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June 8, 2012

The Under-Secretary for Legal Affairs
Division for Ocean Affairs and the Law of the Sea (DOALOS)
New York, U.S.A.

DIVISION FOR OCEAN AFFAIRS
AND THE L

~~J.A. Brey~~
~~M. Stewart~~

**SUBJECT: ENTRY INTO FORCE OF THE CONSERVATION
RECOMMENDATIONS ADOPTED BY ICCAT AT ITS 22**

11.06.12

I have the honor to refer to my letter of December 7, 2011 transmitting the texts which were adopted at the 22nd Regular Meeting of the Commission held in Istanbul, Turkey, November 11 to 19, 2011.

In accordance with Article VIII of the ICCAT Convention, the Recommendations listed below entered into force on **June 7, 2012**.

- 11-01 *Recommendation by ICCAT on a Multi-Annual Conservation and Management Program for Bigeye and Yellowfin Tunas.*
- 11-02 *Recommendation by ICCAT for the Conservation of North Atlantic Swordfish*
- 11-03 *Recommendation by ICCAT for Management Measures for Mediterranean Swordfish in the Framework of ICCAT*
- 11-04 *Supplemental Recommendation by ICCAT Concerning the North Atlantic Albacore Rebuilding Programme*
- 11-05 *Recommendation by ICCAT on the Southern Albacore Catch Limits for 2012 and 2013*
- 11-06 *Recommendation by ICCAT Concerning the Atlantic-wide Research Programme for Bluefin Tuna (GBYP)*
- 11-07 *Recommendation by ICCAT to Further Strengthen the Plan to Rebuild Blue Marlin and White Marlin Populations*
- 11-08 *Recommendation by ICCAT on the Conservation of Silky Sharks Caught in Association with ICCAT Fisheries*
- 11-09 *Supplemental Recommendation by ICCAT on Reducing Incidental By-catch of Seabirds in ICCAT Longline Fisheries*
- 11-10 *Recommendation by ICCAT on Information Collection and Harmonization of Data by By-catch and Discards in ICCAT Fisheries*
- 11-11 *Recommendation by ICCAT to Clarify the Application of Compliance Recommendations and for Developing the Compliance Annex*
- 11-12 *Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels 20 Meters in Length Overall or Greater Authorized to Operate in the Convention Area*
- 11-13 *Recommendation by ICCAT on the Principles of Decision Making for ICCAT Conservation and Management Measures*
- 11-15 *Recommendation by ICCAT on Penalties Applicable in Case of non-Fulfillment of Reporting Obligations*
- 11-16 *Recommendation by ICCAT on Access Agreements*
- 11-18 *Recommendation by ICCAT Further Amending Recommendation 09-10 Establishing a List of Vessels Presumed to Have Carried Out Illegal, Unreported and Unregulated Fishing Activities in the ICCAT Convention Area*
- 11-19 *Recommendation by ICCAT Concerning the Lifting of Trade Restrictive Measures Against Bolivia and Georgia*

- 11-20 *Recommendation by ICCAT Amending Recommendation 09-11 on an ICCAT Bluefin Tuna Catch Documentation Programme*
- 11-21 *Recommendation by ICCAT Amending Recommendation 10-11 on an Electronic Bluefin Tuna Catch Document Programme (eBCD)*
- 11-23 *Recommendation by ICCAT to Amend the Terms of Reference of the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG)*
- 11-24 *Recommendation by ICCAT to Amend the Mandate and Terms of Reference Adopted by the Commission for the ICCAT Conservation and Management Measures Compliance Committee (COC)*
- 11-26 *Recommendation by ICCAT on the Establishment of a Meeting Participation Fund for Developing ICCAT Contracting Parties*

The texts of these Recommendations are available on the ICCAT web site at the following address:

<http://www.iccat.int/en/RecsRegs.asp>

Please accept the assurances of my highest consideration.



Driss Meski
Executive Secretary

Attachments: 22 Recommendations.

**RECOMMENDATION BY ICCAT ON A MULTI-ANNUAL CONSERVATION
AND MANAGEMENT PROGRAM FOR BIGEYE AND YELLOWFIN TUNAS**

CONSIDERING that the adoption of a multi-annual program for the medium-term will contribute to the conservation and sustainable management of the bigeye and yellowfin tuna fishery;

EXPRESSING GRAVE CONCERN about the difficulties encountered by the Standing Committee on Research and Statistics (SCRS) in investigating the state of the stock of bigeye and yellowfin tunas from the Convention area because of the lack of reliable data collection mechanisms by some CPCs;

IN VIEW THEREFORE OF THE NEED to closely monitor the fishing activities by fishing vessels;

AWARE of the considerable efforts that have already been carried out by CPCs involved in these fisheries;

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;

NOTING that the SCRS does not have the data necessary to fully evaluate options for area/time closures and to propose precise relevant recommendations;

RECOGNIZING that a pilot implementation of an area/time closure will contribute to the collection of such necessary data, and will favour the reduction of the catches of juvenile bigeye and yellowfin tunas;

RECOGNIZING also that timely reporting of catch will assist greatly in the monitoring of the fisheries;

RECOGNIZING the necessity to adopt monitoring and control measures to ensure the respect of conservation and management measures and to improve the scientific assessment of those stocks is necessary;

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

Multi-annual Management and Conservation Program

1. Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities (CPCs) whose vessels fish bigeye and/or yellowfin tunas in the Convention area shall implement a Multi-annual Management and Conservation Program for the period 2012-2015.

Capacity limitation for bigeye tuna

2. A capacity limitation shall be applied for the duration of the Multi-annual Program, in accordance with the following provisions:
 - a) The capacity limitation shall apply to vessels 20 meters length overall (LOA) or greater fishing bigeye tuna in the Convention area.
 - b) CPCs which have been allocated a catch limit in accordance with paragraph 11 shall each year:
 - i) Adjust their fishing effort so as to be commensurate with their available fishing possibilities
 - ii) Be restricted to the number of their vessels notified to ICCAT in 2005 as fishing for bigeye tuna. However, the maximum number of longline and purse seine vessels shall each year be subject to the following limits:

<i>CPC</i>	<i>Longliners</i>	<i>Purse seiners</i>
China	45	-
EU	269	34
Ghana	-	13
Japan	245	-
Panama	-	3
Philippines	11	-
Korea	14	-
Chinese Taipei	75	-

- c) Ghana shall be allowed to change the number of its vessels by gear type within its capacity limits communicated to ICCAT in 2005, on the basis of two bait boats for one purse seine vessel. Such change must be approved by the Commission. To that end, Ghana shall notify a comprehensive and detailed capacity management plan to the Commission at least 90 days before the Annual meeting. The approval is notably subject to the assessment by the SCRS of the potential impact of such a plan on the level of catches.
- d) The capacity limitation shall not apply to CPCs whose annual catch of bigeye tuna in the Convention area in 1999, as provided to the SCRS in 2000, is less than 2,100 t.

Specific authorization to fish for bigeye and/or yellowfin tunas

3. CPCs shall issue specific authorizations to vessels 20 meters LOA or greater flying their flag allowed to fish bigeye and/or yellowfin tunas in the Convention area, and to vessels flying their flag used for any kind of support to this fishing activity (hereafter referred to as "authorized vessels").

ICCAT Record of authorized bigeye and yellowfin vessels

4. CPCs shall by 1 July each year notify the list of authorized vessels to the Executive Secretary in an electronic form and in accordance with the format set in the *Guidelines for Submitting Data and Information Required by ICCAT*.
5. The Commission shall establish and maintain an ICCAT record of authorized bigeye and yellowfin vessels. Fishing vessels 20 meters LOA or greater not entered into this record are deemed not to be authorized to fish, retain on board, tranship, transport, transfer, process or land bigeye and/or yellowfin tunas from the Convention area.
6. CPCs shall without delay notify the Executive Secretary of any addition to, deletion from and/or modifications of the initial list at any time such change occurs.

For CPCs for which a capacity limitation applies in accordance with paragraph 2b) vessels fishing bigeye and/or yellowfin tunas in the Convention area may be replaced only by vessels of equivalent capacity or lesser. After the establishment of the initial ICCAT list, the retroactive listing of vessels shall not be allowed.

7. The Executive Secretary shall without delay post the record of authorized vessels on the ICCAT website.

Vessels actively fishing bigeye and/or yellowfin tunas in a given year

8. Each CPC shall by 1 July each year notify to the Executive Secretary the list of authorized vessels flying their flag which have fished bigeye and/or yellowfin tunas in the Convention area in the previous calendar year.

The Executive Secretary shall report each year these lists of vessels to the Compliance Committee.

9. The provisions of paragraphs 3 to 8 do not apply to recreational vessels.

Catch limits for bigeye tuna

10. The annual Total Allowable Catch (TAC) for 2012 and subsequent years of the Multi-annual Program is 85,000 t for bigeye tuna. The following shall apply:
- If the total of catches exceeds the TAC in a given year, the excess amount shall be paid back by CPCs to which a catch limit has been granted for the species concerned. Excess quantities shall be deducted the following year on a *pro rata* basis from the adjusted quotas/catch limits of the CPC concerned, as per paragraphs 14 and 15.
 - The TAC and catch limits for 2012 and subsequent years of the Multi-annual Program shall be adjusted based on the latest scientific assessment available. Whatever the outcome, the relative shares used to establish the annual catch limits for the CPCs appearing in paragraph 11 shall remain unchanged.
11. The following catch limits shall be applied for 2012 and subsequent years of the Multi-annual Program to the following CPCs:

<i>CPC</i>	<i>Annual catch limits for the period 2012-2015 (t)</i>
China	5,572
European Union	22,667
Ghana	4,722
Japan	23,611
Panama	3,306
Philippines	1,983
Korea	1,983
Chinese Taipei	15,583

12. Catch limits shall not apply to CPCs whose annual catch of bigeye tuna in the Convention area in 1999, as provided to the SCRS in 2000, is less than 2,100 t. However, the following shall apply:
- CPCs which are not developing coastal States shall endeavour to maintain their annual catch less than 2,100 t;
 - if the catch of bigeye tuna of any developing coastal CPC not listed in paragraph 11 above exceeds 3,500 t for any one year, a catch limit shall be established for that developing CPC for the following years. In such a case, the relevant CPC shall adjust its fishing effort so as to be commensurate with their available fishing possibilities

Transfers

13. The following annual transfer of bigeye tuna shall be authorized in 2012-2015:
- from Japan to China: 3000 t
 - from Japan to Ghana: 70 t
 - from China to Ghana: 70 t
 - from Chinese Taipei to Ghana: 70 t
 - from Korea to Ghana: 20 t.

Underage or overage of catch

14. Underage or overage of an annual catch limit for CPCs listed in paragraph 11 for 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>
2011	2012 and/or 2013
2012	2013 and/or 2014
2013	2014 and/or 2015
2014	2015 and/or 2016
2015	2016 and/or 2017

However,

- a) The maximum overage that a CPC may transfer in any given year shall not exceed 30% of its annual initial catch limit;
 - b) For Ghana, the overage catch of bigeye tuna in the period 2006 to 2010 shall be repaid by reducing the catch limit of Ghana for bigeye tuna by a yearly amount of 337 t for the period 2012 to 2021.
15. Notwithstanding paragraph 14, if any CPC exceeds its catch limit during any two consecutive management periods, the Commission will recommend appropriate measures, which may include, but are not limited to, reduction in the catch limit equal to a minimum of 125% of the excess harvest, 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.

TAC for yellowfin tuna

16. The annual TAC for 2012 and subsequent years of the Multi-annual program is 110,000 t for yellowfin tuna and shall remain in place until changed based on scientific advice. If the total catch in any year exceeds the TAC for yellowfin tuna, the Commission shall review the relevant conservation and management measures in place.

Recording of catch and fishing activities

17. Each CPC shall ensure that its vessels 20 meters LOA or greater fishing bigeye and/or yellowfin tunas in the Convention area record their catch in accordance with the requirements set out in **Annex 1** and in the *Recommendation by ICCAT Concerning the Recording of Catch by Fishing Vessels in the ICCAT Convention Area* [Rec. 03-13].
18. CPCs shall ensure that purse seine and bait boat vessels flying their flag, when fishing in association with objects that could affect fish aggregation, including fish aggregating devices (FADs), shall identify in a logbook:
- a) Any deployment and retrieval of FAD, and
 - b) The position, date, identification of the aggregating device and results of the set.
19. CPCs shall ensure that the logbooks referred to in paragraph 17 are promptly collected and the information made available to the SCRS.

Area/Time closure in relation with the protection of juveniles

20. Fishing for, or supported activities to fish for bigeye and yellowfin tunas in association with objects that could affect fish aggregation, including FADs, shall be prohibited:
- a) From 1 January to 28 February each year, and
 - b) In the area delineated as follows:

Northern limit	African coast
Southern limit	Parallel 10° South latitude
Western limit	Meridian 5° West longitude
Eastern limit	Meridian 5° East longitude

21. The prohibition referred to in paragraph 20 includes:
- launching any floating objects, with or without buoys;
 - fishing around, under, or in association with artificial objects, including vessels;
 - fishing around, under, or in association with natural objects;
 - towing floating objects from inside to outside the area.

22. The efficacy of the area/time closure referred to in paragraph 20 for the reduction of catches of juvenile bigeye and yellowfin tunas shall be evaluated by the SCRS in 2014 or until such a time as the SCRS has adequate information to provide detailed advice on any alternate area/time closure.
23. Each CPC fishing in the geographical area of the area/time closure shall:
 - a) Take appropriate action against vessels flying their flag that do not comply with the area/time closure referred to in paragraph 20,
 - b) Submit an annual report on their implementation of the area/time closure to the Executive Secretary, who shall report to the Compliance Committee at each Annual meeting.

FAD Management Plans

24. By 1 July of each year, CPCs with purse seine and baitboat vessels fishing for bigeye and yellowfin tunas in association with objects that could affect fish aggregation, including FADs, shall submit to the Executive Secretary Management Plans for the use of such aggregating devices by vessels flying their flag, following the Guidelines for Preparation for FAD Management Plans suggested in **Annex 2**.
25. The Executive Secretary shall report the content of these Management Plans to SCRS and to the Compliance Committee for review at each annual meeting.

VMS

26. If the VMS satellite tracking device of a vessel referred to in paragraph 3 stops functioning or has a technical failure when the vessel is inside the area/time closure referred to in paragraph 20, the flag State shall require the vessel to exit the area without delay. The fishing vessel shall not be authorized to enter the area again without the satellite tracking device having been repaired or replaced.

ICCAT Regional Observer Program

27. The ICCAT Regional Observer Program in **Annex 3** shall be established in 2013 to ensure observer coverage of 100% of all surface fishing vessels 20 meters LOA or greater fishing bigeye and/or yellowfin tunas in the area/time closure referred to in paragraph 20.

Identification IUU activity

28. The Executive Secretary shall without delay verify that any vessel identified or reported in the context of this Multi-annual Program is on the ICCAT record of authorized vessels and not out of compliance with the provisions of paragraphs 20 and 21. If a possible violation is detected, the Executive Secretary shall, without delay, notify the flag CPC. The flag CPC shall immediately investigate the situation and, if the vessel is fishing in relation with objects that could affect fish aggregation, including FADs, request the vessel to stop fishing and, if necessary, leave the area without delay. The flag CPC shall without delay report to the Executive Secretary the results of its investigation and the corresponding measures taken.
29. The Executive Secretary shall report to the Compliance Committee at each Annual meeting on any issue related to identification of unauthorized vessels, the implementation of the VMS, the Regional observer provisions and the results of the relevant investigation made by the flag CPCs concerned.
30. The Executive Secretary shall propose to include any vessels identified in accordance with paragraph 28, or vessels for which the flag CPC has not carried out the required investigation in accordance with paragraph 29, on the provisional IUU list.

Port Sampling Plan

31. The Commission requests the SCRS to develop, by 2012, a Port Sampling Plan aimed at collecting fishery data for bigeye, yellowfin, and skipjack tunas that are caught in the geographical area of the area/time closure referred to in paragraphs 20.

32. Beginning in 2013, the port sampling program referred to paragraph 31 shall be implemented in landing or transshipment ports. Data and information collected from this sampling program shall be reported to ICCAT each year beginning in 2014, 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.

General provisions

33. This Recommendation replaces [Rec. 93-04], [Rec. 98-03], [Rec. 04-01], [Res. 05-03], [Rec. 08-01], [Rec. 09-01] and [Rec. 10-01].

