna farm or a tuna trap to a processing vessel, transport vessel or to land.
- h) "Tuna trap" means fixed gear anchored to the bottom usually containing a guide net that leads fish into an enclosure.
- i) "Caging" means the transfer of bluefin tuna from the transport cage to the fattening and farming cages.
- j) "Fattening" means caging of bluefin tuna for a short period (usually 2-6 months) aiming mostly at increasing the fat content of the fish.
- k) "Farming" means caging of bluefin tuna for a period longer than one year, aiming to increase the total biomass.
- l) "Transshipment" means the unloading of all or any of the fish on board a fishing vessel to another fishing vessel at port.
- m) "Sport fishery" means a non-commercial fishery whose members adhere to a national sport organization or are issued with a national sport license.
- n) "Recreational fishery" means a non-commercial fishery whose members do not adhere to a national sport organization or are not issued with a national sport license.

Length of vessels

3. All lengths of vessels referred to in this Recommendation shall be understood as length overall.

Part II Management measures

TAC and quotas

4. The total allowable catches (TACs) are fixed:

2007: 29,500 t
2008: 28,500 t
2009: 22,000 t
2010: 19,950 t¹
2011: 18,500 t

5. The SCRS shall monitor and review the progress of the Plan and submit an assessment to the Commission in 2010.
6. The TAC for 2011 onwards may be adjusted following the SCRS advice. The relative shares shall be decided by the Commission in 2010.
7. The allocation scheme for 2007-2010 is set in **Annex 4** to this Recommendation.

Associated conditions to TAC and quotas

8. Each CPC shall take the necessary measures to ensure that the fishing effort of its catching vessels and its traps are commensurate with the fishing opportunities on bluefin tuna available to that CPC in the Eastern Atlantic and Mediterranean Sea, including by establishing individual quotas for its catching vessels over 24 m included in the list referred to in paragraph 54 a).

¹ This TAC may be adjusted at 2009 annual meeting of the Commission in case of substantial overharvest of TAC identified in 2009 and/or new relevant scientific findings and/or relevant international developments.

9. Each CPC shall draw up an annual fishing plan for the catching vessels and traps fishing bluefin tuna in the Eastern Atlantic and Mediterranean Sea. The annual fishing plan shall identify, *inter alia*, the catching vessels over 24 meters included in the list referred to in paragraph 54 a) and the individual quota allocated to them and the method used to allocate quota as well as the measure to ensure the respect of the individual quota.
10. Each CPC shall also allocate a specific quota for the purpose of recreational and sport fisheries as defined in paragraph 2 m) and n).
11. No later than 1 March each year, the annual fishing plan shall be transmitted by each CPC to the ICCAT Executive Secretariat. Any subsequent modification to the annual fishing plan or to the specific method used to manage their quota shall be transmitted to the ICCAT Executive Secretariat at least 10 days before the exercise of the activity corresponding to that modification.
12. No later than 15 October, each CPC shall report to the ICCAT Executive Secretariat on the implementation of their annual fishing plans for that year. Those reports shall include:
- the number of catching vessels actually engaged in active fishing activities involving bluefin tuna in the Eastern Atlantic and Mediterranean;
 - the catches of each catching vessel; and
 - the total number of days each catching vessel fished in the Eastern Atlantic and Mediterranean.
13. The flag CPC may require the catching vessel to proceed immediately to a port designated by it when the individual quota is deemed to be exhausted.
14. a) No carry-over of any under-harvests shall be made under this Plan.
 b) By derogation to paragraph 4 of the 2002 *Recommendation by ICCAT Concerning a Multi-year Conservation and Management Plan for Bluefin Tuna in the East Atlantic and Mediterranean* [Rec. 02-08], no more than 50 % carry-over of any under-harvests arising from 2005 and/or 2006 may be made under this Plan. Paragraph 2 of the 1996 *Recommendation by ICCAT Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries* [Rec. 96-14] shall not apply for the overages in 2005 and 2006.
 c) The underages of Libya, Morocco and Tunisia in 2005 and 2006 may be carried over to 2009 and 2010 as follows:
- | <i>CPCs</i> | <i>2009</i> | <i>2010</i> |
|-------------|-------------|-------------|
| Libya | 145 t | 145 t |
| Morocco | 327 t | 327 t |
| Tunisia | 202 t | 202 t |
- d) Any overage of a CPC shall be deducted from the next year's quotas of that CPC. Notwithstanding this provision, the payback of the European Community for its overage in 2007 shall be spread over 2009-2012 (500 t in 2009 and 2010, 1,510 t in 2011 and 2012). This payback shall be reviewed in the light of a general transparency and incentive provision on overages to be adopted by ICCAT at the latest in 2010.
15. CPCs shall be encouraged to voluntarily reduce their catches of bluefin tuna in Eastern Atlantic and Mediterranean in 2009. Notwithstanding paragraph 14 a), the voluntary reduced portion of the CPC's allocation may be carried over to 2011 on condition that such voluntary reduced portion is notified to the ICCAT Secretariat before March 1, 2009.
16. Private trade arrangements and or transfer of quotas/catch limits between CPCs shall be done only under authorization by the CPCs concerned and the Commission.
17. To comply with paragraph 1 of 2002 *Recommendation by ICCAT on Vessel Chartering* [Rec. 02-21], the percentage of a CPC's bluefin tuna quota/catch limit that may be used for chartering shall not exceed 60%, 40% and 20% of the total quota in 2007, 2008, 2009, respectively. No chartering operation for the bluefin tuna fishery is permitted in 2010.
 By derogation to paragraph 3 of the 2002 *Recommendation by ICCAT on Vessel Chartering* [Rec. 02-21], only bluefin tuna catching vessels flying the flag of a CPC can be chartered.

The number of bluefin tuna catching vessels chartered and the duration of the charter shall be commensurate with the quota allocated to the charter nation.

18. Any joint fishing operation for bluefin tuna shall only be authorized with the consent of the flag States if the vessel is equipped to fish bluefin tuna and has an individual quota, and in accordance with the following requirements.

At the moment of the application for the authorization, following the format set in **Annex 6**, each flag State shall take the necessary measures to obtain from its fishing vessel(s) participating in the joint fishing operation the following information:

- duration,
- identity of the operators involved,
- individual vessels' quotas,
- the allocation key between the vessels for the catches involved,
- and the information on the fattening or farming farms of destination.

Each flag State authorizing its vessels to participate shall transmit all this information to the other participating flag State. The CPCs involved in the joint fishing operation shall transmit all this information to the ICCAT Secretariat at least ten days before the start of the operation.

The Commission shall establish and maintain an ICCAT record of all joint fishing operations authorized by the flag States CPCs in the eastern Atlantic and Mediterranean Sea.

Closed fishing seasons

19. Bluefin tuna fishing shall be prohibited in the East Atlantic and Mediterranean by large-scale pelagic longline catching vessels over 24 m during the period from 1 June to 31 December with the exception of the area delimited by West of 10°W and North of 42°N, where such fishing shall be prohibited from 1 February to 31 July.
20. Purse seine fishing for bluefin tuna shall be prohibited in the East Atlantic and Mediterranean during the period from 15 June to 15 April.
21. If a CPC can demonstrate that due to bad weather (more than 7 knots) certain of its purse seine catching vessels have been unable to utilize the fishing days referred to in paragraph 20, the CPC may carry over a maximum of 5 days lost until 20 June. This CPC shall notify by 15 June to the ICCAT Secretariat the information on the additional fishing days granted, with evidence of bad weather. The ICCAT Secretariat shall forward without delay this information to other CPCs.
22. Bluefin tuna fishing by baitboats and trolling boats shall be prohibited in the East Atlantic and Mediterranean during the period from 15 October to 15 June.
23. Bluefin tuna fishing by pelagic trawlers shall be prohibited in the East Atlantic during the period from 15 October to 15 June.
24. Bluefin tuna recreational and sport fishing shall be prohibited in the eastern Atlantic and Mediterranean from 15 October to 15 June.

Spawning grounds

25. For the annual meeting of the Commission in 2010, the SCRS shall identify as precisely as possible spawning grounds in the Mediterranean in view of the creation of sanctuaries.

Use of aircraft

26. CPCs shall take necessary measures to prohibit the use of airplanes or helicopters for searching for bluefin tuna in the Convention area.

Minimum size

27. CPCs shall take the necessary measures to prohibit catching, retaining on board, transshipping, transferring, landing, transporting, storing, selling, displaying or offering for sale bluefin tuna (*Thunnus thynnus thynnus*) weighing less than 30 kg.
28. By derogation of paragraph 27, a minimum size for bluefin tuna (*Thunnus thynnus thynnus*) of 8 kg shall apply to the following situations in accordance with the procedures set out in **Annex 1**.
- a) Bluefin tuna caught by baitboats and trolling boats in the eastern Atlantic.
 - b) Bluefin tuna caught in the Adriatic Sea for farming purposes.
 - c) Bluefin tuna caught in the Mediterranean Sea by the coastal artisanal fishery for fresh fish by baitboats, longliners and handliners.
29. For catching vessels fishing actively for bluefin tuna, an incidental catch of maximum 5% of bluefin tuna weighing between 10 and 30 kg may be authorized. This percentage is calculated on the total incidental catches in number of fish retained on board this vessel, or their equivalent in percentage in weight. Incidental catches must be deducted from the quota of the flag State CPC. The procedures referred to in paragraphs 61, 62, 63, 64, 66, 67 and 68 shall apply to the incidental catch.

By-catch

30. Catching vessels not fishing actively for bluefin tuna are not authorized to retain on board bluefin tuna exceeding more than 5% of the total catch on board by weight or/and number of pieces. By-catches must be deducted from the quota of the flag state CPC.

The procedures referred to in paragraphs 61, 62, 63, 64, 66, 67 and 68 shall apply to the by-catch.

Recreational fisheries

31. Recreational fisheries on bluefin tuna shall be subject to the authorization for each vessel issued by the flag State CPC.
32. CPCs shall take the necessary measures to prohibit the catch and retention on board, transshipment or landing of more than one bluefin tuna in each sea trip.
33. The marketing of bluefin tuna caught in recreational fishing shall be prohibited except for charitable purposes.
34. Each CPC shall take measures to record catch data from recreational fishing and transmit them to the SCRS. Catches of recreational fisheries shall be counted against the quota allocated to the CPC in accordance with paragraph 10.
35. Each CPC shall take the necessary measures to ensure, to the greatest extent possible, the release of bluefin tuna caught alive, especially juveniles, in the framework of recreational fishing.

Sport fisheries

36. CPCs shall take the necessary measures to regulate sport fishing, notably by fishing authorizations.
37. The marketing of bluefin tuna caught in sport fishing competitions shall be prohibited except for charitable purposes.
38. Each CPC shall take measures to record catch data from sport fishing and transmit them to the SCRS. Catches of sport fishing shall be counted against the quota allocated to the CPC in accordance with paragraph 10.
39. Each CPC shall take the necessary measures to ensure, to the greatest extent possible, the release of the bluefin tuna caught alive, especially juveniles, in the framework of sport fishing.

Part III

Capacity measures

Adjustment of fishing capacity

40. Each CPC shall ensure that its fishing capacity is commensurate with its allocated quota.
41. To that purpose each CPC shall establish a management plan over 2010-2013. Such plan shall be submitted to the Commission by 15 September 2009 for discussion and approval by the Commission at its annual meeting in 2009, and shall be reviewed at its annual meeting in 2010. Such plan shall include the information referred to in paragraphs 42 to 48.

Freezing of fishing capacity

42. CPCs shall limit the number, and the corresponding gross registered tonnage, of their fishing vessels to the number and tonnage of their vessels that fished for, retained on board, transshipped, transported, or landed bluefin tuna during the period 1 January 2007 to 1 July 2008. This limit shall be applied by gear type for catching vessels and by vessel type for other fishing vessels.
43. Paragraph 42 shall not be interpreted to affect the measures contained in **Annex 1** paragraphs 1 and 2 of this Recommendation.
44. CPCs shall limit the number of their traps engaged in the eastern Atlantic and Mediterranean bluefin tuna fishery to the number authorized by each CPC by 1 July 2008.
45. This freezing may not apply to certain CPCs, in particular developing States that demonstrate that they need to develop their fishing capacity so as to fully use their quota. Such CPCs shall indicate in their management plans the programming of the introduction of additional fishing capacity into the fishery.

Reduction of fishing capacity

46. Without prejudice to paragraph 45, each CPC shall reduce its fishing capacity referred to in paragraphs 42, 43 and 44 so as to ensure for 2010 that at least 25% of the discrepancy between its fishing capacity and its fishing capacity commensurate with its allocated quota in 2010 is achieved.
47. To calculate its fishing capacity reduction, each CPC shall take into account *inter alia*, the estimated yearly catch rates per vessel and gear.
48. This reduction may not apply to certain CPCs that demonstrate that their fishing capacity is commensurate with their allocated quotas.

Adjustment of farming capacity

49. Each farming or fattening CPC shall establish a management plan over 2010-2013. Such plan shall be submitted to the Commission by 15 September 2009 for discussion and approval by the Commission at its annual meeting in 2009, and shall be reviewed at its annual meeting in 2010. Such plan shall include the information referred in paragraphs 50 to 53.
50. Each CPC shall limit its tuna farming capacity to the farming capacity of the farms that were registered in the ICCAT list or authorized and declared to ICCAT as of 1 July 2008.
51. Each CPC shall establish for 2010 a maximum input of wild caught bluefin tuna into its farms at the level of the input quantities registered with ICCAT by its farms in 2005, 2006, 2007 or 2008.
52. Within the maximum input quantity of wild caught bluefin tuna referred to in paragraph 51, each CPC shall allocate inputs to its farms.
53. Further adjustment of farming capacity shall be decided by the Commission at its annual meeting in 2010, depending on the level of the TAC after 2010.

Part IV Control measures

ICCAT bluefin tuna records of vessels

54. a) The Commission shall establish and maintain an ICCAT record of all catching vessels authorized to fish actively for bluefin tuna in the eastern Atlantic and Mediterranean Sea.
- b) The Commission shall establish and maintain an ICCAT record of all other fishing vessels (i.e. catching vessels excluded) authorized to operate for bluefin tuna in the eastern Atlantic and Mediterranean Sea.

During a calendar year, a fishing vessel shall be registered in only one of the ICCAT records referred to in paragraphs a) and b). Without prejudice to paragraph 30, for the purposes of this recommendation, fishing vessels not entered into one of the ICCAT records referred to in paragraph a) and b) are deemed not to be authorized to fish for, retain on board, tranship, transport, transfer, process or land bluefin tuna in the eastern Atlantic and Mediterranean Sea.

55. Each flag CPC shall submit electronically each year to the ICCAT Executive Secretary, at the latest one month before the beginning of the fishing seasons referred to in paragraphs 19 to 23, when applicable, and otherwise by 1 March, the list of its catching vessels authorized to fish actively for bluefin tuna and the list of its other fishing vessels authorized to operate in the eastern Atlantic and Mediterranean Sea referred to in paragraph 54 a) and b), in accordance with the format set in the Guidelines for submitting data and information required by ICCAT.

Any subsequent changes shall not be accepted unless a notified fishing vessel is prevented from participation due to legitimate operational reasons or *force majeure*. In such circumstances, the CPC concerned shall immediately inform the ICCAT Executive Secretariat, providing:

- a) full details of the intended replacement fishing vessel(s) referred to in paragraph 54;
- b) a comprehensive account of the reasons justifying the replacement and any relevant supporting evidence or references.
56. Conditions and procedures referred in the 2002 *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] (except paragraph 3) shall apply *mutatis mutandis*.

ICCAT record of tuna traps authorized to fish for bluefin tuna

57. The Commission shall establish and maintain an ICCAT Record of all tuna traps authorized to fish for bluefin tuna in the Eastern Atlantic and Mediterranean Sea. For the purposes of this recommendation, tuna traps not entered into the record are deemed not to be authorized to be used to fish for, retain, transfer or land bluefin tuna.
58. Each CPC shall submit electronically to the ICCAT Executive Secretary, by 1 March each year, the list (including the name of the traps, register number) of its authorized tuna traps referred to in paragraph 57. Conditions and procedures referred in the 2002 *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] (except paragraph 3) shall apply *mutatis mutandis*.

Information on fishing activities

59. By 1 March each year, each CPC shall notify the ICCAT Secretariat the list of the catching vessels included in the ICCAT record referred to in paragraph 54 a) that have fished for bluefin tuna in the eastern Atlantic and Mediterranean in the preceding fishing year.
60. Each CPC shall notify the ICCAT Secretariat of any information concerning vessels not covered in paragraph 59 but known or presumed to have fished for bluefin tuna in the eastern Atlantic and Mediterranean. The ICCAT Secretariat shall forward such information to the flag State for action as appropriate, with a copy to other CPCs for information.

Transshipment

61. Transshipment at sea operations of bluefin tuna in the East Atlantic and Mediterranean Sea shall be prohibited.
62. Fishing vessels shall only tranship bluefin tuna catches in designated ports of CPCs. To this end, each CPC shall designate ports in which transshipping of bluefin tuna is authorized and communicate a list of these ports to the ICCAT Secretariat by 1 March each year.

For a port to be determined as designated port, the port State shall specify permitted transshipping times and places.

The Port State shall ensure full inspection coverage during all transshipping times and at all transshipping places.

On the basis of this information the ICCAT Secretariat shall maintain a list of designated ports on the ICCAT website.

63. Prior to entry into any port, the receiving fishing vessel or its representative, shall provide the relevant authorities of the Port State at least 48 h before the estimated time of arrival, with the following:
 - a) estimated time of arrival,
 - b) estimated quantity of bluefin tuna retained on board, and information on the geographic area where it was taken;
 - c) the name of the transshipping fishing vessel and its number in the ICCAT record of catching vessels authorized to fish actively for bluefin tuna or in the ICCAT record of other fishing vessels authorized to operate in the eastern Atlantic and Mediterranean Sea,
 - d) the name of the receiving fishing vessel, its number in the ICCAT record of catching vessels authorized to fish actively for bluefin tuna or in the ICCAT record of other fishing vessels authorized to operate in the eastern Atlantic and Mediterranean Sea,
 - e) the tonnage and the geographic area of the catch of bluefin tuna to be transshipped.

Any transshipment requires the prior authorization from the flag State of the transshipping fishing vessel concerned.

The master of the transshipping fishing vessel shall, at the time of the transshipment, inform its Flag State of the following:

- a) the quantities of bluefin tuna involved,
- b) the date and port of the transshipment,
- c) the name, registration number and flag of the receiving fishing vessel and its number in the ICCAT record of catching vessels authorized to fish actively for bluefin tuna or in the ICCAT record of other fishing vessels authorized to operate in the eastern Atlantic and Mediterranean Sea,
- d) the geographical area of the catch of bluefin tuna.

The relevant authority of the port State shall inspect the receiving vessel on arrival and check the cargo and documentation related to the transshipment operation.

The relevant authority of the port State shall send a record of the transshipment to the flag State authority of the transshipping fishing vessel, within 48 hours after the transshipment has ended.

Recording requirements

64. The masters of catching vessels shall keep a bound or electronic logbook of their operations, indicating particularly the quantities of bluefin tuna caught and kept on board, whether the catches are weighed or estimated, the date and location of such catches and the type of gear used in accordance with the requirements set out in **Annex 2**.
65. The masters of the catching vessels involved in a joint fishing operation shall record in their logbook:
 - a) as regards the catching vessel transferring the fish into cages:

- its name and international radio call sign;
 - the date and the time of the catch and of the transfer,
 - the location of the catch and of the transfer (longitude/latitude),
 - amount of catches taken on board, and amount of catches transferred into cages,
 - amount of catches counted against its individual quota,
 - the name of the tug boat and its ICCAT number.
- b) as regards the other catching vessels not involved in the transfer of the fish:
- their names and international radio call signs;
 - the date and the time of the catch and of the transfer,
 - the location of the catch and of the transfer (longitude/latitude),
 - that no catches have been taken on board or transferred into cages,
 - amount of catches counted against their individual quotas,
 - the name and the ICCAT number of the catching vessel referred to in (a),
 - the name of the tug boat and its ICCAT number.

66. Fishing vessels shall only land bluefin tuna catches in designated ports of CPCs. To this end, each CPC shall designate ports in which landing of bluefin tuna is authorized and communicate a list of these ports to the ICCAT Secretariat by 1 March each year.

For a port to be determined as designated port, the port State shall specify permitted landing times and places. The port State shall ensure full inspection coverage during all landing times and at all landing places.

On the basis of this information the ICCAT Secretariat shall maintain a list of designated ports on the ICCAT website.

67. Prior to entry into any port, the fishing vessels or their representative, shall provide the relevant authorities of the port, at least 4 hours before the estimated time of arrival, with the following:
- a) estimated time of arrival,
 - b) estimate of quantity of bluefin tuna retained on board,
 - c) the information on the geographic area where the catch was taken;

Port State authorities shall keep a record of all prior notices for the current year.

Each landing or caging shall be subject to an inspection by the relevant authorities of the port.

The relevant authority shall send a record of the landing to the flag State authority of the fishing vessel, within 48 hours after the landing has ended.

After each trip and within 48 hours of landing, the masters of catching vessels shall submit a landing declaration to the competent authorities of the CPC where the landing takes place and to its flag State. The master of the authorized catching vessel shall be responsible for the accuracy of the declaration, which shall indicate, as a minimum, the quantities of bluefin tuna landed and the area where they were caught. All landed catches shall be weighed and not only estimated.

68. The masters of fishing vessels shall complete and transmit to their flag State the ICCAT transshipment declaration no later than 48 hours after the date of transshipment in port in accordance with the format set out in **Annex 3**.

Communication of catches

69. a) Each CPC shall ensure that its catching vessels fishing actively for bluefin tuna shall communicate by electronic or other means, to their competent authorities, a weekly catch report, with, as a minimum, information on the catch amount, including nil catch returns, the date and the location (latitude and longitude) of the catches. This report shall be transmitted by the latest Monday noon with the catches taken in the Plan Area during the preceding week ending Sunday midnight GMT. This report shall include information on the number of days in the Plan Area since the beginning of the fishing or since the last weekly report.

- b) Each CPC shall ensure that its purse seine catching vessels and its other catching vessels over 24 m fishing actively for bluefin tuna shall communicate, except in case of nil catch returns, by electronic or other means, to their competent authorities, a daily catch report, with, as a minimum, information on the catch amount, the date and the location (latitude and longitude) of the catches. If a CPC requires such daily reports even in case of nil catch returns, the weekly reports referred to in a) shall not be required.
- c) On the basis of the information referred to in (a) and (b), each CPC shall transmit without delay weekly catch reports for all vessels to the ICCAT Secretariat in accordance with the format set out in **Annex 5**.

Reporting of catches

70. Each CPC shall report its provisional monthly catches of bluefin tuna. This report shall be sent to the ICCAT Secretariat within 30 days of the end of the calendar month in which the catches were made.
71. The ICCAT Secretariat shall within 10 days following the monthly deadlines for receipt of the provisional catch statistics collect the information received and circulate it to CPCs together with aggregated catch statistics.
72. The Executive Secretary shall notify without delay all CPCs of the date on which the accumulative reported catch taken by catching vessels of the CPCs is estimated to equal 85% of the concerned CPC quota for this stock. The CPC shall take the necessary measures to close its bluefin tuna fisheries before its quota is exhausted and notify this closure without delay to the ICCAT Secretariat which will circulate this information to all CPCs.

Cross check

73. CPCs shall verify, including by using inspection reports and observer reports, VMS data, the submission of logbooks and relevant information recorded in the logbooks of their fishing vessels, in the transfer/transshipment document and in the catch documents.

The competent authorities shall carry out cross checks on all landings, all transshipment or caging between the quantities by species recorded in the fishing vessel logbook or quantities by species recorded in the transshipment declaration and the quantities recorded in the landing declaration or caging declaration, and any other relevant document, such as invoice and/or sales notes.

Transfer operations

74. Before any transfer operation into towed cages, the master of the catching vessel shall send to its flag State CPC authorities before the transfer, a prior transfer notification indicating:
 - name of the catching vessel and ICCAT number record,
 - estimated time of transfer,
 - estimate of quantity of bluefin tuna to be transferred,
 - information on the position (latitude/longitude) where the transfer will take place,
 - name of the tug vessel, number of cages towed and ICCAT number record.
75. The transfer operation shall not begin without the prior authorization of the catching vessel flag State. If the flag State of the catching vessel considers on receipt of the prior transfer notification that:
 - a) the catching vessel declared to have caught the fish had not sufficient quota for bluefin tuna put into the cage,
 - b) the quantity of fish has not been duly reported and not taken into account for the consumption of the quota that may be applicable,
 - c) the catching vessel declared to have caught the fish is not authorized to fish for bluefin tuna, or
 - d) the tug vessel declared to receive the transfer of fish is not registered in the ICCAT record of all other fishing vessels referred to in paragraph 54 b) or is not equipped with a Vessel Monitoring System,

it shall inform the master of the catching vessel that the transfer is not authorized and to proceed to the release of the fish into the sea.

76. The masters of catching vessels shall complete and transmit to their flag State the ICCAT transfer declaration at the end of the transfer operation to the tug vessel, in accordance with the format set out in **Annex 3**.
77. The transfer declaration shall accompany the transfer of fish during transport to the farm or a designated port.
78. The authorization for transfer by the flag State does not prejudice the authorization of the caging operation.
79. The master of the caging vessel shall ensure that the transfer activities shall be monitored by video camera in the water.
80. The ICCAT Regional Observer on board the catching vessel, as referred to in the ICCAT Regional Observer Programme (**Annex 7**), shall record and report upon the transfer activities carried out, verify the position of the catching vessel when engaged in transfer operation, observe and estimate catches transferred and verify entries made in the prior transfer operation as referred to in paragraph 75 and in the ICCAT transfer declaration as referred to in paragraph 76.
81. The ICCAT Regional Observer shall countersign the prior transfer notification and the ICCAT transfer declaration. He shall verify that the ICCAT transfer declaration is properly filled and transmitted to the master of the tug vessel.

The tuna trap operator shall complete and transmit to its State the ICCAT transfer declaration at the end of the transfer operation to the fishing vessel, in accordance with the format set out in **Annex 3**

Caging Operations

82. The CPC under whose jurisdiction the farm for bluefin tuna is located shall submit within one week a caging report, validated by an observer, to the CPC whose flag vessels has fished the tuna and to the ICCAT Secretariat. This report shall contain the information referred to in the caging declaration as set out in the *Recommendation by ICCAT on Bluefin Tuna Farming* [Rec. 06-07].

When the farming facilities authorized to operate for farming of bluefin tuna caught in the Convention area (hereafter referred to as FFBS) are located beyond waters under jurisdiction of CPCs, the provisions of the previous paragraph shall apply, *mutatis mutandis*, to CPCs where the natural or legal persons responsible for FFBS are located.

83. Before any transfer operation into a farm, the flag CPC of the catching vessel shall be informed by the competent authority of the farm State of the transfer into cage of quantities caught by catching vessels flying its flag. If the flag CPC of the catching vessel considers on receipt of this information that:
- a) the catching vessel declared to have caught the fish had not sufficient quota for bluefin tuna put into the cage,
 - b) the quantity of fish has not been duly reported and not taken into account for the calculation of any quota that may be applicable, or
 - c) the catching vessel declared to have caught the fish is not authorized to fish for bluefin tuna,
- it shall inform the competent authority of the farm State to proceed to the seizure of the catches and the release of the fish into the sea.

The transfer operation shall not begin without the prior authorization of the catching vessel flag CPC.

84. The CPC under whose jurisdiction the farm for bluefin tuna is located shall take the necessary measures to prohibit placing in cages for farming or fattening bluefin tuna that are not accompanied by accurate, complete and validated documentation required by ICCAT.
85. The CPC under whose jurisdiction the farm is located shall ensure that transfer activities from cages to the farm shall be monitored by video camera in the water. This requirement shall not apply where the cages are directly fixed to the mooring system.

Trap activities

86. CPCs shall take the necessary measures to ensure the record of the catches after the end of every fishing operation and the transmission of these data simultaneously by electronic means or other means within 48 hours after the end of every fishing operation to the competent authority, which shall transmit these data without delay to the ICCAT Secretariat.

VMS

87. Without prejudice to paragraph 1 d) of Recommendation [06-07], CPCs shall implement a vessels monitoring system for their fishing vessels over 24 m, 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].

Without prejudice to paragraph 1d) of Recommendation [06-07], with effect from 1 January 2010 this measure shall be applied for their fishing vessels over 15 m.

No later than 31 January 2008, each CPC shall communicate without delay messages pursuant to this paragraph to the ICCAT Secretariat, in accordance with the data exchange formats and protocols adopted by the Commission in 2007.

The ICCAT Executive Secretariat shall make available as soon as possible the information received under this paragraph to CPCs with an active inspection presence in the Plan Area and to SCRS, at its request.

On request from CPCs engaged in inspection at sea operations in the convention area in accordance with the ICCAT scheme of joint international inspection referred to in paragraphs 97 and 98 of this Recommendation, the ICCAT Secretariat shall make available the messages received under paragraph 3 of Recommendation [07-08] to all fishing vessels.

CPC Observer Program

88. Each CPC shall ensure observer coverage on its catching vessels actively fishing for bluefin tuna over 15 m in overall length of at least:
- 20% of its active purse seine vessels between 15 m and 24 m in overall length;
 - 20% of its active pelagic trawlers,
 - 20% of its active longline vessels,
 - 20% of its active baitboats,
 - 100% during the harvesting process for tuna traps.

The observer tasks shall be, in particular, to:

- a) monitor a catching vessel compliance with the present recommendation,
- b) record and report upon the fishing activity, which shall include, inter alia, the following:
 - amount of catch (including by-catch), that also includes species disposition, such as retained on board or discarded dead or alive,
 - area of catch by latitude and longitude,
 - measure of effort (e.g., number of sets, number of hooks, etc.), as defined in the ICCAT Field Manual for different gears.
 - date of catch,
- c) observe and estimate catches and verify entries made in the logbook,
- d) sight and record vessels that may be fishing contrary to ICCAT conservation measures.

In addition, the observer shall carry out scientific work, such as collecting Task II data, when required by the Commission, based on the instructions from the SCRS.

In implementing this observer requirement, CPCs shall:

- a) ensure representative temporal and spatial coverage to ensure that the Commission receives adequate and appropriate data and information on catch, effort, and other scientific and management aspects, taking into account characteristics of the fleets and fisheries;

- b) ensure robust data collection protocols;
- c) ensure observers are properly trained and approved before deployment;
- d) ensure, to the extent practicable, minimal disruption to the operations of vessels fishing in the Convention Area.

Data and information collected under each CPCs observer program shall be provided to the SCRS and the Commission, as appropriate, in accordance with requirements and procedures to be developed by the Commission by 2009 taking into account CPC confidentiality requirements.

For the scientific aspects of the program, the SCRS shall report on the coverage level achieved by each CPC and provide a summary of the data collected and any relevant findings associated with that data. SCRS shall also provide any recommendations to improve the effectiveness of CPC observer programs.

ICCAT Regional observer Programme

89. An ICCAT Regional Observer Programme shall be established to ensure an observer coverage of 100%:
- of purse seine vessels over 24 m during all the annual fishing season (**Annex 7**);
 - of all purse seiners involved in joint fishing operations, irrespective of the length of the vessels. In this respect, an observer shall be present during the fishing operation;
 - during all transfer of bluefin tuna to the cages and all harvest of fish from the cage.

Such purse seine vessels without an ICCAT regional observer shall not be authorized to fish or to operate in the bluefin tuna fishery.

90. An ICCAT Regional Observer Programme shall ensure an observer presence during all transfer of bluefin tuna to the cages and all harvest of fish from the cage.

The observer tasks shall be, in particular, to:

- observe and monitor farming operation compliance with the *Recommendation by ICCAT on Bluefin Tuna Farming* [Rec. 06-07],
- validate the caging report referred to in paragraph 82,
- carry out such scientific work, for example collecting samples, as required by the Commission based on the directions from the SCRS.

Enforcement

91. CPCs shall take enforcement measures with respect to a fishing vessel, where it has been established, in accordance with its law that the fishing vessel flying its flag does not comply with the provisions of paragraphs 19 to 24, 27 to 29 and 64 to 68 (closed seasons, minimum size and recording requirements).

The measures may include in particular depending on the gravity of the offence and in accordance with the pertinent provisions of national law:

- fines,
- seizure of illegal fishing gear and catches,
- sequestration of the vessel,
- suspension or withdrawal of authorization to fish,
- reduction or withdrawal of the fishing quota, if applicable.

92. The CPC under whose jurisdiction the farm for bluefin tuna is located shall take enforcement measures with respect to a farm, where it has been established, in accordance with its law that this farm does not comply with the provisions of paragraphs 82 to 85 and 90 (caging operations and observers) and with the *Recommendation by ICCAT on Bluefin Tuna Farming* [Rec. 06-07].

The measures may include in particular depending on the gravity of the offence and in accordance with the pertinent provisions of national law:

- fines,
- suspension or withdrawal of the record of FFBs,
- prohibition to put into cages or market quantities of bluefin tuna.

Access to video records

93. Each CPC shall take the necessary measures to ensure that the video records of its fishing vessels and of its farms are made available to the ICCAT inspectors and ICCAT observers.

The CPC under whose jurisdiction the farm for bluefin tuna is located shall take the necessary measures to ensure that the video records of its fishing vessels and of its farms are made available to its inspectors and its observers.

Market measures

94. Consistent with their rights and obligations under international law, exporting and importing CPCs shall take the necessary measures:
- to prohibit domestic trade, landing, imports, exports, placing in cages for farming, re-exports and transshipments of eastern Atlantic and Mediterranean bluefin tuna species that are not accompanied by accurate, complete, and validated documentation required by this Recommendation and Recommendation [08-12] on a bluefin tuna catch documentation programme.
 - to prohibit domestic trade, imports, landings, placing in cages for farming, processing, exports, re-exports and the transshipment within their jurisdiction, of eastern and Mediterranean bluefin tuna species caught by fishing vessels whose flag State either does not have a quota, catch limit or allocation of fishing effort for that species, under the terms of ICCAT management and conservation measures, or when the flag State fishing possibilities are exhausted, or when the individual quotas of catching vessels referred to in paragraph 9 are exhausted;
 - to prohibit domestic trade, imports, landings, processing, exports from farms that do not comply with the Recommendation *by ICCAT on Bluefin Tuna Farming* [Rec. 06-07].

Conversion factors

95. The conversion factors adopted by SCRS shall apply to calculate the equivalent round weight of the processed bluefin tuna.

Growth factors

96. Each CPC shall define growth factors to be applied to bluefin tuna farmed in its cages. It shall notify to ICCAT Secretariat and to the SCRS the factors and methodology used. The SCRS shall review this information at its annual meetings in 2009 and 2010 and shall report to the Commission. The SCRS shall further study the estimated growth factors and provide advice to the Commission for its annual meeting in 2010.

Part V ICCAT Scheme of Joint International Inspection

97. In the framework of the multi-annual management plan for bluefin tuna, each CPC agrees, in accordance with Article 9, paragraph 3, of the ICCAT Convention, to apply the ICCAT Scheme of Joint International Inspection adopted during its Fourth Regular Meeting, held in November 1975 in Madrid², as modified in **Annex 8**.
98. The Scheme referred to in paragraph 97 shall apply until ICCAT adopts a monitoring, control and surveillance scheme which will include an ICCAT scheme for joint international inspection, based on the results of the Integrated Monitoring Measures Working Group, established by Resolution 00-20.

Part VI Final provisions

99. Availability of data to the SCRS

The ICCAT Secretariat shall make available to the SCRS all data received in accordance with the present Recommendation.

All data shall be treated in a confidential manner.

² Note from the Secretariat: See Appendix II to Annex 7 in *Report for Biennial Period, 1974-75, Part II (1975)*.

100. Evaluation

All the CPCs shall submit each year to the Secretariat regulations and other related documents adopted by them to implement this Recommendation. In order to have greater transparency in implementing this Recommendation, all the CPCs involved in the bluefin tuna chain shall submit each year, no later than 15 October, a detailed report on their implementation of this Recommendation.

101. Cooperation

All the CPCs involved in the bluefin tuna chain are encouraged to enter into bilateral arrangements in order to improve the compliance with the provisions of this Recommendation. These arrangements could notably cover exchanges of inspectors, joint inspections and data sharing.

102. Repeals

This Recommendation repeals paragraph 10 of Recommendation [06-07]; Recommendation [07-04] and paragraph 6 of Recommendation [07-08].

This Recommendation replaces Recommendation [06-05]. Paragraphs 50 and 51 of Recommendation [06-05] shall remain in force until the ICCAT Regional Observer Programme referred to in paragraphs 89 and 90 is implemented.

Specific Conditions Applying to the Catching Vessels Referred to in Paragraph 28

1. CPCs shall limit:
 - The maximum number of its baitboats and trolling boats authorized to fish actively bluefin tuna to the number of the vessels participating in directed fishery for bluefin tuna in 2006.
 - The maximum number of its artisanal fleet authorized to fish actively bluefin tuna in Mediterranean to the number of the vessel participating in the fishery for bluefin tuna in 2008.
 - The maximum number of its catching vessel authorized to fish actively bluefin tuna in Adriatic to the number of the vessel participating in the fishery for bluefin tuna in 2008. Each CPC shall allocate individual quotas to the concerned vessels.
2. By 30 January each year, CPCs shall submit to ICCAT Secretariat, the number of catching vessels established pursuant to paragraph 1 of this Annex.
3. CPCs shall issue specific authorizations to the catching vessel referred to in paragraph 1 and shall transmit the list of such catching vessels to ICCAT Secretariat.
4. Any subsequent changes shall not be accepted unless a notified catching vessel is prevented from participation due to legitimate operational reasons or force majeure. In such circumstances CPC concerned shall immediately inform the ICCAT Executive Secretariat, providing:
 - a) full details of the intended replacement of the catching vessel referred to in paragraph 3 of this Annex;
 - b) a comprehensive account of the reasons justifying the replacement and any relevant supporting evidence or references.
5. Each CPC shall allocate no more than 7% of its quota for bluefin tuna among its baitboats and trolling boats, with up to a maximum of 100 t of bluefin tuna weighing no less than 6.4kg caught by baitboat vessels of an overall length of less than 17 m by derogation to paragraph 28 of this Recommendation.
6. Each CPC may allocate no more than 2% of its quota for bluefin tuna among its coastal artisanal fishery for fresh fish in the Mediterranean.

Each CPC may allocate no more than 90% of its quota for bluefin tuna among its catching vessel in Adriatic for farming purposes.
7. Authorized catching vessels pursuant to paragraph 1 of this Annex shall only land bluefin tuna catches in designated ports. To this end, each CPC shall designate ports in which landing of bluefin tuna is authorized and communicate a list of these ports to the ICCAT Secretariat by 1 March each year.

For a port to be determined as designated port, the port State shall specify permitted landing times and places. The port State shall ensure full inspection coverage during all landing times and at all landing places.

On the basis of this information the ICCAT Secretariat shall maintain a list of designated ports on the ICCAT website for these fisheries.
8. Prior to entry into any designated port, authorized catching vessels in accordance with paragraph 4 of this Annex or their representative, shall provide the competent port authorities at least 4 hours before the estimated time of arrival with the following:
 - a) estimated time of arrival,
 - b) estimate of quantity of bluefin tuna retained on board,
 - c) information on the zone where the catches were taken;

Each landing shall be subjected to an inspection in port.

Port state authorities shall keep a record of all prior notice for the current year.

9. CPCs shall implement a catch reporting regime that ensures that an effective monitoring of the utilization of each vessels quota.
10. Bluefin tuna catches may not be offered for retail sale to the final consumer, irrespective of the marketing method, unless appropriate marking or labeling indicates:
 - a) the species, fishing gear used,
 - b) the catch area and date.
11. Beginning 1 July 2007, CPCs whose baitboats, longliners, handliners and trolling boats are authorized to fish for bluefin tuna in the East Atlantic and Mediterranean shall institute tail tag requirements as follows:
 - a) Tail tags must be affixed on each bluefin tuna immediately upon offloading.
 - b) Each tail tag shall have a unique identification number and be included on bluefin tuna catch documents and written on the outside of any package containing tuna.
12. The master of the catching vessel shall ensure that any quantity of bluefin tuna landed in designated port shall be weighed before first sale or before being transported elsewhere from the port of landing.

Minimum specification for logbooks:

1. The logbook must be numbered by sheets.
2. The logbook must be filled in every day (midnight) or before port arrival
3. The logbook must be completed in case of at sea inspections
4. One copy of the sheets must remain attached to the logbook
5. Logbooks must be kept on board to cover a period of one-year operation.

Minimum standard information for logbooks:

1. Master name and address
2. Dates and ports of departure, Dates and ports of arrival
3. Vessel name, register number, ICCAT number and IMO number (if available). In case of joint fishing operations, vessel names, register numbers, ICCAT numbers and IMO numbers (if available) of all the vessels involved in the operation.
4. Fishing gear:
 - a) Type FAO code
 - b) Dimension (length, mesh size, number of hooks ...)
5. Operations at sea with one line (minimum) per day of trip, providing:
 - a) Activity (fishing, steaming...)
 - b) Position: Exact daily positions (in degree and minutes), recorded for each fishing operation or at noon when no fishing has been conducted during this day.
 - c) Record of catches:
6. Species identification:
 - a) by FAO code
 - b) round (RWT) weight in kg per day
 - c) number of pieces per day
7. Master signature
8. Observer signature (if applicable)
9. Means of weight measure: estimation, weighing on board and counting.
10. The logbook is kept in equivalent live weight of fish and mentions the conversion factors used in the evaluation.

Minimum information in case of landing, transshipment/transfer:

1. Dates and port of landing /transshipment/transfer
2. Products
 - a) presentation
 - b) number of fish or boxes and quantity in kg
3. Signature of the Master or Vessel Agent

Document No. ICCAT Transfer/Transhipment Declaration

<p>Tug/Carrier vessel Name of vessel and radio call sign: Flag: Flag State authorization No. National Register No. ICCAT Register No. IMO No.</p>	<p>Fishing Vessel Name of the vessel and radio call sign, Flag: Flag State authorization No. National register No. ICCAT Register No. External identification: Fishing logbook sheet No.</p>
<p>Farm of destination Name ICCAT Register number</p>	<p>Trap Name ICCAT Register number</p>

Departure	Day	Month	Hour	Year	[2_]0[_]__	F.V Master's/trap operator name:	Tug/Carrier Master's name:	LOCATION OF TRANSHIPMENT
Return	[] []	[] []	[] []	from	[] []	Signature:	Signature:	
Transfer/Transh.	[] []	[] []	[] []	to	[] []			

For transhipment, indicate the weight in kilograms or the unit used (e.g. box, basket) and the landed weight in kilograms of this unit: [] kilograms.
 In case of transfer of live fish indicate number of unit and live weight

Port	Sea		Species	Number of unit of fishes	Type of Product Live	Type of Product Whole	Type of Product Guttet	Type of Product Head off	Type of Product Filleted	Type of Product	further transfer / transhipments
	Lat.	Long.									
											Date: _____ Place/Position: _____ Authorization CP No. _____ Transfer vessel Master signature: _____
											Name of receiver vessel: _____ Flag _____ ICCAT Register No. _____ IMO N° _____ Master's signature _____
											Date: _____ Place/Position: _____ Authorization CP No. _____ Transfer vessel Master's signature: _____
											Name of receiver vessel: _____ Flag _____ ICCAT Register No. _____ IMO No. _____ Master's signature _____

ICCAT Observer signature (if applicable).

Obligations in case of transfer/transhipment:

1. The original of the transfer/transhipment declaration must be provided to the recipient vessel (tug/processing/transport).
2. The copy of the transfer/transhipment declaration must be kept by the correspondent catching vessel or trap.
3. Further transfers or transhipping operations shall be authorized by the relevant CP which authorized the vessel to operate.
4. The original of the transfer/transhipment declaration has to be kept by the recipient vessel which holds the fish, up to the farm or the landing place.
5. The transfer or transhipping operation shall be recorded in the logbook of any vessel involved in the operation.

Allocation Scheme for 2007-2010

Recovery Plan for a four-year period (Unit: t)

	2007	2008	2009	2010
Albania			50.00	50.00
Algerie	1,511.27	1,460.04	1,117.42	1,012.13
China (People's Republic)	65.78	63.55	61.32	56.86
Croatia	862.31	833.08	641.45	581.51
Egypt			50.00	50.00
European Community*	16,779.55	16,210.75	12,406.62	11,237.59
Iceland	53.34	51.53	49.72	46.11
Japan	2,515.82	2,430.54	1,871.44	1,696.57
Korea	177.80	171.77	132.26	119.90
Libya	1,280.14	1,236.74	946.52	857.33
Moroc	2,824.30	2,728.56	2,088.26	1,891.49
Norway	53.34	51.53	49.72	46.11
Syria	53.34	51.53	50.00	50.00
Tunisie	2,333.58	2,254.48	1,735.87	1,573.67
Turkey	918.32	887.19	683.11	619.28
Chinese Taipei	71.12	68.71	66.30	61.48

*Fishing possibilities for EC-Malta and EC-Cyprus as follows: 2007: 355.59 t and 154.68 t, respectively, 2008: 343.54 t and 149.44 t, respectively.

ICCAT Regional Observer Programme

1. Each CPC shall require its farms, its purse seine vessels over 24 m and its purse seine vessels involved in joint fishing operations to carry an ICCAT observer during all the fishing and harvesting period in the Convention area.
2. By 1 February each year, CPCs shall notify to the ICCAT Executive Secretariat a list of its observers.
3. The Secretariat of the Commission shall appoint the observers before 1 March each year, and shall place them into farms and on board the purse seine vessels flying the flag of Contracting Parties and of non-Contracting Cooperating Parties, Entities or Fishing Entities that implement the ICCAT observer program. An ICCAT observer card shall be issued for each observer.
4. The Secretariat shall issue a contract listing the rights and duties of the observer and the master of the vessel or farm operator. This contract shall be signed by both parties involved.
5. The Secretariat shall establish an ICCAT observer programme manual.

Designation of the observers

6. 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 assessed by a certificate provided by the CPCs and based on ICCAT training guidelines;
 - the ability to observe and record accurately;
 - a satisfactory knowledge of the language of the flag of the vessel or farm observed.

Obligations of the observer

7. 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 farm State or flag State of the purse seine vessel;
 - c) be capable of performing the duties set forth in point 8 below;
 - d) be included in the list of observers maintained by the Secretariat of the Commission;
 - e) not have current financial or beneficial interests in the bluefin tuna fishery.
8. The observer tasks shall be in particular:
 - a) As regards observers on purse-seine vessels, to monitor the purse seine vessels' compliance with the relevant conservation and management measures adopted by the Commission. In particular the observers shall:
 - i) record and report upon the fishing activities carried out;
 - ii) observe and estimate catches and verify entries made in the logbook;
 - iii) issue a daily report of the purse seiner vessels' transfer activities;
 - iv) sight and record vessels which may be fishing in contravention to ICCAT conservation and management measures;
 - v) record and report upon the transfer activities carried out;
 - vi) verify the position of the vessel when engaged in transfer;
 - vii) observe and estimate products transferred, including through the review of video recordings;
 - viii) verify and record the name of the fishing vessel concerned and its ICCAT number;
 - ix) carry out scientific work such as collecting task II data when required by the Commission, based on the directives from the SCRS.
 - b) As regards observers in the farms, to monitor the farms' compliance with the relevant conservation and management measures adopted by the Commission. In particular the observers shall:

- i) verify the data contained in the transfer declaration and caging declaration, including through the review of video records;
 - ii) certify the data contained in the transfer declaration and caging declaration;
 - iii) issue a daily report of the farms' transfer activities;
 - iv) countersign the transfer declaration and caging declaration;
 - v) carry out such scientific work, for example collecting samples, as required by the Commission, based on the directives from the SCRS.
 - c) establish general reports compiling the information collected in accordance with this paragraph and provide the master and farm operator 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.
9. Observers shall treat as confidential all information with respect to the fishing and transfer operations of the purse seiners and of the farms and accept this requirement in writing as a condition of appointment as an observer;
10. Observers shall comply with requirements established in the laws and regulations of the flag or farm State which exercises jurisdiction over the vessel or farm to which the observer is assigned.
11. Observers shall respect the hierarchy and general rules of behavior which apply to all vessel and farm personnel, provided such rules do not interfere with the duties of the observer under this program, and with the obligations of vessel and farm personnel set forth in paragraph 12 of this program.

Obligations of the flag States of purse seine vessels and farm States

12. The responsibilities regarding observers of the flag States of the purse seine vessels and their masters shall include the following, notably:
- a) Observers shall be allowed to access to the vessel and farm personnel and to the gear, cages 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 8:
 - 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 masters, crew, farm 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 farm State or flag State of the purse seine vessel, 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 farm operators and purse seiner's owners. 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 or farm for which the fees, as required under subparagraph a), have not been paid.

