



**GENERAL FISHERIES COMMISSION
FOR THE MEDITERRANEAN
COMMISSION GÉNÉRALE DES PÊCHES
POUR LA MÉDITERRANÉE**



Sixth Session of the Compliance Committee (CoC)

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COMPENDIUM OF GFCM DECISIONS

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of the

GENERAL FISHERIES COMMISSION FOR THE MEDITERRANEAN



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Preface

The need for a GFCM Compendium on GFCM decisions was requested by the Commission at its 29th Session. In this regard, the GFCM Secretariat has undertaken an extensive review of all GFCM decisions and with the guidance of the Compliance Committee has finalised this version of the Compendium which includes all binding decisions, currently in force, adopted after 1976 in accordance with Article III and Article V of the GFCM Agreement. The decisions in this document are classified according to their scope into the following categories:

| | |
|------------------|---|
| REC.CM | Recommendations on Conservation and Management |
| REC.MCS | Recommendations on Monitoring, Control and Surveillance |
| REC.DIR | Recommendations on Data and Information Reporting |
| REC.ICCAT | ICCAT recommendations relevant to the Mediterranean |
| RES | Resolutions |
| OTH | Other decisions |

C O N T E N T S

RECOMMENDATIONS

1.1 Recommendations on Conservation and Management (REC.CM)

| | |
|-----------------------|--|
| REC.CM-GFCM/35/2011/2 | On the exploitation of red coral in the GFCM Competence Area..... |
| REC.CM-GFCM/35/2011/3 | On reducing incidental bycatch of seabirds in the GFCM Comptence Area..... |
| REC.CM-GFCM/35/2011/4 | On the incidental bycatch of sea turtles in fisheries in the GFCM Comptence Area..... |
| REC.CM-GFCM/35/2011/5 | On fisheries measures for the conservation of the Mediterranean Monk Seal (<i>Monachus monachus</i>) in the GFCM Comptence Area |
| REC.CM-GFCM/33/2009/1 | On the establishment of a Fisheries Restricted Area in the Gulf of Lions to protect spawning aggregations and deep sea sensitive habitats |
| REC.CM-GFCM/33/2009/2 | On the minimum mesh size in the codend of demersal trawl nets |
| REC.CM-GFCM/31/2007/1 | Mesh size of trawl nets exploiting demersal resources |
| REC.CM-GFCM/30/2006/1 | Management of certain fisheries exploiting demersal and small pelagic .. |
| REC.CM-GFCM/30/2006/2 | Establishment of a closed season for the dolphin fish fisheries using Fishing Aggregation Devices (FADs)..... |
| REC.CM-GFCM/30/2006/3 | Establishment of fisheries restricted areas in order to protect the deep sea sensitive habitats |
| REC.CM-GFCM/29/2005/1 | Management of certain fisheries exploiting demersal and deepwater species |
| REC.CM-GFCM/27/2002/1 | Management of selected demersal and small pelagic species |
| REC.CM-GFCM/22/1997/1 | Limitation of the use of driftnets in the Mediterranean..... 28 |
| REC.CM-GFCM/13/1976/3 | Improvement of estimation of catches, evaluation of components of fishing effort and strengthening of programmes for biological sampling; need to recruit a regional statistician..... |

1.2 Recommendations on Monitoring, Control and Surveillance (REC.MCS)

| | |
|------------------------|---|
| REC.MCS-GFCM/35/2011/1 | Concerning the establishment of a GFCM Logbook, amending Recommendation GFCM/34/2010/1 |
| REC.MCS-GFCM/34/2010/2 | On the management of fishing capacity |
| REC.MCS-GFCM/34/2010/3 | Concerning the identification of non-compliance |
| REC.MCS-GFCM/33/2009/6 | Concerning the establishment of a GFCM record of vessels over 15 metres authorized to operate in the GFCM area amending the recommendation GFCM/29/2005/2 |
| REC.MCS-GFCM/33/2009/7 | Concerning minimum standards for the establishment of a Vessel Monitoring System (VMS) in the GFCM area |
| REC.MCS-GFCM/33/2009/8 | On the establishment of a list of vessels presumed to have carried out iuu fishing in the GFCM area repealing recommendation GFCM/30/2006/4 |
| REC.MCS-GFCM/32/2008/1 | Regional scheme on port state measures to combat illegal, unreported and unregulated fishing activities in the GFCM area..... |
| REC.MCS-GFCM/30/2006/5 | Criteria for obtaining the status of cooperating non-contracting party in GFCM area..... |

1.3 Recommendations on data and information reporting (REC.DIR)

| | |
|------------------------|---|
| REC.DIR-GFCM/35/2011/6 | On reporting of aquaculture data and information, amending recommendation GFCM/33/2009/4..... |
| REC.DIR-GFCM/33/2009/3 | On the implementation of the GFCM Task 1 statistical matrix and repealing resolution GFCM/31/2007/1 |
| REC.DIR-GFCM/33/2009/5 | On the establishment of the GFCM regional fleet register |

1.4 ICCAT Recommendations relevant to the Mediterranean (REC.ICCAT)

| | |
|-------------------------------|--|
| REC.ICCAT-GFCM/35/2011/7 (A) | Recommendation [10-04] by ICCAT amending the recommendation by ICCAT to establish a Multi-annual recovery plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean..... |
| REC.ICCAT-GFCM/35/2011/7 (B) | Recommendation [10-06] by ICCAT on Atlantic Shortfin Mako sharks caught in association with fisheries managed by ICCA 143 |
| REC.ICCAT-GFCM/35/2011/7 (C) | Recommendation [10-08] on Hammerhead sharks (family Sphyrnidae) caught in association with fisheries managed by ICCAT |
| REC.ICCAT-GFCM/35/2011/7 (D) | Recommendation [10-09] on the by-catch of sea-turtles in ICCAT fisheries..... |
| REC.ICCAT-GFCM/35/2011/7 (E) | Recommendation [07-07] on reducing the incidental by-catch of seabirds in longline fisheries |
| REC.ICCAT-GFCM/34/2010/4 (A) | Recommendation by ICCAT for a management framework for the sustainable exploitation of Mediterranean swordfish and replacing ICCAT Recommendation [08-03] |
| REC.ICCAT-GFCM/34/2010/4 (B) | Recommendation by ICCAT amending Recommendation [08-05] to establish a multiannual recovery plan for bluefin tuna in the eastern Atlantic and Mediterranean |
| REC.ICCAT-GFCM/34/2010/4 (C) | Recommendation by ICCAT on the Conservation of thresher sharks caught in association with fisheries in the ICCAT convention area..... |
| REC.ICCAT- GFCM/33/2009/9 (A) | Recommendation [08-03] by ICCAT on Mediterranean swordfish |
| REC.ICCAT- GFCM/33/2009/9 (B) | Recommendation [08-05] amending the recommendation by ICCAT to establish a multiannual recovery plan for bluefin tuna in the Eastern Atlantic and Mediterranean |
| REC.ICCAT- GFCM/33/2009/9 (C) | Recommendation [08-12] by ICCAT amending recommendation [07-10] on an ICCAT bluefin tuna catch documentation program |
| REC.ICCAT-GFCM/32/2008/2 | ICCAT recommendation [07-01] on Mediterranean swordfish |
| REC.ICCAT-GFCM/31/2007/3 (A) | ICCAT recommendation [06-05] to establish a multi-annual recovery plan for bluefin tuna in the eastern Atlantic and Mediterranean..... |
| REC.ICCAT-GFCM/31/2007/3 (B) | ICCAT recommendation [06-07] on bluefin tuna farming.... 220 |
| REC.ICCAT-GFCM/31/2007/3 (C) | ICCAT recommendation [06-11] establishing a programme for transshipment |

REC.ICCAT-GFCM/26/2001/1 Recommendation [00-14] by ICCAT regarding compliance with management measures which define quotas and/or catch limits.....

RESOLUTIONS

RES-GFCM/35/2011/1 On the submission of combined data on fishing vessels.....
RES-GFCM/35/2011/2 On data confidentiality policy and procedures, amending resolution GFCM/30/2006/1.....
RES-GFCM/35/2011/3 Concerning the procedure to submit new proposals of decisions to the annual sessions of the GFCM.....
RES-GFCM/33/2009/1 On the management of demersal fisheries in the GFCM area.....
RES-GFCM/33/2009/2 Establishment of Geographical Sub-Areas in the GFCM area amending the resolution GFCM/31/2007/2.....
RES-GFCM/32/2008/1 Reporting on the implementation of GFCM management measures.....
RES-GFCM/31/2007/3 40mm square mesh size in codend of trawlnets exploiting demersal resources.....
RES-GFCM/31/2007/4 Pelagos sanctuary for the conservation of marine mammals.....
RES-GFCM/29/2005/1 General guidelines for a GFCM control and enforcement scheme: needs and principles.....
RES-GFCM/21/1995/2 Reporting on activities of fishing vessels operating in the Mediterranean.....
RES-GFCM/15/1980/1 Definition of a littoral management policy.....
RES-GFCM/15/1980/2 Evaluation of present coastal resources.....
RES-GFCM/15/1980/3 Development of the coastal area by artificial structures.....

OTHER DECISIONS

OTH-GFCM/30/2006/1 Guidelines on sustainable Bluefin Tuna farming practices in the Mediterranean.....

[1]

RECOMMENDATIONS

- 1.1 -

RECOMMENDATIONS ON CONSERVATION AND MANAGEMENT MEASURES (REC.CM)

On the exploitation of red coral in the GFCM Competence Area

The General Fisheries Commission for the Mediterranean (GFCM),

RECALLING that the objectives of the Agreement establishing the GFCM are to promote the development, conservation, rational management and proper utilization of living marine resources;

RECALLING the Johannesburg Declaration on Sustainable Development of 2002 and particularly its Plan of Implementation;

RECALLING the Declaration of the Ministerial Conference for Sustainable Development of the Fisheries in the Mediterranean held in Venice in 2003;

REAFFIRMING the principles of the FAO Code of Conduct for Responsible Fisheries and recalling the precautionary and ecosystem approach to fishery management;

RECALLING the past involvement of GFCM, especially in the 1980s, resulting in three Technical Consultations on Red Coral (Spain 1983, Italy 1988 and Algeria 1989);

TAKING into account the SAC advice on red coral exploitation, as provided at its Thirteenth Session;

ADOPTS, in conformity with the provision of Article III paragraph 1 (b) and (h) and Article V of the GFCM Agreement, that:

1. Contracting Parties and Cooperating non-Contracting Parties (CPCs) in the GFCM Competence Area shall prohibit the use of any kind of towed gear, irrespective of the specific name, to exploit red coral. The only permitted gear for the harvesting shall be a hammer used by a scuba diver. This provision is without prejudice to stricter measures which may be adopted or maintained by CPCs.
2. CPCs shall prohibit the use of the Remotely Operated underwater Vehicles (ROVs) in the GFCM Competence Area for the exploitation of red coral.
3. By way of derogation from paragraph 2, formally granted by a Contracting Party on the basis of a specific fisheries authorisation, the use of ROV may be authorized in zones under national jurisdiction only and subject to the following conditions:
 - a) In Contracting Parties where ROV is already authorized only for reasons of observation and prospection and provided that ROV models cannot be equipped with manipulator arms or any other device allowing the cutting and harvesting of red coral. Contracting Parties concerned shall provide to the GFCM Secretariat the list of authorizations issued (specifying the date of their issuance) not later than the end of September 2011 and shall ensure that no new authorisation will be granted. The

authorisation of ROV for prospection shall only be allowed until 2015, unless scientific advice states otherwise.

b) The provision in paragraph (a) above is without prejudice to Contracting Parties which have not yet authorised the ROV for prospection and may wish to do so. This authorisation shall be granted only on the basis of scientific results obtained in the context of national management plans and showing no negative impact on the sustainable exploitation of red coral.

c) Within a framework allowing for scientific experimental campaigns both for observation and harvesting during a limited period not extending beyond 2015, carried out under the supervision of national research institutions and/or in collaboration with national, international bodies as well as any other relevant stakeholder. The scientific results of these studies will be presented to the SAC, through the GFCM Secretariat, for its consideration and advice, including the status of the stock, the impact and the advisability of using ROV for direct harvesting of red coral. This derogation shall be without prejudice to stricter measures which may be adopted or maintained by Contracting Parties.

4. CPCs shall ensure the prohibition of the exploitation of red coral populations at depth less than 50 m until scientific studies, as validated by GFCM-SAC, indicate otherwise.

5. By way of derogation from paragraph 4, Contracting Parties may authorize exploitation of red coral at less than 50 m provided that an appropriate national management framework has been developed ensuring an authorization system and that only a limited number of red coral banks are exploited by the establishment of adequate spatio-temporal closures. This derogation shall be without prejudice to stricter measures which may be adopted or maintained by Contracting Parties.

6. Detailed information of the national management framework and the studies carried out at national level to apply this derogation must be provided within the annual national report to GFCM Secretariat for transmission to SAC for its considerations and advice.

7. CPCs shall ensure that authorized fishermen record and report to national authorities the daily catches and fishing effort by area and depths (e.g. number of fishing days, numbers of diving, etc) while allowing, whenever the case, comparisons with results of ROV experimental campaigns. This information must be made available to GFCM Secretariat for transmission to SAC for its considerations and advice.

8. SAC is requested to advice on the status of red coral banks and, not later than 2014, on the impact and adequacy for the continuation of using ROV for the prospection and harvesting of red coral banks.

9. As appropriate, the GFCM and its Members should, individually and collectively, engage in capacity building efforts and other research cooperative activities to improve knowledge on red coral and red coral fisheries and to support the effective implementation of the present Recommendation as well as of other management measures, including entering

into cooperative arrangements with other appropriate international bodies and promote participatory programmes with relevant stakeholders.

10. Scientific and technical knowledge acquired through the actions stipulated under paragraphs 3 (c), 5, 7 and 9 above shall be taken into account by SAC with a view to develop an adaptive regional management plan.

**On reducing incidental bycatch of seabirds in fisheries in the GFCM
Competence Area**

The General Fisheries Commission for the Mediterranean (GFCM),

RECALLING that the objectives of the Agreement establishing the GFCM are to promote the development, conservation, rational management and proper utilization of living marine resources;

RECALLING the Johannesburg Declaration on Sustainable Development of 2002 and particularly its Plan of Implementation;

RECALLING the Declaration of the Ministerial Conference for Sustainable Development of the Fisheries in the Mediterranean held in Venice in 2003;

REAFFIRMING the principles of the FAO Code of Conduct for Responsible Fisheries and recalling the precautionary and ecosystem approach to fishery management;

TAKING into account the International Plan of Action for Reducing the Incidental Catch of Seabirds in Longline Fisheries (IPOA Seabirds) adopted by the Food and Agriculture Organization of the United Nations (FAO);

CONSIDERING that some seabirds species are listed under Annex II on endangered and threatened species of the SPA/BD Protocol to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention), and that a regional action plan has been implemented by RAC/SPA;

CONSIDERING the need to develop a common regional strategy to understand and possibly reduce the effect of fisheries on seabirds also on the basis of information collected through unified protocols;

RECOGNIZING that the longline fisheries is mainly responsible for seabirds bycatches in the Mediterranean and to reduce seabird bycatch some mitigation measures should be developed;

HAVING regard to ICCAT Recommendation 07-07 on reducing incidental bycatch of seabirds in longline fisheries;

CONSIDERING that synergies on issues of reciprocal interest shall be sought between ICCAT and GFCM;

TAKING into account the SAC advice on incidental taking of seabirds;

ADOPTS, in conformity with the provision of Article III paragraph 1 (b) and (h) and Article V of the GFCM Agreement, that:

1. Contracting Parties and Cooperating non-contracting Parties of GFCM (CPCs) should develop mechanisms to ensure that incidental taking of seabirds in fishing activities is monitored, recorded and kept to the lowest level as possible in particular for species under the Annex II of the SPA/BD protocol of the Barcelona Convention.

2. SAC and the GFCM Secretariat will assist in developing mechanisms to enable the CPCs to monitor and record data on seabirds and fishing interactions including regular reporting to the GFCM-Secretariat, either within the national annual reporting to SAC or through the Task 1;

3. Any event of incidental taking and release shall be recorded by the vessel owner/master in the logbook (or any equivalent document as developed by a Contracting Party to this specific end) and reported to national authorities for notification to GFCM Secretariat, the first time being no later than June 2013.

4. The SAC is invited to evaluate on the basis of available information, and in close cooperation with relevant international scientific committees, the risk of seabirds incidental taking and mortality in different types of Mediterranean fisheries, taking into account also areas and seasons, and compare the effects of bycatches among them. In addition, SAC shall advice on the most adequate mitigation measures also in comparison to relative effect caused by anthropic disturbances due to other than fishing activity.

5. The SAC, in close cooperation with scientific committees of other international organisations, and in line also with the FAO International Plan of Action for Reducing the Incidental Catch of Seabirds in Longline Fisheries (FAO-IPOA Seabirds), is requested to advice on the technical details, feasibility, likely effectiveness and side effects, in particular, of the following options for the mitigation of seabirds' bycatches in the Mediterranean fisheries:

- Setting of demersal and/or pelagic longlines only at night (one hour after dusk and one hour before dawn);
- Prohibition to set demersal and/or pelagic longlines one hour after dawn till noon;
- Use of bird-scaring lines and wrap scares, in case of longlines setting during the day;
- Setting of a minimum bait weight
- Use of only thawed baits conditioning instead of frozen baits;
- Discards and excess bait shall not be rejected at sea during setting or hauling operations;
- Setting of a minimum distance to set bottom-set nets from sea-birds breeding areas.

6. The SAC is invited to provide, also on the basis of the work done under the relevant international scientific committees, and in line with the FAO-IPOA Seabirds, a unified protocol for the collection of information on seabirds bycatches in fishing activities with high risk of interaction with seabirds in the Mediterranean.

7. The GFCM shall, upon reception of SAC advice, consider adopting additional measures for the mitigation of incidental taking of seabirds whenever is considered endangering the survival of seabirds populations while taking into account the socio-economic impact to fisheries.

**On the incidental bycatch of sea turtles in fisheries in the GFCM
Competence Area**

The General Fisheries Commission for the Mediterranean (GFCM),

RECALLING that the objectives of the Agreement establishing the GFCM are to promote the development, conservation, rational management and proper utilization of living marine resources;

RECALLING the Johannesburg Declaration on Sustainable Development of 2002 and particularly its Plan of Implementation;

RECALLING the Declaration of the Ministerial Conference for Sustainable Development of the Fisheries in the Mediterranean held in Venice in 2003;

REAFFIRMING the principles of the FAO Code of Conduct for Responsible Fisheries and recalling the precautionary and ecosystem approach to fishery management;

CONSIDERING that Mediterranean sea turtles are listed in Annex II on endangered and threatened species of the SPA/BD Protocol to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention) and a regional action plan has been implemented by RAC/SPA;

HAVING regard to ICCAT Recommendation 10-09 on the bycatch of sea turtles in ICCAT fisheries;

RECOGNIZING that also some other types of fishing operating in the GFCM Competence Area can adversely affect sea turtles and there is a need to implement measures to mitigate these adverse effects;

NOTING the importance of harmonizing conservation and management measures with other organization responsible for managing international fisheries;

EMPHASIZING the need to improve the collection of scientific data regarding all sources of mortality for sea turtle populations including but not limited to data from fisheries within the GFCM Competence Area;

TAKING into account the SAC advice on the use of de-hooking devices by longliners;

ADOPTS, in conformity with the provision of Article III paragraph 1 (b) and (h) and Article V of the GFCM Agreement, that:

1. Contracting Parties and Cooperating non-contracting Parties of GFCM (CPCs) should ensure the implementation of fisheries management measures that strongly mitigate or eliminate the risk of incidental taking of sea turtles in fishing operations and/or the mortality associated with those incidental takings.

2. Specimens of sea turtles accidentally taken in fishing gears shall be safely handled and released unharmed and alive to the extent possible.
3. Any kind of vessels of CPCs shall be prohibited to take on board, tranship and land sea turtles unless otherwise required to rescue and to secure assistance for the recovery of harmed and comatose individual animals and provided that the competent national authorities concerned have been duly and officially informed in advance.
4. SAC shall provide in 2011 information useful for fishermen on the procedure to identify comatose turtles and release them when they are safe.
5. Any event of incidental taking as well as releasing or discarding shall be recorded by the ship-owner/master in the logbook (or any other equivalent document as developed by a CP to this specific end) and reported to national authorities for notification to GFCM Secretariat within the annual national reporting to SAC.
6. CPCs shall ensure that incidental taking of sea turtles in fishing activities is monitored and recorded. Starting no later than 2013, the SAC annual national reports shall contain information on the interaction of the fishing fleets with sea turtles in GFCM fisheries by gear type and characteristics: times, soak duration, depths and locations, target species, sea turtles species and disposition status of sea turtle specimen(s) (i.e. discarded death or released alive).
7. CPCs are strongly encouraged to facilitate the cooperation between scientists and fishermen to collect this information.
8. CPCs shall require, not later than 2013, that :
 - a) to the extent practicable, fishing vessels using purse seines for small pelagic in the GFCM Competence Area avoid encircling sea turtles and release encircle or incidently entangled sea turtles;
 - b) to the extent practicable, fishing vessels using surrounding nets without purse line for pelagic species, including on Fish Aggregating Devices, avoid encircling sea turtles and release encircle or entangled sea turtles;
9. With a view to meet the requirements of paragraph 2, fishing vessels using longlines and bottom-set nets in the GFCM Competence Area shall carry on board safe handling, disentanglement and release equipment, capable of releasing sea turtles unharmed and in a manner that maximizes the probability of their survival. This provision must be fully implemented not later than 2014, unless otherwise stipulated by stricter measures adopted by a Contracting Party.
10. The GFCM Secretariat shall compile, no later than 2013, the data collected under paragraph 4 as well as, in close cooperation with ICCAT and other appropriate international bodies, the available information from the scientific literature and other relevant sea turtle bycatch mitigation information, and report to the SAC for its consideration.

11. The SAC shall provide advice if possible in 2013, and no later than 2014, on the characteristics of devices, fishing gears and fishing operations or other approaches to mitigate/eliminate sea turtles bycatch and to release them alive.

12. The SAC shall identify current gaps in the scientific knowledge and experiments, including socio-economic aspects, with a view to overcome them and obtain more robust and implementable results. If necessary, SAC shall provide the protocol and the sampling design to carry out these additional studies under the responsibility of the Contracting Parties.

13. Guidelines should be produced by SAC in 2012, then widely published and distributed and made available in the GFCM web-site in order to mitigate sea turtles bycatches, including information on already existing kits for de-hooking turtles and provision of training materials on use of this equipment.

14. Upon receipt of advice from the SAC, the GFCM shall consider, if necessary, additional measures to mitigate sea turtle bycatch in those fisheries which have been considered most relevant

15. As appropriate, the GFCM and its Members should, individually and collectively, engage in capacity building efforts and other cooperative activities to support the effective implementation of the present Recommendation, including entering into cooperative arrangement with other appropriate international bodies.

**On fisheries measures for the conservation of the Mediterranean monk seal
(*Monachus monachus*) in the GFCM Competence Area**

The General Fisheries Commission for the Mediterranean (GFCM),

RECALLING that the objectives of the Agreement establishing the GFCM are to promote the development, conservation, rational management and proper utilization of living marine resources;

RECALLING the Johannesburg Declaration on Sustainable Development of 2002 and particularly its Plan of Implementation;

RECALLING the Declaration of the Ministerial Conference for Sustainable Development of the Fisheries in the Mediterranean held in Venice in 2003;

REAFFIRMING the principles of the FAO Code of Conduct for Responsible Fisheries and recalling the precautionary and ecosystem approach to fishery management;

CONSIDERING that the Mediterranean Monk Seal is listed under Annex II on endangered and threatened species of the SPA/BD Protocol to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention), and that a regional management plan has been implemented by RAC/SPA;

RECOGNIZING that some fishing operations carried out in the GFCM Competence Area can adversely affect Mediterranean monk seals (hereafter referred to as monk seal) and there is a need to implement measures to mitigate these adverse effects;

AIMING to reduce the incidental taking of monk seals in certain fisheries;

TAKING into account the SAC advice on the need to endorse measures for the reduction of the bycatch of monk seals;

ADOPTS, in conformity with the provision of Article III paragraph 1 (b) and (h) and Article V of the GFCM Agreement, that:

1. Contracting Parties and Cooperating non-contracting Parties of GFCM (CPCs) shall ensure the implementation of fisheries management measures that strongly mitigate the risk of incidental taking of monk seals during fishing operations.
2. Fishing vessels of CPCs shall be prohibited to take on board, tranship and land monk seals in the GFCM Competence Area of unless otherwise required to rescue and to secure assistance for the recovery of harmed individual animals and provided that the competent national authorities concerned have been duly and officially informed in advance.

3. Specimens of monk seals accidentally taken in fishing gears shall be released unharmed and alive. Should it be already dead, the carcass will be landed and national authorities notified at the latest upon arrival at port.

4. Any event of incidental taking and release shall be recorded by the vessel-owner/master in the logbook (or any other equivalent document developed by a Contracting Party to this specific end) and reported to the respective national authorities for notification to GFCM Secretariat.

5. CPCs shall adopt, not later than 2015, fisheries management measures based on scientific studies under their responsibility and designed, whenever appropriate, in line with SAC scientific advice guidance, in order to have very low and close to 0 risk of monk seals incidental taking and mortality in fishing activities/operations.

6. CPCs shall provide, to the best extent possible, to GFCM Secretariat, the related map and geographical positions identifying the location of already known, past and current, monk seal caves with information on fishing fleets using bottom-set nets registered in the ports close to the caves locations within a maximum range of 20 miles. The preliminary maps and lists of geographical positions shall be established for the first time by December 2011 and notified to GFCM not later than 31 January 2012.

7. With a view to ensure that the information provided by the Contracting Parties on maps and geographic positions of monk seal caves is not detrimental to the monk seal survival, such information is transmitted to GFCM Secretariat and treated in a restricted manner in line with the provisions of Resolution GFCM/35/2011/2. The GFCM Secretariat shall ensure that this information is only available to carry out scientific and conservation work as required by the GFCM or by the Contracting Party providing the original data.

8. Technical and scientific information on measures adopted under paragraph 5 must be notified to GFCM Secretariat within the annual national reporting to SAC.

9. SAC, in close cooperation with scientific bodies including committees of other multilateral organizations partners of GFCM, shall provide, not later than February 2012, a protocol and a sampling design to carry out, whenever appropriate, new studies as referred to in paragraph 5, as well as to set a work programme with a view to evaluate the soundness of measures taken and, if the case, to advice on additional measures including the socio-economic impact.

10. As appropriate, the CPCs should, individually and collectively, engage in capacity building efforts and other research cooperative activities to improve knowledge on monk seals and to support the effective implementation of this recommendation, including entering into cooperative arrangements with other appropriate international bodies and promote participatory programmes with relevant stakeholders.

REC.CM-GFCM/33/2009/1

On the establishment of a Fisheries Restricted Area in the Gulf of Lions to protect spawning aggregations and deep sea sensitive habitats

The General Fisheries Commission for the Mediterranean (GFCM),

RECALLING that the objective of the Agreement establishing the General Fisheries Commission for the Mediterranean is to promote the development, conservation, rational management and best utilization of living marine resources;

RECALLING Recommendation GFCM/29/2005/1 on the management of certain fisheries exploiting demersal and deepwater species and, notably, Article 1 therein;

CONSIDERING that the Scientific Advisory Committee (SAC) assesses that several stocks are overexploited, some with a high risk of collapse, and that sustainable management requires that measures aimed at limiting the capture of juveniles are implemented;

REAFFIRMING its commitment to further improving the gear selectivity of demersal trawl fisheries beyond what can be achieved by a minimum 40 mm square mesh size with a view to ensure better protection of juveniles of several species as well as to reduce discarding practices in a multispecies context;

CONSIDERING that selectivity of some fishing gears cannot go beyond certain level in Mediterranean mixed fisheries and that, in addition to the overall control and limitation of the fishing effort and fleet capacity, it is fundamental to limit the fishing effort in areas in which adults of important stocks aggregate in order to allow these stocks to deliver the necessary recruitment, thus allowing for their sustainable exploitation;

NOTING that the SAC advises to ban the use of towed and fixed gears and longlines for demersal resources in an area on the continental shelf and slope of the Eastern Gulf of Lions;

CONSIDERING that more scientific information is needed with a view to understand the relevance of other adjacent areas on the continental shelf and slope for the protection of spawners and sensitive habitats as well as to better known the level and spatial distribution of the fishing effort exerted

PENDING the delivery of this additional information by the SAC

ADOPTS in conformity with the provision of paragraph 1 (b) and (h) of Article III and Article V of GFCM Agreement that:

1. The fishing effort for demersal stocks of vessels using towed nets, bottom and mid-water longlines, bottom-set nets shall not exceed the level of fishing effort applied in 2008 in the fisheries restricted area of the eastern Gulf of Lions as bounded by lines joining the following geographic coordinates:

42°40'N, 4°20' E;
42°40'N, 5°00' E;
43°00'N, 4°20' E;
43°00'N, 5°00' E;

2. Members and cooperating non-Members of GFCM shall communicate to the GFCM Executive Secretary not later than June 2009 the list of vessels that have used towed nets, bottom and mid-water longlines, bottom-set nets in the area referred to in paragraph 1 in the year 2008.