Requirements for Catch Recording

Minimum specification for paper or electronic logbooks:

1. The logbook must be numbered by sheets.
2. The logbook must be filled in every day (midnight) or before port arrival
3. One copy of the sheets must remain attached to the logbook
4. Logbooks must be kept on board to cover a period of one- trip 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, registry number, ICCAT number and IMO number (if available).
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 t per set
 - c) Fishing mode (FAD, free school, etc.)
7. Master signature
8. ICCAT Regional 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, transshipments:

1. Dates and port of landing /transshipments
2. Products: number of fish and quantity in kg
3. Signature of the Master or Vessel Agent

Guidelines for Preparation of FAD Management Plans

The FAD Management Plan for a CPC purse seine fleet must include at least:

- a) Number of FAD to be deployed per purse seine and per FAD type
- b) FAD design characteristics (a description)
- c) FAD markings and identifiers

and could include:

1. Objective of the FAD Management Plan
2. Description
 - a) Vessel-types and support and tender vessels,
 - b) FAD types: AFAD = anchored; DFAD = drifting
 - c) Reporting procedures for AFAD and DFAD deployment,
 - d) Catch reporting from FAD sets (consistent with the Commission's Standards for the Provision of Operational Catch and Effort Data),
 - e) Minimum distance between AFADs,
 - f) Incidental by-catch reduction and utilization policy,
 - g) Consideration of interaction with other gear types,
 - h) Statement or policy on "FAD ownership"
3. Institutional arrangements
 - a) Institutional responsibilities for the FAD Management plan,
 - b) Application processes for FAD deployment approval,
 - c) Obligations of vessel owners and masters in respect of FAD deployment and use,
 - d) FAD replacement policy,
 - e) Reporting obligations,
 - f) Observer acceptance obligations,
 - g) Conflict resolution policy in respect of FADs.
4. FAD construction specifications and requirements
 - a) Lighting requirements,
 - b) Radar reflectors,
 - c) Visible distance,
 - d) Radio buoys (requirement for serial numbers),
 - e) Satellite transceivers (requirement for serial numbers).
5. Applicable areas
 - a) Details of any closed areas or periods e.g. territorial waters, shipping lanes, proximity to artisanal fisheries, etc.
6. Applicable period for the FAD Management Plan
7. Means for monitoring and reviewing implementation of the FAD Management Plan
8. Means for reporting to the Executive Secretary

ICCAT Regional Observer Program

1. Each CPC shall require its fishing vessels involved in the bigeye and/or yellowfin tunas fisheries in the area and during the area/time closure referred to in paragraph 20 of this Recommendation to carry an ICCAT observer.
2. By 1 November 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 15 November each year, and shall place them on board the fishing 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. This contract shall be signed by both parties involved.
5. The Secretariat shall establish an ICCAT observer program 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 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 flag State of the fishing 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 bigeye and/or yellowfin tuna fisheries.

Observer tasks

8. The observer tasks shall be in particular:
 - a) To monitor the fishing 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) Sight and record vessels which may be fishing in contravention to ICCAT conservation and management measures;
- iv) Verify the position of the vessel when engaged in catching activity;
- v) Carry out scientific work such as collecting task II data when required by the Commission, based on the directives from the SCRS.

- b) Report without delay, with due regard to the safety of the observer, any fishing activity associated with FADs made by the vessel in the area and during the period referred to in paragraph 20 of this Recommendation.
 - 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 transshipment operations of the fishing vessels 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 State which exercises jurisdiction over the vessel to which the observer is assigned.
11. Observers shall respect the hierarchy and general rules of behaviour which apply to all vessel personnel, provided such rules do not interfere with the duties of the observer under this program, and with the obligations of vessel personnel set forth in paragraph 12 of this Program.

Obligations of the flag States of fishing vessels

12. The responsibilities regarding observers of the flag States of the fishing vessels and their masters shall include the following, notably:
- a) Observers shall be allowed to access to the vessel 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 and vessel owners do not obstruct, intimidate, interfere with, influence, bribe or attempt to bribe an observer in the performance of his/her duties.

The Secretariat, in a manner consistent with any applicable confidentiality requirements, is requested to provide to the flag State of the fishing 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 fishing vessel's owners. The fee shall be calculated on the basis of the total costs of the program and on prorata of their participation. This fee shall be paid into a special account of the ICCAT Secretariat and the ICCAT Secretariat shall manage the account for implementing the Program;
- b) No observer shall be assigned to a vessel for which the fees, as required under sub-paragraph a), have not been paid.

**RECOMMENDATION BY ICCAT
FOR THE CONSERVATION OF NORTH ATLANTIC SWORDFISH**

RECALLING the *Supplemental Recommendation by ICCAT to Amend the Rebuilding Program for North Atlantic Swordfish* [Rec. 06-02] and the *Recommendation by ICCAT for the Conservation of North Atlantic Swordfish* [Rec. 10-02];

TAKING INTO ACCOUNT the concern of the SCRS that the allowable country-specific catch levels agreed in [Rec. 10-02] exceed the TAC adopted by the Commission and the scientific recommendation;

DETERMINED to ensure that the total catch for any one year during the management period does not exceed the TAC of 13,700 t;

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

1. The Contracting Parties, and non-Contracting Parties, Entities or Fishing Entities (CPCs) whose vessels have been actively fishing for swordfish in the North Atlantic shall take measures to ensure the conservation of North Atlantic swordfish with the goal of maintaining B_{MSY} , with greater than 50% probability.
2. TAC and catch limits
 - a) A total allowable catch (TAC) shall be 13,700 t for North Atlantic swordfish for 2012 and 2013.
 - b) The annual catch limits as shown in the table below shall be applied for the two-year period.

	<i>Catch limit** (t)</i>
European Union ***	6,718*
United States***	3,907*
Canada	1,348*
Japan***	842*
Morocco	850
Mexico	200
Brazil	50
Barbados	45
Venezuela	85
Trinidad & Tobago	125
United Kingdom (OTs)	35
France (St. Pierre et Miquelon)	40
China	75
Senegal	250
Korea***	50
Belize***	130
Philippines	25
Côte d'Ivoire	50
St. Vincent & the Grenadines	75
Vanuatu	25
Chinese Taipei	270

* Catch limits of these four CPCs are based upon quota allocation shown in 3.c) of the 2006 *Supplemental Recommendation by ICCAT to Amend the Rebuilding Program for North Atlantic Swordfish* [Rec. 06-02].

** The following transfers of annual catch limits shall be authorized:

- From US to Morocco: 150 t¹
- From Japan to Morocco: 50 t
- From Japan to Canada: 35 t
- From EU to France (St. Pierre et Miquelon) : 40 t
- From Senegal to Canada: 100 t
- From Trinidad & Tobago to Belize: 75 t
- From Philippines to China: 25t
- From Chinese Taipei to Canada: 35 t

These transfers do not change the relative shares of CPCs as reflected in the above catch limits.

¹ Tonnage from this transfer to be used to support joint scientific research and to support Morocco's efforts to eliminate the use of driftnets.

*** Japan shall be allowed to count up to 400 t of its swordfish catch taken from the part of the North Atlantic management area that is East of 35°W and South of 15°N, against its uncaught South Atlantic swordfish catch limits.

The European Union shall be allowed to count up to 200 t of its swordfish catch taken from the South Atlantic management area against its uncaught North Atlantic swordfish catch limits.

The US shall be allowed to count up to 200 t of its swordfish catch taken from the area between 5°N and 5°S, against its uncaught North Atlantic swordfish catch limit.

Belize shall be allowed to count up to 75 t of its swordfish catch taken from the area between 5°N and 5°S, against its uncaught North Atlantic swordfish catch limit

Korea shall be allowed to count up to 69.5 t of swordfish catch taken from the North Atlantic management area in 2012, against its uncaught South Atlantic catch limit.

- c) The total TACs for 2012-13 shall not be exceeded. For this purpose, if the total annual catch exceeds the TAC of 13,700 t in 2012 or 2013, CPCs who have exceeded their individual adjusted catch limits shall pay back their overharvest in accordance with paragraph 5 of this recommendation. Any amount of the overharvest remaining after such adjustment shall be deducted from the annual catch limits of each CPC in 2014 or 2015, respectively, on a prorata basis of the catch limits in Table in 2.b) above.
3. The Commission shall establish at its 2013 meeting conservation and management measures for a next three-year period on the basis of the SCRS advice resulting from the new stock assessment as well as the ICCAT Criteria for the Allocation of Fishing Possibilities [Rec. 01-25]. In support of this effort, the Commission shall consider development/management plans of coastal developing CPCs and fishing/management plans of other CPCs in 2012 and 2013 so that adjustments can be made to the existing catch limits and other conservation measures in 2013, as appropriate. Each CPC shall submit its development or fishing/management plan to the Commission by September 15 of each year.
 4. In advance of the next assessment of North Atlantic swordfish, the SCRS shall develop a Limit Reference Point (LRP) for this stock. Future decisions on the management of this stock shall include a measure that would trigger a rebuilding plan, should the biomass decrease to a level approaching the defined LRP as established by the SCRS.
 5. Any unused portion or excess of the annual adjusted quota may be added to/shall be deducted from, according to the case, the respective quota/catch limit during or before the adjustment year, in the following way:

<i>Catch year</i>	<i>Adjustment year</i>
2010	2012
2011	2013
2012	2014
2013	2015

However, the maximum underage that a Party may carryover in any given year shall not exceed 25% of the initial catch limit for those CPCs holding catch limits more than 500 t, and 50% for other CPCs.

6. Provisions of the *Recommendation by ICCAT Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries* [Rec. 96-14] and of paragraph 5 above, shall be applied to the implementation of the individual catch limits in paragraph 2 and for over-harvests that occurred in 2009 and/or 2010, for each CPC. Each year is considered a separate management period, as that term is used in the *Recommendation by ICCAT Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries*, except for Japan, for which the management period is three years (2011-2013).
7. If Japan's landings exceed its catch limits in any year, the overage shall be deducted in subsequent years so that total landings for Japan shall not exceed its total catch limits for the three-year period commencing in 2011. When annual landings by Japan are less than its catch limits, the underage may be added to the subsequent years' catch limits, so that total landings by Japan do not exceed its total for the same three-year period. Any underages or overages from the 2008-2010 management period shall be applied to the three-year management period specified herein.
8. Japan shall maintain a national observer program on 8% of vessels operating in the North Atlantic.
9. All CPCs catching swordfish in the North Atlantic shall endeavor to provide annually the best available data to the SCRS, including catch, catch at size, location and month of capture on the smallest scale possible, as determined by the SCRS. The data submitted shall be for broadest range of age classes possible, consistent with minimum size restrictions, and by sex when possible. The data shall also include discards and effort statistics, even when no analytical stock assessment is scheduled. The SCRS shall review these data annually.
10. In order to protect small swordfish, CPCs shall take the necessary measures to prohibit the taking of and landing of swordfish in the entire Atlantic Ocean weighing less than 25 kg live weight, or in alternative, 125 cm lower jaw fork length (LJFL); however, the CPCs may grant tolerances to boats which have incidentally captured small fish, with the condition that this incidental catch shall not exceed 15 percent of the number of swordfish per landing of the total swordfish catch of said boats.
11. Notwithstanding the provisions of paragraph 10, any CPC may choose, as an alternative to the minimum size of 25 kg/ 125 cm LJFL, to take the necessary measures to prohibit the taking by its vessels in the Atlantic Ocean, as well as the landing and sale in its jurisdiction, of swordfish (and swordfish parts), less than 119 cm LJFL, or in the alternative 15 kg, provided that, if this alternative is chosen, no tolerance of swordfish smaller than 119 LJFL, or in the alternative 15 kg, shall be allowed. For swordfish that have been dressed, a cleithrum to keel (CK) measurement of 63cm can also be applied. A Party that chooses this alternative minimum size shall require appropriate record keeping of discards. The SCRS should continue to monitor and analyze the effects of this measure on the mortality of immature swordfish.
12. Notwithstanding the provisions of Article VIII, paragraph 2, of the Convention, with respect to the annual individual catch limits established above, the CPCs whose vessels have been actively fishing for North Atlantic swordfish shall implement this recommendation as soon as possible in accordance with the regulatory procedures of each CPC.
13. 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 of North Atlantic swordfish, as per section 2 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. Any such transfer may not be used to cover over harvests. A CPC that receives a one-time catch limits transfer may not retransfer that catch limits.
14. This *Recommendation replaces the Recommendation by ICCAT for the Conservation of North Atlantic Swordfish* [Rec. 10-02].

**RECOMMENDATION FOR MANAGEMENT MEASURES FOR
MEDITERRANEAN SWORDFISH IN THE FRAMEWORK OF ICCAT**

NOTING that the SCRS in its assessment in 2007, as reaffirmed in its 2009 advice, 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,

RECOGNISING that the Commission's Standing Committee on Research and Statistics (SCRS) indicated in its 2010 stock assessment that the Commission should adopt a Mediterranean swordfish fishery management plan which ensures that the stock will be rebuilt and kept in levels that are consistent with the ICCAT Convention objective,

NOTING that the SCRS in its assessment in 2010 indicated that overall results suggest that fishing mortality needs to be reduced to move the stock toward the Convention objective of biomass levels which could support MSY and away from levels which could allow a rapid stock decline,

NOTING that the SCRS in its assessment in 2010 indicated that technical modifications of the longline fishing gears, as well as, the way they are operated can be considered as an additional technical measure in order to reduce the catch of juveniles,

RECALLING the *Recommendation by ICCAT relating to Mediterranean Swordfish* [Rec. 03-04], which encourages Contracting Parties, and Cooperating non-Contracting Parties, Entities or Fishing Entities (hereafter referred to as CPCs) to take measures to reduce juvenile Mediterranean swordfish catches,

TAKING INTO ACCOUNT the SCRS advice given in 2008, 2009 and 2010, advocating seasonal closures pending the adoption of a more comprehensive management plan for Mediterranean swordfish,

TAKING INTO ACCOUNT that the SCRS advise that swordfish and in particular juvenile swordfish is also caught as a by-catch in other fisheries and that all catches of swordfish should stop during the closed period,

TAKING INTO ACCOUNT that the advices given in 2010 for the swordfish have been considered as still valid in 2011,

TAKING INTO ACCOUNT that the *Recommendation by ICCAT on Mediterranean Swordfish* [Rec. 09-04] needs to be replaced to set the basis for such a more comprehensive management plan for Mediterranean swordfish,

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

ICCAT records of vessels authorised to catch Mediterranean swordfish

1. At the latest on the 31 August 2012, and on the 15 January for the following years, CPCs shall provide to the ICCAT Secretariat the lists of all fishing vessels authorized to catch swordfish for the current year in the Mediterranean Sea. These lists shall distinguish:
 - a) All catching vessels authorized to fish actively for swordfish, meaning any vessel that targets swordfish (defined on the basis of the more abundant species anytime on board) during a given fishing season. Vessels not introduced on this list are not authorized to catch, retain on board, tranship, transport, process or land swordfish exceeding more than 5% of the total catch on board by weight or/and number of pieces.
 - b) All vessels authorized for swordfish sport and recreational fisheries as defined in the paragraph 2 m) and n) of ICCAT Recommendation 10-04.

CPCs shall provide these lists according to the format set out in the Guidelines for Submitting Data and Information Required by ICCAT.

2. Procedures referred in the *Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels over 20 Meters in Length Overall or Greater Authorized to Operate in the Convention Area* shall apply *mutatis mutandis*.

Special fishing authorisation

3. Vessels included in the list of authorized vessels under point 1.a and which use harpoons, or participate in pelagic longline fisheries for highly-migratory pelagic stocks in the Mediterranean shall have a special fishing permit for each authorised fishery, by target species and area.
4. By 30 June each year CPCs shall submit to the ICCAT Secretariat the list of the special fishing permits delivered for the previous year.

Closed fishing season

5. Mediterranean swordfish shall not be caught (either as a targeted fishery or as by-catch), retained on board, transhipped or landed during the period from 1 October to 30 November and during an additional period of one month between 15 February and 31 March. CPCs shall communicate to the Commission, by 15 January 2012, the starting date of this additional month of closure.
6. CPCs shall monitor the effectiveness of these closures and shall submit to the Commission, at the latest two months before the annual meeting of the Commission, all relevant information on appropriate controls and inspections to ensure compliance with the measure.

Minimum size

7. Only entire specimens of swordfish, without removal of any external part, or gilled and gutted specimens, can be retained on board, transhipped, landed and transported.
8. In order to protect small swordfish, CPCs shall take the necessary measures to prohibit the catching, retaining on board, transhipping, landing, transporting, storing, selling, displaying or offering for sale Mediterranean swordfish measuring less than 90 cm LJFL or, in alternative, weighing less than 10 kg of round weight or 9 kg of gutted weight, or 7.5 kg of gilled and gutted weight.

However, the CPCs may grant tolerances to vessels which have incidentally captured small fish below the minimum size, with the condition that this incidental catch shall not exceed:

- a) 10% by weight or/and number of pieces per landing of the total swordfish catch of said vessels (in 2012),
- b) 5% by weight or/and number of pieces per landing of the total swordfish catch of said vessels as from 2013.