ICCAT Scheme of Joint International Inspection

Pursuant to paragraph 3 of Article IX of the Convention, the ICCAT Commission recommends the establishment of the following arrangements for international control outside the waters under national jurisdiction for the purpose of ensuring the application of the Convention and the measures in force thereunder:

I. Serious violations

1. For the purposes of these procedures, a serious violation means the following violations of the provisions of the ICCAT conservation and management measures adopted by the Commission:
 - a. fishing without a license, permit or authorization issued by the flag CPC,
 - b. failure to maintain sufficient records of catch and catch-related data in accordance with the Commission's reporting requirements or significant misreporting of such catch and/or catch-related data;
 - c. fishing in a closed area;
 - d. fishing during a closed season;
 - e. intentional taking or retention of species in contravention of any applicable conservation and management measure adopted by the ICCAT;
 - f. significant violation of catch limits or quotas in force pursuant to the ICCAT rules;
 - g. using prohibited fishing gear;
 - h. falsifying or intentionally concealing the markings, identity or registration of a fishing vessel;
 - i. concealing, tampering with or disposing of evidence relating to investigation of a violation;
 - j. multiple violations which taken together constitute a serious disregard of measures in force pursuant to the ICCAT;
 - k. assault, resist, intimidate, sexually harass, interfere with, or unduly obstruct or delay an authorized inspector or observer;
 - l. intentionally tampering with or disabling the vessel monitoring system;
 - m. such other violations as may be determined by the ICCAT, once these are included and circulated in a revised version of these procedures;
 - n. fishing with assistance of spotter planes;
 - o. interference with the satellite monitoring system and/or operates without VMS system;
 - p. transfer activity without transfer declaration.
2. In the case of any boarding and inspection of a fishing vessel during which the authorized inspectors observe an activity or condition that would constitute a serious violation, as defined in paragraph 1, the authorities of the inspection vessels shall immediately notify the authorities of the fishing vessel, directly as well as through the ICCAT Secretariat.
3. The flag State CPC shall ensure that, following the inspection referred to in paragraph 2 of this Annex, the fishing vessel concerned ceases all fishing activities. The flag State CPC shall require the fishing vessel to proceed immediately to a port designated by it, and where an investigation shall be initiated.

If the vessel is not called to port; the CPC must provide due justification in a timely manner to the Executive Secretary, who shall make it available on request to other Contracting parties

II. Conduct of inspections

4. Inspection shall be carried out by inspectors of the fishery control services of Contracting Governments. The names of the inspectors appointed for that purpose by their respective governments shall be notified to the ICCAT Commission;
5. Ships carrying inspectors shall fly a special flag or pennant approved by the ICCAT Commission to indicate that the inspector is carrying out international inspection duties. The names of the ships so used for the time being, which may be either special inspection vessels or fishing vessels, shall be notified to the ICCAT Commission, as soon as may be practical;

6. Each inspector shall carry an identity document supplied by the authorities of the flag State in the form shown in paragraph 17 of this Annex and giving him an appointment stating that he has authority to act under arrangements approved by the ICCAT Commission. This identity document shall be valid for a minimum of five years;
7. Subject to the arrangements agreed under paragraph 12 of this Annex, a vessel employed for the time being in fishing for tuna or tuna-like fishes in the Convention Area outside the waters within its national jurisdiction shall stop when given the appropriate signal in the International Code of Signals by a ship carrying an inspector unless it is actually carrying out fishing operations, in which case it shall stop immediately once it has finished such operations. The master³ of the vessel shall permit the inspector, who may be accompanied by a witness, to board it. The master shall enable the inspector to make such examination of catch or gear and any relevant documents as the inspector deems necessary to verify the observance of the ICCAT Commission's recommendations in force in relation to the flag State of the vessel concerned and the inspector may ask for any explanations that he deems necessary;
8. On boarding the vessel an inspector shall produce the document described in paragraph 6 of this Annex. Inspections shall be made so that the vessel suffers the minimum interference and inconvenience and the quality of the fish does not deteriorate. An inspector shall limit his enquiries to the ascertainment of the observance of the ICCAT Commission's recommendations in force in relation to the flag State of the vessel concerned. In making his examination an inspector may ask the master for any assistance he may require. He shall draw up a report of his inspection in a form approved by the ICCAT Commission. He shall sign the report in the presence of the master of the vessel who shall be entitled to add or have added to the report any observations which he may think suitable and must sign such observations. Copies of the report shall be given to the master of the vessel and to the inspector's government, which shall transmit copies to the appropriate authorities of the flag State of the vessel and to the ICCAT Commission. Where any infringement of the recommendations is discovered the inspector should, where possible, also inform the competent authorities of the flag State, as notified to the ICCAT Commission, and any inspection ship of the flag State known to be in the vicinity;
9. Resistance to an inspector or failure to comply with his directions shall be treated by the flag State of the vessel in a manner similar to resistance to any inspector of that State or a failure to comply with his directions;
10. Inspector shall carry out their duties under these arrangements in accordance with the rules set out in this recommendation but they shall remain under the operational control of their national authorities and shall be responsible to them;
11. Contracting Governments shall consider and act on reports of foreign inspectors under these arrangements on a similar basis in accordance with their national legislation to the reports of national inspectors. The provisions of this paragraph shall not impose any obligation on a Contracting Government to give the report of a foreign inspector a higher evidential value than it would possess in the inspector's own country. Contracting Governments shall collaborate in order to facilitate judicial or other proceedings arising from a report of an inspector under these arrangements;
12. a) Contracting Governments shall inform the ICCAT Commission by 1 March each year of their provisional plans for participation in these arrangements in the following year and the Commission may make suggestions to Contracting Governments for the coordination of national operations in this field including the number of inspectors and ships carrying inspectors;
- b) the arrangements set out in this recommendation and the plans for participation shall apply between Contracting Governments unless otherwise agreed between them, and such agreement shall be notified to the ICCAT Commission:
Provided however, that implementation of the scheme shall be suspended between any two Contracting Governments if either of them has notified the ICCAT Commission to that effect, pending completion of an agreement;
13. a) the fishing gear shall be inspected in accordance with the regulations in force for the subarea in which the inspection takes place. The inspector will state the nature of this violation in this report;



³ Master refers to the individual in charge of the vessel.

- b) inspectors shall have the authority to inspect all fishing gear in use or that fishing gear on deck ready for use;
- 14. The inspector shall affix an identification mark approved by the ICCAT Commission to any fishing gear inspected which appears to be in contravention of the ICCAT Commission’s recommendations in force in relation to the flag State of the vessel concerned and shall record this fact in his report;
- 15. The inspector may photograph the gear in such a way as to reveal those features which in his opinion are not in conformity with the regulation in force, in which case the subjects photographed should be listed in the report and copies of the photographs should be attached to the copy of the report to the flag State;
- 16. The inspector shall have authority, subject to any limitations imposed by the ICCAT Commission, to examine the characteristics of catches, to establish whether the ICCAT Commission’s recommendations are being complied with.

He shall report his findings to the authorities of the flag State of the inspected vessel as soon as possible. (*Report for Biennial Period, 1974-75, Part II*).

- 17. New proposed model Identity Card for inspectors.

Dimensions: Width 10.4cm, Height 7cm

<p style="text-align: center;">INTERNATIONAL COMMISSION FOR THE CONSERVATION OF ATLANTIC TUNA</p> <div style="display: flex; align-items: center; justify-content: center;">  <div style="margin-left: 20px;"> <p style="font-size: 24px; font-weight: bold; margin: 0;">ICCAT</p> <p style="font-weight: bold; margin: 0;">Inspector Identity Card</p> </div> </div> <p>Contracting Party:</p> <p>Inspector Name:</p> <p>Card n°:</p> <p>Issue Date: Valid five years</p> <div style="border: 1px dashed black; width: 80px; height: 60px; margin-top: 10px; display: flex; align-items: center; justify-content: center;"> <p style="font-size: 10px;">Photograph</p> </div>	<div style="display: flex; align-items: center; justify-content: center;">  <div style="margin-left: 20px;"> <p style="font-size: 24px; font-weight: bold; margin: 0;">ICCAT</p> </div> </div> <p style="font-size: 10px; margin-top: 10px;">The holder of this document is an ICCAT inspector duly appointed under the terms of the Scheme of Joint International Inspection and Surveillance of the International Commission for the Conservation of the Atlantic Tuna and has the authority to act under the provision of the ICCAT Control and Enforcement measures.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%; border-top: 1px dotted black; padding-top: 2px;"> <p style="font-size: 10px; margin: 0;">ICCAT Executive Secretary Issuing Authority</p> </div> <div style="width: 45%; border-top: 1px dotted black; padding-top: 2px;"> <p style="font-size: 10px; margin: 0;">Inspector</p> </div> </div>
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08-07

BYC

RECOMMENDATION BY ICCAT ON THE CONSERVATION OF BIGEYE THRESHER SHARKS (*ALOPIAS SUPERCILIOSUS*) CAUGHT IN ASSOCIATION WITH FISHERIES MANAGED BY ICCAT

RECALLING that the Commission adopted the *Resolution by ICCAT on Atlantic Sharks* [Res. 01-11], the *Recommendation by ICCAT Concerning the Conservation of Sharks Caught in Association with Fisheries Managed by ICCAT* [Rec. 04-10], the *Recommendation of ICCAT to Amend the Recommendation 04-10 on the Conservation of Sharks Caught in Association with the Fisheries Managed of ICCAT* [Rec. 05-05] and the *Supplemental Recommendation by ICCAT Concerning Sharks* [Rec.07-06];

RECALLING the Food and Agriculture Organization of the United Nations (the FAO) International Plan of Action for Sharks;

CONSIDERING that bigeye thresher sharks (*Alopias superciliosus*) are caught as by-catch in many of the fisheries in the ICCAT Convention area;

RECALLING the need to annually report Task I and Task II for catches of sharks in conformity with the *ICCAT Recommendation Concerning the Conservation of Sharks Caught in Association with Fisheries Managed by ICCAT* [Rec. 04-10];

NOTING that at its 2008 Meeting the Standing Committee on Research and Statistics (SCRS) recommended that ICCAT reduce the mortality of bigeye thresher shark (*Alopias superciliosus*), in view of the vulnerability of this species, and that the prohibition of landings could be considered;

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION OF ATLANTIC TUNA (ICCAT) RECOMMENDS THE FOLLOWING:

CPCs shall require vessels flying their flag to promptly release unharmed, to the extent practicable, bigeye thresher sharks (*Alopias superciliosus*) caught in association with fisheries managed by ICCAT which are alive, when brought along side for taking on board the vessel. CPCs shall also require that incidental catches as well as live releases shall be recorded in accordance with ICCAT data reporting requirements.

08-09

GEN

**RECOMMENDATION BY ICCAT TO ESTABLISH A PROCESS FOR
THE REVIEW AND REPORTING OF COMPLIANCE INFORMATION**

RECOGNIZING the international obligations regarding flag state responsibilities to ensure compliance with management measures and to immediately and fully investigate allegations of non-compliance,

ACKNOWLEDGING that effective monitoring and control is required to achieve compliance with agreed upon ICCAT management measures so that the goals of such management measures have a chance of being achievable,

ACKNOWLEDGING that the Commission has historically suffered from a lack of information as well as data deficiencies thus resulting in an inability to identify relevant instances of non-compliance with management measures,

NOTING that, in a responsible, open, transparent and non-discriminatory manner, the Commission should be made aware of any and all available information that may be relevant to the work of the Commission in identifying and holding accountable instances of non-compliance with management measures,

FURTHER NOTING ICCAT's Guidelines for the Dissemination of Information Submitted by Contracting Parties, Cooperating Non-Contracting Parties, Entities and Fishing Entities,

RECOGNIZING that, the Compliance Officer position is authorized and financed by the members of the Commission to assist the Secretariat specifically with the Commission's ongoing work to strengthen ICCAT; particularly in regards to overseeing, coordinating, and executing actions on compliance matters of relevance to the Commission,

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

1. Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (CPCs) should submit to the Secretariat documented information that indicates possible non-compliance with ICCAT Conservation and Management Measures at least 120 days before the annual meeting.
2. The Executive Secretary shall transmit this information to the CPCs involved in any reports of non-compliance at least 90 days before the annual meeting.
3. CPCs shall, consistent with domestic laws, provide the Executive Secretary with the findings of any investigation taken in relation to the allegations of non-compliance and any actions taken to address compliance concerns at least 30 days before the annual meeting. If such investigation is ongoing, CPCs shall advise the Executive Secretary of the expected length of the investigation and provide periodic updates in their progress until completed.
4. The Executive Secretary shall circulate to all CPCs, at least two weeks in advance of the annual meeting a summary report of information received, including responses by CPCs, which shall be considered by the Compliance Committee and the PWG, as appropriate in a responsible, open, transparent and non-discriminatory manner.
5. Non-governmental organizations may submit reports on non-compliance with ICCAT conservation and management measures to the Secretariat at least 120 days before the annual meeting for circulation to the CPCs. Organizations submitting reports may request to present such reports to the Compliance Committee and the Permanent Working Group. In adopting the Agendas for meetings of the respective bodies CPCs shall determine if such presentations can be accommodated.

08-10

GEN

**RECOMMENDATION BY ICCAT TO HARMONIZE THE MEASUREMENT
OF LENGTH OF THE VESSELS AUTHORIZED TO FISH IN
THE AREA OF THE CONVENTION**

NOTING that several ICCAT recommendations and resolutions refer to the length of the vessels,

ALSO NOTING that there exist different definitions of the length of the vessels in ICCAT recommendations and resolutions,

WHEREAS it would be advisable to use identical rules for determining the length of the vessels,

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

The length of a vessel referred in the recommendations and the resolutions adopted by ICCAT corresponds to the length overall, defined as the distance measured in a straight line between the foremost point of the bow and the aftermost point of the stern.

08-11

SDP

**RECOMMENDATION BY ICCAT AMENDING TEN
RECOMMENDATIONS AND THREE RESOLUTIONS**

RECOGNISING that the *Recommendation by ICCAT on an ICCAT Bluefin Tuna Catch Documentation Program* [Rec. 07-10] replaced the ICCAT Bluefin Tuna Statistical Document Program;

NOTING that many previously adopted Recommendations and Resolutions make reference to the Bluefin Tuna Statistical Document and to Statistical Document Programs in general;

CONSIDERING that the coverage of bluefin tuna is intended in references to Statistical Document Programs in general;

FURTHER NOTING that the measures adopted for the previous bluefin tuna statistical document program pertained to the bigeye tuna and swordfish statistical document programs;

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

1. References to the ‘bluefin tuna statistical document program’ and ‘bluefin tuna statistical documents’ be replaced by ‘bluefin tuna catch document program’ and ‘bluefin tuna catch documents’ in the following provisions:
 - i) *Recommendation by ICCAT Concerning Unreported Catches of Bluefin Tuna, Including Catches Classified as Not Elsewhere Included* [Rec. 97-03], paragraph 3;
 - ii) *Recommendation by ICCAT to Establish a Multi-annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 06-05], in ANNEX 1, paragraph 11 b);
 - iii) *Recommendation by ICCAT on Bluefin Tuna Farming* [Rec. 06-07]: paragraphs 2b and 2f, paragraph 4, paragraph 8, paragraph 9f and the Caging Declaration contained in the Annex to the Recommendation;
 - iv) *Recommendation by ICCAT Concerning Trade Measures* [Rec. 06-13], paragraph 2b.

2. The phrases ‘Statistical Document Programs’ and ‘Statistical Documents’ be replaced respectively by the phrases ‘Statistical or Catch Document Programs’ and ‘Statistical Documents or Catch Documents’ in the following Recommendations and Resolutions:
 - i) *Resolution by ICCAT on Compliance with the ICCAT Conservation and Management measures* [Res. 94-09], paragraph 5 and paragraph 7;
 - ii) *Resolution by ICCAT Concerning a Management Standard for Large-Scale Tuna Longline Fishery* [Res. 01-20], Attachment 1, paragraph 2)iii and Attachment 2, Section B;
 - iii) *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], paragraph 7b;
 - iv) *Resolution by ICCAT Concerning the Measures to Prevent the Laundering of Catches by Illegal, Unreported and Unregulated (IUU) Large-Scale Tuna Longline Fishing Vessels* [Res. 02-25], paragraph 1 and 2;
 - v) *Recommendation by ICCAT to Change the Terms of Reference of the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG)* [Rec. 02-28], paragraph 3 and paragraph 4;
 - vi) *Recommendation by ICCAT Establishing a Programme for Transshipment* [Rec. 06-11], SECTION 5. GENERAL PROVISIONS, paragraph 17;
 - vii) *Recommendation by ICCAT on Additional Measures for Compliance of the ICCAT Conservation and Management Measures* [Rec. 06-15], paragraph 1, paragraph 2 and paragraph 3.

3. The first sentence of paragraph 2(3) of the *Recommendation by ICCAT Concerning the ICCAT Bigeye Tuna Statistical Document Program* [Rec. 01-21] and the *Recommendation by ICCAT Establishing a Swordfish Statistical Document Program* [Rec. 01-22] be replaced, *mutatis mutandis*, by paragraphs A-D of the *Resolution by ICCAT Concerning Validation by a Government Official of the Bluefin Tuna Statistical Document* [Res. 93-02].
4. Paragraph 14 of the *Recommendation by ICCAT Concerning the ICCAT Bigeye Tuna Statistical Document Program* [Rec. 01-21] and paragraph 13 of the *Recommendation by ICCAT Establishing a Swordfish Statistical Document Program* [Rec. 01-22] be replaced *mutatis mutandis* by the *Recommendation by ICCAT on Validation of the Bluefin Tuna Statistical Document by the European Community* [Rec. 98-12].
5. Paragraph 2 of the *Recommendation by ICCAT Amending 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. 06-12] be replaced by the following text:

“Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities shall transmit every year to the Executive Secretary at least 120 days before the annual meeting, the list of vessels flying the flag of a non-Contracting Party presumed to be carrying out IUU fishing activities in the Convention area during the current and previous year, accompanied by the supporting evidence concerning the presumption of IUU fishing activity.

This list shall be based on the information collected by Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities, *inter alia*, under:

- 1994 *Resolution by ICCAT on Compliance with the ICCAT Conservation and Management Measures* [Res. 94-09];
- 1997 *Recommendation by ICCAT on Transshipments and Vessel Sightings* [Rec. 97-11];
- 1997 *Recommendation by ICCAT for a Revised ICCAT Port Inspection Scheme* [Rec. 97-10];
- 2002 *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];
- 2007 *Recommendation by ICCAT on an ICCAT Bluefin Tuna Catch Documentation Program* [Rec. 07-10]; 2001 *Recommendation by ICCAT Concerning the ICCAT Bigeye Tuna Statistical Document Program* [Rec. 01-21]; and 2001 *Recommendation by ICCAT Establishing a Swordfish Statistical Document Program* [Rec. 01-22];
- 2006 *Recommendation by ICCAT Concerning Trade Measures* [Rec. 06-13].”

08-12

SDP

**RECOMMENDATION BY ICCAT AMENDING
RECOMMENDATION 07-10 ON AN ICCAT BLUEFIN TUNA
CATCH DOCUMENTATION PROGRAM**

RECOGNIZING the situation of Atlantic bluefin tuna stocks and the impact that market factors have on the fishery;

TAKING INTO ACCOUNT the rebuilding plan for western Atlantic bluefin tuna and the recovery plan for eastern Atlantic and Mediterranean bluefin tuna that ICCAT has adopted, including the need for complementary market related measures;

RECOGNIZING the necessity to clarify and improve the implementation of the bluefin tuna catch documentation scheme, providing detailed instructions for the completion and the validation of the bluefin tuna catch document,

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

PART I GENERAL PROVISIONS

1. Each Contracting Party, Cooperating non-Contracting Party, Entity and Fishing Entity (hereafter referred to as CPCs) shall take the necessary steps to implement an ICCAT Bluefin Tuna Catch Documentation Scheme for the purpose of identifying the origin of any bluefin tuna in order to support the implementation of conservation and management measures.
2. For the purpose of this Programme:
 - a) "Domestic trade" means:
 - trade of bluefin tuna harvested in the ICCAT Convention area by a vessel or trap, which is landed in the territory of the CPC where the vessel is flagged or where the trap is established, and
 - trade of farmed bluefin tuna products originating from bluefin tuna harvested in the ICCAT Convention area by a vessel which is flagged to the same CPC where the farm is established, which is supplied to any entity in this CPC, and
 - trade between the Member States of the European Community of bluefin tuna harvested in the ICCAT Convention area by vessels flagged to one Member State or by a trap established in one Member State.
 - b) "Export" means:
Any movement of bluefin tuna in its harvested or processed form (including farmed) from the territory of the CPC where the fishing vessel is flagged or where the trap or farm is established to the territory of another CPC or non-Contracting Party, or from the fishing grounds to the territory of a CPC which is not the flag CPC of the fishing vessel or to the territory of a non-Contracting Party.
 - c) "Import" means:
Any introduction of bluefin tuna in its harvested or processed form (including farmed) into the territory of a CPC, which is not the CPC where the fishing vessel is flagged or where the trap or the farm is established.
 - d) "Re-export" means:
Any movement of bluefin tuna in its harvested or processed form (including farmed) from the territory of a CPC where it has been previously imported.
 - e) "flag State" means the State where the fishing vessel is flagged; "trap State" means the State where the trap is established; and "farm State" means the State where the farm is established.

3. CPCs shall require a completed Bluefin Tuna Catch Document (BCD) for each bluefin tuna:
 - a) landed at its ports,
 - b) delivered to its farms, and
 - c) harvested from its farms.

Each consignment of bluefin tuna domestically traded, imported into or exported or re-exported from its territories shall be accompanied by a validated BCD, except in cases where paragraph 9(c) applies and, as applicable, an ICCAT transfer declaration or a validated Bluefin Tuna Re-export Certificate (BFTRC). Any such landing, transfer, delivery, harvest, domestic trade, import, export or re-export of bluefin tuna without a completed and validated BCD or a BFTRC shall be prohibited.

4. In order to support an effective BCD, CPCs shall:
 - a) not place bluefin tuna into a farm not authorized by the CPC or listed in the ICCAT record,
 - b) not place bluefin tuna from different years or CPCs in the same cages unless effective measures are in place to determine the CPC of origin and catch year when the bluefin tuna are ultimately harvested from the farm
5. Each CPC shall provide BCD forms only to catching vessels and traps authorized to fish bluefin tuna in the Convention area, including as by-catch. Such forms are not transferable. Each BCD form shall have a unique document identification number. Document numbers shall be specific to the flag or trap State and assigned to the catching vessel or trap.
6. Domestic trade, export, import and re-export of fish parts other than the meat (i.e., heads, eyes, roes, guts and tails) shall be exempted from the requirements of this Recommendation.

PART II VALIDATION OF BCDs

7. The catching vessel master or trap operator, or its authorized representative, or the operator of farms, or the authorized representative of the flag, farm, or trap State, shall complete the BCD by providing the required information in appropriate sections and request validation in accordance with paragraph 9 for a BCD for catch landed, transferred to cages, harvested, transhipped, domestically traded or exported on each occasion that it lands, transfers, harvests, tranships, domestically trades or exports bluefin tuna.
8. A validated BCD shall include, as appropriate, the information identified in **Annex 1** attached. A BCD format is attached as **Annex 2**. In cases where a section of the BCD format does not provide enough room to completely track movement of BFT from catch to market, the needed information section of the BCD may be expanded as necessary and attached as an annex using the original BCD format and number. The authorized representative of the CPC shall validate the annex as soon as possible but not later than the next movement of BFT.
9.
 - a) The BCD must be validated by an authorized government official, or other authorized individual or institution, of the flag State of the catching vessel, the State of the seller/exporter, or the trap or farm State that caught, harvested, domestically traded or exported the bluefin tuna. If the catching vessel is operating under a charter arrangement, the BCD must be validated by an authorized governmental official or institution of the chartering entity's CPC.
 - b) The CPCs shall validate the BCD for all bluefin tuna products only when all the information contained in the BCD has been established to be accurate as a result of the verification of the consignment, and only when the accumulated validated amounts are within their quotas or catch limits of each management year, including, where appropriate, individual quotas allocated to catching vessels or traps, and when those products comply with other relevant ICCAT provisions of the conservation and management measures.
 - c) Validation under 9(a) shall not be required in the event that all bluefin tuna available for sale are tagged by the flag State of the catching vessel or the trap State that fished the bluefin tuna.

- d) Where the bluefin tuna quantities caught and landed are less than 1 metric ton or three fish, the logbook or the sales note may be used as a temporary BCD, pending the validation of the BCD within seven days and prior to export.

PART III VALIDATION OF BFTRCs

10. Each CPC shall ensure that each bluefin tuna consignment which is re-exported from its territory be accompanied by a validated Bluefin Tuna Re-export Certificate (BFTRC). In cases where bluefin tuna is imported live, the BFTRC shall not apply.
11. The operator who is responsible for the re-export shall complete the BFTRC by providing the required information in its appropriate sections and request its validation for the bluefin tuna consignment to be reexported. The completed BFTRC shall be accompanied by a copy of the validated BCD(s) relating to the bluefin tuna products previously imported.
12. The BFTRC shall be validated by an authorized government official or authority.
13. The CPC shall validate the BFTRC for all bluefin tuna product only when
- a) all the information contained in the BFTRC has been established to be accurate,
 - b) the validated BCD(s) submitted in support to the BFTRC had been accepted for the importation of the products declared on the BFTRC and
 - c) the products to be re-exported are wholly or partly the same products on the validated BCD(s).
 - d) a copy of the BCD(s) shall be attached to the validated BFTRC.
14. The validated BFTRC shall include the information identified in **Annex 3** and **Annex 4** attached.

PART IV VERIFICATION AND COMMUNICATION

15. Each CPC shall communicate a copy of all validated BCDs or BFTRCs, except in cases where paragraph 9(c) applies, within five working days following the date of validation, or without delay where the expected duration of the transportation should not take more than five working days, to the following:
- a) the competent authorities of the country where the bluefin tuna will be domestically traded, or transferred into a cage or imported, and
 - b) the ICCAT Secretariat.
16. The ICCAT Secretariat shall extract from the validated BCDs or BFTRCs communicated under paragraph 15 above the information marked with an asterisk (*) in **Annex 1** or **Annex 3** and enter this information in a database on a password protected section of its website, as soon as practicable.

At its request, the SCRS shall have access to the catch information contained in the database, except the vessel or trap names.

PART V TAGGING

17. CPCs may require their catching vessels or traps to affix a tag to each bluefin tuna preferably at the time of kill, but no later than the time of landing. Tags shall have unique country specific numbers and be tamper proof. The tag numbers shall be linked to the BCD and a summary of the implementation of the tagging program shall be submitted to the ICCAT Secretariat by the CPC. The use of such tags shall only be authorized when the accumulated catch amounts are within their quotas or catch limits of each management year, including, where appropriate, individual quotas allocated to vessels or traps.

PART VI VERIFICATION

18. Each CPC shall ensure that its competent authorities, or other authorized individual or institution, take steps to identify each consignment of bluefin tuna landed in, domestically traded in, imported into or exported or re-exported from its territory and request and examine the validated BCD(s) and related documentation of each consignment of bluefin tuna. These competent authorities, or authorized individuals or institutions,

may also examine the content of the consignment to verify the information contained in the BCD and in related documents and, where necessary, shall carry out verifications with the operators concerned.

19. If, as a result of examinations or verifications carried out pursuant to paragraph 18 above, a doubt arises regarding the information contained in a BCD, the final importing State and the CPC whose competent authorities validated the BCD(s) or BFTRCs shall cooperate to resolve such doubts.
20. If a CPC involved in trade of bluefin tuna identifies a consignment with no BCD, it shall notify the findings to the exporting State and, where known, the flag State.
21. Pending the examinations or verifications under paragraph 18 to confirm compliance of the bluefin tuna consignment with the requirements in the present Recommendation and any other relevant Recommendations, the CPCs shall not grant its release for domestic trade, import or export, nor, in the case of live bluefin tuna destined to farms, accept the transfer declaration.
22. Where a CPC, as a result of examination or verifications under paragraph 18 above and in cooperation with the validating authorities concerned, determines that a BCD or BFTRC is invalid, the domestic trade, import, export or re-export of the bluefin tuna concerned shall be prohibited.
23. The Commission shall request the non-Contracting Parties that are involved in domestic trade, import, export or re-export of bluefin tuna to cooperate with the implementation of the Program and to provide to the Commission data obtained from such implementation.

PART VII NOTIFICATION AND COMMUNICATION

24. Each CPC that validates BCDs in respect of its flag catching vessels, traps or farms in accordance with paragraph 9(a), shall notify the ICCAT Secretariat of the government authorities, or other authorized individuals or institutions (name and full address of the organization(s) and, where appropriate, name and title of the validating officials who are individually empowered, sample form of document, sample impression of stamp or seal, and as appropriate tag samples) responsible for validating and verifying BCDs or BFTRCs. This notification shall indicate the date at which this entitlement comes into force. A copy of the provisions adopted in national law for the purpose of implementing the bluefin tuna catch documentation program shall be communicated with the initial notification, including procedures to authorize non-governmental individuals or institutions. Updated details on validating authorities and national provisions shall be communicated to the ICCAT Secretariat in a timely fashion.
25. The information on validating authorities transmitted by notifications to the ICCAT Secretariat shall be placed on the password protected page of the database on validation held by the ICCAT Secretariat. The list of the CPCs having notified their validating authorities and the notified dates of entry into force of the validation shall be placed on a publicly accessible website held by the ICCAT Secretariat. CPCs are encouraged to access this information to help verify the validation of BCDs and BFTRCs.
26. Each CPC shall notify to the ICCAT Secretariat the points of contact (name and full address of the organization(s)) that should be notified when there are questions related to BCDs or BFTRCs.
27. Copies of validated BCDs and notification pursuant to paragraphs 24, 25 and 26 shall be sent by CPCs to the ICCAT Secretariat, by electronic means, whenever possible.
28. The Commission shall consider the introduction of an electronic system as informed by results reported to the Commission from the electronic statistical document pilot programs conducted by CPCs in accordance with *Recommendation by ICCAT on an Electronic Statistical Document Pilot Program* [Rec. 06-16]. Those CPCs which implement an electronic system in advance of the Commission shall ensure the electronic system meets the requirements of this measure and has the ability to produce paper copies upon request of national authorities from the exporting and importing Parties.
29. Copies of BCDs shall follow each part of split shipments or processed product, using the unique document number of the BCD to link them.
30. CPCs shall keep copies of documents issued or received for at least two years.

31. CPCs shall provide to the ICCAT Secretariat a report each year by October 1 for the period from July 1 of the preceding year to June 30 of the current year to provide the information described in **Annex 5**.

The ICCAT Secretariat shall post these reports on the password protected section of the ICCAT website, as soon as practicable.

At its request, the SCRS shall have access to the reports received by the ICCAT Secretariat.

32. The *Recommendation by ICCAT on an ICCAT Bluefin Tuna Catch Document Program* [Rec. 07-10] is repealed and replaced by this Recommendation.

Data to be Included in Bluefin Tuna Catch Document (BCD)

1. ICCAT Bluefin tuna catch document number*

2. Catch Information

Vessel or trap name*

Flag State*

ICCAT Record No.

Date, area of catch and gear used*

Number of fish, total weight, and average weight*⁴

Tag No. (if applicable)

Government validation

Name of authority and signatory, title, address, signature, seal and date

3. Trade Information for live fish trade

Product description

Exporter/Seller information

Transportation description

Government validation

Name of authority and signatory, title, address, signature, seal and date

Importer/buyer

4. Transfer information

Towing vessel description

Vessel name, flag

ICCAT Record No. and towing cage number (if applicable)

5. Transshipment information

Carrier vessel description

Name

Flag State

ICCAT Record No.

Date

Port (name and country or position)

Product description

(F/FR; RD/GG/DR/FL/OT)

Total weight (NET)

Government validation

Name of authority and signatory, title, address, signature, seal and date

6. Farming information

Farming facility description

Name, flag of farm*, ICCAT FFB No.* and location of farm

Participation in national sampling program (yes or no)

Cage description

Date of caging, cage number

Fish description

Estimates of number of fish, total weight, and average weight*

Estimated size composition (<8 kg, 8-30 kg, >30 kg)

Government validation

Name of authority and signatory, title, address, signature, seal and date

7. Harvest from Farms information

⁴Weight shall be reported by round weight where available. If round weight is not used, specify the type of product (e.g., GG) in the "Total Weight" and "Average Weight" section of the form.

Harvest description

Date of harvest*

Number of fish, total (round) weight, and average weight*

Tag numbers (if applicable)

Government validation

Name of authority and signatory, title, address, signature, seal and date

8. Trade information

Product description

(F/FR; RD/GG/DR/FL/OT)⁵

Total weight (NET)

Exporter/Seller information

Point of export or departure*

Export company name, address, signature and date

State of destination*

Description of transportation (relevant documentation to be attached)

Government validation

Name of authority and signatory, title, address, signature, seal and date

Importer/buyer information

Point of import or destination*

Import company name, address, signature and date⁶

⁵ When different types of products are recorded in this section, the weight shall be recorded by each product type.

⁶ DATE to be filled by IMPORTER/BUYER in this section is the date of signature.

Bluefin Tuna Catch Document Form

1. ICCAT BLUE FIN TUNA CATCH DOCUMENT (BCD)				N° CC-YY-XXXXXX		1/2	
2. CATCH INFORMATION							
VESSEL/TRAP							
NAME :		FLAG		ICCAT RECORD No.			
		ATEC					
CATCH DESCRIPTION							
DATE (ddmmyy)		AREA		GEAR			
No. of FISH		TOTAL WEIGHT (kg)		AVERAGE WEIGHT (kg)			
TAGS No. (if applicable)				ICCAT RECORD N° of Joint Fishing Operation (if applicable)			
GOVERNMENT VALIDATION							
NAME OF AUTHORITY						SEAL	
TITLE							
SIGNATURE							
DATE							
3. TRADE INFORMATION							
PRODUCT DESCRIPTION							
LIVE WEIGHT (kg)		No. of FISH		ZONE			
EXPORTER/SELLER							
PT EXPORT/ DEPARTURE		COMPANY		ADDRESS			
FARM OF DESTINATION		STATE		ICCAT FFB No.			
SIGNATURE							
DATE							
TRANSPORTATION DESCRIPTION (Relevant documentation to be attached)							
GOVERNMENT VALIDATION							
NAME OF AUTHORITY						SEAL	
TITLE							
SIGNATURE							
DATE							
IMPORTER/BUYER							
COMPANY		PT IMPORT / DESTINATION (city, country, State)					
ADDRESS							
DATE OF SIGNATURE		SIGNATURE					
ANNEX(ES): YES / NO (circle one)							
4. TRANSFER INFORMATION							
TOWING VESSEL DESCRIPTION							
ICCAT TRANSFER DECLARATION N°							
NAME		FLAG		ICCAT RECORD No.			
No. of FISH DEAD DURING TRANSFER				TOTAL WEIGHT OF DEAD FISH (kg)			
TOWING CAGE DESCRIPTION							
ANNEX(ES): YES / NO (circle one)							
CAGE N°							
5. TRANSHIPMENT INFORMATION							
CARRIER VESSEL DESCRIPTION							
NAME		FLAG		ICCAT RECORD No.			
DATE(ddmmyy)		PORT NAME		PORT STATE			
POSITION (LAT/LONG)							
PRODUCT DESCRIPTION (Indicate net weight in kg for each type of product)							
F	RD (kg)	GG (kg)	DR (kg)	FL (kg)	OT(kg)	TOTAL WT F (kg)	
FR	RD (kg)	GG (kg)	DR (kg)	FL (kg)	OT(kg)	TOTAL WT FR	
GOVERNMENT VALIDATION							
NAME OF AUTHORITY						SEAL	
TITLE							
SIGNATURE							
DATE							
ANNEX(ES): YES / NO (circle one)							

ICCAT BLUE FIN TUNA CATCH DOCUMENT (BCD)					N° CC-YY-XXXXXX			2/2	
6. FARMING INFORMATION									
FARMING FACILITY DESCRIPTION	NAME		STATE		ICCAT FFB N°				
	NATIONAL SAMPLING PROGRAM? Yes or No (circle one)				LOCATION				
CAGE DESCRIPTION	DATE (ddmmyy)			CAGE No.					
FISH DESCRIPTION	No. of FISH		TOTAL WEIGHT (kg)		AVERAGE WEIGHT (kg)				
OBSERVER INFORMATION	NAME		TITLE		SIGNATURE				
	SIZE COMPOSITION		< 8kg		8-30 kg		> 30 kg		
GOVERNMENT VALIDATION									
NAME OF AUTHORITY							SEAL		
TITLE									
SIGNATURE									
DATE									
ANNEX(ES): YES / NO (circle one)									
7. HARVESTING INFORMATION									
HARVESTING DESCRIPTION									
DATE (ddmmyy)		No. of FISH		TOTAL ROUND WEIGHT (kg)					
AVERAGE WEIGHT (kg)		TAGS No. (if applicable)							
GOVERNMENT VALIDATION									
NAME OF AUTHORITY							SEAL		
TITLE									
SIGNATURE									
DATE									
8. TRADE INFORMATION									
PRODUCT DESCRIPTION (Indicate net weight in kg for each type of product)									
F	RD (kg)	GG (kg)	DR (kg)	FL (kg)	OT(kg)	TOTAL WT F			
FR	RD (kg)	GG (kg)	DR (kg)	FL (kg)	OT(kg)	TOTAL WT FR			
EXPORTER/SELLER									
PT EXPORT / DEPARTURE		COMPANY			ADDRESS				
STATE OF DESTINATION									
SIGNATURE									
DATE									
TRANSPORTATION DESCRIPTION (Relevant documentation to be attached)									
GOVERNMENT VALIDATION									
NAME OF AUTHORITY							SEAL		
TITLE									
SIGNATURE									
DATE									
IMPORTER/BUYER									
COMPANY		PT IMPORT / DESTINATION (city, country, State)							
ADDRESS									
DATE		SIGNATURE							
ANNEX(ES): YES / NO (circle one)									

Data to be Included in the Bluefin Tuna Re-export Certificate (BFTRC)

1. Document number of the BFTRC*

2. Re-export section

Re-exporting CPC/Entity/Fishing Entity
Point of re-export*

3. Description of imported bluefin tuna

Product type F/FR RD/GG/DR/FL/OT¹
Net weight (kg)
BCD number(s) and date(s) of importation*
Flag(s) of fishing vessel(s) or state of establishment of the trap, where appropriate

4. Description of bluefin tuna to be re-exported

Product type F/FR RD/GG/DR/FL/OT*¹
Net weight (kg)*
Corresponding BCD number(s) from section 3
State of destination

5. Statement of re-exporter

Name
Address
Signature
Date

6. Validation by governmental authorities

Name and address of the authority
Name and position of the official
Signature
Date
Government seal

7. Import section

Statement by the importer in the CPC of import of the bluefin tuna consignment
Name and address of the importer
Name and signature of the importer's representative and date
Point of import: City and CPC*

Note: Copies of the BCD(s) and Transport document(s) shall be attached.

¹When different types of products are recorded in this section, the weight shall be recorded by each product type.

1. DOCUMENT NUMBER		ICCAT BLUEFIN TUNA RE-EXPORT CERTIFICATE			
2. RE-EXPORT SECTION: RE-EXPORTING COUNTRY/ENTITY/FISHING ENTITY POINT OF RE-EXPORT					
3. DESCRIPTION OF IMPORTED BLUEFIN TUNA					
Product Type <i>F/FR RD/GG/DR/FL/OT</i>		Net Weight (kg)	Flag CPC	Date of import	BCD No.
4. DESCRIPTION OF BLUEFIN TUNA FOR RE-EXPORT					
Product Type <i>F/FR RD/GG/DR/FL/OT</i>		Net Weight (kg)	Corresponding BCD number		
F=Fresh, FR=Frozen, RD=Round, GG=Gilled & Gutted, DR=Dressed, FL=Fillet, OT=Others (Describe the type of product:)					
STATE OF DESTINATION:					
5. RE-EXPORTER STATEMENT: I certify that the above information is complete, true and correct to the best of my knowledge and belief.					
Name		Address	Signature	Date	
6. GOVERNMENT VALIDATION: I validate that the above information is complete, true and correct to the best of my knowledge and belief.					
Name & Title		Signature	Date	Government Seal	
7. IMPORT SECTION IMPORTER STATEMENT: I certify that the above information is complete, true and correct to the best of my knowledge and belief.					
Importer Certification					
Name		Address	Signature	Date	
Final Point of Import: City		State/Province	CPC		

NOTE: IF A LANGUAGE OTHER THAN ENGLISH IS USED IN COMPLETING THIS FORM, PLEASE ADD THE ENGLISH TRANSLATION ON THIS DOCUMENT.

Note: Valid transport document and copies of the BCDs shall be attached.

Report on the Implementation of the ICCAT Bluefin Tuna Catch Documentation Programme

Reporting CPC:

Period of reference: 1 July [2XXX] to 30 June [2XXX]

1. Information extracted from BCDs

- number of BCDs validated:
- number of validated BCDs received:
- total amount of bluefin tuna products traded domestically, with breakdown by fishing areas and fishing gears,
- total amount of bluefin tuna products imported, exported, transferred to farms, re-exported with breakdown by CPC of origin, re-export or destination, fishing areas and fishing gears,
- number of verifications of BCDs requested to other CPCs and summary results:
- number of requests for verifications of BCDs received from other CPCs and summary results:
- total amount of bluefin tuna consignments subject to a prohibition decision with breakdown by products, nature of operation (domestic trade, import, export, re-export, transfer to farms), reasons for prohibition and CPCs and/or non-Contracting Parties of origin or destination.

2. Information on cases under Part VI paragraph 18.

- number of cases
- total amount of bluefin tuna with breakdown by products, nature of operation (domestic trade, import, export, re-export, transfer to farms), CPCs or other countries referred to in Part VI paragraph 18 above.

08-13

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**RECOMMENDATION BY ICCAT
TO HOLD A COMPLIANCE COMMITTEE INTERSESSIONAL MEETING IN 2009**

RECALLING that the Commission adopted the *Recommendation by ICCAT to Establish a Multi-annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 06-05] and the *Recommendation by ICCAT on Bluefin Tuna Farming* [Rec. 06-07] at its meeting in 2006,

CONCERNED that the Commission's Standing Committee on Research and Statistics (SCRS) indicated substantial estimated over-fishing of bluefin tuna in the eastern Atlantic and Mediterranean,

CONSCIOUS that SCRS recognized that precise information on fattening and/or farming operations is crucial,

AFFIRMING the urgent need that all the Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (CPCs) ensure the proper implementation of both Recommendations, 06-05 and 06-07, before the 2009 fishing season,

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

1. The Compliance Committee shall hold a four (4) day intersessional meeting at the end of March 2009 in [...] to assess CPCs' compliance with their obligations as members of ICCAT and, in particular, with Recommendations 06-05 and 06-07.
2. This exercise will apply to those Contracting Parties and Cooperating non-Contracting Parties, Entities and Fishing Entities (CPCs) involved in the fishery or farming/fattening of bluefin tuna as well as to the implementation by exporting and importing CPCs of bluefin tuna related market measures such as the bluefin tuna catch document.
3. In preparation for this meeting, the Compliance Committee will:
 - send each CPC a standard questionnaire on compliance with the various ICCAT recommendations governing conservation and management of bluefin tuna at the latest by 1 January 2009 and set a deadline at 10 February 2009 for receiving comments and answers from the concerned CPCs;
 - circulate to all CPCs the comments and answers provided by each CPC in response to the questionnaire and invite comments and possible questions from all other CPCs;
 - with the help of the secretariat of ICCAT compile CPCs' initial replies to the questionnaire and comments and questions provided by other CPCs in the form of tables that will form the basis for the compliance examination process.
4. The Chairman of the Compliance Committee, assisted by the Secretariat of ICCAT, will identify, select and transmit the significant non compliance issues to each concerned CPC and submit them for discussion in the intersessional Compliance Committee meeting.
5. All concerned CPCs shall attend the intersessional meeting which will examine their compliance status and that of other CPCs involved in the fishery, farming/caging and trading of bluefin tuna. The above mentioned documentation as well as the results of the Compliance Committee deliberations during the yearly meeting of the ICCAT Commission will form the basis for the examination process.
6. At the end of the intersessional meeting the compliance committee shall issue its opinion on the compliance status of each CPC. Non compliance with some or all of the following essential elements of ICCAT conservation and management measures will lead to a declaration of non compliance by the Compliance Committee:

- undeclared overshooting of the CPC's quota,
 - unjustified failing to provide catch and farming reports within the agreed ICCAT deadlines,
 - failing to participate in the meeting of the compliance committee where the concerned CPC's compliance status is discussed,
 - lack of meaningful monitoring, verification and enforcement measures,
 - failing to implement the bluefin tuna catch documentation on the market.
7. Failing to transmit Task I and Task II reports for the year 2007 by the date of this intersessional meeting shall lead to an interim suspension or reduction of quota for the concerned CPCs
 8. The Commission will decide by mail vote on the interim suspension or reduction of quota for the declared non compliant CPCs, depending on the extent of the established non-compliance. The situation of the concerned CPCs and the interim decisions taken by the Compliance Committee will be reviewed by the ICCAT Commission at its annual meeting.
 9. In case of non compliance with farming/fattening measures non compliant CPCs may be subject by exporting and importing CPCs to the prohibitions under Recommendation 06-05 - "market measures".

RESOLUTIONS ADOPTED BY ICCAT IN 2008**08-06****BFT****RESOLUTION BY ICCAT CONCERNING
ATLANTIC BLUEFIN TUNA SCIENTIFIC RESEARCH
ON STOCK ORIGIN AND MIXING**

RECALLING the 2001 *Resolution by ICCAT regarding the SCRS Mixing Report on Atlantic Bluefin Tuna* [Res. 01-09] calling on Contracting Parties, Cooperating non-Contracting Parties, Entities, and Fishing Entities (hereinafter referred to as “CPCs”) to conduct scientific research throughout the Atlantic and Mediterranean that would contribute to the better understanding of bluefin tuna movement patterns;

CONSIDERING that the uncertainty associated with the rates of stock mixing in the different fisheries throughout the Atlantic highlights the need for sound management, based on science, in both the west Atlantic and the east Atlantic and Mediterranean;

RECOGNIZING that the Standing Committee on Research and Statistics (SCRS) has noted the need to integrate recent and anticipated advances in otolith microconstituent analyses, age determination, archival tagging and genetics into the assessment and management evaluation processes,

FURTHER RECOGNIZING that SCRS has advised in its 2008 report that otolith microconstituent data can be very useful to determine stock origin with relatively high accuracy, and thus could be a key factor to improve the ability to conduct mixing analyses; that representative samples need to be collected from all major fisheries, in all areas; and that added value would be obtained if genetic samples were also collected from the same fish, which could potentially result in more accurate and less expensive tests for stock origin;

ACKNOWLEDGING the importance of also identifying existing collections of otoliths collected in historical time periods (e.g., the 1970s and 1980s) in order to understand how the stock origin proportions in the catch may have changed and improve mixing analyses;

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

1. The CPCs, whether operating in the eastern Atlantic and Mediterranean or western Atlantic fishery, should collect otoliths for microconstituent analysis and tissue samples for genetic studies and cooperate in research, including comprehensive archival and conventional tagging studies, that will help resolve issues associated with population structure, spawning site fidelity, and spatial dynamics (including stock mixing). Collection of biological samples should be representative of the fishery and consistent with SCRS guidance and protocols.
2. In support of this work, a CPC with a bluefin tuna quota allocation should consider making a portion of its bluefin tuna quota available for research consistent with domestic obligations, conservation considerations, and a bona fide research plan.
3. CPCs, whether operating in the eastern Atlantic and Mediterranean or western Atlantic fishery, are also encouraged to identify to the SCRS any existing collections of otoliths and other biological samples from historical periods in order to improve mixing analyses.
4. CPCs should encourage their scientists to contact industry and trade association groups in order to obtain representative samples from the various fisheries.

**RESOLUTION BY ICCAT
ON PORBEAGLE SHARK (*LAMNA NASUS*)**

RECALLING that SCRS has concluded at its meeting in 2008 that ICES has undertaken data compilations and provided advice on the North-East Atlantic porbeagle (*Lamna nasus*) stock and that similar data compilations need to be undertaken for the South-East and South-West Atlantic porbeagle (*Lamna nasus*) stocks;

NOTING that a scientific assessment has been carried out on the porbeagle (*Lamna nasus*) stock in the North-West Atlantic;

CONSIDERING that it would be beneficial to have a common management regime for porbeagle (*Lamna nasus*) throughout its range in the Atlantic Ocean.

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

A joint ICCAT-ICES Inter-sessional meeting be undertaken in 2009 to further assess porbeagle (*Lamna nasus*) in conformity with the *Supplemental Recommendation by ICCAT Concerning Sharks* [Rec. 07-06]. As porbeagle (*Lamna nasus*) is also taken in other fisheries not directed at tunas, participation in the proposed assessment by additional RFMO scientific experts would be most beneficial.

A joint meeting of the Chairs or representatives the RFMOs concerned in the fisheries of porbeagle (*Lamna nasus*) in the Atlantic should also be considered to be held immediately following the joint ICCAT-ICES meeting. This meeting will examine the possibility of adopting compatible management measures in 2009 for porbeagle (*Lamna nasus*) in light of the assessment of the joint scientific meeting.

PERFORMANCE REVIEW – EXECUTIVE SUMMARY¹

In response to concerns raised by the international community about the sustainable management of high seas fisheries, including where regional fisheries management organisations and arrangements (RFMOs) exist, the International Commission for the Conservation of Atlantic Tunas (ICCAT), at its 2007 annual meeting agreed to conduct an independent review of its own performance against its objectives.

ICCAT appointed an independent panel consisting of Glenn Hurry, Chief Executive Officer of the Australian Fisheries Management Authority (AFMA) and the current Chairman of the WCPFC, Moritaka Hayashi, Professor (now *emeritus*) of International Law, Waseda University in Japan, and Jean-Jacques Maguire, a well known and respected international fisheries scientist from Canada.

The terms of reference (TOR) of the Review Panel (**Appendix 1**) were consistent with those developed at a Joint Meeting of Tuna RFMOs, Kobe Japan January 2007. The TOR were sufficient to allow the Review Panel to undertake a broad review of ICCAT's performance against its objectives and to recommend approaches that if adopted would strengthen the mandate of ICCAT and improve its performance.

The report reviews the Basic Texts, the status of the stocks and the scientific process, the development and application of conservation and management measures and in the final part compiles the recommendations of the Panel into a compendium for easy reference.

ICCAT's objective is embedded in the preamble of its Convention finalised in 1966. The preamble states: "*The Governments ...considering their mutual interest in the populations of tuna and tuna like fishes found in the Atlantic ocean, and desiring to cooperate in maintaining the populations of these fishes at levels which will permit the maximum sustainable catch for food and other purposes*". ICCAT's objective is therefore to maintain populations of tunas and tuna like fishes at levels that will permit maximum sustainable yield (MSY).