3. The list shall contain the following information for each vessel:

- Name of vessel
- Register number
- GFCM unique identifier (country ISO 3-alpha code + 9 digits, e.g. xxx000000001)
- 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 vessel, length overall and gross tonnage (GT) and/or gross registered tonnage (GRT)
- Name and address of owner(s) and operator(s)
- Main gear(s) used to fish in the fishery restricted area
- Seasonal period authorized for fishing in the fishery restricted area
- Number of fishing days exerted by each vessel in the year 2008 and number of fishing days exerted in the fishery restricted area

4. Members and cooperating non-Members of GFCM shall establish a register of the fishing vessels authorized to fish in the area which ensure that the vessels not having records of fishing in the area prior 31 December 2008 are not authorized to start fishing therein.

5. Members and cooperating non-Members of GFCM shall communicate to the GFCM Executive Secretary not later than September 2009 the legal conditions, as in force at 31 December 2008, as for the maximum time of daily fishing activity, the maximum number of days a vessel can stay at sea as well as the compulsory timing between the exit and return to the registered port of their fishing vessels.

6. Members and cooperating non-Members of GFCM shall ensure that fishing vessels operating in the area respect their obligation as in force at 31 December 2008 as for the maximum time of daily fishing activity, the maximum number of days a vessel can stay at sea as well as the legally compulsory timing to exit and return to the registered port.

7. For the fisheries restricted area referred to in paragraph 1, Members and Cooperating non-Members of GFCM shall call the attention of the appropriate national and international authorities in order to protect this area from the impact of any other human activity jeopardizing the conservation of the features that characterize this particular habitat as an area of spawners' aggregation.

8. Boundaries of the area and conditions to fish therein as referred to in previous paragraphs may change on the basis of SAC advice.

REC.CM-GFCM/33/2009/2

On the minimum mesh size in the codend of demersal trawl nets

The General Fisheries Commission for the Mediterranean (GFCM),

RECALLING that the objective of the Agreement establishing the General Fisheries Commission for the Mediterranean are to promote the development, conservation, rational management and best utilization of living marine resources;

RECALLING Recommendation GFCM/29/2005/1 on the management of certain fisheries exploiting demersal and deepwater species and, notably, Article 1 therein;

CONSIDERING that the Scientific Advisory Committee (SAC) considers that several stocks are overexploited, some with a high risk of collapse, and that sustainable management requires that measures aimed at limiting the capture of juveniles are implemented;

REAFFIRMING its commitment to further improving the gear selectivity of demersal trawl fisheries beyond that deliver by the 40 mm diamond mesh size with the view to ensure a better protection of juveniles of several species as well as to reduce discarding practices in a multispecies context;

RECALLING resolution GFCM/31/2007/3 on the voluntary implementation of 40 mm square mesh size in codend of trawl nets exploiting demersal resources

CONSIDERING the recurrent advice on implementing a minimum 40 mm square mesh in the codend of demersal trawl fisheries exploiting several demersal stocks as also given at the 11th sessions of the Scientific Advisory Committee (SAC);

NOTING that the stock assessment conducted by the SAC only concern specific Geographical Sub-Areas corresponding to the data supplied by certain Members and that the assessed stocks may be shared with adjacent GFCM geographical sub-areas (GSAs);

CONSIDERING that in the absence of any scientific information on the status of fisheries and of the exploited resources a more cautious approach is needed and that suitable information coming from adjacent areas could be used for proper and precautionary management of fisheries;

NOTING that the SAC advises to apply the precautionary principle and calls for the immediate implementation of a minimum 40 mm square mesh in demersal trawl fishing for vessels operating outside territorial waters as from 2009;'

RECALLING recommendation GFCM/31/2007/1 authorizing derogation to use codend mesh size smaller than 40 mm to operate in certain local and seasonal demersal trawl fisheries exploiting not-shared demersal stocks

RECOGNIZING that from a social and economic point of view, and unless otherwise requested by conservation needs, it is necessary to ensure gradual changes in the exploitation pattern of fisheries;

ADOPTS in conformity with the provision of paragraph 1 (b) and (h) of Article III and Article V of GFCM Agreement that:

1. The Members and Cooperating entities of GFCM shall adopt and implement, at latest by 31 January 2012, a minimum 40 mm square mesh codend or a diamond mesh size of at least 50 mm, of acknowledged equivalent or higher size selectivity, for all trawling activities exploiting demersal stocks when operating in the GFCM Area;

2. The provision referred to in Article 1 above is without prejudice to the operation of certain local and seasonal trawl fisheries operating in derogation to a minimum 40 mm codend mesh size until 31 May 2010 as authorized in line with GFCM Recommendation 31/2007/1;

3. The Members and Cooperating entities of GFCM shall communicate to GFCM Secretariat every three months, starting from 1 October 2009, the list of fishing vessels, and their percentage out of the whole national demersal trawl fleet, equipped with a trawl cod-end mesh size as stipulated in Article 1 above;

4. The list of vessels referred to in Article 3 above shall contain the following information for each vessel:

- Name of vessel
- Register number
- GFCM unique identifier (country ISO-3 code + 9 digits, e.g. xxx000000001)
- 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 vessel, length and gross tonnage (GT) and/or gross registered tonnage (GRT)
- Name and address of owner(s) and operator(s)
- Main gears used
- Time period authorized for fishing with demersal trawl gear

5. Each Members and Cooperating non-Members of GFCM shall promptly notify, as from 31 January 2012, the GFCM Secretariat of any addition to, any deletion from and/or any modification of the demersal trawl fleet referred to in Article 3 above at any time such changes occur;

6. The GFCM Secretariat shall maintain such a list of demersal trawl fishing vessels and take any measure to ensure publicity of the record including through electronic means and placing it on the GFCM website, in a manner consistent with confidentiality requirements noted by Members;

7. On the basis of the outcome of selectivity experimental trials which will be carried out on regional or national level in the GFCM area, in line with the Resolution

GFCM/XXXI/2007/3, and on the basis of SAC advice the measure referred to in paragraph 1 will be implemented accordingly for the fisheries concerned.

REC.CM-GFCM/31/2007/1

Mesh size of trawl nets exploiting demersal resources

RECALLING that the objectives of the Agreement establishing the General Fisheries Commission for the Mediterranean are to promote the development, conservation, rational management and proper utilization of living marine resources;

RECALLING Recommendation REC.CM-GFCM/29/2005/1 on the management of certain fisheries exploiting demersal and deepwater species and, notably, Article 1 therein;

REAFFIRMING its commitment to further improve the selectivity of demersal trawl fisheries beyond that which is permitted by the 40 mm diamond mesh size with the view to ensure a better protection of juveniles of several species as well as to reduce discarding practices in a multispecies context;

NOTING that the wide diversity of fishing fleets and gear used in the zone under the competence of the Commission makes it essential to establish a general regulatory framework that permits the formulation and application of national regulations adapted to individual cases, in an effort to achieve the maximum effectiveness of sustainable management of living marine resources;

NOTING that some local and seasonal trawl fisheries exploiting not-shared demersal stocks in coastal areas may need some more time to adjust to the diamond mesh size of 40 mm;

RECOGNIZING that from a socio-economic point of view it is necessary to avoid immediate disruption of those local and seasonal fisheries while ensuring their gradual phasing out;

ADOPTS in conformity with the provision of paragraph 1 (b) and (h) of Article III and Article V of the GFCM Agreement that:

1. By way of derogation from Article 1 of Recommendation REC.CM-GFCM/29/2005/1 establishing the immediate implementation of at least a 40 mm diamond mesh size for the whole codend of demersal trawlers, the Members of GFCM may continue authorizing, until 31 May 2010 only, the use of codend mesh size smaller than 40 mm to operate in certain local and seasonal demersal trawl fisheries exploiting not-shared demersal stocks.
2. The derogation referred to in Article 1 above shall apply only to fishing activities already formally authorized by the GFCM Members and shall not involve any future increase in fishing effort provided.
3. A list of authorized fishing vessels involved in the fisheries, referred to in paragraph 1, and their characteristics together with the indication of the exploited resources and mesh size characteristics shall be communicated to the Secretariat at least two months before the next 32nd Session of the GFCM.

REC.CM-GFCM/30/2006/1

Management of certain fisheries exploiting demersal and small pelagic

RECALLING that the objectives of the Agreement establishing the General Fisheries Commission for the Mediterranean (GFCM) are to promote the development, conservation, rational management and proper utilisation of living marine resources;

RECALLING the Declaration of the Ministerial Conference for the Sustainable Development of the Fisheries in the Mediterranean held in November 2003 in Venice;

CONSIDERING that in the advice for 2001, 2002, 2003, 2004 and 2005 the SAC considered that certain stocks are overexploited, some with a high risk of recruitment overfishing, and that sustainable management requires that measures aimed at controlling or reducing the fishing effort;

RECALLING Recommendation REC.CM-GFCM/27/2002/1 which urges the control of fishing effort and the improvement of the exploitation pattern of demersal fisheries, as well as limiting catches of juveniles of small pelagic species;

ADOPTS, in conformity with the provisions of paragraph 1 (b) and (h) of Article III and Article V of the GFCM Agreement that:

Management of fishing effort for certain demersal fisheries

1. GFCM shall develop a management programme of the fishing effort concerning in particular demersal trawling fisheries exploiting inter alia, the following species: hake (*Merluccius merluccius*), blue and red shrimp (*Aristeus antennatus*), red mullet (*Mullus barbatus*), Striped mullet (*Mullus surmuletus*), red shrimp (*Aristaeomorpha foliacea*) and Norway lobster (*Nephrops norvegicus*) in the following geographic sub-areas : Northern and Southern Alboran Sea (GSA 1 and 3), Northern Spain (GSA 6), Balearic Islands (GSA 5), Gulf of Lions (GSA 7), Corsica Island (GSA 8), Ligurian and North Tyrrhenian Sea (GSA 9), South and Central Tyrrhenian Sea (GSA 10), Sardinia (GSA 11), South of Sicily (GSA 16), Northern Adriatic Sea (GSA 17), Southern Adriatic Sea (GSA 18), Western Ionian Sea (GSA 19), Eastern Ionian Sea (GSA 20), Aegean Sea (GSA 22) as well as in the adjacent sub-areas, if relevant.

Management of fishing effort for certain small pelagic fisheries

2. GFCM shall develop a management programme of the fishing effort concerning in particular pelagic trawling and purse seines in the pelagic fisheries exploiting, inter alia, the following species : anchovy (*Engraulis encrasicolus*), sardine (*Sardina pilchardus*) and sprat (*Sprattus sprattus*) in particular in the following geographic sub-areas (GSAs) : Northern and Southern Alboran Sea (GSAs 1 et 3), Northern Spain (GSA 6), Gulf of Lions (GSA 7), Northern Adriatic Sea (GSA 17), South of Sicily (GSA 16) and Aegean Sea (GSA 22), as well as in the adjacent sub-areas, if relevant.

3. In order to develop management programmes of the fishing effort referred to in paragraph 1 and 2, the SAC shall in 2006 identify:

- The reference year
- The operational units
- The parameters to measure the fishing effort both in terms of capacity, fishing activity and, if relevant, number and dimension of fishing gears.

The SAC shall transmit to the Commission in 2006 the results of this identification.

REC.CM-GFCM/30/2006/2

Establishment of a closed season for the dolphin fish fisheries using Fishing Aggregation Devices (FADs)

RECALLING that the objectives of the Agreement establishing the General Fisheries Commission for the Mediterranean (GFCM) are to promote the development, conservation, rational management and proper utilisation of living marine resources;

RECALLING the Declaration of the Ministerial Conference for the Sustainable Development of the Fisheries in the Mediterranean held in November 2003 in Venice;

NOTING that the Scientific Advisory Committee (SAC) recommends that fisheries exploiting dolphin fish (*Coryphaena hippurus*) and using fish aggregating devices (FADs), could operate, in all geographical sub-areas (GSAs), only between 15 August and 31 December of each year;

NOTING that SAC has considered that this type of measure can significantly contribute to the reduction of the catches of small specimen of dolphin fish and contribute to the sustainability of this stock;

ADOPTS, in conformity with the provisions of paragraph 1(b) and (h) of Article III and Article V of the GFCM Agreement that:

1. In order to protect the dolphin fish (*Coryphaena hippurus*), in particular small fish, exploited by fleets flying the flag of Members, the dolphin fish fisheries using fish aggregating devices (FADs) shall be prohibited from 1 January to 14 August of each year, in all geographical sub-areas.

By way of derogation, if a Member can demonstrate that due to bad weather, fishermen of this Member were unable to utilise their normal fishing days (notified in advance to the Executive Secretary), then the Member can carry over days lost by this fleet in FAD fisheries until 31 January of the following year.

The Member shall notify these measures to the Executive Secretary, who will circulate the information to all the Members.

2. Each Member involved by the fishery referred to in paragraph 1 shall take the necessary measures to ensure the respect of the measure referred to in paragraph 1.

3. Each Member shall adopt the necessary measures to ensure the reporting of their total landings and transhipments of dolphin fish carried out by the vessels that fly their flag. Each Member shall also expand, or maintain, an appropriate system of collection and treatment of fisheries catch and effort data.

4. The Commission requests SAC to analyse for the first time in 2010, the impact of this measure on the stocks and to recommend any change that may be deemed necessary to

improve its effectiveness, in order to evaluate possible modifications to the closure and/or to propose additional management measures.

5. Members involved by the fishery referred to in paragraph 1 will submit an Annual Report on their implementation to the Secretariat. The Executive Secretary shall report to the Commission.

REC.CM-GFCM/30/2006/3

Establishment of fisheries restricted areas in order to protect the deep sea sensitive habitats

RECALLING that the objectives of the Agreement establishing the General Fisheries Commission for the Mediterranean (GFCM) are to promote the development, conservation, rational management and proper utilisation of living marine resources;

RECALLING the Declaration of the Ministerial Conference for the Sustainable Development of the Fisheries in the Mediterranean held in November 2003 in Venice;

RECALLING the Resolution 59/25 of the United Nations General Assembly and in particular paragraph 66 and 67 calling the regional fisheries management organizations to adopt appropriate conservation and management measures in order to protect vulnerable marine ecosystems;

RECALLING the Recommendation REC.CM-GFCM/29/2005/1 on the management of certain fisheries exploiting demersal and deepwater species;

CONSIDERING that integration of environmental concerns in fisheries management is a way to protect the structure and functioning of the marine ecosystems that are in turn fundamental to the overall production of the seas, including the exploited resources and to the benefit of sustainable fisheries;

CONSIDERING that also human activities other than fisheries should care of the structure and functioning of the marine ecosystems to the benefit of healthy environment and sustainable fisheries;

NOTING that the Scientific Advisory Committee recommends to ban bottom trawling activity in the deep water coral reefs located in international waters (referred to as Lophelia reef off Capo Santa Maria di Leuca) in order to protect the coral;

NOTING that the Scientific Advisory Committee has indicated that the area referred to as “The Nile Delta area cold hydrocarbon seeps” is characterized by an exceptional concentration of cold hydrocarbon seeps which had favoured the development of a unique living community and recommends that the area should be given a full protection status by avoiding demersal fishing practices;

NOTING that the Scientific Advisory Committee recommends to ban trawling activities in the area referred to as “The Eratosthemes Seamount” located in the Eastern Mediterranean between the Levantine Platform to the south and the Cyprus margin to the north near the subduction zone of the African plate, in order to protect the deep sea sensitive habitat;

ADOPTS, in conformity with the provisions of paragraph 1 (b) and (h) of Article III and Article V of the GFCM Agreement that:

1. Fishing with towed dredges and bottom trawl nets shall be prohibited in the areas bounded by lines joining the following coordinates:

a) Deep Sea fisheries restricted area “Lophelia reef off Capo Santa Maria di Leuca”

39° 27.72' N, 18° 10.74' E

39° 27.80' N, 18° 26.68' E

39° 11.16' N, 18° 04.28' E

39° 11.16' N, 18° 32.58' E

b) Deep Sea fisheries restricted area “The Nile delta area cold hydrocarbon seeps”

31° 30.00' N, 33° 10.00' E

31° 30.00' N, 34° 00.00' E

32° 00.00' N, 34° 00.00' E

32° 00.00' N, 33° 10.00' E

c) Deep Sea fisheries restricted area “The Eratosthemes Seamount”

33° 00.00' N, 32° 00.00' E

33° 00.00' N, 33° 00.00' E

34° 00.00' N, 33° 00.00' E

34° 00.00' N, 32° 00.00' E

2. For the same areas, Members shall call the attention of the appropriate authorities in order to protect these areas from the impact of any other activity jeopardizing the conservation of the features that characterize these particular habitats.

REC.CM-GFCM/29/2005/1

Management of certain fisheries exploiting demersal and deepwater species

RECALLING that the objectives of the Agreement establishing the General Fisheries Commission for the Mediterranean are to promote the development, conservation, rational management and proper utilization of living marine resources;

RECALLING the Declaration of the Ministerial Conference for the Sustainable Development of the Fisheries in the Mediterranean held in November 2003 in Venice and, in particular, paragraph 4, third indent;

RECALLING that effective management measures aim to curb the decline in stocks identified in the scientific advice, and to improve the exploitation pattern in the fisheries;

RE-AFFIRMING the principles of the FAO Code of Conduct for Responsible Fisheries and recalling the precautionary approach to fisheries management therein and, in particular, in relation to the development of new fisheries;

CONSIDERING that in the absence of any scientific information on the status of fisheries and of the exploited resources a more cautious approach is needed and that suitable information coming from adjacent areas could be used for proper and precautionary management of fisheries;

NOTING that the selectivity of codend mesh sizes currently in use in the various demersal trawl fisheries is not suitable to ensure adequate protection for juveniles of several species, as well as to reduce discarding practices;

CONSIDERING also that in the advice for 2001, 2002, 2003, and 2004 the Scientific Advisory Committee (SAC) considered that certain stocks are overexploited, some with a high risk of collapse, and that sustainable management requires that measures aimed at limiting the capture of juveniles are implemented;

NOTING that the stock assessment conducted by the SAC only concern specific geographical sub-areas corresponding to the data supplied by certain Members and that the assessed stocks may be shared with adjacent GFCM geographical sub-areas (GSAs);

RECALLING Recommendation REC.CM-GFCM/27/2002/1 which urges the control of fishing effort and the improvement of the exploitation pattern of demersal fisheries, as well as limiting catches of juveniles of small pelagic species;

ADOPTS, in conformity with the provisions of paragraph 1 (b) and (h) of Article III and Article V of GFCM Agreement that:

DEMERSAL FISHERIES

1. The Members of GFCM shall adopt measures aimed at increasing the selectivity of demersal trawlnets, notably by immediate implementation of at least a 40 mm mesh size opening for the whole demersal trawl codend. Members are invited to explore and implement additional measures in order to improve further the selectivity.

DEEPWATER FISHERIES

1. The Members of the GFCM shall prohibit the use of towed dredges and trawlnets fisheries at depths beyond 1 000 m of depth.

GENERAL ASPECTS

2. The Members of GFCM shall notify the Executive Secretary, each year, one month prior to the Plenary Session of the Commission, with a report on the implementation of the management measures adopted.

3. The Scientific Advisory Committee shall evaluate the impact of the implementation of the management measures and shall recommend, if necessary, to the GFCM either possible adjustments or new additional measures.

REC.CM-GFCM/27/2002/1

Management of selected demersal and small pelagic species

RECALLING that the objectives of the Agreement establishing the General Fisheries Commission for the Mediterranean (GFCM) are to promote the development, conservation, rational management and proper utilization of living marine resources;

RECALLING that effective management measures aim to curb the decline in stocks targeted by scientific advice, and to improve their exploitation;

NOTING that the wide diversity of fishing fleets and gear used in the zone under the competence of the Commission makes it essential to establish a general regulatory framework that permits the formulation and application of national regulations adapted to individual cases, in an effort to achieve the maximum effectiveness of sustainable management of living marine resources;

CONSIDERING the advice on demersal and small pelagic species given at the Fifth session of the Scientific Advisory Committee (SAC);

CONSIDERING that, in its advice of 2002, the Scientific Advisory Committee estimated that certain stocks are overexploited and that sustainable management measures should therefore be put into effect for the fisheries concerned;

CONSIDERING that the Members of the GFCM should therefore implement measures aimed at gradually adjusting fishing effort and reducing the capture of juveniles;

NOTING that the stock assessments conducted by the SAC only concern specific geographical sub-areas corresponding to the data supplied by certain Members and that the assessed stocks may be shared with adjacent GFCM geographical sub-areas, all the Members concerned should ensure that the stocks are managed according to the following provisions:

The General Fisheries Commission for the Mediterranean RECOMMENDS, in conformity with the provisions of paragraph 1(b) and (h) of Article III and Article V of GFCM Agreement, that:

1. The Members in the GFCM geographical sub-areas concerned are encouraged to adopt measures aimed at adjusting the fishing effort for selected demersal species (*Merluccius merluccius*, *Aristeus antennatus*, *Mullus barbatus*) and to rationalize their exploitation on the basis of the advice of the Scientific Advisory Committee;
2. The Members in the GFCM geographical sub-areas concerned are encouraged to take measures aimed at minimizing the capture of small pelagics below the size needed to maintain recruitment stock at a level compatible with sustainable resource exploitation.

REC.CM-GFCM/22/1997/1

Limitation of the use of driftnets in the Mediterranean

(original decision: resolution 97/1¹)

CONSIDERING that on 22 December 1989, the General Assembly of the United Nations adopted by consensus Resolution 44/225 on large-scale pelagic driftnet fishing and its impact on the living marine resources of the world's oceans and seas;

CONSIDERING that uncontrolled expansion and growth of driftnetting may entail serious disadvantages in terms of increased fishing effort and increased by-catches of species other than the target species, and that it was therefore desirable to regulate fishing with driftnets;

Accordingly *ADOPTS*, under Article V of the GFCM Agreement, the following recommendation:

1. No vessel flying the flag of a Contracting Party of GFCM may keep on board, or use for fishing, one or more driftnets whose individual or total length is more than 2.5 kilometres;
2. Throughout the fishing referred to in paragraph 1, the net must, if it is longer than one kilometre, remain attached to the vessel. However, within the 12 mile coastal band, a vessel may detach itself from the net, provided it keeps it under constant observation.

¹ Report of the 22nd Session of GFCM (Appendix G)

REC.CM-GFCM/13/1976/3

Improvement of estimation of catches, evaluation of components of fishing effort and strengthening of programmes for biological sampling; need to recruit a regional statistician

CONSIDERING that the development and proper utilization of fishery resources depend primarily on accurate information on stocks and fisheries;

NOTING that the dispersed character of the Mediterranean fisheries further accentuates the difficulties of collecting information;

REALIZING that to reduce the serious shortcomings of data on catches, fishing effort and stock structure, the skill needed for the design and conduct of effective statistical sampling, data collection and processing programmes should be strengthened at the regional level;

RECOMMENDS, under Article V of the GFCM Agreement, that the member nations, in liaison with the Secretariat, make a special effort to improve the estimation of annual catches from the principal stocks, to evaluate more rigorously the components of the fishing efforts corresponding to the catches (fishing methods, power of fleets, duration of operations and location of catches) and to strengthen standing programmes for the biological sampling of stocks of major commercial importance;

[1]

RECOMMENDATIONS

- 1.2 -

RECOMMENDATIONS ON MONITORING, CONTROL AND SURVEILLANCE (REC.MCS)

REC.MCS-GFCM/35/2011/1

Concerning the establishment of a GFCM Logbook, amending Recommendation GFCM/34/2010/1

The General Fisheries Commission for the Mediterranean (GFCM),

RECALLING that the objectives of the GFCM Agreement establishing the GFCM are to promote the development, conservation, rational management and proper utilization of living marine resources;

RECALLING the Rule X (2) (e) of the GFCM Agreement in which Contracting Parties have an obligation to provide information on production and other data relevant to enable the Scientific Advisory Committee (SAC) to carry out its duties;

RECALLING Recommendation GFCM/33/2009/6 amending Recommendation GFCM/29/2005/2 concerning the establishment of a GFCM Record of Vessels over 15 meters authorized to operate in the GFCM area;

RECALLING Recommendation GFCM/33/2009/5 concerning the establishment of the GFCM Regional Fleet Register (RFR);

CONSIDERING the importance of knowing the spatial allocation of the fishing effort and origin of the catches, at the highest possible level of resolution, for sound scientific monitoring and management of fisheries;

RECALLING Recommendation GFCM/32/2008/1 on a regional scheme on port State measures to combat illegal, unreported and unregulated fishing in the GFCM area;

RECALLING Recommendation GFCM/33/2009/3 on the implementation of the GFCM Task 1 statistical matrix;

ADOPTS, in conformity with the provision of paragraph 1 (b) and (h) of Article III and Article V of GFCM Agreement, that:

1. Contracting Parties shall require that the masters of fishing vessels more than 15 meters in overall length (LOA) authorized to fish in the GFCM area and registered on the GFCM Record of Vessels shall keep a bound logbook of their operations, indicating particularly quantities of each species caught and kept on board, above 50 kg in live weight, whether the catches are weighed or estimated, the date and geographical positions of such catches and the type of gear(s) used in accordance with the minimum specifications and information set out in Annex 1.
2. The minimum quantity referred to in paragraph 1 shall be without prejudice to stricter rules implemented by Contracting Parties who may define a lower threshold between 0 and 50 kg in the light of further work to be undertaken under the GFCM framework.

3. The provisions of the present Recommendation shall not affect more detailed or stricter obligations on the use of logbooks, including on the use of electronic means, adopted and implemented by Contracting Parties.
4. Contracting Parties are committed to implement this recommendation as from 1st January 2013.

1. Minimum specification for the GFCM logbook:

1. The logbook shall be numbered by sheets (3 digit country code and 7 digit unique reference);
2. The logbook shall be filled for each fishing operation carried out every day (preferably by midnight) and before port arrival;
3. The logbook shall be completed in case of at sea inspections or at the request of the flag state;
4. One copy of the sheets shall remain attached to the logbook;
5. Logbooks shall be kept on board to cover a period of one-year operation or the quota period.

2. Minimum standard information for the GFCM logbook:

1. Master(s) name (s) and address(es);
2. Date and time for departure and return from/to port;
3. Vessel name, call-sign, GFCM unique number and IMO number (if available);
4. Fishing gear (FAO code and units) and their dimension, mesh size and number of hooks;
5. Operations at sea with (minimum) one line per day of trip, providing:
 - a) Activity (fishing, steaming, etc.),
 - b) Position: Geographical positions, recorded for each fishing operation or at noon when no fishing has been conducted during this day as well as GFCM geographical sub-area and/or the number of the rectangle 30'x30' of the GFCM Statistical grid,
 - c) The numbers of a rectangle in the GFCM statistical grid is a 5 digits code, as identified by the following rule and reported in the Annex 2 of this Recommendation:
 - (i) Latitude is covered by a composed 3digits code of letter and number. Maximum range from M00 (30°N) up to M34 (47°30'N),
 - (ii) Longitude is covered by a composed code of a letter and a number. The letter range is from A to J and number range per letter is from 0 to 9. Maximum range from A0 (6°W) up to J5 (42°E).
 - d) Record of catches by species.
6. Species identification:
 - a) by FAO code,
 - b) round weight (RWT) in kg per day for all species,
 - c) number of fish caught per day (only for tunas, swordfish and highly migratory sharks).
7. Master(s) signature(s);
8. Observer signature (if applicable);

9. Means of weight measure: estimation, weighing on board and/or counting of containers (boxes, baskets, etc).

3. Minimum information in case of landing and/or transshipment:
 1. Date, time and port of landing and/or transshipment;
 2. Products:
 - a) presentation,
 - b) number of fish or containers and quantity in kg.
 3. Signature of the Master(s) or Vessel Agent(s);
 4. Vessel details [transshipment] (name, call-sign, markings, flag and any other characteristics);
 5. The permitted margin of tolerance of 10 percent shall be expressed as a percentage of the actual determined live weight equivalent of each species retained on board.