Technical characteristics of the fishing gear

9. The maximum number of hooks that can be set or taken on board of vessels targeting swordfish should be fixed at 2800 hooks for swordfish fishery. A second set of rigged hooks may be allowed on board for trips longer than 2 days provided that are duly lashed and stowed in lower decks so that it may not readily be used.
10. Hook size should never be smaller than 7 cm of height for fishing targeting swordfish.
11. The length of the pelagic longlines will be of maximum 30 NM (55 km).

Other measures

12. Recognition will be given to CPCs which take more restrictive measures than those foreseen in paragraphs 5, 6, 7, 8, 9, 10 and 11.

Scientific information and advice

13. CPCs shall ensure the maintenance or development of adequate scientific information for highly migratory pelagic species in the Mediterranean.
14. By 30 June each year, CPCs shall communicate specific information for the fishing vessels that were authorized to carry out pelagic longline fisheries and harpoons in the Mediterranean during the preceding year:
 - a) Specific information on the fishing vessel:
 - Name of the vessel (if no name, the registry number without country initials should be indicated);
 - Registry number;
 - ICCAT list number;

CPCs shall communicate this list electronically to the ICCAT Secretariat according to the format set out in the Guidelines for Submitting Data and Information Required by ICCAT.

- b) Specific information related to fishing activities, based on sampling or for the whole fleet:
 - Fishing period(s) and total annual number of fishing days of the vessel, by target species and area;
 - Geographical areas, by ICCAT statistical rectangles, for the fishing activities carried out by the vessel, by target species and area;
 - Type of vessel, by target species and area;
 - Number of hooks used by the vessel, by target species and area;
 - Number of longline units used by the vessel, by target species and area;
 - Overall length of all longline units for the vessel, by target species and area.
 - c) Specific data on the catches, in the smallest time-area possible:
 - Size and, if possible, age distributions of the catches,
 - Catches and catch composition per vessel and,
 - Fishing effort (average fishing days per vessel, average number of hooks per vessel, average longline units per vessel, average overall length of longline per vessel).

These data shall be provided to SCRS in the format required by ICCAT.

15. The SCRS shall provide in 2013 an updated assessment of the state of the stock on the basis of updated data. It shall assess the effects of this management framework and provide advice on possible amendments of the various measures with a view to recover or to maintain the stock within safe biological limits while delivering economically viable fishing activity.
16. Based on such scientific advice, the ICCAT may decide, by end of 2013 on advisable changes of the management framework for swordfish with a view to complying with the management objective.

Repeals

17. This Recommendation replaces the *Recommendation by ICCAT for a Management Framework for the Sustainable Exploitation of Mediterranean Swordfish and Replacing ICCAT Recommendation 08-03* [Rec. 09-04].

**SUPPLEMENTAL RECOMMENDATION BY ICCAT CONCERNING
THE NORTH ATLANTIC ALBACORE REBUILDING PROGRAM**

RECALLING the 1998 *Recommendation by ICCAT Concerning the Limitation of Fishing Capacity on Northern Albacore* [Rec. 98-08], the *Recommendation by ICCAT on North Atlantic Albacore Catch Limits for the Period 2008-2009* [Rec. 07-02], and the *Recommendation by ICCAT to Establish a Rebuilding Program on North Atlantic Albacore* [Rec. 09-05];

NOTING 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 2009 Standing Committee on Research and Statistics (SCRS) stock assessment concluded that the northern albacore stock is overfished and overfishing is occurring, and recommended a level of catch of no more than 28,000 t to meet the Convention management objective by 2020;

RECALLING the importance that all fleets participating in the northern albacore fishery submit the required data (catch, effort and catch-at-size) on their fisheries for transmission to the SCRS;

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

1. An annual Total Allowable Catch (TAC) of 28,000 t is established for 2012 and for 2013.
2. This annual TAC shall be allocated among the ICCAT Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (hereafter referred to as CPCs) according to the following:

<i>Party</i>	<i>2012 and 2013 Quota (t)</i>
European Union	21,551.3
Chinese Taipei	3,271.7 ^{1,2}
United States	527
Venezuela	250

3. With the exception of Japan, CPCs other than those mentioned in paragraph 2 shall limit their catches to 200 t.
4. Japan shall endeavour to limit its total northern albacore catches to a maximum of 4% in weight of its total bigeye tuna longline catch in the Atlantic Ocean.
5. Any unused portion or excess of a CPC's annual quota/catch limit may be added to/shall be deducted from, according to the case, the respective quota/catch limit during or before the adjustment year, in the following way:

<i>Year of Catch</i>	<i>Adjustment Year</i>
2012	2014 and/or 2015
2013	2015 and/or 2016

However, the maximum underage that a Party may carry-over in any given year shall not exceed 25% of its initial catch quota.

If, in any year, the combined landings of CPCs exceed the TAC of 28,000 t, the Commission will re-evaluate the northern albacore recommendation at its next Commission meeting and recommend further conservation measures, as appropriate.

6. The 1998 *Recommendation by ICCAT Concerning the Limitation of Fishing Capacity on Northern Albacore* [Rec. 98-08] remains in force.

¹ Chinese Taipei will transfer each year 100 t from its quota to St. Vincent and the Grenadines.

² Chinese Taipei will transfer annually 200 t in 2012 and 2013 from its quota to Belize.

7. The SCRS shall conduct an assessment of this stock in 2013 and provide advice to the Commission on the appropriate management measures to achieve and maintain the Convention objectives. In support of this work, CPCs should promote a scientific program to collect data/information on changes to distribution and/or migratory routes and factors that influences these changes.

In advance of the next assessment of Northern Atlantic Albacore, the SCRS shall develop a Limit Reference Point (LRP) for this stock. Future decisions on the management of this stock shall include a measure that would trigger a rebuilding plan, should the biomass decrease to a level approaching the defined LRP as established by the SCRS.

8. This Recommendation replaces *Recommendation by ICCAT to Establish a Rebuilding Program on North Atlantic Albacore* [Rec. 09-05].

**RECOMMENDATION BY ICCAT ON THE SOUTHERN ALBACORE
CATCH LIMITS FOR 2012 AND 2013**

NOTING that the current high level of uncertainty in the stock status has led to a less optimistic view of the stock status compared to the 2007 stock assessment with MSY estimated at 27,964 t compared to 29,900 t in 2007;

NOTING FURTHER the conclusions of the 2011 Albacore Assessment Meeting, and of the 2011 SCRS Report, that the southern albacore stock is likely to be overfished and is experiencing overfishing with the current best estimate of SSB_{2009}/SSB_{MSY} being 0.88(0.55-1.59) and the current best estimate of $F_{current}/F_{MSY}$ being 1.07(0.44-1.95);

ACKNOWLEDGING that total annual catches since 2004 have been considerably lower than MSY;

RECOGNISING the need to implement measures to improve the southern albacore stock to MSY levels, this being the management objective of ICCAT;

FURTHER NOTING that catches exceeding 24,000 t will not permit the rebuilding of the stock within the projected time frame;

FURTHER RECOGNISING that additional work is needed before sharing arrangements for southern albacore based on the *ICCAT Criteria for the Allocation of Fishing Possibilities* [Ref. 01-25] can be developed and agreed on;

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

1. The annual total catch limit for albacore caught in the Atlantic Ocean South of 5°N shall be set at 24,000 t for 2012 and 2013, this being the maximum allowable catch to permit stock rebuilding.
2. Notwithstanding the provisions of paragraph 1, should the total reported albacore catches in 2011, as reported to the 2012 ICCAT meeting, exceed 29,900 t, the TAC for 2013 shall be reduced by the full amount of the 2011 catch in excess of 29,900 t.
3. The five participants actively fishing for southern albacore, namely Chinese Taipei, South Africa, Namibia, Brazil and Uruguay, shall participate in a sharing arrangement of 21,000 t. In addition to the sharing arrangement limit, the five participants shall not exceed their individual catch limits¹, namely 13,000 t for Chinese Taipei, 10,000 t for South Africa and Namibia combined, 3,500 t for Brazil, and 1,200 t for Uruguay.
4. Catch limits shall apply to the European Union (1,540 t), Belize (300 t), Philippines (150 t), Korea (150 t). Japan shall endeavour to limit its total catch of southern albacore to 4% by weight of its total longline bigeye tuna catch in the Atlantic Ocean south of 5°N.
5. All other CPCs, which are not actively fishing for southern albacore, shall be limited to a maximum catch of 100 t.
6. a) All CPCs mentioned in paragraph 3 and 4 shall provide regular reporting of provisional accumulative southern albacore catches to the ICCAT Secretariat according to the following schedule:
 - total catches made from the 1 January to the 30 June shall be reported before the 31 July;
 - total catches from 1 January to 30 September shall be reported before the 31 October, and;
 - total catches from the 1 January to 31 December shall be reported before the 31 January the following year.

¹ Individual catch limits referred to in paragraph 3 merely represents country aspirations under the current stock status and should be considered within the total sharing arrangement limit of 21,000 t. These limits are only applicable for the current conservation measure and shall have no bearing for future allocations.

- 6.b) In addition to the provisions of paragraph 6(a) Japan shall also report its bigeye tuna catches south of 5°N simultaneously with its albacore catches.
- 6.c) The ICCAT Secretariat shall immediately distribute reported catches to all CPCs concerned
7. At the second reporting period (31 October), if the total reported catches of all five participants of the sharing arrangement exceeds 16,800 t (80% of the sharing arrangement limit) then these participants shall be required to report on a monthly basis to the ICCAT Secretariat for the remainder of the year.
 8. If at any stage a participant referred to in paragraphs 3 and 4 (excluding Japan) reaches 80% of its individual catch limit then it shall be required to report its respective catch on a monthly basis to the ICCAT Secretariat for the remainder of the year.
 9. Should the catches of the sharing arrangement exceed 21,000 t, without any of the five participants exceeding their individual catch limits, then the sharing arrangement shall be reduced in the subsequent year by 100% of the total amount exceeded. This reduction shall also apply pro rata to all the individual catch limits in the subsequent year.
 10. Should the catches of the sharing arrangement exceed 21,000 t, due to any of the five participants exceeding their individual catch limits, then the sharing arrangement shall be reduced in the subsequent year by 100% of the total amount exceeded. In addition, the participants, which have caused the over-catch shall have its individual catch limit reduced in the subsequent year by 125% of the total exceeded amount.
 11. If any CPC referred to in paragraph 4 (excluding Japan) exceeds its catch limits then such CPC shall have its catch limits reduced by 100% of the total exceeded amount in the subsequent year.
 12. All other CPCs, referred to in paragraph 5, which exceed their individual catch limits shall have their catch limits reduced by 100% of the total exceeded amount in the year after their catches have been reviewed at the ICCAT Commission meeting.
 13. Should Japan exceed its southern albacore by-catch limit of 4% by weight of its total longline bigeye tuna catch in the Atlantic Ocean south of 5°N in 2012 or 2013, then the matter shall be referred to the subsequent Commission meeting to determine an appropriate catch limit to be implemented in the subsequent management period.
 14. Should the total catches exceed 24,000 t (TAC) in any given year until 2013, without any participant exceeding its catch limits, then the amount caught in excess of the TAC shall be reduced from the sharing arrangement in the subsequent year in which the over-catch has been reviewed by the ICCAT Commission.
 15. No provision shall be made for carry-over of under-harvests under the previous conservation measure [Rec 07-03] to the current conservation measure. Underages in any given year of this conservation measure may not be carried over to the subsequent year.
 16. Those Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities fishing actively for southern albacore shall immediately improve their catch reporting systems to ensure the reporting of accurate and validated southern albacore catch and effort data to ICCAT in full accordance with the ICCAT requirements for provision of Task I and Task II catch, effort and size data.
 17. The next stock assessment of southern albacore shall be brought forward to 2013 given the need to reduce the uncertainty of the 2011 stock assessment. Scientists of entities actively fishing for southern albacore are strongly encouraged to analyse their fisheries data and to participate in the 2013 assessment.
 18. All aspects of the southern albacore catch limit and sharing arrangement shall be reviewed and revised at the 2013 ICCAT Commission meeting, taking account of the results of the updated southern albacore stock assessment to be conducted in 2013. This review and revision shall also address any over-harvests made in excess of the 2012 and 2013 TAC.
 19. This Recommendation replaces, in its entirety, the 2007 *Recommendation by ICCAT on the Southern Albacore Catch Limit for 2008, 2009, 2010, 2011* [Rec. 07-03].

**RECOMMENDATION BY ICCAT CONCERNING THE ATLANTIC-WIDE
RESEARCH PROGRAMME FOR BLUEFIN TUNA (GBYP)**

RECALLING the Commission decision in 2008 to adopt the Atlantic-wide Research Programme for the Bluefin Tuna (GBYP), endorsing the proposal made by the Standing Committee on Research and Statistics (SCRS).

RECALLING the Commission decision in 2009 to initiate the Atlantic-wide Research Programme for Bluefin Tuna (GBYP), endorsing the reviewed and updated SCRS proposal.

RECALLING also the *Resolution by ICCAT Concerning Atlantic Bluefin Tuna Scientific Research on Stock Origin and Mixing* (Res. 08-06).

RECOGNIZING that the research results obtained by GBYP in the initial two phases of the programme provided a large amount of historical and new data on bluefin tuna, including promising results on fishery-independent data obtained by aerial survey on bluefin tuna spawning aggregations.

FURTHER RECOGNIZING that the initial experience showed serious limits caused by the absence of specific provision for the research, particularly important after the adoption and enforcement of the ICCAT Rec. 08-05, Rec.09-06 and Rec. 10-04.

CONSIDERING that the current limits are able to impede the regular activity of the GBYP as they have been proposed by the SCRS and endorsed by the Commission, with particular reference to the aerial survey on spawning aggregations, the biological and genetic sampling and the tagging activities.

FURTHER CONSIDERING that similar problems encountered by a previous ICCAT programme (BYP) were resolved by the *Supplemental Recommendation by ICCAT on Bluefin Tuna Research in the Central North Atlantic Ocean* (Rec. 01-08).

RECOGNIZING that the SCRS, in its 2011 Report, has recommended that the Commission should adopt specific provisions for allowing the regular research activity of GBYP.

ACKNOWLEDGING the importance of conducting the GBYP research as it was requested by the Commission under a clear legal framework.

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

1. The Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (hereinafter referred to as CPCs) shall provide the maximum assistance to ICCAT-GBYP for permits to operate in their relevant maritime areas or airspaces over marine zones which are under their jurisdiction, following the conditions of domestic rules and legislation of each concerned CPC on these issues.
2. The CPCs shall provide ICCAT-GBYP all the necessary contacts at the national level to assist in carrying out the research activities.
3. Scientific institutions and entities participating in the ICCAT-GBYP research activities are exempt from the Commission's conservation measures on bluefin tuna for up to a maximum of an overall amount of 20 metric tons of bluefin tuna annually ("Research Mortality Allowance" or "RMA") taken or killed incidentally during the GBYP biological and genetic sampling programme or the tagging activities, as approved by the SCRS and endorsed by the Commission. These tunas cannot be sold for commercial purposes and shall be reported in detail to ICCAT and SCRS at the end of each Phase of GBYP, according to specific rules that will be established by the ICCAT Secretariat and attached to the research contracts.
4. Scientific institutions and entities participating in the ICCAT-GBYP scientific research activities, as designated, identified and authorized by the ICCAT-GBYP Coordination, are exempt from the Commission's conservation measures on bluefin tuna and particularly from the minimum size limit, the limit concerning the use of any fishing gear or tool and the fishery closures, for allowing the GBYP scientific research activities to be conducted at any time of the year, with any gear and for sampling any size of bluefin tuna, according to the annual programme approved by the SCRS and endorsed by the Commission.
5. All CPCs undertake to consider providing the necessary funding or other logistical support in order to conduct this critical scientific endeavor.