General Observations and Assessment of ICCAT

The Panel made the following general observations:

- ICCAT has developed reasonably sound conservation and fisheries management practices, which, if fully implemented and complied with by Contracting Parties, Cooperating non-Contracting Parties, Entities and Fishing Entities (CPCs), would have been expected to be effective in managing the fisheries under ICCAT's purview.
- The ICCAT Convention should be reviewed, modernised, or otherwise supplemented, to reflect current approaches to fisheries management.
- The ICCAT standing committee and panel structure is sound and the committees provide timely advice to ICCAT. However, the Panel expressed strong reservations on the performance of the Compliance Committee (CC).
- The Standing Committee on Research and Statistics (SCRS) provides sound advice to the Commission members operating under significant difficulties largely caused by CPCs failing to provide timely and accurate data.
- The performance of the Secretariat is sound and well regarded as both efficient and effective by CPCs.
- The fundamental problems and challenges that ICCAT faces in managing sustainably the fisheries under its purview are not unique; other tuna RFMOs also face them, but the size of the ICCAT membership adds more difficulties.

The Panel made the following general assessment of ICCAT performance:

¹ The complete "Report of the Independent Review", prepared by the Review Panel which consisted of G.D. Hurry, M. Hayashi and J.J. Maguire, is available on the ICCAT web site and is currently being prepared for publication.

- Fundamentally ICCAT's performance to date does not meet its objectives for several of the species under its purview.
- ICCAT's failure to meet its objectives is due in large part to the lack of compliance by many of its CPCs.
- CPCs have consistently failed to provide timely and accurate data and to implement monitoring, control and surveillance (MCS) arrangements on nationals and national companies.
- The judgement of the international community will be based largely on how ICCAT manages fisheries on bluefin tuna (BFT). ICCAT CPCs' performance in managing fisheries on bluefin tuna particularly in the eastern Atlantic and Mediterranean Sea is widely regarded as an international disgrace and the international community which has entrusted the management of this iconic species to ICCAT deserve better performance from ICCAT than it has received to date.
- There are concerns about transparency within ICCAT both in decision making and in resource allocation.
- Most of the problems and challenges ICCAT faces would be simple to fix if CPCs developed the political will to fully implement and adhere to the letter and spirit of the rules and recommendations of ICCAT.

Has ICCAT Met Its Objective?

A simple reading of the state of the stocks under ICCAT's purview would suggest that ICCAT has failed in its mandate as a number of these key fish stocks are well below MSY. However, the Panel is of the view that rather than ICCAT failing in its mandate it is ICCAT that has been failed by its members (CPCs). Most of the evidence available to the Panel is that ICCAT has with a few exceptions, adopted in its basic texts and recommendations generally sound approaches to fisheries management. However this has been undermined by systemic failures by CPCs to implement such rules and recommendations

ICCAT, as a tuna RMFO, has a sound base, it has done many things well and continues to do so, but it has failed against its objective because its CPCs have failed in their responsibilities to ICCAT and to the international community for the proper management of fisheries on fish stocks under the purview of ICCAT.

The positive message in this report, however, is that because the fundamentals of ICCAT are generally sound, the problems of ICCAT would be readily fixed or considerably improved if CPCs changed their attitude towards implementation of and adherence to the rules and recommendations of ICCAT and the adoption of robust MCS processes.

Summary of Part I

In Part I of this report, the Panel has evaluated the Basic Texts against the Review Criteria given in the TOR, which reflect essentially the global principles and standards established by the UN Convention on the Law of the Sea (UNCLOS), the UN Fish Stocks Agreement (UNFSA) and other modern instruments relating to the conservation of fish stocks and management of their fisheries. Since the ICCAT Convention predates these modern instruments, the Panel has reviewed also the conservation and management measures of ICCAT since they were adopted within the broad framework of the Basic Texts.

Pursuant to the Review Criteria, the Panel has identified 16 issues on which the Basic Texts and conservation and management measures are to be analyzed and evaluated.

Out of these 16 issues, the Panel found:

- adequate provisions in both the Basic Texts and conservation and management measures regarding only one issue: data collection and sharing;
- some but not adequate provisions both in the Basic Texts and conservation and management measures regarding three issues: MCS measures and enforcement, decision-making, and special requirements of developing States;
- no provision in the Basic Texts and some but not adequate conservation and management measures regarding nine issues: ecosystem approach, precautionary approach, fishing allocations and

opportunities, flag State duties, port State duties, cooperative mechanism to detect and deter non-compliance, market-related measures, cooperating non-members and fishing entities, and relationship to non-cooperating non-members;

- no provision in either the Basic Texts or in conservation and management measures regarding two issues, compatibility of measures for areas under national jurisdiction and those for the high seas, and dispute settlement procedures; and
- some provision in the Basic Texts but no management measures, though in practice adequate action has been taken, regarding one issue: cooperation with other RFMOs.

The Panel recommends that ICCAT consider filling such gaps and inadequacies by, as appropriate, amending the Basic Texts or updating and adopting further conservation and management measures in the light of modern global instruments and current best practice in RFMOs.

Summary of Part II

Part II of this report reviews the structure and operation of the SCRS and the support it receives from the ICCAT Secretariat, discusses the objective of ICCAT, and summarises the stock and exploitation statuses along with the Panel's evaluation of whether the ICCAT objectives are being met for the main species under the purview of ICCAT as well as for associated and dependent species.

- The Panel found that the lack of data and the lack of accuracy of data that was reported introduced large uncertainties in three stock assessments undertaken by the SCRS.
- The Panel notes that CPCs have an obligation to collect and make available relevant information to assess the status of the resources and the effect of exploitation on them, but few comply within the agreed time limits.
- CPCs should adopt a precautionary approach to the management of fisheries on fish stocks where data are poor or lacking.
- The Panel found that the objectives of ICCAT appeared to be met for 4 of the 14 stocks examined (29%): bigeye tuna, swordfish in the North Atlantic, swordfish in the South Atlantic, and yellowfin tuna.
- The Panel found that the objectives of ICCAT appeared not to be met for 7 of the 14 stocks examined (50%): albacore in the North Atlantic, albacore in the South Atlantic, bluefin tuna in the West Atlantic, bluefin tuna in the East Atlantic and Mediterranean, blue marlin, white marlin and swordfish in the Mediterranean.
- The Panel was unable to assess if the objectives of ICCAT were met for 3 of the 14 stocks examined (21%): albacore in the Mediterranean, sailfish and skipjack tuna.

Summary of Part III

Part III of this report considers whether, in relation to conservation of species and management of fisheries, MCS and institutional practice the CPCs have actually implemented the resolutions and recommendations that have been adopted in ICCAT

- The Panel found the management of fisheries on bluefin tuna in the eastern Atlantic and Mediterranean and the regulation of bluefin farming to be unacceptable and not consistent with the objectives of ICCAT. This finding coupled with the published statements from the European Community (EC) has prompted the Panel to recommend to ICCAT the suspension of fishing on bluefin tuna in the eastern Atlantic and Mediterranean until the CPCs fully comply with ICCAT recommendations on bluefin.
- The management of fisheries on swordfish, bigeye tuna and yellowfin tuna are largely consistent with the management objectives of ICCAT.
- The Panel is concerned that the current catches for albacore tuna in the North Atlantic generate fishing mortality higher than F_{MSY} . The Panel considers that Total Allowable Catches (TACs) should be adjusted such that fishing mortality is at or below F_{MSY} .
- The Panel is concerned at the lack of data on billfishes and is concerned that ICCAT may still not be able to undertake reliable billfish stock assessments in 2010.

- The Panel strongly recommends that ICCAT, for all fisheries under its purview, immediately discontinue the practice of allowing the carry forward of uncaught allocations in all fisheries.
- The Panel recommends that for all fisheries in ICCAT, fishing capacity is immediately adjusted to reflect fishing opportunities or quota allocations.
- The Panel believes that ICCAT should develop binding allocation criteria that are applied in a fair and transparent manner.
- The Panel recommends that ICCAT CPCs take the issue of recreational and sport fishing seriously and be more inclusive towards the recreational and sport fishing sector in future deliberations of ICCAT regarding fisheries management.
- ICCAT CPCs should immediately apply fully the rules and, measures adopted by ICCAT and through domestic arrangements, including flag and port State controls, observer programs and vessel monitoring systems (VMS), provide effective control over their nationals.
- ICCAT should investigate and develop a strict penalty regime that either has the capacity to suspend member countries that systematically break ICCAT regulations or can apply significant financial penalties for breaches. These measures need to be severe in the sense that CPCs should clearly understand that they will suffer significant economic consequences if their actions are in breach of ICCAT rules.

Conclusion

ICCAT has existed since 1969 and the tuna and tuna like fishes in the Atlantic Ocean and Mediterranean Sea are under its purview. Civil society has in recent years taken a stronger interest in the performance of RFMOs in managing the world's fisheries on high seas fish stocks and in particular the iconic tuna species. This attention by non-governmental organizations (NGOs) and other stakeholders is unlikely to fade in the near future and RFMOs must find a way to be more inclusive and open in their culture. RFMOs must be prepared to take decisions that are in the genuine interests of long-term sustainability and should make every endeavour to ensure that responsible practices are adopted and that they are not undermined by members and non-members.

This has been the first independent review of ICCAT and ICCAT should be congratulated for having the courage and openness to allow the review to be undertaken by independent reviewers. While the findings of the independent Panel are mixed, the recommendations have been structured to move ICCAT forward. Properly functioning RFMOs are the best chance to have sustainable fisheries on high seas and migratory fish stocks. The intent of our recommendations is to help ICCAT be at the leading edge of RFMO performance.

Appendix 1 to ANNEX 7**Terms of Reference of the Performance Review****Objective**

The objective of the work to be carried out by the Experts shall be to submit reports presenting:

1. The evaluation and analysis of the ICCAT Convention Basic Texts.
2. The assessment on the achievement of ICCAT's objectives (measures in place to achieve ICCAT's objectives and ways to achieve them).
3. Recommendations on how to improve ICCAT performance, including any possible change to the ICCAT Convention.

Methodology

In coordination with the two other independent Experts, and using as a basis the criteria contained in Annex 3, the Expert shall determine and apply the methodology to be used.

Criteria

The criteria as presented to the Commission (during the 20th Regular Meeting, Antalya, November 2007; attached herewith) are considered as "minimum". The Experts are invited to consider them as a basis for their evaluation.

Work schedule

The work estimated is based on 50 working days.

1. Provisional report

The provisional report will contain the evaluation and the assessment. This report will be sent to the ICCAT Secretariat before 4 August 2008.

2. Revision of the provisional report by the Committee:

The Experts will meet the Committee, composed by the ICCAT officers, to present and discuss the provisional report.

3. Final report:

The final report will contain the evaluation, the assessment and the recommendations. This final report will be:

- sent to the ICCAT Secretariat before 15 September 2008.
- immediately distributed to ICCAT CPCs so that it can be considered at the 16th Special meeting of ICCAT (17-24 November 2008),
- discussed at the first meeting of the Working Group on the Future of ICCAT (at a date and place to be determined by the Commission in late 2008 or early 2009).

The Panel Review Coordinator will attend the 16th Special meeting of ICCAT.

Criteria for Reviewing the Performance of Regional Fisheries Management Organizations (RFMOs)

	<i>Area</i>	<i>General criteria</i>	<i>Detailed criteria</i>
1	<i>Conservation and management</i>	Status of living marine resources	<ul style="list-style-type: none"> • Status of major fish stocks under the purview of the RFMO in relation to maximum sustainable yield or other relevant biological standards. • Trends in the status of those stocks. • Status of species that belong to the same ecosystems as, or are associated with or dependent upon, the major target stocks (hereinafter “non-target species”). • Trends in the status of those species.
		Data collection and sharing	<ul style="list-style-type: none"> • Extent to which the RFMO has agreed formats, specifications and timeframes for data submission, taking into account UNFSA Annex I. • Extent to which RFMO members and cooperating non-members, individually or through the RFMO, collect and share complete and accurate fisheries data concerning target stocks and non-target species and other relevant data in a timely manner. • Extent to which fishing data and fishing vessel data are gathered by the RFMO and shared among members and other RFMOs. • Extent to which the RFMO is addressing any gaps in the collection and sharing of data as required.
		Quality and provision of scientific advice	<ul style="list-style-type: none"> • Extent to which the RFMO receives and/or produces the best scientific advice relevant to the fish stocks and other living marine resources under its purview, as well as to the effects of fishing on the marine environment.
		Adoption of conservation and management measures	<ul style="list-style-type: none"> • Extent to which the RFMO has adopted conservation and management measures for both target stocks and non-target species that ensures the long-term sustainability of such stocks and species and are based on the best scientific evidence available. • Extent to which the RFMO has applied the precautionary approach as set forth in UNFSA Article 6 and the Code of Conduct for Responsible Fisheries Article 7.5, including the application of precautionary reference points. • Extent to which the RFMO has adopted and is implementing effective rebuilding plans for depleted or overfished stocks. • Extent to which the RFMO has moved toward the adoption of conservation and management measures for previously unregulated fisheries, including new and exploratory fisheries. • Extent to which the RFMO has taken due account of the need to conserve marine biological diversity and minimize harmful impacts of fisheries on living marine resources and marine ecosystems. • Extent to which the RFMO has adopted measures to minimize pollution, waste, discards, catch by lost or abandoned gear, catch of non-target species, both fish and non-fish species, and impacts on associated or dependent species, in particular endangered species, through measures including, to the extent practicable, the development and use of selective, environmentally safe and cost-effective fishing gear and techniques.
		Capacity management	<ul style="list-style-type: none"> • Extent to which the RFMO has identified fishing capacity levels commensurate with long-term sustainability and optimum utilization of relevant fisheries. • Extent to which the RFMO has taken actions to prevent or eliminate excess fishing capacity and effort.

		Compatibility of management measures	<ul style="list-style-type: none"> • Extent to which measures have been adopted as reflected in UNFSA Article 7.
		Fishing allocations and opportunities	<ul style="list-style-type: none"> • Extent to which the RFMO agrees on the allocation of allowable catch or levels of fishing effort, including taking into account requests for participation from new members or participants as reflected in UNFSA Article 11.
2	<i>Compliance and enforcement</i>	Flag State duties	<ul style="list-style-type: none"> • Extent to which RFMO members are fulfilling their duties as flag States under the treaty establishing the RFMO, pursuant to measures adopted by the RFMO, and under other international instruments, including, inter alia, the 1982 Law of the Sea Convention, the UNFSA and the 1993 FAO Compliance Agreement, as applicable.
		Port State measures	<ul style="list-style-type: none"> • Extent to which the RFMO has adopted measures relating to the exercise of the rights and duties of its members as port States, as reflected in UNFSA Article 23 and the Code of Conduct for Responsible Fisheries Article 8.3. • Extent to which these measures are effectively implemented.
		Monitoring, control and surveillance (MCS)	<ul style="list-style-type: none"> • Extent to which the RFMO has adopted integrated MCS measures (e.g., required use of VMS, observers, catch documentation and trade tracking schemes, restrictions on transshipment, boarding and inspection schemes). • Extent to which these measures are effectively implemented.
		Follow-up on infringements	<ul style="list-style-type: none"> • Extent to which the RFMO, its members and cooperating non-members follow up on infringements to management measures.
		Cooperative mechanisms to detect and deter non-compliance	<ul style="list-style-type: none"> • Extent to which the RFMO has established adequate cooperative mechanisms to both monitor compliance and detect and deter non-compliance (e.g., compliance committees, vessel lists, sharing of information about non-compliance). • Extent to which these mechanisms are being effectively utilized.
		Market-related measures	<ul style="list-style-type: none"> • Extent to which the RFMO has adopted measures relating to the exercise of the rights and duties of its members as market States. • Extent to which these market-related measures are effectively implemented.
3	<i>Decision-making and dispute settlement</i>	Decision-making	<ul style="list-style-type: none"> • Extent to which RFMO has transparent and consistent decision-making procedures that facilitate the adoption of conservation and management measures in a timely and effective manner.
		Dispute settlement	<ul style="list-style-type: none"> • Extent to which the RFMO has established adequate mechanisms for resolving disputes.
4	<i>International cooperation</i>	Transparency	<ul style="list-style-type: none"> • Extent to which the RFMO is operating in a transparent manner, as reflected in UNFSA Article 12 and the Code of Conduct for Responsible Fisheries Article 7.1.9. • Extent to which RFMO decisions, meeting reports, scientific advice upon which decisions are made, and other relevant materials are made publicly available in a timely fashion.
		Relationship to cooperating non members	<ul style="list-style-type: none"> • Extent to which the RFMO facilitates cooperation between members and non members, including through the adoption and implementation of procedures for granting cooperating status.
		Relationship to non-cooperating non-members	<ul style="list-style-type: none"> • Extent of fishing activity by vessels of non-members that are not cooperating with the RFMO, as well as measures to deter such activities.

		Cooperation with other RFMOs	<ul style="list-style-type: none"> • Extent to which the RFMO cooperates with other RFMOs, including through the network of Regional Fishery Body Secretariats.
		Special requirements of developing States	<ul style="list-style-type: none"> • Extent to which the RFMO recognizes the special needs of developing States and pursues forms of cooperation with developing States, including with respect to fishing allocations or opportunities, taking into account UNFSA Articles 24 and 25, and the Code of Conduct of Responsible Fisheries Article 5. • Extent to which RFMO members, individually or through the RFMO, provide relevant assistance to developing States, as reflected in UNFSA Article 26.
5	<i>Financial and administrative issues</i>	Availability of resources for RFMO activities	<ul style="list-style-type: none"> • Extent to which financial and other resources are made available to achieve the aims of the RFMO and to implement the RFMOs decisions.
		Efficiency and cost-effectiveness	<ul style="list-style-type: none"> • Extent to which the RFMO is efficiently and effectively managing its human and financial resources, including those of the Secretariat.

Documents available on www.iccat.int such as:

Basic Texts: <http://www.iccat.int/Documents/Commission/BasicTexts.pdf>

Recommendations and Resolutions: <http://www.iccat.int/RecsRegs.asp>

Compendium of Management Recommendations and Resolutions Adopted by ICCAT for the Conservation of Atlantic Tunas and Tuna-like Species”:

http://www.iccat.int/Documents/Recs/ACT_COMP_2007_ENG.pdf

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

1. Opening of the meeting

The 2008 meeting of the Standing Committee on Finance and Administration (STACFAD) was opened on Tuesday, November 18, by the Committee Chairman, Mr. J. Jones (Canada).

2. Adoption of the Agenda

The Agenda, which had been circulated in advance of the meeting, was adopted (**Appendix 1 to ANNEX 8**).

3. Appointment of the Rapporteur

The ICCAT Secretariat was designated rapporteur.

4. Reports from the Secretariat

4.1 2008 Administrative Report

The 2008 Administrative Report was presented by the Chairman [STF-201], who reviewed its contents, i.e. events of an administrative nature that had occurred at the Secretariat and in the Commission in 2008: Contracting Parties to the Convention, the adoption and entry into force of the Recommendations and Resolutions in 2008, inter-sessional meetings and ICCAT working groups; meetings at which ICCAT was represented (Appendix 1 to Administrative Report), tagging lottery, Chairman's letters to various Parties, Entities and Fishing Entities (concerning compliance with the conservation measures and compliance with budgetary obligations), list of publications and Secretariat documents, organization and management of Secretariat staff (organization, new hiring, future hiring and Secretariat staff pension plan), the selection process for the change in the auditing firm and other matters such as the new Secretariat headquarters, the management of other programs, the ICCAT Performance Review and the organization of the 16th Special Meeting of the Commission.

After outlining the items of the Report, the Chairman pointed out those items concerning the hiring of staff and the change in the auditing firm, which were discussed under Items 4.3 and 4.4 of this Report, respectively.

As regards to the pension plan for the Secretariat staff, the Delegate of the European Community requested the Executive Secretary to contact the entity that manages the ICCAT Fund, to verify if there are sufficient funds to cover the pension of the Secretariat staff.

The Executive Secretary explained that due to the Secretariat's current financial situation he had contacted the entity that manages the ICCAT staff pension fund, and was guaranteed that the Fund would not be affected by the world financial crisis. The Executive Secretary indicated that after not being able to join the United Nations Pension Fund, the Secretariat wanted to continue studying the possibility of a more beneficial pension plan with another entity in the country of the headquarters, that guarantees the staff funds with greater stability due to the continuous fluctuations in the exchange rates, as the pension plan is currently paid in US dollars.

The Chairman stated that this item had been included in the Report to propose to the Committee to study other ways and to improve this Fund.

The Delegate of Mexico expressed appreciation for the summary of activities contained in the Report and emphasized the importance of ICCAT's participation in other organizations.

The Administrative Report was adopted.

4.2 2008 Financial Report

The Chairman presented the Financial Report [STF-202] which had been distributed in advance.

Mr. Jones recalled that the Report contained information up to October 31, 2008 and that since that date more contributions had been received, i.e. United Kingdom (OTs) and Côte d'Ivoire, which were not included in the Report.

Mr. Jones pointed out that the percentage of budgetary income received amounted to approximately 84% of the 2008 budget, recalling that previously, only between 70% and 75% of the budgetary contributions had been received. Therefore, he thanked the Contracting Parties for the efforts made in complying with payments. He indicated that this situation had strengthened the Working Capital Fund, whose percentage was far above that recommended by the auditors, and which allows covering any possible unforeseen matters by the Commission.

The Delegate of the European Community stressed the Commission's strong financial situation and thanked the Chairmen for their efforts. As regards to the items in the Report, the Delegate explained that concerning the Vessel Monitoring Program for bluefin tuna, the European Community would carry out another contribution at the end of the first year of this Program which will absorb the shortage of funds that are indicated in the Report. He requested that until this payment is made, the shortage of funds be advanced by the Working Capital Fund. As regards to the Separation from Service Fund, the Delegate requested if the balance was sufficient to cover the staff retirements in 2009, as this will have to be taken into account in this budget.

The Executive Secretary explained that the Parties involved in the Program had sent funds to finance it and added that a company had been hired to install the system. Likewise, he pointed out that a person had been hired to manage the program until May 2009. He also indicated that the release of funds pending from the European Community would not be sufficient to cover the expenses to the end of the first year of the Program and he added that it would have to be determined if these expenses would be covered by the Commission's Working Capital Fund or by the Parties participating in the Program. As regards to the Separation from Service Fund, he explained that with the allocation foreseen from the 2009 budget, there will be no problem for the future retirements.

The Delegate of European Community expressed interest that the ICCAT Vessel Monitoring System (VMS) Program Fund continue and noted that the European Community would continue to finance the Fund if the rest of the Parties involved will take part in co-financing this project this year.

The Chairman confirmed that this matter will be discussed under item 7.

The Delegate of Morocco thanked the Executive Secretary for his good management which has resulted in the stable financial status of the Commission.

The Delegate of Saint Vincent and the Grenadines informed the Committee that his country had sent payment of its contribution for this fiscal year.

The Delegate of Vanuatu indicated that within the next few weeks Vanuatu's debts would be paid.

The Delegate of Japan requested clarification on the By-Catch Coordinator Fund.

The Chairman explained that the By-Catch Coordinator post will not be included in the regular budget until the 2010-2011 biennial period, and that the United States had created a Fund to cover the hiring for this post in 2009.

The Delegate of Syria asked for clarifications for payment of Syria's contributions which were provided by the Secretariat.

At the second STACFAD session, the Chairman announced that contributions corresponding to 2008 had been received from Korea and St. Vincent and the Grenadines. He also thanked Chinese Taipei for the 100,000 Euro voluntary contribution sent to the Commission.

The Financial Report was adopted.

4.3 Hiring of staff

The Chairman highlighted the announcement for the post of Populations Dynamics Expert. He explained that a selection process had been carried out by a Committee comprised of the ICCAT Chairman, the Executive Secretary, and he himself, after all the applications had been reviewed by a Committee headed by the SCRS Chairman. Various personal interviews were conducted after which it was decided not to recruit any of the candidates at this stage. The Chairman explained that at the Executive Secretary's proposal, discussions were held with Dr. Restrepo who had indicated his desire to return to the Secretariat to resume his position of Assistant Executive Secretary and added that the Committee considered that this decision was the most advantageous for the Secretariat.

The Delegate of Mexico expressed satisfaction with Dr. Restrepo's return to the Secretariat.

The Delegate of Brazil agreed with the intervention by Mexico and pointed out that during the time that Dr. Restrepo was at the Secretariat he did an extraordinary job and that his return was very important to reinforce the work carried out by the Secretariat.

The Delegates of Morocco and the European Community joined in welcoming Dr. Restrepo.

4.4 Auditor's contract

The Chairman recalled the decision made in 2007 about changing the auditing firm every three years. He explained that a selection process had been carried out and three firms had been selected for consideration by the Committee, indicating that after consulting with the Executive Secretary and the person in charge of finances, it was recommended to contract the firm "BDO Audiberia Auditories, S.L.", and this decision was accepted by the Committee.

5. Review of progress of payment of arrears

The Chairman presented a document [STF-204] which provided details on the status of the delays in the Contracting Party payments, emphasizing that Cape Verde, Gabon, Republic of Guinea, Honduras, Nicaragua, Panama and St. Tomé & Príncipe had arrears for more than two years. He pointed out that Ghana continued to have considerable delays in its payments, but that it had made considerable progress in the payment of its debt. He also informed that the Republic of Guinea had submitted a plan of action to regularize its debt, but this has not yet been carried out.

Mr. Jones reminded the Committee that at previous meetings a decision had been made, in accordance with Article X.8 of the Convention, to suspend the voting right of those Parties that had arrears equal to or exceeding two years and those that had not followed through with their repayment plans. He indicated that he would discuss this matter with the delegate of the Republic of Guinea.

6. Budget and Contracting Party contributions for 2009

The Chairman presented the "Explanatory Note on the ICCAT Budget for Fiscal Year 2009" [STF-205]. He pointed out that the proposal included the request from the scientific committee to announce the Population Dynamics Expert post, as well as the hiring of two other staff in the General Services category: one to enter and process data related to compliance activities, and the other motivated by the needs of the new headquarters offices. He explained that it had been taken into account that the hiring of these new staff would take place in mid-2009. The Chairman also pointed out that the increase requested for operating expenses were due to the move to the new ICCAT headquarters, a totally independent building, and the increase requested by the scientific committee with regard to the financing of the ICCAT Enhanced Research Program for Billfish. He indicated that a version of the budget proposal which includes the changes in Panel membership would be distributed.

The Chairman also reminded the Committee that the matter of Arabic interpretation at the annual Commission meeting was still pending from last year. The Chairman proposed that the costs be paid from the Working Capital Fund as additional interpretation services for the ICCAT annual meeting in Arabic. The proposal was adopted by the Committee.

The Delegate of the European Community made some general observations with regard to the presentation of the budget. First, he referred to the budget structure, which consisted of separating the chapter on the Coordination of Research from the scientific research programs that are financed by the regular budget. Secondly, the structure consisted of including a column in the table of the budget proposal that includes the increase for 2009 revised with respect to 2008, to show the real percentage increase.

The Executive Secretary reminded the Committee that the structure of the budget permitted introducing changes that were required by the Committee with regard to distribution of the budget by chapter. With regard to the percentage of the budget, he informed that the document had been presented so that the Contracting Parties could compare the 2009 budget that had been approved at the 2007 meeting, with the changes included in the revised 2009 budget.

The Chairman commented that it would be so included in the revised version. As concerns the first comment, he noted that the chapter on the Coordination of Research included all the activities detailed in the Financial Report relative to the coordination, statistics, and other related operating expenses and requested the SCRS Chairman to explain the activities of the research programs.

The SCRS Chairman explained that there were two programs financed by the regular budget. One was the ICCAT Enhanced Research Program for Billfish, which operated at a very modest level and with adequate methodology, and whose costs were mainly destined for the Contracting Parties having less financial means, to carry out small-scale sampling. He recalled that since 2003 there were many needs with regards to bluefin tuna research and the scientific Committee needed and required a large-scale fund for such research. He explained that the SCRS had estimated costs at approximately €19 million for a six-year research program, and added that he would distribute a document explaining the project by priorities [STF-207].

The Delegate of the European Community expressed his support for the proposal summarized by the SCRS Chairman and requested the separation of these two programs in a specific budget chapter entitled “Research Programs” that would permit the inclusion of other programs of the same nature.

The Chairman informed the Committee that this would be done starting next year.

Following the SCRS Chair’s clarification on some points about bluefin tuna, requested by various delegations, the Chairman of the Committee proposed deferring this item and discussing it at the inter-sessional meetings.

The Delegate of the United States appreciated the document prepared by the SCRS Chairman. With regard to the operating expenses, he proposed that the increase in fixed expenses be maintained in the budget and that other resources be used to cover the expenses related to the move to the new headquarters offices.

The Delegate of the European Community proposed using the Working Capital Fund for this purpose. He further noted the need for the scientific Committee to provide a list of priorities prior to the annual meeting of the Commission.

At the third session of the Committee, the Chairman announced that an updated version of the budget had been distributed [STF-205A], which included the request from the European Community to show the percentage from 2008 with respect to the 2009 revised budget, as well as the changes in Panel membership and the exchange rate for November.

Lastly, the Chairman reminded the Committee that in the Panel discussion there was discussion on the possibility of including in the budget an amount destined for the financing of the Commission and SCRS Chairmen’s travel, to represent ICCAT at some meetings. He explained that participation at these meetings required considerable effort and that financial endowment would assist the countries that did not have the necessary means. He proposed using the Working Capital Fund for this purpose in 2009 and that this be standardized within the budget starting in 2010.

The Delegate of the European Community indicated that the expenses relative to the SCRS Chairman’s travel could be included in a sub-chapter of Chapter 8, Coordination of Research, and added that as regards the ICCAT Chairman it was not appropriate to use the Working Capital Fund, since there is a fund financed by the United States and Brazil that includes this concept.

The Delegate of Brazil explained that the objective of the contribution made by his country to the aforementioned Fund was for ICCAT representation at the tuna RFMOs meetings and the meetings of the working groups in 2009.

The Chairman proposed adopting the 2009 budget with the notes referring to Chapter 3, and leaving the use of the Working Capital Fund pending for other matters that will be seen at the plenary sessions.

The Delegate of the European Community asked that the entire proposal be adopted at the plenary sessions.

7. Consideration of programs which may require additional funding

With regard to continuing the Vessel Monitoring System for bluefin tuna, the Chairman asked the Parties involved to determine the financing required for the second phase.

The Delegate of the European Community informed the Committee that the Parties involved had met and had agreed that this would continue for another year and that they would provide the Secretariat with the information regarding the financing of each of these Parties to the program.

The Executive Secretary asked that this information be provided as soon as possible so as to include it in the request for the 2009 contributions, as some Contracting Parties had requested.

8. Basis for participant contributions to the ICCAT Regional Observer Program for 2009

The Chairman presented a document on the “Future Basis for ROP Funding” [STF-203], which contains the basis for the future financing of the ICCAT Regional Observer Program. He asked the Parties involved to establish criteria on the distribution of the budget to this Program.

9. Other matters

The Executive Secretary explained that during 2008 the Delegation of Egypt had contacted the Secretariat regarding its contributions. He noted that Egypt had joined ICCAT in October 2007 and that the Secretariat had informed this Party that, according to the ICCAT *Basic Texts*, new members whose membership becomes effective in the last six months of any year are liable to pay half the amount of the annual contribution to the budget, for which Egypt should pay the amount corresponding to six months of its 2007 contribution. He also pointed out that although Egypt had paid the total amount of its contribution, they requested that the amount corresponding to 2007 be considered as an advance towards future contributions.

The Chairman confirmed that no positive response could be given without changing the *Basic Texts*, since this matter was clearly reflected in Regulation 4 of the Commission’s Financial Regulations.

The Delegate of Egypt stated that he did not detailed information on this issue and indicated to the Committee that he would inform the Committee on this matter.

10. Adoption of the report and adjournment

The Report of STACFAD will be adopted by correspondence.

The STACFAD meeting was adjourned by the Chairman, Mr. Jones.

Table 1. Commission Budget for 2009 (Revised) (Euros).

Chapters	2008	2009	2009 Revised	Increase 2008 - 2009 Revised
1. Salaries	948,884.85	981,146.93	1,083,607.30	14.20%
2. Travel	30,000.00	31,020.00	31,020.00	3.40%
3. Commission meetings (annual & inter-sessional) 1/	130,000.00	134,420.00	134,420.00	3.40%
4. Publications	52,470.04	54,254.02	54,254.02	3.40%
5. Office Equipment	8,047.55	8,321.17	8,321.17	3.40%
6. Operating Expenses	200,000.00	206,800.00	225,000.00	12.50%
7. Miscellaneous	6,438.05	6,656.94	6,656.94	3.40%
8. Coordination of Research				
a) Salaries	734,737.67	759,718.75	819,412.25	11.52%
b) Travel to improve statistics	30,000.00	31,020.00	31,020.00	3.40%
c) Statistics-Biology	25,000.00	25,850.00	25,850.00	3.40%
d) Computer-related items	39,750.00	41,101.50	41,101.50	3.40%
e) Database maintenance	38,462.86	39,770.60	39,770.60	3.40%
f) Phone line-Internet domain	25,300.00	26,160.20	26,160.20	3.40%
g) Scientific meetings (including SCRS)	77,256.50	79,883.22	79,883.22	3.40%
h) ICCAT Bluefin Year Program (BYP)	14,588.60	15,084.61	15,084.61	3.40%
i) ICCAT Billfish Research Program	20,000.00	20,680.00	30,000.00	50.00%
j) Miscellaneous	6,116.14	6,324.09	6,324.09	3.40%
<i>Sub-total Chapter</i>	<i>1,011,211.77</i>	<i>1,045,592.97</i>	<i>1,114,606.47</i>	<i>10.22%</i>
9. Contingencies	25,000.00	25,850.00	25,850.00	3.40%
10. Separation from Service Fund	30,000.00	31,020.00	31,020.00	3.40%
TOTAL BUDGET	2,442,052.26	2,525,082.03	2,714,755.90	11.17%

1/ The costs for additional interpretation services in other languages for the annual meeting will be assumed by the Working Capital Fund.

Table 2. Basic information to calculate the Contracting Party contributions in 2009.

Contracting Parties	Groups ^a	GNP ^b 2004	GNP ^b 1991	Catch ^c	Canning ^d	Catch + Canning	Panels ^e				Total Panels	Contracting Parties
							1	2	3	4		
Albania	C	2408	2,169			0	-	X	-	-	1	Albania
Algérie	C	2,497	2,250	3,403		3,403	-	X	-	X	2	Algérie
Angola	D	1,309	1,179	3,847		3,847	X	-	-	X	2	Angola
Barbados	C	10,538	9,494	126		126	-	-	-	-	0	Barbados
Belize	C	3,594	3,238	5		5	X	X	X	X	4	Belize
Brazil	B	3,225	2,905	42,103	14,007	56,110	X	X	X	X	4	Brazil
Canada	A	31,031	27,956	2,748		2,748	X	X	-	X	3	Canada
Cap-Vert	D	1,947	1,754	365		365	X	-	-	-	1	Cap-Vert
China, People's Rep. of	C	1,283	1,156	8,969		8,969	X	X	-	X	3	China, People's Rep. of
Communauté Européenne	A	27,861	25,100	198,597	250,089	448,686	X	X	X	X	4	Communauté Européenne
Côte d'Ivoire	D	908	818	1,985		1,985	X	-	-	X	2	Côte d'Ivoire
Croatia	C	7,557	6,808	1,017	627	1,644	-	X	-	-	1	Croatia
Egypt	D	1,174	1,058			0	-	X	-	-	1	Egypt
France (St. P. & M.)	A	33,967	30,601	61	0	61	X	X	-	X	3	France (St. P. & M.)
Gabon	C	4,710	4,243	44		44	X	-	-	X	2	Gabon
Ghana	C	403	363	83,582	10,300	93,882	X	-	-	-	1	Ghana
Guatemala, Rep. de	C	2,157	1,943	10,293	0	10,293	X	-	-	-	1	Guatemala, Rep. de
Guinea Ecuatorial	C	7,845	7,068			0	X	-	-	X	2	Guinea Ecuatorial
Guinea, Rep. of	D	421	379			0	-	-	-	-	0	Guinea, Rep. of
Honduras	D	1,046	942			0	X	-	-	-	1	Honduras
Iceland	A	41,913	37,759	0	0	0	-	X	-	-	1	Iceland
Japan	A	36,501	32,884	25,059		25,059	X	X	X	X	4	Japan
Korea, Rep. of	C	14,266	12,852	2,895		2,895	X	X	-	X	3	Korea, Rep. of
Libya	C	3,403	3,066	1,164		1,164	X	X	-	-	2	Libya
Maroc	C	1,606	1,447	9,909	600	10,509	X	X	-	X	3	Maroc
Mexico	B	6,397	5,763	10,984		10,984	X	X	X	X	4	Mexico
Namibia	C	2,661	2,397	3,627		3,627	X	-	X	X	3	Namibia
Nicaragua, Rep. de	D	820	739			0	-	-	-	-	0	Nicaragua, Rep. de
Nigeria	D	637	574			0	X	-	-	X	2	Nigeria
Norway	A	54,383	48,994			0	-	X	-	-	1	Norway
Panama	B	4,269	3,846	20,962		20,962	X	X	-	-	2	Panama
Philippines, Rep. of	D	1,059	954	2,046		2,046	X	-	-	-	1	Philippines, Rep. of
Russia	C	4,047	3,646	287		287	X	-	-	-	1	Russia
Saint Vincent and Grenadine	C	3,357	3,024	258		258	X	X	-	X	3	Saint Vincent and Grenadine
São Tomé e Príncipe	D	447	403			0	X	-	-	X	2	São Tomé e Príncipe
Senegal	C	672	605	6,896	7,997	14,893	X	-	-	X	2	Senegal
South Africa	B	4,507	4,060	5,236		5,236	X	-	X	X	3	South Africa
Syrian Arab Republic	D	1,261	1,136	460	0	460	-	X	-	-	1	Syrian Arab Republic
Trinidad & Tobago	C	8,772	7,903	4,472		4,472	X	-	-	X	2	Trinidad & Tobago
Tunisie	B	2,815	2,536	6,535	2,310	8,845	-	X	-	X	2	Tunisie
Turkey	B	4,182	3,768	72,749		72,749	X	X	X	X	4	Turkey
United Kingdom (O.T.)	A	35,718	32,178	228		228	X	-	-	-	1	United Kingdom (O.T.)
United States	A	39,650	35,721	22,499	17,349	39,848	X	X	X	X	4	United States
Uruguay	C	3,842	3,461	1,592		1,592	X	-	-	X	2	Uruguay
Vanuatu	D	1,405	1,266	2,267		2,267	-	-	-	-	0	Vanuatu
Venezuela	B	4,260	3,838	7,320	1,313	8,633	X	-	-	X	2	Venezuela

a), b), c), d), e): See attached Legends.

Table 3. Contracting Party Contributions for 2009 (Revised). (Euros)

Contracting Party	Group ^a	Catch +		% Catch +	% Member +	Membership	Panel	Variable fees	Variables fees	Total	Contracting Party
		Canning ^a	Panels ^a	Canning ^b	Panels ^c	fee ^d	Membership ^e	for Member ^f	Catch-Canning ^g	fees ^h	
Albania	C	0	1	0.00%	3.51%	773.00	773.00	5,517.46	0.00	7,063.46	Albania
Algérie	C	3,403	2	2.15%	5.26%	773.00	1,546.00	8,276.19	6,770.89	17,366.07	Algérie
Angola	D	3,847	2	35.07%	12.00%	773.00	1,546.00	2,484.71	14,522.44	19,326.14	Angola
Barbados	C	126	0	0.08%	1.75%	773.00	0.00	2,758.73	250.70	3,782.43	Barbados
Belize	C	5	4	0.00%	8.77%	773.00	3,092.00	13,793.64	9.95	17,668.59	Belize
Brazil	B	56,110	4	30.57%	17.86%	773.00	3,092.00	32,646.12	111,791.50	148,302.61	Brazil
Canada	A	2,748	3	0.53%	13.79%	773.00	2,319.00	70,114.66	5,407.72	78,614.38	Canada
Cap-Vert	D	365	1	3.33%	8.00%	773.00	773.00	1,656.47	1,377.88	4,580.35	Cap-Vert
China, People's Rep. of	C	8,969	3	5.67%	7.02%	773.00	2,319.00	11,034.92	17,845.46	31,972.37	China, People's Rep. of
Communauté Européenne	A	448,686	4	86.85%	17.24%	773.00	3,092.00	87,643.33	882,957.37	974,465.69	Communauté Européenne
Côte d'Ivoire	D	1,985	2	18.09%	12.00%	773.00	1,546.00	2,484.71	7,493.38	12,297.09	Côte d'Ivoire
Croatia	C	1,644	1	1.04%	3.51%	773.00	773.00	5,517.46	3,271.04	10,334.49	Croatia
Egypt	D	0	1	0.00%	8.00%	773.00	773.00	1,656.47	0.00	3,202.47	Egypt
France (St. P. & M.)	A	61	3	0.01%	13.79%	773.00	2,319.00	70,114.66	120.04	73,326.70	France (St. P. & M.)
Gabon	C	44	2	0.03%	5.26%	773.00	1,546.00	8,276.19	87.55	10,682.73	Gabon
Ghana	C	93,882	1	59.40%	3.51%	773.00	773.00	5,517.46	186,795.31	193,858.77	Ghana
Guatemala, Rep. de	C	10,293	1	6.51%	3.51%	773.00	773.00	5,517.46	20,479.80	27,543.25	Guatemala, Rep. de
Guinea Ecuatorial	C	0	2	0.00%	5.26%	773.00	1,546.00	8,276.19	0.00	10,595.19	Guinea Ecuatorial
Guinea, Rep. of	D	0	0	0.00%	4.00%	773.00	0.00	828.24	0.00	1,601.24	Guinea, Rep. of
Honduras	D	0	1	0.00%	8.00%	773.00	773.00	1,656.47	0.00	3,202.47	Honduras
Iceland	A	0	1	0.00%	6.90%	773.00	773.00	35,057.33	0.00	36,603.33	Iceland
Japan	A	25,059	4	4.85%	17.24%	773.00	3,092.00	87,643.33	49,312.95	140,821.27	Japan
Korea, Rep. of	C	2,895	3	1.83%	7.02%	773.00	2,319.00	11,034.92	5,760.13	19,887.04	Korea, Rep. of
Libya	C	1,164	2	0.74%	5.26%	773.00	1,546.00	8,276.19	2,315.99	12,911.18	Libya
Maroc	C	10,509	3	6.65%	7.02%	773.00	2,319.00	11,034.92	20,909.57	35,036.48	Maroc
Mexico	B	10,984	4	5.99%	17.86%	773.00	3,092.00	32,646.12	21,884.12	58,395.23	Mexico
Namibia	C	3,627	3	2.29%	7.02%	773.00	2,319.00	11,034.92	7,216.58	21,343.49	Namibia
Nicaragua, Rep. de	D	0	0	0.00%	4.00%	773.00	0.00	828.24	0.00	1,601.24	Nicaragua, Rep. de
Nigeria	D	0	2	0.00%	12.00%	773.00	1,546.00	2,484.71	0.00	4,803.71	Nigeria
Norway	A	0	1	0.00%	6.90%	773.00	773.00	35,057.33	0.00	36,603.33	Norway
Panama	B	20,962	2	11.42%	10.71%	773.00	1,546.00	19,587.67	41,763.92	63,670.59	Panama
Philippines, Rep. of	D	2,046	1	18.65%	8.00%	773.00	773.00	1,656.47	7,723.66	10,926.13	Philippines, Rep. of
Russia	C	287	1	0.18%	3.51%	773.00	773.00	5,517.46	571.04	7,634.50	Russia
Saint Vincent and Grenadines	C	258	3	0.16%	7.02%	773.00	2,319.00	11,034.92	513.34	14,640.25	Saint Vincent and Grenadines
São Tomé e Príncipe	D	0	2	0.00%	12.00%	773.00	1,546.00	2,484.71	0.00	4,803.71	São Tomé e Príncipe
Senegal	C	14,893	2	9.42%	5.26%	773.00	1,546.00	8,276.19	29,632.33	40,227.52	Senegal
South Africa	B	5,236	3	2.85%	14.29%	773.00	2,319.00	26,116.89	10,432.01	39,640.91	South Africa
Syrian Arab Republic	D	460	1	4.19%	8.00%	773.00	773.00	1,656.47	1,736.50	4,938.97	Syrian Arab Republic
Trinidad & Tobago	C	4,472	2	2.83%	5.26%	773.00	1,546.00	8,276.19	8,897.86	19,493.04	Trinidad & Tobago
Tunisie	B	8,845	2	4.82%	10.71%	773.00	1,546.00	19,587.67	17,622.45	39,529.12	Tunisie
Turkey	B	72,749	4	39.64%	17.86%	773.00	3,092.00	32,646.12	144,942.43	181,453.54	Turkey
United Kingdom (O.T.)	A	228	1	0.04%	6.90%	773.00	773.00	35,057.33	448.68	37,052.01	United Kingdom (O.T.)
United States	A	39,848	4	7.71%	17.24%	773.00	3,092.00	87,643.33	78,415.83	169,924.16	United States
Uruguay	C	1,592	2	1.01%	5.26%	773.00	1,546.00	8,276.19	3,167.57	13,762.76	Uruguay
Vanuatu	D	2,267	0	20.67%	4.00%	773.00	0.00	828.24	8,557.93	10,159.17	Vanuatu
Venezuela	B	8,633	2	4.70%	10.71%	773.00	1,546.00	19,587.67	17,200.07	39,106.74	Venezuela

a), b), c), d), e), f), g), h): See attached Legends.

Table 4. Contributions by Group 2009 (Revised). Fees expressed in Euros.

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 feesⁱ
A	8	21	516,630.00	---	57.00%	6,184.00	16,233.00	1,524,993.86	1,547,410.86
B	7	21	183,519.00	3.00%	21.00%	5,411.00	16,233.00	548,454.74	570,098.74
C	19	38	158,063.00	1.00%	19.00%	14,687.00	29,374.00	471,742.62	515,803.62
D	12	13	10,970.00	0.25%	3.00%	9,276.00	10,049.00	62,117.68	81,442.68
TOTAL	46	93	869,182.00		100.00%	35,558.00	71,889.00	2,607,308.90	2,714,755.90

a), b), c), d), e), f), g), h), i) : See attached Legends.

Table 5. Catch and canning figures (in t) of the Contracting Parties.

<i>Parties</i>	2004			2005			2006			<i>Parties</i>
	<i>Catch</i>	<i>Canning</i>	<i>Total</i>	<i>Catch</i>	<i>Canning</i>	<i>Total</i>	<i>Catch</i>	<i>Canning</i>	<i>Total</i>	
Algérie	2,930 t		2,930	3,403 t		3,403				0 Algérie
Angola	520 t		520	3,847 t		3,847				0 Angola
Barbados	126 t		126	126 t		126				0 Barbados
Belize			0	5 t		5				0 Belize
Brazil	38,314	16,363	54,677	42,103	14,007	56,110		15,742	15,742	0 Brazil
Canada	2,275 t		2,275	2,748 t		2,748				0 Canada
Cap-Vert	2,268 t		2,268	365 t		365				0 Cap-Vert
China, People's Rep. of	8,622 t		8,622	8,969 t		8,969				0 China, People's Rep. of
Communauté Européenne	199,656	228,357	428,013	198,597	250,089	448,686		210,905 p	210,905	0 Communauté Européenne
Côte d'Ivoire	1,341 t		1,341	1,985 t		1,985				0 Côte d'Ivoire
Croatia	827	560	1,387	1,017	627	1,644	1,023	556	1,579	0 Croatia
Egypt			0			0				0 Egypt
France - St. P. & M.	81	0	81	61	0	61	0	0	0	0 France - St. P. & M.
Gabon	44 t		44	44 t		44				0 Gabon
Ghana	64,059 t		64,059	83,582 t	10,300 co	93,882				0 Ghana
Guatemala, Rep. de		0	0	10,293 t	0	10,293		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	0 Iceland
Japan	29,782		29,782	25,059		25,059				0 Japan
Korea, Rep. of	2,607 t		2,607	2,895 t		2,895				0 Korea, Rep. of
Libya	1,375 t		1,375	1,164 t		1,164				0 Libya
Maroc	10,947	600	11,547	9,909	600	10,509	10,559 p		10,559	0 Maroc
Mexico	16,302 p		16,302	10,984 p		10,984	9,700 p		9,700	0 Mexico
Namibia	4,144 t		4,144	3,627 t		3,627				0 Namibia
Nicaragua, Rep. de			0			0				0 Nicaragua, Rep. de
Nigeria			0			0				0 Nigeria
Norway	0		0			0				0 Norway
Panama	10,928 t		10,928	20,962 t		20,962	1,255 t		1,255	0 Panama
Philippines, Rep. of	2,227		2,227	2,046		2,046	2,090		2,090	0 Philippines, Rep. of
Russia	174		174	287		287	780		780	0 Russia
Saint Vincent and Grenadines	7,974 t		7,974	258 t		258				0 Saint Vincent and Grenadines
São Tomé e Príncipe			0			0				0 São Tomé e Príncipe
Senegal	2,552	7,776	10,328	6,896	7,997	14,893	6,063	5,297	11,360	0 Senegal
South Africa	5,899 t		5,899	5,236 t		5,236				0 South Africa
Syrian Arab Republic	415	0	415	460	0	460	502	0	502	0 Syrian Arab Republic
Trinidad & Tobago	3,768 t		3,768	4,472 t		4,472				0 Trinidad & Tobago
Tunisie	6,505	2,060	8,565	6,535	2,310	8,845				0 Tunisie
Turkey	7,410		7,410	72,749		72,749	800 p+		800	0 Turkey
United Kingdom (O.T.)	254 t		254	228 t		228	2 t		2	0 United Kingdom (O.T.)
United States	25,310	22,520	47,830	22,499 p	17,349	39,848		19,311	19,311	0 United States
Uruguay	1,469		1,469	1,592		1,592				0 Uruguay
Vanuatu	1,400 t		1,400	2,267 t		2,267				0 Vanuatu
Venezuela			0	7,320	1,313	8,633				0 Venezuela
TOTAL	462,505	278,236	740,741	564,590	304,592	869,182	32,774	251,811	284,585	TOTAL

p = Preliminary data.