Digits for the codification of the rectangles in the statistical grid

LATITUDE

| Digit 2-3 | | |
|------------------|-------------|-----------|
| code | from | to |
| 00 | 30°N | 30°30'N |
| 01 | 30°30'N | 31°N |
| 02 | 31°N | 31°30'N |
| 03 | 31°30'N | 32°N |
| 04 | 32°N | 32°30'N |
| 05 | 32°30'N | 33°N |
| 06 | 33°N | 33°30'N |
| 07 | 33°30'N | 34°N |
| 08 | 34°N | 34°30'N |
| 09 | 34°30'N | 35°N |
| 10 | 35°N | 35°30'N |
| 11 | 35°30'N | 36°N |
| 12 | 36°N | 36°30'N |
| 13 | 36°30'N | 37°N |
| 14 | 37°N | 37°30'N |
| 15 | 37°30'N | 38°N |
| 16 | 38°N | 38°30'N |
| 17 | 38°30'N | 39°N |
| 18 | 39°N | 39°30'N |
| 19 | 39°30'N | 40°N |
| 20 | 40°N | 40°30'N |
| 21 | 40°30'N | 41°N |
| 22 | 41°N | 41°30'N |
| 23 | 41°30'N | 42°N |
| 24 | 42°N | 42°30'N |
| 25 | 42°30'N | 43°N |
| 26 | 43°N | 43°30'N |
| 27 | 43°30'N | 44°N |
| 28 | 44°N | 44°30'N |
| 29 | 44°30'N | 45°N |
| 30 | 45°N | 45°30'N |
| 31 | 45°30'N | 46°N |
| 32 | 46°N | 46°30'N |
| 33 | 46°30'N | 47°N |
| 34 | 47°N | 47°30'N |

LONGITUDE

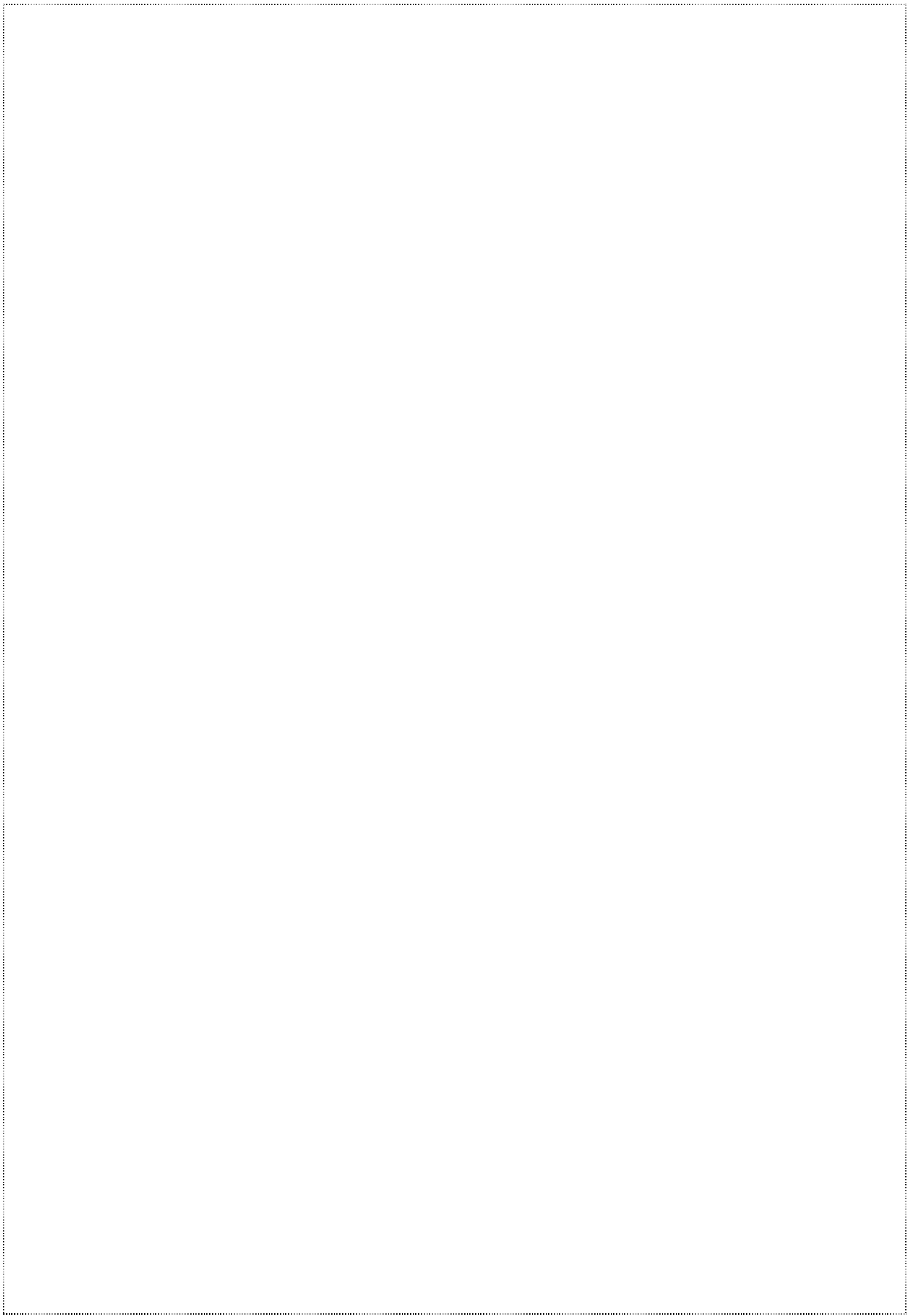
| Digit 4-5 | | |
|-----------|--------|---------|
| code | from | to |
| A0 | 6°W | 5°30'W |
| A1 | 5°30'W | 5°W |
| A2 | 5°W | 4°30'W |
| A3 | 4°30'W | 4°W |
| A4 | 4°W | 3°30'W |
| A5 | 3°30'W | 3°W |
| A6 | 3°W | 2°30'W |
| A7 | 2°30'W | 2°W |
| A8 | 2°W | 1°30'W |
| A9 | 1°30'W | 1°W |
| B0 | 1°W | 0°30'W |
| B1 | 0°30'W | 0°W |
| B2 | 0°E | 0°30'E |
| B3 | 0°30'E | 1°E |
| B4 | 1°E | 1°30'E |
| B5 | 1°30'E | 2°E |
| B6 | 2°E | 2°30'E |
| B7 | 2°30'E | 3°E |
| B8 | 3°E | 3°30'E |
| B9 | 3°30'E | 4°E |
| C0 | 4°E | 4°30'E |
| C1 | 4°30'E | 5°E |
| C2 | 5°E | 5°30'E |
| C3 | 5°30'E | 6°E |
| C4 | 6°E | 6°30'E |
| C5 | 6°30'E | 7°E |
| C6 | 7°E | 7°30'E |
| C7 | 7°30'E | 8°E |
| C8 | 8°E | 8°30'E |
| C9 | 8°30'E | 9°E |
| D0 | 9°E | 9°30'E |
| D1 | 9°30'E | 10°E |
| D2 | 10°E | 10°30'E |

| Digit 4-5 | | |
|-----------|---------|---------|
| code | from | to |
| D3 | 10°30'E | 11°E |
| D4 | 11°E | 11°30'E |
| D5 | 11°30'E | 12°E |
| D6 | 12°E | 12°30'E |
| D7 | 12°30'E | 13°E |
| D8 | 13°E | 13°30'E |
| D9 | 13°30'E | 14°E |
| E0 | 14°E | 14°30'E |
| E1 | 14°30'E | 15°E |

| | | |
|----|---------|---------|
| E2 | 15°E | 15°30'E |
| E3 | 15°30'E | 16°E |
| E4 | 16°E | 16°30'E |
| E5 | 16°30'E | 17°E |
| E6 | 17°E | 17°30'E |
| E7 | 17°30'E | 18°E |
| E8 | 18°E | 18°30'E |
| E9 | 18°30'E | 19°E |
| F0 | 19°E | 19°30'E |
| F1 | 19°30'E | 20°E |
| F2 | 20°E | 20°30'E |
| F3 | 20°30'E | 21°E |
| F4 | 21°E | 21°30'E |
| F5 | 21°30'E | 22°E |
| F6 | 22°E | 22°30'E |
| F7 | 22°30'E | 23°E |
| F8 | 23°E | 23°30'E |
| F9 | 23°30'E | 24°E |
| G0 | 24°E | 24°30'E |
| G1 | 24°30'E | 25°E |
| G2 | 25°E | 25°30'E |
| G3 | 25°30'E | 26°E |
| G4 | 26°E | 26°30'E |
| G5 | 26°30'E | 27°E |

| Digit 4-5 | | |
|-----------|---------|---------|
| code | from | to |
| G6 | 27°E | 27°30'E |
| G7 | 27°30'E | 28°E |
| G8 | 28°E | 28°30'E |
| G9 | 28°30'E | 29°E |
| H0 | 29°E | 29°30'E |
| H1 | 29°30'E | 30°E |
| H2 | 30°E | 30°30'E |
| H3 | 30°30'E | 31°E |
| H4 | 31°E | 31°30'E |
| H5 | 31°30'E | 32°E |
| H6 | 32°E | 32°30'E |
| H7 | 32°30'E | 33°E |
| H8 | 33°E | 33°30'E |
| H9 | 33°30'E | 34°E |
| I0 | 34°E | 34°30'E |
| I1 | 34°30'E | 35°E |
| I2 | 35°E | 35°30'E |
| I3 | 35°30'E | 36°E |
| I4 | 36°E | 36°30'E |
| I5 | 36°30'E | 37°E |

| | | |
|----|---------|---------|
| I6 | 37°E | 37°30'E |
| I7 | 37°30'E | 38°E |
| I8 | 38°E | 38°30'E |
| I9 | 38°30'E | 39°E |
| J0 | 39°E | 39°30'E |
| J1 | 39°30'E | 40°E |
| J2 | 40°E | 40°30'E |
| J3 | 40°30'E | 41°E |
| J4 | 41°E | 41°30'E |
| J5 | 41°30'E | 42°E |



REC.MCS-GFCM/34/2010/2

On the management of fishing capacity

The General Fisheries Commission for the Mediterranean (GFCM),

RECALLING that the objectives of the Agreement establishing the General Fisheries Commission for the Mediterranean are to promote the development, conservation, rational management and best utilization of living marine resources;

RECALLING the Declaration of the Third Ministerial Conference on the Sustainable Development of the Fisheries in the Mediterranean held in Venice, Italy, on 25 and 26 November 2003;

RECALLING Recommendation GFCM/27/2002/1 which urges the control of fishing effort and the improvement of the exploitation pattern of demersal fisheries, as well as limiting catches of juveniles of small pelagic species;

CONSIDERING that in the advice for 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008 and 2009 the GFCM Scientific Advisory Committee (SAC) considered that several demersal and small pelagic stocks are overexploited, some with high risk of recruitment overfishing, and that sustainable management requires measures aimed at controlling or reducing the fishing effort from 10 percent up to 40 percent and more;

NOTING that the stock assessment conducted by the SAC only concerns specific geographical subareas corresponding to the data supplied by certain Members and that the assessed stocks may be shared with adjacent GFCM geographical sub-areas;

CONSIDERING that in cases where no scientific information on the status of fisheries and of the exploited resources is available a more cautious approach is needed in the development plans of fishing fleets and that suitable information coming from adjacent areas could be used for proper and precautionary management of fisheries until sound scientific evidence becomes available;

NOTING that the Scientific Advisory Committee (SAC) advises to apply the precautionary principle;

CONSIDERING that any possible global limitation of the fleet capacity at regional level shall not prevent or hinder transferability of fishing fleet capacity from one Member to another and from one GSA to another provided that the targeted fisheries are exploited sustainably and that the overall capacity does not increase;

RECALLING the International Plan of Action (IPOA) for the management of fishing capacity elaborated within the framework of the FAO Code of Conduct for Responsible Fisheries which calls upon States to cooperate, where appropriate, through regional fisheries management organizations or arrangements and other forms of cooperation, with a view to ensuring the effective management of fishing capacity, as specified in article 27 of the IPOA.

RECALLING Recommendation GFCM/34/2009/3 on the implementation of the GFCM Task 1 Statistical Matrix including in particular mandatory submission of the components Tasks 1.1, 1.2 and 1.4 by February 2010 for the first time while Task 1.3 and Task 1.5 by January 2011 and noting that the SAC calls for a mandatory submission by the Members as from 2009 of several components of Task 1 statistical matrix including in particular Tasks 1.1, 1.2, and 1.4;

NOTING that GFCM, at its thirty-second session, requested the SAC to carry out an evaluation of consequences of a possible freezing of the fleet capacity and the proposals and results of the workshop on the assessment, management and monitoring of fishing fleet capacity held in February 2010;

RECALLING Recommendation GFCM/34/2009/6 on the establishment of a GFCM record of vessels over 15 metres authorized to operate in the GFCM area;

RECALLING Recommendation GFCM/34/2009/5 on the establishment of the GFCM Regional Fleet Register by June 2010 to contain information on all vessels, boats, ships or other crafts that are equipped and used for commercial fishing activity and as from 2011 Contracting Parties shall submit a full data base at least at the beginning of each calendar year followed by updates as appropriate;

ADOPTS, in conformity with the provisions of paragraph 1 (b) and (h) of Article III and article V of GFCM Agreement that:

1. In order for the GFCM to be able to develop an action plan to manage fishing capacity at regional level (Regional Plan Of Action), including actions to monitor and manage fishing capacity and, where appropriate, measures to tackle overcapacity based on scientific advice shall be taken.
2. For the purpose of this recommendation, "Fishing capacity" means a fishing vessel's tonnage in GT and/or GRT and its engine power in kW. The fishing capacity level per GFCM Member shall be the sum of its vessels expressed in tonnage (GT and/or GRT) and engine power (kW).
3. The levels of the overall fishing capacity in the GFCM area shall be determined based on a Regional Plan of Action considering the national and regional fishing capacity management plans and scientific advice.
4. All Members and Cooperating entities shall submit to the Secretary and via the electronic tools available on the GFCM web-site an updated list of their respective vessels greater than 15 metres LOA that were entitled to fish in the GFCM area of Competence in 2007, 2008 or 2009, before the thirty-fifth annual session.

These lists shall contain the following information for each vessel:

- Name of vessel
- Registration number
- GFCM unique identifier
- Previous flag
- Previous details of deletion from the other registries

- International radio call sign
- Vessel type, length overall, gross tonnage and/or gross registered tonnage and engine power expressed in kW
- Name and address of owner, and/or charterer, and/or operator
- Main target species
- Main gears used and fleet segment allocation and Operational Unit as identified in the GFCM TASK 1 statistical matrix
- Geographical sub-area/areas (GSAs) where fishing occurred.

5. Sub regional and national measures such as temporary closures or fisheries management for other effort limitations shall be taken into account when establishing actions and measures referred to under paragraph 1.

6. The levels of fishing capacity of vessels larger than 15 metres LOA referred to in paragraph 4 shall be without prejudice to the transferability of fishing capacity from the one Member to another Member provided that overall fishing capacity of Members or Cooperating non-members concerned and authorised and licensed to fish in the GFCM area does not increase.

7. The overall level of fishing capacity shall not be exceeded when vessels are replaced.

8. The existing fishing capacity management plans shall be transmitted to the GFCM secretariat 30 days before each annual session, at the latest.

9. The provisions of this Recommendation shall not affect more detailed or stricter obligations adopted and implemented by Members or other RFMOs.

REC.MCS-GFCM/34/2010/3

Concerning the identification of non-compliance

The General Fisheries Commission for the Mediterranean (GFCM),

RECALLING that the objectives of the GFCM Agreement establishing the General Fisheries Commission for the Mediterranean are to promote the development, conservation, rational management and best utilization of living marine resources;

RECALLING that the FAO Council adopted on 23 June 2001 an International Plan of Action (IPOA) aiming to prevent, deter and eliminate illegal, unreported and unregulated (IUU) fishing;

RECALLING Recommendation GFCM/30/2006/6 on the terms of reference for the GFCM Compliance Committee;

CONSIDERING the need for action to ensure the effectiveness of the GFCM objectives;

CONSIDERING the obligation of all Members and cooperating non-Members of GFCM to respect the GFCM conservation and management measures;

AWARE of the necessity for coordinated and timely actions by all Members and cooperating non-Members of GFCM to ensure the enforcement of GFCMs conservation and management measures, and the need to encourage all Members and cooperating non-Members of GFCM to abide by these measures;

ADOPTS in conformity with the provision of paragraph 1 (b) and (h) of Article III and Article V of GFCM Agreement that:

1. The GFCM, through its Compliance Committee shall identify each year:

- (i) Members that have not met their obligations under the GFCM Agreement in respect of the GFCM conservation and management measures, in particular, by not taking the required measures and actions or not exercising effective control according to national rules and regulations to ensure compliance with conservation and management measures by the vessels flying their flag; and/or
- (ii) Cooperating non-Members that have failed to discharge their obligations under international law to cooperate with GFCM in the management of living marine resources, in particular, by not taking measures or exercising effective control according to national rules and regulation to ensure that their vessels do not engage in any fishing or fisheries related activity that undermines the effectiveness of GFCM conservation and management measures.
- (iii) These identifications shall be based on a review of all available information required by GFCM decisions including, for example: catch or effort data, trade information etc.

- (iv) In deciding whether to make identification, the Compliance Committee shall consider all relevant evidence and information available.

2. The GFCM shall request the Members and Cooperating non-Members concerned to rectify the act or omission identified under paragraph 2 so as not to diminish the effectiveness of the GFCM management measures.

3. The Executive Secretary shall, by more than one means of communication, within 10 working days following the approval of the report of the Compliance Committee, transmit the GFCM's request to the identified Member or Cooperating non-Member. The Executive Secretary shall seek to obtain confirmation from the Member or Cooperating non-Member that it received the notification. The notification shall contain the following:

- (a) the reason(s) for the identification with all available supporting evidence and information;
- (b) the right to respond to the GFCM in writing at the latest 30 days before the next plenary session of the Commission with regard to the identification decision and other relevant information, for example, evidence refuting the identification or, where appropriate, a plan of action for improvement and the steps they have taken to rectify the situation; and,
- (c) in the case of a Cooperating non-Member, an invitation to participate as an observer at the annual session where the issue will be considered.

4. Members and Cooperating non-Members are encouraged jointly and individually to request the Members and Cooperating non-Members concerned to rectify the act or omission identified under paragraph 2 so as not to diminish the effectiveness of the GFCM management measures.

5. The Compliance Committee shall evaluate the response of Member or Cooperating non-Member, together with any new information, and propose to the GFCM to decide upon one of the following actions:

- (a) the revocation of the identification; or
- (b) b) the continuation of the identification status of the Member or Cooperating non-Member.

6. The absence of response from the Member or Cooperating non-Member concerned within the time limit shall not prevent action from the Commission.

REC.MCS-GFCM/33/2009/6

Concerning the establishment of a GFCM record of vessels over 15 metres authorized to operate in the GFCM area amending the recommendation GFCM/29/2005/2

The General Fisheries Commission for the Mediterranean (GFCM),

RECALLING that the objectives of the Agreement establishing the General Fisheries Commission for the Mediterranean are to promote the development, conservation, rational management and best utilization of living marines resources,

RECALLING GFCM Resolution 95/2 concerning the agreement to set a minimum length of 15 meters for the application of the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels in the High Seas; GFCM Resolution 95/4 concerning the preparation of a list of fishing boats in operation from national ports in the Mediterranean and exchange of information on vessels; and GFCM Resolution 97/2 on activities of non-Contracting Parties, and the decision adopted by GFCM at its Twenty-seventh session to establish a fleet segmentation for vessels operating in the Mediterranean,

RECALLING that the FAO Council adopted on 23 June, 2001 an International Plan of Action (IPOA) aiming to prevent, to deter and to eliminate illegal, unreported and unregulated (IUU) fishing, which 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 record of vessels authorized to operate and records of vessels engaged in IUU fishing,

CONSIDERING the conclusions of the Third Ministerial Conference on the Sustainable Development of Fisheries in the Mediterranean,

ADOPTS, in accordance with paragraph 1 (h) of Article III and Article V of the GFCM Agreement that:

1. The Commission shall establish a GFCM record of fishing vessels larger than 15 metres in length overall authorized to fish in the GFCM Area. For the purpose of this Recommendation, the vessels larger than 15 metres in length overall not entered into the record are deemed not to be authorized to fish for, retain on board, tranship or land species covered by the Commission.

2. Each Contracting Party shall submit electronically to the GFCM Executive Secretary before 31 December of each calendar year , the list of its vessels that are authorized to operate in the GFCM Area. This list shall include the following information:

- Name of vessel
- Vessel Register number
- GFCM unique identifier (composed of ISO-3 code + 9 digits, e.g. xxx000000001)

- 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 and gross tonnage and/or gross registered tonnage (GT and/or GRT)
- Name and address of owner(s) and operator(s)
- Gear used
- Time period authorized for fishing and/or transshipping

3. Each Contracting Party shall promptly notify the GFCM Executive Secretary of any addition to, any deletion from and/or any modification of the GFCM record at any time such changes occur.

4. The GFCM Executive Secretary shall maintain the GFCM record, and take any measure to ensure publicity of the record including through electronic means and placing it on the GFCM website, in a manner consistent with confidentiality requirements noted by Members.

5. The flag Contracting Party of the vessels on the record shall:

- a) authorize their vessels to operate in the GFCM Area only if they are able to fulfil in respect of these vessels the requirements and responsibilities under the Agreement and its conservation and management measures;
- b) take necessary measures to ensure that their vessels comply with all the relevant GFCM conservation and management measures;
- c) take necessary measures to ensure that their vessels on the GFCM record keep on board valid certificates of vessel registration and valid authorization to fish and/or tranship;
- d) ensure that their vessels on the GFCM 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 vessels 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 vessels on the GFCM record are not engaged in, or associated with, fishing activities conducted by vessels not entered into the GFCM record in the GFCM Area;
- f) take necessary measures to ensure, to the extent possible under domestic law, that the owners of the vessels on the GFCM record are citizens or legal entities within the flag Contracting Party so that any control or punitive actions can be effectively taken against them, and
- g) keep consistency between the GFCM record and ICCAT record of vessels.

6. The Contracting Parties 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 the results of the review to the Commission at its 2007 meeting and annually thereafter. In consideration of the results of such review, the Commission shall, if appropriate, request the flag Contracting Party of vessels on the GFCM

record to take further action to enhance compliance by those vessels to GFCM conservation and management measures.

7. The Contracting Parties shall take measures, under their applicable legislation, to prohibit the fishing for, the retaining on board, the transshipment and landing of species in the GFCM Area by the vessels larger than 15 metres in length overall which are not entered into the GFCM record.

8. Each Contracting Party shall notify the GFCM Executive Secretary of any factual information showing that there are reasonable grounds for suspecting vessels not on the GFCM record to be engaged in fishing for and/or transshipment in the GFCM Area.

9.

a) If a vessel mentioned in paragraph 8 is flying the flag of a Contracting Party, the Executive Secretary shall request that the Contracting Party take measures necessary to prevent the vessel from fishing in the GFCM Area.

b) If the flag of a vessel mentioned in paragraph 8 cannot be determined or is of a non-Contracting Party, the Executive Secretary shall compile such information for future consideration by the Commission.

10. The Commission and the Contracting Parties 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 fisheries resources in other oceans. Such adverse effects might consist of excessive fishing pressure resulting from a shift of the IUU vessels from the Mediterranean to other seas or oceans.

REC.MCS-GFCM/33/2009/7

Concerning minimum standards for the establishment of a Vessel Monitoring System (VMS) in the GFCM area

The General Fisheries Commission for the Mediterranean (GFCM),

IN ACCORDANCE WITH the General Guidelines for a GFCM Control and Enforcement Scheme elaborated in 2005 to ensure, inter alia, effective monitoring measures,

RECALLING the Rome Declaration on Illegal, Unreported and Unregulated Fishing (IUU Fishing), adopted by the FAO Ministerial Meeting on Fisheries in 2005 to ensure, inter alia, that all large-scale fishing vessels operating on the high seas be required by their flag State to be fitted with vessel monitoring systems (VMS) no later than December 2008, or earlier if so decided by their flag State or any relevant regional fisheries management organizations (RFMOs),

RECOGNIZING the developments in satellite-based vessel monitoring systems (VMS) and their importance in ensuring the long-term conservation and management of living marine resources in the GFCM Area as part of effective monitoring, control and surveillance (MCS),

FURTHER RECOGNIZING the need for laying down agreed standards for the establishment of VMS in the GFCM Area,

NOTING that the establishment of such systems has been discussed in recent sessions of the Commission and has been considered by the GFCM ad hoc Working Group of the Compliance Committee on VMS as a MCS tool,

AWARE that many Parties, as a well as several RFMOs, have established VMS,

ADOPTS, in conformity with the provisions of paragraph 1(b) and (h) of Article III and Article V of GFCM Agreement:

Objective

1. The objective of this Recommendation is to contribute to the long-term conservation and management of living marine resources in the GFCM Area through the establishment of VMS.

Application

2. This Recommendation only applies to fishing vessels which are operating within the GFCM Area and in particular those fishing vessels which are included in the GFCM Authorised Vessels List established by Recommendation GFCM/2005/2.

3. Each flag Party and Cooperating non-Contracting Party (CPnC) shall implement no later than 31st December 2012, a satellite-based VMS for its commercial fishing vessels

exceeding 15 meters length overall, in conformity with the requirements laid down in this recommendation, without prejudice to stricter obligations that Parties and Cooperating non-Contracting Parties may have engaged in.

Satellite tracking devices requirements

4. While specific operational details of Parties'/CPnCs' VMS may vary and include hybrid systems they shall ensure that the satellite tracking devices fitted onboard fishing vessels shall enable the fishing vessel to continuously collect and transmit automatically the following data, at least every two hours while out of its base port, to the Fisheries Monitoring Center (FMC), or an equivalent authority, in the Flag State:

- i) the vessel's GFCM Unique Identifier as recorded in the GFCM Fishing Fleet register and Authorised Vessels List;
- ii) the geographical position of the vessel (longitude, latitude) with minimum resolution of 500 metres, with a confidence interval of 99%;
- iii) the date and time of the fixing of the said position of the vessel;
- iv) the speed and course of the vessel.

When a fishing vessel is in its base port, the satellite tracking device may be switched off, subject to prior notification to the FMC of the flag State, or equivalent authority.

5. Each Party/CPnC shall:

- i) require its fishing vessels to be equipped with an autonomous system able to automatically transmit a message to the land-based FMC in the Flag State, or an equivalent authority, allowing a continuous tracking of the position of a fishing vessel by the Party/CPnC of that fishing vessel. If the satellite tracking device is turned off, either deliberately or due to malfunction, the system must be capable of sending an alarm signal to the FMC, or an equivalent authority, so to improve safety conditions for the crewmembers;
- ii) take all the necessary measures to ensure that the FMC, or an equivalent authority, receives through the onboard satellite tracking device the data in paragraph 4) in electronic format and, to this end, that FMC, or an equivalent authority, are equipped with computer hardware and software enabling automatic data processing and electronic data transmission;
- iii) provide for back-up and recovery procedures in case of system failures;
- iv) ensure, as much as possible, that the satellite tracking device(s) on board its fishing vessels are tamper proof and that are not susceptible to manual input of position data. To this end, the onboard satellite tracking device(s) must be located within a sealed unit and be protected by official seals of a type that reveal whether the unit has been accessed or tampered with; in the event that a Party/CPnC has evidence, following an inspection, that the onboard satellite tracking device(s) does not meet the requirements mentioned above, or has been tampered with, it shall immediately notify the vessel's Flag State.