**RECOMMENDATION BY ICCAT TO FURTHER STRENGTHEN THE
PLAN TO REBUILD BLUE MARLIN AND WHITE MARLIN POPULATIONS**

RECALLING the 2010 *Recommendation by ICCAT on the Plan to Rebuild Blue Marlin and White Marlin Populations* [Rec. 10-05],

ALSO RECALLING that Rec. 10-05 requires Contracting Parties and Cooperating non-Contracting Parties, Entities and Fishing Entities (CPCs) to establish at the 2011 Commission meeting a multi-year plan to rebuild blue marlin and white marlin populations on the basis of the SCRS advice;

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 2011 Standing Committee on Research and Statistics (SCRS) stock assessment indicates that the blue marlin stock is below B_{MSY} and that fishing mortality is above F_{MSY} and that unless the recent catch levels are substantially reduced, the stock will likely continue to decline,

ALSO CONSIDERING that the 2011 SCRS recommended that the Commission should implement management measures to immediately reduce fishing mortality on blue marlin stock, by adopting a TAC of 2,000 t or less, to allow the stock to increase, and by adopting measures to manage fishing mortality by the non-industrial fleet,

ALSO CONSIDERING that in 2012 the Standing Committee on Research and Statistics (SCRS) shall assess the stock of white marlin

NOTING that, due to the misidentification problems between white marlin and spearfishes (genus *Tetrapturus*), the SCRS also recommended that management recommendations combine these species as a mixed stock until more accurate species identification and differentiation of species catches are available,

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

1. The terms of the 2006 *Recommendation by ICCAT to Further Strengthen the Plan to Rebuild Atlantic Blue Marlin and White Marlin Populations* [Rec. 06-09] shall be extended through 2012, except for paragraph 3, which shall read as follows:

A TAC of 2,000 t for blue marlin shall be established for 2012, as recommended by the SCRS. In 2012, the annual amount of blue marlin and white marlin (including spearfish) that can be harvested and retained for landing by pelagic longline and purse seine vessels must be no more than 30% of a CPC highest annual landing level from 1996 to 2004 (excluding 1997 for Chinese Taipei), for blue marlin and white marlin individually. Should a CPC harvest and land less than the limit specified above, the CPC shall not carry forward any underharvest to subsequent years, with the exception of those CPCs whose catch limit under this measure is less than 5 t who will be limited to carry forward a maximum amount of 50% of their initial catch limit from one year to the next. All blue marlin and white marlin brought to pelagic longline and purse seine vessels alive shall be released in a manner that maximizes their survival. The provisions of this paragraph shall not apply to marlins that are dead when brought along the side of the vessel and that are not sold or entered into commerce.

2. Contracting Parties and Cooperating non-Contracting Parties, Entities and Fishing Entities (CPCs) shall establish at the 2012 Commission meeting a multi-year plan to rebuild blue marlin and white marlin populations on the basis of SCRS advice, including the establishment of total mortality limits by CPC, taking into account the *ICCAT Criteria for the Allocation of Fishing Possibilities* [Ref. 01-25] adopted in 2001.
3. The Secretariat, in conjunction with the SCRS, shall research and review existing regional or individual CPC data collection programs, including capacity building programs, for artisanal fisheries. The Secretariat and the SCRS will present their findings at the 2013 Commission meeting, including a plan to work with relevant regional and sub-regional international organizations and CPCs to expand such programs or implement them in new areas to improve data on billfish catches in these fisheries.
4. In 2012, the SCRS shall analyze the potential benefits and applicability of the use of time/area closures as a tool for marlin conservation.

**RECOMMENDATION BY ICCAT ON THE CONSERVATION
OF SILKY SHARKS CAUGHT IN ASSOCIATION WITH ICCAT FISHERIES**

CONSIDERING that silky sharks (*Carcharhinus falciformis*) are caught in association with ICCAT fisheries;

TAKING INTO ACCOUNT that the silky shark has been ranked as the species with the highest degree of vulnerability in the 2010 ecological risk assessment for Atlantic sharks;

CONSIDERING that SCRS recommends that proper conservation and management measures, similar to those adopted for other vulnerable shark species, be also adopted for the silky shark;

NOTING the geographic range of the silky shark which inhabits coastal and oceanic waters throughout the tropics;

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

1. Contracting Parties, and Cooperating non-Contracting Parties, Entities or Fishing Entities (hereafter referred to as CPCs) shall require fishing vessels flying their flag and operating in ICCAT managed fisheries to release all silky sharks whether dead or alive, and prohibit retaining on board, transshipping, or landing any part or whole carcass of silky shark.
2. CPCs shall require vessels flying their flag to promptly release silky sharks unharmed, at the latest before putting the catch into the fish holds, giving due consideration to the safety of crew members. Purse seine vessels engaged in ICCAT fisheries shall endeavor to take additional measures to increase the survival rate of silky sharks incidentally caught.
3. CPCs shall record through their observer programs the number of discards and releases of silky sharks with indication of status (dead or alive) and report it to ICCAT.
4. Silky sharks that are caught by developing coastal CPCs for local consumption are exempted from the measures established in paragraphs 1 and 2, provided these CPCs submit Task I and, if possible, Task II data according to the reporting procedures established by the SCRS. CPCs that have not reported species-specific shark data shall provide a plan by July 1, 2012, for improving their data collection for sharks on a species specific level for review by the SCRS and Commission. Developing coastal CPCs exempted from the prohibition pursuant to this paragraph shall not increase their catches of silky sharks. Such CPCs shall take necessary measures to ensure that silky sharks will not enter international trade and shall notify the Commission of such measures.
5. Any CPC that does not report Task I data for silky shark, in accordance with SCRS data reporting requirements, shall be subject to the provisions of paragraph 1 until such data have been reported.
6. The prohibition on retention in paragraph 1 does not apply to CPCs whose domestic law requires that all dead fish be landed, that the fishermen cannot draw any commercial profit from such fish and that includes a prohibition against silky shark fisheries.
7. In their annual reports, CPCs shall inform the Commission of steps taken to implement this Recommendation through domestic law or regulations, including monitoring, control and surveillance measures that support implementation of this recommendation.
8. In 2012, the SCRS Sub-Committee on Statistics shall evaluate the data collection improvement plans (referenced in paragraph 4) submitted by CPCs and, as necessary, make recommendations on how shark data collection can be improved.
9. In 2013, the SCRS shall evaluate the information provided under paragraphs 3 and 4 and report on the sources of silky shark mortality in ICCAT fisheries, including silky shark discard mortality rates, and provide an analysis and advice regarding the benefits of a range of specific silky shark management options.
10. This measure should be reviewed in 2013 in light of the advice provided by the SCRS in accordance with paragraph 9.

**SUPPLEMENTAL RECOMMENDATION BY ICCAT ON REDUCING
INCIDENTAL BY-CATCH OF SEABIRDS IN ICCAT LONGLINE FISHERIES**

RECALLING the Recommendation by ICCAT on Reducing Incidental By-catch of Seabirds in Longline Fisheries [Rec. 07-07];

RECOGNISING the need to strengthen mechanisms to protect endangered seabirds in the Atlantic Ocean;

TAKING INTO ACCOUNT the United Nations Food and Agriculture Organization (FAO) International Plan of Action for Reducing the Incidental Catch of Seabirds in Longline Fisheries (IPOA-Seabirds);

ACKNOWLEDGING that to date some Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (hereinafter referred to as "CPCs") have identified the need for, and have either completed or are near finalizing, their National Plan of Action on Seabirds;

RECOGNISING the concern that some species of seabirds, notably some albatrosses and petrels, are threatened with global extinction;

NOTING that the Agreement on the Conservation of Albatrosses and Petrels has entered into force;

NOTING that the General Fisheries Commission for the Mediterranean (GFCM) has adopted Recommendation GFCM/35/2011/13 launching a process, to be carried out in coordination with other RFMOs, with a view to reducing incidental by-catch of seabirds in fisheries in the GFCM Competence Area,

CONSCIOUS that the ICCAT seabird assessment has been completed and has concluded that ICCAT fisheries are having a measurable impact on seabird species;

RECOGNIZING the progress that some CPCs have made in addressing seabird bycatch in their fisheries:

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

1. CPCs shall record data on seabird incidental catch by species through scientific observers in accordance with the Recommendation 10-10 and report these data annually.
2. CPCs shall seek to achieve reductions in levels of seabird by-catch across all fishing areas, seasons, and fisheries through the use of effective mitigation measures, while giving due consideration to the safety of crew members and the practicability of mitigation measures.
3. In the area south of 25 degrees South latitude, CPCs shall ensure that all longline vessels use at least two of the mitigation measures in **Table 1**. These measures should also be considered for implementation in other areas, as appropriate, consistent with scientific advice.
4. In the Mediterranean, mitigation measures in **Table 1** should be implemented on a voluntary basis. The SCRS is encouraged to work in coordination with the GFCM as provided for in GFCM Recommendation 35/2011/13.
5. Mitigation measures used pursuant to paragraph 3 shall conform to the minimum technical standards for the measures as shown in **Table 1**.
6. The design and deployment for bird scaring lines should also meet the additional specifications provided in **Annex 1**.
7. CPCs shall collect and provide to the Secretariat information on how they are implementing these measures and on the status of their National Plans of Action for Reducing Incidental Catches of Seabirds in Longline Fisheries.

8. In 2015, the SCRS shall conduct another fishery impact assessment to evaluate the efficacy of these mitigation measures. Based on this fishery impact assessment, the SCRS shall make appropriate recommendations, if necessary, to the Commission on any modifications.
9. The Commission shall consider adopting additional measures for the mitigation of any incidental catch of seabirds in light of any new scientific information available, if necessary and consistently with the precautionary approach.
10. Notwithstanding Article VIII of the Convention the provisions of this Recommendation shall come into force to the extent possible by January 2013 but not later than July 2013.
11. ICCAT Rec. 07-07 will continue to apply in the area between 20°S to 25°S.

Table 1. Mitigation measures that comply with the following minimum technical standards.

<i>Mitigation measure</i>	<i>Description</i>	<i>Specification</i>
Night setting with minimum deck lighting	No setting between nautical dawn and before nautical dusk. Deck lighting to be kept to a minimum	Nautical dusk and nautical dawn are defined as set out in the Nautical Almanac tables for relevant latitude, local time and date. Minimum deck lighting should not breach minimum standards for safety and navigation.
Bird-scaring lines (Tori lines)	Bird-scaring lines shall be deployed during longline setting to deter birds from approaching the branch line.	<p>For vessels greater than or equal to 35 m:</p> <ul style="list-style-type: none"> - Deploy at least 1 bird-scaring line. Where practical, vessels are encouraged to use a second tori pole and bird scaring line at times of high bird abundance or activity; both tori lines should be deployed simultaneously, one on each side of the line being set - Aerial extent of bird-scaring lines must be greater than or equal to 100 m. - Long streamers of sufficient length to reach the sea surface in calm conditions must be used. - Long streamers must be at intervals of no more than 5m. <p>For vessels less than 35m:</p> <ul style="list-style-type: none"> - Deploy at least 1 bird-scaring line. - Aerial extent must be greater than or equal to 75m. - Long and/or short (but greater than 1m in length) streamers must be used and placed at intervals as follows: <ul style="list-style-type: none"> o Short: intervals of no more than 2m. o Long: intervals of no more than 5m for the first 55 m of bird scaring line. <p>Additional design and deployment guidelines for bird-scaring lines are provided in Annex 1 of this Recommendation.</p>
Line weighting	Line weights to be deployed on the snood prior to setting	Greater than a total of 45 g attached within 1 m of the hook or; Greater than a total of 60 g attached within 3.5 m of the hook or; Greater than a total of 98 g weight attached within 4 m of the hook.

Supplemental Guidelines for Design and Deployment of Tori Lines

Preamble

Minimum technical standards for deployment of tori lines are found in **Table 1** of this Recommendation, and are not repeated here. These supplemental guidelines are designed to assist in preparation and implementation of tori line regulations for longline vessels. While these guidelines are relatively explicit, improvement in tori line effectiveness through experimentation is encouraged, within the requirements of **Table 1** in the Recommendation. The guidelines take into account environmental and operational variables such as weather conditions, setting speed and ship size, all of which influence tori line performance and design in protecting baits from birds. Tori line design and use may change to take account of these variables provided that line performance is not compromised. On-going improvement in tori line design is envisaged and consequently review of these guidelines should be undertaken in the future.

Tori line design

1. An appropriate towed device on the section of the tori line in the water can improve the aerial extension.
2. The above water section of the line should be sufficiently light that its movement is unpredictable to avoid habituation by birds and sufficiently heavy to avoid deflection of the line by wind.
3. The line is best attached to the vessel with a robust barrel swivel to reduce tangling of the line.
4. The streamers should be made of material that is conspicuous and produces an unpredictable lively action (e.g. strong fine line sheathed in red polyurethane tubing) suspended from a robust three-way swivel (that again reduces tangles) attached to the tori line.
5. Each streamer should consist of two or more strands.
6. Each streamer pair should be detachable by means of a clip so that line stowage is more efficient.

Deployment of tori lines

1. The line should be suspended from a pole affixed to the vessel. The tori pole should be set as high as possible so that the line protects bait a good distance astern of the vessel and will not tangle with fishing gear. Greater pole height provides greater bait protection. For example, a height of around 7 m above the water line can give about 100 m of bait protection.
2. If vessels use only one tori line it should be set to windward of sinking baits. If baited hooks are set outboard of the wake, the streamer line attachment point to the vessel should be positioned several meters outboard of the side of the vessel that baits are deployed. If vessels use two tori lines, baited hooks should be deployed within the area bounded by the two tori lines.
3. Deployment of multiple tori lines is encouraged to provide even greater protection of baits from birds.
4. Because there is the potential for line breakage and tangling, spare tori lines should be carried onboard to replace damaged lines and to ensure fishing operations can continue uninterrupted. Breakaways can be incorporated into the tori line to minimize safety and operational problems should a longline float foul or tangle with the in-water extent of a streamer line.
5. When fishers use a bait casting machine (BCM), they must ensure coordination of tori line and machine by:
 - i) ensuring the BCM throws directly under the tori line protection, and
 - ii) when using a BCM (or multiple BCMs) that allows throwing to both port and starboard, two tori lines should be used.
6. When casting branchline by hand, fishers should ensure that the baited hooks and coiled branchline sections are cast under the tori line protection, avoiding the propeller turbulence which may slow the sink rate.
7. Fishers are encouraged to install manual, electric or hydraulic winches to improve ease of deployment and retrieval of tori lines.

**RECOMMENDATION BY ICCAT ON INFORMATION COLLECTION
AND HARMONIZATION OF DATA ON BY-CATCH
AND DISCARDS IN ICCAT FISHERIES**

RECALLING the findings of ICCAT's independent performance review in 2008, including the panel's recommendation that "ICCAT develop a stronger approach generally to by-catch and develop and adopt appropriate mitigation measures including reporting on the effectiveness of these measures throughout the fisheries";

ACKNOWLEDGING the findings of the International Workshop on Tuna RFMO Management of Issues Relating to Bycatch in June 2010, including the recommendation that RFMOs should assess fishery impacts on bycatch, using the best available data;

CONSIDERING that the FAO issued International Guidelines for By-catch Management and Reduction of Discards in January 2011, advising RFMOs to recognize the importance of addressing bycatch problems and to collaborate with other RFMOs to address common issues of concern;

FURTHER CONSIDERING the recommendations developed at the first meeting of the Joint Tuna RFMO Technical Working Group on Bycatch in July 2011;

RECOGNIZING that discussions within the Future of ICCAT Working Group have highlighted the importance of ecosystem considerations;

NOTING that the Recommendation by ICCAT to Establish Minimum Standards for Fishing Vessel Scientific Observer Programs [Rec. 10-10] requires CPCs to establish observer programs to collect data that quantify bycatch (including sharks, sea turtles, marine mammals, and seabirds) and report this information to the SCRS;

RESPONDING to recommendations from the SCRS Subcommittee on Ecosystems, including the need for all CPCs to collect and provide bycatch data to the SCRS;

FURTHER RECOGNIZING that the SCRS Sub-Committee on Ecosystems, together with the Working Group on Stock Assessment Methods, is developing guidelines for the presentation and analysis of bycatch statistics;

DETERMINED to improve data collection and reporting on bycatch in ICCAT fisheries, as a basis for future assessment by the SCRS of impacts of these fisheries on bycatch species and consideration of appropriate conservation and management measures by the Commission;

UNDERSCORING the importance of full and active involvement by ICCAT in the work of the Joint Tuna RFMO Technical Working Group on By-Catch, including the development of minimum standards for data collection;

FURTHER NOTING that although Recommendations 04-10, 07-07 and 10-09 established some reporting requirements for species encountered as bycatch in ICCAT fisheries, many CPCs have not taken the necessary steps to collect and report these data.