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

co = Transfer of the information on data provided at the 2006 ICCAT Commission Meeting

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

Data updated to 16 June 2007.

Legends

Table 2

- ^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 / GNP with values adjusted to 1991 using a multiplier of 1.11 (Source: U.S. Federal Reserve Board's "Broad Index").
- ^c 2005 Catches (t).
- ^d 2005 Canning (t).
- ^e Panel membership: Panel 1 = Tropical tunas; Panel 2 = Temperate tunas-North; Panel 3 = Temperate tunas-South; and Panel 4 = Other species.

Table 3

- a Table 2.
- 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

- a Number of Contracting Parties per Group (Table 2).
- 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 of the budget financed 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 contribution.

Agenda

1. Opening of the meeting
2. Adoption of the Agenda
3. Appointment of the Rapporteur
4. Reports from the Secretariat
 - 4.1 2008 Administrative Report
 - 4.2 2008 Financial Report
 - 4.3 Hiring of Personnel
 - 4.4 Auditors contract
5. Review of progress of the payment of arrears
6. Budget and Contracting Party contributions for 2009
7. Consideration of Programs which may require additional funding
8. Basis for participant contributions to the ICCAT Regional Observer Programme for 2009
9. Other matters
10. Adoption of the report and adjournment

REPORTS OF THE MEETINGS OF PANELS 1 TO 4**REPORT OF THE MEETING OF PANEL 1 [PA1-501A]****1. Opening of the meeting**

Dr. Jeanson Anvra Djobo (Côte d'Ivoire) chaired the meeting of Panel 1.

2. Adoption of the Agenda

The Agenda was adopted without changes (attached as **Appendix 1 to ANNEX 9**). [PA1-500]

3. Election of Rapporteur

Ms. Julia Hathaway (United States of America) was appointed Rapporteur for Panel 1.

4. Review of Panel membership

Mr. Driss Meski, Executive Secretary, presented the list of members of Panel 1. Likewise, Mr. Meski informed that United Kingdom (Overseas Territories) and Nigeria had requested to become members of the Panel. This request was accepted.

Therefore, Panel 1 is currently comprised of the following 34 members: Angola, Belize, Brazil, Canada, Cape Verde, China, Côte d'Ivoire, Equatorial Guinea, European Community, France (Saint Pierre and Miquelon), Gabon, Ghana, Guatemala, Honduras, Japan, Korea (Rep.), Libya, Mexico, Morocco, Namibia, Nigeria, Panama, Philippines, Russia, Sao Tome and Principe, Senegal, South Africa, St. Vincent and the Grenadines, Trinidad and Tobago, Turkey, United Kingdom (Overseas Territories), United States of America, Uruguay and Venezuela.

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

The SCRS Chairman presented the Executive Summaries of the three tropical tuna species: bigeye, yellowfin and skipjack. An assessment was carried out on Atlantic yellowfin and eastern and western Atlantic skipjack in 2008.

The SCRS Chairman noted that this was a good year for the Committee's investigations relative to tropical tunas. The evaluation of yellowfin and skipjack tunas in both the East and West Atlantic fisheries characterizes the status of the stocks as consistent with the objectives of the Convention.

Overall, the 2007 assessment for bigeye shows that fishing mortality levels are below F_{MSY} and that the biomass is below the level that would support MSY, although there is considerable uncertainty in the models. The forecast is positive for this stock.

Following the presentation of the reports, various Parties noted that, in general, the tropical tuna stocks are in good condition but that there should be further analysis given the difficulties inherent in managing the mix of fisheries.

Specifically, Parties expressed concern about the possible continuation of illegal, unregulated and unreported (IUU) fishing and the possibility of laundering the catches. In response to an inquiry regarding the efficacy of the transshipment observer program, the SCRS Chairman indicated that the SCRS does not have access to sufficient data to make an evaluation. The SCRS Chairman indicated that should they be provided access to such data a more detailed assessment could be conducted.

Another matter of concern raised by Panel 1 members was the high proportion of juveniles in the bigeye catches of some surface fleets and the consequent impacts on the maximum yield of the stock. Several Parties called for revisiting the utility of time and area closures specifically in areas of juveniles and supported reimplementation of the 1999 FAD fishing moratorium in the Gulf of Guinea. Many CPCs have a prevailing interest in ensuring the health of the Atlantic bigeye and yellowfin tuna fisheries which support significant domestic commercial and recreational fishing interests, as well as related industries.

The SCRS Chairman observed that a decline in the catches of juveniles could increase the biomass of adult fish, and that the establishment of larger and longer closed areas would reduce the catch of juveniles.

The SCRS Chairman also noted that a complicating factor in assessing impacts and managing fishing activity was the lack of equivalence of the effects of fishing (catchability) for skipjack and bigeye.

The Parties expressed continuing concern regarding the presence of a large number of vessels measuring slightly less than 24 m and reiterated calls that these be regulated.

A statement submitted by the United States to Panel 1 is attached as **Appendix 2 to ANNEX 9**. [PA1-502]

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

Several Parties raised the need for prudent precautionary management in the face of the uncertainties expressed in order to maintain or rebuild stocks in conformance with the convention and discussed the need to revisit and perhaps expand time and area closures to be more effective, especially in light of data showing an increase in taking of juvenile bigeye and yellowfin, and look to other, supplemental measures based on science.

The Parties tabled a reference document on a “Supplemental Recommendation by ICCAT to Amend the Multi-year Conservation and Management Program for Bigeye Tuna [PA1-504A]. This responds to the conclusion by SCRS that the Gulf of Guinea time and area closure adopted in the 2004 *Recommendation by ICCAT on a Multi-Year Conservation and Management Plan for Bigeye Tuna* [Rec. 04-01] are less effective at protecting juvenile bigeye and yellowfin tunas (<3.2 kg) than the previous closure specified in the 1999 *Recommendation by ICCAT on the Establishment of a Closed Area/Season for the Use of Fish-Aggregating Devices (FADs)* [Rec. 99-01].

Taking into account the expiration of the terms of [Rec. 04-01] and the concerns regarding catches of small fish, and other issues, the Parties adopted a recommendation to amend the on-going multi-annual management plan [Rec. 04-01]. First, the *Recommendation by ICCAT to Amend the Recommendation by ICCAT on a Multi-year Conservation and Management Plan for Bigeye Tuna* [PA1-503B] (see **ANNEX 5 [Rec. 08-02]**) extended the terms of [Rec. 04-01] to the end of 2009. Second, it specified that underage/overage provisions apply to annual catch limits, and specified the adjustment years. Third, the recommendation authorizes the transfer of 2,000 t of bigeye tuna catch limit from Japan to China, to be applied to 2009. Lastly, the recommendation requests the SCRS to evaluate, on the one hand, the existing port sampling programs for bigeye, yellowfin and skipjack tunas caught by the purse seine and baitboat fisheries in the Gulf of Guinea and, on the other, the closure foreseen in the above-mentioned reference [PA1-504A] and others in order to develop the appropriate recommendations.

7. Research

The Chairman of the SCRS presented the main research items envisaged by the Committee on the stocks. The SCRS recommended large-scale conventional tagging experiments on tropical and temperate tunas, as this will provide important results in terms of estimates of population size and mortality rates for these species.

The Delegate of the United States, noting the SCRS concerns expressed by another RFMO regarding the methodology used to estimate species composition from some purse seine fisheries, supported the implementation of the SCRS recommendation aimed at an analysis of the multi-species landings of tropical purse seiners carried out by an ad hoc working group with tuna scientists from different RFMOs.

8. Other matters

No other matters were raised for discussion.

9. Adoption of the report and adjournment

Due to time constraints, it was agreed to adopt the Report of Panel 1 by correspondence.

The 2008 Meeting of Panel 1 was adjourned.

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).

2. Adoption of Agenda

The Agenda was adopted and is attached as **Appendix 1 to ANNEX 9**.

3. Appointment of Rapporteur

Mr. Marc LeCouffe (Canada) was designated Rapporteur of Panel 2.

4. Review of Panel 2 membership

Albania requested membership to the Panel and this request was accepted. Thus, Panel 2 is currently comprised of the following 23 members and all of these attended all or part of the discussions: Albania, Algeria, Belize, Brazil, Canada, China, Croatia, Egypt, European Community, France (St. Pierre and Miquelon), Iceland, Japan, Korea (Rep.), Libya, Mexico, Morocco, Norway, Panama, St. Vincent and the Grenadines, Syria, Tunisia, Turkey, and United States of America.

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

Dr. Gerald Scott, Chairman of the SCRS, presented the Executive Summaries on the stock of north albacore stock and the East Atlantic, West Atlantic and Mediterranean bluefin tuna stocks, with particular emphasis on the bluefin tuna stocks, since an assessment was carried out in 2008.

These Summaries can be consulted in Sections 8.4 and 8.5 of the 2008 Report of the Standing Committee on Research and Statistics (SCRS) [PLE-104].

5.1 *Albacore (North and Mediterranean)*

There were few changes with respect to 2007, when a formal assessment was conducted on northern albacore component. Moreover, there has never been an assessment carried out for the Mediterranean component. As in 2007, a TAC of 30,000 t was recommended for the north component which would permit a recovery of the north stock. There are considerable data on the north stock whereas there is very little information available for the Mediterranean. Although the SCRS considers two separate stocks for management purposes, the possibility of a unique stock is not ruled out. An assessment of this stock is envisaged in 2009.

No other matters were discussed.

5.2 *Bluefin tuna (East Atlantic and Mediterranean)*

Considerable additional information is needed in order to assess the effectiveness of the *Recommendation by ICCAT to Establish a Multi-Annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 06-05]. Data collection is considerably incomplete, particularly since the start of farming activities, and the quality of recent data raises some doubts. Furthermore, considerable time is needed to assess all the data. Despite the deadline established for the submission of fisheries data, only data corresponding to 15% of the landings were reported in time for the assessment. Therefore, alternative methods were needed, such as using trade data and data on fishing capacity, to estimate the level of recent landings. While these methods show consistency among them, it is impossible to assess their accuracy.

Nevertheless, some positive aspects are noted. New historical data have been received and could be incorporated in the models. More in-depth search of the available data could result in an increase in the information that can be used.

There is a need for more detailed data from fishers on the time searching for tuna, on changes in fishing areas, and on the communications among the fishing participants. A source of information independent of fishing is also recommended, specifically, the use of tail tags for data collection. Unfortunately, for some years now, data on fishing seems to be decreasing.

Projections on the state of the stock were conducted for 72 different scenarios. Only a small part of these scenarios show some possibility of achieving the objectives of the Commission. Three alternatives were studied in detail, and the results show that changes are needed as regards the management of fishing. The SCRS recommends management based on $F_{0.1}$ or on F_{MAX} which would indicate catch levels in the short-term of 8,500 t and 15,000 t, respectively.

Substantial reductions in fishing mortality and catches should be implemented. The closure of the fishery during the spawning season and a reduction in the fishing mortality of small fish, by the strict enforcement of increases in the minimum size, should thus result in catches of about 15,000 t, combined with seasonal closures of spawning areas. It is noted that, according to the SCRS, the implementation of such a recovery plan would have to be perfect in order to attain these objectives.

Finally, in 2007 the SCRS determined the individual growth of fish in cages. There is an estimated 25% gain in weight for the adult fish after some months in captivity, although for juvenile fish this growth reaches 340% after 18 months in the cage. However, the data collected in 2008 show that the gain in weight for adult fish after some months in captivity would be on the order of 14.5%.

Following his presentation, the SCRS Chairman then responded to some questions posed by delegates regarding the recommendations and the data and methods used in the assessment.

Statements were submitted to Panel 2 in writing from the following Contracting Parties: St. Vincent and the Grenadines [PA2-619], Syria [PA2-620A], United States [PA2-605], and Vanuatu [PA2-608] and these are attached as **Appendices 3, 4, 5 and 6 to ANNEX 9**, respectively.

A joint statement in writing by the Observers from Greenpeace/WWF [PLE-136], a letter from IUCN [PA2-603], and a written statement by the Observer of Medisamak [PA2-606] were also submitted to Panel 2 and these are attached as **Appendices 7, 8 and 9 to ANNEX 9**, respectively.

5.3 Bluefin tuna (West Atlantic)

The *Supplemental Recommendation by ICCAT Concerning the Western Atlantic Bluefin Tuna Rebuilding Program* [Rec. 06-06] should result in the recovery of this stock, in accordance with the objectives of the Commission. A stock assessment was carried out in 2008. Some new data were available for this assessment; however, these data have increased uncertainty.

The SCRS noted that there is more and more evidence indicating that the productivity of western Atlantic bluefin tuna and its fishery are linked to the bluefin tuna stock in the eastern Atlantic and Mediterranean.

Several questions were asked of the SCRS Chairman concerning, among others, the mixing of the eastern and western stocks, and the possible reasons why the stock is not increasing as it should. Canada also raised the question of the potential impact of a decrease in the mortality of juvenile tunas.

The SCRS Chairman responded to these questions indicating that the state of the eastern stock would certainly have an impact on the recovery of the western stock. A reduction in the mortality of juvenile tunas would also have a positive impact, but this could take up to eight years before showing any noticeable effect.

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

The delegations around the table then expressed their views on measures that could be implemented to achieve the objectives of the Commission.

6.1 Northern and Mediterranean albacore

There was no discussion regarding management measures. Therefore, the management plan adopted in 2007, which is in effect for a period of two years (2008 and 2009), remains unchanged.

6.2 East Atlantic and Mediterranean bluefin tuna

Various proposed recommendations to amend *Recommendation by ICCAT to Establish a Multi-Annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 06-05], were presented and discussed. The European Community proposed [PA2-618] advancing by one year the reduction in TAC foreseen for 2010, associating this reduction to stricter control measures, a limit on capacity, as well as an extended closure for large purse seiners. According to the EC, considerable time is needed to see the effects of Rec. 06-05. This proposal was supported by some CPCs.

The Delegate of Morocco, together with the Arab nations and other countries that have made an effort to comply with the control measures, went even further in proposing specific control measures [PA2-617].

The Delegate of the United States put forward a proposal [PA2-610] to extend the closure for purse seiners to three months. This proposal was supported by several CPCs.

The Delegate of Japan presented a proposal jointly with several CPCs [PA2-614] to follow the advice of the SCRS and reduce the TAC to 15,000 t for 2009 and 2010. According to the Delegate of Japan, if the stock does not show any improvement in 2010, CITES could take charge of this matter, which could result in closing the Japanese bluefin tuna market.

The members of the Panel then commented on the different proposals that were submitted. Some members were concerned about transshipment and the gaps in the controls associated with them. Some problems concerning capacity were raised, as well as the need to maintain the sovereignty of the member States as regards to internal policies concerning fishing.

The Delegate of the United States submitted three additional proposals to limit capacity [PA2-611, improve the observer program [PA2-612], and impose tag requirements [PA2-613]. These proposals were welcomed by many CPCs. However, some reservations were expressed on the possibility of the use of tags in the tuna farms.

The Chairman recommended that a drafting group be set up to consolidate the texts of the various proposals, which would probably contribute towards reaching a consensus for the final proposal.

A final text was prepared by the drafting group and presented by the European Community [PA2-618B]. This text takes into account the concerns expressed by various CPCs regarding the original text. Several provisions on improving controls on fishing were presented: closed season from June 15 to April 15 for purse seiners, with a possible extension of a maximum of five days in case of bad weather, methods to address over-capacity, for fishing fleets as well as for tuna farms, the prohibiting of at-sea transshipment, improvement of the observer system. A suggestion was made to request the SCRS to provide indications on the possible establishment of sanctuaries in the Mediterranean Sea. Finally, the TAC would be reduced to 22,000 t in 2009 and 19,550 t in 2010.

The Delegate of Libya expressed disappointment that the SCRS recommendations were not respected.

The Delegate of Japan requested amending the proposal such that the CPCs participating in this fishery and who voluntarily reduce their catch levels in 2009 and 2010 can transfer the amount of the reduction to 2011. This proposal was supported by the Panel members.

The Delegate of the United States reiterated that the United States recommended following the SCRS recommendations, and expressed disappointment. The Delegate of the United States also requested that the proposal be amended to better reflect the recommendation on observers [PA2-612]. The text was amended to better contemplate this recommendation and the United States indicated that it would not block consensus.

The Delegate of Canada indicated that the new control measures are a step in the right direction, but expressed its disappointment that the SCRS recommendations on TAC had not been respected. However, the Delegate of Canada indicated it would not block consensus.

The Delegate of Turkey asked that the Commission be flexible as regards to the allocation of individual quotas, as Turkey's national legislation currently does not permit quotas for individual vessels. This is also the case for the ICCAT Observer Program that will probably also require an amendment of legislation. Finally, the Delegate of Turkey requested that Turkey's objection expressed in 2006 to the allocation scheme for 2007-2010 be maintained [see Annex 4 to **Rec. 08-05**]

The Delegates of Mexico, Norway, Belize and South Africa also expressed their disappointment that the TAC level and the closed periods do not follow the recommendations made by the SCRS, but they indicated they would not vote against the proposal in order to reach a consensus. Further, the Delegate of Belize indicated it will not take part in this fishery, that is, at the market or transport level.

The Delegate of Korea indicated its disappointment with the quota that has been allocated to Korea, given the repeated reductions of previous years, and expressed that Korea will transmit an official letter to the ICCAT Secretariat.

Following the proposed amendments, the *Recommendation Amending the Recommendation by ICCAT to Establish a Multi-annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [PA2-618B] was adopted by the Panel and forwarded to the Plenary where it was adopted by consensus (see **ANNEX 5, [Rec. 08-05]**). The other proposals [PA2-610], [PA2-611], [PA2-612], and [PA2-614] were withdrawn. The proposal [PA2-613] regarding the tail tagging of tunas caught was not discussed and thus was not adopted.

6.3 Bluefin tuna (West Atlantic)

The Delegate of Canada presented a proposal to amend Recommendation 06-06 [PA2-609]. In summary, this proposal, which was supported by the United States, Mexico and Japan, was aimed at reducing the TAC for the west to levels below those recommended by the SCRS in 2006, i.e. 1,900 t for 2009 and 1,800 t for 2010. This decrease in TAC would be accompanied by changes in the rules for carrying over uncaught quotas, thereby allowing a better distribution of fishing in areas where large tunas are found. This proposal also indicated that the table on the allocation scheme would be reviewed in 2010 for the 2011 fishing season, based on the ICCAT regulations.

Some questions were raised regarding the size at maturity, and the catch limits of fish below minimum size, as well as the carryover of uncaught quotas and their impact on potential catches. The Delegate of the European Community expressed concerns on a minimum size smaller than the size at maturity, but was confident that the participants in this fishery would be managed adequately. The Delegates of the United States and Canada indicated that, since several years ago, the TAC established has not been caught, that in spite of the possibility of carrying over the uncaught quota, it is unlikely that catches will attain the TAC level proposed. The Delegate of the United States calculated that even if every gram of uncaught quota is carried over, the total that could be fished in a year would amount to 2,400 t, a level that corresponds to the scientific advice to attain a 50% probability of reaching the objective of stock recovery before 2018.

A specific question was also asked of the SCRS Chairman about the level of confidence in the assessment of the western stock was higher than that of the eastern stock assessment. The SCRS Chairman responded that with the catch and effort data submitted by the participants in the western fishery, the level of confidence is in fact higher. The uncertainty mainly comes from new biological information that has been received recently by the SCRS, and this uncertainty cannot yet be quantified.

Following the discussions and an amendment by the Delegate of Canada that would permit CPCs that have a quota of 4 t the possibility of transferring their total quota, the *Supplemental Recommendation by ICCAT Concerning the Western Atlantic Bluefin tuna Rebuilding Program* [PA2-609] was adopted by consensus by the Panel and forwarded to the Plenary for final approval (see **ANNEX 5 [Rec. 08-04]**).

7. Research

The SCRS Chairman presented the "Report on Bluefin Tuna Research Priorities and Potential Costs" [STF-207] to the Standing Committee on Finance and Administration (STACFAD). [STF-207]

The Delegate of the United States then presented a draft resolution [PA2-615] recommending that CPCs with a bluefin tuna quota should consider the possibility of making 50 t of this quota available for scientific research on otoliths and micro-constituents. Some questions were discussed on the use of this amount of quota only for the collection of otoliths. The resolution was amended such that CPCs with a bluefin tuna quota might consider making a portion of their quota available for scientific research [PA2-615B].

Following the discussions, the *Resolution by ICCAT Concerning Atlantic Bluefin Tuna Scientific Research on Stock Origin and Mixing* [PA2-615B] was adopted by consensus and forwarded to the Plenary for final adoption [see **ANNEX 6 [Res. 08-06]**]. Further, the SCRS Chair's Report on Bluefin Tuna Research Priorities and Potential Costs" was supported by Panel 2 (attached herewith as **Appendix 10 to ANNEX 9**).

8. Review of the Report on the Managers and Stakeholders of Atlantic Bluefin Tuna Fishing and Review of the possible future actions required

The Delegate of Japan gave a summary of the Meeting of Managers and Stakeholders in Atlantic Bluefin tuna held in Tokyo in 2008. He noted that the discussions focused on the need to collect information on each link of the chain, problems regarding capacity and the need to adjust the capacity to fishing possibilities. These discussions and the resulting recommendations which followed are contained in the Report which is included as **ANNEX 4.2** [PA2-601].

9. Other matters

No other matters were discussed.

10. Adoption of the Report and adjournment

In view of time constraints, it was agreed to adopt the Report of Panel 2 by correspondence.

REPORT OF THE MEETING OF PANEL 3 [PA3-701]**1. Opening of the meeting**

The Executive Secretary, Mr. Driss Meski, opened the session of Panel 3 and introduced the current Chairman, Mr. Mario Aguilar (Mexico).

2. Adoption of Agenda

Mr. Aguilar took the floor to inform on and request the adoption of the Panel Agenda. As there were no comments, the Agenda was adopted by the Panel members (attached as **Appendix 1 to ANNEX 9**). [PA3-700]

3. Appointment of Rapporteur

Mr. Miguel Angel Blasco (EC-Spain) was named Rapporteur of this Panel.

4. Review of Panel 3 membership

The Chairman requested the Executive Secretary to list the Contracting Parties that are members of this Panel, these are as follows: Belize, Brazil, European Community, Japan, Mexico, Namibia, South Africa, Turkey and United States of America.

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

Recalling that for southern albacore stocks, the *Recommendation by ICCAT on the Southern Albacore Catch Limits for 2008, 2009, 2010 and 2011* [Rec. 07-03] establishes catch limits for 2008, 2009, 2010 and 2011, the Chairman requested, Dr. Scott, SCRS Chairman to review the current status of the stocks under this Panel, in accordance with the last meeting of the SCRS held in October 2008.

Dr. Scott reviewed the current state of the stocks covered by this Panel, based on the last meeting of the SCRS held in October, 2008.

5.1 South Atlantic albacore

The last assessment was conducted in 2007.

South Atlantic albacore is a stock caught by surface longline and baitboat fleets in its area of influence.

The current state of this stock indicates current biomass values above the biomass that produces maximum sustainable yield, and current fishing mortality values below that which produces maximum sustainable yield (MSY).

The catches in 2007 amounted to 20,000 t, with a Total Allowable Catch (TAC) of 29,000 t. The MSY is at 33,000 t for which, in view of the catch values, the stock is in a good state.

5.2 Southern bluefin tuna

Dr. Scott indicated that this is a stock for which ICCAT has practically no data (only some catch data). The current state of this stock is not assessed by SCRS. For this reason, he pointed out that the Commission for the Conservation of Southern Bluefin Tuna (CCSBT), as the organization responsible for this species, should be referred to for more information.

Following Dr. Scott's presentation, the floor was open for discussion, but no comments were made.

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

There were no comments on this Agenda item.

7. Research

Dr. Scott pointed out the importance of carrying out tagging on South Atlantic albacore, although such tagging is very costly.

There were no comments from the Contracting Parties.

8. Other matters

No other matters were discussed by the Panel.

9. Adoption of the report and adjournment

Due to time constraints, it was agreed to adopt the Report of Panel 3 by correspondence.

The 2008 Meeting of Panel 3 was adjourned.

REPORT OF THE MEETING OF PANEL 4

1. Opening of the meeting

The meeting was opened by the Chairman of Panel 4, Mr. Masanori Miyahara (Japan).

2. Adoption of Agenda

The Agenda was adopted without change (attached as **Appendix 1 to ANNEX 9**). [PA4-800]

3. Appointment of the Rapporteur

Mr. Ray Walsh (Canada) was appointed as the Rapporteur for Panel 4.

4. Review of Panel Membership

Nigeria has joined the Panel membership.

Mr. Driss Meski, Executive Secretary, presented the list of members of Panel 4: Algeria, Angola, Belize, Brazil, Canada, China (People's Rep.), Côte d'Ivoire, Equatorial Guinea, European Community, France (St. Pierre & Miquelon), Gabon, Japan, Korea (Rep.), Mexico, Morocco, Namibia, Nigeria, Sao Tome & Principe, Senegal, South Africa, St. Vincent and the Grenadines, Trinidad and Tobago, Tunisia, Turkey, United States of America, Uruguay, Venezuela.

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

5.1 Sharks

An updated assessment for Atlantic blue and shortfin mako sharks was conducted in 2008. Although both the quantity and quality of the data available to conduct stock assessments have improved they are still quite uninformative and do not provide a consistent signal.

Ecological Risk Assessments were also conducted for priority shark species and these indicate that most Atlantic pelagic sharks have exceptionally limited productivity and can therefore be overfished even at low harvest levels.

For both North and South Atlantic blue shark, the current biomass is estimated to be above that which would support MSY and current harvest levels are below F_{MSY} . However, these results are highly uncertain being conditional on a number of assumptions made by the SCRS. Evaluation of the sensitivity of results to these assumptions was not possible during the assessment.

Estimates of stock status for the North Atlantic shortfin mako obtained with the different types of models were highly variable. Recognizing this variability, the SCRS indicated that there is a non-negligible probability that the North Atlantic shortfin mako stock could be below the biomass that could support MSY. The SCRS was unable to draw any conclusions about the status of the Southern stock.

The SCRS Chair noted that a Canadian assessment of the northwest Atlantic stock of porbeagle indicated that the stock had been depleted to levels well below B_{MSY} and that rebuilding could require long recovery periods due to the level of depletion and the low intrinsic rate of growth of the stock. Similar assessments have not been conducted on other stocks due to data limitations. A joint ICCAT-ICES inter-sessional meeting is proposed in 2009 to advance in the in-depth assessment of porbeagle.

The SCRS recommended that management measures for shark should be species-specific whenever possible. Precautionary measures were recommended for stocks of greatest vulnerability and concern and could include

minimum landings sizes and maximum landing length to afford protection to juveniles or the breeding stock. It was further suggested that technical measures which could include gear modifications and/or area closures could be considered but should be tested through research projects before being implemented.

5.2 Mediterranean swordfish

An assessment of Mediterranean swordfish was conducted in 2007 and there have been some updates to this report in 2008. The SCRS view is that the stock is below the level which can support MSY and current fishing mortality exceeds F_{MSY} . The SCRS advised that fishing mortality and near-term catches would need to be reduced to move the stock toward biomass levels which could support MSY.

The SCRS Chair provided an evaluation of the one month fishery closure [Rec. 07-01] suggesting that it was unlikely to result in any detectable increases either in sustainable stock biomass or landing levels. The SCRS suggested that the ICCAT Convention objective could only be met with Mediterranean-wide closures in the last two quarters of the year (i.e. six months).

5.3 North and South Atlantic swordfish

Both North and South Atlantic swordfish were last assessed in 2006. A new assessment is currently scheduled for September 2009. No new information was presented in relation to the stocks for 2008.

5.4 Blue marlin and white marlin

Minimal new information on stock status has been provided since the 2006 assessment. While the abundance trend for blue marlin may be stabilizing and that for white marlin appears to be on an upward trend, it is estimated that recent biomass levels for both blue and white marlins remain well below the B_{MSY} estimated in the last assessments (2000 and 2002, respectively).

Historical reports of unclassified billfish remain an important issue in the estimation of historical removals from marlin stocks.

5.5 Sailfish

Sailfish were last assessed in 2001. There is little information available with respect to the stock status. An assessment is scheduled for 2009.

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

6.1 North and South Atlantic swordfish

The plan for South Atlantic swordfish runs through 2009. There was no discussion of revision to the current plan.

With an assessment scheduled for 2009, the Chair proposed in the “Supplemental Recommendation by ICCAT to Amend the Rebuilding Program for North Atlantic Swordfish” [PA4-806] that the management plan for North Atlantic swordfish be also extended to 2009. Canada expressed caution in relation to the current practice of over-allocating the TAC in this fishery.

An amended proposal [PA4-806A] to extend the terms of Rec. 06-02 to 2009 and containing clarification of the management period as it related to Japan was tabled and adopted by the Panel. In adoption of this proposal, it was also confirmed that all the footnotes associated with the allocation table in Rec. 06-02 will stand in 2009.

Following the Panel’s adoption of the *Supplemental Recommendation by ICCAT to Amend the Rebuilding Program for North Atlantic Swordfish*, [PA4-806A] it was forwarded to the Plenary for final approval (see ANNEX 5 [Rec. 08-02]).

6.2 Mediterranean swordfish

As a measure to reduce juvenile Mediterranean swordfish catches a proposal for a “Recommendation by ICCAT on Mediterranean Swordfish” [PA4-808] to expand the seasonal closure that was tabled by the European Community. As part of this proposal, CPCs are to monitor the impact of this closure and ensure the continued provision of relevant science information to the SCRS.

There was some question of whether or not the recommendation applied to non-directed fisheries with several parties raising concern over the impact of the closure if broadly applied. After some discussion it was clarified that the recommendation would apply only to those ‘fishing for’ Mediterranean swordfish.

In response to questioning it was noted by the Chair of the SCRS that while the proposed recommendation was a step in the right direction further steps, specifically closures of longer duration, may be required in future years to achieve the Convention objective of biomass levels which could MSY.

The *Recommendation by ICCAT on Mediterranean Swordfish* [PA4-808] was adopted by the Panel and forwarded to the Plenary for final adoption (see **ANNEX 5 [Rec. 08-03]**).

6.3 Sharks

Three separate proposals were tabled by Brazil, the “Draft Recommendation by ICCAT Concerning the Conservation of the Bigeye Thresher Shark, *Alopias superciliosus*, Caught in Association with Fisheries Managed by ICCAT” [PA4-802], and the European Community, the “Draft Recommendation by ICCAT on the Conservation of Thresher Sharks (*Alopias spp.*) and Hammerhead Sharks (*Sphyrna spp.*) Caught in Association with Fisheries Managed by ICCAT” [PA4-804], and the “Draft Recommendation by ICCAT for Blue Shark and Shortfin Mako Shark” [PA4-809] with regard to the management of sharks in the ICCAT Convention area. Following Panel discussions, the Chair recommended that interested Parties work together to integrate these proposals and attempt to address issues raised by other members of the Panel.

The revised proposal for a *Recommendation by ICCAT on the Conservation of the Big Eye Thresher Sharks, (Alopias superciliosus), Caught in Association with Fisheries Managed by ICCAT* [PA4-804A] was not available prior to the conclusion of Panel 4 and the item was deferred to the Plenary for further discussion (see **ANNEX 5 [Rec. 08-07]**).

A proposal was also tabled by the European Community, the “Draft Resolution by ICCAT on Porbeagle Shark (*Lamna nasus*)” [PA4-805], which resolved that a joint ICCAT-ICES inter-sessional meeting be undertaken in 2009 to further assess porbeagle. Participation in the proposed assessment by additional RFMO scientific experts was seen to be beneficial. Following the assessment, a joint meeting of RFMOs is proposed to examine the possibility of adopting compatible management measures in 2009.

The *Resolution by ICCAT on Porbeagle Shark (Lamna nasus)*” [PA4-805] was adopted by the Panel and forwarded to the Plenary for final approval (see **ANNEX 6 [Res. 08-08]**).

7. Research

Stock assessments on North and South Atlantic swordfish are scheduled for 2009.

In respect to shark, increased research and data collection are required to enable the SCRS to improve the advice it can offer. Scientific observer and logbook programs were identified as means to make available the needed scientific data. There was a brief discussion around the idea of instituting an ICCAT scientific observer program similar to those operated by other tuna RFMOs. Detailed costing of such a program is required before further consideration can be given.

The SCRS also requested that CPCs enhance their scientific delegations to include more experts in sharks.

A joint ICCAT-ICES stock assessment on porbeagle shark is scheduled to take place in 2009.

8. Other matters

No other matters were discussed.

Statements submitted by the United States [PA4-811], by the Observer from OCEANA [PA4-807], and a joint statement by the Observers from Ocean Conservancy, PEW Environment Group, and WWF [PA4-812] are attached herewith as **Appendices 11, 12 and 13 to ANNEX 9**, respectively.

9. Adoption of the report and adjournment

It was agreed to adopt the Report of Panel 4 by correspondence.

The 2008 Meeting of Panel 4 was adjourned.

Appendix 1 to ANNEX 9**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)
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. 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. Measures for the conservation of stocks and implementation of the *ICCAT Criteria for the Allocation of Fishing Possibilities*
7. Research
8. Review of the Report of the MSAB meeting, and consideration of possible future actions required
9. Other matters
10. 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. 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)
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. Adoption of the report and adjournment

Appendix 2 to ANNEX 9**Statement by the United States to Panel 1 [PA1-502]**

The United States views the results of the 2007 assessment of Atlantic bigeye tuna and the 2008 assessment of Atlantic yellowfin tuna with a mixture of optimism and concern. The assessments indicate that overfishing is not occurring for either bigeye or yellowfin, and while the estimated biomass levels of both species are slightly below the Commission's management goal of maximum sustainable yield, it appears attainable if catches remain below 85,000 t.

Despite these encouraging signs, there are reasons for concern as we noted in 2007. It is evident that the reduced time - area closure in the Gulf of Guinea, as adopted in 2004, is ineffective at protecting juvenile tropical tunas. Levels of small juvenile bigeye tuna (<3.2 kg) caught in surface fisheries remain unacceptably high, standing at approximately 70 percent of catches in terms of numbers of fish, with an increasing trend. Such high catches of small juvenile fish risk significantly diminishing entire year classes, potentially leading to rapid declines in the stock in the near future. Furthermore, yield per recruit and maximum sustainable yield would increase substantially if these juvenile fish were allowed to grow before being caught. As a result, the United States continues to believe it is necessary to amend and expand the current time/area closure to improve protections for small juvenile bigeye tuna. Such improvements would likely also benefit small juvenile yellowfin tuna given the mixed species composition of this fishery. The Commission is witnessing first hand the problems associated with delaying appropriate management action in other fisheries. Simple and modest action now can help the Commission avoid inevitably more difficult and disruptive decisions in the future.

In addition, the United States recalls paragraph 6 in Recommendation 04-01 which requires review, and if necessary, revision of TAC and catch limits based on the 2007 assessment of bigeye tuna. Based on the 2007 assessment, the existing bigeye TAC of 90,000 t, and the SCRS recommendation that total catch of bigeye not exceed 85,000 t, the United States believes that action should be taken to bring management recommendations into conformity with SCRS advice.

It is the sincere hope of the United States that these issues, particularly the high proportion of catches of small juvenile bigeye and yellowfin, can be resolved in a timely manner to ensure the long-term sustainability of these stocks with a minimum of disruption to the fishery.

Appendix 3 to ANNEX 9**Statement by St. Vincent and the Grenadines to Panel 2 [PA2-619]**

St. Vincent and the Grenadines does not fish for bluefin tuna, but recognizes the urgency of the situation and the need for a timely resolution to avoid stock collapse. The commission is provided with clear recommendations from the scientific committee which is based on the best available scientific advice. The evidence which points to the mixing of the eastern and western bluefin tuna stocks is an indication that the sustainable management of each stock is inextricably linked to the other. Consideration must be given to the unpredictability of the nature and extent of an ecosystem regime shift, with possible knockdown effects on the sustainability of other tuna stocks that is likely to result from the collapse of these two stocks- especially the eastern stock that is much larger at this time. These issues are of concern to us and I believe to all Parties of this Commission.

We are fully cognizant of the economic considerations and the effect of declines in global food production, nevertheless, this commission must act responsibly when hard decisions are to be made to implement appropriate management measures. Our credibility as a competent management organization is at stake.

St. Vincent and the Grenadines therefore urges the parties concerned to reach agreement by consensus on a plan that ensures the implementation of the SCRS recommendations in the shortest possible time and in so doing guarantee the achievement of the Commission's objectives.

Appendix 4 to ANNEX 9**Statement by Syria to Panel 2 [PA2-620A]**

The Syrian Arab Republic was allocated a symbolic quota of bluefin tuna at the Inter-sessional Meeting of Panel 2 in Tokyo in 2007. Having Observer status with no right to negotiate, Syria accepted this small quota with pleasure declaring that it did not satisfy Syrian expectations, and the Syrian acceptance should not restrict its future right in applying for an additional quota when it gains Panel 2 membership.

The Syrian Arab Republic has accepted the five-year recovery plan of bluefin tuna in the *Recommendation by ICCAT to Establish a Multi-Annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 06-05] and has respected the ICCAT recommendations on the management of the resource and consequently has done its best to comply with ICCAT measures and management criteria throughout 2007 and 2008.

The Syrian policy for social and economic development in general and fisheries and aquaculture development, in particular, protects the artisanal fishery and encourages new marine fish farming projects, both of which are believed to form part of national food security.

Based on that information and in the course of the upcoming special meeting of Panel 2, the Syrian Arab Republic expects further support from ICCAT and ICCAT CPCs in the form of additional quota of some 200 t to meet the minimal needs for profitable catching and/or farming of bluefin tuna, especially as the licensing of a bluefin tuna fish farm is currently in its final stages.

It is hoped that the presently envisaged bluefin tuna TAC does not affect the current Syrian quota, which cannot economically afford any deduction being allocated to small production units that might not survive any further deduction.

Appendix 5 to ANNEX 9**Statement by the United States to Panel 2 [PA2-605]**

ICCAT's most immediate and critical challenge in 2008 is once again the eastern Atlantic and Mediterranean bluefin fishery, which continues to be in danger of collapse. The SCRS assessment results paint an increasingly alarming picture of the poor state of the eastern Atlantic/Mediterranean bluefin stock. To maintain credibility on the world stage, ICCAT *must* adopt and enforce more conservative fishery management strategies than those used in the current Recovery Plan, to end overfishing and effect true recovery of the eastern bluefin stock. As we've all seen in the ICCAT Chairman's Letter to Head Delegates, all CPCs must embrace the science, or we risk the future of tuna management being taken out of our hands. For the East, this means, at the *very least*, adopting a substantially lower TAC and an expansion of the Mediterranean time/area closure to protect spawning bluefin.

Additionally, recent and ongoing scientific research studies are revealing critical information about stock migration and mixing and reinforce that the health of western Atlantic bluefin stock and fishery is linked to the health of the eastern Atlantic and Mediterranean stock. Effective management of the eastern stock is therefore essential to prevent not only an eastern collapse but also to ensure that measures taken in the West are not undermined.

Despite having set western Atlantic conservation measures in line with scientific advice, it is also clear that current fishing mortality is too high and spawning biomass too low to meet ICCAT's management objectives. As with the eastern Atlantic/Mediterranean stock, the United States fully supports actions that will end overfishing and ensure rebuilding in the established timeframe, e.g., through selection of a western TAC with a *greater* than 50% probability of rebuilding by 2019.

The world is watching the bluefin crisis in the eastern Atlantic and Mediterranean with alarm and disbelief and is calling on ICCAT for immediate action. As the Performance Review highlighted, management of the eastern Atlantic and Mediterranean fishery is viewed as an "international disgrace," and this mismanagement reflects negatively on all tuna RFMOs.

It is unacceptable for this body to continue to adopt measures that do not comport with ICCAT's stock rebuilding objectives and to continue to allow egregious non-compliance by ICCAT members with the agreed conservation and management measures year after year. Each Contracting Party must take responsibility for stock rebuilding. Otherwise, efforts to list bluefin tuna in the CITES Appendices in 2010 will only be bolstered.

The Compliance Committee must deliberately and decisively address the non-compliance problems. The United States is hopeful that Panel 2 will take meaningful steps at this meeting to adopt catch levels and other management measures in line with scientific advice Atlantic-wide. We are committed to working with all Parties to address these critical conservation issues.

Appendix 6 to ANNEX 9

Statement by Vanuatu to Panel 2 [PA2-608]

The bluefin tuna, one of the most sought after species in the Mediterranean and the East Atlantic, which has never had any problems for centuries, is currently at the worse state ever recorded.

Regarding the Report of the SCRS, the conclusions are discouraging. It appears that the bluefin tuna catches of the Mediterranean and the East Atlantic have not been correctly reported showing a total disregard of the legal obligations of the CPCs. The SCRS' estimate of a catch of 61,000 t of eastern bluefin tuna in the 2007 fishing season is not acceptable.

It is obvious that our Organization has failed to fulfill its mandate and must take drastic measures to ensure the sustainability of this stock and a full transparency from CPCs.

Time and tuna are running out.

On the basis of the precautionary principle and given the critical situation this stock has reached, we believe that a temporary moratorium would be the best way to assure sustainability in the short term. Bluefin tuna fishing should then only be re-opened when fishing capacity has decreased to sustainable levels and when a new management plan in line with the scientific advice has been adopted and implemented.

The credibility of this Institution is at stake.

Appendix 7 to ANNEX 9

Joint Statement by the Observers of Greenpeace and WWF to Panel 2 [PA2-136]

WWF and Greenpeace want to welcome the work of those delegations that have put on the table proposals which are fully based on science and to those who have supported them.

The Performance Review carried out by the expert panel raised extremely serious issues that need to be addressed. We recall that the ICCAT Chairman tasked each panel with discussing those recommendations in the Performance Review which were of relevance for that panel. This has not happened at Panel 2, where the Review contained a number of very concrete recommendations, including a suspension of fishing, a review of Recommendation [06-05] to match the SCRS advice and the closure of spawning grounds.

We have listened attentively to the interventions around the table over the last few days and we have seen the proposals submitted. We are astonished by the way most CPCs involved in the fishery have refused to fulfill their responsibilities. We believe it is time to refresh everyone's mind of how the European Union's Commissioner for Fisheries, Joe Borg, summarized the EU's intentions before coming to Marrakech (I quote): "This year's ICCAT meeting really is make-or-break for the bluefin tuna fishery. The recovery plan is a step in the right direction, but scientists tell us it has not gone far enough. The status quo is no longer an option." He continues... "Above all, we need to see ICCAT become an organization which honors its own commitments in practice."

The *de facto* status quo proposal put on the table here by the European Community is clearly not following the spirit of the words of their own Commissioner.

ICCAT's work is not only to allocate fishing rights for tuna, but to make sure that those rights are accompanied by responsibilities, amongst them to sustainably exploit these resources. We need to recall here that the constituency of ICCAT is the global citizenship, not a handful of unscrupulous businessmen and civil servants.

Both WWF and Greenpeace have invested substantial resources, time and efforts to try not only to save bluefin tuna, but to save this Commission from its own collapse. If ICCAT fails to amend recommendation [06-05] in a way that fully respects the SCRS advice, we will not be here next year to endorse with our presence what would be a real travesty of ICCAT's mandate. Both organizations understand that this would mean this Commission is not willing, or, even worse, unable to fulfill the tasks it has been charged with and we will look for other avenues to try to guarantee that bluefin tuna does not collapse due to mismanagement and widespread non-compliance.

We cannot accept any outcome which is not based on a full application of the SCRS advice. This means nothing short of a recovery plan including either a fully fledged moratorium or at the very minimum a TAC between 8,500 and 15,000 tones, and a seasonal closure covering the months of May, June and July.

Both organizations were in Dubrovnik in 2006. We heard all the promises made there: that this management plan was going to guarantee compliance, that illegal fishing was going to be dealt with, and that fishing capacity would be adjusted. Today we know that this plan was just a mockery to the public.

As the distinguished Japanese delegate has said, there is illegal overfishing, but there is also legal overfishing. The very survival of ICCAT depends upon an outcome of this meeting which ensures the complete eradication of both legal and illegal overfishing.

We will identify for the world those countries which would be responsible for the collapse of the bluefin and the destruction of ICCAT. They must be held responsible for that. We hope this will not be necessary.

Appendix 8 to ANNEX 9

Letter of 24 October 2008 from IUCN to ICCAT [PA2-603]

Dear Mr. Meski,

I have the honor to write to you in relation to a Recommendation that was adopted at IUCN's Members' Assembly earlier this month in Barcelona.

This Recommendation was adopted by votes of both IUCN NGO and State members and according to the rules and procedures of IUCN.

The Recommendation is based on a background of considerations and data provided by international organizations, including the International Commission for the Conservation of Atlantic Tunas (ICCAT).

According to this Recommendation and in view of the dramatic ongoing over fishing of bluefin tuna, I would like to ask ICCAT to consider the following management measures at its next annual meeting in Marrakech:

- i) Establish a science-based recovery plan which contains and enables the implementation of measures in accordance with the recommendations of the Standing Committee on Research and Statistics (SCRS) in 2008, specifically, to drastically reduce the length of the open season, especially in the crucial months of May and June, and to adhere to the scientific advice on Total Allowable Catch (TAC), and to consider a mandatory fleet reduction scheme;
- ii) Immediately establish an interim suspension of the East Atlantic and Mediterranean bluefin tuna fishery;
- iii) Resume its fishing activities according to the following conditions:
 - a) Each flag State must adopt and implement a proper fishery plan in accordance with a science-based revised ICCAT population recovery plan;
 - b) Such State fishing plans must include an effort reduction scheme to adapt its fleet to its fishing possibilities, as well as means of monitoring, control and surveillance of activities, relating to, among others, fishing, farming, ports and markets to ensure effective control;

- c) Resumption of each flag State fishing activities would be subject to a timely review process to be developed and implemented under ICCAT.

According to this Recommendation, I also have the honor to ask ICCAT to set up protection zones for spawning grounds in the Mediterranean, including the waters within the Balearic Sea, central Mediterranean and Levant Sea, during the spawning season, as a first step towards the recovery of species, in accordance with all scientific information available to the Standing Committee on Research and Statistics.

I therefore request that you transmit the IUCN Members' Recommendation to the next ICCAT meeting (16th Special Meeting of the Commission) in Marrakech, Morocco, 17-24 November 2008.

I look forward to hearing about the progress made for the conservation of Atlantic bluefin tuna in the near future.

(Signed)
Julia Marton-Lefèvre
Director General

Appendix 9 to ANNEX 9

Statement by the Observer of Medisamak to Panel 2 [PA2-606]

Having declared its full commitment to the ICCAT Atlantic tuna fifteen year Recovery Plan adopted in Dubrovnik, Croatia in 2006, as expressed in ICCAT Document 005/2006 and subsequently in Doc. MSB-003/2008 and wherein the 2008 TAC for the eastern Atlantic and Mediterranean was set at 28,500 tons.

Having taken cognizance of the SCRS Report of October 2008 issued in Madrid, Spain, to be submitted to the ICCAT 16th Meeting to be held in Marrakech, Morocco, 17-24 November 2008 and wherein it is indicated that bluefin tuna catches in the East Atlantic and Mediterranean exceeded 60,000 tons.

Having taken note of ICCAT Circular 1995/08 dated 15 October 2008 wherein the reported catches by the CPCs for the 2008 season give clear indications of not exceeding 23,000 tons.

Not indifferent to the pertinent painful worldwide economic recession and the survival difficulties of their fishing sector,

We express our position on these issues as follows:

- 1) We augur that the SCRS findings were either based on erroneous data collection or unreliable sources. If such were not to be the case then we, made up of entities operating within the Recovery Plan parameters, are extremely alarmed at such massive IUU activity for two reasons:
 - a) Endangering the fish stock on whose sustainability the Medisamak members' industrial and economic investments depend entirely,
 - b) Such high IUU activity will surely lead to a crash in market price stability, an experience already suffered by the bluefin tuna industry in 2003 and this situation had propelled tow of the larger operators into bankruptcy.
- 2) We therefore declare our commitment to give our full support to the competent official authorities, NGOs or entity and the effort to pinpoint where or by whom such IUU activity is being practiced and to have such activity revealed and penalized as required by the pertinent regulations.
- 3) We have invested heavily in the industry and are responsible for the employment of tens of thousands of families of fishermen and other full time and part-time ancillary workers in the farming and transformation industry. It is not conducive to the healthy management of investments in an unstable economic environment if a 15 year recovery plan, as contemplated in the 05/2006 ICCAT document, were to be disturbed drastically very other year without serious and well documented justification.
- 4) We therefore exhort the ICCAT meeting and the CPCs to strengthen further the tools of research for SCRS and the controls on the field in order to ensure that any IUU activity is curbed.

- 5) Due to the fact that the ICCAT recommendations contemplated in the 05/2006 document came into force in the Mediterranean as from 1 July 2007, we consider essential a period of research and analysis within which the effects on the stock itself and other socio economic consequences can be evaluated. Moreover, we insist on the implementation of further systems to enhance control on the traceability of the product throughout the whole process from fishing to final storage.
- 6) We, after consultations with experts in the field, propose the introduction of the following effective conservation measures, namely, that the quotas be applied by way of units rather than kilos (it is after all the individual units that procreate the species not the kilos); the conversion factor would have to take into account the average weight per unit arrived at by dividing the total catches of the East Atlantic and Mediterranean for the period 2003-2008 by the number of reported units caught for the same period.
- 7) Joint fishing operations, since it has always been the practice for the bluefin tuna purse fishery to fish in groups of vessels because this is a multi-task fishery operation that involves the distribution of roles to different vessels of the group for a concerted effort leading towards a common result the benefit of which has to be shared among the members of the group.