Duties of the masters and owners/licensees of fishing vessels subject to VMS

6. Masters and/or owners/licensees of fishing vessels subject to VMS shall ensure that the satellite tracking device(s) on board their vessels are permanently operational and that the information identified in paragraph 4 is collected at least every two hours. Masters and/or owners/licensees of fishing vessels subject to VMS shall in particular ensure that:

- i) VMS reports and messages are not altered in any way;
- ii) the antennas connected to the satellite monitoring devices are not obstructed in any way;
- iii) the power supply of the satellite tracking devices are not interrupted in any way;
- iv) the satellite tracking device(s) is not removed from the vessel.

7. In the event of a technical failure or non operation of the satellite tracking device(s) fitted on board a fishing vessel, the masters and owners/licensees of fishing vessels subject to VMS, or their representative, shall communicate to the Flag State every four hours, starting at the time that the technical failure or the non-operation of VMS were detected, the up-to-date geographical position of the vessel by any available means (telephone text-message, email, facsimile, radio).

8. Fishing vessels with defective on board satellite tracking device(s) shall take immediate steps to have the device(s) repaired or replaced as soon as possible and, in any event, as soon as the fishing vessels enter a port. Fishing vessels shall not be allowed by the Flag State/the Port State to commence a further fishing trip in the GFCM Area without having defective device(s) repaired or replaced, unless authorized to leave by the competent Flag State/the Port State authority.

9. Until 31st December 2010 masters and owners/licensees of fishing vessels referred to in paragraph 3 which are not equipped with VMS shall report to the FMC, or equivalent authority, at least every four hours by any available means (telephone text-message, email, facsimile, radio). Such reports must include, inter alia, information on the official numbers (radio call sign and GFCM Unique Identifier), the name of the fishing vessel, the date, the time (UTC) and the geographical position (latitude and longitude) when transmitting the report, to their competent authorities, as well as:

- i) the geographical position at the beginning of the fishing operation;
- ii) the geographical position at the end of the fishing operation;
- iii) additional information on the geographical position while fishing operations occur.

Role of the Parties/CPnCs

10. When Parties/CPnCs did not receive data transmission, or have reasons to doubt the correctness of the data transmission they have received, they shall notify the masters and owners/licensees of fishing vessels subject to VMS, or their representative, as soon as possible. Where appropriate, Parties/CPnCs shall investigate the matter in order to establish whether the equipment has been tampered with. The outcome of this investigation, including any action taken by the Flag State (e.g. fines, withdrawal of fishing license, legal proceedings, etc), shall be forwarded to GFCM Secretariat that will report the matter to the Commission for consideration/action (e.g. inclusion of the vessel in the GFCM list of vessels presumed to having carried out IUU fishing activities in the GFCM Area).

11. When Parties/CPnCs have reasons to doubt the correctness of the data transmission they have received and suspect that the fishing vessel concerned will seek access to the ports of a third Country within the GFCM Area, they shall notify the port State. The port State shall ensure either that the fishing vessel is refused access to its ports or that the fishing vessel is subject to inspection, consistent with the provisions in recommendation GFCM/2008/1 on a regional scheme on port State measures to combat IUU fishing in the GFCM Area;

12. Each Party/CPnC shall provide annually to the GFCM Secretariat a progress report on its VMS, consistent with this recommendation.

13. Each Party/CPnC shall notify the name, address, email, telephone and facsimile numbers of the relevant authorities of their FMC, or equivalent authority, to the GFCM Secretariat by 31st December 2009; each Party/CPnC shall also notify without delay to the GFCM Secretariat any changes in these contacts. The GFCM Secretariat will draw and maintain a list of contacts based on the information it receives by Parties/CPnCs.

14. Parties/CPnCs are encouraged to make VMS data available to the Scientific Advisory Committee of the GFCM in summary form to its meetings, including its Sub-Committees, to estimate fishing effort and for any other scientific purpose it deems important for its work.

Role of the Secretariat

15. Based on national reports received according to paragraph 13, the GFCM Secretariat shall report to Members at the session of the Compliance Committee on the implementation of and compliance with this recommendation.

16. By 1st of January 2011 the GFCM Secretariat will establish and maintain a database for VMS data.

Confidentiality/Data Security

17. The Executive Secretary of the GFCM shall ensure that any information provided to the GFCM Secretariat pursuant to this recommendation will be maintained in strict accordance with the provisions of recommendation GFCM/2006/7 on data confidentiality policy and procedures.

REC.MCS-GFCM/33/2009/8

On the establishment of a list of vessels presumed to have carried out iuu fishing in the GFCM area repealing recommendation GFCM/30/2006/4

The General Fisheries Commission for the Mediterranean (GFCM),

RECALLING that the FAO Council adopted on June 23, 2001 an International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IPOA–IUU), which stipulates that the identification of the vessels carrying out IUU fishing activities should follow agreed procedures and be made in a fair, transparent and non-discriminatory manner;

CONCERNED by the fact that IUU fishing activities in the GFCM Area continue, and that these activities diminish the effectiveness of the GFCM conservation and management measures;

FURTHER CONCERNED that there is evidence of a high number of vessel owners engaged in such fishing activities which have re-flagged their vessels to avoid compliance with GFCM conservation and management measures;

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

CONSIDERING the Declaration of the Third Ministerial Conference on the Sustainable Development of Fisheries in the Mediterranean which was held in Venice from 25 to 26 November 2003;

CONSCIOUS of the need to address, as a matter of priority, the issue of large-scale fishing vessels conducting IUU fishing activities;

NOTING that the IUU fishing activities 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;

ADOPT,S in accordance with paragraph 1 (h) of Article III and Article V of the GFCM Agreement that:

Application

1. For the purposes of this Recommendation the fishing vessels flying the flag of a non Contracting Party, Contracting Party or Cooperating non-Contracting Party are presumed to have carried out illegal, unreported and unregulated fishing activities in the GFCM Area, inter alia, when a Contracting Party or Cooperating non-Contracting Party, presents evidence that such vessels have engaged in one or more of the following activities:

- a) undertake any of the following activities in contravention of GFCM conservation and management measures:
 - i) harvest fish in the GFCM Area;
 - ii) fail to report the catches or make false or misleading reports;
 - iii) take or land undersized fish;
 - iv) fish during closed fishing periods or in closed areas;
 - v) use prohibited fishing gear; or
 - vi) engage in fishing activities contrary to any other GFCM conservation and management measure.
 - b) tranship or participate in joint operations such as re-supply or refuelling with vessels included in the GFCM IUU Vessel List;
 - c) harvest fish in maritime waters under the national jurisdiction of a coastal State in the GFCM Area, without the permission of that State or in contravention of its laws and regulations; and
 - d) being without nationality, harvest fish in the GFCM Area.
2. The Commission may review and, as appropriate, revise this Recommendation with a view to its extension to other types of IUU fishing activities.

Information on presumed IUU fishing activities

3. Contracting Parties and Cooperating non-Contracting Parties shall transmit every year to the Executive Secretary, at least 120 days before the annual GFCM Session, information on vessels flying the flag of a non-Contracting Party, and vessels flying the flag of a Contracting Party or Cooperating non-Contracting Party, presumed to be carrying out IUU fishing activities as defined in paragraph 1 in the GFCM Area during the previous year, accompanied by evidence reported by Contracting Parties and Cooperating non-Contracting Parties supporting the presumption of IUU fishing activity.

Draft IUU Vessel List

4. On the basis of the information received pursuant to paragraph 3, the Executive Secretary shall draw up a Draft IUU Vessel List which shall include information required in Annex I. The Executive Secretary shall transmit it, together with the evidence supporting the presumption of IUU fishing activity provided in accordance with paragraph 3, together with the current IUU Vessel List, to Contracting Parties and Cooperating non-Contracting Parties, as well as to non-Contracting Parties whose vessels are included on either list at least 90 days before the GFCM annual Session. Contracting Parties and Cooperating non-Contracting Parties and relevant non-Contracting Party flag States may transmit their comments to the GFCM Secretariat as appropriate, including evidence showing that the listed vessels have not fished in contravention to GFCM conservation and management measures or had the possibility of fishing in the GFCM Area, at least 30 days before the annual Session.

5. Upon receipt of the Draft IUU Vessel List, Contracting Parties and Cooperating non-Contracting Parties shall closely monitor the vessels included in the draft IUU Vessel List in order to determine their activities and possible changes of name, flag and/or registered owner.

6. Where a vessel appears on a Draft IUU Vessel List drawn up in accordance with paragraph 4, the flag State shall notify the owner of the vessel flying its flag of its inclusion in

the Draft IUU Vessel List and of the consequences that may result from being confirmed in the IUU Vessel List to be adopted by the Commission.

Consideration and Adoption of the Provisional IUU Vessel List

7. On the basis of the information received pursuant to paragraph 4, the Executive Secretary shall draw up a Provisional IUU Vessel List which shall include information required in Annex I, and transmit it two weeks in advance of the GFCM annual Session to Contracting Parties and Cooperating non-Contracting Parties, together with all the evidence provided.

8. Contracting Parties and Cooperating non-Contracting Parties may at any time submit to the Executive Secretary any additional information which might be relevant for the establishment of the IUU Vessel List. The GFCM Executive Secretary shall circulate the information at the latest before the GFCM annual Session to the Contracting Parties and Cooperating non Contracting Parties, and to the non-Contracting Parties concerned, together with all the evidence provided.

9. The GFCM Compliance Committee shall examine the Provisional IUU Vessel List each year, as well as the information referred to in paragraphs 3 and 4. The Committee shall remove a vessel from the Provisional List if the evidence provided clearly demonstrates that:

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

10. Following the examination referred to in paragraph 9, the Compliance Committee shall:

- a) review and assess the Provisional IUU Vessel List together with information and evidence circulated under paragraphs 3 and 4;
- b) review and propose the removal of vessels from the IUU Vessel List adopted by the Commission at its previous annual Session, following consideration of such List together with the information and evidence circulated under paragraphs 3 and 4, and any information provided pursuant to paragraph 16; and
- c) submit the Provisional IUU Vessel List to the Commission, with recommendations for its adoption and for removal of any vessels from the current IUU Vessel List. .

IUU Vessel List

11. The Commission shall consider for approval the Provisional IUU Vessel List and the removal of vessels from the current IUU Vessel List recommended by the Compliance Committee.

12. On adoption of an IUU Vessel List by the Commission, the Secretariat shall request flag States whose vessels appear on the IUU Vessel List to:

- a) notify the owner of the vessel identified on the IUU Vessel List of its inclusion on the List and the consequences which result from being included on the List, as described in paragraph 11; and
- b) take all necessary measures to eliminate the relevant IUU fishing activities including, as appropriate, the cancellation of the registration and/or the fishing license(s) of these vessels, and inform the Secretariat of the measures taken.

13. Contracting Parties and Cooperating non-Contracting Parties shall take all necessary measures to:

- a) ensure that the fishing vessels, support vessels, refuelling vessels, mother ships and cargo vessels flying their flag do not engage in fishing activities, fish processing operations or participate in any transshipment or joint fishing operations with vessels included on the IUU Vessel List, or assist in any way, except in case of force majeure;
- b) prohibit the chartering of a vessel included on the IUU Vessel List; and
- c) encourage the importers, transporters and other sectors concerned, to refrain from transactions and transshipment of any fish caught by vessels included on the IUU Vessel List;

14. Contracting Parties and Cooperating non-Contracting Parties shall take all necessary measures in respect of vessels that do not fly their flag to:

- a) ensure that IUU vessels are not authorized to land, refuel, re-supply or engage in other commercial transactions;
- b) prohibit the entry into their ports of vessels included on the IUU Vessel list, except in case of force majeure;
- c) refuse to grant their flag to vessels included in the IUU Vessel List, except if the vessel has changed owner and/or operator; and the sufficient evidence has been provided that demonstrates that 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 Contracting Party or Cooperating non-Contracting Party, determines that granting the vessel its flag will not result in IUU fishing activities; and
- d) prohibit the imports, or landing and/or transshipment, of any fish from vessels included in the IUU Vessel List;

15. The Executive Secretary shall ensure publication of the IUU Vessel List in a manner consistent with any applicable confidentiality requirements, including through electronic means by placing it on the GFCM website. The Executive Secretary shall transmit the IUU Vessel List to other regional fishery bodies as appropriate for the purposes of enhanced cooperation between GFCM and these organizations in order to prevent, deter and eliminate illegal, unreported and unregulated fishing.

16. Upon receipt of an IUU vessel list adopted by another RFMO and any information regarding such list, the Executive Secretary shall circulate this information to the Contracting Parties and ensure it appears on the GFCM website. Vessels that have been added or deleted from such lists shall be incorporated into or deleted from the GFCM IUU Vessel List as appropriate, unless any Contracting Party objects within 30 days of the date of transmittal by the Executive Secretary on the ground(s) that:

- a) there is satisfactory information to establish that the vessel did not engage in any IUU fishing activities or that effective action has been taken in response to the IUU fishing

activities in question, including, inter alia, prosecution and imposition of penalties or sanctions of adequate severity;

- b) there is satisfactory information to establish that none of the requirements mentioned in a) above has been met with regard to a vessel deleted from the respective lists; or
- c) there is insufficient information to make a determination pursuant to sub-paragraph a) or b), above, within 30 days. In the event of an objection to a vessel listed by another RFMO being incorporated into or deleted from the GFCM IUU Vessel List, such vessel shall be placed on the Provisional IUU Vessel List.

17. Without prejudice to the rights of flag Contracting Parties or Cooperating non Contracting Parties, and coastal States to take action consistent with international law, Contracting Parties and Cooperating non-Contracting Parties shall not take any unilateral trade measures or other sanctions against vessels provisionally included in the Draft IUU Vessel List pursuant to paragraph 4, or which have been already removed from the Provisional IUU Vessel List, pursuant to paragraph 9, on the ground that such vessels are involved in IUU fishing activities.

Deletion from the IUU Vessel List

18. A flag State whose vessel appears on the IUU Vessel List may request the removal of the vessel from the list during the intersessional period by providing the following information:

- a) the actions or measures it has taken to ensure that the vessel complies with GFCM conservation and management measures;
- b) the actions or measures it has taken to effectively discharge its responsibilities with respect to the vessel, including the monitoring and control of the vessel's fishing activities in the GFCM Area;
- c) the actions it has taken against the vessel in response to the relevant IUU fishing activities, including the prosecution and imposition of sanctions of adequate severity, if relevant; and, as appropriate
- d) the vessel has changed ownership and 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 the new owner has not participated in IUU fishing, if relevant.

Intersessional modification of the IUU Vessel List

19. A flag State may send a request for the removal of its vessel from the IUU Vessel List to the Executive Secretary, accompanied by the supporting information referred to in paragraph 18.

20. The GFCM Executive Secretary will transmit the removal request received in accordance with paragraph 19, with all the supporting information, to the Contracting Parties and the COC Bureau within 15 days following the notification of the request.

21. The Contracting Parties shall review the removal request and notify their opinion on whether the vessel should be removed from, or maintained on the IUU Vessel List by electronic means to the Executive Secretary within 30 days following the notification by the Executive Secretary. The Executive Secretary, in close coordination with the COC Bureau, shall review the responses within 30 days following the last day for receipt of the

responses. If a Contracting Party does not respond within the given period,, it will be considered as an abstention from the vote and part of the quorum for the decision-making.

22. The Executive Secretary shall communicate the outcome of the review of the removal request at the end of the 30 day period following the date of the notification referred to in paragraph 20 to all Contracting Parties.

23. If the result indicates that there is a two-thirds majority of the Contracting Parties in favour of removal of the vessel from the IUU Vessel List, the Chairperson shall communicate the result to all Contracting Parties and to the non-Contracting Party or flag State which requested the removal of its vessel from the IUU Vessel List. In the absence of a two-thirds majority, the vessel will be maintained on the IUU Vessel List and the Executive Secretary shall inform the non-Contracting Party accordingly.

24. The Executive Secretary shall remove the vessel referred to in paragraph 23 from the IUU Vessel List, as published on the GFCM website. Moreover, the Executive Secretary shall forward the decision to remove the vessel to other regional fishery organisations.

Final Provision

25. Recommendation GFCM/2006/4 *on the establishment of a list of vessels presumed to have carried out illegal, unreported and unregulated fishing activities in the GFCM Area* is replaced by this Recommendation.

Information to be included in all IUU Vessel Lists

The Draft IUU Vessel List, Provisional IUU Vessel List and Adopted IUU Vessel List shall contain the following details, where available:

1. Name of vessel and previous name(s), if any
2. Flag of vessel and previous flag(s), if any
3. Name and address of owner(s) of vessel and previous owner(s), including beneficial owner(s), and owner's place of registration
4. Operator of vessel and previous operator(s)
5. Call sign of vessel and previous call sign, if any
6. Lloyds/IMO number
7. Photographs of the vessel
8. Date vessel was first included on the IUU Vessel List
9. Summary of activities which justify inclusion of the vessel on the IUU Vessel List, together with references to all relevant evidence

REC.MCS-GFCM/32/2008/1

Regional scheme on port state measures to combat illegal, unreported and unregulated fishing activities in the GFCM area

RECALLING the 2003 Declaration of the Ministerial Conference for the Sustainable Development of Fisheries in the Mediterranean;

RECALLING further the 2005 FAO Model Scheme on Port State Measures to Combat Illegal, Unreported and Unregulated Fishing endorsed by the Twenty-sixth Session of the FAO Committee on Fisheries;

RECALLING further the Sustainable Fisheries Resolutions of the United Nations General Assembly adopted in 2005, 2006 and 2007 calling for the development of a legally-binding instrument on port State measures;

RECALLING further part three of the 2005 General Guidelines for a GFCM Control and Enforcement Scheme and Recommendation GFCM/2006/4 on the Establishment of a List of Vessels Presumed to have carried out Illegal, Unreported and Unregulated Fishing Activities in the GFCM Area;

ACKNOWLEDGING the decision of the Twenty-seventh Session of the FAO Committee on Fisheries to develop a legally-binding instrument on port State measures;

TAKING INTO ACCOUNT the draft Agreement on port State measures developed by the FAO Expert Consultation to Develop a Legally-binding instrument on Port State Measures held 4-8 September 2007 in Washington DC USA;

NOTING port State measures that have been adopted by various regional fisheries management organizations;

CONCERNED by the fact that illegal, unreported and unregulated fishing (IUU) activities in the GFCM area continue, and that these activities diminish the effectiveness of the GFCM conservation and management measures,

RECOGNIZING the potential effectiveness of strengthened and harmonized Port State Measures in combating illegal, unreported and unregulated fishing activities, and the need to develop and to implement such measures in a fair, transparent and non-discriminatory manner;

ADOPTS in conformity with the provision of paragraph 1 (b) and (h) of Article III and Article V of the GFCM Agreement:

Objective

1. The objective of this Recommendation is to contribute to the long-term conservation and sustainable use of living marine resources in the GFCM Area through strengthened,

harmonized and transparent port State measures to prevent, deter and eliminate illegal, unreported and unregulated fishing.

Definitions

2. For the purposes of this Recommendation, “fish” means all species of living marine resources, whether processed or not; “fishing” means:

- (i) the actual or attempted searching for, catching, taking or harvesting of fish in the GFCM Area; and
- (ii) engaging in any activity which can reasonably be expected to result in the locating, catching, taking or harvesting of fish in the GFCM Area;

“fishing related activities” means any operation in the GFCM Area in support of, or in preparation for fishing, including the processing, transshipment or transport of fish that have not been previously landed and offloaded at a port, as well as the provision of personnel, fuel, gear and other supplies at sea;

“vessel” means any vessel, ship of another type, boat and other craft used for, equipped to be used for, or intended to be used for, fishing or fishing related activities in the GFCM Area;

“port” includes offshore terminals and other installations for landing, transshipping, processing refuelling or resupplying;

“illegal, unreported and unregulated fishing” has the same meaning as set out in the paragraph 3 of the 2001 FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing and applies to all marine fisheries;

“regional economic integration organization” means a regional economic integration organization to which its member States have transferred competence over matters covered by this Recommendation, including the authority to make decisions binding on its member States in respect of those matters;

“regional fisheries management organization” means an intergovernmental fisheries organization or arrangement, as appropriate, that has the competence to establish conservation and management measures.

Application

3. This Recommendation only applies to vessels which are within the GFCM Area.

4. Each Contracting Party shall, in its capacity as a port State, apply this Recommendation in respect of vessels that are not flying its flag that are seeking access to its port(s) or are in one of its ports.

5. Each Contracting Party shall take additional measures, as it deems necessary, to reinforce effective jurisdiction and control over the fishing and fishing related activities of vessels flying its flag. To the greatest extent possible, such measures shall include mutatis mutandis the port State measures set forth in this Recommendation in respect of such vessels.

Integration and coordination

6. To the greatest extent possible, Contracting Parties shall:

- (a) integrate port State measures into a broader system of port State controls;

- (b) integrate port State measures with other measures to prevent, deter and eliminate illegal, unregulated and unreported fishing; and
- (c) take measures to share information among relevant national agencies and to coordinate the activities of such agencies in the implementation of this Recommendation.

Cooperation and exchange of information

7. In the implementation of this Recommendation and with due regard to appropriate confidentiality requirements, Contracting Parties shall cooperate and exchange information with the GFCM Secretariat, relevant States and international organizations and other entities, including, as appropriate, by:

- (a) requesting information from, and providing information to, relevant databases;
- (b) requesting and providing cooperation to promote the effective implementation of this Recommendation.

8. The Contracting Parties shall, to the extent possible, ensure that national fisheries related information systems allow for the direct electronic exchange of information on port State inspections between them and with the GFCM Secretariat, with due regard to appropriate confidentiality requirements, in order to facilitate the implementation of this Recommendation;

9. The Contracting Parties shall establish a list of contact points in the relevant administrations in order to take due note of any reply or any actions proposed or taken by the flag State of the inspected vessel. The list shall be transmitted to the Executive Secretary of GFCM and to the other Contracting Parties no later than 30 days after the entry into force of this Recommendation.

Designation of Ports

10. The Contracting Parties shall designate and publicize national ports to which foreign vessels may be permitted access and, to the greatest extent possible, shall ensure that every port designated and publicized has sufficient capacity to conduct inspections and take other port State measures in accordance with this Recommendation.

11. The Contracting Parties shall notify the GFCM Secretariat of the ports designated under paragraph 10 within 10 (ten) days of such designation.

GFCM Register of Ports

12. The GFCM Secretariat shall establish and maintain a register of designated and publicized national ports based on the lists submitted by Contracting Parties. The register shall be published on the GFCM website.

Prior Notice of Entry into Port

13. The Contracting Parties shall, before granting access to their designated ports, require the masters of vessels to notify the competent authorities of the port they wish to use at least 72 hours before the estimated time of arrival. However, a Contracting Party may make provision for another notification period, taking into account, inter alia, the distance between

the fishing grounds and its ports. The notification shall include, as a minimum standard, the information set out in Annex A.

Port Entry Authorization

14. Each Contracting Party, through its competent authorities, shall communicate in a written form the authorization, or denial, for access to the port for landing, transshipping or processing to the master of the vessel seeking access to its ports. The master of the vessel shall present the authorization for access to the port to the competent authorities of the Contracting Party upon arrival at port before commencing authorized activities.

Denial of use of port

15. A Contracting Party shall not allow a vessel to use its ports for landing, transshipping or processing of fish if the vessel:

- (a) at the relevant time was engaged in fishing in the GFCM Area and was not flying the flag of a Contracting Party; or
- (b) has been sighted as being engaged in, or supporting, illegal, unreported and unregulated fishing in the GFCM Area, unless the vessel can establish that the catch was taken in a manner consistent with relevant GFCM conservation and management measures.

16. A Contracting Party shall not allow a vessel to use its ports for landing, transshipping or processing of fish if the vessel is included in a list of vessels having engaged in, or supported, illegal, unreported and unregulated fishing adopted by a regional fisheries management organization in accordance with the rules and procedures of such organization.

17. A Contracting Party shall not allow a vessel to use its ports for landing, transshipping or processing of fish where there are reasonable grounds for believing that the vessel does not have a valid and applicable authorization to engage in fishing and fishing related activities in the GFCM Area.

18. A Contracting Party shall, in appropriate situations, deny a vessel referred to in paragraphs 15, 16 and 17 access to port services, including, inter alia, refuelling and resupplying services but not including services essential to the safety, health and welfare of the crew.

19. Where a Contracting Party has denied the use of its ports in accordance with this Recommendation, it shall promptly notify the master of the vessel, the flag State and, as appropriate, the relevant coastal State(s), the GFCM Secretariat and other relevant organizations of such action.

Withdrawal of denial of use of port

20. A Contracting Party may withdraw its denial of the use of its port in respect of a vessel only if the Contracting Party is satisfied that there is sufficient proof to show that the grounds on which the use was denied were inadequate or erroneous or that such grounds no longer apply.

21. Where a Contracting Party has withdrawn its denial pursuant to paragraph 20, it shall promptly notify those to whom a notification was issued pursuant to this Recommendation.

Non-authorized entry

22. Each Contracting Party shall ensure that any vessel or vessel engaged in fishing related activities that enters into its port without prior authorization shall be automatically subject to inspection.

Inspections

23. Each Contracting Party shall inspect at least 15 per cent of the total number of port entries of vessels in the previous year in accordance with this Recommendation.

24. In determining which vessels to inspect, a Party shall give priority to:

- (a) vessels that have previously been denied the use of a port in accordance with this Recommendation; or
- (b) requests from other relevant States or regional fisheries management organizations that particular vessels be inspected.

25. Each Contracting Party shall ensure that inspections of vessels in its ports are carried out in accordance with the inspection procedures set out in Annex B.

26. Each Contracting Party shall ensure that requirements are established for the certification of its inspectors. Such requirements shall take into account the elements for the training of inspectors provided in Annex C.

27. Each Contracting Party shall ensure that inspectors make all possible efforts to avoid unduly delaying vessels and that vessels suffer the minimum interference and inconvenience possible and that degradation of the quality of the fish is avoided.

28. Each Contracting Party shall, as a minimum standard, require the information set out in Annex D to be included in the report of the results of each inspection.

29. Each Contracting Party shall ensure that the results of port inspections are always presented to the master of the vessel for review and signature and that the report is completed and signed by the inspector. The master of the inspected vessel shall be given the opportunity to add any comment to the report and, as appropriate, to contact the relevant authorities of the flag State, in particular when there are serious difficulties in understanding the contents of the report.

30. Each Contracting Party shall ensure that a copy of the report of inspection shall be provided to the master of the inspected vessel for retention on board the vessel.

31. Where there is reasonable evidence for believing that a vessel has engaged in or supported IUU fishing activities, the relevant port State shall:

- (a) transmit the results of the inspection without delay to the flag State of the inspected vessels to the GFCM Secretariat and other Contracting Parties;
- (b) deny use of their ports to the vessel for landing, transshipping or processing of fish.

32. Contracting Parties may take measures other than those in paragraph 31, provided they are provided for in their national laws and regulations and consistent with international law.

Standardized information on port inspections

33. Each Contracting Party shall handle information on port inspections in a standardized form, consistent with Annex E.

Regional information system

34. A regional information system which includes port State information shall be developed by the GFCM to better monitor and control the GFCM Area.

Force majeure or distress

35. Nothing in this Recommendation affects the access of vessels to port in accordance with international law for reasons of force majeure or distress.

Role of the flag State

36. Each Contracting Party shall, in its capacity as a flag State, cooperate with other Contracting Parties.

37. When a Contracting Party has reasonable grounds to believe that a vessel flying its flag has engaged in or supported illegal, unreported and unregulated fishing and is seeking access to or is in the port of another Contracting Party, it shall, as appropriate, request that Contracting Party inspect the vessel and to advise them of the results.

38. Each Contracting Party shall ensure that vessels entitled to fly its flag land, tranship and process fish, and use other port services, in ports of other Contracting Parties that are acting in accordance with, or in a manner consistent, with this Recommendation.

39. The Flag State shall ensure that the master of a fishing vessel entitled to fly its flag shall when being inspected:

- a) co-operate with and assist in the inspection of the fishing vessel conducted pursuant to these procedures, and not obstruct, intimidate or interfere with the inspectors in the performance of their duties
- b) provide access to any areas, decks and rooms of the fishing vessel, catch (whether processed or not), nets or other gear, equipment, and any information or documents which the inspector deems necessary in undertaking an inspection;
- c) provide access to registration documents, fishing authorizations or any other documentation as required by the inspector.