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

1. Notwithstanding other data collection and reporting programs and requirements adopted by ICCAT and noting continued obligations to fulfill those requirements, in particular those of Recommendation 10-10:
 - a) Contracting Parties and Cooperating non-Contracting Parties, Entities and Fishing Entities (CPCs) shall require the collection of bycatch and discard data in their existing domestic scientific observer programs and logbook programs;

- b) CPCs that wish to employ an alternative scientific monitoring approach for vessels <15 meters, as specified in paragraph 1b) of Recommendation 10-10, shall describe their alternative approach as part of the observer program report that is due to the SCRS on July 31, 2012 (as required by paragraph 5 of Recommendation 10-10).
 - c) For artisanal fisheries that are not subject to ICCAT's minimum standards for scientific observer programs (Recommendation 10-10) or recording of catch requirements (Recommendation 03-13) CPCs shall implement measures to collect bycatch and discard data through alternative means and describe these efforts in their Annual Reports, beginning in 2012. The SCRS shall evaluate these measures in 2013 and provide advice to the Commission on this matter;
 - d) CPCs shall report the bycatch and discard data collected under paragraphs 1a and b to the Secretariat in the format specified by SCRS, in accordance with existing deadlines for data reporting;
 - e) CPCs shall report on steps taken to mitigate bycatch and reduce discards, and on any relevant research in this field, as part of their Annual Reports, beginning in 2012;
2. CPCs shall provide these data in a manner consistent with their domestic confidentiality requirements.
 3. Where possible, CPCs shall provide existing identification guides for sharks, seabirds and turtles and marine mammals caught in the Convention Area to the ICCAT Secretariat, and the Secretariat shall request sub-regional RFMOs to provide the Commission with relevant identification guides. The Secretariat shall share these guides with the T-RFMO Technical Working Group on Bycatch, as appropriate.
 4. The ICCAT Secretariat and SCRS will continue to support the work plan of the T-RFMO Joint Bycatch Technical Working Group.
 5. This recommendation applies to discards and bycatch of species caught in association with fisheries managed by ICCAT, as reflected in the FAO International Guidelines on Bycatch Management and the Reduction of Discards.

**RECOMMENDATION BY ICCAT TO CLARIFY THE APPLICATION OF COMPLIANCE
RECOMMENDATIONS AND FOR DEVELOPING THE COMPLIANCE ANNEX**

RECOGNIZING the need to clarify the procedures regarding implementation of ICCAT's compliance recommendations that address the treatment of under/over harvest of catch limits and minimum size tolerances, including the deadline and process for the submission of compliance tables and for developing the Compliance Annex;

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

1. By 15 September of each year, Contracting Parties and Cooperating Non-Contracting Parties, Entities, and Fishing Entities (CPCs) shall complete and submit the following to ICCAT using Commission-approved tables and forms provided by the Secretariat:
 - an "ICCAT Compliance Reporting Table" covering each of its applicable fisheries, and
 - a form for each stock or species, as appropriate, showing how adjusted quotas or catch limits were calculated taking into account ICCAT's rules on under and overharvests.

The Compliance Reporting Table shall cover the current reporting year and any revisions of previous years' data, which should be highlighted for ease of reference. The table format shall include, *inter alia*, current catches, balance, adjusted quotas/catch limits, and, where applicable, minimum size data. CPCs shall submit their compliance reporting table and forms for the application of underharvests/overharvests electronically in the format provided by the Secretariat.

2. Upon submission of the ICCAT Compliance Reporting Tables to the Commission, the Secretariat in consultation with the Compliance Committee Chairman shall prepare and distribute to CPCs a "Compliance Annex." The Annex will reflect: (1) all catch limits and minimum sizes/tolerances to which each CPC is subject; (2) each CPC's catch statistics submitted to the SCRS for the current reporting year, and any revisions to previous years' data; (3) any underharvests or overharvests; (4) all catch limit reductions that each Party must take pursuant to applicable rules and any catch limit increases a CPC may choose to take due to underharvest; and (5) the dates by when such reductions or increases will be taken. In the Compliance Annex, the Secretariat shall also note where compliance table submissions by CPCs indicate actions that may be inconsistent with ICCAT recommendations for consideration by the Compliance Committee.
3. At each annual meeting, the Compliance Committee shall review and adjust, as necessary, the Compliance Annex to ensure it reflects the proper application of ICCAT's compliance recommendations. In support of this review, each CPC shall report on the information presented in its ICCAT Compliance Reporting Table, including a detailed explanation of any overharvest of a catch limit and/or minimum size tolerance level, the actions already taken, or to be taken, to prevent further overharvest, and the dates by which such actions will be taken. CPCs shall also report any changes to the compliance information provided in previous years and explain, in detail, any changes to their Compliance Reporting Table made after the 15 September deadline. If a CPC's compliance data differs substantially from relevant statistics reported to SCRS, the Committee shall seek an explanation for the difference, where necessary and appropriate.
4. At each annual meeting, the Compliance Committee will present the results of its deliberations on the application of ICCAT's compliance recommendations, as reflected in a final Compliance Annex, for endorsement, in whole or in part, by the Commission. The Compliance Annex will be appended to the meeting report.
5. This Recommendation replaces *Recommendation by ICCAT on Application of Three Compliance Recommendations* (98-14) in its entirety.

**RECOMMENDATION BY ICCAT CONCERNING THE ESTABLISHMENT OF AN
ICCAT RECORD OF VESSELS 20 METERS IN LENGTH OVERALL OR GREATER
AUTHORIZED TO OPERATE IN THE CONVENTION AREA**

RECALLING that ICCAT adopted at its 2000 meeting a *Recommendation by ICCAT Concerning Registration and Exchange of Information of Fishing Vessels Fishing for Tuna and Tuna-like Species in the Convention Area* [Rec. 00-17],

FURTHER RECALLING that ICCAT adopted at its 1994 meeting a *Resolution by ICCAT Regarding the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas* [Res. 94-08],

FURTHER RECALLING that the Commission has been taking various measures to prevent, deter and eliminate the illegal, unreported and unregulated (IUU) fisheries conducted by large-scale tuna fishing vessels,

NOTING that large-scale fishing vessels are highly mobile and easily change fishing grounds from one ocean to another, and have high potential of operating in the Convention area without timely registration with the Commission,

RECALLING that the FAO Council adopted on June 23, 2001 an International Plan of Action (IPOA) aiming to prevent, to deter and to eliminate illegal, unreported and unregulated fishing, that this plan stipulates that the regional fisheries management organization should take action to strengthen and develop innovative ways, in conformity with international law, to prevent, deter and eliminate IUU fishing and in particular to establish records of vessels authorized and records of vessels engaged in IUU fishing,

FURTHER RECALLING that the Commission, in 2002, established an ICCAT Record of Vessels 24 meters in length overall or greater and then, in 2009, expanded the list to include all vessels 20 meters in length overall or greater,

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

1. The Commission shall establish and maintain an ICCAT record of fishing vessels 20 meters in length overall or greater (hereinafter referred to as "large scale fishing vessels" or "LSFVs") authorized to fish for tuna and tuna-like species in the Convention Area. For the purpose of this recommendation, LSFVs not entered into the record are deemed not to be authorized to fish for, retain on board, transship or land tuna and tuna-like species.
2. Each CPC shall submit to the ICCAT Executive Secretary, the list of its LSFVs that are authorized to operate in the Convention area. The initial list and any subsequent changes shall be submitted electronically in a format provided by the Secretariat. This list shall include the following information:
 - Name of vessel, register number
 - IMO number (if any)
 - Previous name (if any)
 - Previous flag (if any)
 - Previous details of deletion from other registries (if any)
 - International radio call sign (if any)
 - Type of vessels, length, gross registered tonnage (GRT), or, where possible, Gross Tonnage (GT)
 - Name and address of owner(s) and operator(s)
 - Gear used
 - Time period authorized for fishing and/or transshipping. However, in no case shall the authorization period include dates more than 30 days prior to the date of submission of the list to the Secretariat.

The ICCAT record shall consist of all LSFVs submitted under this paragraph.

3. Each CPC shall promptly notify the ICCAT Executive Secretary of any addition to, any deletion from and/or any modification of the ICCAT record at any time such changes occur. Periods of authorization for modifications or additions to the list shall not include dates more than 30 days prior to the date of submission

of the changes to the Secretariat. The Secretariat shall remove from the ICCAT Record of Vessels any vessel for which the period of authorization has expired.

4. The ICCAT Executive Secretary shall maintain the ICCAT record, and take any measure to ensure publicity of the record and make the record available through electronic means, including placing it on the ICCAT website, in a manner consistent with confidentiality requirements noted by CPCs.
5. The flag CPCs of the vessels on the record shall:
 - a) Authorize their LSFVs to operate in the Convention area only if they are able to fulfill in respect of these vessels the requirements and responsibilities under the Convention and its conservation and management measures;
 - b) Take necessary measures to ensure that their LSFVs comply with all the relevant ICCAT conservation and management measures;
 - c) Take necessary measures to ensure that their LSFVs on the ICCAT record keep on board valid certificates of vessel registration and valid authorization to fish and/or transship;
 - d) Ensure that their LSFVs on the ICCAT record have no history of IUU fishing activities or that, if those vessels have such history, the new owners have provided sufficient evidence demonstrating that the previous owners and operators have no legal, beneficial or financial interest in, or control over those vessels, or that having taken into account all relevant facts, their LSFVs are not engaged in or associated with IUU fishing;
 - e) Ensure, to the extent possible under domestic law, that the owners and operators of their LSFVs on the ICCAT record are not engaged in or associated with tuna fishing activities conducted by LSFVs not entered into the ICCAT record in the Convention area; and
 - f) Take necessary measures to ensure, to the extent possible under domestic law, that the owners of the LSFVs on the ICCAT record are citizens or legal entities within the flag CPCs so that any control or punitive actions can be effectively taken against them.
6. CPCs shall review their own internal actions and measures taken pursuant to paragraph 5, including punitive and sanction actions and in a manner consistent with domestic law as regards disclosure, report any relevant results of the review to the Commission at its annual meeting. In consideration of any CPC reports on the relevant results of such reviews, the Commission shall, if appropriate, request the flag CPCs of LSFVs on the ICCAT record to take further action to enhance compliance by those vessels to ICCAT conservation and management measures.
7.
 - a) CPCs shall take measures, under their applicable legislation, to prohibit the fishing for, the retaining on board, the transshipment and landing of tuna and tuna-like species by the LSTVs which are not entered into the ICCAT record.
 - b) To ensure the effectiveness of the ICCAT conservation and management measures pertaining to species covered by Statistical Document Programs:
 - i) Flag CPCs or, if the vessel is under a charter arrangement, the exporting CPC shall validate statistical documents only for the LSFVs on the ICCAT record,
 - ii) CPCs shall require that the species covered by Statistical Document Programs caught by LSFVs in the Convention area, when imported into the territory of a Contracting Party be accompanied by statistical documents validated for the vessels on the ICCAT record and,
 - iii) CPCs importing species covered by Statistical Document Programs and the flag States of vessels shall cooperate to ensure that statistical documents are not forged or do not contain misinformation.
8. Each CPC shall notify the ICCAT Executive Secretary of any factual information showing that there are reasonable grounds for suspecting LSTVs not on the ICCAT record to be engaged in fishing for and/or transshipment of tuna and tuna-like species in the Convention area.

9. a) If a vessel mentioned in paragraph 8 is flying the flag of a CPC, the Executive Secretary shall request that CPC to take measures necessary to prevent the vessel from fishing for tuna and tuna-like species in the Convention area.
 - b) If the flag of a vessel mentioned in paragraph 8 cannot be determined or is of a non-Contracting Party without cooperating status, the Executive Secretary shall compile such information for future consideration by the Commission.
10. The Commission and the CPCs concerned shall communicate with each other, and make the best effort with FAO and other relevant regional fishery management bodies to develop and implement appropriate measures, where feasible, including the establishment of records of a similar nature in a timely manner so as to avoid adverse effects upon tuna resources in other oceans. Such adverse effects might consist of excessive fishing pressure resulting from a shift of the IUU LSFVs from the Atlantic to other oceans.
 11. The *Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels 20 Meters in Length Overall or Greater* [Rec. 09-08] is replaced in its entirety by this recommendation.

**RECOMMENDATION BY ICCAT ON THE PRINCIPLES OF DECISION
MAKING FOR ICCAT CONSERVATION AND MANAGEMENT MEASURES**

RECALLING the Recommended Course of Actions from the first Global Summit of Tuna RFMOs in Kobe, Japan, noted that management decisions should be based upon scientific advice and consistent with the precautionary approach;

NOTING that participants of the first Global Summit of Tuna RFMOs in 2007 in Kobe, Japan agreed that stock assessment results be presented in a standardized “four quadrant, red-yellow-green” format that is now referred to as the “Kobe Plot,” which is widely embraced as a practical, user-friendly method to present stock status information;

FURTHER NOTING that, at the Second Joint Meeting of Tuna RFMOs in June 2009 in San Sebastian, Spain, a “Strategy Matrix” was adopted to provide fisheries managers with the statistical probability of meeting management targets, including ending overfishing and rebuilding overfished stocks, in a standardized manner as a result of potential management actions;

ACKNOWLEDGING that the Strategy Matrix is a harmonized format for RFMO science bodies to convey advice, and that this format for presenting stock assessment results facilitates the application of the precautionary approach by providing Commissions with the basis to evaluate and adopt management options at various levels of probability of success;

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

To support the achievement of the ICCAT Convention objective, the following principles, based on the status of stocks as represented by the Kobe Plot, shall guide the development of management measures for ICCAT-managed stocks:

1. For stocks that are not overfished and not subject to overfishing (i.e., stocks in the green quadrant of the Kobe plot), management measures shall be designed to result in a high probability of maintaining the stock within this quadrant.
2. For stocks that are not overfished, but are subject to overfishing, (i.e., stocks in the upper right yellow quadrant of the Kobe plot), the Commission shall immediately adopt management measures, taking into account, *inter alia*, the biology of the stock and SCRS advice, designed to result in a high probability of ending overfishing in as short a period as possible.
3. For stocks that are overfished and subject to overfishing (i.e., stocks in the red quadrant of the Kobe plot), the Commission shall immediately adopt management measures, taking into account, *inter alia*, the biology of the stock and SCRS advice, designed to result in a high probability of ending overfishing in as short a period as possible. In addition, the Commission shall adopt a plan to rebuild these stocks taking into account, *inter alia*, the biology of the stock and SCRS advice.
4. For stocks that are overfished and not subject to overfishing (i.e. stocks in the lower left yellow quadrant of the Kobe plot), the Commission shall adopt management measures designed to rebuild these stocks in as short a period as possible, taking into account, *inter alia*, the biology of the stock and SCRS advice.

**RECOMMENDATION BY ICCAT ON PENALTIES APPLICABLE IN CASE OF
NON FULFILMENT OF REPORTING OBLIGATIONS**

GIVEN that following Article IX of the Convention, Contracting Parties agree to supply, on the request of the Commission, any available statistical, biological and other scientific information that the Commission may need for the purposes of this Convention and that all Task I and II data should be submitted annually to the Secretariat by July the year following the fishing activities;

RECALLING the *Resolution by ICCAT on the Deadlines and Procedures for Data Submission* [Res. 01-16] and the *Recommendation by ICCAT on Compliance with Statistical Reporting Obligations* [Rec. 05-09];

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

TAKING INTO ACCOUNT the *Recommendation by ICCAT on Atlantic Shortfin Mako Sharks Caught in Association with ICCAT Fisheries* [Rec. 10-06], which provides that “CPCs that do not report Task I data for Atlantic shortfin mako sharks, in accordance with SCRS data reporting requirements, shall be prohibited from retaining this species, beginning in 2013 until such data have been received by the ICCAT Secretariat”;

NOTING that incomplete reporting or no data reporting also concerns species other than shortfin mako and that, despite the adoption of numerous measures intended to address the matter, lack of compliance with reporting obligations still is a problem for the Scientific Committee and for the Commission;

FURTHER NOTING that, in order that all ICCAT fisheries are managed in line with the precautionary approach, it is necessary to take measures aimed at eliminating or reducing non-reporting and misreporting;

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

1. CPCs shall include information in their Annual Reports on actions taken to implement their reporting obligations for all ICCAT fisheries, including shark species caught in association with ICCAT fisheries, in particular the steps taken to improve their Task I and Task II data collection for direct and incidental catches;
2. Actions taken by CPCs, as described in paragraph 1, shall be reviewed annually by ICCAT’s Compliance Committee, beginning in 2013;
3. CPCs that do not report Task I data, including zero catches, for one or more species for a given year, in accordance with SCRS data reporting requirements, shall be prohibited from retaining such species as of the year following the lack or incomplete reporting until such data have been received by the ICCAT Secretariat.