This effort has developed into a tradition both at the national and transnational level.

So far, the ICCAT definitions and parameters regarding joint fishing operations have not been well defined. Therefore, this is a manner to be addressed immediately.

- 8) Sport and recreational fishing. Vessels practicing sport and recreational fishery of bluefin tuna should be listed and subject to the same controls as other vessels involved in the fishery. Such vessels should follow the season closures of the rest of the fishery; commercialization of the catch of such a fishery should be banned.
- 9) Use of planes for spotting. In view of the significant increase of minimum size of fish allowed to be caught resolved with Rec. 06-05 that imposes the need for selectively targeting schools in order to avoid catching undersized fish;

In view of the increased operational cost faced by the fishery due to season and TAC restrictions, and increases in fuel costs;

Since the use of planes and plane observations are allowed by other RFMOs and are used in other bluefin tuna fisheries very effectively, to assist in selectively targeting schools of fish according to fish size, and to reduce the cost of fishing operations.

The purse seine fishery should be allowed to use planes and plane observation as an assisting tool in fishing operations; such planes should be listed and controlled by ICCAT.

Appendix 10 to ANNEX 9

SCRS Chair's Report on Bluefin Tuna Research Priorities and Potential Costs [STF-207]

In 2003, as an input to the Working Group established by the *Recommendation by ICCAT to Establish a Working Group to Develop Integrated and Coordinated Atlantic Bluefin Tuna Management Strategies* [Rec. 02-11], SCRS presented the Commission with a research plan to improve knowledge on bluefin, with a special focus on mixing and movement between the two stocks (ICCAT, 2004, Collect. Vol. Sci. Pap. ICCAT, 56(3): 987-1003). The various research elements are still pertinent today, although the costs are higher, considering inflation and the need for broad-scale conventional tagging and sampling programs to address these issues.

During this Commission meeting, the SCRS Chairman met with a few bluefin scientists and discussed some of the main priority items in light of the most recent SCRS advice, as well as their potential cost. These are presented below for potential consideration by the Commission. It is envisioned that such a program would last 5-6 years.

1. Coordinator. Priority: Highest

Cost/year:

160,000 E (includes salary, benefits and Secretariat overhead for data management)

50,000 E Travel

Total (Years 1, 2, 3, 4, 5, 6) ~ 1,260,000 E

Much of the work in different countries would be undertaken by National Scientists. But a coordinator is essential if a large-scale program is to be carried out. The Coordinator would need to start several months before the program does, and stay for one year after the program ends.

2. Large-scale Conventional Tagging. Priority: Highest

Cost/year:

Vessel Bay of Biscay: 700,000 E (includes crew and operating costs)

Vessel Mediterranean: 1,200,000 E (includes crew and operating costs)

Charter West: 500,000 E

Tags, Misc: 55,000 E

Total (Years 2, 3, 4) ~ 7,365,000 E

The aim would be to tag 10,000 fish in the eastern stock and 1,000 fish in the western stock, for each of three years. In the East, a baitboat would be chartered in the Bay of Biscay from June to August, and in the Mediterranean either a baitboat or a purse seine would be chartered from May to July. In the West, tagging would be done from rod-and-reel vessels. An important aspect of the tagging program is introducing methods to permit estimation of reporting rates across the different principal fisheries involved.

3. Biological sampling. Priority: Highest

Cost/year:

Analysis of samples (100 E per fish): 1,100,000 E

Sampler contracts and travel: 300,000 E (includes samplers in Japan and in factory vessels)

Misc: 50,000 E

Total (Years 2, 3, 4) ~ 4,350,000 E

The aim would be to collect tissue samples and otoliths as follows, per year: 1000 from Japanese markets, 1000 from western fisheries, 10000 from eastern and Mediterranean fisheries. This would involve samplers working with buyers in Japan, observers onboard fishing vessels in the various fisheries, samplers in Japanese factory ships, and other sampling. The otoliths would be used both for ageing fish and for determining stock origin from microconstituents. Genetic analyses would also be used for stock structure studies and potentially for genetic tagging through genotyping individuals.

4. Data Mining, Priority: Highest

Cost/year:

Data retrieval contracts: 200,000 E

Total (Years 1, 2, 3) ~ 600,000 E

There is an obvious and prior need to get complete and trustworthy catch and effort data from all the fisheries targeting bluefin tuna. Without such basic data, there is no way for getting trustworthy and precise stock assessment estimates. Although this information is primarily under the responsibility of the various national administrations, a European project could improve significantly basic fisheries data, through:

- A significant data mining to significantly improve the total catch, the catch composition, effort and the spatial distribution of the major fisheries operating in the East Atlantic and primarily in the Mediterranean Sea (which would imply access to information from farms, observers on board program and VMS data)
- Elaborate accurate CPUE indices for Mediterranean purse seine fleets

5. Operating modeling. Priority: High

Cost/year:

Modeling contracts = 200,000 E

Total (Years 4, 5, 6) ~ 600,000 E

The aim would be to invest in the development of methods to improve assessments that incorporate information on mixing and to simulation-test management procedures in the face of uncertainty about mixing.

6. Archival tagging. Priority: High

Cost/year:

Tags (50 in West, 100 in East) = 300,000 E

Satellite services = 10,000 E

Fish purchases = 100,000 E

Misc., Travel costs: 70,000 E

Total (Years 1, 2, 3, 4, 5) ~ 2,400,000 E

The aim would be to continue support for archival tagging in the east and the west, with 150 tags per year.

7. Larval survey in the Mediterranean. Priority: Medium

Cost/year:

3 trawling vessels for 1 month in 3 areas of Mediterranean = 600,000 E

Sorting, species ID, misc. = 50,000 E

Total (Years 2, 3) ~ 1,300,000 E

The aim would be to carry out larval surveys simultaneously in the western, eastern and central Mediterranean in order to better understand spawning distribution and potentially design a fishery-independent survey. Additionally, larvae genotyping would be used for genetic tagging studies.

8. Aerial surveys of schools. Priority: Medium

Cost/year:

3 Aircraft charters Mediterranean = 300,000 E

1 Aircraft charter Western Atl. = 100,000 E

Total (Years 2, 3, 4) ~ 1,200,000 E

The aim would be to carry out transect surveys where schools can be sighted traditionally to support development of fishery-independent indices.

Summary of Costs (annual costs do not include inflation).

<i>Priority</i>	<i>Element</i>	<i>Year 1</i>	<i>Year 2</i>	<i>Year 3</i>	<i>Year 4</i>	<i>Year 5</i>	<i>Year 6</i>	<i>Total</i>	<i>Subtotals</i>
Highest	1. Coordination	210,000	210,000	210,000	210,000	210,000	210,000	1,260,000	
Highest	2. Conventional tagging		2,455,000	2,455,000	2,455,000			7,365,000	
Highest	3. Biological sampling		1,450,000	1,450,000	1,450,000			4,350,000	
Highest	4. Data mining	200,000	200,000	200,000				600,000	13,575,000
High	5. Modeling				200,000	200,000	200,000	600,000	
High	6. Archival tagging	480,000	480,000	480,000	480,000	480,000		2,400,000	3,000,000
Medium	7. Larval surveys		650,000	650,000				1,300,000	
Medium	8. Aerial surveys		400,000	400,000	400,000			<u>1,200,000</u>	2,500,000
								19,075,000	

Appendix 11 to ANNEX 9**Statement by the United States to Panel 4 [PA4-811]**

In 2006, ICCAT adopted significant conservation and management measures for North and South Atlantic swordfish and marlin. ICCAT now needs to ensure that compliance with those measures, particularly compliance with reporting, quotas, observer coverage, and sampling requirements - meets scientific and management needs so that the difficult decisions now faced in other panels are not repeated here in the future. ICCAT's greatest success story –the rebuilding of North Atlantic swordfish three years ahead of schedule– should not be squandered. The sacrifices of U.S. fishermen contributed significantly to that success and all Parties are needed to ensure continued success.

For blue and white marlin, improved reliability of data is needed for the 2010 stock assessment and to move forward into Phase 2 of the rebuilding plan. The United States believes that ICCAT must resolve data deficiencies, including observer coverage. The United States calls on ICCAT to explore ways to reduce by-catch and improve survivability of released catch to further the objective of maintaining populations at levels that will support maximum sustainable yield, and also to pursue an ecosystem approach to fisheries management. Gear modifications, such as use of circle hooks, are viable methods that should be proactively explored given SCRS advice that the Commission should consider adoption of conservation and management actions for high priority by-catch species in advance of complete knowledge of the impact of ICCAT fisheries on these species.

With regard to sharks, the results of the 2008 SCRS stock and risk assessments were characterized by a high level of uncertainty due to data limitations. The United States notes the progress made at the 2007 annual meeting to further improve the submission of Task I and Task II data on by-catch and targeted fisheries for sharks, and to reduce fishing mortality in fisheries targeting porbeagle and shortfin mako sharks. However, the United States continues to be concerned by the lack of improvement in the quantity and quality of shark data submitted to the Secretariat. Given the overfishing susceptibility of many pelagic shark species, the lack of international safeguards for these species, the increasing international attention, and that Parties have already agreed to improve data reporting, it is time for Parties to follow through on their responsibilities.

Appendix 12 to ANNEX 9**Statement by the Observer of Oceana to Panel 4 [PA4-807]**

Most of the large pelagic species like tuna, sharks and swordfish are overfished in the Atlantic Ocean and Mediterranean Sea, due to the extremely high prices their meat or fins can reach in most of world's markets.

Bluefin tuna is on the verge of collapse due to overfishing, mismanagement and illegal fishing. Sharks are extremely vulnerable because of slow growth and low reproduction and they have been fished in the Atlantic without any management for decades. The situation repeats itself with swordfish in the Mediterranean, where the situation can be once again summarized with overexploitation, lack of management measures, a total absence of control and catch declarations, and high rates of illegal fishing.

Oceana calls on the International Commission for the Conservation of Atlantic Tunas (ICCAT) Contracting Parties, non-Contracting Parties, and collaborating Parties to urgently adopt effective management measures to restore and maintain the populations of tuna, swordfish and sharks at levels that will ensure a sustainable exploitation of these fisheries resources.

The global oceans have already lost more than a 90% of large predatory fish¹. Time is running out for great pelagic species.

Draft Recommendations***Pelagic sharks***

Sharks are extremely vulnerable highly migratory fish species, and many species have been fished in the Atlantic without management for decades. Traditionally, sharks were considered as by-catch in fisheries for highly

¹R. Myers & Worm, (2003). Rapid worldwide depletion of predatory fish communities. *Nature*. Vol. 423, 280-283 pp. May 15, 2003. 280-283 pp. May 15, 2003.

migratory species like tuna and swordfish. As those stocks have decreased and the value of certain shark products has increased, this situation has changed. Pelagic sharks are now the targeted species of the Spanish and Portuguese surface longline fleets, among other non-EU fleets like Chinese Taipei and Japan. They are caught primarily for their valuable fins that are sold to Asia for elaboration of the popular shark fin soup.

The main species taken by shark longliners in the Atlantic are blue shark (*Prionace glauca*) and shortfin mako shark (*Isurus oxyrinchus*), and to a lesser extent thresher shark (*Alopias* spp.) and hammerhead sharks (*Sphyrna* spp.). Main shark fishing nations in the Atlantic are Spain, Argentina, France, Portugal and Brazil.

In 2008, ICCAT scientists carried out stock assessments for blue sharks and mako sharks in the Atlantic. The outcomes showed uncertainty for the state of blue and mako shark stocks, mainly due to data deficiencies as Contracting Parties reporting on ICCAT shark fisheries is poor. Ecological Risk Assessments² showed high risk for depletion for several shark species caught in ICCAT waters.

Oceana calls for:

- A prohibition of all targeted fisheries in the Atlantic for vulnerable and endangered pelagic species, including thresher sharks, hammerhead sharks and requiem sharks.
- The establishment of catch limits/quotas for blue sharks and shortfin mako sharks in the Atlantic by freezing the catches of blue sharks at the current level and by reducing shortfin mako shark catches at a limit that is safely within Maximum Sustainable Yield (MSY).
- The prohibition of the practice of transshipment and landing shark fins and carcasses at separate harbors.
- The establishment of a “fins attached” policy for sharks in the Atlantic Ocean. Contracting Parties shall require their vessels not to remove shark fins on board but leave the fins attached to the shark bodies until landed.
- The establishment of a list of vessels catching sharks in the Atlantic, including all vessels less than 24 meters.

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The full Oceana Recommendations on sharks, bluefin tuna and swordfish for the ICCAT Commission meeting November 2008 can be found at:

http://www.oceana.org/fileadmin/oceana/uploads/europe/downloads/OCEANA_ICCAT_POSITION_PAPER_2008.pdf

Oceana campaigns to protect and restore the world’s oceans. Our teams of marine scientists, economists, lawyers and advocates win specific and concrete policy changes to reduce pollution and to prevent the irreversible collapse of fish populations, marine mammals and other sea life. Global in scope and dedicated to conservation, Oceana has campaigners based in North America (Washington, DC; Juneau, AK; Los Angeles, CA), Europe (Madrid, Spain; Brussels, Belgium) and South America (Santiago, Chile). More than 300,000 members and e-activists in over 150 countries have already joined Oceana. For more information, please visit www.Oceana.org.

²ICCAT (2008). Report of the 2008 Shark Stock Assessment Meeting (Madrid, Spain, September 1-5, 2008). (SCRS/2008/017).

Appendix 13 to ANNEX 9**Joint Statement by the Observers of Ocean Conservancy,
Pew Environment Group, and WWF to Panel 4 [PA4-812]**

Ocean Conservancy, Pew Environment Group and the World Wide Fund for Nature appreciate the interest expressed by Parties to the International Commission for the Conservation of Atlantic Tunas (ICCAT) in improving the condition of Atlantic sharks and related catch statistics.

Specifically, we strongly support the proposals from Brazil and the European Community (EC) to protect and improve catch data regarding particularly vulnerable and/or depleted Atlantic shark species. We are hopeful that Parties will work together to merge these proposals with final text to prohibit not just the landing but also the retention and transshipment of all thresher and hammerhead species (Families Alopiidae and Sphyrnidae).

We also strongly support the EC proposal to establish catch limits for blue sharks (*Prionace glauca*) and shortfin makos (*Isurus oxyrinchus*). We stress the importance of ensuring that catch levels mandated in the final text are in line with the commitment in the 2007 binding ICCAT Recommendation to reduce fishing mortality on shortfin makos in the North Atlantic. Given the intense fishing pressure on blue sharks in the face of uncertain status, we urge Parties to agree effort and fishing limits that do not allow for catches of this species to increase.

Regarding the Draft EC Resolution on porbeagle shark (*Lamna nasus*), we are supportive of a special meeting of scientists associated with ICCAT, the International Council for Exploration of the Sea (ICES) and other Regional Fishery Management Organizations (RFMO), particularly the Northwest Fisheries Organization (NAFO), to further assess porbeagle population status in 2009, as well as the proposed joint meeting of representatives of relevant RFMOs to consider 2009 management measures for porbeagle based on the assessment. In addition, we urge Parties to agree an interim prohibition on retention of porbeagle, at least for the North Atlantic, based on the following factors:

- ICES has advised a prohibition on porbeagle landings from the Northeast Atlantic based on marked population decline and inherent biological vulnerability;
- The NAFO Scientific Council in 2008 expressed “considerable concern” over increased porbeagle catches from a “new longline fishery” in Northwest Atlantic international waters that, when added in Canadian landings, are projected to lead to population “crash”;
- Accordingly, NAFO recognized the need for management measures to conserve Northwest Atlantic porbeagle, has urged ICCAT “to take the necessary conservation measures to protect this vulnerable stock” and has requested that the issue be considered at this year’s annual meeting;
- Delaying international measures for another year stands to extend already lengthy rebuilding periods for North Atlantic porbeagle and leaves these populations at risk for irreparable harm.

Because most sharks grow particularly slowly, mature late, and produce a small number of young, they are generally more susceptible to overexploitation and long-standing depletion than other fish species taken in ICCAT fisheries.

We remain hopeful that ICCAT will this year become the first RFMO in the world to adopt concrete restrictions on the catch of sharks, an essential first step toward improving the conservation status of these vulnerable and under-protected species.

REPORT OF THE MEETING OF THE CONSERVATION AND MANAGEMENT MEASURES COMPLIANCE COMMITTEE (COC)

1. Opening of the Meeting

The Conservation and Management Measures Compliance Committee met during the 16th Special Meeting of the Commission (Marrakech, Morocco), under the chairmanship of Dr. Christopher Rogers (United States).

2. Appointment of Rapporteur

Ms. Delphine Leguerrier Sauboua Suraud (European Community) was designated Rapporteur of the Compliance Committee.

3. Adoption of the Agenda

The Chairman presented the documents to be discussed under each Agenda item. The review of “Japan’s Proposal to Amend the Recommendation by ICCAT on an ICCAT Bluefin Catch Documentation Program (07-10)” [COC-307] was referred to the PWG.

The Agenda was adopted without changes and is attached as **Appendix 1 to ANNEX 10**. [COC-300]

4. Review of implementation of and compliance with the ICCAT requirements

Matters related to methodology

The Chairman presented the “Chairman’s Opening Statement to the Compliance Committee” [COC-309] (attached as **Appendix 2 to ANNEX 10**) and proposed a work method based on developing a table to record the compliance issues examined for each CPC and the responses given to the committee. The table would be based on the model used by the PWG.

Some delegations supported this approach, and pointed out the importance of ensuring compliance that is coherent for all the parties. It was also stressed that the process should be transparent, fair and exhaustive.

Following discussion, it was decided that, in order to ensure transparency of the process, the tables should be reviewed at the meeting, which was done.

The Delegate of Brazil recalled that the compliance problems identified in previous years have not resulted in improvements. Although some CPCs have taken the floor to explain the deficiencies found, other CPCs have not. In either case, the Committee has not taken any action to correct the situation. Therefore, the Delegate of Brazil proposed that the tables be reviewed CPC by CPC, and this was supported by various delegations. Some of these delegations pointed out that the procedure would be time consuming, but that it was necessary. Some CPCs did not wish to carry out this exhaustive review and the Chairman recalled the provisions of the *Recommendation by ICCAT on Compliance with Statistical Reporting Obligations* [Rec. 05-09] which indicates that the CPCs shall provide information to the Compliance Committee. Furthermore, one party also called the Committee’s attention to the absence of some delegations.

The Delegate of Brazil also proposed that a detailed summary be prepared (specifying which CPCs had provided information late, those that provided explanations, and those that did not respond) to serve as a base for the next meeting. It was suggested that a letter would be sent to the CPCs pointing out that delays in transmittal or the lack of providing the required information constitute the lack of compliance. Various delegations supported this approach. The provisions of the *Recommendation by ICCAT Concerning Trade Measures* [Rec. 06-13] were also recalled to point out that these letters could be an initial step towards the implementation of sanctions. Since this method is new, a simple warning letter could be sent this year, and later, if the situation continues, then a letter of identification could be sent next year.

It was pointed out that the methodology to review and address non-compliance should be studied carefully. The PWG system has been in place for several years and factual elements on which the identifications will be based in accordance with Recommendation 06-13 need to be clarified.

Several delegations also stressed the need to give the CPCs time to respond in writing to the tables prepared by the Secretariat before the annual meeting. The need to determine the degree of “non compliance” also has to be discussed.

The Delegate of the European Community (EC) recalled its condition of a unique Contracting Party, for which the data should not be detailed by Member State. The Secretariat indicated that it transcribes the data in the form in which they are presented. The EC needs to inform the Secretariat that it wishes to appear in a different manner in the working documents. The Delegate of Brazil also suggested that the table be distributed in advance of the meeting and that explanations in writing be requested. Thus, a large part of the work will be done before the meeting.

External information

One CPC asked about the procedure to follow as concerns external information documents and recalled the discussions at the 2007 meeting when some documents were presented by NGOs, in particular.

The Chairman pointed out that since the mandate included “the use of all pertinent information”, the Compliance Committee has to consult all available documentation. He suggested that the CPCs that have new information to submit, including information developed from external sources, should provide it to the Secretariat for distribution.

4.1 Submission and content of Annual Reports

The Annual Reports are distributed in their original languages with a summary that is translated. The document containing all the Annual Reports [COC-301] was distributed to the Head Delegates only. The dates on which the Annual Reports from the CPCs had been received were indicated in the “Secretariat Report to the Conservation and Management Measures Committee” [COC-303], which also shows that some parties have not submitted a Report. The Chairman invited these CPCs to provide an explanation.

Various CPCs did not provide reports because they do not have any fishing to report. Some CPCs sent their Reports late and these were received by the Secretariat after it had prepared the aforementioned document. Other parties provided explanations during the session or informed that they would submit reports as soon as possible. Finally, some CPCs chose not to reply, and others were not present at the meeting.

4.2 Submission of statistics, including compliance with the Recommendation by ICCAT on Compliance with Statistical Reporting Obligations [Rec. 05-09]

The Secretariat Report on Statistics and Coordination of Research (PLE-105) summarizes the information received between November 2007 and September 2008. The information received after September therefore has not been included in this document. The report differentiated between data received on time, data received after deadline, no data received, and no recent history on fishery. The Secretariat confirmed that this document had been prepared in accordance with the provisions of Recommendation 05-09.

The Secretariat confirmed that many CPCs had provided data after the deadline, which will require updating of this document. The Chairman reminded the Committee of the importance of respecting the deadlines so that the work of the Committee can be carried out under the best possible conditions.

All the CPCs present, with the exception of two parties, explained the delays and deficiencies observed in the submission of their data.

Furthermore, various corrections were made to Tables 1 to 4 of the Secretariat Report on Statistics and Coordination of Research [PLE-115], in particular, to correct some errors in the figures that did not correspond to the information from the CPCs, or regarding some cases shown as no data having been received that actually corresponded to no catches (non-applicable). In fact, since the Secretariat had not received any communication from some CPCs concerning species for which catches had been reported in the last ten years, the information corresponding to 2007 had been marked as “no data received”. One Contracting Party expressed that the table

should only show information corresponding to targeted species as the indications of “no data received” correspond to incidental catches taken in the previous years, which cannot be interpreted as an expectation of systematic reporting every year.

Various parties asked about the status of by-catches, with regard to sharks, and whether it was necessary to report only the by-catches in the fisheries targeting tunas or if they should include the fisheries targeting sharks.

It was pointed out that to better evaluate the data transmitted to the Secretariat it would be advantageous if the Secretariat had a data crosschecking system.

Finally, the Secretariat recalled that the reports should be provided in the requested format, otherwise there is a risk of being shown as “missing data”. After several delegations indicated that the information required was included in their Annual Report, the Secretariat reminded the Committee that document on the “Guidelines for Submitting Data and Information Required by ICCAT” [PLE-110] specifies all the information that should be made available to the Secretariat. The Annual Report does not reflect all the data required by the Commission.

The Delegate of the United States submitted a statement to the Committee on the importance of compliance which is attached as **Appendix 3 to ANNEX 10**. [COC-316]

4.3 Submission and content of information received in accordance with the requirements of ICCAT conservation and management measures

4.3.a Provisions relating to eastern Atlantic and Mediterranean bluefin tuna

- Record of Vessels authorized to catch east bluefin tuna, and list of baitboats/trollers/trawlers
- Record of Traps authorized to catch east bluefin tuna
- Record of designated transshipment and landings ports
- Reporting of 2008 catches, 2007 Task I and Task II, and notification of the start and closing of the fisheries
- Transmission of caging and trap reports
- Compliance with VMS message reporting requirements
- Implementation of the ICCAT Scheme of Joint International Inspection
- Submission of domestic legislation and reports on implementation of east bluefin tuna Rebuilding Plan

4.3.b Bluefin tuna farming

- Record of Farming Facilities
- Record of Vessels operating for farming purposes
- Caging Reports, quantities caged/marketed, growth/mortality estimates, sourcing
- Sampling data

4.3.c Bluefin Tuna Catch Documentation Scheme

Items 4.3.a, 4.3.b and 4.3.c were taken together, and each CPC concerned intervened in turn, followed by an open discussion to enable other CPCs to ask for additional information.

The Delegate of Japan requested that the CPCs include in their interventions information regarding any efforts to adjust fishing capacity to correspond to allocations contained in the bluefin tuna recovery plan as well as the methods in place to assure verification of the catches at the time of the validation of the trade documents.

In relation to the information presented by the Secretariat, several parties pointed out the importance that the CPCs review the Secretariat’s tables in advance of the Compliance Committee meeting, particularly so that errors can be corrected before the meeting.

The CPCs concerned informed the Committee on the measures they had implemented to ensure compliance of the pertinent recommendations, in particular, in terms of control and the collection of data. It was noted that some very important measures have been implemented at the level of the respective CPC administrations. The parties expressed their satisfaction for the good collaboration that has been established between the CPCs and the Secretariat.

Among the measures in place to monitor compliance of the quotas, several CPCs have implemented individual quotas, in particular, for the large vessels and/or for the vessels that participate in joint fishing operations. Observer programs have been deployed, in accordance with the provisions of the plan.

The Delegate of the European Community pointed out the measures in place within the scope of the ICCAT Scheme of International Inspection, i.e. the Community spent 3 million Euros to deploy considerable means, coordinated among all the Member States by the Fishing Monitoring Agency. It would be desirable that all the CPCs concerned (not necessarily only the Mediterranean CPCs) combine funds within the framework of this program.

It was pointed out that this practice of analysis should result in identifying the difficulties encountered, in order to improve the situation. The Compliance Committee could also be the ideal place to formulate solutions. Among the difficulties encountered, the following problems are cited:

- Joint fishing operations: The provisions foreseen in the plan are very vague, lack format, and there are no provisions on authorization by the flag State. In conjunction with the Secretariat, some *ad hoc* provisions have been implemented during the fishing season.
- Towing vessels: Traceability during the transfer of live fish to the cages should be improved by reinforcing control of these vessels, which is currently insufficient. In particular, the definition of transfers is not sufficiently clear. Three types of infractions have clearly been identified (lack of VMS, lack of a report of the transfer, unauthorized towing).
- It would be desirable to know which farm is the final destination.
- It is essential to develop lists of the serious infractions in order to impose actions in case of an infringement, and some immediate sanctions should be imposed if a monitoring or reporting link does not function.
- The use of video systems to optimize the recounting of fish placed in cages, and the inspectors/observers should be able to use these means to improve monitoring.

The Secretariat pointed out the following:

- Registry of vessels authorized to catch bluefin tuna: *“This is one of the most dynamic vessel lists, with many changes being received by the Secretariat during the fishing season. Some Contracting Parties request removal from the Record when the vessel has reached its individual quota and is therefore no longer authorized to fish BFT during the season, but this could result in the BFT Catch Documents being rejected by the importing parties. The dates of authorization, published on the ICCAT web site is the time period in which a vessel is authorized to fish, but vessels may remain on the list with expired dates. The possibility of maintaining an “historical” list on the web site may be another option to avoid problems at the time of trading legitimately caught fish taken by vessels whose authorization has expired. The Secretariat currently has no mandate to publish historical data.”*
- Catch reports: *“Given the varying structure and nature of the catch reports currently being received from Contracting Parties, it would appear that there is no clear interpretation of Paragraph 40 of Recommendation 06-05. This variety of submissions also makes it very difficult for the Secretariat to process the data in a manner which can be useful to Contracting Parties. A clear explanation of what is required in relation to catch reports ten days after entry into Plan area, five day reports (total for five days, or for each vessel...) would help to ensure that all Contracting Parties are aware of the implicit obligations. The development of a standard format and setting of minimum information requirements would assist in the treatment of the data.”*
- Receipt of VMS messages: *“Some messages are sent in an inappropriate format which does not include the data required by Annex 2 of Rec. 07-08 of ICCAT (NAF format). Messages should be sent in the stipulated format in order to be validated, processed and stored by the system in the Secretariat database. A total of 156.250 messages with partial information, or received in an inappropriate format, remain in quarantine, and are not processed by the system. On some occasions, some incoherence has been detected between the data in the ICCAT Record Vessels and the vessel information contained in the VMS messages. The vessel identification (radio call sign, registry number and vessel name) in the VMS data should coincide with the data contained in the ICCAT BFT Fishing Vessel database. Changes to vessel characteristics submitted for inclusion in the ICCAT Record of Vessels should also be reflected into the VMS messages in order to avoid such messages being rejected by the system. The information in the ICCAT Vessels database needs to be synchronized with information in the VMS messages. The Recommendation 07-08 stipulates that the*

information held in the ICCAT VMS database could be made available to CPCs upon request. The Secretariat would need a guidance on how to comply with this provision (be it with a partial delivery of data or with the entire VMS database)."

- Joint inspection: *"Inspector identity cards have, to date, been issued for a one year period. It may, however, be more useful to extend this period in the event that inspectors are expected to remain in their posts for some time. The Committee may wish to consider an appropriate time period for the validity of such cards."*
- Joint fishing operations: *"When a Contracting Party transmits to the Secretariat some information concerning a joint fishing operation, the Secretariat sends a letter to the flag State in order to be informed of its consent. Of the 14 joint fishing operations reported to the Secretariat, consent from the flag States involved in seven of these operations has been received. Recommendation 06-05 is not specific as to the information to be submitted in relation to joint fishing operations. It would be helpful if the Commission could clarify the information to be reported and to indicate how Contracting Parties should communicate and report the catches of the joint fishing operations."*
- Registry of vessels operating for fattening fish: *"This Record has resulted in one of the most difficult to maintain, and there are some concerns as to the accuracy of the content. The Secretariat would appreciate all CPCs with vessels on this Record verifying the information currently published and submitting the necessary changes in the appropriate format. The Secretariat remarks above relative to the Record of bluefin tuna fishing vessels also apply to this Record. Please also see remarks in relation to the Record of vessels over 24 m authorized to operate in the Convention area."*

Among the Secretariat's proposals, the Compliance Committee maintained principally the idea of developing an historic list of vessels, standard formats for the submission of information related to joint fishing operations, of catch reports and other information that should be provided to the Secretariat, concise procedures for the submission of data, and the extension of the validity of the ICCAT identity cards for inspectors.

The Secretariat also recalled that the "ICCAT Guidelines for Submitting Data and Information Required by ICCAT" [PLE-110], which, in order to simplify the work of the CPCs, gives all the data reporting requirements. It also includes, in particular, a summary in table form showing the deadline dates.

These matters were referred to Panel 2 for possible adjustment of the relevant recommendations and to an *ad hoc* working group, established at the 2007 meeting, to work on improving the BFT catch document.

The Delegate of Canada presented a "Report of Some Alleged CPCs' Non-compliance in ICCAT Fisheries" [COC-318], which included various cases of alleged non-compliance by ICCAT CPCs with regard to the bluefin tuna fishery in the East Atlantic and Mediterranean.

Some parties responded to the accusations mentioned based on information they assembled on the spot. Some parties reiterated the importance of responding to allegations such as those mentioned in the document so that they are not left unanswered in the eyes of the general public.

Several parties pointed out that the document was not presented until the last moment and that its contents sometimes referred to long past periods, which obliged the parties, in order to respond, to have to do historical research in their databases. It was regretted that a methodology for addressing third party allegations had not been established at the 2007 meeting, and it was put forward that it was necessary to agree on a transparent methodology that respects the fundamental principle of the right to defense, i.e. that accusations cannot be made unless they are based on proof.

4.3.d List of vessels over 24 m authorized to operate in the Convention area

No comments were made by the parties.

The Secretariat reiterated the following comments: *Some improvements have been noted in the method of submitting information for inclusion in the vessel lists. There are still some difficulties being faced, however, exacerbated by the fact that the Commission has not adopted any standard format or coding system for the collection of this information, and hence the information is not standardized, rendering it very difficult to*

maintain a coherent database. The adoption of standards and reporting formats/procedures in this regard would greatly improve the quality of the information contained in the base, and reduce the possibility of errors. The work of other tuna RFMOs and the possible future creation of a global record of tuna fishing vessels may need to be borne in mind when developing such standards.”

4.3.e List of vessels fishing for northern albacore

No comments were made by the parties.

The Secretariat called the parties' attention to the fact that *“Rec. 98-08 requires the submission of a list of vessels, but does not indicate the nature of the list of the information/characteristics which should be included. This results in the information having been received over the years in a variety of formats and not always in electronic format, rendering it of very limited use in analysis. Little or no discussion on this item has taken place in previous years by the Compliance Committee. The Commission may wish to consider imposing standards on the information to be received, if it wishes to maintain the collection of this information”.*

4.3.f Status of closed season/area in the Gulf of Guinea

Among the CPCs concerned, only one Contracting Party noted its implementation of this measure in 2007. When questioned, another party mentioned that it had assured compliance with this provision by means of a VMS system recently installed.

4.3.g Implementation of ban on driftnet fishing in the Mediterranean

Two CPCs presented their national plans on this subject. It was pointed out that considerable efforts have been made (in particular, that 350 km of nets were confiscated and destroyed by the EC), but that some practical difficulties still remain, such as the nets are not numbered which makes it generally impossible to trace the vessel owner.

4.3.h Vessel chartering

The table on vessel chartering should be changed so that the role of the parties involved is clearly shown. Indeed, the responsibility for the transmittal of a summarized report falls on the chartering party. Some questions were also raised concerning the format that should be used for this report and the information it should contain. Lastly, it was confirmed that the quota harvested by the chartered vessel was that of the chartering party.

The Secretariat called the parties' attention to the fact that *“the consent of the flag party is not always notified to the Secretariat. The information on the termination of the charter is not always transmitted by the two parties to the Secretariat. This, combined with the lack of summary reports, may indicate that paragraphs 13 and 14 of the Recommendation 02-21 are not being fully respected. It would be helpful if the Contracting Parties involved could cross-check the information, before submitting it to the Secretariat, in order to ensure the complete and correct submission to the Commission.”*

4.3.i Other information

- CPC internal actions report pursuant to 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]

The Secretariat emphasized, in particular, that *“the format was developed by the Secretariat with the assistance of Japan following the request of the Commission in 2003. Notwithstanding, the information contained on this form is unlikely to vary from year to year. To date, no discussion has been held on this item, and no in-depth review has been carried out. The Commission may wish to re-consider the method of reporting required by Rec. 02-22, paragraph 6, which allows for the reporting of new information only.”*

- CPC management standard for LSTLVs pursuant to the *Resolution by ICCAT concerning a management standard for the large-scale tuna longline fishery* [Res. 01-20]

The Secretariat pointed out that *“as with the form for internal actions above, this information is collected each year, but rarely changes, and little or no time has been dedicated to its examination in Compliance Committee*

meetings. The Commission may wish to consider whether or not these forms must continue to be submitted annually.”

As concerns these two points, and since one party was opposed to merely updating the data if needed, the forms will continue to be requested every year.

- Vessel sightings and importation refusals
- Review of import and landing information

A document was submitted by the Delegate of Japan showing the benefits of using DNA tests to verify the origin of the products. In this way, some areas of negligence could be detected and corrected.

Another case referred to bluefin tuna that arrived in Japan, via Korea, after having been fished by a Guinean vessel. However, the Republic of Guinea does not have any bluefin tuna quota and the vessel concerned did not have a fishing license at the time of the catch (2006). The Delegate of Guinea urged the withdrawal of this vessel from the ICCAT registry and emphasized the usefulness of close cooperation among the parties concerned in commercial trade.

4.4 Reports submitted pursuant to the implementation of the Recommendation by ICCAT to Promote Compliance by Nationals of Contracting Parties, Cooperating Non-Contracting Parties, Entities or Fishing Entities with ICCAT Conservation and Management Measures [Rec. 06-14]

Following the receipt of some information from an NGO, received during the annual meeting held in Antalya in 2007, Japan carried out an investigation on a longliner registered to Japan and transferred to Cape Verde. This vessel obtained a permit to fish tunas from Cape Verde. Some exchanges took place between Japan and Cape Verde, but Japan considers that now Cape Verde cannot show that the management of this vessel was in accordance with the provisions in force. Noting that the vessel broke international rules because it was double flagged, Japan withdrew the Japanese flag from the vessel.

It was pointed out that the vessel was still under Japanese interests and also recalled that Recommendation 06-14 implies action on the part of the authorities of the CPC in response to the activities of its citizens. Japan, which has done everything possible to control the situation, does not have more legal power against the owner of the vessel who resides in another country. The Chairman concluded Cape Verde should be requested to provide more information to the Commission.

4.5 Review of the ICCAT Regional Observer Program (ROP)

- Implementation and results to date of the ICCAT Regional Observer Program

The Secretariat presented a “Progress Report on the Implementation of the ICCAT Regional Observer Program” (ROP) [COC-305] comprising three parts: a summary prepared by the Secretariat, a second part submitted by the consortium on the implementation of the program, and the reports received from the CPCs that have participated in the ROP (attached as **Appendix 4 to ANNEX 10**). It was pointed out that CCSBT and IOTC have both adopted similar recommendations and therefore they should be implementing a similar program very shortly. IATTC is also studying the possibility of adopting such a measure. The Secretariat sought the opinion of the Commission regarding CCSBT’s request to implement their program in collaboration with ICCAT, using the ICCAT observers already deployed in the Atlantic, on the understanding that, in such case, some financial participation is foreseen. It was agreed that the Secretariat would discuss this possibility with the CCSBT.

The Secretariat prepared a summary of the organization of the program, implemented by the consortium within the scope of a contract that was renewed for an additional year on April 23, 2008. Among the difficulties encountered, there was confusion regarding the report of installation of VMS on board the transport vessels, since the observers had sometimes been wrongly informed by the vessel captains that the vessels were not equipped with VMS, as well as some delays in the transmission of the reports from the transport vessels. These problems had now been largely resolved. All the financial contributions to the program have been received and the balance of the 2007-2008 period could be used to reduce contributions for the 2009-2010 period if this program continues.

A video presentation also permitted the CPCs to learn about the difficulties encountered by the observers in carrying out their missions.

- Record of carrier vessel authorized to receive transshipments

The Secretariat requested the following clarifications: “*Rec. 06-11 states that 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. It is therefore understood that tug vessels operating for farming purposes, and vessels receiving fish from traps are not required to be entered on this Record. Confirmation of this understanding is requested from the Commission.*” There were no comments on this. The Chairman suggested that those CPCs who are members of Panel 2 address this issue when revising the recovery plan.

- Reports from CPCs participating in the ROP

The participants in the ROP in 2007 were China, Korea, Philippines and Chinese Taipei. Japan indicated that it had not joined the program until 2008, for which reason they had not submitted any report on at-sea transshipments for 2007. Three parties provided their reports, in accordance with the *Recommendation by ICCAT Establishing a Program for Transshipment* [Rec. 06-11]. The fourth party indicated that it would submit its report very soon.

One party expressed concerns about the lack of training of the observers and their difficulties in estimating the number of fish transshipped, since this is the actual objective of this operation. This program has a double objective; to improve the quality of the data transmitted to the SCRS and to avoid laundering of the catches. This party stressed that if these issues cannot be improved, then the total prohibition of transshipment at sea could be envisaged, as is foreseen in Recommendation 06-05 concerning the eastern bluefin tuna fishery. In response, it was noted that thanks to this program, no products from illegal fishing could be transshipped at sea and that, although it is difficult for the observer to assess the quantities transshipped, these were known by the operators who are responsible for their products. These quantities were also inspected at the time of landing.

One party asked about the monitoring responsibilities of the observers in case of an infringement, and noted that the program was useless if it did not have enforcement measures supporting it. It was responded that, in effect, no legal procedure has been foreseen in this case. It was noted that the WCPFC Convention and its ROP have provided for this. Moreover, this lack has been noted in the Performance Review which pointed out that it was one of the weaknesses of ICCAT. It was proposed that the Working Group on Integrated Monitoring Measures should take up this issue.

The Delegate of Morocco then asked if ICCAT had a legal advisor. This is needed to guarantee that the decisions taken are legally correct. The Secretariat mentioned that in the signing of Convention it had been agreed that FAO would provide legal advice to ICCAT. For minor matters, private legal advice could be sought.

4.6 Review of compliance by CPCs, including quotas, catch limits and minimum size

Except for the tables concerning East Atlantic and Mediterranean bluefin tuna, the Compliance Tables were adopted, with some modifications, mainly as concerns the requests for quota carryovers (**Appendix 5 to ANNEX 10**). [COC-304A]

The Chairman advised that discussions should take place in the Panels concerned in cases where the carry-over rules are not clear. In effect, the Compliance Committee should not reinterpret the rules established by the Panels. It was noted that several situations should be corrected within the framework of the Panels in order to clarify the texts:

- South swordfish: The transition between Recommendation 06-03 and Recommendation 02-03 is not clearly defined. It was decided to show flexibility and accept the request for a carryover from China. The Chairman noted, however, that while the Compliance Committee could exercise flexibility in determining that no action was required in response to an infraction, the committee should not retroactively change a panel recommendation adopted by the Commission.
- Bigeye tuna: The request to spread out the payment of Ghana’s overfishing should be reviewed by Panel 1 in 2009.

- Billfish (white marlin, blue marlin): These are often by-catches, which Panel 4, in collaboration with the SCRS, should study and determine a way to improve the data reporting.
- By-catches: A reporting method should be developed that would permit distinguishing these catches from those taken in the scope of the directed fisheries.

Some concerns were expressed with regard to the significant over-catches of northern albacore by some CPCs, and it was suggested that a letter be sent to Vanuatu to ask what measures are being taken to ensure the management of this fishery.

The statement submitted by Vanuatu to the Compliance Committee regarding albacore catches is attached as **Appendix 6 to ANNEX 10**. [COC-321]

With regard to the Compliance Tables on the size limits (bluefin tuna, swordfish), numerous gaps were noted. Furthermore, the importance was stressed of having a system of control when derogations are agreed. Lastly, the CPCs are encouraged to raise the question, in the framework of the appropriate Panel, of the sampling methods needed to assure compliance with the measures on minimum sizes.

It was reiterated that these requests for carry-overs, as well as the catch reporting table and the compliance report on minimum sizes (“Compliance Annex”) should be submitted to the Secretariat in advance of the annual meetings so as to accelerate the discussions. In this sense, the *Recommendation by ICCAT on Application of Three Compliance Recommendations* [Rec. 98-14] foresees that these tables should be submitted with the Annual Reports, i.e., at least a month prior to the annual meetings (deadline established in the *Resolution by ICCAT on the Deadlines and Procedures for Data Submission* [Res. 01-16]). The format for the submission of carryover adjustments (Form: included in COMP-013-COC.xls which includes several pages for reporting) was made available to parties wishing to submit their reports during this meeting of the Committee. This form, as well as the other forms for the submission of data, can be found on the ICCAT web page at the following address: <http://www.iccat.int/en/SubmitCOMP.htm>.

Lastly, it was suggested that the format for the Compliance Tables be modified for next year to show the adjusted quota for each CPC for the following year.

The Chairman presented a “Draft Table of Actions to be Taken Against Contracting Parties, Entities and Fishing Entities” [COC-325], which summarized the information missing for each CPC. It was agreed that an updated version of this document would be used during the work of the next annual meeting. To this end, the Chairman again emphasized the need for CPCs to respect reporting deadlines so that the table would not be subject to change during the course of the meeting.

As regards East Atlantic and Mediterranean bluefin tuna, the compliance table could not be adopted during this meeting. In effect, it was stressed that the over-fishing assessed by the SCRS was considerably more than had been reported. Thus, it is difficult to attribute penalties. One party proposed that they be prorated according to the key for the distribution of TAC, but it was considered that such a process would not be fair, taking into account the efforts by some parties to ensure compliance with their obligations, as well as those CPCs that had acted responsibly to report their over-fishing. Another possibility considered was to establish a relationship of this distribution of penalties with the efforts deployed for implementation. It is necessary to identify the real catches and those responsible for the over-fishing. The SCRS and the Secretariat should work on this matter, in particular by cross-checking the data, prior to an intersessional meeting of the Compliance Committee to address monitoring and control issues in the BFT fisheries. The CPCs are also invited to carry out internal inquiries.

5. Actions required in relation to issues of non-compliance by Contracting Parties arising from Agenda Item 4

Chairman’s letter of concern on non-reporting or late reporting of data:

The Chairman proposed a draft letter [COC-323] addressed to the CPCs expressing concerns about the deficiencies and/or delays in the reporting of data to the Commission and the SCRS. This draft will be personalized by indicating the name of the CPC concerned. Since every CPC has had some delay in reporting, that is, some breach of implementation, it was proposed that this letter be sent to all the CPCs.

Several parties supported this proposal. One party doubted the usefulness of this letter and opposed its adoption. Some parties preferred that, instead of an identical letter, different letters be sent that distinguish the different situations. This would be difficult to carry out since it would involve considerable work by the Secretariat. Therefore, reference was made to the diversity of the situations and to the documents used during the meetings of the Compliance Committee, i.e. the “Secretariat Report to the Compliance Committee” [COC-303], and the “Secretariat Report on Statistics and Coordination of Research 2008” [PLE-105], so as to take these concerns into account. The Secretariat pointed out that revised version of the aforementioned document [PLE-105] would be provided. Norway, which does not have fisheries, hoped it would not receive this letter. Thus, it was agreed that no such letter would be sent to them.

Lastly, it was suggested that the letter also ask the CPCs the reasons for the infractions. An amended draft letter [COC-323A] was submitted for adoption by the Plenary.

Chairman’s letter on non-compliance

It was suggested that the Chairman send a letter to each of the CPCs that are shown on the table mentioned under the compliance tables as having defaulted in their obligations, particularly to those CPCs that may have exceeded catch quotas, to remind them to submit their fishing plans. This proposal was accepted by the Compliance Committee.

Proposal for an inter-sessional meeting

The Delegate of Japan proposed a “Draft Recommendation by ICCAT to Hold an Inter-sessional Meeting of the Compliance Committee” [COC-310]) to consider holding an inter-sessional meeting on the subject of compliance with the management measures for East Atlantic and Mediterranean bluefin tuna fishery. This four-day meeting should be held in early 2009 before the start of the fishing season, in a place to be determined.

In response to questions, the Delegate of Japan pointed out that this inter-sessional meeting would not have the objective of responding to the matter of over-fishing and unreported catches of bluefin tuna indicated under point 4.6. It was suggested that determining the CPCs responsible for excessive bluefin tuna catches should be discussed at another meeting of the Compliance Committee.

Several parties were opposed to the proposal of imposing sanctions for non-reporting before holding such a meeting, which would amount to imposing sanctions before having proven the infraction.

The possibility of dealing with compliance within the scope of other fisheries was also mentioned, and it was noted that the performance review pointed out that the breaches of compliance were widespread. It was decided that the inter-sessional meeting would be based on a review of compliance with the *Recommendation by ICCAT to Establish a Multi-Annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 06-05] and the *Recommendation by ICCAT on Bluefin Tuna Farming* [Rec. 06-07], that is, concerning the bluefin tuna fishery. Some other recommendations (mainly those concerning data reporting) could also be part of the scope of this meeting, because they are directly related to bluefin tuna management.

In view of the doubts of some parties, the proposal for a vote by simple majority in case of a lack of consensus was withdrawn.

The proposal to sanction absences at meetings caused some concern. It was pointed out that the Committee should be flexible in the application of such a measure. On the other hand, financial assistance could be envisaged for those CPCs that request it.

It was further recalled that the work should be carried out in a transparent and non-discriminatory manner.

There were some questions raised concerning the mandate that would be given to the Committee. In effect, in the document submitted to the Plenary for adoption, it was proposed that the Commission entrust this meeting with the responsibility of recommending to the Commission the suspension or reduction of quotas of CPCs declared to be non-compliant.

The *Recommendation by ICCAT to Hold a Compliance Committee Inter-sessional Meeting in 2009* was forwarded to the Plenary for adoption (see ANNEX 5 [Rec. 08-13]). [COC-310]

6. Consideration of issues arising from the Report of the Working Group on Integrated Monitoring Measures

Three main issues were discussed during the last meeting of the Working Group:

- Port State measures;
- At-sea inspections; and
- Observer programs

The discussions, the details of which are included in the Report of the 5th Meeting of the Working Group on Integrated Monitoring Measures [COC-202], are not yet finalized. The report was adopted and transmitted to the Plenary, which should decide on how to proceed. The Compliance Committee Chairman invited the CPCs to continue with this work during the inter-sessional period.

7. Consideration of future work of the Committee

As concerns the Chairman's proposal and following several interventions by the CPCs, the proposal by Canada and the United States for a "Recommendation by ICCAT to Establish a Process for the Review and Reporting of Compliance Information" [COC-306C] was amended to include a study, during the meeting of the Compliance Committee and the Permanent Working Group, of documents proposed by non-governmental organizations. The documents should be submitted to the Secretariat with a request to include them on the agenda of the appropriate group. The CPCs would then be consulted as to whether or not these items should remain on the final agenda. The CPCs pointed out the importance of discussing the following points:

- The information included in the documents should be adequately documented;
- The treatment of information at the level of the Committees should be responsible, open, transparent and non-discriminatory;
- A deadline for submission should be envisaged so as to give the CPCs time to respond to the documents, if warranted, prior to the meetings;
- The results of the discussions should give rise, if appropriate, to the publication of rebuttal by the organizations having submitted the documents.

Therefore, the document was amended and forwarded to the Plenary for consideration (see **ANNEX 5 [Rec. 08-09]**) [COC-306C]

8. Other matters

The Delegate of Canada presented a proposal on harmonizing the length of vessels authorized to fish in the Convention area [COC-308]. This proposal was aimed at determining that the length to use is the length overall. It was pointed out that the use of the length between perpendiculars should be avoided since it leads to some vessels avoiding the measures applicable to large-scale tuna longliners.