40. If the master of a fishing vessel refuses to allow an authorized inspector to carry out an inspection in accordance with these procedures, the master shall offer an explanation of the reason for such refusal. The port inspection authorities shall immediately notify the authorities of the fishing vessel, as well as the GFCM, of the master's refusal and any explanation.

41. If the master does not comply with an inspection request, the Flag State shall be requested to suspend the vessel's authorization to fish and order the vessel to remain in port or

take other measures that it deems appropriate. The Flag State shall immediately notify the port inspection authorities and the GFCM of the action it has taken in these circumstances.

ANNEX A

Information to be provided in advance by vessels

1. Vessel identification

- Name of the vessel;
- External Identification Number;
- International Radio Call Sign;
- Lloyd's IMO Number (where appropriate);
- Flag State;
- Vessel owner (name, address, contact, unique identity for company and registered owner);
- Vessel operator if different from owner (name, address, contact);
- Beneficial owner if different from owner (name, address, contact);
- Vessel master;
- Vessel agent (name, address, contact);
- VMS (where appropriate):
 - (i) type of VMS required by the flag State and/or relevant regional fisheries management organization;
 - (ii) details of the VMS unit to enable communication.
- Previous Names(s) and Flag State(s), if any.

2. Access to port

- Purpose(s);
- Intended port of call;
- Estimated time of arrival.

3. Fishing authorization (licenses/permits)

- The vessel's authorization(s) to fish or transport fish and fish products;
- State(s) issuing the authorization(s);
- Terms of the authorization(s), including areas and duration;
- Areas, scope and duration of the authorization(s);
- Details of allocation authorized – quota, effort or other;
- Species, bycatch and fishing gear authorized; and
- Transshipment records and documents (where applicable).

4. Fishing trip information

- Dates, times, zone and place of current fishing trip;
- Areas visited (entry and exit from different areas), including GSAs, High Seas and others, as appropriate;
- Transshipment activities at sea (date, species, quantity of fish transhipped)

- Last port visited; and date.

5. Species information

- Log Book – Yes/No
- Fish species and fishery products onboard;
- Areas of capture or collection – areas under national jurisdiction, high seas;
- Product type;
- Estimated Processed weight;
- Estimated Equivalent live weight;
- Estimated Quantity to be landed; and
- Intended destination of landed fish.

6. Other

- as required by Port States.

ANNEX B

Port State Inspection Procedures for Vessels

1. Vessel identification

The port inspector(s) shall:

- a) verify that the official documentation onboard is valid, if necessary, through appropriate contacts with the flag State or international records of vessels;
- b) where necessary, arrange for an official translation of the documentation;
- c) be assured that the vessel's name, flag, any external identification number and markings (and IMO ship identification number when available) and the international radio call sign are correct;
- d) to the extent possible, examine whether the vessel has changed name and/or flag and, if so, note the previous name(s) and flag(s);
- e) note the port of registration, name and address of the owner (and operator and beneficial owner if different from the owner), agent, and master of the vessel, including the unique ID for company and registered owner if available; and
- f) note name(s) and address(es) of previous owner(s), if any, during the past five years.

2. Authorization(s)

The port inspector(s) shall verify that the authorization(s) to fish or transport fish and fishery products are compatible with the information obtained under paragraph 1 and examine the duration of the authorization(s) and their application to areas, species and fishing gear.

3. Other documentation

The port inspector(s) shall review all relevant documentation, including documents in electronic format. Relevant documentation may include logbooks, in particular the fishing logbook, as well as the crew list, stowage plans and drawings or descriptions of fish holds if available. Such holds or areas may be inspected in order to verify whether their size and composition correspond to these drawings or descriptions and whether the stowage is in accordance with the stowage plans. Where appropriate, this documentation shall also include catch documents or trade documents issued by any regional fisheries management organization.

4. Fishing gear

- a) The port inspector(s) shall verify that the fishing gear on board is in conformity with the conditions of the authorization(s). The gear may also be checked to ensure that features such as, inter alia, the mesh size(s) (and possible devices), length of nets, hook sizes conform with applicable regulations and that identification marks of the gear correspond to those authorized for the vessel.
- b) The port inspector(s) may also search the vessel for any fishing gear stowed out of sight and for fishing gear that is otherwise illegal.

5. Fish and fishery products

- a) The port inspector(s) shall, to the greatest extent possible, examine whether the fish and fishery products on board were harvested in accordance with the conditions set out in the applicable authorization(s). In doing so, the port inspector(s) shall examine the fishing logbook, reports submitted, including those transmitted by a vessel monitoring system (VMS), as appropriate.
- b) In order to determine the quantities and species on board, the port inspector(s) may examine the fish in the hold or during the landing. In doing so, the port inspector(s) may open cartons where the fish has been pre-packed and move the fish or cartons to ascertain the integrity of fish holds.
- c) If the vessel is unloading, the port inspector(s) may verify the species and quantities landed. Such verification may include product type, live weight (quantities determined from the logbook) and the conversion factor used for calculating processed weight to live weight. The port inspector(s) may also examine any possible quantities retained onboard.
- d) The port inspector(s) may review the quantity and composition of all catch onboard, including by sampling.

6. Verification of IUU fishing

If the port inspector(s) has reasonable grounds to believe that a vessel has engaged in, or supported IUU fishing, the competent authority of the port State shall as soon as possible contact the flag State authorities to verify whether the fish and fishery products have been harvested or collected in the areas as recorded in the relevant documents. As appropriate, the competent authority may also contact a coastal State where the fish was allegedly taken.

7. Report

A written report shall be prepared and signed by the inspector on completion of the inspection and a copy provided to the master of the vessel in accordance with paragraph 29 of the Recommendation.

ANNEX C

Training of Port State Inspectors

1. Elements of a training programme of port State inspectors should include at least the following areas.
2. Training in inspection procedures.
3. Relevant laws and regulations, areas of competence and conservation and management measures of relevant regional fisheries management organizations, and applicable rules of international law.
4. Information sources, such as log books and other electronic information that may be useful for the validation of information given by the master of the vessel.
5. Identification of fish species and measurement calculation.
6. Monitoring catch landing, including determining conversion factors for the various species and products.
7. Identification of vessels and gear and gear measurements and inspections.
8. Vessel boarding/inspection, hold inspections and calculation of vessel hold volumes.
9. VMS equipment and operation.
10. Collection, evaluation and preservation of evidence.
11. The range of measures available to be taken following the inspection.
12. Health and safety issues in the performance of inspections.
13. Conduct during inspections.
14. Relevant languages, particularly English.

ANNEX D

Results of Port State Inspections

Results of port State inspections shall include at least the following information:

1. Inspection references

- Inspecting authority (name of inspecting authority or the alternate body nominated by the authority);
- Name of inspector;
- Date and time of inspection;
- Port of inspection (place where the vessel is inspected); and
- Date (date the report is completed).

2. Vessel identification

- Name of the vessel;

- Type of vessel;
- Type of gear;
- External identification number (side number of the vessel) and IMO-number (if available) or other number as appropriate;
- International Radio Call Sign;
- MMSI-number (Maritime Mobile Service Identity number), if available;
- Flag State (State where the vessel is registered);
- Previous name(s) and flag(s), if any;
- Home port (port of registration of the vessel) and previous home ports;
- Vessel owner (name, address, contact of the vessel owner);
- Vessel beneficial owner if different from the vessel owner (name, address, contact);
- Vessel operator responsible for using the vessel if different from the vessel owner (name, address, contact);
- Vessel agent (name, address, contact)
- Name(s) and address(es) of previous owner(s), if any;
- Name, nationality and maritime qualifications of master and fishing master;
- Crew list

3. Fishing authorization (licenses/permits)

- The vessel's authorization(s) to fish or transport fish and fish products;
- State(s) issuing the authorization(s);
- Terms of the authorization(s), including areas and duration;
- Relevant regional fisheries management organization;
- Areas, scope and duration of the authorization(s);
- Details of allocation authorized – quota, effort or other;
- Species, bycatch and fishing gear authorized; and
- Transshipment records and documents (where applicable).

4. Fishing trip information

- Date, time, zone and place current fishing trip commenced;
- Areas visited (entry and exit from different areas);
- Transshipment activities at sea (date, species, place, quantity of fish transhipped)
- Last port visited; and
- Date and time where current fishing trip ended
- Intended next port of call, as appropriate.

5. Result of the inspection on the catch

- Start and end of discharge (times and date);
- Fish species;
- Product type;
- Live weight (quantities determined from the log book);
- Relevant conversion factor;
- Processed weight (quantities landed by species and presentation);
- Equivalent live weight (quantities landed in equivalent live weight, as “product Weight multiplied with the conversion factor”); and
- Intended destination of fish and fishery products inspected.
- Quantity and species of fish retained on board, if any.

6. Results of gear inspection

- Details of gear types.

7. Conclusions

- Conclusions of the inspection including identification of the violations believed to have been committed and reference to the relevant rules and measures. Such evidence shall be attached to the inspection report.

ANNEX E

Information System on port State Inspections

1. Communication between Contracting Parties and the Secretariat, and the relevant Flag States as well as between Contracting Parties and relevant regional fisheries management organizations would require the following:

- data characters;
- structure for data transmission;
- protocols for the transmission; and
- formats for transmission including data element with a corresponding field code and a more detailed definition and explanation of the various codes.

2. International agreed codes shall be used for the identification of the following items:

- States: 3-ISO Country Code;
- fish species: FAO 3-alpha code;
- vessels: FAO alpha code;
- gear types: FAO alpha code;
- devices/attachments: FAO 3-alpha code; and
- ports: UN LO-code, or codes as provided by the Port State.

3. Data elements shall at least include the following:

- inspection references;
- vessel identification ;
- fishing authorization(s) (licenses/permits);
- trip information;
- result of the inspection on discharge;
- quantities inspected;
- result of gear inspection;
- irregularities detected;
- actions taken; and
- information from the flag State.

REC.MCS-GFCM/30/2006/5

Criteria for obtaining the status of cooperating non-contracting party in GFCM area

NOTING the imperative international responsibility concerning the conservation of the living marine resources in the Mediterranean Sea for the needs of present and future generations;

NOTING that the sustainability can be ensured only if all the Parties which fish for marine resources cooperate with the Commission, which is the competent international body for the conservation and management of these marine resources within its area of competence;

ADOPTS, in conformity with the provisions of paragraph 1 (h) of Article III and Article V of the GFCM Agreement that:

1. Each year, on the basis of information supplied to GFCM by Members, the Secretary shall contact all non-Contracting Parties known to be fishing in the GFCM Area for species under GFCM competence to urge them to become a Contracting Party to GFCM in accordance with the provisions of the GFCM Agreement, or attain the status of a Co-operating non-Contracting Party. In doing so, the Secretary shall provide a copy of all relevant Recommendations and Resolutions adopted by the Commission;
2. Any non-Contracting Party requesting the status of a co-operating non-Contracting Party shall apply to the Secretary. Requests must be received by the Executive Secretary no later than ninety (90) days in advance of an Annual Session of the Commission, to be considered at that meeting;
3. Non-Contracting Parties requesting the status of Co-operating non-Contracting Party shall provide the following information in order to have this status considered by the Commission:
 - a) where available, data on its historical fisheries in the GFCM Area, including nominal catches, number/type of vessels, name of fishing vessels, fishing effort and fishing areas;
 - b) all the data that Contracting Parties have to submit to GFCM based on the recommendations and resolutions adopted by GFCM;
 - c) details on current fishing presence in the GFCM Area, number of vessels and vessel characteristics; and
 - d) information on any research programmes it may have conducted in the GFCM Area and the information and the results of this research.
4. An applicant for Co-operating non-Contracting Party shall also:
 - a) confirm its commitment to respect the Commission's conservation and management measures and;
 - b) inform GFCM of the measures it takes to ensure compliance by its vessels of GFCM conservation and management measures.

5. The Compliance Committee shall be responsible for reviewing requests for co-operating status and for recommending to the Commission whether or not an applicant should receive co-operating status. In this review, the Compliance Committee shall also consider information regarding the applicant available from other Regional Fisheries Management Organizations (RFMOs) as well as data submission of the applicant. Caution shall be used so as not to introduce into the GFCM Area the excessive fishing capacity of other regions or IUU fishing activities by granting cooperating status to the applicant;

6. Co-operating non-Contracting Parties status shall be annually reviewed and renewed unless revoked by the Commission due to non-compliance with GFCM conservation and management measures.

[1]

RECOMMENDATIONS

- 1.3 -

RECOMMENDATIONS ON DATA AND INFORMATION REPORTING (REC.DIR)

**On reporting of aquaculture data and information, amending
Recommendation GFCM/33/2009/4**

The General Fisheries Commission for the Mediterranean (GFCM),

RECALLING the FAO Code of Conduct for Responsible Fisheries which calls for sustainable development and responsible aquaculture practices;

RECALLING the GFCM's role in promoting the sustainable development of aquaculture in the Mediterranean, Black Sea and connecting waters;

RECALLING the Rule X(e) of the GFCM Agreement in which Contracting Parties have an obligation to provide information on production and other data relevant to the function of the CAQ;

CONSIDERING the development of the Information System to promote aquaculture in the Mediterranean (SIPAM) over the years;

RECOGNIZING the need of the Committee on Aquaculture to have reliable data available to undertake its work effectively;

RECALLING that standards in aquaculture data collection and statistics should be established in line with guidelines set by the FAO Coordinating Working Party on Aquaculture Statistics;

NOTING the proposal made by the Sixth Session of CAQ to establish a regional data collection scheme for aquaculture;

NOTING that the Thirty-first Session recommended that the responsibilities of the SIPAM National Coordinators be formally endowed with a national institution;

ADOPTS, in conformity with the provision of paragraph 1 (b) and (h) of Article III and Article V of the GFCM Agreement, the following:

1. Contracting Parties shall submit the data for all the parameters listed below on an annual basis to the GFCM Secretariat:

PRODUCTION STATISTICS BY:

- CWP² Statistical Areas;
- Culture environment (brackish, marine and freshwater);
- Cultured species (scientific and common name; including capture-based species);
- System of culture (extensive, semi-intensive, intensive);
- Type of culture (cages, ponds, raceways, hatchery, etc.);

² See *The Coordinating Working Party on Fishery Statistics: Its Origin, Role and Structure*. FAO Fisheries Circular. No. 193. December 1995.

- Type of product (ongrowing, eggs, fingerlings, etc.);
- Capture-based aquaculture input (seed quantity: eggs, wild fingerlings, wild fish etc.);
- Production quantity (tonnes/units);
- Production value (currency);

PRODUCTION CENTRES

- Unit (segment) of production (hatcheries, ongrowing farms);
- Number of production centres per unit (segment);
- Cultured species per unit (segment);
- Total volume (m³) of facilities of production centres per segment;
- Destination of product per segment (consumption, ongrowing, restocking, ornamental).

MARKET

- Feed, Fishmeal and Fish Oil:
 - Domestic production (tonnes)
 - Feed prices for major farmed species (per tonne)
 - Domestic Prices (per tonne)
- Trade and Consumption:
 - Import and export of aquatic products (weight and value)
 - Import and export of major farmed species (weight and value)
 - Main export destination for farmed species
 - National per capita consumption of aquatic products

2. The deadline for submissions is 30 June, with the reference year for the data submitted being the preceding year.

3. Members shall nominate a national focal point responsible for the submission of aquaculture data.

REC.DIR-GFCM/33/2009/3

On the implementation of the GFCM Task 1 statistical matrix and repealing resolution GFCM/31/2007/1

The General Fisheries Commission for the Mediterranean (GFCM),

CONSIDERING that rational management for sustainable fisheries is dependent on the scientific utilisation of relevant data on fishing fleet capacity, on fishing activities carried out, on the status of exploited biological resources and on the social and economic situation of fisheries;

CONSIDERING the GFCM strategy to manage the fisheries through, inter alia, effort control by Operational Units;

NOTING the importance of multidisciplinary data and information required to monitor and assess fisheries and fisheries resources and to ensure their sustainable exploitation;

RECOGNIZING the need to develop a GFCM database, on the basis of the information received from Members according to a standardized format;

RECALLING Recommendation GFCM/2006/1 on the management of fishing effort for particular fisheries and the identification of related Operational Units and the appropriate parameters to measure fishing effort;

CONSIDERING that Resolution GFCM/31/2007/1 was amended to take into consideration the changes in the fleet segmentation and allocation criteria;

CONSIDERING that timely and complete submission of data and analysis of the status of fisheries and exploited resources is of paramount importance for the effectiveness and credibility of GFCM management measures;

TAKING into account the importance to use technical tools set up by GFCM for specific data collection such as fleet segmentation (Annex 1), the table on nominal fishing effort measurement (Annex 2) as well as the achievements in the field of Operational Units (Annex 3);

ADOPTS in accordance with paragraph 1 of Article III and Article V of the GFCM Agreement that:

1. The GFCM Task 1 statistical matrix (Annex 3) is an adequate tool to communicate in a standardised format relevant information for fisheries management to the GFCM Secretary with a view to develop the GFCM database;
2. Members and Cooperating non-members shall submit to the GFCM Secretary the complete Task 1.1, Task 1.2 and Task 1.4 of the statistical matrix referred to in paragraph 1 for the first time by February 2010 at the latest, and subsequently update the relevant data by

transmissions to the GFCM Secretariat not later than May each calendar year, and in accordance with appropriate data submission standards and protocols to be set by the Secretariat,

3. Members and Cooperating non-members shall submit Task 1.3. and Task 1.5, by January 2011 at the latest, in coherence with the SAC assessment forms, and subsequently update the relevant data by transmissions to the GFCM Secretariat not later than May each calendar year, and in accordance with appropriate data submission standards and protocols to be set by the Secretariat
4. Resolution GFCM/31/2007/1 is hereby repealed.

GFCM/SAC Fleet Segmentation

| Groups | <6 metres | 6-12 metres | 12-24 metres | More than 24 metres |
|--|-----------|-------------|--------------|---------------------|
| 1. Polyvalent Small-scale vessels without engine | A | | | |
| 2. Polyvalent small-scale vessels with engine | B | C | | |
| 3. Trawlers | | D | E | F |
| 4. Purse Seiners | | G | H | |
| 5. Long liners | | I | | |
| 6. Pelagic Trawlers | | J | | |
| 7. Tuna Seiners | | | K | |
| 8. Dredgers | | L | | |
| 9. Polyvalent vessels | | | M | |

Description of segments

- A Polyvalent small-scale vessels without engine. All vessels less than 12 metres in length (LOA) without an engine (wind or propulsion).
- B Polyvalent small-scale vessels with engine less than 6 m. All vessels under 6 metres in length (LOA) with engine.
- C Polyvalent small-scale vessels with engine between 6 and 12 metres. All vessels between 6 and 12 metres in length (LOA) with engine, that use different gears during the year without clear predominance of one of them or that use a gear not considered in this classification.
- D Trawlers less than 12 m. All vessels less than 12 metres in length (LOA) allocating more than 50 percent of their effort operating with a demersal trawl.
- E Trawlers between 12 and 24 m. All vessels, between 12 and 24 metres in length (LOA) allocating more than 50 percent of their effort operating with a demersal trawl.
- F Trawlers longer than 24 m. All vessels over 24 metres in length (LOA), allocating more than 50 percent of their effort operating with a demersal trawl.
- G Purse Seiners between 6 and 12 m. All vessels between 6 and 12 m in length (LOA), allocating more than 50 percent of their effort operating with a purse seine.
- H Purse Seiners longer than 12 m. All vessels over 12 m in length (LOA), allocating more than 50 percent of their effort operating with a purse seine, excluding those using a tuna seine during any time of the year.
- I Long liners longer than 6 m. All vessels over 6 m in length (LOA), allocating more than 50 percent of their effort operating with a long line.
- J Pelagic Trawlers longer than 6 m. All vessels over 6 m in length (LOA), allocating more than 50 percent of their effort operating with a pelagic trawl.
- K Tuna Seiners. All vessels operating with a Tuna Seine for any length of time during the year.
- L Dredgers longer than 6 m. All vessels over 6 m in length (LOA), allocating more than 50 percent of their effort operating with a dredge.

M Polyvalent vessels longer than 12 m. All vessels over 12 metres in length (LOA), that use different gears during the year without clear predominance of one of them or that use a gear not considered in this classification.

Note: All the cells are open for collecting information. The cells left blank in the above table are considered as unlikely to have a significant population. However, if necessary, it is advisable to merge the information of a “blank cell” with the most appropriate neighbouring “blue cell”.

Table on fishing effort¹ measurement

| Gear | Number and dimension | Capacity | Activity | Nominal Effort ² |
|--|--|--|--------------------|--|
| Dredge (for molluscs) | Open mouth Width of mouth | GT | Time fishing | Dredged bottom surface ³ |
| Trawl (including dredges for flatfishes) | Type of trawl (pelagic, bottom) GT and/or GRT Engine power Mesh size Size of the net (width of mouth) Speed | GT | Time Fishing | GT*days GT*hours KW*days |
| Purse seine | Length and drop of the net GT Light power Number of small boats | GT Length and drop of the net | Search time Set | GT * Fishing sets ² Length of the net * fishing sets |
| Nets | Type of net (e.g. trammel net, gillnets, etc.) Net length (used in regulations) GT Net surface Mesh size | Net length and drop | Time fishing | Net length * days Surface*days |
| Long lines | Number of hooks GT Number of longline Characteristics of hooks Bait | Number of hooks Number of longline unit | Time fishing | Number of hooks * hours Number of hooks * days Number of longline units * days/hours |
| Traps | GT | Number of traps | Time fishing | Number of traps * days |
| Purse seine/FADs | Number of FADs | | Number of trips | Number of FADs * |

¹ It refers to nominal effort.

² Should be referred to a particular area (indicating the surface) to estimate fishing intensity (effort • km²) and to relate the effort to exploited communities

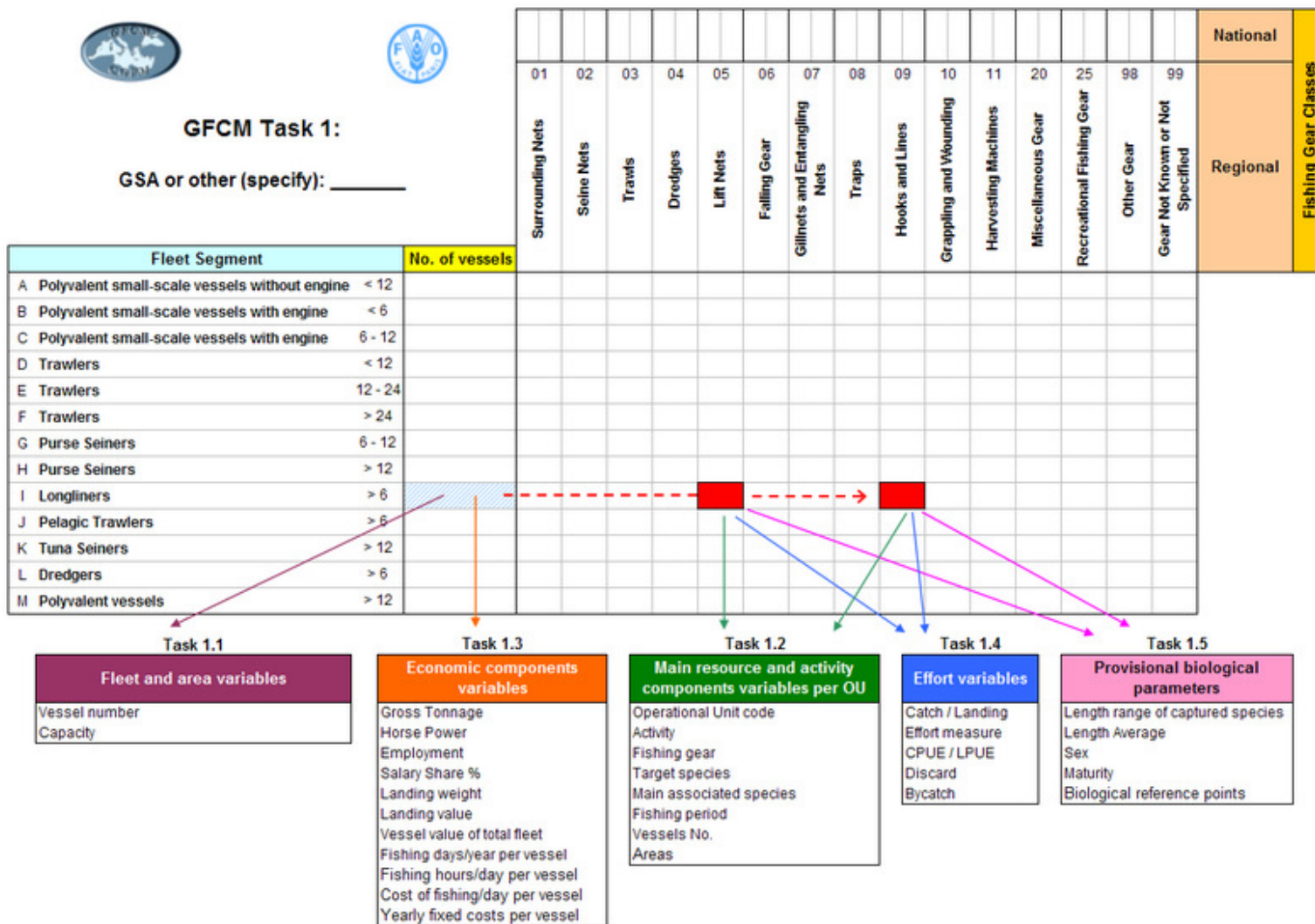
³ The effort measures that do not include a time activity should be referred to a period of time (i.e. by year).

| | | | | |
|--|--|--|--|-----------------|
| | | | | Number of trips |
|--|--|--|--|-----------------|

GFCM Task 1 – Operational Units (*REVISED FLEET SEGMENT NAMES*)



GFCM Task 1:
GSA or other (specify): _____



REC.DIR-GFCM/33/2009/4

REC.DIR-GFCM/33/2009/5

On the establishment of the GFCM regional fleet register

RECALLING the FAO Compliance Agreement and the International Plan of Action on IUU fishing which call upon States to maintain a record of fishing vessels entitled to fly its flag and authorized to be used for fishing on the high seas, and to exchange related information, including through FAO and other appropriate global, regional and sub-regional fisheries organizations.

RECALLING the International Plan of Action on the management of fishing capacity elaborated within the framework of the FAO Code of Conduct for Responsible Fisheries which calls for States to cooperate, where appropriate, through regional fisheries organisations or arrangements and other forms of co-operation, with a view to ensuring the effective management of fishing capacity.

CONSIDERING that a regional fleet register is an effective and comprehensive tool for the management at regional level of the capacity of fishing fleets and their activity.

RECOGNISING that the GFCM record of vessels authorised to fish in the GFCM area established under Recommendation GFCM/2005/2 is a subset of the regional fleet register.

NOTING the request made by the Commission during its 32nd Session to address fleet capacity monitoring and management issues.

ADOPTS, in accordance with paragraph 1 (h) of Article III and Article V of the GFCM Agreement that:

1. The GFCM shall establish by 30 June 2010 a Regional Fleet Register (RFR) to contain information on all vessels, boats, ships, or other crafts that are equipped and used for commercial fishing activity in the GFCM Area;
2. As from 2011 Contracting Parties shall submit a full dataset at least at the beginning of each calendar year followed by updates as appropriate. The updating of the GFCM RFR lies within the responsibility of the Contracting Parties and should fully reflect the situation of their fleets at any time;
3. The list of data fields and related definitions, reference codes (tables 1-7) and confidentiality status are included in Annex 1;
4. Contracting Parties who are not able to submit a full data set as from 2011 shall do so as soon as possible according to the state of their preparation;
5. The GFCM Secretariat shall establish appropriate data submission standards and protocols to be followed by Contracting Parties in transmitting data and shall maintain a Regional Fleet Register database which should be published through an information system

on the GFCM website, in a manner consistent with the GFCM confidentiality policy and procedures established under Recommendation GFCM/2006/7.

6. The RFR information system shall include relevant fleet capacity monitoring tools, such as dynamic charts on fleet capacity in terms of tonnage (GT) and power (kW), and other data browsing facilities.