RECOMMENDATION BY ICCAT ON ACCESS AGREEMENTS

AWARE of the data reporting requirements for all CPCs and the importance of complete statistical reporting to the work of SCRS and the Commission;

MINDFUL of the need to ensure transparency among CPCs, in particular to facilitate joint efforts to combat illegal, unreported, and unregulated fishing;

RECALLING the *Recommendation by ICCAT on Vessel Chartering* [Rec. 02-21] that establishes reporting and other requirements for chartering arrangements;

RECALLING the *Recommendation by ICCAT Concerning the Duties of Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities in Relation to their Vessels in the ICCAT Convention Area* [Rec. 03-12], which requires CPCs to ensure that their vessels do not conduct unauthorized fishing within areas under the national jurisdiction of other States, through appropriate cooperation with coastal States concerned, and other relevant means available to the flag CPC;

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

1. Contracting Parties and Cooperating non-Contracting Parties, Entities, and Fishing Entities (CPCs) that allow foreign-flagged vessels to fish in waters under their jurisdiction for species managed by ICCAT, and CPCs whose vessels fish in waters under the jurisdiction of another CPC or non-Contracting party (NCP) for species managed by ICCAT pursuant to an agreement, shall, individually or jointly, notify the Commission prior to beginning fishing activities of the existence of such agreements and provide to the Commission information concerning these agreements, including:
 - The CPCs, NCPs, or other entities involved in the agreement;
 - The time period or periods covered by the agreement;
 - The number of vessels and gear types authorized;
 - The stock or species authorized for harvest, including any applicable catch limits;
 - The CPC's quota or catch limit to which the catch will be applied;
 - Monitoring, control, and surveillance measures required by the flag CPC and coastal State involved;
 - Data reporting obligations stipulated in the agreement, including those between the parties involved, as well as those regarding information that must be provided to the Commission;
 - A copy of the written agreement.
2. For agreements in existence prior to the entry into force of this recommendation, the information specified in paragraph 1 shall be provided in advance of the 2012 Commission meeting.
3. When an access agreement is modified in a manner that changes any of the information specified in paragraph 1, these changes shall be promptly notified to the Commission.
4. Consistent with ICCAT data reporting requirements, flag CPCs involved in the agreements specified in paragraph 1 shall ensure that all target and incidental catches made pursuant to these agreements are reported to the SCRS.
5. Flag CPCs and coastal CPCs involved in the agreements specified in paragraph 1 shall provide a summary of the activities carried out pursuant to each agreement, including all catches made pursuant to these agreements, in their annual report to the Commission.
6. In cases where coastal CPCs allow foreign-flagged vessels to fish in waters under their jurisdiction for species managed by ICCAT through a mechanism other than a CPC-to-CPC or CPC-to-NCP agreement, the coastal CPC shall be solely responsible for providing the information required by this Recommendation. Flag CPCs with vessels involved in such an agreement, however, shall endeavor to provide to the Commission relevant information regarding that agreement as indicated in paragraph 1.

7. The Secretariat shall develop a form for reporting the information specified in this recommendation and annually compile CPC submissions into a report to be presented to the Commission for consideration at its annual meeting.
8. This recommendation does not apply to chartering arrangements covered by the *Recommendation by ICCAT on Vessel Chartering* [Rec. 02-21].
9. All information provided pursuant to this Recommendation shall be consistent with domestic confidentiality requirements.

**RECOMMENDATION BY ICCAT FURTHER AMENDING RECOMMENDATION 09-10
ESTABLISHING A LIST OF VESSELS PRESUMED TO HAVE CARRIED OUT
ILLEGAL, UNREPORTED AND UNREGULATED FISHING ACTIVITIES IN
THE ICCAT CONVENTION AREA**

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

RECALLING that ICCAT has already adopted measures against IUU fishing activities and, in particular, against large-scale tuna longline vessels,

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

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

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

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

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

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

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

Definition of IUU Activities

1. For the purposes of this recommendation, the fishing vessels flying the flag of a non-Contracting Party, or a Cooperating non-Contracting Party, Entity or Fishing Entity, or a Contracting Party are presumed to have carried out illegal, unreported and unregulated fishing activities in the ICCAT Convention area, *inter alia*, when a Contracting Party or a Cooperating non-Contracting Party, Entity or Fishing Entity (hereafter referred to as CPC) presents evidence that such vessels:
 - a) Harvest tunas and tuna-like species in the Convention area and are not registered on the ICCAT list of vessels authorized to fish for tuna and tuna-like species in the ICCAT Convention area;
 - b) Harvest tuna and tuna-like species in the Convention area, whose flag State is without quotas, catch limit or effort allocation under relevant ICCAT conservation and management measures;
 - c) Do not record or report their catches made in the ICCAT Convention area, or make false reports;
 - d) Take or land undersized fish in contravention of ICCAT conservation measures;
 - e) Fish during closed fishing periods or in closed areas in contravention of ICCAT conservation measures;
 - f) Use prohibited fishing gear in contravention of ICCAT conservation measures;
 - g) Transship with, or participate in joint operations such as re-supply or re-fuelling vessels included in the IUU vessels list;

- h) Harvest tuna or tuna-like species in the waters under the national jurisdiction of the coastal States in the Convention area without authorization and/or infringes its laws and regulations, without prejudice to the sovereign rights of coastal States to take measures against such vessels,
- i) Are without nationality and harvest tunas or tuna-like species in the ICCAT Convention area, and/or
- j) Engage in fishing activities contrary to any other ICCAT conservation and management measures.

Information on alleged IUU activities

2. CPCs shall transmit every year to the Executive Secretary at least 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 CPCs, *inter alia*, under relevant ICCAT recommendations and resolutions.

Draft IUU List

3. On the basis of the information received pursuant to paragraph 2, the ICCAT Executive Secretary shall draw up a Draft IUU List. This list shall be drawn up in conformity with **Annex 1**. The Secretary shall transmit it together with the current IUU List as well as all the evidence provided to CPCs, and to non-Contracting Parties whose vessels are included on these lists before at least 90 days before the annual meeting. CPCs and non-Contracting Parties, shall transmit their comments, as appropriate, including evidence showing that the listed vessels have neither fished in contravention to ICCAT conservation and management measures nor had the possibility of fishing tuna and tuna-like species in the Convention area, at least 30 days before the annual meeting of ICCAT.

The Commission shall request the flag State to notify the owner of the vessels of its inclusion in the Draft IUU List and of the consequences that may result from their inclusion being confirmed in the IUU list adopted by the Commission.

Upon receipt of the Draft IUU List, CPCs shall closely monitor these vessels included in the Draft IUU List in order to determine their activities and possible changes of name, flag and/or registered owner.

Provisional IUU List

4. On the basis of the information received pursuant to paragraph 3, the Executive Secretary shall draw up a Provisional List which he will transmit two weeks in advance to the Commission meeting to the CPCs and to the non-Contracting Parties concerned, together with all the evidence provided. This list shall be drawn up in conformity with **Annex 1**.
5. CPCs may at any time submit to the ICCAT Executive Secretary any additional information, which might be relevant for the establishment of the IUU list. The ICCAT Executive Secretary shall circulate the information, at latest before the annual meeting, to the CPCs and to the non-Contracting Parties concerned, together with all the evidence provided.
6. The Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG) shall examine, each year, the Provisional List, as well as the information referred to in paragraphs 3 and 5. The results of this examination may, if necessary, be referred to the Conservation and Management Measures Compliance Committee.

The PWG shall remove a vessel from the Provisional List if the flag State demonstrates that:

- The vessel did not take part in any IUU fishing activities described in paragraph 1, or
- Effective action has been taken in response to the IUU fishing activities in question, including, *inter alia*, prosecution and imposition of sanctions of adequate severity.

7. Following the examination referred to in paragraph 6, at each ICCAT annual meeting, the PWG shall:
 - i) Adopt a Provisional IUU Vessel List following consideration of the Draft IUU List and information and evidence circulated under paragraphs 3 and 5. The Provisional IUU Vessel List shall be submitted to the Commission for approval.
 - ii) Recommend to the Commission which, if any, vessels should be removed from the IUU Vessel List adopted at the previous ICCAT annual meeting, following consideration of that List, of the information and evidence circulated under paragraph 5 and the information received in accordance with paragraph 14.

IUU List

8. On adoption of the list, the Commission shall request non-Contracting Parties, whose vessels appear on the IUU List:
 - To notify the owner of the vessel identified on the IUU Vessels List of its inclusion on the list and the consequences which result from being included on the list, as referred to in paragraph 9.
 - To take all the necessary measures to eliminate these IUU fishing activities, including if necessary, the withdrawal of the registration or of the fishing licenses of these vessels, and to inform the Commission of the measures taken in this respect.
9. CPCs shall take all necessary measures, under their applicable legislation:
 - So that the fishing vessels, support vessels, refueling vessels, the mother-ships and the cargo vessels flying their flag do not assist in any way, engage in fishing processing operations or participate in any transshipment or joint fishing operations with vessels included on the IUU Vessels List;
 - So that IUU vessels are not authorized to land, tranship re-fuel, re-supply, or engage in other commercial transactions;
 - To prohibit the entry into their ports of vessels included on the IUU list, except in case of *force majeure*, unless vessels are allowed entry into port for the exclusive purpose of inspection and effective enforcement action;
 - To give priority to the inspection of vessels on the IUU list, if such vessels are otherwise found in their ports;
 - To prohibit the chartering of a vessel included on the IUU vessels list;
 - To refuse to grant their flag to vessels included in the IUU list, except if the vessel has changed owner and the new owner has provided sufficient evidence demonstrating the previous owner or operator has no further legal, beneficial or financial interest in, or control of, the vessel, or having taken into account all relevant facts, the flag CPC determines that granting the vessel its flag will not result in IUU fishing;
 - To prohibit the imports, or landing and/or transshipment, of tuna and tuna-like species from vessels included in the IUU list;
 - To encourage the importers, transporters and other sectors concerned, to refrain from transaction and transshipment of tuna and tuna-like species caught by vessels included in the IUU list;
 - To collect and exchange with other CPCs any appropriate information with the aim of searching for, controlling and preventing false import/export certificates regarding tunas and tuna-like species from vessels included in the IUU list.
10. The ICCAT Executive Secretary will take any necessary measure to ensure publicity of the IUU vessels list adopted by ICCAT pursuant to paragraph 7, in a manner consistent with any applicable confidentiality requirements, and through electronic means, by placing it on the ICCAT web site. Furthermore, the ICCAT Executive Secretary will transmit the IUU Vessels List to other regional fisheries organizations for the purposes of enhanced co-operation between ICCAT and these organizations in order to prevent, deter and eliminate illegal, unreported and unregulated fishing.
11. Upon receipt of the final IUU vessel list established by another regional fisheries management organization (RFMO) managing tuna or tuna-like species and supporting information considered by that RFMO, and any

other information regarding the listing determination, the Executive Secretary shall circulate this information to the CPCs. Vessels that have been included on or deleted from the respective lists shall be included on or deleted from the ICCAT IUU Vessel List as appropriate, unless any Contracting Party objects to the inclusion on the final ICCAT IUU list within 30 days of the date of transmittal by the Executive Secretary on the grounds that:

i) there is satisfactory information to establish that:

a) The vessel did not engage in the IUU fishing activities identified by the other RFMO, or

b) That effective action has been taken in response to the IUU fishing activities in question, including, *inter alia*, prosecution, and imposition of sanctions of adequate severity,

or

ii) There is insufficient supporting information and other information regarding the listing determination to establish that none of the conditions in sub-paragraph i) above have been met.

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

12. This recommendation shall apply to fishing vessels 12 meters or greater in length overall and, *mutatis mutandis*, fish processing vessels, tug and towing vessels, vessels engaged in transshipment, and support vessels. The Commission shall, at its annual meeting in 2013, review and, as appropriate, revise this recommendation with a view to its extension to other types of IUU fishing activities.
13. Without prejudice to the rights of flag States and coastal States to take proper action consistent with international law, CPCs shall not take any unilateral trade measures or other sanctions against vessels provisionally included in the Draft IUU List, pursuant to paragraph 3, or which have been already removed from the list, pursuant to paragraph 6, on the grounds that such vessels are involved in IUU fishing activities.

Deletion from the IUU vessels list

14. A non-Contracting Party whose vessel appears on the IUU List may request the removal of this vessel from the list during the inter-sessional period by providing the following information:
 - It has adopted measures so that this vessel conforms with ICCAT conservation measures,
 - It is and will continue to assume effectively its responsibilities with respect to this vessel in particular as regards the monitoring and control of the fishing activities executed by this vessel in the ICCAT Convention area,
 - It has taken effective action in response to the IUU fishing activities in question including prosecution and imposition of sanctions of adequate severity; and/or
 - The vessel has changed ownership and that the new owner can establish the previous owner no longer has any legal, financial or real interests in the vessel or exercises control over it and that the new owner has not participated in IUU fishing.

Inter-sessional modification of the IUU Vessels List

15. The non-Contracting Party shall send its request for the removal of a vessel from the IUU Vessels List to the ICCAT Executive Secretary accompanied by the supporting information referred to in paragraph 14.
16. On the basis of the information received in accordance with paragraph 14, the ICCAT Executive Secretary will transmit the removal request, with all the supporting information to the Contracting Parties within 15 days following the notification of the removal request.
17. The Contracting Parties will examine the request to remove the vessel and arrive at a conclusion on either the removal from, or the maintenance of the vessel on the IUU Vessels List by mail within 30 days following the notification by the Executive Secretary. The result of the examination of the request by mail

will be checked by the Executive Secretary at the end of the 30-day period following the date of the notification by the Executive Secretary referred to in paragraph 16.

18. The Executive Secretary will communicate the result of examination to all Contracting Parties.
19. If the result of the exercise indicates that there is a majority of the Contracting Parties in favor of removal of the vessel from the IUU List, the Chairperson of ICCAT, on behalf of ICCAT, will communicate the result to all the Contracting Parties and to the non-Contracting Party which requested the removal of its vessel from the IUU list. In the absence of a majority, the vessel will be maintained on the IUU List and the Executive Secretary will inform the non-Contracting Party accordingly.
20. The ICCAT Executive Secretary will take the necessary measures to remove the vessel concerned from the ICCAT IUU Vessels List, as published on the ICCAT web site. Moreover, the ICCAT Executive Secretary will forward the decision of removal of the vessel to other regional fishery organizations.

General dispositions

21. This recommendation replaces Recommendation 09-10.
22. This Recommendation shall apply *mutatis mutandis* to vessels referred to in paragraph 12 flying the flag of CPCs.

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

The Draft IUU List, as well as the Provisional IUU List shall contain the following details, where available:

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

**RECOMMENDATION BY ICCAT CONCERNING THE LIFTING OF
TRADE RESTRICTIVE MEASURES AGAINST BOLIVIA AND GEORGIA**

RECOGNIZING ICCAT's responsibility as concerns the management of tuna and tuna-like stocks in the Atlantic and adjacent seas, in an international scope;

RECALLING the decision adopted by the Commission in 2002 (*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. 02-17]) to prohibit the imports of Atlantic bigeye tuna and its products from Bolivia;

FURTHER RECALLING the decision adopted by the Commission in 2003 (*Recommendation by ICCAT Regarding for Bigeye Tuna Trade Restrictive Measures on Georgia* [Rec. 03-18]) to prohibit the imports of Atlantic bigeye tuna and its products from Georgia;

WELCOMING improvements in responsiveness of Georgia and Bolivia to correspondence from ICCAT seeking information on actions taken to control their vessels to ensure that ICCAT conservation and management measures are not undermined;

CONSIDERING actions taken by Georgia to address fishing by its vessels in the ICCAT Convention area, including the deregistration of vessels fishing without authorization in the ICCAT Convention area;

ENCOURAGED by Georgia's consideration of increased future participation in the work of the Commission;

FURTHER CONSIDERING that since 2006, Bolivia has not registered any fishing vessels to carry out fishing-related activities in the ICCAT Convention area, and that no information made available to ICCAT has indicated that fishing for ICCAT species by Bolivian vessels has occurred in recent years,

EXAMINING IN DETAIL during its 2011 meeting the actions undertaken by Bolivia and Georgia, and considering that the actions of these States help to ensure that actions of their vessels do not diminish the effectiveness of ICCAT conservation and management measures,

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

1. Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities (CPCs) shall lift the import prohibitions on Atlantic bigeye tuna and its products that were imposed on Bolivia and Georgia pursuant to the *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. 02-17] and the *Recommendation by ICCAT Regarding for Bigeye Tuna Trade Restrictive Measures on Georgia* [Rec. 03-18].
2. Notwithstanding the provisions of Article VIII, paragraph 2, of the Convention, the CPCs shall implement this Recommendation as soon as possible in accordance with their regulatory procedures.
3. Recommendations [Rec. 02-17] and [Rec. 03-18] are hereby withdrawn.

**RECOMMENDATION BY ICCAT AMENDING RECOMMENDATION 09-11 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 issuance, numbering, 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 Program:
 - 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 Union 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 CPC" means the CPC where the fishing vessel is flagged; "trap CPC" means the CPC where the trap is established; and "farm CPC" means the CPC where the farm is established.