The proposal for a *Recommendation by ICCAT to Harmonize the Measurement of Length of the Vessels Authorized to Fish in the Area of the Convention* was adopted and transmitted to the Plenary (see **ANNEX 5 [Rec. 08-10]**). [COC-308]

Some parties expressed their wish to change the definition of large-scale tuna longliners, to take into account all the tuna longliners that carry out their activities on the high seas, regardless of their size.

9. Adoption of Report and adjournment

It was decided to adopt the Report of the Compliance Committee by correspondence.

The 2008 Meeting of the Compliance Committee was adjourned.

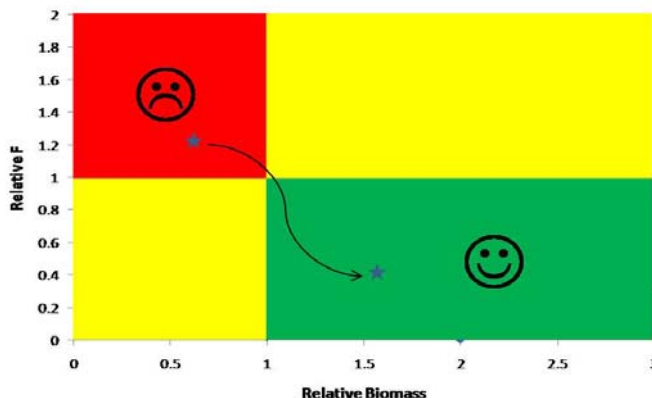
Appendix 1 to ANNEX 10

Agenda

1. Opening of the Meeting
2. Appointment of Rapporteur
3. Adoption of the Agenda
4. Review of implementation of and compliance with the ICCAT requirements
 - 4.1 Submission and content of Annual Reports
 - 4.2 Submission of statistics, including application of *Recommendation by ICCAT on Compliance with Statistical Reporting Obligations* [Rec. 05-09]
 - 4.3 Submission and content of information received in accordance with the requirements of ICCAT conservation and management measures
 - a) Provisions pertaining to eastern Atlantic and Mediterranean bluefin tuna
 - Record of Vessels authorized to catch east bluefin tuna, and list of baitboats/trollers/trawlers
 - Record of Traps authorized to catch east bluefin tuna
 - Record of designated transshipment ports and landings ports
 - Reporting of 2008 catches, 2007 Task I and Task II, and notification of entry and closures
 - Reporting of caging declarations and trap declarations
 - Compliance with VMS message reporting requirements
 - Implementation of the ICCAT Scheme of Joint International Inspection
 - Submission of domestic legislation and reports on implementation of east bluefin tuna Plan
 - b) Bluefin tuna farming
 - Record of Farming Facilities
 - Record of Vessels operating for farming purposes
 - Caging Reports, quantities caged/marked, growth/mortality estimates, sourcing
 - Sampling data
 - c) Bluefin Tuna Catch Documentation Scheme
 - d) List of vessels over 24 m authorized to operate in the Convention area
 - e) List of vessels fishing for northern albacore
 - f) Status of closed season/area in the Gulf of Guinea
 - g) Implementation of ban on driftnet fishing in the Mediterranean
 - h) Vessel chartering
 - i) Other information
 - CPC internal actions report pursuant to 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]
 - CPC management standard for LSTLVs pursuant to the *Resolution by ICCAT concerning a management standard for the large-scale tuna longline fishery* [Res. 01-20]
 - Vessel sightings and importation refusals
 - Consideration of import and landing information
 - 4.4 Reports submitted pursuant to the implementation of the *Recommendation by ICCAT to Promote Compliance by Nationals of Contracting Parties, Cooperating Non-Contracting Parties, Entities or Fishing Entities with ICCAT Conservation and Management Measures* [Rec. 06-14]
 - 4.5 Review of the ICCAT Regional Observer Program (ROP)
 - Implementation and results to date of the ICCAT Regional Observer Program
 - Record of carrier vessel authorized to receive transshipments
 - Reports from CPCs participating in the ROP
 - 4.6 Review of compliance by CPCs, including quotas, catch limits and minimum size
5. Actions required in relation to issues of non-compliance by Contracting Parties arising from Item 4
6. Consideration of issues arising from the Report of the Working Group on Integrated Monitoring Measures
7. Consideration of future work of the Committee
8. Other matters
9. Adoption of Report and adjournment

Opening statement by the Compliance Committee Chairman [COC-309]

A comment was made at the Managers and Stakeholders Meeting about the number and complexity of ICCAT regulations. The speaker noted that if ICCAT established appropriate catch limits for each stock and Parties respected their allocations, many complicated monitoring and reporting schemes would be unnecessary. In listening to this comment, I visualized what a stock recovery scenario would look like under such conditions:



ICCAT has adopted many of the measures needed to stop overfishing or recover overfished stocks. The development of these measures occurs in the fishery panels. Compliance with data reporting obligations is necessary for SCRS to accurately determine stock status and to formulate recovery plans. The implementation of these plans is an obligation of the contracting parties. Without compliance, no catch quotas, effort controls and other monitoring measures can have a conservation effect. Evaluating compliance by Contracting Parties is assigned to this Committee. We can compare the above figure to those in the current SCRS report and consider how compliance has affected the formulation of scientific advice and the status of the respective stocks.

The independent review of ICCAT also recognized the numerous measures that have been adopted to meet the Convention objective of sustainable catch. However, the reviewers acknowledged that some Parties do not fully implement these measures and indicated that improved compliance would be necessary for ICCAT to meet its objectives for some species, especially eastern bluefin tuna. To address this issue, the reviewers recommended that ICCAT develop a more effective compliance regime. While this subject may be taken up by the Working Group on the Future of ICCAT, some adjustments can be applied immediately.

Earlier this year, Commission Chairman Dr. Hazin communicated to all Parties his concern about the functioning of the Compliance Committee. He noted that changes would be needed to meet management objectives, to increase transparency and to achieve consistency with actions taken against non-members. To that end, our Chairman proposed a new approach to Committee operations which has been reflected in our draft Agenda. Under Item 4, we will undertake a systematic review of compliance by each party with each measure, with a particular focus on eastern bluefin tuna. We shall use working tables to provide an opportunity for Parties to explain circumstances of noncompliance. Based on the responses provided, we will prioritize specific situations for recommending actions under Item 5. To facilitate this, I will work with the rapporteur and the Secretariat staff to produce a summary table similar to that used by the Permanent Working Group in determining appropriate actions against nonmembers.

I believe this systematic approach will improve the functioning of this Committee and lead to effective actions by the Commission. We have much work to complete and it is essential that all Parties participate in our discussion. I appreciate this opportunity to serve as chair and thank the Commission Chairman and the Secretariat for their preparations and support.

Appendix 3 to ANNEX 10**Statement by the United States to the Compliance Committee [COC-316]**

Last year the United States expressed its belief that matters of compliance are fundamental to the work of the Commission and that lack of compliance with management and reporting measures has adversely affected the conservation of ICCAT stocks. The Report of the Independent Review published this September underscores this concern and points clearly to the lack of compliance by CPCs as a primary failure of ICCAT. While ICCAT has been successful in dealing with non-compliance by non contracting parties, we have not been successful in dealing with CPCs who routinely do not comply with ICCAT management and reporting measures.

Lack of compliance is proving particularly damaging to the stock of eastern Atlantic and Mediterranean bluefin tuna. Additionally, inadequate reporting of data for use in stock assessments limits the ability of SCRS to provide robust advice on conservation measures. Our reading of the SCRS report indicates the reporting of these data for eastern Atlantic and Mediterranean bluefin tuna has not improved during the past few years.

According to the Independent Review, these circumstances exist within an organization with “reasonably sound conservation and fisheries management practices.” It is clear to the United States that compliance with science based conservation measures must be the foundation of ICCAT. We must increase the transparency of CPC actions, hold ourselves accountable, impose penalties when we fail to comply with substantive measures, and adopt mechanisms that support future compliance with conservation measures and sustainability of ICCAT stocks.

The United States is encouraged by and strongly supports the new direction provided by the ICCAT Chairman for the Compliance Committee’s work. This work cannot be delayed; we must take advantage of this 16th Special Meeting of the Commission to make progress now in identifying and removing barriers to compliance with our conservation and management measures. We intend to engage fully in this new process and hope all other CPCs will do the same.

Appendix 4 to ANNEX 10**Secretariat’s Progress Report on the Implementation of the
ICCAT Regional Observer Program [COC-305]****Introduction**

According to the provisions of the *Recommendation by ICCAT Establishing a Program for Transshipment* [Rec. 06-11], all at-sea transshipments are prohibited¹, except for those from large-scale tuna longline vessels (LSTLVs), which may only transship subject to a series of provisions, including the requirement to have an observer on board the carrier vessels receiving transshipment, to be placed on board by the Secretariat.

Given the complexity of the operation of deploying observers on board vessels transshipping at-sea in the ICCAT Convention area, the Commission agreed to this task being carried out by an external agency. The ROP is thus currently implemented by a consortium comprising Marine Resources Assessment Group Ltd (MRAG) and Capricorn Fisheries Monitoring, (CapFish), under a contract signed on 23 April 2007. This contract was renewed on 23 April 2008 for a further year.

The Program is funded by the participating Contracting Parties and Cooperating non-Contracting Parties, Entities and Fishing Entities (CPCs). In 2007, these were China, Korea, Philippines and Chinese Taipei. Japan joined the program in April 2008.

¹ Four Russian purse seine vessels are exempt from this prohibition until 2009. Details of these were circulated to CPCs in 2007 (ICCAT Circular 328/07 of 27 February 2007).

Implementation and operation

In general, there have been no major problems in relation to the implementation and management of the program. Memorandums of Understanding have been signed between the carrier vessel operators and the implementing consortium to ensure smooth operations and safety of observer.

Any minor logistical difficulties detected in initial deployments have been overcome through the good cooperation between the consortium and the Secretariat, and in some cases have served as input into the training course. No negative incidents have been reported by the observers deployed to date in relation to inspection, safety and correct deployment procedures which have so far been fully implemented and respected by the operators and masters.

Some misunderstandings of terminology which have arisen during the course of the implementation have been clarified, especially with regard to the installation of VMS systems. In some cases, therefore, the observer reports indicate that no VMS system was in operation, but it has been clarified that all carrier vessels operating under the program do, in fact, have operational VMS. The consortium has been requested to instruct the observers in this regard, as incorrect information was being reported in relation to this. Notwithstanding, the consortium has reported that when no VMS installation was visible, the observers asked the Captain or officers of the vessels and were informed in some cases that there was no VMS system on board.

Information flows between the Secretariat, the participating CPCs, the consortium and the carrier vessel operators seem to be working well, with most requests for observers being made in a timely manner.

The Secretariat has taken note of some of the suggestions made in the reports received from the participants in the program, and these may be transmitted to the implementing consortium after the Commission meeting, following the review of the program by the Commission. In relation to the ICCAT Record of Carrier Vessels, it should be noted that the current Recommendation 06-11 requires each participant to inform the Secretariat of the carrier vessels which it authorizes to receive transshipments; these are published on the ICCAT web site. As, in general, all the participants use the same vessels, this leads to a considerable overlap of information, with many carrier vessels showing several entries in the ICCAT Record.

Some problems with the transmission of declarations from carrier vessel masters persist, but major improvements have been noted. Although in some cases the declarations have been received late, all at-sea transshipment declarations have now been received. The Secretariat would like to reiterate its request to CPCs under whose flag the carrier vessels operate to ensure that this requirement has been communicated to the master of the vessels.

For more details on the operational aspects of the program, please see the report submitted by the implementing consortium, contained in **Addendum 1 to Appendix 4 to ANNEX 10**.

Results to date

Since the inception of the program, thirty-three requests for observer deployments have been received, although the first request was cancelled due to insufficient time for the logistical organization. Copies of the observer reports for deployments numbers 09/07 and 12/07 to 29/08 received from the Consortium, with the relevant sections hidden for confidentiality purposes, were made available to the Commission.

Table 1 below shows the number of longline vessels participating in the ROP and the total number of transshipments by ROP participant.

Table 1. LSTLVs participating in the ROP and number of transshipments.

<i>CPC</i>	<i>LSTLVs</i>	<i>Transshipments</i>
China	36	160
Chinese Taipei	56	230
Korea	44	38
Philippines	10	43
Japan	14	48
TOTAL	160	519

Processed data is received from the consortium after the trip has ended. **Table 2.a** shows a summary of transshipments by species and flag for the fiscal year April 2007-April 2008, and **Table 2.b** for the total of 29 trips, based on data received from the consortium before 8 October 2008².

Table 2.a Quantities transshipped in 2007-08, by major species and CPC (t).

	<i>BET</i>	<i>YFT</i>	<i>SWO</i>	<i>OTH</i>	<i>TOTAL</i>
China	8,050.17	751.55	220.46	48.17	9,070.34
Chinese Taipei	11,120.27	1,253.95	297.20	16.56	12,687.98
Korea	1,797.49	227.91	199.24	92.17	2,316.81
Philippines	1,698.32	126.09	36.50	0.00	1,860.91
TOTAL	22,666.24	2,359.50	753.40	156.89	25,936.04

(Note: Includes data from deployments which started before 23/04/2008).

Table 2.b Total quantities transshipped to date, by major species and CPC (2007+2008) (t). (Based on data received before 8 October 2008 – to deployment no. 29/08 inclusive).

	<i>BET</i>	<i>YFT</i>	<i>SWO</i>	<i>OTH</i>	<i>TOTAL</i>
China	8,575.44	824.68	391.58	276.81	10,068.52
Chinese Taipei	13,158.07	1,420.52	354.19	268.42	15,201.21
Japan	3,465.70	1,040.28	164.94	541.78	5,212.70
Korea	2,475.89	427.51	199.24	92.97	3,195.61
Philippines	2,233.01	166.72	57.71	4.76	2,462.20
TOTAL	29,908.12	3,879.72	1,167.66	1,184.74	36,140.23

The reports received from the participants in the program, as required by paragraph 18 of Recommendation 06-11, are attached as **Addendum 2 to Appendix 4 to ANNEX 10**.³

A summary of the deployments requested by 8 October 2008 is shown in **Table 3**.

² Based on processed data received from the Consortium.

³ Only reports relating to the ROP have been included here. Reports on in-port transshipment are included in the Secretariat Report to the Compliance Committee [COC-303].

Table 3. Summary of deployments to date (as of 1 October 2008).

<i>ICCAT Request Number</i>	<i>Carrier Vessel</i>	<i>Boarded</i>	<i>Disembarked</i>	<i>Report / Data received</i>	<i>Transhipment declarations received from vessel</i>	<i>Base departure date of observer</i>	<i>Base arrival date of observer</i>	<i>Total days (travel + at sea + debriefing)</i>	<i>Total tons transshipped</i>	<i>Total cost (Travel + deployment) in €</i>	<i>Average cost per ton transshipped (€)*</i>
001/07	CANCELLED										
002/07	ATOOOJPN00607 Senta	Cape Town	Cape Town	YES	YES	07/05/2007	20/06/2007	45	1187.622	12,577.16	10.59
003/07	AT000JPN00604 Orion	St. Vincent, Cape Verde	Panama City	YES	YES	18/05/2007	27/06/2007	36	1609.000	11,945.19	7.42
004/07	AT000JPN00571 Taisei Maru No. 24	Cape Town	Cape Town	YES	YES (late)	28/05/2007	13/07/2007	44	1009.000	12,998.85	12.88
005/07	AT000JPN00584 Asian Rex	Cape Town	Cape Town	YES	YES	06/07/2007	28/08/2007	54	1214.934	13,770.40	11.33
006/07	AT000JPN00579, Shin Ryutu Maru	Las Palmas, Canary Islands	Cape Town	YES	YES (late)	05/07/2007	30/07/2007	23	520.986	8,403.51	16.13
007/07	AT000JPN00589 Ryoma	Port Gentil, Gabon	Cape Town	YES	YES	19/06/2007	30/07/2007	23	868.056	8,783.29	10.12
008/07	AT000JPN00569 Taisei Maru No.3	Cape Town	Cape Town	YES	YES (late)	20/07/2007	08/09/2007	51	996.733	13,665.58	13.71
009/07	AT000JPN00587 Harima 2	Cape Town	Cape Town	YES	YES (late)	19/08/2007	18/10/2007	55	1295.095	13,770.41	10.63
010/07	AT000JPN00568 Tenho Maru	Cape Town	Cape Town	YES	YES (late)	01/09/2007	17/10/2007	47	841.467	14,820.99	17.61
011/07	AT000JPN00585 Hatsukari	Las Palmas, Canary Islands	St. Vincent, Cape Verde	YES	YES	21/08/2007	03/09/2007	14	79.372	4,867.15	61.32
012/07	AT000JPN00570 Taisei Maru No. 15	Cape Town	Cape Town	YES	YES (late)	17/10/2007	17/12/2007	62	1512.314	18,920.12	12.51
013/07	ATOOOJPN00607 Senta	Cape Town	Tema, Ghana	YES	YES	02/11/2007	13/12/2007	44	953.016	10,960.68	11.50
014/07	AT000JPN00589 Ryoma	Port of Spain Trinidad & Tobago	Cape Town	YES	YES	09/11/2007	31/12/007	56	1356.184	16,077.64	11.86
015/07	AT000JPN00571 Taisei Maru No. 24	Cape Town	Cape Town	YES	YES (late)	26/11/2007	31/01/2007	70	1573.320	17,283.54	10.99
016/07	AT000JPN00579 Shin Ryutu Maru	Walvis Bay	Cristobal, Panama	YES	YES	05/01/2008	14/02/2008	42	957.560	11,968.87	12.50
017/07	AT000JPN00580 Tuna States	Cape Town	Cape Town	YES	YES	16/01/2008	10/03/2008	55	937.264	14,016.30	14.95

ICCAT Request Number	Carrier Vessel	Boarded	Disembarked	Report / Data received	Transshipment declarations received from vessel	Base departure date of observer	Base arrival date of observer	Total days (travel + at sea + debriefing)	Total tons transshipped	Total cost (Travel + deployment) in €	Average cost per ton transshipped (€)*
018/08	AT000JPN00587 Harima 2	Balboa, Panama	Cape Town	YES	YES	18/01/2008	19/03/2008	63	1838.214	16,878.57	9.18
019/08	AT000JPN00569 Taisei Maru No. 3	Cape Town	Cape Town	YES	YES	21/01/2008	20/03/2008	61	1696.589	14,999.90	8.84
020/08	AT000JPN00576 Shin Fuji	Cape Town	Cape Town	YES	YES (late)	10/02/2008	24/03/2008	44	1008.855	12,577.16	12.47
021/08	AT000JPN00590 Satsuma 1	Cape Town	Panama	YES	YES	21/02/2008	12/04/2008	52	2055.88	15,236.05	7.41
022/08	AT000JPN00572 Futagami	St. Vincent, Cape Verde	Cape Town	YES	YES (late)	09/04/2008	05/05/2008	32	614.19	9,566.38	15.58
023/08	AT000JPN00584 Asian Rex	Cape Town	Cape Town	YES	YES	24/04/2008	07/07/2008	75	1836.30	18,442.50	10.04
024/08	AT000JPN00594 Suruga 1	Cape Town	Trinidad & Tobago	YES	YES	01/04/2008	15/05/2008	49	1810.42	13,170.21	7.27
025/08	AT000JPN00589 Ryoma	Balboa, Panama	Cristobal, Panama	YES	YES	07/04/2008	14/06/2008	69	1826.92	17,283.54	9.46
026/08	AT000JPN00570 Taisei Maru No. 15	Cape Town	Cape Town	YES	YES	29/04/2008	23/06/2008	55	2570.08	15,448.70	6.01
027/08	AT000JPN00579 Shin Ryuta Maru	Cape Town	Cape Town	YES	YES (late)	21/06/2008	19/07/2008	29	655.44	7,131.10	10.88
028/08	AT000JPN00587 Harima 2	Balboa, Panama	Cape Town	YES	YES	05/06/2008	01/08/2008	57	1930.61	17,037.65	8.83
029/08	AT000JPN00571 Taisei Maru No. 24	Cape Town	Cape Town	YES	YES	27/06/2008	24/08/2009	59		14,999.9	
030/08	AT000JPN00580 TunaStates	Cape Town	Las Palmas		YES	24/07/2008	22/09/2008	61			
031/08	AT000JPN00586 Fuji 1	Trinidad & Tobago	Cape Town		YES	23/08/2008	07/10/2008	46			
032/08	AT000JPN00576 Shin Fuji	Cape Town	Cape Town								
032/08	AT000JPN00570 Taisei Maru No 15	Cape Town	Cape Town								

* Exclusive of training, equipment and Secretariat overhead.

Financing

All the contributions to the Program, calculated as agreed in 2006, were received from the four participating CPCs in early 2007, and from the five participants in 2008. **Table 4** shows the expenditures for the financial year April 2007-April 2008. **Table 5** shows the amounts remaining from the 2007-2008 budget, by CPC share. These amounts will be deducted from the participants' contributions to the 2009-2010 budget, if the program continues. If the program is discontinued, these amounts will be refunded.

Deployments starting after 23 April 2008 have been included in the financial year 2008-2009, and hence information is incomplete, as the exact amounts to be paid for ongoing deployments cannot be determined until they are finalized. Expenditure to date is shown in **Table 6**. This expenditure is exclusive of ongoing deployments, training for the current period and Secretariat overheads.

Table 4. Income and Expenditures for 2007-2008.

<i>ICCAT Regional Observer Program</i>		<i>Euros (€)</i>	
Income			462,760.44
<i>1.1 Contributions</i>			
Contribution by People's Republic of China			103,053.24
Contribution by Korea			11,795.92
Contribution by Philippines			17,582.37
Contribution by Chinese Taipei			328,984.80
<i>1.2 Other income</i>			
Bank interest			1,344.11
		<i>Budget</i>	<i>Payments</i>
Expenditures		461,416.33¹	387,471.94
1. Contract with consortium			
<i>1.1 Training</i>			
Training	63,064.30		54,942.40
<i>1.2 Observer deployment</i>			
Sea days	162,091.90		157,123.85
Travel days	21,974.40		22,127.00
Equipment	37,114.56		12,834.11
<i>1.3 Management and support fees</i>			
Sea days	106,676.80		103,407.20
Travel days	809.28		814.90
Training	1,483.68		1,292.60
2. Travel			
<i>2.1 Air tickets</i>			
Air tickets	12,600.00		20,742.71 ²
<i>2.2 Accommodation</i>			
Accommodation ³	3,600.00		0.00
3. Secretariat overhead			
Staff hours	12,000.00		13,073.73 ⁴
4. Audit	20,000.00		0.00 ⁵
5. Contingencies			
Bank charges	20,000.00		411.98
Travel for training			701.46
Balance 2007/2008 (includes bank interest)			75,288.50

Notes:

- 1 The separation into chapters of the total budget and subsequent rounding results in the budget items shown here totaling €461,414.9. The total budget, however, amounts to €461,416.33
- 2 Observer travel has been significantly higher than originally foreseen. In part, this is due to the dynamic nature of the ROP which does not allow the purchase of economical round-trip tickets. This budget item has been significantly increased for the 2008-2009 period.
- 3 Accommodation is included in travel day charges, and has been dropped from the 2008-2009 budget.
- 4 The initial phases of the implementation of the program, including the drafting and negotiation of the contract with the implementing Consortium, took more staff time than envisaged, but this level is not expected to continue in the future day-to-day running of the program.
- 5 This was not charged and is included in regular ICCAT audit. This item has been dropped from the 2008-2009 budget.

Table 5. Balance remaining at the end of 2007-2008 period, by CPC.

<i>CPC</i>	<i>%</i>	<i>Contribution (€)</i>	<i>Balance Remaining (€)</i>
China	22.33	103,053.24	16,811.92
Chinese Taipei	71.3	328,984.80	53,680.70
Korea	2.56	11,795.92	1,927.39
Philippines	3.81	17,582.37	2,868.49
TOTALS	100	461,416.33	75,288.50

Table 6. Expenditures to date for the 2008-2009 period.

<i>ICCAT Regional Observer Program</i>	<i>Euros (€)</i>	
Income	543,152.85	
<i>1.1 Income from contributions</i>		
Contribution fro China PR	70,251.30	70,251.30
Contribution from Korea	8,034.76	8,034.76
Contribution from Philippines	11,999.28	11,999.28
Contribution from Japan	213,978.39	213,978.39
Contribution Chinese Taipei	224,339.00	224,339.00
<i>1.2 Other income</i>		
Bank interest		14,550.12
	<i>Budget</i>	<i>Expenditures</i>
	528,602.73	73,802.27
1. Contract with Consortium		
<i>1.1 Training of observers</i>		
Training	30,148.32	0.00
<i>1.2 Observer deployment</i>		
Sea days	212,513.90	41,375.70
Travel days	28,078.40	1,526.00
Equipment	12,371.52	0.00
<i>1.3 Management and support fees</i>		
Sea days	139,860.80	27,230.40
Travel days	1,035.00	56.25
Training	540.00	0.00
2. Travel		
<i>2.1 Air tickets</i>		
Air tickets	46,000.00	2,555.11
3. Secretariat overhead		
<i>3.1 Staff hours</i>		
Staff hours	10,000.00	0.00
4. Contingencies		
Bank charges	48,054.79 €	1,058.81
Travel for training		0.00
Balance at 31 October 2008		469,350.58

The level of financing required for 2009-2010 will depend on the number of deployments foreseen by the participating CPCs, the number of CPCs participating in the Program, and on whether current prices charged by the consortium are maintained or increased. The final budget for the forthcoming period will be circulated to participants as far in advance of the renewal of the contract as possible.

The originally agreed formula for cost sharing was applied to the 2008-2009 budget, but the formula may be revised if the participating CPCs agree. This issue will be considered by STACFAD.

ICCAT
Review of the ICCAT Regional Observer Program
Covering the period April 2007 to July 2008



Submitted by



August 2008

1. Introduction

In 2006 ICCAT adopted Recommendation [06-11] to establish a Program for Transshipment in response to concerns that at-sea transshipment operations constituted a gap in the enforcement scheme of the Commission. The overall aim of the program was to address Member State concerns regarding laundering of Illegal, Unregulated and Unreported (IUU) tuna catches by developing an observer program to monitor transshipments at sea from Large Scale Longline Tuna Vessels (LSLTVs) operating in the Convention area.

The Program incorporates a general rule that all transshipment of tuna and tuna like species in the Convention Area must take place in port. However, Contracting Parties may authorise transshipments at sea for its LSLTVs provided the Carrier Vessel (CV) has VMS capabilities and a trained ICCAT observer is on board to monitor the process. The Observer Program was put out to tender by ICCAT and a Consortium comprising MRAG and Capfish (the Consortium) was contracted to develop and implement the Regional Observer Program (ROP). The Consortium has been responsible for recruiting, training and deploying all the observers onto the CVs since the ROP's inception. This report provides a summary of the program from its start in April 2007 to the end of July 2008.

2. Deployments

2.1 Summary of deployments

A total of 27 trips have been completed covering 1255 days at sea and 493 transshipments. The total weight of fish observed being transshipped over the period was 34,755,387kg. The deployments, summarized by vessel, are given in **Table 1**.

The majority of deployments have been through Cape Town with observers also embarking through Panama, Las Palmas, Cape Verde Islands, Trinidad and Tobago, Namibia and Gabon. The average length of a trip was 46 days (minimum 5, maximum 73) with the mean number of transshipments observed per trip was 18 (minimum 3, maximum 33). The locations of all the transshipments are shown in **Figure 1**.

LSLTVs from China, Chinese Taipei, Korea and the Philippines participated in the ROP from the start, with Japan joining in April 2008. Total numbers of transshipments observed by flag state of LSLTV are as follows: Chinese Taipei (216), China (159), Japan (42), Korea (38) and the Philippines (38). **Figure 2** shows levels of activity by month⁴ in terms of observers deployed, numbers of transshipments and total weight transshipped. The most active month was February 2008, corresponding with the seasonal increase in catches of bigeye tuna in the Convention Area.

Observers monitored each transshipment that took place at sea and, with a few exceptions, observed 100% of virtually all of these. Transshipments generally last between 2 and 4 hours with a mean transfer rate of 22.39 tons per hour (+/- 5.73 tons). **Figure 3** shows the total amounts transferred during these transshipments; most of the transshipments transferred between 35 and 130 tons.

⁴ Up to July 2008.

Table 1. Summary of transhipments made between May 2007 and September 2008.

No	Vessel Name	Observer Name	Date On	Date Off	Embarkation Port	Disembarkation Port	Sea Days	Number transhipments	Fish Transshipped (Kg)
2	<i>Senta</i>	E D Higgins	07/05/2007	20/06/2007	Cape Town, South Africa	Cape Town, South Africa	45	11	1187622
3	<i>Orion</i>	Jonathon Roe	19/05/2007	27/06/2007	San Vincent, Cape Verde	Cristobal, Panama	40	22	1609000
4	<i>Taisei Maru No.24</i>	Jano Van Heerden	28/05/2007	13/07/2007	Cape Town, South Africa	Cape Town, South Africa	47	14	1009000
5	<i>Asian Rex</i>	Elcimo Pool	06/07/2007	28/08/2007	Cape Town, South Africa	Cape Town, South Africa	54	15	1214913
6	<i>Shin Ryuta Maru</i>	Ramon Benedet	07/07/2007	26/07/2007	Las Palmas, Spain	Cape Town, South Africa	20	12	520986
7	<i>Ryoma</i>	Ebol Rojas	20/06/2007	08/07/2007	Port Gentil, Gabon	Cape Town, South Africa	19	9	868054
8	<i>Taisei Maru 3</i>	E D Higgins	20/07/2007	08/09/2007	Cape Town, South Africa	Cape Town, South Africa	51	15	996733
9	<i>Harima 2</i>	Jano Van Heerden	26/08/2007	16/10/2007	Cape Town, South Africa	Cape Town, South Africa	52	14	1295095
10	<i>Tenho Maru</i>	Ebol Rojas	07/09/2007	14/10/2007	Cape Town, South Africa	Cape Town, South Africa	38	17	841467
11	<i>Hatsukari</i>	Ramon Benedet	22/08/2007	26/08/2007	Las Palmas, Spain	Porto Grande St Vincent	5	3	79372
12	<i>Taisei Maru No.15</i>	Ethan Brown	19/10/2007	18/12/2007	Cape Town, South Africa	Cape Town, South Africa	61	26	1512314
13	<i>Senta</i>	Elcimo Pool	02/11/2007	13/12/2007	Cape Town, South Africa Port of Spain, Trinidad and Tobago	Tema, Ghana	42	9	953016
14	<i>Ryoma</i>	Ebol Rojas	08/11/2007	29/12/2007	Cape Town, South Africa	Cape Town, South Africa	52	28	1356184
15	<i>Taisei Maru No.24</i>	Raymond Manning	26/11/2007	31/01/2008	Cape Town, South Africa	Cape Town, South Africa	67	28	1573320
16	<i>Shin Ryuta Maru</i>	Jonathon Roe	08/01/2008	14/02/2008	Walvis Bay, Namibia	Cristobal, Panama	38	17	957560
17	<i>Tuna States</i>	Elcimo Pool	16/01/2008	10/03/2008	Cape Town, South Africa	Cape Town, South Africa	55	22	937264
18	<i>Harima 2</i>	Ebol Rojas	19/01/2008	15/03/2008	Balboa, Panama	Cape Town, South Africa	57	21	1838214
19	<i>Taisei Maru 3</i>	Hendrik Crous	21/01/2008	19/03/2008	Cape Town, South Africa	Cape Town, South Africa	59	24	1696589
20	<i>Shin Fuji</i>	Peter Lafite	10/02/2008	24/03/2008	Cape Town, South Africa	Cape Town, South Africa	44	14	1008855
21	<i>Satsuma 1</i>	Ethan Brown	25/02/2008	10/04/2008	Cape Town, South Africa	Cape Town, South Africa	46	26	2055877
22	<i>Futagami</i>	Keith Patterson	09/04/2008	15/05/2008	San Vincent, Cape Verde	San Vincent, Cape Verde	37	10	614190
23	<i>Asian Rex</i>	Gary Breedt	24/04/2008	01/07/2008	Cape Town, South Africa	Cape Town, South Africa Port of Spain, Trinidad and Tobago	73	30	1836297.7
24	<i>Suruga 1</i>	Raymond Manning	01/04/2008	15/05/2008	Cape Town, South Africa	Tobago	45	33	1810417
25	<i>Ryoma</i>	Ebol Rojas	07/04/2008	14/06/2008	Balboa, Panama	Cristobal, Panama	69	12	1826919
26	<i>Taisei Maru No.15</i>	David Hughes	29/04/2008	23/06/2008	Cape Town, South Africa	Cape Town, South Africa	56	28	2570080
27	<i>Shin Ryuta Maru</i>	Hendrik Crous	22/06/2008	18/07/2008	Cape Town, South Africa	Cape Town, South Africa	27	7	655443
28	<i>Harima 2</i>	Ethan Brown	06/06/2008	31/07/2008	Balboa, Panama	Cape Town, South Africa	56	26	1930605

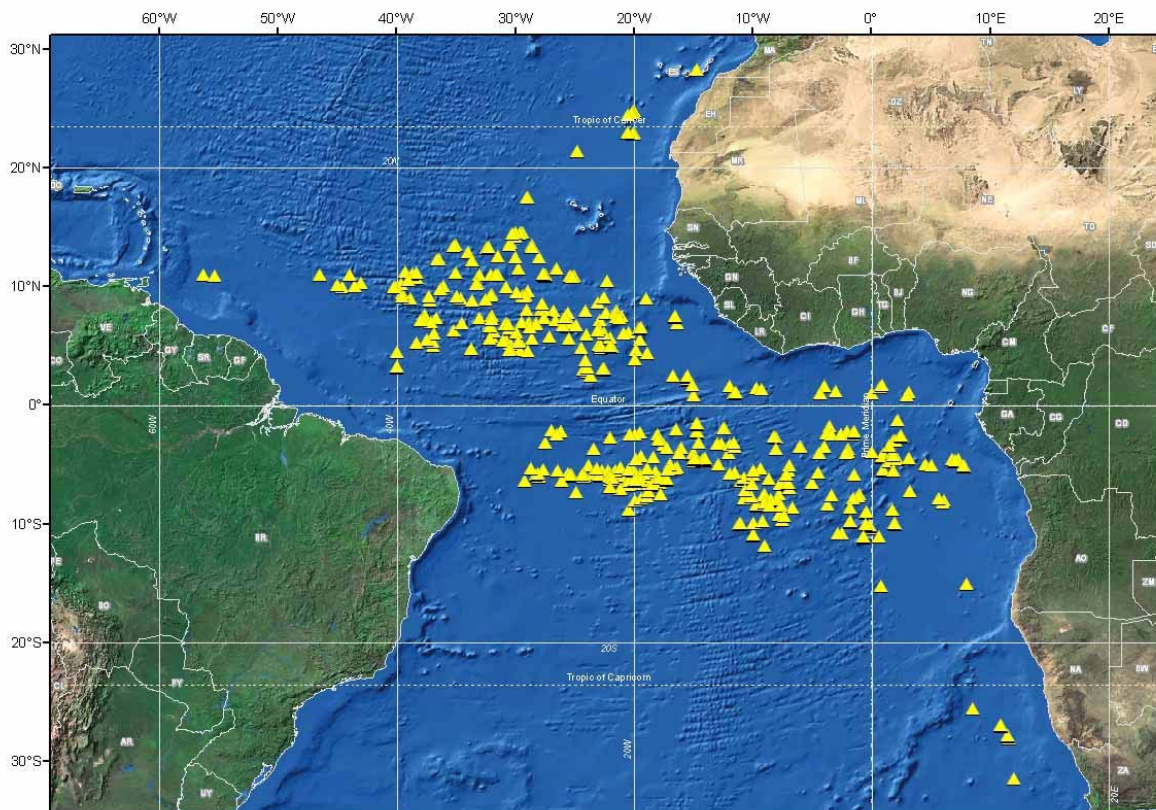


Figure 1. Summary of observed transshipments between May 2007 and September 2008.

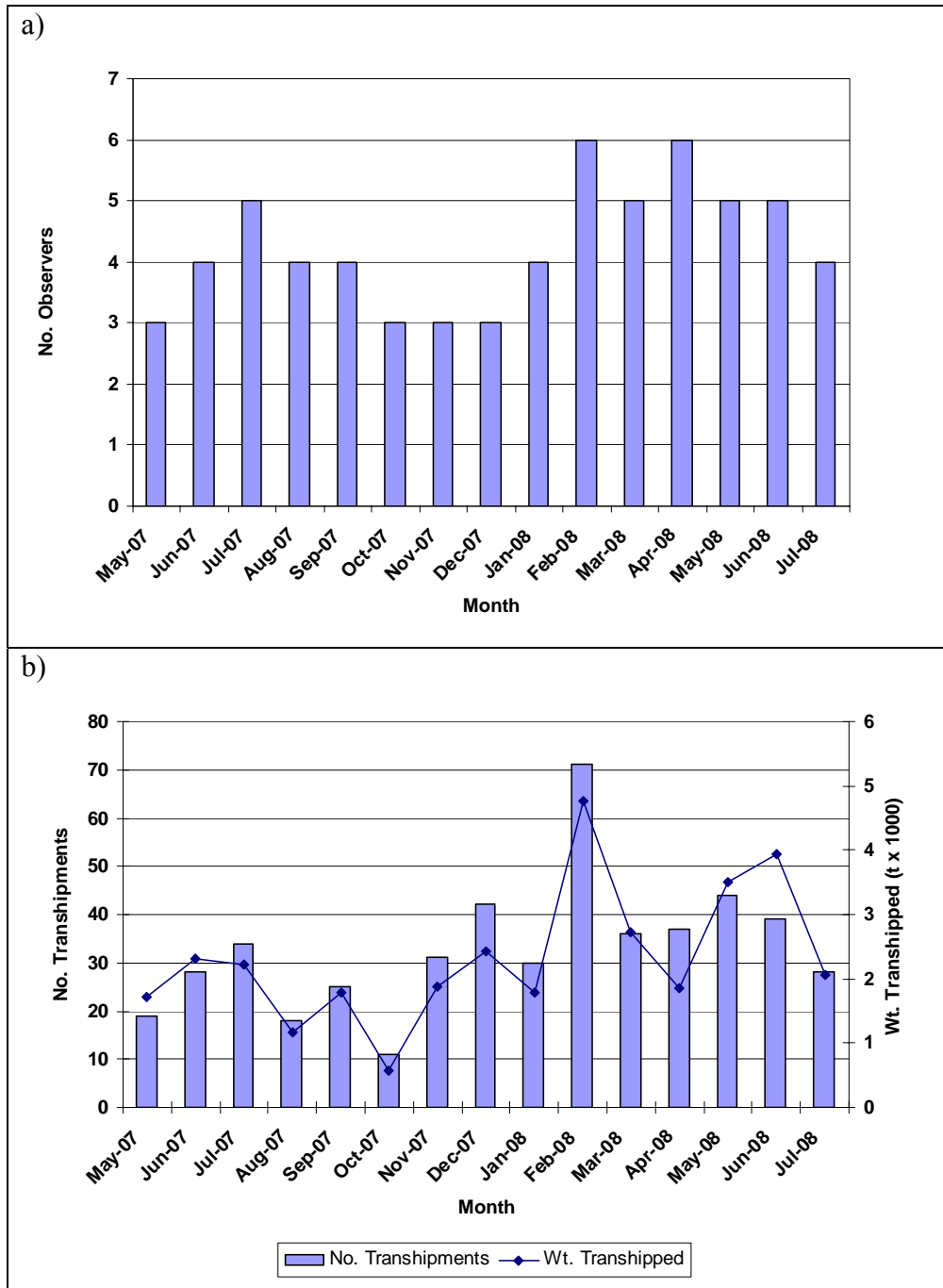


Figure 2. Activity by month a) number of observers deployed, b) number of transshipments and weights transferred (all fish).

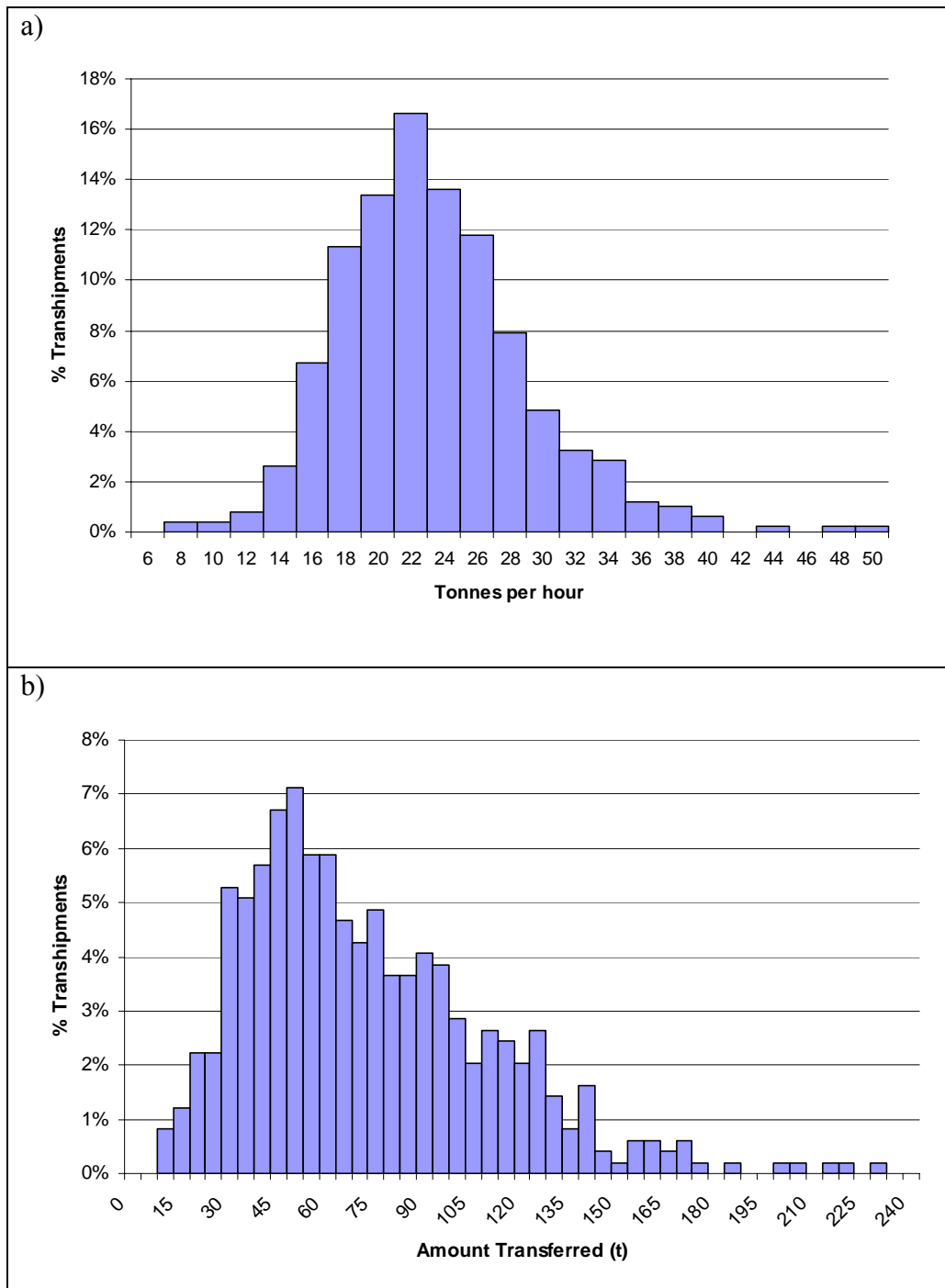


Figure 3. Fish products transferred during transshipments; a) rate of transfer in tons per hour and b) total amount by transshipment.

2.2 Procedures and logistics

When a Carrier Vessel Operator (CVOs) requires an observer, they make a request, through their Flag State, to ICCAT. ICCAT sends a notification through to the Consortium listing the date and location of where the observer should join the vessel. An observer is then mobilized and deployed to arrive the day before the expected vessel departure date, whenever possible, so a safety inspection can be carried out. The period from notification to the observer being in port ready to embark on the vessel should be no more than 96 hours. To date, at least 2 weeks notice has been provided for most of the deployments.

Prior to the observer being dispatched, a Memorandum of Understanding (MoU) must be signed by the CVO and the Consortium. This explains the duties and responsibilities of both parties in some detail for the avoidance

of doubt. To date the Consortium has signed MoUs with six of the main CVOs⁵. Individual vessel must submit a P&I (Protection and Indemnity) insurance certificate and the vessel must also pass a safety inspection before the observer embarks. Safety inspections are carried out by the observer, except in the case of first time observers, when they are accompanied by a senior staff member of the Consortium.

3. Sampling protocols and reporting

ICCAT Recommendation [06-11] defined the main tasks of the observer as to:

- 1) Record and report upon the transshipment activities carried out;
- 2) Verify the position of the vessel when engaged in transshipping;
- 3) Observe and estimate products transshipped;
- 4) Verify and record the name of the LSTLV concerned and its ICCAT number;
- 5) Verify the data contained in the transshipment declaration;
- 6) Certify the data contained in the transshipment declaration;
- 7) Countersign the transshipment declaration;
- 8) Issue a daily report of the carrier vessel's transshipping activities; and
- 9) Establish general reports compiling the information collected in accordance with ICCAT Program requirements and provide the captain the opportunity to include therein any relevant information.

Tasks 5 and 6 have since been modified such that, while the observer is able to estimate the numbers and amounts of products transferred, he or she is not required to certify or verify each transshipment declaration. The observer does sign the declaration, but only to confirm that the transshipment has been observed. It was also decided that the vessel's activities should be reported in a summary 5 day report, rather than sending in a daily report (Section 0). The majority of the observers' work is taken up by Task 3, which involves counting, identifying and recording the weights of the species transferred.

3.1 Counts

Observers have identified two basic methods used to transfer fish products from the LSTLV to the carrier vessel (CV). The first is used predominantly by smaller LSTLVs that have smaller hatch openings. In this case, the fish are removed from the LSTLV hold in small 'bunches' using a winch operated from the LSTLV and placed on the deck of the LSTLV. When enough fish have been removed they are fastened together onto a single string and transferred into the hold of the CV using a winch operated from the CV. This means that the fish are laid out on the deck of the LSTLV for a period of time, giving the observer an opportunity to accurately count and, in most cases, identify a large percentage of the species (from his position on the CV).

The second method is used mainly by larger LSTLVs. In this case, because these vessels have larger hatch openings the fish can be transferred directly from the hold of the LSTLV to the CV in a single operation using the winch from the carrier vessel. This method is much faster with the time taken to transfer each string being between 12 and 15 seconds. This limits the time that the fish are visible to the observer for both counting and species identification. In addition, the fish often become obscured by a cloud of condensed water vapor due to the sudden temperature change when they are brought out of the hold of the LSTLV. Observers have tried out a number of methods to overcome these obstacles. One observer has used a voice activated digital voice recorder to record his observations and at the same time takes a digital photograph of each string. The recorded information is then later compared to the detail that has been photographed.

3.2 Species identification

Given sufficient access to the catch, observers can determine the number of fish that are transferred with a high degree of accuracy and can distinguish between tuna (trunks), swordfish and other species such as marlin, opah and sharks with 100% accuracy. Distinguishing between the different species of tuna is less straightforward and accuracy is mainly dependant on how easily the observer can discern certain diagnostic features on the tuna trunks. The method of transfer (see previous paragraph) is therefore a significant factor. Tuna are recorded by species where they can be positively identified or as mixed tuna species where they can only be counted.

⁵ Hayama Shipping Ltd., MRS Corporation, Partners Shipping, Sea Tec Management Co. Ltd., Taiseimaru Kaiun Kaisha Ltd., Toei Reefer Line Ltd.

Products transferred mainly comprise big eye (*Thunnus obesus*) and yellowfin tuna (*Thunnus albacares*), with small amounts of other species, including swordfish (*Xiphias gladius*), marlin (*Makaira* spp) and occasionally bluefin tuna (*Thunnus thynnus*) and sailfish (*Istiophorus albicans*).

During the initial stages of the project species identification was more difficult, with less than 50% of the yellow fin tuna being identified to species level. Subsequently, experienced observers have reported that they can now confidently identify most of the tuna trunks that are visible to them, either while lying on the deck of the LSTLV or on the periphery of the bunch during the transfer. In addition, photographs from completed trips have been included in training courses for new observers (for an example, see **Attachment 1 to Addendum 1 to Appendix 4 to ANNEX 10**).

One observer obtained authorization from the Master of the CV to take sample measurements of individual fish during several transshipments. The observer aimed to sample at least 10% of the tunas transshipped during each transshipment event, or at least 60 fish when the number transferred was less than 600. Tuna were sampled randomly during the each transshipment to provide a representative sample. To reduce the level of disruption to the transshipment operation, the speed of recording was improved using a digital voice recorder. The average tuna species composition recorded from these observations was then projected to the total number transshipped.

3.3 Weight estimation

The observers' estimation of the transshipped weight is calculated by determining an average unit weight (for a tuna trunk), and multiplying this by the observed number of fish transshipped. A number of methods have been used to calculate the unit weights.

3.3.1 From scales

The most accurate method is obtained on CVs that use an "electronic hook-scale" attached to the sling hook. The weights of each sling of fish transferred from the LSTLV can then be recorded. Where strings of tuna and other products are being transferred, observers have calculated the mean unit weight of tuna trunks by sampling 'clean' strings holding only tuna. This unit weight was then applied to the total number of tuna transferred to give the total tuna weight separately from the other products. In both cases the final weight estimates are independent of the estimates of catch being off-loaded provided by the LSTLV. Observers have been able to implement this strategy for on 11% (i.e. 3) of the trips, in the period from May 2007 to July 2008. The number is relatively low as although several of the carrier vessels have the scales on board they are reluctant to use them as the crane has to slow down to allow the scale to settle and be read properly.