ANNEX 1

| | Fields | Description | Optional / Mandatory | Public / Restricted |
|--------|---|--|----------------------|---------------------|
| 1 | Country (ISO-3) | Flag under which the vessel is operating | M | P |
| 2 | Registration authority | Authority having issued the registration | M | P |
| 3 | Vessel name (if any) | Name of vessel | M | P |
| 4 | Vessel register number | Code assigned by Members | M | P |
| 5 | GFCM registration number | Registration number assigned to the fishing vessel by the National Authorities (ISO 3 Country code + 9 digits). | M | P |
| 6 | IMO registration number | Code IMO given by Lloyds company | O | P |
| 7 | Previous vessel name (if any) | Previous name of vessel (if any) | O | P |
| 8 | Previous flag State (if any) | Previous flag of vessel (if any) | O | P |
| 9 | Previous details of deletion from other registries (if any) | Details of deletion from other registries (if any) | O | P |
| 10 | International radio call sign (if any) | International radio call sign (if any) Mandatory \geq 24 m LOA | O | P |
| 11 | Vessel type | Type of vessel according to the International Standard Classification of Fishery Vessels by Vessel Types. (The 'International Standard Statistical Classification of Fishery Vessels by Vessel Types' (ISSCFV), based on the type of gear used by the vessels, approved by the CWP in 1984). | M | P |
| 12 | Operational status Active Indicator | Active / Inactive. Permanent status until receiving allowance to return into activity Indicator Y/N | M | P |
| 13 | Port of registration | Full name of the port | M | P |
| 14 | Year of entry into fishing activity | Year of entry into fishing activity | M | P |
| 15 | Events codes | Code identifying the type of event reported | M | P |
| 16 | Event date | Event date (Format:.. yyyymmdd) | M | P |
| 16.1 | Year | Event date: year | M | P |
| 16.2 | Month | Event date: month (numerical) | M | P |
| 16.3 | Day | Event date: day (numerical) | M | P |
| 17 | Authorisation to fish License indicator | Any authorisation to fish, e.g. licence, permit or any other official denomination Indicator Y/N | M | P |
| 18 | Period authorized for fishing and/or transshipping | Time period authorized for fishing and/or trans-shipping. | O | P |
| 18.1 | Starting date | Starting date (Format) | O | P |
| 18.1.1 | Year | Starting date: year | O | P |
| 18.1.2 | Month | Starting date: month (numerical) | O | P |
| 18.1.3 | Day | Starting date: day (numerical) | O | P |
| 18.2 | Ending date | Ending date (Format yyyymmdd) | O | P |
| 18.2.1 | Year | Ending date: year | O | P |
| 18.2.2 | Month | Ending date: month (numerical) | O | P |
| 18.2.3 | Day | Ending date: day (numerical) | O | P |
| 19 | Main fishing statistical area | GSA where the vessel is authorised to fish and operates the majority of the year. | O | P |

| | Fields | Description | Optional / Mandatory | Public / Restricted |
|------|---------------------------------------|--|----------------------|---------------------|
| 20 | Secondary fishing statistical area | GSA where the vessel is authorised to fish and operates occasionally | O | P |
| 21 | Tertiary fishing statistical area | GSA where the vessel is authorised to fish and operates occasionally | O | P |
| 22 | Fishing Gear used | Main gear according to the fishing license of the vessel or the owner/operator, using the International Standard Statistical Classification of Fishing Gear (The International Standard Statistical Classification of Fishing Gear (ISSCFG) was adopted during the 10th Session of the CWP (Madrid, 22-29 July 1980). | M | P |
| 23 | Secondary Fishing Gear | Secondary gear according to the fishing license of the vessel or the owner/operator, using the same International Standard Statistical Classification of Fishing Gear as "Fishing gear used" | M | P |
| 24 | Length Overall (LOA) | Length Over All (LOA, in metres). The principle longitudinal dimension of the hull of the vessel. Accuracy of 2 digits | M | P |
| 25 | Gross Registered Tonnage (GRT) | Gross Registered Tonnage according to the Oslo Convention (1947) (in use until 1995). (GRT represented the total measured cubic content of the permanently enclosed spaces of a vessel, with some allowances or deductions for exempt spaces such as living quarters [1 gross register ton = 100 cubic feet = 2.83 cubic metres]). | O | P |
| 26 | Gross Tonnage (GT) | Gross Tonnage according to the International Convention on Tonnage Measurement of Ships, London, 1969 (in use since 1996) for vessels ≥ 15 m. | M | P |
| 27 | Construction year | | M | P |
| 28 | Hull material | Code | M | P |
| 29 | Powered/Motorised | Power of the main engine > 0 Indicator Y/N | M | P |
| 30 | Power of the main engine(s) | Total maximum continuous rated output power in kW of all the vessel's main propulsion machinery which appears on the vessel's certificate or registry or other official document (STCW-F convention) | M | P |
| 31 | Power of auxiliary engine(s) (if any) | Includes all installed engine power not included under the heading "Power of the main engine(s)" | M | P |
| 32 | Owner | Owner | | R |
| 32.1 | Name | Name of owner(s). | M | R |
| 32.2 | Address | Address of owner(s). | M | R |
| 33 | Operator (if different from owner) | Operator | | R |
| 33.1 | Name | Name of operator(s). | M | R |
| 33.2 | Address | Address of operator (s). | M | R |
| 34 | Min number of the crew | Minimum number for conducting fishing operation | O | R |
| 35 | Max number of the crew | Number of the crew for conducting specific fishing operation if superior to "Min number of the crew" | O | R |

| | Fields | Description | Optional / Mandatory | Public / Restricted |
|----|--|---|-----------------------------|----------------------------|
| 36 | VMS | Indicator Y/N mandatory > 15m LOA | M | P |
| 37 | Navigation equipment | Codification table | O | P |
| 38 | Communication equipment | Codification table | O | P |
| 39 | Fish finder | Codification table | O | P |
| 40 | Deck machinery to operate fishing gear | Codification table | O | P |
| 41 | Fish hold capacity | Tons | O | P |
| 42 | Refrigeration equipment | | O | P |
| 43 | Fish processing equipment | | O | P |
| 44 | Lights for fishing | In case of use of a fishing operation requiring light | O | P |
| 45 | Safety equipment | | O | P |

Table 1 - Classification of Fishery Vessels by Vessel Types

“International Standard Statistical Classification of Fishery Vessels by Vessel Types” (ISSCFV), based on the type of gear used by the vessels, approved by the CWP in 1984 (<ftp://ftp.fao.org/FI/DOCUMENT/cwp/handbook/annex/annexLII.pdf>)

| ISSCFV | Vessel type | Standard abbreviation |
|--------|-------------------------------|-----------------------|
| 0100 | Trawlers | TO |
| 0200 | Purse Seiners | SP |
| 0300 | Dredgers | DO |
| 0400 | Lift Netters | NO |
| 0500 | Gill Netters | GO |
| 0600 | Trap Setters | WO |
| 0700 | Long Liners | LL |
| 0710 | Other Liners | LOX |
| 0900 | Multipurpose vessels | MO |
| 4900 | Fishing Vessels not specified | RO |
| 1100 | Motherships | HO |
| 1200 | Fish Carriers | FO |
| 1400 | Protection and Survey Vessels | BO |
| 1500 | Fishery Research Vessels | ZO |
| 1600 | Fishery training Vessels | CO |
| 9900 | Non-Fishing Vessels | VOX |

Table 2 – Code for type of events

| Type of event | | Standard abbreviation |
|-----------------|--------------------------------------|-----------------------|
| Entry to fleet | Census | CEN |
| | New construction | CST |
| | Change of activity | CHA |
| | Intra-Mediterranean import, transfer | IMP |
| Within fleet | Modification | MOD |
| Exit from fleet | Break-up, shipwreck | DES |
| | Change of activity | RET |
| | Intra-Mediterranean export, transfer | EXP |

Table 3 – Code for hull material

| Hull material | Code |
|--------------------|------|
| Wood | 1 |
| Metal | 2 |
| Fibreglass/plastic | 3 |
| Other | 4 |
| Unknown | 5 |

Table 4 – Code for navigation equipment

| Navigation equipment | Code |
|-----------------------------|-------------|
| No navigation equipment | 1 |
| Loran C | 2 |
| Loran A | 3 |
| Omega | 4 |
| Decca | 5 |
| GPS (satellite navigation) | 6 |
| Radar | 7 |
| Direction finder | 8 |
| Automatic pilot | 9 |
| Meteorological map receiver | 10 |
| Gyrocompass | 11 |
| Other | 98 |
| Unknown | 99 |

Table 5 – Code for communication equipment

| Communication equipment | Code |
|--------------------------------|-------------|
| Radio VHF | 1 |
| Radio telephone | 2 |
| Cellular phone | 3 |
| Fax | 4 |
| Satellite radio | 5 |
| Telegraph | 6 |
| Other | 8 |
| Unknown | 9 |

Table 6 – Code for fish finder equipment

| Fish finder equipment | Code |
|------------------------------|-------------|
| Echo sounder | 1 |
| Sonar | 2 |
| Net sond | 3 |
| Other | 8 |
| Unknown | 9 |

Table 7 – Code for Deck machinery to operate fishing gear

| Fish finder equipment | Code |
|------------------------------|-------------|
| Line winch | 1 |
| Net winch | 2 |
| Trammel winch | 3 |
| Power block | 4 |
| Other | 8 |
| Unknown | 9 |

[1]

RECOMMENDATIONS

- 1.4 -

ICCAT RECOMMENDATIONS RELEVANT TO THE MEDITERRANEAN (REC.ICCAT)

REC.ICCAT-GFCM/35/2011/7 (A)

**ICCAT Recommendation [10-04] amending the Recommendation by
ICCAT to establish a Multi-annual recovery plan for Bluefin Tuna in the
Eastern Atlantic and Mediterranean**

FOLLOWING the advice of the SCRS based on the stock assessment carried out in 2010,

DESIRING to achieve a stock level consistent with the objective of the Convention through 2022,

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

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

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

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

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

**Part I
General provisions**

1. The Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (hereinafter referred to as CPCs), whose vessels have been actively fishing for bluefin tuna (*Thunnus thynnus thynnus*) in the eastern Atlantic and Mediterranean shall implement a 15 year Recovery Plan for bluefin tuna in the eastern Atlantic and Mediterranean starting in 2007 and continuing through 2022, with the goal of achieving B_{MSY} , with at least 60 percent probability.

Definitions

2. For purposes of this Plan:

- a) "Fishing vessel" means any vessel used or intended for use for the purposes of the commercial exploitation of bluefin tuna resources, including catching vessels, fish processing vessels, support ships, tug and towing vessels, vessels engaged in transshipment and transport vessels equipped for the transportation of tuna products and auxiliary vessels, except container vessels;
- b) "Catching vessel" means a vessel used for the purposes of the commercial capture of bluefin tuna resources;

- c) "Processing vessel" means a vessel on board of which fisheries products are subject to one or more of the following operations, prior to their packaging: filleting or slicing, freezing and/or processing;
- d) "Auxiliary vessel" means any vessel used to transport dead bluefin tuna (not processed) from a cage or a tuna trap to a designated port and / or to a processing vessel.
- e) "Fishing actively" means, for any catching vessel, the fact that it targets bluefin tuna during a given fishing season;
- f) "Joint fishing operation" means any operation between two or more catching vessels where the catch of one catching vessel is attributed to one or more other catching vessels in accordance with the allocation key;
- g) "Transfer operations" means:
- any transfer of live bluefin tuna from the catching vessel net to the transport cage;
 - any transfer of live bluefin tuna from the transport cage to another transport cage;
 - any transfer of the cage with bluefin tuna from a towing vessel to another towing vessel;
 - any transfer of dead bluefin tuna from the transport cage to an auxiliary vessel;
 - any transfer from a bluefin tuna farm or a tuna trap to a processing vessel, transport vessel, or transfer of cage containing bluefin tuna from one farm to another;
 - any transfer of live bluefin tuna from the trap to the transport cage.
- h) "Trap" means fixed gear anchored to the bottom usually containing a guide net that leads bluefin tuna into an enclosure.
- i) "Caging" means the transfer of bluefin tuna from the transport cage to the fattening and farming cages.
- j) "Fattening" means caging of bluefin tuna for a short period (usually 2-6 months) aiming mostly at increasing the fat content of the fish.
- k) "Farming" means caging of bluefin tuna for a period longer than six months, aiming to increase the total biomass.
- l) "Transshipment" means the unloading of all or any of the fish on board a fishing vessel to another fishing vessel.
- m) "Sport fishery" means a non-commercial fishery whose members adhere to a national sport organization or are issued with a national sport license.
- n) "Recreational fishery" means a non-commercial fishery whose members do not adhere to a national sport organization or are not issued with a national sport license.

Length of vessels

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

Part II Management measures

TAC and quotas

4. The total allowable catches (TACs) shall be set at 12,900 t annually, effective beginning in 2011 and thereafter, until such time the TAC is changed following the SCRS advice.

5. The SCRS shall monitor and review the progress of the Plan. In 2012, and thereafter every three years, the SCRS will conduct a stock assessment and provide advice to the Commission on the appropriate management measures, *inter alia*, on total allowable catch levels for future years.

The SCRS shall present a Kobe II strategy matrix reflecting recovery scenarios of eastern Atlantic and Mediterranean bluefin tuna in accordance with the multiannual recovery plans of the present Recommendation.

6. The recovery plan for bluefin tuna in the eastern Atlantic and Mediterranean shall be reviewed in 2012.

7. If the SCRS stock assessment detects a serious threat of fishery collapse, the Commission shall suspend all the fisheries for eastern Atlantic and Mediterranean bluefin tuna in the following year. CPCs shall immediately intensify research activities so that SCRS can conduct further analysis and present recommendations on conservation and management measures necessary to resume the fisheries.

8. The allocation scheme from 2011 is set in the table below.

| <i>CPC</i> | <i>Quota</i> | <i>percent</i> |
|----------------|--------------|----------------|
| Albania | 32.33 | 0.2506266 |
| Algeria | 138.46 | 1.0733333 |
| China | 36.77 | 0.2850125 |
| Croatia | 376.01 | 2.9148371 |
| Egypt | 64.58 | 0.5006266 |
| European Union | 7,266.41 | 56.3287720 |
| Iceland | 29.82 | 0.2311278 |
| Japan | 1,097.03 | 8.5041103 |
| Korea | 77.53 | 0.6010025 |
| Libya | 902.66 | 6.9973935 |
| Morocco | 1,223.07 | 9.4811529 |
| Norway | 29.82 | 0.2311278 |
| Syria | 32.33 | 0.2506266 |
| Tunisia | 1,017.56 | 7.8880702 |
| Turkey | 535.89 | 4.1541604 |
| Chinese Taipei | 39.75 | 0.3081704 |
| TOTAL | 12,900 | 100 |

9. With a view to ensuring compliance with the provisions of this Recommendation, each CPC shall submit fishing, inspection and capacity reduction plans to the inter-sessional meeting

of the Compliance Committee scheduled before the 2011 fishing season starts. If the Compliance Committee finds a serious fault in the plans submitted by a CPC and cannot endorse the plans, the Commission shall decide on suspension of bluefin tuna fishing by that CPC in 2011 by E-mail: vote. Such plans for the 2012 and 2013 fishing seasons shall be submitted to the Commission one month prior to its annual meeting in the preceding year for their endorsement, without which the CPC shall not engage in bluefin tuna fishing in that fishing season. Such system shall be reviewed at the 2012 annual meeting of the Commission.

Associated conditions to TAC and quotas

10. Each CPC shall take the necessary measures to ensure that the fishing effort of its catching vessels and its traps are commensurate with the fishing opportunities on bluefin tuna available to that CPC in the eastern Atlantic and Mediterranean Sea, including by establishing individual quotas for its catching vessels over 24 m included in the list referred to in paragraph 55.a).

11. Each CPC shall draw up an annual fishing plan for the catching vessels and traps fishing bluefin tuna in the eastern Atlantic and Mediterranean Sea. The annual fishing plan shall identify, *inter alia*, the catching vessels over 24 meters included in the list referred to in paragraph 55.a) and the individual quota allocated to them and the method used to allocate quota as well as the measure to ensure the respect of the individual quota.

12. Each CPC shall also allocate a specific quota for the purpose of recreational and sport fisheries as defined in paragraph 2.m) and n).

13. No later than 1 March each year, the annual fishing plan shall be transmitted by each CPC to the ICCAT Executive Secretariat. Any subsequent modification to the annual fishing plan or to the specific method used to manage their quota shall be transmitted to the ICCAT Executive Secretariat at least 10 days before the exercise of the activity corresponding to that modification.

14. No later than 15 October, each CPC shall report to the ICCAT Executive Secretariat on the implementation of their annual fishing plans for that year. Those reports shall include:

- a) the number of catching vessels actually engaged in active fishing activities involving bluefin tuna in the eastern Atlantic and Mediterranean;
- b) the catches of each catching vessel; and
- c) the total number of days each catching vessel fished in the eastern Atlantic and Mediterranean.

15. The flag CPC may require the catching vessel to proceed immediately to a port designated by it when the individual quota is deemed to be exhausted.

16.

- a) No carry-over of any under-harvests shall be made under this Plan.
- b) By derogation to paragraph 4 of the 2002 *Recommendation by ICCAT Concerning a Multi-year Conservation and Management Plan for Bluefin Tuna in the East Atlantic*

and Mediterranean [Rec. 02-08], no more than 50 percent carry-over of any underharvests arising from 2005 and/or 2006 may be made under this Plan. Paragraph 2 of the 1996 *Recommendation by ICCAT Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries* [Rec. 96-14] shall not apply for the overages in 2005 and 2006.

- c) The underages of Libya, Morocco and Tunisia in 2005 and 2006 may be carried over to 2009 and 2010 as follows:

| <i>CPCs</i> | <i>2009</i> | <i>2010</i> |
|-------------|-------------|-------------|
| Libya | 145 t | 145 t |
| Morocco | 327 t | 327 t |
| Tunisia | 202 t | 202 t |

- d) Any overage of a CPC shall be deducted from the next year's quotas of that CPC. Notwithstanding this provision, the payback of the European Union for its overage in 2007 shall be spread over 2009-2012 (500 t in 2009 and 2010, 1,510 t in 2011 and 2012). This payback shall be reviewed in the light of a general transparency and incentive provision on overages to be adopted by ICCAT at the latest in 2010.

17. CPCs shall be encouraged to voluntarily reduce their catches of bluefin tuna in eastern Atlantic and Mediterranean in 2009. Notwithstanding paragraph 16.a), the voluntary reduced portion of the CPC's allocation may be carried over to 2011 on condition that such voluntary reduced portion is notified to the ICCAT Secretariat before 1 March 2009.

18. Private trade arrangements and or transfer of quotas/catch limits between CPCs shall be done only under authorization by the CPCs concerned and the Commission.

19. To comply with paragraph 1 of 2002 *Recommendation by ICCAT on Vessel Chartering* [Rec. 02-21], the percentage of a CPC's bluefin tuna quota/catch limit that may be used for chartering shall not exceed 60 percent, 40 percent and 20 percent of the total quota in 2007, 2008, 2009, respectively. No chartering operation for the bluefin tuna fishery is permitted from 2010.

20. No JFOs between different CPCs shall be permitted. However, a CPC with less than 5 authorized purse seiners may authorize joint fishing operations with any other CPC. Each CPC conducting a JFO shall be responsible and accountable for the catches made under this JFO.

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

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

- duration,
- identity of the operators involved,

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

Each CPC shall transmit all this information to the ICCAT Secretariat at least ten days before the start of the operation.

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

Closed fishing seasons

21. Bluefin tuna fishing shall be prohibited in the eastern Atlantic and Mediterranean by large-scale pelagic longline catching vessels over 24 m during the period from 1 June to 31 December with the exception of the area delimited by West of 10°W and North of 42°N, where such fishing shall be prohibited from 1 February to 31 July.

22. Purse seine fishing for bluefin tuna shall be prohibited in the eastern Atlantic and Mediterranean during the period from 15 June to 15 May.

23. Bluefin tuna fishing by baitboats and trolling boats shall be prohibited in the eastern Atlantic and Mediterranean during the period from 15 October to 15 June.

24. Bluefin tuna fishing by pelagic trawlers shall be prohibited in the eastern Atlantic during the period from 15 October to 15 June.

25. Bluefin tuna recreational and sport fishing shall be prohibited in the eastern Atlantic and Mediterranean from 15 October to 15 June.

Spawning grounds

26. The SCRS shall continue working on the identification as precisely as possible of spawning grounds, in the Atlantic and Mediterranean. It shall advise the Commission in 2012 on the creation of sanctuaries.

Use of aircraft

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

Minimum size

28. CPCs shall take the necessary measures to prohibit catching, retaining on board, transshipping, transferring, landing, transporting, storing, selling, displaying or offering for sale bluefin tuna weighing less than 30 kg.

29. By derogation of paragraph 28, a minimum size for bluefin tuna of 8 kg shall apply to the following situations in accordance with the procedures set out in **Annex 1**.

- a) Bluefin tuna caught by baitboats and trolling boats in the eastern Atlantic.
- b) Bluefin tuna caught in the Adriatic Sea for farming purposes.
- c) Bluefin tuna caught in the Mediterranean Sea by the coastal artisanal fishery for fresh fish by baitboats, longliners and handliners.

30. For catching vessels fishing actively for bluefin tuna, an incidental catch of maximum 5 percent of bluefin tuna weighing between 10 and 30 kg may be authorized. This percentage is calculated on the total incidental catches in number of fish retained on board this vessel, or their equivalent in percentage in weight. Incidental catches must be deducted from the quota of the flag State CPC. The procedures referred to in paragraphs 62, 63, 64, 65, 67, 68 and 69 shall apply to the incidental catch.

Bycatch

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

The procedures referred to in paragraphs 62, 63, 64, 65, 67, 68 and 69 shall apply to the bycatch.

Recreational fisheries

32. Recreational fisheries on bluefin tuna shall be subject to the authorization for each vessel issued by the flag State CPC.

33. CPCs shall take the necessary measures to prohibit the catch and retention on board, transshipment or landing of more than one bluefin tuna in each sea trip.

34. The marketing of bluefin tuna caught in recreational fishing shall be prohibited except for charitable purposes.

35. Each CPC shall take measures to record catch data from recreational fishing and transmit them to the SCRS. Catches of recreational fisheries shall be counted against the quota allocated to the CPC in accordance with paragraph 12.

36. Each CPC shall take the necessary measures to ensure, to the greatest extent possible, the release of bluefin tuna caught alive, especially juveniles, in the framework of recreational fishing.

Sport fisheries

37. CPCs shall take the necessary measures to regulate sport fishing, notably by fishing authorizations.

38. The marketing of bluefin tuna caught in sport fishing competitions shall be prohibited except for charitable purposes.

39. Each CPC shall take measures to record catch data from sport fishing and transmit them to the SCRS. Catches of sport fishing shall be counted against the quota allocated to the CPC in accordance with paragraph 12.

40. Each CPC shall take the necessary measures to ensure, to the greatest extent possible, the release of the bluefin tuna caught alive, especially juveniles, in the framework of sport fishing.

Part III Capacity measures

Adjustment of fishing capacity

41. Each CPC shall ensure that its fishing capacity is commensurate with its allocated quota.

42. To that purpose each CPC shall establish a management plan over 2010-2013. Such plan shall be submitted to the Commission by 15 September 2009 for discussion and approval by the Commission at its annual meeting in 2009. Such plan shall be reviewed and, if necessary, revised and submitted on an annual basis for discussion and approval by the Commission for the remaining period. Such plan shall include the information referred to in paragraphs 43 to 49, as well as detailed information regarding the ways used by CPCs to eliminate overcapacity in addition to scrapping.

Freezing of fishing capacity

43. CPCs shall limit the number, and the corresponding gross registered tonnage, of their fishing vessels to the number and tonnage of their vessels that fished for, retained on board, transhipped, transported, or landed bluefin tuna during the period 1 January 2007 to 1 July 2008. This limit shall be applied by gear type for catching vessels and by vessel type for other fishing vessels.

44. Paragraph 43 shall not be interpreted to affect the measures contained in **Annex 1** paragraphs 1 and 2 of this Recommendation.

45. CPCs shall limit the number of their traps engaged in the eastern Atlantic and Mediterranean bluefin tuna fishery to the number authorized by each CPC by 1 July 2008.

46. This freezing may not apply to certain CPCs, in particular developing States that demonstrate that they need to develop their fishing capacity so as to fully use their quota. Such CPCs shall indicate in their management plans the programming of the introduction of additional fishing capacity into the fishery.

Reduction of fishing capacity

47. Without prejudice to paragraph 46, each CPC shall reduce its fishing capacity referred to in paragraphs 43, 44 and 45 so as to ensure that the discrepancy between its fishing capacity and its fishing capacity commensurate with its allocated quota, in accordance with the methodology approved at the 2009 annual meeting, shall be reduced by:

- a) at least 25 percent in 2010;
- b) at least 75 percent in 2011;
- c) at least 95 percent in 2012;
- d) 100 percent in 2013.

48. To calculate its fishing capacity reduction, each CPC shall take into account *inter alia*, the estimated yearly catch rates per vessel and gear.

49. This reduction may not apply to certain CPCs that demonstrate that their fishing capacity is commensurate with their allocated quotas.

Adjustment of farming capacity

50. Each farming or fattening CPC shall establish a management plan over 2010-2013. Such plan shall be submitted to the Commission by 15 September 2009 for discussion and approval by the Commission at its annual meeting in 2009, and shall be reviewed at its annual meeting in 2010. Such plan shall include the information referred in paragraphs 51 to 54.

51. Each CPC shall limit its tuna farming capacity to the farming capacity of the farms that were registered in the ICCAT list or authorized and declared to ICCAT as of 1 July 2008.

52. Each CPC shall establish for 2010 a maximum input of wild caught bluefin tuna into its farms at the level of the input quantities registered with ICCAT by its farms in 2005, 2006, 2007 or 2008.

53. Within the maximum input quantity of wild caught bluefin tuna referred to in paragraph 52, each CPC shall allocate inputs to its farms.

54. Further adjustment of farming capacity shall be decided by the Commission at its annual meeting in 2010, depending on the level of the TAC after 2010.

Part IV Control measures

Records of ICCAT vessels authorized to fish bluefin tuna

55.

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

During a calendar year, a fishing vessel shall be registered in only one of the ICCAT records referred to paragraphs a) and b). Without prejudice to paragraph 31, for the purposes of this recommendation, fishing vessels not entered into one of the ICCAT records referred to in paragraph a) and b) are deemed not to be authorized to fish for, retain on board, tranship, transport, transfer, process or land bluefin tuna in the eastern Atlantic and Mediterranean Sea.

56. Each flag CPC shall submit electronically each year to the ICCAT Executive Secretary, at the latest one month before the beginning of the fishing seasons referred to in paragraphs 21 to 24, when applicable, and otherwise by 1 March, the list of its catching vessels authorized to fish actively for bluefin tuna and the list of its other fishing vessels authorized to operate in the eastern Atlantic and Mediterranean Sea referred to in paragraph 55.a), in accordance with the format set in the Guidelines for Submitting Data and Information Required by ICCAT.

No retroactive submissions shall be accepted. Any subsequent changes shall not be accepted unless a notified fishing vessel is prevented from participation due to legitimate operational reasons or force majeure. In such circumstances, the CPC concerned shall immediately inform the ICCAT Executive Secretary, providing:

- a) full details of the intended replacement fishing vessel(s) referred to in paragraph 55;
- b) a comprehensive account of the reasons justifying the replacement and any relevant supporting evidence or references.

57. Conditions and procedures referred in the 2009 *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* [Rec. 09-08] (except paragraph 3) shall apply *mutatis mutandis*.

ICCAT record of tuna traps authorized to fish for bluefin tuna

58. The Commission shall establish and maintain an ICCAT Record of all tuna traps authorized to fish for bluefin tuna in the eastern Atlantic and Mediterranean Sea. For the purposes of this recommendation, tuna traps not entered into the record are deemed not to be authorized to be used to fish for, retain, transfer or land bluefin tuna.

59. Each CPC shall submit electronically to the ICCAT Executive Secretary, by 1 March each year, the list (including the name of the traps, register number) of its authorized tuna traps referred to in paragraph 58. Conditions and procedures referred in Recommendation Rec. 09-08 (except paragraph 3) shall apply *mutatis mutandis*.