3. A Bluefin Tuna Catch Document (BCD) shall be completed for each bluefin tuna in accordance with **Annex 3**.

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 13(c) applies and, as applicable, an ICCAT transfer declaration or a validated Bluefin Tuna Reexport 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 not place bluefin tuna into a farm not authorized by the CPC or listed in the ICCAT record.
5. Farm CPCs shall ensure that bluefin tuna catches are placed in separate cages or series of cages and partitioned on the basis of flag CPC origin. By derogation, if the bluefin tuna are caught in the context of a joint fishing operation (JFO) between different CPCs, farm CPCs shall ensure that bluefin tuna are placed in separate cages or series of cages and partitioned on the basis of joint fishing operations.
6. At the time of caging, relevant BCDs may be grouped as a "Grouped BCD" with a new BCD number in the following cases, provided that caging of all the fish is conducted on the same day and all the fish is caged in the same farming cage:
 - a) Multiple catches made by the same vessel
 - b) Catches made by JFO

The Grouped BCD shall replace all the related original BCDs and be accompanied by the list of all the associated BCD numbers. The copies of such associated BCDs shall be made available upon request of CPCs.

7. Farm CPCs shall ensure that bluefin tuna are harvested from farms in the same year in which they were caught, or before the beginning of the purse seiners fishing period, if harvested in the following year. In the case where harvesting operations are not completed before this date, farm CPCs shall complete and transmit an annual carry-over declaration to the ICCAT Secretariat within 15 days after this date. Such declaration shall include:
 - Quantities (expressed in kg) and number of fish intended to be carried over,
 - Year of catch,
 - Average weight,
 - Flag CPC,
 - References of the BCD corresponding to the catches carried over,
 - Name and ICCAT number of the fattening facility,
 - Cage number, and
 - Information on harvested quantities (expressed in kg), when completed.
8. Quantities carried over in accordance with paragraph 7 shall be placed in separate cages or series of cages in the farm on the basis of the catch year.
9. 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 CPC and assigned to the catching vessel or trap.
10. 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

11. 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 CPC, shall complete the BCD by providing the required information in appropriate sections and request validation in accordance with paragraph 13 for a BCD for catch landed, transferred to cages, harvested, transhipped, domestically traded or exported on each occasion that it lands, transfers, harvests, transships, domestically trades or exports bluefin tuna.
12. 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 maybe 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.
13.
 - a) The BCD must be validated by an authorized government official, or other authorized individual or institution, of the flag CPC of the catching vessel, the CPC of the seller/exporter, or the trap or farm CPC that caught, harvested, domestically traded or exported the bluefin tuna.
 - 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 13(a) shall not be required in the event that all bluefin tuna available for sale are tagged by the flag CPC of the catching vessel or the trap CPC 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

14. 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.
15. 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 re-exported. The completed BFTRC shall be accompanied by a copy of the validated BCD(s) relating to the bluefin tuna products previously imported.
16. The BFTRC shall be validated by an authorized government official or authority.
17. 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 product on the validated BCD(s).
 - d) a copy of the BCD(s) shall be attached to the validated BFTRC.
18. The validated BFTRC shall include the information identified in **Annex 4** and **Annex 5** attached.

**PART IV
VERIFICATION AND COMMUNICATION**

19. Each CPC shall communicate a copy of all validated BCDs or BFTRCs, except in cases where paragraph 13(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.
20. The ICCAT Secretariat shall extract from the validated BCDs or BFTRCs communicated under paragraph 19 above the information marked with an asterisk (*) in **Annex 1** or **Annex 4** 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**

21. 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**

22. 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.
23. If, as a result of examinations or verifications carried out pursuant to paragraph 22 above, a doubt arises regarding the information contained in a BCD, the final importing State/CPC and the CPC whose competent authorities validated the BCD(s) or BFTRCs shall cooperate to resolve such doubts.
24. If a CPC involved in trade of bluefin tuna identifies a consignment with no BCD, it shall notify the findings to the exporting CPC and, where known, the flag CPC.
25. Pending the examinations or verifications under paragraph 22 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.
26. Where a CPC, as a result of examination or verifications under paragraph 22 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.
27. 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

28. Each CPC that validates BCDs in respect of its flag catching vessels, traps or farms in accordance with paragraph 13(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 nongovernmental individuals or institutions. Updated details on validating authorities and national provisions shall be communicated to the ICCAT Secretariat in a timely fashion.
29. 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.
30. 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.
31. Copies of validated BCDs and notification pursuant to paragraphs 28, 29 and 30 shall be sent by CPCs to the ICCAT Secretariat, by electronic means, whenever possible.
32. Copies of BCDs shall follow each part of split shipments or processed product, using the unique document number of the BCD to link them
33. CPCs shall keep copies of documents issued or received for at least two years.
34. 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 6**.

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.

35. The *Recommendation by ICCAT Amending Recommendation 08-12 on an ICCAT Bluefin Tuna Catch Document Program* [Rec. 09-11] 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

Name of the Catching Vessel or Trap name*
Name of the Other Vessels (in case of JFO)
Flag*
ICCAT Record No.
Individual Quota
Quota used for this BCD
Date, area of catch and gear used*
Number of fish, total weight, and average weight*¹
ICCAT Record number of Joint Fishing Operation (if applicable)*
Tag No. (if applicable)
Government validation
Name of authority and signatory, title, 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, signature, seal and date
Importer/buyer

4. Transfer information

Towing vessel description
ICCAT Transfer Declaration No.
Vessel name, flag
ICCAT Record No.
Number of fish dead during transfer
Total weight of dead fish (kg)
Towing cage description
Cage number

5. Transshipment information

Carrier vessel description
Name, Flag, ICCAT Record No., Date, Port name, Port state, position
Product description
(F/FR; RD/GG/DR/FL/OT)
Total weight (NET)
Government validation
Name of authority and signatory, title, signature, seal and date

* Information to be entered by the Secretariat in the BCD database (see paragraph 20).

¹ Weight 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.

6. Farming information

Farming facility description

Name, CPC*, 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*¹

ICCAT Regional observer information

Name, ICCAT No., signature

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

Government validation

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

7. Harvesting information

Harvesting description

Date of harvest*

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

Tag numbers (if applicable)

ICCAT regional observer information

Name, ICCAT No., signature

Government validation

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

8. Trade information

Product description

(F/FR; RD/GG/DR/FL/OT)²

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, signature, seal and date

Importer/buyer information

Point of import or destination*

Import company name, address, signature and date³

² When different types of products are recorded in this section, the weight shall be recorded by each product type.

³ DATE to be filled by IMPORTER/BUYER in this section is the date of signature.

1. ICCAT BLUEFIN TUNA CATCH DOCUMENT (BCD)		No :		1/2		
2. CATCH INFORMATION						
VESSEL / TRAP INFORMATION						
NAME OF THE CATCHING VESSEL / TRAP		FLAG / CPC	ICCAT RECORD NO	INDIVIDUAL QUOTA	CATCH	
NAME OF THE OTHER FISHING VESSELS		FLAG	ICCAT RECORD NO	INDIVIDUAL QUOTA	CATCH	
CATCH DESCRIPTION						
DATE (dd/mm/yy)		AREA	GEAR			
No. of FISH		TOTAL WEIGHT (kg)	AVG. WEIGHT (kg)			
ICCAT RECORD No. of Joint Fishing Operation						
TAG Numbers (If applicable)						
GOVERNMENT VALIDATION						
NAME OF AUTHORITY				SEAL		
TITLE						
SIGNATURE						
DATE (dd/mm/yy)						
3. TRADE INFORMATION						
PRODUCT DESCRIPTION						
LIVE WEIGHT (kg)		No. of FISH	ZONE			
EXPORTER/ SELLER						
POINT OF EXPORTATION/DEPARTURE		COMPANY	ADDRESS			
FARM OF DESTINATION		CPC	ICCAT FFB No.			
SIGNATURE						
DATE (dd/mm/yy)						
TRANSPORTATION DESCRIPTION (Relevant documentation to be attached)						
GOVERNMENT VALIDATION						
NAME OF AUTHORITY				SEAL		
TITLE						
SIGNATURE						
DATE (dd/mm/yy)						
IMPORTER/ BUYER						
COMPANY		PT. of IMPORT/DESTINATION (City, Country, State)				
ADDRESS						
DATE OF SIGNATURE (dd/mm/yy)		SIGNATURE				
ANNEX(ES): YES/NO (circle one)						
4. TRANSFER INFORMATION						
TOWING VESSEL DESCRIPTION						
ICCAT TRANSFER DECLARATION No.						
NAME		FLAG	ICCAT REC. No.			
No. Of FISH DEAD DURING TRANSFER		TOTAL WEIGHT OF DEAD FISH (kg)				
TOWING CAGE DESCRIPTION		CAGE No.				
ANNEX(ES): YES/NO (circle one)						
5. TRANSHIPMENT INFORMATION						
CARRIER VESSEL DESCRIPTION						
NAME		FLAG	ICCAT REC. No.			
DATE (dd/mm/yy)		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 WEIGHT "F" (kg)
FR	RD(kg):	GG(kg):	DR(kg):	FL(kg):	OT(kg):	TOTAL WEIGHT "FR" (kg)
GOVERNMENT VALIDATION						
NAME OF AUTHORITY				SEAL		
TITLE						
SIGNATURE						
DATE (dd/mm/yy)						
ANNEX(ES): YES/NO (circle one)						

6. FARMING INFORMATION						
FARMING FACILITY DESCRIPTION	NAME		CPC		ICCAT FFB NO.	
	NATIONAL SAMPLING PROGRAM? YES or NO(circle one)			LOCATION		
CAGE DESCRIPTION	DATE (dd/mm/yy)		CAGE No.			
FISH DESCRIPTION	NO. of FISH :	TOTAL WT (kg) :		AVG WT (kg) :		
ICCAT REGIONAL OBSERVER INFORMATION	NAME		TITLE		SIGNATURE	
	SIZE COMPOSITION		<8 kg	8-30 kg	>30 kg	

GOVERNMENT VALIDATION						
NAME OF AUTHORITY					SEAL	
TITLE						
SIGNATURE						
DATE (dd/mm/yy)						
ANNEX(ES): YES/NO (circle one)						

7. HARVESTING INFORMATION						
HARVESTING DESCRIPTION						
DATE (dd/mm/yy)		NO. of FISH		TOTAL ROUND WT (kg)		
AVG. WEIGHT (kg)		TAG NOS. (If applicable)				
ICCAT REGIONAL OBSERVER INFORMATION	NAME		TITLE		SIGNATURE	

GOVERNMENT VALIDATION						
NAME OF AUTHORITY					SEAL	
TITLE						
SIGNATURE						
DATE (dd/mm/yy)						
ANNEX(ES): YES/NO (circle one)						

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 WEIGHT "F" (kg)
FR	RD(kg):	GG(kg):	DR(kg):	FL(kg):	OT(kg):	TOTAL WEIGHT "FR" (kg)

EXPORTER/ SELLER						
PT of EXPORT/DEPARTURE	COMPANY		ADDRESS			
STATE of DESTINATION						
SIGNATURE						
DATE (dd/mm/yy)						

TRANSPORTATION DESCRIPTION		(Relevant documentation to be attached)				
GOVERNMENT VALIDATION						
NAME OF AUTHORITY					SEAL	
TITLE						
SIGNATURE						
DATE (dd/mm/yy)						
ANNEX(ES): YES/NO (circle one)						

IMPORTER/ BUYER						
COMPANY			PT. of IMPORT/DESTINATION			
ADDRESS			(City, Country, State)			
DATE (dd/mm/yy)			SIGNATURE			
ANNEX(ES): YES/NO (circle one)						

**Instructions for the Issuance, Numbering, Completion and Validation
of the Bluefin Tuna Catch Document (BCD)**

1. GENERAL PRINCIPLES

(1) Language

An official ICCAT language (English, French and Spanish) shall be used in completing the BCD.

(2) Numbering

CPCs shall develop unique numbering system for BCDs using their ICCAT country code or ISO code in combination with an 8-digit number, of which two digits shall indicate the year of catch.

Example: CA-09-123456 (*CA stands for Canada*)

In case of split shipments, or processed products, copies of the original BCD shall be numbered by supplementing the number of the original BCD with a 2-digit number.

Example: CA-09-123456-01, CA-09-123456-02, CA-09-123456-03.

The numbering shall be sequential and preferably printed. The serial numbers of blank BCDs issued shall be recorded by the name of the recipient.

In case of producing a "Grouped BCD", the farm operator or his authorized representative shall request a new BCD number from the farm CPC. The number for Grouped BCDs shall contain "G" as in "CA-09-123456-G".

2. CATCH INFORMATION

(1) Completion

(a) *General principles:*

This section is applicable to all catches of bluefin tunas.

The master of the catching vessel or the trap operator or their authorised representative or the authorised representative of the flag or trap CPC shall be responsible for the completion and the request for validation of the CATCH INFORMATION section.

CATCH INFORMATION section shall be completed no later than the end of transfer, transshipment or landing operation.

Remark: in case of JFO between different flags, one BCD for each flag shall be produced. In this case, each BCD shall indicate the same information in VESSEL/TRAP INFORMATION concerning the vessel which actually made the catch and all the other fishing vessels involved in that JFO, whereas CATCH DESCRIPTION shall indicate the catch information attributed to each flag based on the allocation key of the JFO.

In case of catches originating from one JFO comprising vessels of the same flag, the master of the catching vessel which actually made such catches, or its authorized representative or the authorized representative of the flag, shall complete the BCD form on behalf of all the vessels participating in such JFO.

(b) *Specific instructions:*

"NAME OF THE CATCHING VESSEL/TRAP": list the name of the catching vessel which actually made the catches.

"NAME OF THE OTHER FISHING VESSELS": only applicable to JFOs and list the other participating fishing vessels.

"FLAG": indicate the flag or trap CPC.

"ICCAT RECORD NO": indicate the ICCAT number of the catching vessel or trap authorised to fish bluefin tuna in the ICCAT Convention area. This information is not applicable to catching vessels which fish bluefin tuna as by-catch. In case of JFO, list the ICCAT Record Numbers of the vessel which actually made the catch as well as other vessels participating in that JFO.

"INDIVIDUAL QUOTA": indicate the amount of individual quota given to each vessel.

"QUOTA USED FOR THIS BCD": indicate the amount of catch attributed to this BCD.

"GEAR": indicate the fishing gear using the following codes:

BB	Baitboat
GILL	Gillnet
HAND	Handline
HARP	Harpoon
LL	Longline
MWT	Mid-water trawl
PS	Purse seine
RR	Rod and reel
SPHL	Sport handline
SPOR	Sport fisheries unclassified
SURF	Surface fisheries unclassified
TL	Tended line
TRAP	Trap
TROL	Troll
UNCL	Unspecified methods
OT	Other type

"NO. OF FISH": in case of JFO comprising vessels of the same flag, indicate the total number of fish caught in such operation. In case of JFO between different flags, indicate the number of fish attributed to each flag in accordance with the allocation key

"TOTAL WEIGHT": indicate the total round weight in kilograms. If round weight is not used at the time of catch, indicate the type of product (e.g. GG). In case of JFO between different flags, indicate the round weight attributed to that flag in accordance with the allocation key.

"AREA": indicate Mediterranean, western Atlantic, eastern Atlantic or Pacific.

"TAGS No. (if applicable)": additional lines may be added to allow the listing of each tag number by individual fish.

(2) Validation

The flag or trap CPC shall be responsible for the validation of the CATCH INFORMATION section unless bluefin tuna are tagged in accordance with Paragraph 21 of the Recommendation.

3. TRADE INFORMATION FOR LIVE FISH TRADE

(1) Completion

(a) General principles:

This section is only applicable to export of live bluefin tunas.

The master of the catching vessel or his authorised representative or the authorised representative of the flag CPC shall be responsible for the completion and the request for validation of the TRADE INFORMATION FOR LIVE FISH TRADE section.

The TRADE INFORMATION FOR LIVE FISH TRADE section shall be completed before the first transfer operation, i.e. the transfer of fish from the catching vessel net to the transport cage.

Remark: in case that a quantity of fish dies during the transfer operation and is domestically traded or exported, the original BCD (CATCH INFORMATION section completed shall be copied for the fish, and TRADE INFORMATION section of the copied BCD shall be completed by the master of the catching vessel or his authorised representative or the authorised representative of the flag CPC and transmitted to the domestic buyer/importer. Government validation of this copy shall guarantee that it is a valid copy and has been recorded by authorities of the CPC. Without the government validation, any BCD copy is null and void.

In case of JFO comprising vessels of the same CPC, the master of the catching vessel which actually made the catches, or its authorized representative or the authorized representative of the flag, shall be responsible for the completion.

(b) Specific instructions:

"ZONE": indicate the area of transfer, Mediterranean, western Atlantic, eastern Atlantic or Pacific.

"POINT OF EXPORT/DEPARTURE": indicate the CPC name of the fishery zone where the bluefin tuna were transferred or indicate "high seas" otherwise.

"TRANSPORTATION DESCRIPTION": attach any relevant document certifying the trade.

(2) Validation

The flag CPC shall not validate documents where the CATCH INFORMATION section is not completed.