3.3.2 From observer estimation

In most cases an electronic hook scale is not available. In these circumstances observers have provided an independent estimate of the weight, based on visual estimations of the size and numbers of fish observed. This can be very difficult when transshipments are large and the method of transfer is fast. Observers have reported that with experience they have become more confident in their estimations. To date this method has been used on 19% (i.e. 5) of the trips.

An alternative method that can be used to calculate a unit weight of the tuna is to measure the length of the fish from the end of the upper jaw to the first dorsal spine, (LD1 measurement) and from this calculate the dressed weight of the fish using a length-length conversion factor and a length-weight relationship adopted by the SCRS for major species.

Although this approach also provides values that are independent of those provided by the LSTLV, there are problems, primarily because access to the fish is normally severely limited and collecting the measurements can hold up the transshipment operation. However, this strategy has been successfully implemented on one trip with the cooperation of the Master of the CV and the Fishing Masters of the LSTLVs. During the transshipment process a select number of the strings (10% or a minimum of 60 fish) were lowered onto the deck of the CV allowing the observer to record the LD1 measurements using a flexible tape and at the same time positively identify the species.

Observers have also attempted to measure the fish in the CVs holds, but have experienced problems with lack of light, cold and movement of crew in packing the fish.

3.3.3 From vessel records

When observers have not been able to independently calculate fish weights using one or other of the methods above, all they are able to do is count the total number of fish and multiply this by an average weight of fish calculated from figures provided by the Fishing Master of the LSTLV. The average fish weight is calculated from the number and weight of fish that are to be transshipped declared by the LSTLV. This method has been used on 63%, (i.e. 17) of the trips. While this method does not provide an independent estimate of the weight transshipped, on 95% of all transshipments the average weight has been between 30 kg and 70 kg.

3.4 Recording forms

All transshipments are recorded in the first instance on paper forms before being transferred to the electronic database. At the end of each trip observers submit the paper forms to shore-based staff so they can be checked against the data entered into the database.

The paper forms used to record the transshipments have evolved since they were first designed at the start of the program. Originally it was thought that tuna and other fish products would be transferred between vessels in units of fixed numbers and weights (for example boxes, nets, bags etc.). If the amount of product per unit was known then recording the total amount of fish transshipped would consist of counting the number of units transferred. This would be similar to how it is recorded in the transshipment declaration. In practice, however, the units transferred are not of fixed weight and numbers. All products are transferred in strings and the number of fish per string varies both during and between transshipments. The observers therefore have switched to recording numbers of fish individually for each string as it is being transferred. The numbers of fish are then summed up at the end. The recording form (T4) has been changed to reflect this and is attached in **Attachment 2 to Addendum 1 to Appendix 4 to ANNEX 10**.

4. Reporting protocols

A series of reporting schedules has been set up between observers, the Consortium and ICCAT. While on the vessel, the observer sends through a report every five days giving information on the locations and LSTLVs involved in transshipments with the CVs. The Consortium compiles the reports from all the observers on CVs and sends them, along with any deployment, disembarkation or observer transfer reports to the ICCAT Secretariat every 5 days.

At the end of each trip the observer also submits a final trip report summarizing the transshipments and sampling strategies followed, along with a copy of the data they have collected. A draft copy is given to the master of the CV before the observer disembarks and they are advised that they can submit any comments directly to the Consortium for inclusion in the final report to ICCAT.

5. Observer training

A training course and training materials were developed by the Consortium. To meet the data requirements of the ICCAT ROP, training materials include the specific ICCAT observer duties. A detailed Observer Manual is issued to all observers.

Observer candidates have been recruited both internally from existing observers and externally through web based advertisements. All prospective candidates are first selected by the Consortium based on previous experience and performance and then submitted for approval by the ICCAT Secretariat. Once approved, the candidates proceed with the training. The majority of the training has been done in-house in either London (MRAG headquarters) or Cape Town (CapFish headquarters). Certain aspects such as survival at sea, first aid and language training have been outsourced or made a prerequisite for observers before training starts.

Observers are employed on short term contracts. Between deployments in the ROP they may work on other projects. To date the maximum number of observers deployed at a single time is 5, although it is necessary to maintain a larger 'pool' of observers to ensure availability at short notice when needed. Having a large selection of observers located around the world also gives the Consortium a wide range of options to choose from when arranging a deployment. There are currently 18 trained observers based in South Africa (8), United Kingdom (7) Mexico (1) France / Canada (1) and USA (1).

6. Observer equipment and database

There are two databases used in the ROP; a Master Access database which contains data from all the deployments and 5 day reports and a ‘runtime’ version used by observers for data entry at sea. The master database is updated every 5 days with the observer reports and is used to generate the 5 day reports sent through to ICCAT. It is also updated at the end of every observer trip and used to generate figures for the observer final reports. The Master database is also submitted to ICCAT at the end of every trip.

Other safety and operation equipment is issued to the observers (**Table 2**). Some observers have found using electronic voice recorders to record transshipments and fish measurements easier (Section 3.1) and in future these may be issued routinely.

Table 2. Equipment issued to observers.

<i>Safety</i>	<i>Operational</i>
Survival Suit	Laptop
Helmet	Camera
EPIRP	Clipboard
Strobe	Counter
Harness	Clipboard
Visibility jacket	Tape measure
Lifejacket	Binoculars

7. Comments from carrier vessel Masters

It has not been possible for the Consortium personnel to have ready access to the majority of the CVs for the purpose of interviewing the Masters after they have had an observer onboard.

In Cape Town, two masters of carrier vessels were interviewed after their observers disembarked (the vessels’ agents assisted with translation). The objective of the interviews was to assess the opinion of the carrier vessel master on the effectiveness of the ROP, the operational aspects of the program and seek comments on the observers conduct. The master of the Taisei Maru No.24 had accommodated observers for two trips and the master of the Shin Fuji had carried an observer for the first time.

Effectiveness of the ROP

Both masters were asked of their opinion on the compliance value of the program and both were positive, stating and that it was effective. They were however hesitant to comment on the cost effectiveness of the program.

Observer Conduct

Both vessel masters were complementary about the observers conduct onboard. It appears that language differences did not pose a major problem, as some of the officers were able to communicate in English on both vessels.


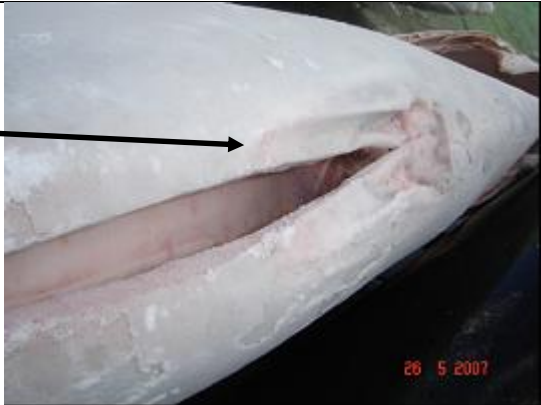
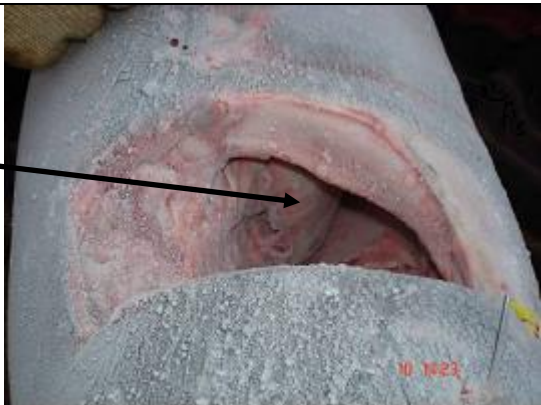
Observer training

The overall opinion from both Masters on the standard of observers training was good. When asked whether any additional training such as GMDSS would assist, they did not think this was necessary, but it was agreed that it would be useful with respect to understanding and using the GMDSS communication equipment onboard.

Practical data collection

A question was asked regarding the practical use and benefit of a hook scale to verify the transshipped weights. There were two opinions on this. In the case where the vessel used a hook scale routinely it was cited as being their company policy and the master was satisfied that it was beneficial to them. The second opinion was that hook scales are not accurate when used at sea and that the Fishing Masters of some of the LSTLVs are opposed to their use as it increased the time required for transshipments. Both Master were satisfied with the existing methods and data collection protocols employed by the observers.

Identifying different tuna species

Tuna Identification (Diagnostic features in the stomach cavity of frozen tuna)	
<p>Yellowfin tuna (<i>Thunnus albacares</i>)</p> <p>Fleshy protrusion at the anterior end of the stomach cavity</p>	
<p>Bigeye tuna (<i>Thunnus obesus</i>)</p> <p>Smooth base of the stomach cavity</p>	
<p>[Southern] bluefin tuna (<i>Thunnus maccoyii</i>)</p> <p>Distinct bulge at anterior end of the stomach cavity</p>	

ROP Participants' Reports

Report on the Implementation of Regional Observer Program of ICCAT in 2007 by Chinese Taipei, September 2008

1. In order to monitor the transshipment activities by large-scale tuna longline vessels (LSTLVs) in the ICCAT Convention area, ICCAT adopted Recommendation 05-06 "Establishing a Program for Transshipment by Large-scale Longline Fishing Vessels" in 2005 which was amended in 2006 as Recommendation 06-11.
2. This report is made in accordance with the following requirements set out in paragraph 18 of Recommendation 06-11:
 - The quantities by species transhipped during the previous year
 - The list of LSTLVs registered in the ICCAT record of fishing vessels which have transhipped 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.

The quantities by species transhipped during the year 2007

3. From the time the ROP became operational in early May 2007 to the end of the year, the Chinese Taipei flagged LSTLVs have transhipped at sea a total of 7,103 tons of tunas and tuna-like species. As for the in-port transshipment⁶, 20,206 tons of tunas and tuna-like species were transhipped by Chinese Taipei LSTLVs in 2007 (**Attachment 1 to Addendum 2 to Appendix 4 to ANNEX 10**).

The list of the LSTLVs made transshipment during the previous year

4. There were 52 bigeye vessels flying the flag of Chinese Taipei authorized to conduct at-sea transshipment in 2007. As for the in-port transshipment, there were 73 LSTLVs conducting transshipment in ports in 2007. The names of the vessels that made transshipments during the year are listed for information (**Attachment 2 to Addendum 2 to Appendix 4 to ANNEX 10**).

Assessment of the content and conclusions of the reports of the observers

5. In order to improve the implementation of the program in the future, some observations and suggestions are made on the content of the reports of the observers for the consideration by the Commission:

5.1 Format of observer's report

- Although the majority of the observers have followed the format agreed for reporting an observation, some still make their reports in different formats in various parts of the reports.
- For example, some observers simply used a map to show figure 1 on the report indicating dates and relative positions of transshipments. Some observers, however, illustrated figure 1 with the location of the transshipments as well as a pie chart showing the catch transhipped. In our view, the latter is more informative. Therefore, we suggest requiring basic elements agreed by parties concerned to be included in all reports in order enable better understanding of the transshipment activities.

⁶ Secretariat note: Information on in-port transshipment has been included in the "Secretariat Report to the Conservation and Management Measures Compliance Committee" [COC-303]

5.2 Knowledge of observers

- It seems that there has been some confusion in the observer reports, which noted that VMS systems were not found on the carrier vessels concerned. For example, the observers noted in their reports that carrier vessels, Ryoma, Shin Ryuta Maru and Tenho Maru were not equipped with a VMS system.
- However, we are sure that these vessels have installed and operated VMS and the relevant information, as a matter of fact, had been included in the part of communication system of the Section 1.1 of the reports. We do not know whether it was the negligence of the observers or the incompetence of the observers to observe the existence of VMS on board. Improvements in the observers reports in this respect are needed.

5.3 The accuracy of data recorded by the observer:

- It was noted that the observer who made the estimation referred to the difficulties he faced in performing his duty: the transshipment process took place at an extremely rapid pace with slings of fish being loaded directly from the fish hold of the LSTLV to the carrier vessel, and it was difficult for the observers to accurately count or estimate the number of fish being transshipped.
- We should be mindful of this practical problem and consider better way for the observers to conduct estimation of the amount of the fish in transshipment, or otherwise give thought to modifying the provisions in Recommendation 06-11 not to require the observers to count the fish, since, in any event, the fish thus transshipped will be subject to weighing and counting at the port of destination of the market state, where the actual amount of fish imported will be certified by independent surveyors for customs purposes.

Conclusion

6. ICCAT is the first tuna RFMO to implement a ROP on carrier vessels in the Atlantic areas and RFMO in other oceans are following the same step. The achievement and success of ICCAT in the implementation of ROP should be recognized and commended. Chinese Taipei is satisfied with the operation of the ROP, and is in an opinion that the ROP should continue.
7. It was a tedious task for the ICCAT Secretariat to follow-up the process of ROP and make prompt response. Chinese Taipei is also satisfied with the work carried out by the Secretariat and the Consortium under contract. Chinese Taipei acknowledges the efforts and diligence of the Secretariat for the arrangements of the program.

Quantities, by species, transhipped by Chinese Taipei flagged vessels in 2007

(Unit: Kg)

Species	In Port		At Sea		In Port + At Sea		Total
	Bigeye Vessel	Albacore Vessel	Bigeye Vessel	Albacore Vessel	Bigeye Vessel	Albacore Vessel	
Bigeye tuna	2,269,947	107,908	6,186,937	-	8,456,884	107,908	8,564,792
Yellowfin tuna	365,143	154,024	815,599	-	1,180,742	154,024	1,334,766
North Swordfish	58,188	7,199	6,261	-	64,449	7,199	71,648
South Swordfish	99,503	65,518	88,660	-	188,163	65,518	253,681
Blue Marlin	53,759	27,838	798	-	54,557	27,838	82,395
Strip Marlin	3,751	23,888	-	-	3,751	23,888	27,639
Northern Albacore	372,849	1,514,621	-	-	372,849	1,514,621	1,887,470
Southern Albacore	445,201	12,093,214	-	-	445,201	12,093,214	12,538,415
Sharks	590,326	791,900	4,692	-	595,018	791,900	1,386,918
Shark fin	5,275	12,381	234	-	5,509	12,381	17,890
Oil fish	1,219	11,984	-	-	1,219	11,984	13,203
Other species	460,027	851,743	-	-	460,027	851,743	1,311,770
Total	4,725,188	15,662,218	7,103,181	-	11,828,369	15,662,218	27,490,587

Attachment 2 to Addendum 2 to Appendix 4 to ANNEX 10

**Chinese Taipei LSTLVs registered in the ICCAT record of
fishing vessels that have transshipped in 2007**

I. Transshipment at sea (bigeye vessels)

No	Vessel name	ICCAT List Number	No	Vessel name	ICCAT List Number
1	CHAI HORN 101	AT000TAI00001	27	YUH YEOU 66	AT000TAI00151
2	CHUNG I 237	AT000TAI00031	28	YUNG HANG	AT000TAI00157
3	CHUNG I 302	AT000TAI00033	29	YING RONG NO.638	AT000TAI00162
4	DAI HO	AT000TAI00036	30	HSIN CHENG FA 16	AT000TAI00177
5	FENG YA NO.11	AT000TAI00038	31	KUANG MEI	AT000TAI00181
6	HSIANG AN 102	AT000TAI00056	32	YUNG HAN 101	AT000TAI00182
7	YUNG CHIN NO.101	AT000TAI00061	33	KIN CHUAN HSING 31	AT000TAI00183
8	HSIN CHENG HSIANG 101	AT000TAI00063	34	HAU SHEN 236	AT000TAI00184
9	HSIN CHUN 16	AT000TAI00064	35	YUNG FENG NO.101	AT000TAI00185
10	HUNG CHING 212	AT000TAI00073	36	TAI FA NO.3	AT000TAI00186
11	I MAN HUNG 166	AT000TAI00078	37	JIN HORNG NO.168	AT000TAI00187
12	KAO FENG 101	AT000TAI00089	38	YING JEN 636	AT000TAI00192
13	YEUN HORNG NO.1	AT000TAI00093	39	YUH YEOU 236	AT000TAI00193
14	KAO FONG NO.817	AT000TAI00096	40	CHIN CHENG WEN	AT000TAI00194
15	KUANG LI	AT000TAI00099	41	CHIN YUAN MING	AT000TAI00195
16	LONG CHANG NO.3	AT000TAI00104	42	CHIN SHUN KUO	AT000TAI00197
17	SHIN LUNG 202	AT000TAI00117	43	JIN HORNG NO.206	AT000TAI00202
18	SHUN AN 6	AT000TAI00122	44	KAO HSIN NO.3	AT000TAI00203
19	CHIN SHUN 101	AT000TAI00126	45	SHUN YU	AT000TAI00204
20	TORNG TAY 3	AT000TAI00128	46	HAU SHEN NO.212	AT000TAI00205
21	YANG JEN 168	AT000TAI00137	47	HUANG CHIN	AT000TAI00207
22	YU FENG 102	AT000TAI00140	48	CHIN CHANG MING	AT000TAI00208
23	YU FENG 202	AT000TAI00141	49	TIAN BAO	AT000TAI00209
24	YU FENG 67	AT000TAI00142	50	YIH LONG NO.101	AT000TAI00210
25	YU I HSIANG 121	AT000TAI00144	51	FU YUAN NO.66	AT000TAI00211
26	YUH YEOU 31	AT000TAI00149	52	JILN HORNG NO.101	AT000TAI00212

Transshipment Report from Korea

<i>Name of Company</i>	<i>Species</i>	<i>Quantities of at-sea transshipments (tons)</i>
Grand Fishery Co., Ltd	Bigeye	237.1
	Yellowfin	16.1
	Albacore	
	Southern bluefin	27
	Swordfish	
	Others	
	Sub-total	280.2
Dae Sung Fisheries Co., Ltd	Bigeye	345
	Yellowfin	27.2
	Albacore	
	Southern bluefin	
	Swordfish	29.7
	Others	
	Sub-total	401.9
Inter Tuna Fishery Co., Ltd	Bigeye	120.278
	Yellowfin	33.657
	Albacore	
	Southern bluefin	
	Swordfish	6.297
	Others	
	Sub-total	160.232
TOTAL		842.332

List of Korean fishing vessels that carried out transshipment in 2007

<i>Name of Company</i>	<i>Vessel name</i>	<i>ICCAT List No.</i>	<i>Port transshipment / At-sea transshipment</i>
Grand Fishery Co., Ltd.	No.101 Dae Young	AT000KOR00175	At-sea transshipment
	No.102 Dae Young	AT000KOR00183	Port transshipment
	No.112 Dae Young	AT000KOR00177	Port transshipment / at-sea transshipment
Dae Sung Fisheries Co., Ltd.	No.11 Dae Sung	AT000KOR00093	Port transshipment / at-sea transshipment
	No.216 Dae Sung	AT000KOR00205	At-sea transshipment
	No.226 Dae Sung	AT000KOR00203	At-sea transshipment
Sajo Industries Co., Ltd.	Oryong No.353	AT000KOR00137	Port transshipment
	Oryong No.355	AT000KOR00138	Port transshipment
	Oryong No.357	AT000KOR00139	Port transshipment
	Oryong No.705	AT000KOR00144	Port transshipment
	Oryong No.731	AT000KOR00088	Port transshipment
Inter Tuna Fishery Co., Ltd.	No.1 Ever Rich	AT000KOR00180	Port transshipment / at-sea transshipment

**Transshipment Report from Philippines
(September 2008)**

Reporting Country: Philippines
Year: April - December 2007

List of vessel transshipments at sea

<i>Name of Vessel</i>	<i>ICCAT No.</i>
Jetmark No. 726	AT000PHL0005
Jetmark No. 102	AT000PHL0007
Castro No. 168	AT000PHL0002
Sunny Sky No. 888	AT000PHL0017
Jetmark No. 31	AT000PHL0015
Sun Warm No. 6	AT000PHL0012
Boada No. 5	AT000PHL0001
Castro No. 668	AT000PHL0003
Jetmark No. 36	AT000PHL0016

Quantity by species transshipped at sea

Bigeye tuna	1,134,916 kgs
Yellow fin tuna	107,763 kgs
Swordfish	58,404 kgs

Compliance Tables Adopted in 2008 [COC-304A]
(Compliance in 2007, reported in 2008)

1. General

The Compliance Tables were drafted on the basis of the figures reported by Contracting Parties, as shown in bold. Where no figures have been reported, Task I data have been used, which may in some cases include SCRS estimates. Where catch figures have been reported, but no balances and adjustments, these have been calculated by the Secretariat, usually on an annual basis. No adjustments have been calculated for marlins, as only one Contracting Party has applied the provision of Recommendation 00-14.

Please note that in some cases where arithmetic may seem to be erroneous, this is due to calculations which have been carried over from previous tables, as only current management periods are shown.

The Compliance Table for east bluefin tuna was not adopted by the Commission.

The explanation of calculation of overages/underages and adjusted quota submitted by Contracting Parties (European Community, France-St. Pierre and Miquelon, Japan, Korea, Uruguay, Chinese Taipei) are available on request from the Secretariat.

2. Species specific

2.1 Northern albacore

General: Over-harvests must be adjusted and under-harvests of up to 50% of the initial catch limit/quota may be carried over to the following year or biennially [Recs. 03-06 and 06-04].

Specific: Japan shall endeavor to limit its total northern albacore catch to a maximum of 4% in weight of its total bigeye tuna longline catch in the Atlantic [Recs. 03-06 and 06-04].

100 t of the Chinese Taipei northern albacore catch limit will be transferred to St. Vincent and the Grenadines for 2008 and 2009.

Japanese percentages of bigeye catch are 8.1% in 2004, 6.8% in 2005, 1.9% in 2006 and 1.4% in 2007). Catches for 2006 and 2007 are provisional.

For Chinese Taipei, the adjusted quota of 2008 is 5825 t. ($5925=3950+3950*50\% -100$) due to the underage of 2006 exceeding 50% of 2008 catch quota and a 100 t transfer to St. Vincent and the Grenadines.

St. Vincent and the Grenadines: 2008 adjusted quota includes 100 t transfer from Chinese Taipei.

2.2 Southern albacore

General: Over-harvests must be adjusted, but under-harvests cannot be carried over [Rec. 04-04].

Specific: Japan shall endeavor to limit its total southern albacore catch to a maximum of 4% in weight of its total bigeye tuna longline catch in the Atlantic South of 5°N [Rec. 04-04].

CPCs actively fishing for southern albacore are Brazil, Namibia, South Africa and Chinese Taipei, which share a TAC of 30915 t [Rec. 04-04].

Japanese percentages of bigeye South of 5°N are 4.9% in 2004, 4.2% in 2005, 3.0% in 2006 and 2.2% in 2007. Catches for 2006 and 2007 are provisional.

South Africa informed the Compliance Committee that the sharing arrangement with a TAC of 26,333.6 t had been agreed within Panel 3 in 2007. Only the total TAC is reflected in Rec. 07-03.

Belize shall carry over 150 t from 2007 to 2008.

2.3 Northern swordfish

General: Over-harvests must be adjusted, and under-harvests may be carried over to the following year or biennially. Starting in 2007, not more than 50% of the initial catch limit may be carried over [Recs. 02-02 and 06-02].

Specific: The United States may harvest up to 200 t of its annual catch limit within the area between 5°N and 5°S. 25t is transferred from the U.S. catch limit to Canada for the years 2003-2008 inclusive.

20 t of the catch limit of United Kingdom (Overseas Territories) is transferred to France (St. Pierre and Miquelon) for the years 2007 and 2008 [Rec. 06-02].

Japan's catch limit shall be considered in light of the two-year period. Under-harvests from 2006 may be added to the total two-year catch limit. Japan shall be allowed to count up to 400 t of its North swordfish catch East of 35°W and South of 15°N against its South Atlantic swordfish under-harvest. [Recs. 02-02 and 06-02]

The adjusted quota for 2008 for Canada includes a 25 t transfer from the United States in 2002-2008 (U.S. quota for 2008 does not reflect 25 t adjustment). U.S. catches in 2004, 2005 and 2006 include discards.

For Japan, the balance for 2004 includes a 184 t allowance from Japanese South swordfish quota [Rec. 02-02]. Balance for 2005 includes a 257 t allowance from the Japanese South swordfish quota [Rec. 02-02]. The balance for 2006 includes a 266 t allowance from the Japanese South swordfish quota [Rec. 04-02]. Total balances for the 2002-2006 period shall be applied to the 2007-2008 period [Rec. 06-02]. 2006 and 2007 catches are provisional.

France (St. Pierre and Miquelon)/United Kingdom (Overseas Territories): 20 t transferred to France (St. Pierre and Miquelon) from United Kingdom (Overseas Territories) for 2007 and 2008 [Rec. 06-02].

Chinese Taipei: 2007 adjusted quota is 405 t. ($=270+270*50\%$) due to the underage of 2006 exceeding 50% of the 2007 catch limit; 2008 adjusted quota is 405 t. ($=270+270*50\%$) due to the underage of 2007 exceeding 50% of the 2008 catch limit.

2.4 Southern swordfish

General: Over-harvests must be adjusted, but under-harvests may not be carried over for the period 2003-2006 (subject to the exceptions below) [Rec. 02-03]. From 2007-2009, under-harvest of up to 50% of the initial catch limit/quota may be carried over to the following year or biennially [Rec. 06-03].

Specific: Japan and the United States may carry over under-harvests of the period 2002-2006 [Rec. 02-03], as can those who lodged an objection to Rec. 97-08 (Brazil, South Africa, Uruguay).

Japan, United States and Chinese Taipei may carry over the following amounts from 2006 to 2007: Japan = up to 800 t; United States = up to 100 t; Chinese Taipei up to 400 t [Rec. 06-03].

100 t transferred from Japan to Chinese Taipei in 2003 [Rec. 03-05].

Japan shall be allowed to count up to 400 t of its North swordfish catch East of 35°W and South of 15°N against its South Atlantic swordfish under-harvest [02-03 and 06-03].

Brazil may harvest up to 200 t of its annual catch limit within the area between 5°N and 15°N [Recs. 02-03 and 06-03].

Chinese Taipei 2008 adjusted quota includes 274 t of 2007 underage.

For Japan, the adjusted quota in 2005 and in 2006 excludes 257 t and 266 t, respectively to count as Japanese North swordfish catch [Rec. 02-03]. Japanese underages in 2006 are carried over to its 2007 quota up to 800 t [Rec. 06-03]. 2006 and 2007 catches are provisional.

2.5 Bluefin tuna east

As mentioned in section 1, the Compliance Table for east bluefin tuna was not adopted by the Commission.

General: Over-harvests must be adjusted, and under-harvests arising from 2003-2004 catches may be carried over to the following year or biennially [Rec. 02-08]. For under-harvests in 2005 and 2006, not more than 50% of under-harvests can be carried over either to 2007 or in accordance with the carry over plans submitted and approved in 2007. No other carry over of under-harvests is permitted from 2007 onwards. Over-harvests in 2005 and 2006 shall not be deducted from future allocations [Rec. 06-05].

Specific: For the period of 2002-2006, the Korean and Chinese Taipei share of 1.5% was activated when under-harvest had been fished.

Under-harvests by Iceland transferred to the EC for the period 2003-2006. EC overage is provisional to be paid back in accordance with Rec. 07-04.

Turkey has lodged an objection to the quota allocation for 2007-2010.

The Chinese Taipei adjusted quota of 2007 includes 50% of under-harvest of 2005 and 2006.

Japan: 2006 and 2007 figures are provisional.

As mentioned in Rec. 08-05 (paragraph 14), the Commission agreed to some carry over. Libya has indicated that it intends to distribute its under-harvest over the period up to 2010, with 79 t in 2007, 145.25 t in 2008, 2009 and 2010 (total = 2006 balance / 2).

Morocco has indicated that its quotas for 2007 and 2010 are adjusted as follows: balance of 2005+2006 x 50% = 1308. This will be spread over 4 years by adding 327 t per year to the initial quota.

Tunisia has indicated that they intend to distribute their under harvest of 514 t over the period up to 2010 as follows: 2008: 110 t; 2009: 202 t and 2010: 202 t.

Additionally, Korea and China indicated their intentions, as follows:

Korea indicated that it intends to distribute its under-harvest over the period up to 2010, with 170 t in 2007, 163.23 t in 2008, 3.72 t in 2009 and 2010 (total 336.95=2006 balance / 2).

China has indicated that its 2008 adjusted quota should be 80 t: 33 t of underage in 2004 to be adjusted to 2006 and then to 2008.

2.6 Bluefin tuna west

General: Over-harvests must be adjusted, and under-harvests may be carried over to the following year for the years 1998-2006 [Rec. 98-07]. From 2007, the carry over of under-harvest may not exceed 50% of the initial TAC allocation, except for quotas of 25 t or less [Rec. 06-06].

Note: Exemptions of up to 15 t bluefin tuna in the mid-Atlantic may still be granted under Rec. 01-08.

Specific: 100 t transferred from the United States under-harvest to Mexico for the years 2007 and 2008 [Rec. 06-06].

50 t transferred from the United States under-harvest to Canada for the years 2007 and 2008 [Rec. 06-06].

Canada, Japan and the United States may add 50% of unused dead discard allowance to their catch limits. 100% of over-harvest of discards must be deducted from their catch limits.

For Canada, the balance and adjustments for 2004-2006 include 50% of unused dead discard allowance from the previous year.

Japan: 2006 and 2007 figures are provisional.

Figures for Mexico have not been adjusted as such adjustment has not been requested by Mexico in previous years. May be subject to adjustment.

The U.S. balance for 2005 has been reduced by 125 t, 50 t of which is allocated to Canada and 75 t of which is allocated to Mexico for the year 2007. The U.S. balance for 2006 reduced by 150 t, 50 t of which is to be allocated to Canada and 100 t of which is to be allocated to Mexico in 2008.

2.7 Bigeye

General: Over-harvests must be adjusted, and under-harvests of up to 30% of the quota may be carried over to the following year or biennially [Rec. 04-01].

Specific: Catch limit for Chinese Taipei for 2006 was set by Rec. 05-02.

1250 t transferred from Japan to China and 1250 t transferred from Japan to Chinese Taipei in 2003 [Rec. 03-02]. 2000 t transferred from Japan to China for the years 2005-2008 [Rec. 05-03].

China: figures calculated from 2002-2004. Overages not adjusted from 2005 onwards as paid back with annual 500 t reduction under Rec. 04-01.

Japan: Adjusted catch limit in 2005-2008 excludes 2000 t transferred to China [Res. 05-03]. 2006 and 2007 catches are provisional.

U.S. 2005 shows corrected values to reflect catches as reported to SCRS.

The Chinese Taipei 2005 adjusted quota has been reduced by 1600 t in accordance with the provision of Rec. 04-01. The 2007 adjusted quota has been reduced by 1600 t in accordance with the provision of Rec. 04-01 plus 2916 t of 2005 underage ($17816=16500-1600+2916$). 2008 adjusted quota has been reduced by 1600 t in accordance with the provision of Rec. 04-01 plus 1635 t of 2006 underage ($16535=16500-1600+1635$).

2.8 Billfish

General: Limits only apply to commercial longline and purse seine vessels. Adjustments may be made in accordance with Rec. 00-14. Only reported adjustments have been shown.

Brazil: Reported catches in 2007 include live and dead releases. About 43.2 t of billfish discarded were recorded by the observers: 24.4 t live and 18.8 t dead.

Japan: 2006 and 2007 catches are provisional.

Mexico: Only landings of dead by-catches are retained. All live billfish are released.

Trinidad and Tobago: landings are only by-catches.

North Atlantic Albacore Compliance Table adopted in 2008.

YEAR	Initial catch limits					Current catch				Balance				Adjusted quota/ catch limit				
	2004	2005	2006	2007	2008	2004	2005	2006	2007	2004	2005	2006	2007	2004	2005	2006	2007	2008
TAC	34500	34500	34500	34500	30200													
BARBADOS	200	200	200	200	200	8.2	10.9	9	7.0	91.8	189.1	191	293.0				300	300.0
BELIZE		100	200	200	200	0	0	0	21.8		100	200	178.2		100	300	300	300.0
BRAZIL	200	200	200	200	200	0	0	0	0.0									
CANADA	200	200	200	200	200	27.1	52.1	27.3	22.2	172.9	147.9	172.7	177.8		300	300	300	300
CHINA	200	200	200	200	200	32.1	111.6	202.0	59.0	167.9	188.4	98.0	241.0		300.0	300.0	300.0	300
EUROPEAN COMMUNITY	28712	28712	28712	28712	25462	16912.6	34947.5	29232.1	17803.1	24216.9	15106.0	11588.4	25264.9	41129.5	50053.5	40820.5	43068.0	37050.4
FRANCE (St. P & M)	200	200	200	200	200	7.0	2.1	0.0	10.0	293.0	297.9	300.0	290.0	300.0	300.0	300.0	300.0	300.0
JAPAN	639	615	772	844	?	1289.0	1040.0	368.0	299.0									
KOREA	200	200	200	200	200		59.0	31.0	37.0		141.0	169.0	263.0			300.0	300.0	300.0
MAROC	200	200	200	200	200	120.0	178.0	98.0	96.0	80.0	102.0	202.0	204.0		280.0	300.0	300.0	300
St. VINCENT			200	200	200			76.0	263.0			124.0	37.0				300.0	337.0
SENEGAL	0.0	0.0	0.0	400	400	108.0	108.0			-108.0	-108.0							
TRINIDAD & TOBAGO	200	200	200	200	200	12.2	9.0	12.4	18.4	187.8	291.0	187.6	281.6		300.0	300.0	300.0	300.0
UKOT	200	200	200	200	200	1.0	1.0	0.0	0.2	199.0	199.0	200.0	200.0		300.0	300.0	300.0	300.0
USA	607	607	607	607	538	646.6	486.5	399.6	531.7	118.6	239.1	446.5	378.8	765.2	725.6	846.1	910.5	841.5
VANUATU		200	200	200	200	414.0	507.0	235.0			-307.0	-35.0					145.0	
VENEZUELA	270	270	270	270	250	457.0	175.0	321.0	375.0	-340.5	-245.5	-296.5		116.5	-70.5	24.5	-26.5	
CHINESE TAIPEI	4453	4453	4453	4453	3950	4278.0	2540.0	2357.0	1297.0	175.0	1913.0	2387.0	5069.0	4569.0	4453.0	4744.0	6366.0	5825
TOTAL CATCH						24312.8	40227.7	33368.4	20840.4									
Recommendation number	03-06	03-06	03-06	06-04	07-02									03-06	03-06	03-06	06-04	07-02

JAPAN is to endeavour to limit North Albacore catches to no more than 4% of its total bigeye tuna catch (8.1% in 2004, 6.8% in 2005, 1.9% in 2006 and 1.4% in 2007).

JAPAN: 2006 and 2007 figures are provisional.

CHINESE TAIPEI: Adjusted quota of 2008 is 5825t.(5925=3950+3950*50%-100) due to the underage of 2006 exceeding 50% of 2008 catch quota and a transfer of 100t to St.Vincent & The Grenadines.

ST. VINCENT & THE GRENADINES: 2008 Adjusted quota includes 100 t transfer from Chinese Taipei.

South Atlantic Albacore Compliance Table Adopted in 2008.

YEAR	Initial quota /catch limit			Reference years	Current catches			Balance			Adjusted quota (only applicable in case of overharvest)		
	2006	2007	2008	Average 1992-1996	2005	2006	2007	2005	2006	2007	2006	2007	2008
TAC	30915	30915	29900										
BRAZIL	TAC share 27500			TAC share 26336,3	555.8	360.8	535.1	13324.2	8866.0	8826.0			
NAMIBIA					3107.0	2245.0	1196.0						
SOUTH AFRICA					3198.0	3735.0	3797.1						
CHINESE TAIPEI					10730.0	12293.0	13146.0						
BELIZE	360.0	360.0	360.0	327.0	0.0	54.4	31.9	180.0	54.4	328.1			510.0
CHINA	100.0	100.0	100.0	0.0	94.9	100.0	35.0	5.1	0.0	65.0	n.a	n.a	n.a
EUROPEAN COMMUNITY	1914.7	1914.7	1914.7	1740.6	621.2	705.1	782.9	1293.5	1209.6	1132.0			
GUATAMALA	100.0	100.0	100.0			40.0							
JAPAN	426.0	500.0	?		320.0	324.0	270.0						
KOREA	100.0	100.0	100.0	9.0	42.0	81.0	31.0	68.0	19.0	34.0			
PANAMA	119.9	119.9	119.9	109.0	0.0		18.0	119.9					
PHILIPPINES	100.0	100.0	100.0	0.0	61.0	0.0	20.1	39.0	100.0	79.9			
ST VINCENT & GRENADINES	100.0	100.0	100.0			65.0	160.0		35.0	-60.0			
SENEGAL	0.0	300.0	400.0										
UK-OT	100.0	100.0	100.0	40.0	0.0	62.0	45.0	100.0	38.0	55.0			
URUGUAY	100.0	100.0	100.0	40.0	32.0	93.0	34.0	68.0	7.0	66.0			
USA	100.0	100.0	100.0	0.2	0.0	0.0	0.0	100.0	100.0	100.0			
VANUATU	100.0	100.0	100.0		684.0	1400.0		-584.0	-1300.0				
TOTAL CATCH					19351.0	21558.3	20102.1						
<i>Rec. number</i>	<i>04-04</i>	<i>04-04</i>	<i>07-03</i>								<i>04-04</i>	<i>04-04</i>	<i>07-03</i>

JAPAN is to endeavour to limit its total South albacore catches to no more than 4% of its total bigeye tuna catch South of 5 degrees North (4.9% in 2004; 4.2% in 2005, 3.0% in 2006 and 2.2% in 2007).

JAPAN: 2006 and 2007 figures are provisional.

BELIZE: 150 t of carry over from 2007 to 2008.

North Atlantic Swordfish Compliance Table Adopted in 2008.

YEAR	Initial quota					Current catches				Balance				Adjusted quota			
	2004	2005	2006	2007	2008	2004	2005	2006	2007	2004	2005	2006	2007	2005	2006	2007	2008
TAC	14000	14000	14000	14000	14000												
BARBADOS	25	25	25	45	45	23.5	38.7	39.0	27.0	16.5	2.8	-11.2	6.8	41.5	27.8	33.8	51.8
BELIZE				130	130	0.0	0.0	0.0	8.7	0.0	0.0	0.0	121.3			130.0	195.0
BRAZIL	50	50	50	50	50	0.0	0.0	0.0	0.0	50.0	50.0	50.0	50.0				
CANADA	1348	1348	1348	1348	1348	1203.3	1557.9	1403.6	1266.2	289.8	104.9	29.5	30.0	1662.8	1433.1	1296.2	1365.0
CHINA	75	75	75	75	75	55.8	108.0	72.0	85.0	19.2	5.2	3.0	11.0	113.2	75.0	96.0	96.0
COTE DIVOIRE				50	50	0.0	0.0	0.0		0.0	0.0	0.0				50.0	
EUROPEAN COMMUNITY	6718	6718	6718	6718	6718	6798.8	6600.3	6491.6	6304.1	42.5	1100.1	268.9	1514.0	7700.4	6760.5	7818.1	6986.9
FRANCE (St. P & M)	35	35	35	40	40	35.6	48.4	0.0	98.0	-0.6	32.7	34.4	-5.3	81.1	34.4	92.7	94.4
JAPAN	842	842	842	842	842	700.0	760.0	820.0	581.0	326.0	339.0	288.0	2216.0	842.0	842.0	2797.0	3058.0
KOREA				50	50	0.0	51.0	21.0	195.0	0.0		-21.0	-145.0				-95.0
MAROC	335	335	335	850	850	335.0	325.0	341.0	229.0	7.2	17.2	1.2	621.0	342.2	342.2	850.0	851.2
MEXICO	110	110	110	200	200	44.0	41.0	31.0	35.0	66.0	69.0	79.0	165.0				
PHILIPPINES				25	25	0.0	0.0	0.0	0.0	0.0	0.0	0.0	25.0				37.5
SENEGAL				400	400	108.0	108.0		18.0	-108.0	-108.0		382.0			400.0	
ST VINCENT & THE GREN.				130	130	7.0	7.0		51.0	-7.0	-7.0		79.0			130.0	195.0
TRINIDAD & TOBAGO	125	125	125	125	125	82.7	91.0	19.2	28.5	22.9	56.9	105.8	202.3	147.9	181.9	230.8	187.5
UK-OT	35	35	35	35	35	5.0	5.0	0.0	3.0	132.0	162.0	197.0	209.0	162.0	197.0	212.0	32.5
USA	3907	3907	3907	3907	3907	2545.5	2205.6	2261.8	2666.0	4412.2	6113.5	7758.7	3194.5	8319.1	10020.5	5860.5	5860.5
VANUATU				25	25	35.0	29.0	14.0		-35.0	-29.0	-14.0				25.0	
VENEZUELA	85	85	85	85	85	46.1	55.0	22.0	30.0	79.2	209.2	63.0	264.2	264.2	85.0	294.2	148.0
CHINESE TAIPEI	310	310	310	270	270	30.0	140.0	172.0	103.0	22.0	170.0	160.0	302.0	310.0	332.0	405.0	405.0
<i>Recommendation number</i>	02-02	02-02	02-02	06-02	06-02									02-02	02-02	02-02	06-02
DISCARDS																	
<i>Canada</i>						44.8	106.3	38.0	60.8								
<i>USA</i>						included in catches											
TOTAL DISCARDS																	
TOTAL CATCH																	

CANADA: Includes 25 t transfer from USA in 2002-2008. 2006 discards have been deducted from 2008 quota. USA adjusted quota does not include this transfer.

JAPAN: Balance for 2004 includes 184 t allowances from Japanese S.SWO quota (Rec. 02-02). Balance for 2005 includes 257 t allowances from Japanese S. SWO quota (Rec. 02-02).

Balance for 2006 includes 266 t allowance from Japanese S.SWO quota (Rec. 04-02). Total balances for the 2002-2006 period shall be applied to the 2007-2008 period (Rec. 06-02).

JAPAN: 2006 and 2007 figures are provisional.

USA: Catches in 2004, 2005 and 2006 include discards.

FRANCE/UK-OT: 20 t transferred to France (SPM) from UK-OT for 2007 and 2008 (Rec. 06.02).

CHINESE TAIPEI: 2007 adjusted quota is 405t.(=270+270*50%) due to the underage of 2006 exceeding 50% of 2008 catch limit.

CHINESE TAIPEI: 2008 adjusted quota is 405 t.(=270+270*50%) due to the underage of 2007 exceeding 50% of 2008 catch limit.

South Atlantic Swordfish Compliance Table Adopted in 2008.

YEAR	Initial quota/catch			Current catches			Balance			Adjusted quota			
	2006	2007	2008	2005	2006	2007	2005	2006	2007	2005	2006	2007	2008
TAC	16055	17000	17000										
ANGOLA		100.0	100.0	3.00									
BELIZE		150	150	0.0	0.0	119.70			30.00			150.00	180.00
BRAZIL	4365	4720	4720	3785.5	4430.2	4152.50	2871.6	2806.40	2927.50	6657.10	7236.6	7080.00	7080.00
CHINA	315	315	315	91.3	300.00	473.00	260.9	15.00	-1.00	352.20	315.00	472.00	472.00
CHINESE TAIPEI	720	550	550	744.00	377.00	671.00	52.00	395.00	274.00	796.00	772.00	945.00	824.00
COTE D'IVOIRE	100	150	150	75.00	39.47	17.00	25.00	60.52	133.00				225.00
EUROPEAN COMMUNITY	5780	5780	5780	5894.60	5741.90	5798.40	-44.60	-6.50	-63.00			5735.40	5773.50
GABON				0.00									
GHANA		100.0	100.0	55.00	32.00	65.00			35.00			100.00	135.00
JAPAN	1500	1315	1215	709.00	1674.00	1427.00	3534.00	2560.00	688.00	4243.00	4234.00	2115.00	1903.00
KOREA	0.0	50	50	65.00	98.00	94.00			-44.00			50.00	6.00
NAMIBIA	1140	1400	1400	919.00	1454.40	1038.00	221.00	-314.40	-212.00			825.60	1188.00
PHILIPPINES		50	50	1.00	12.00	58.00			-8.00			50.00	41.60
SAO TOME & PRINCIPE	0.0	100.0	100.0	147.00	138.00							100.00	
SENEGAL		300	400						77.00			300.00	
SOUTH AFRICA	1140	1200	1200	199.00	185.50	207.00	2201.00	3155.50		2400.00	3341.00	4355.00	
UK-OT	25	25	25	0.00	0.00	0.00	25.00	25.00	25.00				37.50
URUGUAY	850	1500	1500	843.00	620.00	464.00	-248.00	-18.00	1018.00	595.00	602.00	1482.00	1500.00
USA	100	100	100	0.00	0.00	0.00	100.00	100.00	100.00	544.60	644.60	200.00	200.00
VANUATU		20	20									20.00	
RUSSIA				1.00			-1.00						
TOTAL				9655.6	10672.3	14584.6							
<i>Recommendation number</i>	<i>02-03</i>	<i>06-03</i>	<i>06-03</i>							<i>02-03</i>	<i>02-03</i>	<i>06-03</i>	<i>06-03</i>

No carry over is allowed for southern swordfish in 2002-2006 unless specifically stated in Recommendation 02-03 or in cases where a party objected to Recommendation 97-08, as in the case of Brazil, South Africa and Uruguay
 JAPAN: Adjusted quota in 2005 and 2006 exclude 257 t and 266 t respectively to count as Japanese N. SWO catch (Rec. 02-03). Japanese underages in 2006 are carried over to its 2007 up to 800t (Rec. 06-03).

JAPAN: 2006 and 2007 figures are provisional.

CHINESE TAIPEI: 2008 adjusted quota includes 274t of 2007 underage.

East Atlantic Bluefin Tuna Compliance Table.

YEAR	Initial quota				Current catch			Balance			Adjusted quota			
	2005	2006	2007	2008	2005	2006	2007	2005	2006	2007	2005	2006	2007	2008
TAC	32000	32000	29500	28500										
ALGERIE	1600.00	1700.00	1511.27	1460.04	1530.00	1698.00	1511.00	-7.00	-5.00	0.27	1523.00	1693.00	1511.27	1460.04
CHINA	74.00	74.00	65.78	63.55	23.7	42.00	72.00	105.00	75.78		128.7	117.78	103.67	96.55
CROATIA	945.0	970.0	862.31	833.08	1017.0	1022.6	825.31	52.0	-0.6	36.90	1069.0	1022.0	862.31	833.08
EUROPEAN COMMUNITY	18331.00	18301.00	16779.55	16210.75	20600.30	19166.50	21801.30	2269.30	-865.50	5021.75	18331.00	18301.00	16779.55	16210.75
EC-Malta	Others quota		355.59	343.54	345.60	263.00							355.59	343.54
EC-Cyprus	Others quota		154.68	149.44	148.80	110.00							154.68	149.44
ICELAND	50.00	60.00	53.34	51.53	0.00	0.00	0.00	50.00	60.00	53.34	Balance to EC			51.53
JAPAN	2890.00	2830.00	2515.82	2430.54	3022.00	1760.00	2238.24	-40.00	1030.00	792.68	2982.00	2790.00	3030.92	2430.54
KOREA	1728.90	741.90	177.80	171.77	987.00	68.00	276.00	741.90	673.90	238.75	1728.90	741.90	514.75	338.72
LIBYA	1400.00	1440.00	1280.14	1236.74	1090.70	1254.00	1359.00	843.50	1029.50	0.00	1934.20	2283.50	1359.00	1381.99
MAROC	3127.00	3177.00	2824.30	2728.56	2497.00	2386.00	3059.00	1054.00	1562.00	92.30	3551.00	3948.00	3151.30	3055.50
TUNISIE	2583.00	2625.00	2333.58	2254.48	3249.00	2545.00	2195.00	948.00	1028.00	138.60	4197.00	3573.00	2333.60	2364.48
NORWAY	under others quota		53.34	51.53	0.00	0.00	0.00			53.34			53.34	51.53
SYRIA			53.34	51.53			49.59						53.34	
TURKEY			918.32	887.19	990.00	806.00	879.07			8.12			918.00	887.19
CHINESE TAIPEI	331.00	480.00	71.12	68.71	277.00	9.00	0.00	54.00	471.00	68.71	331.00	480.00	333.60	68.71
TOTAL CATCH					34737.4	30107.5	34265.5							
Recommendation number	02-08	02-08	06-05	06-05							02-08	02-08	06-05	06-05

LIBYA: Libya has indicated that they intend to distribute their under-harvest over the period up to 2010, with 79t in 2007, 145.25 t in 2008,2009 and 2010 (total = 2006 balance / 2).

JAPAN: 2006 and 2007 figures are provisional.

TURKEY: Turkey has lodged an objection to the quotas for 2007-2010.

TUNISIE: has indicated that they intend to distribute their under-harvest of 514 t over the period up to 2010 as follows: 2008 = 110 t; 2009= 202 t and 2010= 202 t.

MOROCCO: Quotas for 2007 and 2010 are adjusted as follows: Balance of 2005+2006 x 50% = 1308. This will be spread over 4 years by adding 327 t per year to initial quota.

CHINESE TAIPEI: Adjusted quota of 2007 includes 50% of underharvest of 2005+2006.

EC: Overage is provisional to be paid back in accordance with Rec. 07-04.

West Atlantic Bluefin Tuna Compliance Table Adopted in 2008.