Information on fishing activities

60. By 1 March each year, each CPC shall notify the ICCAT Secretariat the list of the catching vessels included in the ICCAT record referred to in paragraph 55.a)) that have fished for bluefin tuna in the eastern Atlantic and Mediterranean in the preceding fishing year.

61. Each CPC shall notify the ICCAT Secretariat of any information concerning vessels not covered in paragraph 60 but known or presumed to have fished for bluefin tuna in the eastern Atlantic and Mediterranean. The ICCAT Secretariat shall forward such information to the flag State for action as appropriate, with a copy to other CPCs for information.

Transshipment

62. Transshipment at sea operations of bluefin tuna in the eastern Atlantic and Mediterranean Sea shall be prohibited.

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

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

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

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

The masters of the transshipping fishing vessels shall complete the ICCAT transshipment declaration in accordance with the format set out in Annex 3.

64. Prior to entry into any port, the receiving fishing vessel, or its representative, shall provide the relevant authorities of the port State at least 48 h before the estimated time of arrival, with the following:

- a) estimated time of arrival,
- b) estimated quantity of bluefin tuna retained on board, and information on the geographic area where it was taken;

- c) the name of the transshipping fishing vessel and its number in the ICCAT record of catching vessels authorized to fish actively for bluefin tuna or in the ICCAT record of other fishing vessels authorized to operate in the eastern Atlantic and Mediterranean Sea,
- d) the name of the receiving fishing vessel, its number in the ICCAT record of catching vessels authorized to fish actively for bluefin tuna or in the ICCAT record of other fishing vessels authorized to operate in the eastern Atlantic and Mediterranean Sea,
- e) the tonnage and the geographic area of the catch of bluefin tuna to be transshipped.

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

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

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

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

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

Recording requirements

65. The masters of catching vessels shall keep a bound or electronic logbook of their operations, indicating particularly the quantities of bluefin tuna caught and kept on board, whether the catches are weighed or estimated, the date and location of such catches and the type of gear used in accordance with the requirements set out in **Annex 2**.

66. The masters of the catching vessels involved in a joint fishing operation shall record in their logbook:

- a) as regards the catching vessel transferring the fish into cages:
 - its name and international radio call sign;
 - the date and the time of the catch and of the transfer,
 - the location of the catch and of the transfer (longitude/latitude),
 - amount of catches taken on board, and amount of catches transferred into cages,
 - amount of catches counted against its individual quota,
 - the name of the tug boat and its ICCAT number.

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

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

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

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

68. Prior to entry into any port, the fishing vessels or their representative, shall provide the relevant authorities of the port, at least 4 hours before the estimated time of arrival, with the following:

- a) estimated time of arrival,
- b) estimate of quantity of bluefin tuna retained on board,
- c) the information on the geographic area where the catch was taken;

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

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

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

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

69. The masters of fishing vessels shall complete and transmit to their flag State the ICCAT transshipment declaration no later than 48 hours after the date of transshipment in port.

Communication of catches

70.

- a) Each CPC shall ensure that its catching vessels fishing actively for bluefin tuna shall communicate by electronic or other means, to their competent authorities, a weekly catch report, with, as a minimum, information on the catch amount, including nil catch returns, the date and the location (latitude and longitude) of the catches. This report shall be transmitted by the latest Monday noon with the catches taken in the Plan Area during the preceding week ending Sunday midnight GMT. This report shall include information on the number of days in the Plan Area since the beginning of the fishing or since the last weekly report.
- b) Each CPC shall ensure that its purse seine catching vessels and its other catching vessels over 24 m fishing actively for bluefin tuna shall communicate, except in case of nil catch returns, by electronic or other means, to their competent authorities, a daily catch report, with, as a minimum, information on the catch amount, the date and the location (latitude and longitude) of the catches. If a CPC requires such daily reports even in case of nil catch returns, the weekly reports referred to in a) shall not be required.
- c) On the basis of the information referred to in (a) and (b), each CPC shall transmit without delay weekly catch reports for all vessels to the ICCAT Secretariat in accordance with the format set out in **Annex 5**.

Reporting of catches

71. Each CPC shall report its provisional monthly catches of bluefin tuna. This report shall be sent to the ICCAT Secretariat within 30 days of the end of the calendar month in which the catches were made.

72. The ICCAT Secretariat shall within 10 days following the monthly deadlines for receipt of the provisional catch statistics collect the information received and circulate it to CPCs together with aggregated catch statistics.

73. The Executive Secretary shall notify without delay all CPCs of the date on which the accumulative reported catch taken by catching vessels of the CPCs is estimated to equal 85 percent of the concerned CPC quota for this stock. The CPC shall take the necessary measures to close its bluefin tuna fisheries before its quota is exhausted and notify this closure without delay to the ICCAT Secretariat which will circulate this information to all CPCs.

Cross check

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

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

Transfer operations

75. Before any transfer operation, as defined in paragraph 2.g), the master of the catching or towing vessel or its representatives or the representative of the farm or trap, where the transfer' in question originates as appropriate shall send to its flag State or farm state CPC authorities before the transfer, a prior transfer notification indicating:

- name of the catching vessel or farm or trap and ICCAT number record,
- estimated time of transfer,
- estimate of quantity of bluefin tuna to be transferred,
- information on the position (latitude/longitude) where the transfer will take place and identifiable cage numbers,
- name of the towing vessel, number of cages towed and ICCAT number record where appropriate,
- Port, farm or cage of destination of the bluefin tuna.

76. The flag State shall assign and communicate to the master of the fishing vessel, or trap or farm as appropriate, an authorization number for each transfer operation. The transfer operation shall not begin without the prior authorization issued in accordance with a unique numbering system that includes the 3 letters CPC code, 4 numbers showing the year and 3 letters that indicate either positive authorization (AUT) or negative authorization (NEG) followed by sequential numbers, by the CPC flag State authorities of the catching vessel, the towing vessel, farm or trap.

If the flag State of the catching vessel, the towing vessel or the authorities of the CPC where the farm or trap is located considers on receipt of the prior transfer notification that:

- a) the catching vessel or the trap declared to have caught the fish does not have sufficient quota,
- b) the quantity of fish has not been duly reported by the catching vessel or a trap or had not been authorized to be caged and not taken into account for the consumption of the quota that may be applicable,
- c) the catching vessel declared to have caught the fish is not authorized to fish for bluefin tuna, or
- d) the tug vessel declared to receive the transfer of fish is not registered in the ICCAT record of all other fishing vessels referred to in paragraph 55.b) or is not equipped with a Vessel Monitoring System, it shall not authorize the transfer.

In case the transfer is not authorized the catching CPC shall issue a release order to the master of the catching vessel, shall inform the master of the catching vessel that the transfer is not authorized and to proceed to the release of the fish into the sea according to the procedures described in the paragraph below.

In case the transfer is not authorized, the catching vessel CPC shall issue a release order to the master of the catching vessel.

The transfer shall be authorized or not authorized by the flag State of the catching vessel farm or trap as appropriate within 48 hours following the submission of the prior transfer notification. In case that the transfer is not authorized the captain of the catching vessel, the owner of the farm or trap as appropriate has to release the fish into the sea according to the following procedures.

The release of bluefin tuna into the sea shall be recorded by video camera and observed by an ICCAT regional observer who shall draft and submit the report together with the video recording to the ICCAT Secretariat.

77. The masters of catching or towing vessels or the representative of the farm or trap shall complete and transmit to their flag State the ICCAT transfer declaration at the end of the transfer operation in accordance with the format set out in **Annex 4**.

- a) The transfer declaration forms shall be numbered by the flag authorities of the vessel, farm or trap from where this transfer originates. The numbering system shall include the 3 letters CPC code, followed by 4 numbers showing the year and 3 sequential numbers followed by the 3 letters ITD (CPC-20 /xxx/ITD).
- b) The original transfer declaration shall accompany the transfer of fish. A copy of the declaration must be kept by the catching vessel or trap and towing vessel.
- c) Masters of vessels carrying out transfer operations (including towing vessels, shall report on their daily log the quantities transferred and the number of fish, as well as the catching vessel name, flag and ICCAT number, the name of the other vessel(s) involved and their ICCAT number, the date and position of transfer and the farm of destination. The daily log shall contain the details of all transfers carried out during the fishing season. The daily log shall be kept on board and be accessible at any time for control purposes.

78. The authorization for transfer by the flag State does not prejudice the authorization of the caging operation.

79. The master of the catching vessel or the representative of the farm or trap, where appropriate, shall ensure that the transfer activities shall be monitored by video camera in the water.

One video record shall be produced and transmitted each to the regional observer and to the CPC observer aboard the towing vessel, the latter of which shall accompany the transfer declaration and the associated catches to which it relates. At the beginning and/or end of each video, the ICCAT transfer declaration number must be displayed. The time and the date of the video shall be continuously displayed through out each video record.

The CPCs shall provide copies of video records to the SCRS upon request. SCRS shall keep confidentiality of commercial activities.

80. The ICCAT Regional Observer on board the catching vessel, as referred to in the ICCAT Regional Observer Programme (**Annex 7**), shall record and report upon the transfer activities carried out, verify the position of the catching vessel when engaged in transfer operation, observe and estimate catches transferred and verify entries made in the prior transfer authorization as referred to in paragraph 76 and in the ICCAT transfer declaration as referred to in paragraph 77.

In cases where the estimation by the regional observer is at least 10 percent higher by number and/or average weight than declared by the master of the catching vessel, an investigation shall be initiated by the flag State of the catching vessel and concluded prior to the time of caging at the farm. Pending the results of this investigation, caging shall not be authorized and the catching section of the BCD shall not be validated.

81. The ICCAT Regional Observer shall sign with clearly written name and ICCAT number the ICCAT transfer declaration. He shall verify that the ICCAT transfer declaration is properly filled and transmitted to the master of the tug vessel.

The tuna trap operator shall complete and transmit to its CPC the ICCAT transfer declaration at the end of the transfer operation to the fishing vessel, in accordance with the format set out in **Annex 4**.

Caging operations

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

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

83. Before any caging operation into a farm, the flag CPC of the catching vessel shall be informed by the competent authority of the farm State of the caging of quantities caught by catching vessels flying its flag. If the flag CPC of the catching vessel considers on receipt of this information that:

- a) the catching vessel declared to have caught the fish had not sufficient quota for bluefin tuna put into the cage,
- b) the quantity of fish has not been duly reported by the catching vessel and not taken into account for the calculation of any quota that may be applicable,
- c) the catching vessel declared to have caught the fish is not authorized to fish for bluefin tuna, it shall inform the competent authority of the farm State to proceed to the seizure of the catches and the release of the fish into the sea according to the procedures described in paragraph 76.

The caging shall not begin without the prior authorization of the catching vessel's flag State.

Fish shall be caged before the 31st of July unless the farm CPC receiving the fish provides valid reasons including force majeure, which shall accompany the caging report when submitted.

84. The CPC under whose jurisdiction the farm for bluefin tuna is located shall take the necessary measures to prohibit placing in cages for farming or fattening bluefin tuna that are not accompanied by accurate, complete and validated documentation required by ICCAT.

85. The caging shall be authorized or not authorized by the flag State of the catching vessel, farm or trap, as appropriate, within 48 hours following the submission of the information mentioned in paragraph 83. In case the caging is not authorized the catching vessel CPC shall issue a release order to the flag CPC of the towing vessel and/or CPC farm authority, as appropriate, according to the procedures described in paragraph 76.

86. The CPC under whose jurisdiction the farm is located shall ensure that transfer activities from cages to the farm shall be monitored by video camera in the water.

One video record shall be produced for each caging operation. At the beginning or end of each video, the ICCAT transfer declaration number must be displayed. The time and the date of the video shall be continuously displayed through out each video record.

In cases where there is more than a 10 percent difference either by average weight and/or number between the estimate by the regional observer and the farm operator an investigation shall be initiated by the farm CPC in cooperation with flag state of the catching vessel. This difference is calculated by number and/or average weight. If the investigation is not concluded within 10 working days or if the outcome of the investigation indicates that the number and or average weight of bluefin tuna is in excess of 10 percent of that declared by the farm operator, then the flag CPCs authorities of the catching vessel shall issue a release order for the number and or weight in excess.

The CPCs farm authorities shall ensure that the release order is carried by the farm operator within 48 hours following the arrival of a regional observer. The release shall be carried out in accordance to the procedures described in paragraph 76. Pending the results of this investigation, harvesting shall not take place and the farming section of the BCD shall not be validated.

In the event that the final estimation at the time of caging in the farm is greater than the final estimation at the time of first transfer from the catching vessel, the CPC of the catching vessel shall decide on the final quota uptake that they shall validate in the BCD(s) concerned.

87. CPCs shall initiate pilot studies on how to better estimate both the number and weight of bluefin tuna at the point of capture and caging including through the use of stereoscopic systems and report the results to the SCRS.

SCRS shall explore operationally viable technologies and methodologies for determining the size and biomass at the points of capture and caging.

A sampling programme and/or an alternative programme shall be established at the time of caging in order to improve the counting and the weight estimations of the caged fish.

Trap activities

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

VMS

89. Without prejudice to paragraph 1.d) of Recommendation Rec.06-07, CPCs shall implement a vessels monitoring system for their fishing vessels over 24 m , in accordance with the 2003 *Recommendation by ICCAT Concerning Minimum Standards for the Establishment of a Vessel Monitoring System in the ICCAT Convention Area* [Rec. 03-14].

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

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

The ICCAT Executive Secretary shall make available without delay the information received under this paragraph to CPCs with an active inspection presence in the Plan Area and to SCRS, at its request.

On request from CPCs engaged in inspection at sea operations in the convention area in accordance with the ICCAT scheme of joint international inspection referred to in paragraphs 99 and 100 of this Recommendation, the ICCAT Secretariat shall make available the messages received under paragraph 3 of Recommendation by ICCAT Concerning Data Exchange Format and Protocol in Relation to the Vessel Monitoring System (VMS) for the Bluefin Tuna Fishery in the ICCAT Convention Area [Rec. 07-08] to all fishing vessels.

The transmission of VMS data by fishing vessels included in the ICCAT bluefin tuna record of catching vessels to ICCAT shall start at least 15 days before the opening of the fishing seasons and shall continue at least 15 days after the closure of the fishing seasons unless the vessel is removed by the flag State authorities.

For control purposes, the transmission of VMS bluefin tuna authorised fishing vessels shall not be interrupted when vessels are in port unless there is a system of hailing in and out of port.

Fishing vessels included in the ICCAT bluefin tuna record of other vessels shall transmit VMS data to ICCAT throughout the whole period of authorization.

CPC Observer Programme

90. Each CPC shall ensure observer coverage on vessels active in the bluefin tuna fishery on at least:

- 100 percent of its active purse seine vessels equal or less than 24 m in 2011;
- 100 percent of its active purse seine vessels equal or less than 20 m in 2012;
- 20 percent of its active pelagic trawlers (over 15m);
- 20 percent of its active longline vessels (over 15m);
- 20 percent of its active baitboats (over 15m);
- 100 percent during the harvesting process for tuna traps;
- 100 percent of towing vessels.

The observer tasks shall be, in particular, to:

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

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

In implementing this observer requirement, CPCs shall:

- a) ensure representative temporal and spatial coverage to ensure that the Commission receives adequate and appropriate data and information on catch, effort, and other scientific and management aspects, taking into account characteristics of the fleets and fisheries;
- b) ensure robust data collection protocols;
- c) ensure observers are properly trained and approved before deployment;
- d) ensure, to the extent practicable, minimal disruption to the operations of vessels fishing in the Convention area.

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

For the scientific aspects of the programme, the SCRS shall report on the coverage level achieved by each CPC and provide a summary of the data collected and any relevant findings

associated with that data. SCRS shall also provide any recommendations to improve the effectiveness of CPC observer programmes.

ICCAT Regional Observer Programme

91. An ICCAT Regional Observer Programme shall be established to ensure an observer coverage of 100 percent:

- of purse seine vessels over 24 m length during the 2011 fishing season (Annex 7);
- of purse seine vessels over 20 m length during the 2012 fishing season (Annex 7);
- of all purse seine vessels irrespective of their length during all the annual fishing season from 2013 onward, (Annex 7);
- during all transfer of bluefin tuna to the cages and all harvest of fish from the cage.

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

In case that bluefin tuna is harvested from the cage and traded as fresh products the regional observer that observes the harvest may be a national of the farm CPC.

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

The observer tasks shall be, in particular, to:

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

Enforcement

93. CPCs shall take enforcement measures with respect to a fishing vessel, where it has been established, in accordance with its law that the fishing vessel flying its flag does not comply with the provisions of paragraphs 21 to 25, 28 to 30 and 65 to 69 (closed seasons, minimum size and recording requirements).

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

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

94. The CPC under whose jurisdiction the farm for bluefin tuna is located shall take enforcement measures with respect to a farm, where it has been established, in accordance

with its law that this farm does not comply with the provisions of paragraphs 82 to 86 and 92 (caging operations and observers) and with Recommendation 06-07.

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

- fines;
- suspension or withdrawal of the record of FFBS;
- prohibition to put into cages or market quantities of bluefin tuna;

Access to and requirements for video records

95. Each CPC shall take the necessary measures to ensure that the video records as referred in paragraphs 79 and 86 are made available to the ICCAT inspectors and ICCAT observers.

The CPC under whose jurisdiction the farm for bluefin tuna is located shall take the necessary measures to ensure that the video records as referred in paragraphs 79 and 86,) are made available to its inspectors and its observers.

Each CPC shall establish the necessary measures to avoid any replacement, edition or manipulation of the original video record.

Market measures

96. Consistent with their rights and obligations under international law, exporting and importing CPCs shall take the necessary measures:

- to prohibit domestic trade, landing, imports, exports, placing in cages for farming, re-exports and transshipments of eastern Atlantic and Mediterranean bluefin tuna species that are not accompanied by accurate, complete, and validated documentation required by this Recommendation and the *Recommendation by ICCAT Amending Recommendation 08/12 on an ICCAT Bluefin Tuna Catch Documentation Programme* [Rec. 09-11] on a Bluefin Tuna Catch Documentation Programme.
- to prohibit domestic trade, imports, landings, placing in cages for farming, processing, exports, re-exports and the transshipment within their jurisdiction, of eastern and Mediterranean bluefin tuna species caught by fishing vessels whose flag State either does not have a quota, catch limit or allocation of fishing effort for that species, under the terms of ICCAT management and conservation measures, or when the flag State fishing possibilities are exhausted, or when the individual quotas of catching vessels referred to in paragraph 11 are exhausted;
- to prohibit domestic trade, imports, landings, processing, exports from farms that do not comply with Recommendation Rec. 06-07.

Conversion factors

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

Growth factors

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

Part V ICCAT Scheme of Joint International Inspection

99. In the framework of the multi-annual management plan for bluefin tuna, each CPC agrees, in accordance with Article IX, paragraph 3, of the ICCAT Convention, to apply the ICCAT Scheme of Joint International Inspection adopted during its Fourth Regular Meeting, held in November 1975 in Madrid, as modified in Annex 8.

100. The Scheme referred to in paragraph 99 shall apply until ICCAT adopts a monitoring, control and surveillance scheme which will include an ICCAT scheme for joint international inspection, based on the results of the Integrated Monitoring Measures Working Group, established by the *Resolution by ICCAT for Integrated Monitoring Measures* [Res. 00-20].

101. When at any time, more than 15 fishing vessels of anyone CPC are engaged in bluefin tuna fishing activities in the Convention area, the CPC shall, during that time have an inspection vessel in the Convention area, or shall cooperate with another CPC to jointly operate an inspection vessel.

Part VI Final provisions

102. Availability of data to the SCRS

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

All data shall be treated in a confidential manner.

103. Evaluation

All the CPCs shall submit each year to the Secretariat regulations and other related documents adopted by them to implement this Recommendation. In order to have greater transparency in implementing this Recommendation, all the CPCs involved in the bluefin

tuna chain shall submit each year, no later than 15 October, a detailed report on their implementation of this Recommendation.

104. Cooperation

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

105. Repeals

This Recommendation repeals paragraph 10 of the *Recommendation by ICCAT on Bluefin Tuna Farming* [Rec. 06-07] and paragraph 6 of the *Recommendation by ICCAT Concerning Data Exchange Format and Protocol in Relation to the Vessel Monitoring System (VMS) for the Bluefin Tuna Fishery in the ICCAT Convention Area* [Rec, 07-08].

This Recommendation replaces the *Recommendation Amending the Recommendation by ICCAT to Establish a Multi-annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 08-05] and the *Recommendation Amending Recommendation 08-05 to Establish a Multi-annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 09-06].

Specific Conditions Applying to the Catching Vessels Referred to in Paragraph 29

1. CPCs shall limit:
 - The maximum number of its baitboats and trolling boats authorized to fish actively bluefin tuna to the number of the vessels participating in directed fishery for bluefin tuna in 2006.
 - The maximum number of its artisanal fleet authorized to fish actively bluefin tuna in Mediterranean to the number of the vessel participating in the fishery for bluefin tuna in 2008.
 - The maximum number of its catching vessel authorized to fish actively bluefin tuna in Adriatic to the number of the vessel participating in the fishery for bluefin tuna in 2008. Each CPC shall allocate individual quotas to the concerned vessels.
2. By 30 January each year, CPCs shall submit to ICCAT Secretariat, the number of catching vessels established pursuant to paragraph 1 of this Annex.
3. CPCs shall issue specific authorizations to the catching vessel referred to in paragraph 1 and shall transmit the list of such catching vessels to ICCAT Secretariat.
4. Any subsequent changes shall not be accepted unless a notified catching vessel is prevented from participation due to legitimate operational reasons or force majeure. In such circumstances CPC concerned shall immediately inform the ICCAT Executive Secretariat, providing:
 - a) full details of the intended replacement of the catching vessel referred to in paragraph 3 of this Annex;
 - b) a comprehensive account of the reasons justifying the replacement and any relevant supporting evidence or references.
5. Each CPC shall allocate no more than 7 percent of its quota for bluefin tuna among its baitboats and trolling boats, with up to a maximum of 100 t of bluefin tuna weighing no less than 6.4kg caught by baitboat vessels of an overall length of less than 17 m by derogation to paragraph 29 of this Recommendation.
6. Each CPC may allocate no more than 2 percent of its quota for bluefin tuna among its coastal artisanal fishery for fresh fish in the Mediterranean.

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

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

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

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

Each landing shall be subjected to an inspection in port.

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

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

Minimum specification for logbooks:

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

Minimum standard information for logbooks:

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

Minimum information in case of landing, transshipment/transfer:

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

Document No. ICCAT Transhipment Declaration

| | | | |
|--|--|--|--|
| <p>Carrier vessel Name of vessel and radio call sign: Flag: Flag State authorization No. National Register No. ICCAT Register No. IMO No.</p> | <p>Fishing Vessel Name of the vessel and radio call sign, Flag: Flag State authorization No. National register No. ICCAT Register No. External identification: Fishing logbook sheet No.</p> | <p>Final destination: Port Country State:</p> | |
|--|--|--|--|

Day Month Hour Year |2_|0_|_|_| F.V Master's operator name: Carrier Master's name: LOCATION OF TRANSHIPMENT

Departure |_|_| |_|_| |_|_| from |_____|

Return |_|_| |_|_| |_|_| to |_____| Signature:

Signature:

Tranship. |_|_| |_|_| |_|_| |_____|

For transhipment, indicate the weight in kilograms or the unit used (e.g. box, basket) and the landed weight in kilograms of this unit: |___| kilograms.

| <i>Port</i> | <i>Sea Lat. Long.</i> | <i>Species</i> | <i>Number of unit of fishes</i> | <i>Type of Product Live</i> | <i>Type of Product Whole</i> | <i>Type of Product Gutted</i> | <i>Type of Product Head off</i> | <i>Type of Product Filleted</i> | <i>Type of Product</i> | Further transhipments |
|-------------|-----------------------|----------------|---------------------------------|-----------------------------|------------------------------|-------------------------------|---------------------------------|---------------------------------|------------------------|--------------------------|
| | | | | | | | | | | Date: |
| | | | | | | | | | | Place/Position: |
| | | | | | | | | | | Authorization CP No. |
| | | | | | | | | | | Transfer vessel |
| | | | | | | | | | | Master signature: |
| | | | | | | | | | | Name of receiver vessel: |

| Document No | ICCAT Transfer Declaration | | |
|--|--------------------------------------|---|--|
| 1 - TRANSFER OF LIVE BFT DESTINATED FOR FARMING | | | |
| Fishing vessel name: Call sign: Flag: Flag State transfer authorisation no. ICCAT Register no. External identification: Fishing logbook no. JFO no. | Trap name: ICCAT Register no. | Tug vessel name: Call sign: Flag: ICCAT Register no: External identification: | Farm of destination name: ICCAT Register no: |
| 2 - TRANSFER AFTER HARVESTING | | | |
| Farm name: ICCAT Register no. | Trap name: ICCAT Register no. | Transport vessel name: Flag: ICCAT Register no. External identification: | Processing carrier vessel name: Call sign: Flag: ICCAT Register no: External identification: |
| 3 - TRANSFER INFORMATION | | | |
| Date: __ / __ / ____ | Place or position: Port: | Lat: | Long: |
| Number of individuals: | Total weight in Kg: | Species: | |
| Type of product: Live <input type="checkbox"/> Whole <input type="checkbox"/> Gutted <input type="checkbox"/> Other (Specify): | | | |
| Master of fishing vessel / trap operator / farm operator name and signature: | | Master of receiver vessel (tug, processing, carrier) name and signature: | |
| 4 - TRANSFER OF DEAD FISH TO AUXILARY VESSEL | | | |
| Auxiliary vessel name: | Flag: | Quantity in Kg | Number of individuals: |
| Date: __ / __ / ____ | Position: Long: | Lat: | Port of landing: |

| 5 - FURTHER TRANSFERS | | | |
|---------------------------------------|--------------------------|---|--------------------|
| Date: __/__/____ | Place or position: Port: | Lat: | Long: |
| Tug vessel name: | Call sign: | Flag: | ICCAT Register no. |
| Farm State transfer authorisation no: | External identification: | Master of receiver vessel name and signature: | |
| Date: __/__/____ | Place or position: Port: | Lat: | Long: |
| Tug vessel name: | Call sign: | Flag: | ICCAT Register no. |
| Farm State transfer authorisation no: | External identification: | Master of receiver vessel name and signature: | |
| Date: __/__/____ | Place or position: Port: | Lat: | Long: |
| Tug vessel name: | Call sign: | Flag: | ICCAT Register no. |
| Farm State transfer authorisation no: | External identification: | Master of receiver vessel name and signature: | |

ICCAT Regional Observer Programme

1. Each CPC shall require its farms and all its purse seine vessels as referred to in paragraph 91 to carry an ICCAT observer during all the fishing and harvesting period in the Convention area.
2. The Secretariat of the Commission shall appoint the observers before 1 March each year, and shall place them into farms and on board the purse seine vessels flying the flag of Contracting Parties and of non-Contracting Cooperating Parties, Entities or Fishing Entities that implement the ICCAT observer program. An ICCAT observer card shall be issued for each observer.
3. The Secretariat shall issue a contract listing the rights and duties of the observer and the master of the vessel or farm operator. This contract shall be signed by both parties involved.
4. The Secretariat shall establish an ICCAT Observer Programme Manual.

Designation of the observers

5. The designated observers shall have the following qualifications to accomplish their tasks:
 - sufficient experience to identify species and fishing gear;
 - satisfactory knowledge of the ICCAT conservation and management measures assessed by a certificate provided by the CPCs and based on ICCAT training guidelines;
 - the ability to observe and record accurately;
 - a satisfactory knowledge of the language of the flag of the vessel or farm observed.