4. TRANSFER INFORMATION

(1) Completion

(a) General principles:

This section is only applicable to live bluefin tunas.

The master of the catching vessel or his authorised representative or the authorised representative of the flag CPC shall be responsible for the completion of the TRANSFER INFORMATION section. In case of JFO comprising vessels of the same CPC, the master of the catching vessel which actually made the catches, or its authorized representative or the authorized representative of the flag, shall be responsible for the completion.

The TRANSFER INFORMATION section shall be completed no later than the end of the first transfer operation, i.e. the transfer of fish from the catching vessel net to the transport cage.

At the end of the transfer operation, the master of the catching vessel (or the master of the catching vessel which actually made the catches in case of JFO comprising vessels of the same CPC) shall provide the BCD

(CATCH INFORMATION, TRADE INFORMATION FOR LIVE FISH TRADE and TRANSFER INFORMATION sections completed and, where applicable, validated) to the master of the tug vessel.

The completed BCD shall accompany the transfer of fish during transport to farm, including transfer of live bluefin tuna from the transport cage to another transport cage or transfer of dead bluefin tuna from the transport cage to an auxiliary vessel.

Remark: in case that some fish die during the transfer operation, the original BCD (CATCH INFORMATION, TRADE INFORMATION FOR LIVE FISH TRADE and TRANSFER INFORMATION sections completed and, where applicable, validated) shall be copied, and TRADE INFORMATION section of the copied BCD shall be completed by the domestic seller/exporter or his authorised representative or the authorised representative of the flag CPC and transmitted to the domestic buyer/importer. Government validation of this copy shall guarantee that it is a valid copy and has been recorded by authorities of the CPC. Without the authorized government validation, any BCD copy is null and void.

(b) Specific instructions:

"No. OF FISH DEAD DURING TRANSFER" and "TOTAL WEIGHT OF DEAD FISH": information completed (if applicable) by the master of the tug vessel.

"CAGE No.": indicate each number of cages in the case of a tug vessel having more than one cage.

(2) Validation

Validation of this section is not required.

5. TRANSSHIPMENT INFORMATION

(1) Completion

(a) General principles:

This section is only applicable to dead bluefin tunas.

The master of the transshipping fishing vessel or his authorized representative or the authorized representative of the flag CPC shall be responsible for the completion and the request for validation of the TRANSHIPMENT INFORMATION section.

The TRANSHIPMENT INFORMATION section shall be completed at the end of the transshipment operation.

(b) Specific instructions:

"DATE": indicate the date of the transshipment.

"PORT NAME": indicate the designated port of transshipment.

"PORT STATE": indicate the CPC of the designated port of transshipment. (2)

Validation

The flag CPC shall not validate documents where the CATCH INFORMATION section is not completed and validated.

6. FARMING INFORMATION

(1) Completion

(a) General principles:

This section is only applicable to live caged tunas.

The master of the tug vessel shall provide the BCD (CATCH INFORMATION, TRADE INFORMATION FOR LIVE FISH TRADE and TRANSFER INFORMATION sections completed and, where applicable, validated) to the farm operator at the time of caging.

The farm operator or his authorized representative or an authorized representative of the farm CPC shall be responsible for the completion and the request for validation of the FARM INFORMATION section.

The FARM INFORMATION section shall be completed at the end of the caging operation.

(b) Specific instructions:

"CAGE No": indicate each number of cage.

"ICCAT Regional Observer Information": indicate name, ICCAT # and signature.

(2) Validation

The farm CPC shall be responsible for the validation of the FARM INFORMATION section.

The farm CPC shall not validate BCDs where the CATCH INFORMATION, TRADE INFORMATION FOR LIVE FISH TRADE and TRANSFER INFORMATION sections are not completed and, where applicable, validated.

7. HARVESTING INFORMATION

(1) Completion

(a) *General principles:*

This section is only applicable to dead farmed tunas.

The farm operator or his authorized representative or an authorized representative of the farm CPC shall be responsible for the completion and the request for validation of the HARVEST FROM FARM INFORMATION section.

The HARVESTING INFORMATION section shall be completed at the end of the harvesting operations.

(b) *Specific instructions:*

"TAGS No (if applicable)": additional lines may be added to allow the listing of each tag number by individual fish.

"ICCAT Regional Observer Information": indicate name, ICCAT # and signature.

(2) Validation

The farm CPC shall be responsible for the validation of the HARVESTING INFORMATION section.

The farm CPC shall not validate BCDs where the CATCH INFORMATION, TRADE INFORMATION FOR LIVE FISH TRADE, TRANSFER INFORMATION and FARMING INFORMATION sections are not completed and, where applicable, validated.

8. TRADE INFORMATION

(1) Completion

(a) General principles:

This section is applicable to dead bluefin tunas.

The domestic seller or exporter or their authorized representative or an authorized representative of the CPC of the seller/exporter shall be responsible for the completion and the request for validation of the TRADE INFORMATION section.

The TRADE INFORMATION section shall be completed prior to the fish being domestically traded or exported.

(b) Specific instructions:

(c) "TRANSPORTATION DESCRIPTION": attach any relevant document certifying the trade.

(2) Validation

The CPC of the seller/exporter shall be responsible for the validation of the TRADE INFORMATION section unless bluefin tuna are tagged in accordance with Paragraph 20 of the Recommendation.

Remark: in cases where more than one domestic trade or export results from a single BCD, a copy of the original BCD shall be validated by the CPC of the domestic seller or exporter and shall be used and accepted as an original BCD. Government validation of this copy shall guarantee that it is a valid copy and has been recorded by authorities of the concerned CPC. Without the authorized government validation, any BCD copy is null and void.

In cases of re-export, the RE-EXPORT CERTIFICATE (**Annex 5**) shall be used to track further movements, which shall be related to the catch information of the original BCD of the catch via the original BCD number.

When bluefin tuna is caught by a CPC using the tagging system, exported dead to a country, and re-exported to another country, the BCD accompanying the re-exported certificate does not have to be validated. However, the re-exported certificate shall be validated.

After import, a bluefin tuna may be divided into several pieces, which then may be subsequently exported. The re-exporting CPC shall confirm that the re-exported piece is part of the original fish accompanied by the BCD.

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

1. Document number of the BFTRC^{*}

2. Re-export section

Re-exporting Country/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 CPC (s) of fishing vessel(s) or CPC 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.

* Information to be entered by the Secretariat in the BCD database (see paragraph 20).

¹ When 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 F/FR RD/GG/DR/FL/OT	Net Weight (kg)	Flag CPC	Date of import	BCD No.
4. DESCRIPTION OF BLUEFIN TUNA FOR RE-EXPORT				
Product Type F/FR RD/GG/DR/FL/OT	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.

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

Reporting CPC:

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

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 22.

- 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 22.

**RECOMMENDATION BY ICCAT AMENDING RECOMMENDATION 10-11
ON AN ELECTRONIC BLUEFIN TUNA CATCH DOCUMENT PROGRAMME (eBCD)**

TAKING INTO ACCOUNT the multi-annual recovery plan for eastern Atlantic and Mediterranean bluefin tuna and the commitment to develop an electronic bluefin tuna catch document programme;

RECOGNIZING the developments in electronic information exchange and the benefits of rapid communication with regard to the processing and management of catch information;

NOTING the ability of electronic catch documentation systems to detect fraud and deter IUU shipments and the creation of automated links between Parties including exporting and importing authorities;

RECOGNIZING the necessity to develop and strengthen the implementation of the bluefin tuna catch documentation by the implementation of an electronic document system;

FOLLOWING the work of the eBCD Technical Working Group throughout 2011 and the system design and costs estimates presented in the feasibility study, technical options and their associated costs have been explored in terms of functionality, work loads and existing systems of the Secretariat and user simplicity, data security and cost efficiency;

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

1. On the basis of the specifications and cost estimates provided in the feasibility report, the Secretariat shall, in collaboration with interested CPCs, formulate the Terms of Reference for an open tender for a system development before the end of January 2012, or as soon as possible thereafter.
2. Tenders shall be assessed technically and financially by an evaluation Committee comprising interested CPCs and the ICCAT Secretariat and the results shall be reported to all CPCs.
3. Following a period of initial software development estimated to be around 4 months, and in parallel with further system development over a period of up to two years, a pilot testing phase will be undertaken throughout 2012 and early 2013.

Pilot testing will be with CPCs on a voluntary basis across the range of actions required in the programme. All CPCs concerned shall submit concerned data sets in electronic formats to enhance this phase.

4. The full implementation of the eBCD system shall be foreseen before the 2013 purse seine fishing season; however, a level of flexibility will be maintained based on the results of the pilot phase.
5. All existing requirements under the BCD programme shall remain in force until the full implementation of the eBCD.
6. This eBCD Technical Working Group shall meet as and when required throughout 2012 and report the progress on the system to the Commission at its 2012 annual meeting.

**RECOMMENDATION BY ICCAT TO AMEND THE TERMS OF REFERENCE OF THE
PERMANENT WORKING GROUP FOR THE IMPROVEMENT OF ICCAT STATISTICS AND
CONSERVATION MEASURES (PWG)**

RECALLING the 1992 *Resolution by ICCAT to Establish a Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures and the Terms of Reference of the Working Group* (Res. 92-02] and the 2002 *Recommendation by ICCAT to Change the Terms of Reference of the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures* [Rec.02-28];

TAKING INTO ACCOUNT calls at recent ICCAT meetings to clarify the roles and responsibilities of the Permanent Working Group and the Compliance Committee to strengthen their operation, effectiveness, and efficiency;

RECOGNIZING the importance of robust MCS and other technical measures to ensure effective implementation of ICCAT's conservation and management measures, improve ICCAT statistics, and help address IUU fishing;

MINDFUL of the need to ensure that actions taken to support ICCAT conservation and management measures are non-discriminatory and in accordance with international law;

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

The Terms of Reference of the PWG be as follows:

1. Review trade and other relevant fishery information regarding species under the purview of ICCAT in order to identify deficiencies in ICCAT statistics.
2. Consider the effectiveness and practical aspects of the implementation of ICCAT's technical measures, including but not limited to:
 - a) Catch Documentation and Statistical Document Programs;
 - b) Observer programs
 - c) At-sea and in-port transshipment requirements
 - d) Rules for chartering and other fishing arrangements
 - e) At-sea vessel sighting and inspection programs
 - f) Port inspection schemes and other port State measures
 - g) Vessel listing requirements
 - h) Vessel Monitoring System requirements
 - i) Flag State responsibilities
3. Develop or modify, where needed, technical measures to ensure effective implementation of ICCAT's conservation and management measures, including measures for the collection and reporting of statistical data, and proper application of the provisions of the Convention.
4. Oversee development of ICCAT's list of vessels presumed to be engaged in illegal, unreported, and unregulated (IUU) fishing activities.
5. Recommend measures to the Commission based upon the findings of the Permanent Working Group.
6. In carrying out its responsibilities, the PWG shall cooperate closely with other ICCAT subsidiary bodies in order to remain informed on all issues that may affect its work and refer relevant matters identified during its deliberations to the appropriate subsidiary body for attention, such as issues of non-compliance with ICCAT conservation and management measures.
7. This recommendation replaces the *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] and the *Resolution by ICCAT to Establish a Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG) and the Terms of Reference of the Working Group* [Res. 92-02].

**RECOMMENDATION BY ICCAT TO AMEND THE MANDATE AND
TERMS OF REFERENCE ADOPTED BY THE COMMISSION FOR THE ICCAT
CONSERVATION AND MANAGEMENT MEASURES COMPLIANCE COMMITTEE (COC)**

RECALLING the 1995 adoption by ICCAT of the “Mandate and Terms of Reference for the ICCAT Conservation and Management Measures Compliance Committee” (Compliance Committee) (95-15);

TAKING INTO ACCOUNT calls at recent ICCAT meetings to clarify the roles and responsibilities of the Permanent Working Group and the Compliance Committee to strengthen their operation, effectiveness, and efficiency;

MINDFUL of the need to ensure that actions taken to support ICCAT conservation and management measures are non-discriminatory and in accordance with international law;

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

The Mandate and Terms of Reference of the Compliance Committee be as follows:

1. The Compliance Committee shall be broadly responsible for reviewing all aspects of compliance with ICCAT conservation and management measures.
2. The Compliance Committee shall report directly to the Commission on its deliberations and recommendations.
3. Compliance Committee shall:
 - a) Gather and review information relevant to the assessment of compliance by Contracting Parties and Cooperating non-Contracting Parties, Entities, and Fishing Entities (CPCs) with ICCAT conservation and management measures, including information from ICCAT subsidiary bodies; Annual Reports submitted to the Commission; catch data compiled by the Commission and SCRS; trade information obtained through statistics of CPCs and non-Contracting Parties, Entities or Fishing Entities (NCPs), including from statistical and catch document programs; and other relevant information;
 - b) Pursuant to this review, assess the status of each CPC’s implementation of and compliance with ICCAT conservation and management measures, including monitoring, control, and surveillance (MCS) measures;
 - c) Review available information to assess the cooperation of NCPs with ICCAT in the conservation and management of ICCAT species;
 - d) Review domestic measures for the implementation of the Commission’s recommendations, as reported by CPCs, and, if available, NCPs;
 - e) Review and evaluate reports on inspection and surveillance activities carried out in accordance with ICCAT measures, including reports of activities in contravention of such measures as well as follow-up actions taken to address such activities;
 - f) Develop and make recommendations to the Commission to address issues of non-compliance or lack of cooperation with ICCAT conservation and management measures,
 - g) Where needed, develop new or modify existing recommendations to the Commission designed to enhance compliance and cooperation with ICCAT conservation and management measures, such as rules on quota carryovers, or to address ambiguity with respect to the application of such measures; and
 - h) Review and make recommendations to the Commission regarding requests for cooperating status.
4. In carrying out its responsibilities, the Compliance Committee shall cooperate closely with other ICCAT subsidiary bodies in order to remain informed on all issues that may affect its work and refer relevant matters to the appropriate subsidiary body for attention, such as the development of new or revision of existing MCS or other technical measures.
5. This recommendation replaces the *Mandate and Terms of Reference Adopted by the Commission for the ICCAT Conservation and Management Measures Compliance Committee* [TOR 95-15].

**RECOMMENDATION BY ICCAT ON THE ESTABLISHMENT OF A
MEETING PARTICIPATION FUND FOR DEVELOPING ICCAT CONTRACTING PARTIES**

RECOGNISING that the ICCAT Commission has noted with concern the lack of participants from developing States at its meetings and those of its subsidiary bodies;

RECALLING that these concerns have been echoed by the ICCAT Performance Review Panel in 2008;

NOTING that Article 25 paragraph 3 of the Agreement for the Implementation of the Provisions of the United Nations Convention of the Law of the Sea of December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (UNFSA) identifies, *inter alia*, forms of cooperation with developing states and the need for assistance relating to collection, reporting, verification, exchange and analysis of fisheries data and related information; and stock assessment and scientific research;

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

1. A special Meeting Participation Fund (MPF) be established for the purposes of supporting representatives from those ICCAT Contracting Parties which are developing States to attend and/or contribute to the work of the Commission and other subsidiary bodies.
2. The MPF shall be financed from an initial allocation of €60,000 from ICCAT's accumulated Working Capital Fund, and subsequently by voluntary contributions from Contracting Parties and such other sources as the Commission may identify. The Commission will identify, at its 2012 Meeting, a procedure for supplying funds to the MPF in the future.
3. The Fund will be administered by the ICCAT Secretariat, in accordance with the same financial controls as regular budget appropriations.
4. The ICCAT Executive Secretary shall establish a process for notifying Contracting Parties annually of the level of available funds in the MPF, and provide a timeline and describe the format for the submission of applications for assistance, and the details of the assistance to be made available.
5. The ICCAT Executive Secretary shall submit an annual report to the Commission on the status of the Fund, including a financial statement of contributions to and disbursements from the Fund;
6. For participation in ICCAT scientific meetings, including Species Group and other inter-sessional meetings, those eligible scientists may submit an application for assistance from the existing funds from voluntary contribution. Applicants will be selected in accordance with the protocol established by the Standing Committee on Research and Statistics (Addendum 2 to Appendix 7 to the 2011 SCRS Report).
7. For participation in non-scientific meetings, funds will be allocated in order of application. Only one participant per Contracting Party will be funded for any one meeting. All applications shall be subject to the approval of the Chair of the Commission, the Chair of STACFAD and the Executive Secretary and, in the case of subsidiary bodies, the Chair of the meeting for which funding is being sought.
8. The funds in the MPF shall be disbursed in a manner that ensures a balanced distribution between non-scientific and scientific meetings.
9. All potential eligible applicants are encouraged to explore the alternative avenues of funding available to developing State Contracting Parties prior to applying to the ICCAT Fund.