YEAR	Initial quota/catch limit					Current catch				Balance				Adjusted quota/limit			
	2004	2005	2006	2007	2008	2004	2005	2006	2007	2004	2005	2006	2007	2005	2006	2007	2008
TAC	2700	2700	2700	2100	2100												
CANADA	620.15	620.15	620.15	546.4	546.4	536.9	599.7	732.9	491.70	111.6	134.9	25.00	79.70	731.8	755.1	571.4	626.20
FRANCE (St. P & M)	4.00	4.00	4.00	4.00	4.00	9.80	4.90	0.00	2.80	9.71	8.81	12.81	14.00	13.71	12.80	16.81	18.00
JAPAN	478.25	478.25	478.25	380.47	380.47	459.99	592.22	245.60	382.54	18.26	-119.46	113.19	111.12	472.80	358.79	493.66	491.59
MEXICO	25.00	25.00	25.00	25.00	135.00	9.00	10.00	14.00	7.00	16.00	15.00	11.00	128.00				
UK-OT	4.00	4.00	4.00	4.00	4.00	0.00	0.00	0.00	0.00	19.80	23.80	27.80	31.80	23.80	27.80	31.80	35.80
USA	1489.60	1489.60	1489.60	1190.00	1190.12	863.20	687.80	477.20	849.00	431.60	1193.60	2206.00	936.20	1881.40	2683.20	1785.20	1785.20
TOTAL LANDING						1878.89	1893.82	1469.70	1733.04								
<i>Discards</i>	<i>2004.00</i>	<i>2005.00</i>	<i>2006.00</i>	<i>2007.00</i>	<i>2008.00</i>	<i>2004.00</i>	<i>2005.00</i>	<i>2006.00</i>	<i>2007.00</i>	<i>2004.00</i>	<i>2005.00</i>	<i>2006.00</i>	<i>2007.00</i>				
CANADA	5.6	5.6	5.6	n.a	n.a	0.4	0.00	0.00	0.70	5.2	5.6	5.6	n.a				
JAPAN	5.60	5.60	5.60	n.a	n.a	0.00	0.00	0.00	n.a	5.60	5.60	5.60	n.a	5.60	5.60	n.a	n.a
USA	67.72	67.70	67.70	n.a		66.50	46.40	29.40		1.20	21.30						
TOTAL DISCARDS	73.3	73.3	73.3			66.5	46.4	29.4	0.7	6.8	26.9	11.2					
TOTAL REMOVAL						1945.4	1940.2	1499.1	1733.7								
<i>Recommendation number</i>	<i>02-07</i>	<i>02-07</i>	<i>02-07</i>	<i>06-06</i>	<i>06-06</i>									<i>02-07</i>	<i>02-07</i>	<i>02-07</i>	<i>06-06</i>

JAPAN: 2006 and 2007 figures are provisional.

USA balance for 2005 has been reduced by 125 t, 50 t of which is allocated to Canada and 75 t of which is allocated to Mexico for the year 2007.

USA balance for 2006 balance reduced by 150 t, 50 t of which is to be allocated to Canada and 100 t of which is to be allocated to Mexico in 2008.

CANADA: Balance and adjustments for 2004-2006 include 50% of unused dead discard allowance from the previous year.

Figures for MEXICO have not been adjusted as such adjustment has not been requested by Mexico in previous years. May be subject to adjustment.

Bigeye Tuna Compliance Table Adopted in 2008.

YEAR	Initial catch limit				Reference years		Current catches			Balance			Adjusted catch limits		
	2005	2006	2007	2008	Average (91-92)	1999 (SCRS 2000)	2005	2006	2007	2005	2006	2007	2006	2007	2008
TAC	90000	90000	90000	90000											
ANGOLA					0.0	0.0	75.0	0.0							
BARBADOS					0.0	0.0	21.8	18.0	40.0						
BELIZE				2100	0.0	0.0	0	3.6	60.2			2039.0			
BRAZIL					570.0	2024.0	1080.7	1479.3	1593.4						
CANADA					46.5	263.0	186.6	196.1	141.6						
CAP VERT					128.0	1.0	1092.0	1437.0	1147.0						
CHINA	5400	5700	5900	5900	0.0	7347.0	6200.2	7200.0	7399.0	699.8	0.0	700.8	7200.0	8099.8	8100.8
EC	25000	24500	24000	24000	26672.0	21970.0	19496.4	15552.5	13740.7	24981.0	30955.2	17759.3	46507.7	31500.0	31350.0
FRANCE (SPM)					0.0	0.0	5.8	0.0							
GABON					0.0	184.0	0.0	0.0							
GHANA	4000	4500	5000	5000	3478.0	11460.0	2333.0	9141.0	4633.0	341.0	-4538.7	-4077.4	4602.3	461.3	922.6
GUATEMALA					0.0	0.0	1003.0	999.0	836.0						
JAPAN	27000	26000	25000	25000	32539.0	23690.0	15380.0	19312.0	21111.0	9620.0	4688.0	1889.0	24000.0	23000.0	24889.0
KOREA					834.0	124.0	681.0	1829.0	2136.0						
LIBYA					254.0	0.0	0.0	4.0							
MAROC					0.0	700.0	519.0	887.0	700.0						
MEXICO					0.0	6.0	4.0	3.0	3.0	n.a	n.a	n.a	n.a	n.a	n.a
NAMIBIA					0.0	423.0	436.0	436.6	41.0						
PANAMA	3500	3500	3500	3500	8724.5	26.0	2310.0	2415.0	2922.0	1190.0	1635.0	1128.0	4050.0	4050.0	4628.0
PHILIPPINES					0.0	943.0	1742.0	1815.0	2368.0						
RUSSIA					0.0	91.0	0.6	1.0	26.0						
S.TOME E PRINCIPE					0.0	0.0	6.0	4.0							
SENEGAL					7.0	0.0	721.0	1267.0	805.0						
SOUTH AFRICA					57.5	41.0	221.0	83.8	171.0	n.a	n.a	n.a	n.a	n.a	n.a
St. VINCENT & GR.					0.5			114.0	567.0						
TRIN. & TOBAGO					131.5	0.0	9.0	11.5	27.3						
UK-OT					6.5	8.0	1.0	25.0	18.5						
URUGUAY					38.0	59.0	62.0	83.0	22.0						
USA					893.5	1261.0	484.4	991.4	522.3						
VANUATU					0.0	0.0	403.0	52.0							
VENEZUELA					373.2	128.0	243.0	261.0	318.0						
CHINESE TAIPEI	16500	4600	16500	16500	12698.0	16837.0	11984.0	2965.0	12116.0	2916.0	1635.0	5700.0	4600.0	17816.0	16535.0
NETH. ANTILLES					0.0	0.0	1822.0	416.0	251.0						
TOTAL CATCH															
Recommendation number	04-01	04-01, 05-02	04-01, 05-03, 06-01	04-01, 05-03, 06-01									04-01, 05-03, 06-01	04-01, 05-03, 06-01	04-01, 05-03, 06-01

JAPAN/CHINA: Adjusted quotas of Japan in 2005-2008 exclude 2000 t transferred to China (Res. 05-03).

JAPAN: 2006 and 2007 figures are provisional.

CHINESE TAIPEI: 2005 adjusted quota has been reduced by 1600 t. in accordance with the provision of Rec. 04-01.

CHINESE TAIPEI: 2007 adjusted quota has been reduced by 1600 t. in accordance with the provision of Rec. 04-01 and plus 2916t. of 2005 underage (17816=16500-1600+2916).

CHINESE TAIPEI: 2008 adjusted quota has been reduced by 1600 t. in accordance with the provision of Rec. 04-01 and plus 1635t. of 2006 underage (16535=16500-1600+1635).

White Marlin Compliance Table Adopted in 2008.

	<i>Initial landings</i>				<i>Reference years (landings)</i>		<i>Current landings</i>			<i>Balance</i>			<i>Adjusted landings limit</i>			
	2005	2006	2007	2008	1996	1999	2005	2006	2007	2005	2006	2007	2005	2006	2007	2008
					(PS+LL)	(PS+LL)	LL+PS	LL+PS	LL+PS	LL+PS	LL+PS	LL+PS				
BRAZIL	51.81	51.81	51.81	51.81	70.00	158.00	243.70	89.70	52.20							
CANADA	2.60	2.60	2.60	2.60	8.00	5.00	4.70	3.20	2.20	-2.40	-0.60	0.40				
CHINA	9.90	9.90	9.90	9.90	9.00	30.00	8.60	5.60	9.90	1.30	4.30	0.00				
EUROPEAN COMMUNITY	46.50	46.50	46.50	46.50	148.00	127.00	30.00	79.40	48.40	18.80	-30.60	-1.90				
JAPAN	37.00	37.00	37.00	37.00	112.00	40.00	40.00	29.00	22.00	10.00	18.00	33.00	50.00	47.00	55.00	70.00
KOREA	19.47	19.50	19.50	19.50	59.00	0.00	7.00	2.00		12.50	17.50					
MEXICO	3.63	3.63	3.63	3.63	0.00	11.00	25.00	16.00	13.00	-21.40	-12.40	-9.40				
PHILIPPINES	4.00	3.96	3.96	3.96	0.00	12.00	0.00	0.00		3.96	4.00					
TRINIDAD & TOBAGO	0.00	0.00	0.00	0.00	0.00	0.00	5.00	5.40	12.00	-5.00	-5.40	-12.00				
VENEZUELA	50.04	50.04	50.04	50.04	152.00	43.00	27.10	6.00	24.00	22.90	44.00	26.00				
CHINESE TAIPEI	186.80	186.80	186.80	186.80	586.00	465.00	56.00	44.00	54.00	130.80	142.80	132.80				
TOTAL	411.8	411.7	411.7	411.7			447.1	280.3	237.7							
USA(# of fish whm+bum)	250	250	250	250			143	130	98	107	120	152				
<i>Recommendation number</i>	<i>02-13</i>	<i>02-13</i>	<i>06-09</i>	<i>06-09</i>									<i>00-14</i>	<i>00-14</i>	<i>00-14</i>	<i>00-14</i>

BRAZIL: Reported catches in 2007 include live and dead releases. About 43.2 t of marlins discarded were recorded by the observers: 24.4 t live and 18.8 t dead.

MEXICO: Only dead by-catch landings are retained. All live marlin are released.

JAPAN: 2006 and 2007 figures are provisional.

TRINIDAD & TOBAGO landings are only by-catches.

Blue Marlin Compliance Table Adopted in 2008.

	<i>Initial limits</i>				<i>Reference years (landings)</i>		<i>Current landings</i>			<i>Balance</i>			<i>Adjusted landing limits</i>			
	2005	2006	2007	2008	1996	1999	2005	2006	2007	2005	2006	2007	2005	2006	2007	2008
					<i>(PS+LL)</i>	<i>(PS+LL)</i>	<i>LL+PS</i>	<i>LL+PS</i>		<i>LL+PS</i>	<i>LL+PS</i>	<i>LL+PS</i>	<i>LL+PS</i>	<i>LL+PS</i>	<i>LL+PS</i>	<i>LL+PS</i>
BARBADOS	9.50	9.50	9.50	9.50	0.00	19.00	0.00	0.00	0.00	9.50	9.50					
BELIZE					0.00	0.00			3.77							
BRAZIL	254.40	254.40	254.40	254.40	308.00	509.00	611.60	297.60	252.90							
CHINA	100.50	100.50	100.50	100.50	62.00	201.00	96.30	99.00	65.00	4.20	1.00	35.50				
EUROPEAN COMMUNITY	103.00	103.00	103.00	103.00	206.00	200.00	47.00	166.30	174.30	56.00	-63.30	-71.30				
JAPAN	839.50	839.50	839.50	839.50	1679.00	790.00	487.00	851.00	1041.00	3337.50	3326.00	3124.50	3824.50	4177.00	4165.50	3964.00
KOREA	72.00	72.00	72.00	72.00	144.00	0.00	36.00	6.00		36.00	66.00					
MAROC	0.00	0.00	0.00	0.00	0.00	0.00	12.00	0.00	0.00	-12.00	0.00					
MEXICO	17.50	17.50	17.50	17.50	13.00	35.00	86.00	64.00	91.00	-68.50	-46.50	-73.50				
PHILIPPINES	35.50	35.50	35.50	35.50	0.00	71.00	0.00	0.00		35.50	35.50					
SOUTH AFRICA	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.90	1.60	0.00	-1.90					
TRINIDAD & TOBAGO	10.25	10.30	10.30	10.30	20.50	18.00	5.00	11.40	14.20	5.30	-1.10	-4.00				
VENEZUELA	30.37	30.40	30.40	30.40	60.74	29.99	29.00	12.00	21.00	1.40	18.40	9.40				
CHINESE TAIPEI	330.00	330.00	330.00	330.00	660.00	486.00	151.00	99.00	233.00	179.00	231.00	97.00				
TOTAL																
USA(# of fish whm+bum)	250	250	250	250			143	130	98	107	120	152				
<i>Recommendation number</i>	<i>02-13</i>	<i>02-13</i>	<i>06-09</i>	<i>06-09</i>									<i>00-14</i>	<i>00-14</i>	<i>00-14</i>	<i>04-14</i>

BRAZIL: Reported catches for 2007 include live and dead releases. About 58.1 t of marlins discarded were recorded by the observers: 57.9 t live and 0.2 t dead.

MEXICO: landings are only retained dead by-catch. All live marlin are released.

JAPAN: 2006 and 2007 figures are provisional.

TRINIDAD & TOBAGO: landings are only by-catches.

Compliance with size limits in 2007.

Species Area	SWO		BFT					
	AT.N	AT.S	AT.E	AT.E	AT.E	Medi	Adriatic	AT.W
Recommendation Number	06-02	06-02	06-05 for BB, TROL, TRAW <17 m	06-05 for BB, TROL, TRAW >17 m	06-05 all other gears	06-05.	06-05 Catches taken for farming purposes	06-06
Min Weight (kg)	25 or 15		8	8	30	10		30
Min Size (cm)	125 or 119		--	--	--	--		115
Tolerance (% of total)	15% 125cm - 0% 119cm		10% of quota with max. 200 t between 6.4 and 8kg per CPC	0%	8% between 10-30 kg	8% between 10-30 kg	0%	10% of quota
Algeria								
Angola								
Barbados								
Belize	n.a							
Brazil	n.a	10.6%						
Canada	< 1%							<1%
Cap Vert								
China	0	0			0	n.a		n.a
Côte d'Ivoire			n.a	n.a	n.a	n.a	n.a	n.a
Croatia							0%	
E.C.	11.50%	4%		0%	less than 8%	less than 8%		
Egypt								
France (St.P & M)	0	n.a	n.a	n.a	n.a	n.a	n.a	n.a
Gabon								
Ghana	n.a		n.a	n.a	n.a	n.a	n.a	n.a
Guinea Ecuatoria								
Guinee Republique								
Guatemala								
Honduras								
Iceland	n.a	n.a	n.a	n.a	n.a	n.a	n.a	n.a
Japan	12.5%	10.7%	n.a	n.a	0.8%		n.a	0.2%
Korea	< 1%	< 1%	n.a	n.a	n.a	0%	n.a	n.a
Libya						0%		
Maroc	< 1%	n.a	0%	0%	0%	0%	n.a	n.a
Mexico								0
Namibia								
Nicaragua								
Nigeria								
Norway	n.a	n.a	n.a	n.a	n.a	n.a	n.a	n.a
Panama								
Philippines								
Russia								
Sao Tome								
Senegal								
South Africa		0.10%						
SVG								
Syria								
Trinidad & Tobago	0							
Tunisie								
Turkey	n.a	n.a	n.a	n.a	n.a	n.a	1%	n.a
UKOT								
USA	0.07							13.04
Uruguay		14.20%						
Vanuatu								
Venezuela								
Chinese Taipei	1.77%	1.77%	n.a					
Guyana								
Ned. Antilles								

Statement by Vanuatu to the Compliance Committee [COC-321]

The figures related to Vanuatu albacore catches on the North and South Atlantic might have surprised numerous delegations.

It appears that such figures are not properly reflecting Vanuatu activities since they reflect activities of two CPCs, namely Vanuatu and Namibia. Indeed between 2005 and 2006, these two CPCs were under a bilateral agreement.

Some discussions took place last year between Vanuatu and Namibia to split Vanuatu's catches wrongly reflected in the ICCAT statistics. However, it looks like the outcomes of said discussions were not reflected in the tables.

Contacts have already been made with the Vanuatu Administration and Namibia to ensure that this matter is investigated and the figures be amended to reflect Vanuatu's actual catches.

Vanuatu, in cooperation with Namibia, will make its best efforts to liaise with the ICCAT Secretariat and provide the right figures.

For the information of the CPCs, Vanuatu's catches for 2007 show that Vanuatu quotas have been strictly respected being under the 100 t allocated to Vanuatu. Indeed, Vanuatu total catch for South Atlantic albacore is 96,423 t and for the North Atlantic is 94,579 t. These figures are explained simply because the agreement between Vanuatu and Namibia ended in 2006. The 2007 Vanuatu catch records will be provided to the ICCAT Secretariat in due course.

We would also like to take this opportunity to make a formal request with regards to quotas allocated to Vanuatu for the North and South albacore.

Reading the statistics published by the ICCAT Secretariat, it appears that the 2007 TAC for South Atlantic albacore was 30,915 t for a current catch of 2,0137t and the 2007 TAC of North Atlantic albacore was 34,500 t for a current catch of 20,840 t. The previous years's current catch show a similar gap.

We would therefore kindly request the competent body of ICCAT to envisage an increase of Vanuatu quotas of South and North Atlantic albacore for the years to come which would be more than welcome for such a small island State like Vanuatu.

**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 2008 meeting of the PWG was opened on Wednesday, November 19, 2008, under the chairmanship of Ms. S. Lapointe (Canada).

2. Appointment of the Rapporteur

Mr. Conor O'Shea (European Community) was appointed Rapporteur.

3. Adoption of the Agenda

The Agenda was adopted without changes and is attached as **Appendix 1 to ANNEX 11** [PWG-400].

The Chair noted that in the recent performance review of ICCAT it stated that implementation of trade measures for IUU were sound but there was a need to address items in relation to catch documentation and these would be dealt with under Agenda item 5.

4. Implementation and functioning of Statistical Document Programs

The ICCAT Executive Secretary, Mr. Driss Meski, presented the "Secretariat Report to the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures" [PWG-401], which included a section on the implementation and functioning of the Statistical Document Program (SDP). The main points were:

- The introduction of the Bluefin Tuna Catch Documentation scheme may necessitate the amendment of several ICCAT Recommendations in respect of the SDP.
- Clarification was requested in respect of the submission of biannual reports and matters in respect of wordfish re-export certificates.

In general, some minor problems were encountered which have made the implementation of the SDP difficult. There was confusion as there were no instructions as to whom the documents should be reported.

The Delegate of the EC informed the meeting that the EC had submitted its biannual report for the period January 2008-30 June 2008 on November 7. In order to assist the Secretariat it was the EC's interpretation that it was up to importing country to prepare the report. It was also clarified that in the event of re-export of fish caught by non-Contracting Parties from outside the Convention area, the ICCAT Re-export Certificate should be accompanied by an ICCAT Statistical/Catch document, with only the first sections completed.

The Chair recommended that the EC approach should be taken as an interpretation of the situation.

5. Implementation and functioning of the Bluefin Tuna Catch Document Scheme

The Chair asked the Delegate of Japan to present the two documents by Japan. The first was a proposal to amend the Recommendation 07-10 on an ICCAT Bluefin Catch Documentation Program [PWG-409] and the second an information paper on proposed bilateral consultations on the smooth implementation of the Catch Documentation Scheme (CDS) [PWG-408].

The Delegate from Japan informed the meeting that the document contained more than just a proposal to amend Recommendation 07-10. At the 2007 meeting of the PWG a new catch document had been introduced and this has been in operation since June 4, 2008. There have been several problems as this is the first year of operation. Part of the paper outlines the three types of problems and solutions.

The major problems were:

- Ambiguous provisions or different interpretations of the provisions contained in Rec. 07-10, e.g. how to deal with the transfer of live fish from one country to another and then exported to a third country. There is only one trade section in the document, which is insufficient in this scenario.
- A policy orientated issue and this relates to joint operations of purse seiners. This operation makes it very difficult for the Catch Document Scheme to function and therefore joint operations should be suspended until these matters have been resolved.
- Problems relating to those arising from misunderstandings of Rec. 07-10.

Japan offered to host bilateral consultations between exporting countries. This would help CPCs have a better understanding of the CDS system.

The CPCs agreed that it being the first year of operation, teething problems were to be expected and agreed that clarification on some points was needed. It was further agreed that bilateral consultations were necessary and that there is a need for all importing and exporting CPCs to be involved so that everyone has the same level of information.

The Executive Secretary outlined the problems for the Secretariat. The Program involves constant work and whilst the Secretariat had recruited someone to work with the data, this person has been working full time on the CDS as well as with having to train more staff members to assist.

Following the discussions of a Working Group, Japan introduced a revised draft recommendation to amend Rec. 07-10 on an ICCAT Bluefin Catch Documentation Program. The majority of the changes would help those using the CDS have a better understanding of the system and provide clarity. The Chair thanked the Working Group for their work and the *Recommendation by ICCAT Amending Recommendation 07-10 on an ICCAT Bluefin Tuna Catch Document Program* [PWG-409B] as amended during the meeting was adopted by the PWG and forwarded to the Plenary for final approval (see ANNEX 5 [Rec. 08-12]).

A Recommendation by ICCAT Amending Ten Recommendations and Three Resolutions [PWG-407]], as a result of the entry into force of Recommendation 07-10 was also adopted and forwarded to the Plenary for final approval (see ANNEX 5 [Rec. 08-11]).

The Delegate of the United States noted that according to the information presented by the Secretariat, some Parties had not submitted validation information and asked if those Parties would explain why such information was not submitted.

The Delegate of Iceland informed the meeting that Iceland had issued just one catch document but there was a technical difficulty with it and they have been talking to the Secretariat to resolve this and this was done this week.

The Delegate of China informed the meeting that China had not yet provided validation information but would consult with the Secretariat on this matter.

The Delegate of Syria informed the meeting that Syria had submitted its information very recently to the Secretariat. The delay in submitting the information was due to a major information technology problem which is now resolved.

6. Review of cooperation by non-Contracting Parties, Entities or Fishing Entities and determination of actions to be taken under the 2006 Recommendation by ICCAT Concerning Trade Measures [Rec. 06-13]

The Commission agreed on the following “Actions to be Taken in Relation to non-Contracting Parties, Entities and Fishing Entities in 2008” [PWG-404A] (attached as **Appendix 2 to ANNEX 11**).

Bolivia: A response had been received to the 2006 letter regarding two vessels. It was decided that sanctions should be maintained and there was a need to send a letter requesting the precise information required by the Commission.

Cambodia: No correspondence had been received from Cambodia but it was decided that there was insufficient information on the fishing and trade activities of Cambodia to warrant further action. It was decided to maintain identification and send a letter to Cambodia informing them of this and requesting the information required by the Commission. Japan was requested to maintain further bi-lateral contact.

Georgia: No response had been received to the 2007 letter and no new information was available. It was decided to maintain sanctions.

Sierra Leone: The Commission sought information from Sierra Leone on two vessels. Sierra Leone had indicated that the vessels were not on their register, either national or international. The United States informed the meeting that it had sent officials to the Sierra Leone International Shipping Register (ISR) which is based in New Orleans. Documentation there indicated that the two vessels were not on the Sierra Leone register. Concern was raised at the status of the registry in New Orleans and its relationship with the Sierra Leone Government and if there were any other Sierra Leone Registries operating outside of Sierra Leone. It was decided that identification should be maintained and that a letter should be sent to the Sierra Leone Government requesting information on the status of the International Shipping Register and whether it acted on behalf of Sierra Leone. There was also a need to seek the information on the monitoring, control and surveillance (MCS) measures and legislation in place for these vessels. The Secretariat was requested to send a letter to the ISR requesting a full list of the vessels on its register and the control measures in place. The United States was requested to continue investigating the activities of the ISR in New Orleans.

Togo: Correspondence had been received regarding the non renewal of the Togolese flag to some IUU vessels and Togo’s interest in becoming a member of ICCAT. It was decided to lift identification and to send a letter to Togo thanking them for their efforts.

Cuba: A letter was received in 2008 from Cuba outlining MCS measures in place and catches up to 2006. It was decided that no further action was warranted with relation to Cuba.

The Commission Chair’s letters to Bolivia, Georgia, Sierra Leone, Cambodia and Togo [PWG-406] are attached at **Appendix 3 to ANNEX 11**.

7. Review and development of the IUU vessel list pursuant to Recommendations 06-12 and 07-09

The Chair introduced the Provisional List of Vessels believed to have been engaged in Illegal, Unreported and Unregulated activities (IUU list). There were three new vessels, two Bolivian flagged vessels and one Chinese Taipei flagged vessel. Two vessels that were previously Sierra Leone flagged were now flagged as Unknown. The Compliance Committee had also forwarded information on two vessels the Manara I and the Manara II and also the vessel Daniaa [See COC-311] which is flagged as Unknown.

In respect of the two Bolivian vessels, the Executive Secretary informed the meeting that he had received correspondence on both vessels. The ICCAT Chairman had circulated a letter seeking an explanation. The vessels were Bolivian and then were flying a Libyan flag after leaving an EC port. Libya confirmed these were not Libyan vessels, and were currently tied up in a Libyan port awaiting the results of on-going investigations.

The Delegates of the EC and Libya presented details of the vessels and their activities and clarified that there were now four vessels, two in Malta (Sharon I and Gaia I, previously Manara 1 and Manara II) and two in Libya (Manara 1 and Manar 2, previously Abdi Baba and Cevahir). Both Parties were continuing to exchange

information and continuing their investigations into these vessels. It was agreed that the four vessels should be kept on the IUU list. Two of these vessels should be flagged Bolivia and two as “Unknown”.

A Chinese Taipei flagged vessel was also on the provisional list. The Executive Secretary had been informed by the United Kingdom (Overseas Territories) that this vessel had entered its EEZ without authorization and Chinese Taipei had informed the Secretariat that they had imposed sanctions on this vessel. UK-Overseas Territories were satisfied with this information. It was agreed that the vessel should be removed from the list.

The Chair informed the meeting that following Recommendation 07-09 a number of vessels were coming from the IUU lists of IOTC and the IATTC. The United States objected to those vessels being included on the ICCAT IUU list.

The Delegate of the United States supported the initiative within ICCAT for using the IUU list of other RFMO, and they were satisfied with the process at that time. The reason the United States now objected was because the circular only gave basic information and no other information was provided by the two RFMOs despite requests by the Executive Secretary for this information to the RFMOs concerned. Due process was necessary so that an informed decision could be made. Furthermore, if the Commission did not have the supporting information it limits what can be done when IUU vessels are encountered. There is a need to share this information and a clear mechanism was needed for doing this. Other RFMOs, such as NEAFC and NAFO, already do this. The way forward was for ICCAT to send notification to the other RFMOs informing them of the need for full information.

The Executive Secretary advised that he could prepare a procedure to be followed but he could not go any further than that which is already published in other RFMOs’ rules.

The CPCs expressed concern about the lack of information provided on these vessels from other RFMOs and at this time they should not be included on the IUU list. There was also a need for a letter from the Executive Secretary to other RFMOs highlighting the concerns raised and indicating information required. There is a possible reason why this information is not provided in that other RFMOs have not discussed this. It was agreed that the Executive Secretary should communicate the ICCAT IUU list and background information to other RFMOs if requested.

The Delegate of Morocco, supported by Algeria, requested that the Commission examine the position of a legal advisor to assist in making such decisions.

The Delegate of Algeria suggested that the Commission should look at an integrated approach to following the chain all the way through from the vessel to the market. Whilst the discussions were focused on IUU vessels perhaps there should be an IUU list for all activities, e.g. fattening farm operators, and the Commission should not limit itself to fishing and just focus on this. ICCAT should have an integrated approach for all activities.

The Chair thanked the Delegates of Morocco and Algeria and suggested that the request for a legal advisor should be raised at the plenary session and the point raised by Algeria should be raised at the Compliance Committee.

The Executive Secretary informed the meeting that when a vessel was on a provisional list, data are not publicly available. The data only go on public list when approved by the Commission.

The CPCs agreed that the information on the provisional IUU was useful but that as RFMOs removed vessels from their IUU lists this should also be done by ICCAT.

The Chair noted the consensus to keep all vessels on a provisional list which will not be publicly available and the “2008 List of Vessels Presumed to Have Carried out IUU Fishing Activities in the ICCAT Convention Area” [PWG-405A] was adopted (attached as **Appendix 4 to ANNEX 11**). The public list will not include IATTC and IOTC IUU vessels and other RFMOs will be requested to provide further information on the vessels concerned. It was expected that it will be discussed at a meeting of RFMOs planned for 2009. The Chair urged those that are members of other RFMOs to raise this issue in those fora also.

8. Requests for Cooperating Status

Chinese Taipei: Cooperating Status was renewed as Chinese Taipei provided information on the activities of its vessels under 24 meters and also on the management measures in place to control its directed fishery for northern albacore.

Guyana: Cooperating Status was renewed as Guyana had investigated the two IUU vessels and had provided the report to the Commission, as requested in the 2007 correspondence.

Netherlands Antilles: Cooperating Status was renewed as they had implemented ICCAT management measures as requested in the 2007 correspondence.

It was agreed that letters should be sent to the above regarding their Cooperating Status.

9. Other matters

No other matters were raised.

10. Adoption of the report and adjournment

It was agreed to adopt the 2008 Report of the PWG by correspondence.

Appendix 1 to ANNEX 11

Agenda

1. Opening of the meeting
2. Appointment of the Rapporteur
3. Adoption of the Agenda
4. Implementation and functioning of Statistical Document Programs
5. Implementation and functioning of the Bluefin Tuna Catch Document Scheme
6. Review of cooperation by non-Contracting Parties, Entities or Fishing Entities and determination of actions to be taken under the 2006 *Recommendation by ICCAT Concerning Trade Measures* [Rec. 06-13]
7. Review and development of the IUU vessel list pursuant to Recommendations 06-12 and 07-09
8. Requests for Cooperating Status
9. Other matters
10. Adoption of the report and adjournment

Actions to be Taken in Relation to non-Contracting Parties, Entities and Fishing Entities in 2008 [PWG-404A]

	<i>2007 Actions</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 06-12</i>	<i>Unreported Atlantic catch estimates from SDP 2006/07</i>	<i>Unreported catch estimate from other trade data</i>	<i>Observations/ other information</i>	<i>2008 Actions</i>
COOPERATING NON-CONTRACTING PARTIES, ENTITIES OR FISHING ENTITIES									
CHINESE TAIPEI	Renew Cooperating Status on the understanding that Chinese Taipei will make a report on the activities of its vessels of around 23.9 m and on the management measures in place to control its directed fishery for N. Alb	Yes	Yes	Yes	Yes, but not included on IUU list adopted by the Commission	No	No	Explanation and report on actions taken has been provided by Chinese Taipei in relation to possible IUU activities were considered sufficient.	Cooperating Status renewed. Secretariat to send letter informing Chinese Taipei of this.
GUYANA	Renew Cooperating Status, given that Guyana has taken steps to investigate and take action in regard to IUU allegations.	Yes	No	No (no export of these species).	No	No	No	Letter from Guyana received in relation to IUU activities.	Cooperating Status renewed. Secretariat to send letter informing Guyana of this.
NETH ANTILLES	Cooperating Status granted on the understanding that implementation of ICCAT management measures will be reviewed annually.	Yes	Yes	No (may not be relevant).	No	No	No	Netherlands Antilles has requested that status be renewed.	Cooperating Status renewed. Secretariat to send letter informing Netherlands Antilles of this.
OTHER NON-CONTRACTING PARTIES, ENTITIES OR FISHING ENTITIES									
BOLIVIA	Maintain sanctions and send letter thanking Bolivia for expressions of intent to cooperate, send detailed list exact information required and provide background on past actions which led to sanctions.	Response received to letter sent in 2006, and in relation to request for information on two vessels.	No	No	Yes - 2 vessels issued with special license. See PWG-405/08 for more details.	Not since 2005.	No		Maintain sanctions and send a letter to Bolivia requesting precise information required by the Commission.

CAMBODIA	Maintain identification and send letter requesting enhanced cooperation, reminding Cambodia of the possibility of imposing sanctions.	No	No	No	No	No	No		Maintain identification as insufficient information to warrant further steps. Send a letter to Cambodia informing them and requesting information required by the Commission. Japan to maintain further bi-lateral contacts.
GEORGIA	Maintain sanctions and send letter to inform Georgia of this, with reasons.	No	No	No	No	No	No		Maintain sanctions.
SIERRA LEONE	Maintain identification and send letter to express appreciation to SL for their cooperation, and stress that information pertains to high seas vessels which may be on international SL register, about which they may not be aware. Send additional letter to said international registry requesting information on vessels, with a copy to SL Ministry.	Yes	No	Yes	No	No	No	Two vessels were included on 2007 list, but Sierra Leone has reiterated that they are not flagged to SL, nor are they included in the international shipping registry of SL. Please see PWG-405/08 for more information.	Maintain identification and send letter to Sierra Leone asking about the status of International Shipping Register (ISR) and whether such register may act on behalf of SL. in place for vessels on ISR. Secretariat also to send letter to ISR requesting a full list of vessels on their register and the control measures in place, and relevant legislation. USA also to investigate activities of ISR in their territory.
TOGO	Identify and send letter informing Togo of this decision and the reasons for same.	Yes	Yes	No	No	No	No	No renewal of Togolese flag to some IUU vessels. Expressed interest in becoming Member of ICCAT.	Lift identification. Send a letter thanking Togo for its cooperation so far and encourage future efforts.

**Commission Chairman's Letters to
Non-Contracting Parties, Entities or Fishing Entities [PWG-406]**

1. Maintaining sanctions in 2009

– Bolivia

On behalf of the International Commission for the Conservation of Atlantic Tunas (ICCAT), I am writing to inform you that, at the 2008 annual meeting, the Commission took a decision 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 tuna by large-scale longline vessels in the Convention Area* [Rec. 02-20], a copy of which 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], which has since been replaced by the *Recommendation by ICCAT concerning Trade Measures* [Rec. 06-13].

As you will recall, the Commission imposed trade sanctions on Bolivia in 2002 due to evidence of an increasing number of IUU vessels operating under the Bolivian flag at that time, full details of which were again sent to your administration by the ICCAT Secretariat in 2007, and due to the increase in landings and transshipments of bigeye by these vessels.

The Commission was very encouraged to learn from previous correspondence that Bolivia was taking actions to ensure full monitoring and control of its vessels and intended to abide by the conservation and management measures currently in place, but regretted that no information indicating that such measures had been completed had yet been received. The Commission takes note of the letter received from the Bolivian authorities dated 24 November 2008 and received by the Secretariat on 1 December 2008, in which it is clarified that Bolivia currently has no fishing vessels authorized to operate in the ICCAT Convention area.

Notwithstanding, in order to reconsider its position *vis à vis* Bolivia, the Commission would be grateful to receive detailed information on the following:

- 1) the specific measures relating to monitoring, control and surveillance which Bolivia has adopted with respect to its fishing vessels;
- 2) Bolivia's total catch of Atlantic tuna and tuna-like species since 2002, by gear and area. A list of the species currently covered by the ICCAT mandate is attached for your information;
- 3) the markets to which Bolivia exports bigeye tuna and/or its products, and the ocean of origin of such products.

In the event of the Commission receiving, at least 30 days prior to the next Commission meeting, full information as outlined above and is satisfied that Bolivia has demonstrated positive action, the Commission will reconsider the issue, and sanctions may be lifted at that time. The next Commission meeting will be held in Recife, Brazil, 16-22 November 2009.

In closing, the Commission would like to invite Bolivia to participate in the 2009 ICCAT meeting as an observer. Further, the Commission would remind Bolivia that it can join ICCAT or seek cooperating status if Bolivia 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]. Please note that all ICCAT Recommendations and Resolutions can be downloaded from the ICCAT web site, www.iccat.int, or are available from the ICCAT Secretariat on request.

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

– Georgia

On behalf of the International Commission for the Conservation of Atlantic Tunas (ICCAT), I am writing to inform you that, at the 2008 annual meeting the Commission took a decision 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 Regarding Bigeye Tuna Trade Restrictive Measures on Georgia* [Rec. 03-18] a copy of which 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], which has since been replaced by the *Recommendation by ICCAT concerning Trade Measures* [Rec. 06-13]

The Commission is particularly concerned about the lack of response by Georgia in relation to previous correspondence. 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 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 Georgia 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 on the following

- 1) the specific measures relating to monitoring, control and surveillance which Georgia has adopted with respect to its fishing vessels;
- 2) Georgia's total catch of Atlantic tuna and tuna-like species since 2003, by gear and area. A list of the species currently covered by the ICCAT mandate is attached for your information.;
- 3) the markets to which Georgia exports bigeye tuna and/or its products.

In the event of the Commission receiving, at least 30 days prior to the next Commission meeting, full information as outlined above and is satisfied that Georgia has demonstrated positive action, the Commission will reconsider the issue, and sanctions may be lifted at that time. The next Commission meeting will be held in XX , November 2009.

In closing, the Commission would like to invite Georgia to participate in the 2009 ICCAT meeting as an observer. Information concerning that meeting will be furnished in due course. Further, the Commission would remind Georgia that it can join ICCAT or seek cooperating status if Georgia 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]. Please note that all ICCAT Recommendations and Resolutions can be downloaded from the ICCAT web site, www.iccat.int, or are available from the ICCAT Secretariat on request.

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

2. Maintaining identification in 2009

– Sierra Leone

On behalf of the International Commission for the Conservation of Atlantic Tunas (ICCAT), I am writing to inform you that, at the 2008 annual meeting of ICCAT, the Commission decided to continue to identify Sierra Leone as a country possibly engaged in activities which may undermine ICCAT conservation and management measures in accordance with the *Recommendation by ICCAT Concerning Trade Measures* [Rec. 06-13].

The Commission would like to thank Sierra Leone for previously responding to its concerns and for its expression of willingness to cooperate with ICCAT conservation and management measures, and has taken note that the vessels *Bigeye* and *Maria*, referred to in previous correspondence, are not on the national register of

Sierra Leone. Further investigations have also shown that neither are these vessels currently on the register of the Sierra Leone International Fishing Register.

Notwithstanding, the Commission has some concerns as to the level of management and controls in place for vessels included Sierra Leone International Fishing Register with headquarters in the United States.

The Commission would be grateful if the following information could be provided at least 30 days before the next meeting of the Commission:

- 1) Whether the International Shipping Register of Sierra Leone is a governmental organization authorized by Sierra Leone to act on its behalf;
- 2) The location of any other offices of the Sierra Leone International Shipping Register other than that of New Orleans, USA;
- 3) A full list of vessels currently included in the International Shipping Register of Sierra Leone;
- 4) Which, if any, of these vessels are licensed to fish in the Atlantic Ocean;
- 5) What management, control and surveillance measures are in place for these vessels, and the details regarding methods through which such controls are put into effect;
- 6) Catch statistics, if applicable, for any of the species currently under the ICCAT mandate (list attached).

The Commission at its meeting in 2009 will examine the information received and will reconsider the identification of Sierra Leone at that time.

The Commission would also like to invite Sierra Leone to participate in the 2009 ICCAT meeting, which will be held in XX November 2009 as an observer, and to remind you that Sierra Leone can join ICCAT or seek Cooperating Status if Sierra Leone 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]. Please note that all ICCAT Recommendations and Resolutions can be downloaded from the ICCAT web site, www.iccat.int, or are available from the ICCAT Secretariat on request.

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

– *Cambodia*

On behalf of the International Commission for the Conservation of Atlantic Tunas (ICCAT), I am writing to inform you that, at the 2008 annual meeting of ICCAT, the Commission decided to continue to identify Cambodia in accordance with the *Recommendation by ICCAT Concerning Trade Measures* [Rec. 06-13].

As you will recall, trade restrictive measures had previously been placed on bigeye tuna products from Cambodia as a result of illegal, unreported and unregulated (IUU) activities of fishing vessels flying the flag of Cambodia. These trade restrictive measures were lifted in 2004 as a result of subsequent cooperation by Cambodia and recognition of its efforts to deregister vessels involved in IUU activities.

Nevertheless, in 2006, it was noted with concern that no response has been received in relation to the monitoring, control and surveillance (MCS) measures put in place by Cambodia, as requested. In light of these circumstances, in 2006 the Commission identified Cambodia as a non-Contracting Party whose vessels have been fishing for ICCAT species in a manner that diminishes the effectiveness of ICCAT's conservation and management measures. As the information requested by the Commission has not yet been furnished by Cambodia, it has been agreed once again that the identification should be maintained.

The Commission again requests that you provide detailed information regarding 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.

The Commission will again review the situation of Cambodia at its next meeting, scheduled XXX. Information concerning actions taken by Cambodia relative to these matters should, therefore, be submitted to ICCAT at least 30 days prior to that meeting. If it is determined that Cambodia has not rectified the situation and continues to diminish the effectiveness of ICCAT, the Commission may once again take non-discriminatory trade restrictive measures on Atlantic tuna and tuna-like species and their products from Cambodia.

In closing, the Commission would like to invite Cambodia to participate in the 2009 ICCAT meeting as an observer. Information concerning this meeting will be forwarded in due course. Further, the Commission would remind Cambodia that it can join ICCAT or seek Cooperating Status if Cambodia 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]. Please note that all ICCAT Recommendations and Resolutions can be downloaded from the ICCAT web site, www.iccat.int or are available from the ICCAT Secretariat on request.

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

3. Lifting identification in 2009

– *Togo*

On behalf of the International Commission for the Conservation of Atlantic Tunas (ICCAT), I have the honor to bring to your attention that during the 16th Special Meeting of ICCAT the information provided by Togo, in response to its identification in 2007, was examined for a possible engagement in activities which may undermine ICCAT conservation and management measures. Based on this information, the Commission decided to lift the identification of Togo.

Furthermore, the Commission is pleased to learn of the additional measures taken by Togo in relation to fisheries control and appreciates receiving the catch statistics, list of vessels and other relevant information and looks forward to receiving further data and information submissions in the future. For more information, please contact the Secretariat or consult ICCAT's web site at: <http://www.iccat.int/fr/>.

The Commission also appreciates hearing that Togo is considering joining ICCAT, and looks forward to welcoming Togo as a Contracting Party

I thank you once again for your cooperation and should like to take this opportunity of assuring you of my highest consideration.

2008 List of Vessels Presumed to Have Carried Out IUU Fishing Activities in the ICCAT Convention Area [PWG-405A]

<i>Serial Number</i>	<i>Lloyds/IMO Number</i>	<i>Reporting CPC</i>	<i>Date Informed</i>	<i>Ref. #</i>	<i>Current Flag</i>	<i>Previous Flag</i>	<i>Name of Vessel (Latin)</i>	<i>Name (Previous)</i>	<i>Call Sign</i>	<i>Owner/Operator Name</i>	<i>Owner/Operator Address</i>	<i>Area</i>	<i>Gear</i>
20040005	Not available	JAPAN- sighting of tuna longliner in the Convention area, not on ICCAT Record of Vessels	24/08/2004	1788	UNKNOWN	NO INFO	BRAVO		T8AN3	NO INFO	NO INFO	AT	
20040006	Not available	JAPAN- Reefer company provided documents showing frozen tuna had been transhiped.	16/11/2004	PWG-122	UNKNOWN	NO INFO	OCEAN DIAMOND	NO INFO	NO INFO	NO INFO	NO INFO	AT	
20040007	Not available	JAPAN- Communications between fishing vessel and reefer company indicated tuna species had been taken in the Atlantic	16/11/2004	PWG-122	UNKNOWN	NO INFO	MADURA 2	NO INFO	NO INFO	(P.T. PROVISIT)	(Indonesia)	AT	

<i>Serial Number</i>	<i>Lloyds/IMO Number</i>	<i>Reporting CPC</i>	<i>Date Informed</i>	<i>Ref. #</i>	<i>Current Flag</i>	<i>Previous Flag</i>	<i>Name of Vessel (Latin)</i>	<i>Name (Previous)</i>	<i>Call Sign</i>	<i>Owner/Operator Name</i>	<i>Owner/Operator Address</i>	<i>Area</i>	<i>Gear</i>
20040008	Not available	JAPAN- Communications between fishing vessel and reefer company indicated tuna species had been taken in the Atlantic	16/11/2004	PWG-122	UNKNOWN	NO INFO	MADURA 3	NO INFO	NO INFO	(P.T. PROVISIT)	(INDONESIA)		
20050001	Not available	BRAZIL -fishing in Brazilian waters with no licence	03/08/2005	1615	UNKNOWN	SAINT VINCENT & GRENADINES	SOUTHERN STAR 136	HSIANG CHANG	NO INFO	KUO JENG MARINE SERVICES LIMITED	PORT OF SPAIN TRINIDAD & TOBAGO	AT	
20060001	Not available	SOUTH AFRICA- vessels had no VMS, suspected of having no tuna licence and of possible at-sea transhipments	23/10/2006	2431	UNKNOWN	NO INFO	BIGEYE	NO INFO	FN 003883	NO INFO	NO INFO	UNKN	
20060002	Not available	SOUTH AFRICA- vessels had no VMS, suspected of having no tuna licence and of possible at-sea transhipments	23/10/2006	2431	UNKNOWN	NO INFO	MARIA	NO INFO	FN 003882	NO INFO	NO INFO	UNKN	

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<i>Serial Number</i>	<i>Lloyds/IMO Number</i>	<i>Reporting CPC</i>	<i>Date Informed</i>	<i>Ref. #</i>	<i>Current Flag</i>	<i>Previous Flag</i>	<i>Name of Vessel (Latin)</i>	<i>Name (Previous)</i>	<i>Call Sign</i>	<i>Owner/Operator Name</i>	<i>Owner/Operator Address</i>	<i>Area</i>	<i>Gear</i>
20060003	Not available	E.C.- Vessels greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the MED during closed season	16/10/2006	2259	UNKNOWN	PANAMA	NO. 101 GLORIA	GOLDEN LAKE	NO INFO	NO INFO	NO INFO	MEDI	
20060004	Not available	E.C.- Vessels greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the MED during closed season	16/10/2006	2259	UNKNOWN	PANAMA	MELILLA NO. 103	NO INFO	NO INFO	NO INFO	NO INFO	MEDI	
20060005	Not available	E.C.- Vessels greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the MED during closed season	16/10/2006	2259	UNKNOWN	PANAMA	MELILLA NO. 101	NO INFO	NO INFO	NO INFO	NO INFO	MEDI	
20060006	Not available	E.C.- Vessels greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the MED during closed season	16/10/2006	2259	UNKNOWN	PANAMA	TONINA V	NO INFO	NO INFO	NO INFO	NO INFO	MEDI	

<i>Serial Number</i>	<i>Lloyds/IMO Number</i>	<i>Reporting CPC</i>	<i>Date Informed</i>	<i>Ref. #</i>	<i>Current Flag</i>	<i>Previous Flag</i>	<i>Name of Vessel (Latin)</i>	<i>Name (Previous)</i>	<i>Call Sign</i>	<i>Owner/Operator Name</i>	<i>Owner/Operator Address</i>	<i>Area</i>	<i>Gear</i>
20060007	Not available	E.C.- Vessels greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the MED during closed season	16/10/2006	2259	UNKNOWN	PANAMA	LILA NO. 10	NO INFO	NO INFO	NO INFO	NO INFO	MEDI	
20060008	Not available	E.C.- Vessels greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the MED during closed season	16/10/2006	2259	UNKNOWN	HONDURAS	No 2 CHOYU	NO INFO	NO INFO	NO INFO	NO INFO	MEDI	
20060009	Not available	E.C.- Vessels greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the MED during closed season	16/10/2006	2259	UNKNOWN	HONDURAS	ACROS NO. 3	NO INFO	NO INFO	NO INFO	NO INFO	MEDI	
20060010	Not available	E.C.- Vessels greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the MED during closed season	16/10/2006	2259	UNKNOWN	HONDURAS	ACROS NO. 2	NO INFO	NO INFO	NO INFO	NO INFO	MEDI	

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<i>Serial Number</i>	<i>Lloyds/IMO Number</i>	<i>Reporting CPC</i>	<i>Date Informed</i>	<i>Ref. #</i>	<i>Current Flag</i>	<i>Previous Flag</i>	<i>Name of Vessel (Latin)</i>	<i>Name (Previous)</i>	<i>Call Sign</i>	<i>Owner/Operator Name</i>	<i>Owner/Operator Address</i>	<i>Area</i>	<i>Gear</i>
20060011	Not available	E.C.- Vessels greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the MED during closed season	16/10/2006	2259	UNKNOWN	HONDURAS	No. 3 CHOYU	NO INFO	NO INFO	NO INFO	NO INFO	MEDI	
20060012	Not available	E.C.- Vessels greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the MED during closed season	16/10/2006	2259	UNKNOWN	HONDURAS	ORIENTE NO. 7	NO INFO	NO INFO	NO INFO	NO INFO	MEDI	
20080001	Not available (previously on ICCAT Record as AT000GUI00 0002)	Japan- Bluefin tuna caught and exported without quota	14/11/2008	COC-311/2008	UNKNOWN	Rep. of Guinea	DANIAA	CARLOS	3X07Q MC	ALPHA CAMARA (Guinean company) Operated by a /Korean company)	No info	E-ATL or MEDI	Longliner
20080002	Not available	ICCAT Chairman information	27/06/2008	1226	Bolivia	Turkey	CEVAHIR	SALIH BAYRAKTAR		J.L. JALABERT - S. PEREZ	11210 FRANCE - 66690 FRANCE	MEDI	Purse seiner
20080003	Not available	ICCAT Chairman information	27/06/2008	1226	Bolivia	Turkey	ABDI BABA1	EROL BÜLBÜL		J.L. JALABERT - S. PEREZ	11210 FRANCE - 66690 FRANCE	MEDI	Purse seiner

20080004	Not available (former ICCAT Register number AT000LIB0039)	ICCAT Chairman information	27/06/2008	1226	Unknown	Libya (previously British)	SHARON I	MANARA I (previously POSEIDON)	No info	MANARAT AL SAHIL Fishing Company	AL DAHRS. Ben Walid Street	MEDI	Purse seiner
20080005	Not available (former ICCAT Register number AT000LIB0041)	ICCAT Chairman information	27/06/2008	1226	Unknown	Libya (Previously Isle of Man)	GALA I	MANARA II (previously ROAGAN)	No info	MANARAT AL SAHIL Fishing Company	AL DAHRS. Ben Walid Street	MEDI	Purse seiner

Photographs available



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