Obligations of the observer

6. Observers shall:
 - a) have completed the technical training required by the guidelines established by ICCAT;
 - b) be nationals of one of the CPCs and, to the extent possible, not of the farm State or flag State of the purse seine vessel;
 - c) be capable of performing the duties set forth in point 7 below;
 - d) be included in the list of observers maintained by the Secretariat of the Commission;
 - e) not have current financial or beneficial interests in the bluefin tuna fishery.
7. The observer tasks shall be, in particular:

- a) As regards observers on purse-seine vessels, to monitor the purse seine vessels' compliance with the relevant conservation and management measures adopted by the Commission. In particular the observers shall:
 - i) In cases where the observer observes what may constitute non compliance with ICCAT recommendation he/she shall submit this information without delay to the observer implementing company who shall forward it to the flag state authorities of the catching vessel. For this purpose the observer implementing company shall set up a system through which this information can be securely communicated.
 - ii) record and report upon the fishing activities carried out;
 - iii) observe and estimate catches and verify entries made in the logbook;
 - iv) issue a daily report of the purse seiner vessels' transfer activities;
 - v) sight and record vessels which may be fishing in contravention to ICCAT conservation and management measures;
 - vi) record and report upon the transfer activities carried out;
 - vii) verify the position of the vessel when engaged in transfer;
 - viii) observe and estimate products transferred, including through the review of video recordings;
 - ix) verify and record the name of the fishing vessel concerned and its ICCAT number;
 - x) carry out scientific work such as collecting Task II data when required by the Commission, based on the directives from the SCRS.
 - b) As regards observers in the farms, to monitor the farms' compliance with the relevant conservation and management measures adopted by the Commission. In particular the observers shall:
 - i) verify the data contained in the transfer declaration and caging declaration, including through the review of video records;
 - ii) certify the data contained in the transfer declaration and caging declaration;
 - iii) issue a daily report of the farms' transfer activities;
 - iv) countersign the transfer declaration and caging declaration;
 - v) carry out such scientific work, for example collecting samples, as required by the Commission, based on the directives from the SCRS.
 - c) establish general reports compiling the information collected in accordance with this paragraph and provide the master and farm operator the opportunity to include therein any relevant information.
 - d) submit to the Secretariat the aforementioned general report within 20 days from the end of the period of observation.
 - e) exercise any other functions as defined by the Commission.
8. Observers shall treat as confidential all information with respect to the fishing and transfer operations of the purse seiners and of the farms and accept this requirement in writing as a condition of appointment as an observer;
 9. Observers shall comply with requirements established in the laws and regulations of the

flag or farm State which exercises jurisdiction over the vessel or farm to which the observer is assigned.

10. Observers shall respect the hierarchy and general rules of behavior which apply to all vessel and farm personnel, provided such rules do not interfere with the duties of the observer under this program, and with the obligations of vessel and farm personnel set forth in paragraph 11 of this Programme.

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

11. The responsibilities regarding observers of the flag States of the purse seine vessels and their masters shall include the following, notably:
- a) Observers shall be allowed to access to the vessel and farm personnel and to the gear, cages and equipment;
 - b) Upon request, observers shall also be allowed access to the following equipment, if present on the vessels to which they are assigned, in order to facilitate the carrying out of their duties set forth in paragraph 7:
 - i) satellite navigation equipment;
 - ii) radar display viewing screens when in use;
 - iii) electronic means of communication;
 - c) Observers shall be provided accommodations, including lodging, food and adequate sanitary facilities, equal to those of officers;
 - d) Observers shall be provided with adequate space on the bridge or pilot house for clerical work, as well as space on deck adequate for carrying out observer duties; and
 - e) The flag States shall ensure that masters, crew, farm and vessel owners do not obstruct, intimidate, interfere with, influence, bribe or attempt to bribe an observer in the performance of his/her duties.

The Secretariat, in a manner consistent with any applicable confidentiality requirements, is requested to provide to the farm State or flag State of the purse seine vessel, copies of all raw data, summaries, and reports pertaining to the trip. The Secretariat shall submit the observer reports to the Compliance Committee and to the SCRS.

Observer fees

12. a) The costs of implementing this program shall be financed by the farm operators and purse seiner's owners. The fee shall be calculated on the basis of the total costs of the program. This fee shall be paid into a special account of the ICCAT Secretariat and the ICCAT Secretariat shall manage the account for implementing the program;
- b) No observer shall be assigned to a vessel or farm for which the fees, as required under subparagraph a), have not been paid.

ICCAT Scheme of Joint International Inspection

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

I. Serious violations

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

Secretariat, and any inspection ship of the flag State of the fishing vessel known to be in the vicinity.

3. ICCAT inspectors should register the inspections undertaken and the infringements detected (if any) in the fishing vessel logbook.
4. The flag State CPC shall ensure that, following the inspection referred to in paragraph 2 of this Annex, the fishing vessel concerned ceases all fishing activities. The flag State CPC shall require the fishing vessel to proceed within 72 hours to a port designated by it, and where an investigation shall be initiated.

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

In the case an inspection that has detected an activity or condition that would constitute a serious violation, the vessel should be reviewed under the procedures described in the *Recommendation to Establish a List of Vessels Presumed to Have Carried Out Illegal, Unreported and Unregulated Fishing Activities in the ICCAT Convention Area* [Rec. 09-10], taking into account any response actions and other follow up.

II. Conduct of inspections

5. Inspection shall be carried out by inspectors of the fishery control services of Contracting Governments. The names of the inspectors appointed for that purpose by their respective governments shall be notified to the ICCAT Commission;
6. Ships carrying inspectors shall fly a special flag or pennant approved by the ICCAT Commission to indicate that the inspector is carrying out international inspection duties. The names of the ships so used for the time being, which may be either special inspection vessels or fishing vessels, shall be notified to the ICCAT Commission, as soon as may be practical;
7. Each inspector shall carry an identity document supplied by the authorities of the flag State in the form shown in paragraph 20 of this Annex and giving him an appointment stating that he has authority to act under arrangements approved by the ICCAT Commission. This identity document shall be valid for a minimum of five years;
8. Subject to the arrangements agreed under paragraph 15 of this Annex, a vessel employed for the time being in fishing for tuna or tuna-like fishes in the Convention area outside the waters within its national jurisdiction shall stop when given the appropriate signal in the International Code of Signals by a ship carrying an inspector unless it is actually carrying out fishing operations, in which case it shall stop immediately once it has finished such operations. The master of the vessel shall permit the inspector, who may be accompanied by a witness, to board it and in this respect must provide a boarding ladder. The master shall enable the inspector to make such examination of catch or gear and any relevant documents as the inspector deems necessary to verify the observance of the ICCAT Commission's recommendations in force in relation to the flag State of the vessel concerned and the inspector may ask for any explanations that he deems necessary;

9. An inspector party shall consist of a maximum of two ICCAT inspectors unless additional inspectors are warranted by circumstances. An assistant can accompany the inspector party for trainee purposes only.
10. On boarding the vessel an inspector shall produce the document described in paragraph 6 of this Annex. Inspections shall be made so that the vessel suffers the minimum interference and inconvenience and the quality of the fish does not deteriorate. An inspector shall limit his enquiries to the ascertainment of the observance of the ICCAT Commission's recommendations in force in relation to the flag State of the vessel concerned. In making his examination an inspector may ask the master for any assistance he may require. He shall draw up a report of his inspection in a form approved by the ICCAT Commission. He shall sign the report in the presence of the master of the vessel who shall be entitled to add or have added to the report any observations which he may think suitable and must sign such observations.
11. Copies of the report shall be given to the master of the vessel and to the inspector's government, which shall transmit copies to the appropriate authorities of the flag State of the vessel and to the ICCAT Commission. Where any infringement of the recommendations is discovered the inspector should, where possible, also inform the competent authorities of the flag State, as notified to the ICCAT Commission, and any inspection ship of the flag State known to be in the vicinity;
12. Resistance to an inspector or failure to comply with his directions shall be treated by the flag State of the vessel in a manner similar to resistance to any inspector of that State or a failure to comply with his directions;
13. Inspector shall carry out their duties under these arrangements in accordance with the rules set out in this recommendation but they shall remain under the operational control of their national authorities and shall be responsible to them;
14. Contracting Governments shall consider and act on reports of foreign inspectors under these arrangements on a similar basis in accordance with their national legislation to the reports of national inspectors. The provisions of this paragraph shall not impose any obligation on a Contracting Government to give the report of a foreign inspector a higher evidential value than it would possess in the inspector's own country. Contracting Governments shall collaborate in order to facilitate judicial or other proceedings arising from a report of an inspector under these arrangements;
15. a) Contracting Governments shall inform the ICCAT Commission by 1 March each year of their provisional plans for participation in these arrangements in the following year and the Commission may make suggestions to Contracting Governments for the coordination of national operations in this field including the number of inspectors and ships carrying inspectors;
b) the arrangements set out in this recommendation and the plans for participation shall apply between Contracting Governments unless otherwise agreed between them, and such agreement shall be notified to the ICCAT Commission.

Provided however, that implementation of the scheme shall be suspended between any two Contracting Governments if either of them has notified the ICCAT Commission to that effect, pending completion of an agreement;

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

He shall report his findings to the authorities of the flag State of the inspected vessel as soon as possible.

20. New proposed model Identity Card for inspectors.

Dimensions: Width 10.4cm, Height 7cm

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| <p style="text-align: center; font-weight: bold; font-size: small;">INTERNATIONAL COMMISSION FOR THE CONSERVATION OF ATLANTIC TUNA</p> <div style="display: flex; align-items: center; justify-content: center;"> <p style="font-size: 2em; font-weight: bold; margin: 0;">ICCAT</p> </div> <p style="text-align: center; font-weight: bold; margin-top: 5px;">Inspector Identity Card</p> <div style="display: flex; justify-content: space-between;"> <div style="border: 1px dashed gray; width: 80px; height: 80px; display: flex; align-items: center; justify-content: center; font-size: x-small;"> Photograph </div> <div style="width: 60%;"> <p>Contracting Party:</p> <p>Inspector Name:</p> <p>Card n°:</p> <p>Issue Date:</p> </div> </div> <p style="text-align: right; font-size: x-small; margin-top: 10px;">Valid five years</p> | <div style="display: flex; align-items: center; justify-content: center; margin-bottom: 10px;"> <p style="font-size: 1.5em; font-weight: bold; margin: 0;">ICCAT</p> </div> <p style="font-size: x-small; margin: 0;">The holder of this document is an ICCAT inspector duly appointed under the terms of the Scheme of Joint International Inspection and Surveillance of the International Commission for the Conservation of the Atlantic Tuna and has the authority to act under the provision of the ICCAT Control and Enforcement measures.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%; border-top: 1px dotted black; font-size: x-small;"> ICCAT Executive Secretary Issuing Authority </div> <div style="width: 45%; border-top: 1px dotted black; font-size: x-small;"> Inspector </div> </div> |
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ICCAT Recommendation [10-06] on Atlantic Shortfin Mako sharks caught in association with fisheries managed by ICCAT

CONSIDERING that Atlantic shortfin mako sharks (*Isurus oxyrinchus*) are caught in association with fisheries managed by ICCAT;

TAKING INTO ACCOUNT that the 2008 ICCAT Standing Committee on Research and Statistics (SCRS) stock assessment indicated North Atlantic shortfin mako stock was depleted to about 50 percent of biomass estimated for the 1950s, and some model outcomes indicated that the stock biomass was near or below the level that would support MSY and current harvest levels are above F_{MSY} ;

RECALLING Recommendation by ICCAT Concerning the Conservation of Sharks Caught in Association with Fisheries Managed by ICCAT [Rec. 04-10], Recommendation by ICCAT to Amend Recommendation [Rec. 04-10] Concerning the Conservation of Sharks Caught in Association with Fisheries Managed by ICCAT [Rec. 05-05], and the Supplemental Recommendation by ICCAT Concerning Sharks [Rec. 07-06], including the obligation of CPCs to annually report Task I and Task II data for catches of sharks, in accordance with ICCAT data reporting procedures;

ALSO RECALLING the need to improve species-specific Task I and Task II data for sharks, as recommended by SCRS;

RECOGNIZING the continuing obligation to reduce mortality of North Atlantic shortfin mako sharks under Recommendations 05-05 and 07-06;

NOTING that the 2008 ecological risk assessment conducted by the SCRS concluded that the shortfin mako shark has low biological productivity, making it susceptible to overfishing even at low levels of fishing mortality;

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

1. CPCs shall include information in their 2012 Annual Reports on actions taken to implement Recommendations 04-10, 05-05, and 07-06, 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 2012;
3. 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;

4. The SCRS shall conduct a stock assessment for shortfin mako sharks in 2012 and advise the Commission on:
- a) the annual catch levels of shortfin mako that would support MSY;
 - b) other appropriate conservation measures for shortfin mako sharks, taking into account species identification difficulties;

The SCRS shall complete its shark identification guide and circulate it to CPCs before the 2011 Commission meeting.

ICCAT Recommendation [10-08] on Hammerhead sharks (family *Sphyrnidae*) caught in association with fisheries managed by ICCAT

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

NOTING that *Sphyrna lewini* and *Sphyrna zygaena* are among the shark species for which there are sustainability concerns.

CONSIDERING that it is difficult to differentiate between the various species of hammerhead sharks except for the bonnethead (*Sphyrna tiburo*) without taking them on board and that such action might jeopardize the survival of the captured individuals.

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

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

1. Contracting Parties, and Cooperating non-Contracting Parties, Entities or Fishing Entities (hereafter referred to as CPCs) shall prohibit retaining onboard, transshipping, landing, storing, selling, or offering for sale any part or whole carcass of hammerhead sharks of the family *Sphyrnidae* (except for the *Sphyrna tiburo*), taken in the Convention area in association with ICCAT fisheries.
2. CPCs shall require vessels flying their flag, to promptly release unharmed, to the extent practicable, hammerhead sharks when brought alongside the vessel.
3. Hammerhead 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. If it is not possible to provide catch data by species, they shall be provided at least by genus *Sphyrna*. Developing coastal CPCs exempted from this prohibition pursuant to this paragraph should endeavor not to increase their catches of hammerhead sharks. Such CPCs shall take necessary measures to ensure that hammerhead sharks of the family *Sphyrnidae* (except of *Sphyrna tiburo*) will not enter international trade and shall notify the Commission of such measures.

4. CPCs shall require that the number of discards and releases of hammerhead sharks are recorded with indication of status (dead or alive) and reported to ICCAT in accordance with ICCAT data reporting requirements.

5. CPCs shall, where possible, implement research on hammerhead sharks in the Convention area in order to identify potential nursery areas. Based on this research, CPCs shall consider time and area closures and other measures, as appropriate.

6. As appropriate, the Commission and its CPCs should, individually and collectively, engage in capacity building efforts and other cooperative activities to support the effective implementation of this Recommendation, including entering into cooperative arrangements with other appropriate international bodies.

REC. ICCAT-GFCM/35/2011/7 (D)

ICCAT Recommendation [10-09] on the bycatch of sea turtles in ICCAT fisheries

RECOGNIZING that some fishing operations carried out in the Convention area can adversely affect sea turtles and there is a need to implement measures to mitigate these adverse effects;

EMPHASIZING the need to improve the collection of scientific data regarding all sources of mortality for sea turtle populations, including but not limited to data from fisheries within the Convention area;

CONSISTENT with the call for the minimization of waste, discards, catch of non-target species (both fish and non-fish species), and impacts on associated or dependent species, in the FAO Code of Conduct for Responsible Fisheries and U.N. Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks;

GIVEN THAT the United Nations Food and Agriculture Organization (FAO) adopted the *Guidelines to Reduce Sea Turtle Mortality in Fishing Operations* at its Twenty-sixth Session of the Committee on Fisheries, held in March 2005, and recommended their implementation by regional fisheries bodies and management organizations;

NOTING the importance of harmonizing conservation and management measures with other organizations responsible for managing international fisheries, in particular following through on the commitments that have been made throughout the Kobe meeting process;

RECALLING the recommendation from the independent performance review in September 2008 that ICCAT “develop a stronger approach generally to bycatch and develop and adopt appropriate mitigation measures including reporting on the effectiveness of these measures throughout the fisheries”;

FURTHER RECALLING the *Resolution by the ICCAT on Sea Turtles* [Res. 03-11] and the *Resolution by ICCAT on Circle Hooks* [Res. 05-08];

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

1. Each CPC shall collect, and annually report to ICCAT no later than 2012 information on the interactions of its fleet with sea turtles in ICCAT fisheries by gear type, including catch rates that take into consideration gear characteristics, times and locations, target species, and disposition status (i.e., discarded dead or released alive). Data to be recorded and reported must also include a breakdown of interactions by sea turtle species, and, where possible, include the nature of the hooking or entanglement (including with Fish Aggregating Devices or FADs), bait type, hook size and type, and the size of the animal. CPCs are strongly encouraged to use observers to collect this information.

2. CPCs shall require that:

- a) purse seine vessels flagged to that CPC operating in the Convention area avoid encircling sea turtles to the extent practicable, release encircled or entangled sea turtles, including on FADs, when feasible, and report interactions between purse seines and/or FADs and sea turtles to their flag CPC so that this information is included in the CPC reporting requirements specified in paragraph 1;
- b) pelagic longline vessels flagged to that CPC operating in the Convention area carry on board safe-handling, disentanglement and release equipment capable of releasing sea turtles in a manner that maximizes the probability of their survival;
- c) fishermen on pelagic longline vessels flagged to that CPC operating under their flag use the equipment specified in item 2b above to maximize the probability of sea turtle survival and are trained in safe-handling and release techniques.

3. In advance of the 2011 SCRS meeting, if possible, and no later than 2012, the ICCAT Secretariat shall compile the data collected under paragraph 1 as well as available information from the scientific literature and other relevant sea turtle bycatch mitigation information, including that provided by CPCs and report it to the SCRS for its consideration.

4. SCRS shall also provide advice to the Commission on approaches for mitigating sea turtle bycatch in ICCAT fisheries, including reducing the number of interactions and/or the mortality associated with those interactions. Such advice should be provided, as appropriate, whether or not an assessment as envisioned in paragraph 5 has been conducted.

5. Based on the activities undertaken in paragraph 3, SCRS shall initiate an assessment of the impact of the incidental catch of sea turtles resulting from ICCAT fisheries as soon as possible and no later than 2013. After the initial assessment is complete and the results presented to the Commission, SCRS shall advise the Commission on the timing of future assessments.

6. Upon receipt of advice from the SCRS, the Commission shall consider additional measures to mitigate sea turtle bycatch in ICCAT fisheries, if necessary.

7. As appropriate, the Commission and its CPCs should, individually and collectively, engage in capacity building efforts and other cooperative activities to support the effective implementation of this recommendation, including entering into cooperative arrangements with other appropriate international bodies.

8. In their Annual Reports to ICCAT, CPCs shall report on the implementation of this Recommendation, focusing on paragraphs 1, 2, and 7. In addition, CPCs should report on other relevant actions taken to implement FAO's *Guidelines to Reduce Sea Turtle Mortality in Fishing Operations* with respect to ICCAT fisheries in their Annual Reports.

9. This recommendation replaces the *Resolution by ICCAT on Sea Turtles* [Res. 03-11] in its entirety.

ICCAT Recommendation [07-07] on reducing the incidental bycatch of seabirds in longline fisheries

RECOGNISING the need to strengthen mechanisms to protect 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), and the IOTC Working Party on Bycatch objectives;

ACKNOWLEDGING that to date some Contracting Parties and 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 finalized, their National Plan of Action on Seabirds;

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

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

RECALLING the *Resolution by ICCAT on Incidental Mortality of Seabirds [Res. 02-14]*;

CONSCIOUS that there are on-going scientific studies which may result in the identification of more effective mitigation measures and therefore that these current measures should be considered provisional;

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

1. The Commission shall develop mechanisms to enable CPCs to record data on seabird interactions, including regular reporting to the Commission, and seek agreement to implement such mechanisms as soon as possible thereafter.
2. CPCs shall collect and provide all available information to the Secretariat on interactions with seabirds, including incidental catches by their fishing vessels.
3. CPCs shall seek to achieve reductions in levels of seabird bycatch across all fishing areas, seasons and fisheries, through the use of effective mitigation measures.
4. All vessels fishing south of 20°S shall carry and use bird-scaring lines (tori poles):
 - Tori poles shall be used in consideration of the suggested tori pole design and deployment guidelines (provided for in Annex 1);
 - Tori lines are to be deployed prior to longlines entering the water at all times south of 20°S;
 - Where practical, vessels are encouraged to use a second tori pole and bird-scaring line at times of high bird abundance or activity;

- Back-up tori lines shall be carried by all vessels and be ready for immediate use.

5. Longline vessels targeting swordfish using monofilament longline gear may be exempted from the requirements of paragraph 4 of this Recommendation, on condition that these vessels set their longlines during the night, with night being defined as the period between nautical dusk/dawn as referenced in the nautical dusk/dawn almanac for the geographical position fished. In addition, these vessels are required to use a minimum swivel weight of 60g placed not more than 3m from the hook to achieve optimum sink rates.

CPCs applying this derogation shall inform the SCRS of their scientific findings resulting from their observer coverage of these vessels.

6. The Commission shall, upon receipt of information from the SCRS, consider, and if necessary, refine, the area of application of the mitigation measures specified in paragraph 4.

7. This measure is a provisional measure which will be subject to review and adjustment in the light of future available scientific advice.

8. The Commission shall consider adopting additional measures for the mitigation of any incidental catch of seabirds at its annual meeting in 2008 based on the results of the ICCAT seabird assessment which is currently underway.

Annex 1

Suggested Guidelines for Design and Deployment of Tori Lines

Preamble

These 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. 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. It is recommended that a tori line 150 m in length be used. The diameter of the section of the line in the water may be greater than that of the line above water. This increases drag and hence reduces the need for greater line length and takes account of setting speeds and length of time taken for baits to sink. The section above water should be a strong fine line (e.g. about 3 mm diameter) of a conspicuous color such as red or orange.

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, and should hang just clear of the water.
5. There should be a maximum of 5-7 m between each streamer. Ideally each streamer should be paired.
6. Each streamer pair should be detachable by means of a clip so that line stowage is more efficient.
7. The number of streamers should be adjusted for the setting speed of the vessel, with more streamers necessary at slower setting speeds. Three pairs are appropriate for a setting speed of 10 knots.

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 6 m above the water line can give about 100 m of bait protection.
2. The tori line should be set so that streamers pass over baited hooks in the water.
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.
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 that allows throwing to port and starboard, ensure that two tori lines are used.
6. Fishers are encouraged to install manual, electric or hydraulic winches to improve ease of deployment and retrieval of tori lines.

REC.ICCAT-GFCM/34/2010/4 (A)

Recommendation by ICCAT for a management framework for the sustainable exploitation of Mediterranean swordfish and replacing ICCAT Recommendation [08-03]

The General Fisheries Commission for the Mediterranean (GFCM),

RECALLING that the objectives of the Agreement establishing the General Fisheries Commission for the Mediterranean are to promote the development, conservation, rational management and proper utilization of living marine resources,

ADOPTS in conformity with the provision of paragraph 1 (h) of Article III and Article V of the GFCM Agreement the following Recommendation of the International Commission for the Conservation of Atlantic Tunas (ICCAT):

**RECOMMENDATION GFCM34/2010/4 (A)
RECOMMENDATION BY ICCAT FOR A MANAGEMENT FRAMEWORK FOR
THE SUSTAINABLE EXPLOITATION OF MEDITERRANEAN SWORDFISH
AND REPLACING ICCAT RECOMMENDATION 08-03**

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

NOTING that the SCRS in its assessment in 2007, as reaffirmed in its 2009 advice, estimated that fish less than three years old usually represent 50-70 percent of the total yearly catches in terms of numbers and 20-35 percent in terms of weight and indicates that a reduction in the volume of juvenile catches would improve yield per recruit and spawning biomass per recruit levels,

RECALLING the *Recommendation by ICCAT Relating to Mediterranean Swordfish* [Rec. 03-04], which encourages 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 and 2009, 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 bycatch in other fisheries and that all catches of swordfish should stop during the closed period,

TAKING INTO ACCOUNT that *Recommendation by ICCAT on Mediterranean Swordfish* [Rec. 08-03] 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:

1. Catching of swordfish, both as a targeted fishery and as bycatch, shall be prohibited in the Mediterranean during the period from 1 October to 30 November each year, until a long-term management plan is decided by ICCAT. Mediterranean swordfish shall not be retained on board, transhipped or landed during the period of closure.
2. CPCs shall monitor the effectiveness of this closure and submit relevant information on appropriate controls and inspections to ensure compliance with the measure by 15 October each year.
3. CPCs shall ensure the maintenance or development of adequate scientific information in the formats requested by ICCAT and in the smallest time-area possible on the swordfish catches, on the size and age distributions of all swordfish catches and on the fishing effort (fishing days per vessel, number of hooks per vessel, longline units per vessel, overall length of longline per vessel) by each pelagic longline fishery for highly migratory pelagic stocks in the Mediterranean. They shall provide these data annually by 30 June to the SCRS.
4. The Commission shall establish and maintain an ICCAT list of all fishing vessels authorised to catch swordfish in the Mediterranean Sea and make it available at the latest by 31 August each year. For the purposes of this recommendation, vessels not entered into the ICCAT list of all vessels authorised to swordfish in the Mediterranean Sea are deemed not to be authorised to catch, retain on board, tranship, transport, process or land swordfish.
5. CPCs shall communicate electronically to the ICCAT Secretariat not later than 30 June each year, the list of its fishing vessels that were authorized to carry out pelagic longline fisheries for highly migratory pelagic species in the Mediterranean during the preceding year in the format set out in the Guidelines for Submitting Data and Information Required by ICCAT. The list of vessels shall contain the following information for each vessel:
 - name of vessel;
 - register number;
 - external marking;
 - previous name (if any);
 - previous flag (if any);
 - type of vessel, length and gross tonnage (GT) and/or gross registered tonnage (GRT);
 - period(s) fished and total annual number of fishing days by fishery (i.e. by target species and area);
 - geographical areas, by ICCAT statistical rectangles, where fishing by fishery (i.e. by target species and area) was carried out;
 - number of hooks used by fishery (i.e. by target species and area);
 - number of longline units used by fishery (i.e. by target species and area);

- overall length of all longline units by fishery (i.e. by target species and area).
- 6. 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* [09-08] shall apply *mutatis mutandis*.
- 7. CPCs shall grant special fishing permits to vessels authorised to participate in pelagic longline fisheries for highly-migratory pelagic stocks in the Mediterranean for each fishery (i.e. by target species and area).
- 8. The SCRS shall provide in 2010 an updated assessment of the state of the stock on the basis of updated data from 2009. It shall assess the effects of the seasonal closure and provide advice on possible spatial temporal closures, as well as other possible technical measures, pertaining notably to rigging techniques, hook sizes and shapes, with a view to reducing by-catches of juvenile swordfish by pelagic longline fisheries. On the basis of the information provided under paragraph 5, the SCRS shall also provide an assessment of fishing capacity and possibly on a minimum catching size to achieve high yields and compatible with the selectivity of the fishing gear.
- 9. Based on such scientific advice, the ICCAT shall decide, by end of 2010, a more comprehensive long-term management plan for swordfish including, in particular, the identification of closure periods for specific areas, the establishment of fishing effort reference level and technical measures for all pelagic longline fisheries catching swordfish either as targeted or as bycatch.

This Recommendation replaces the *Recommendation by ICCAT on Mediterranean Swordfish*

REC.ICCAT-GFCM/34/2010/4 (B)

**Recommendation by ICCAT amending Recommendation [08-05]
to establish a multiannual recovery plan for bluefin tuna
in the eastern Atlantic and Mediterranean**

The General Fisheries Commission for the Mediterranean (GFCM),

RECALLING that the objectives of the Agreement establishing the General Fisheries Commission for the Mediterranean are to promote the development, conservation, rational management and proper utilization of living marine resources,

ADOPTS in conformity with the provision of paragraph 1 (h) of Article III and Article V of the GFCM Agreement the following Recommendation of the International Commission for the Conservation of Atlantic Tunas (ICCAT):

**RECOMMENDATION GFCM34/2010/4 (B)
RECOMMENDATION BY ICCAT AMENDING RECOMMENDATION 08-05
TO ESTABLISH A MULTIANNUAL RECOVERY PLAN FOR BLUEFIN TUNA
IN THE EASTERN ATLANTIC AND MEDITERRANEAN**

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

Total Allowable Catch (TAC) and associated conditions

1. The total allowable catches for eastern Atlantic and Mediterranean bluefin tuna shall be set at 13 500 tonnes in 2010. The allocation scheme established by Recommendation 08-05 shall remain unchanged.
2. The SCRS shall present a Kobe II strategy matrix reflecting recovery scenarios of eastern Atlantic and Mediterranean bluefin tuna in accordance with the multiannual recovery plan of the present Recommendation.
3. The Commission shall establish at its 2010 meeting a three-year recovery plan for 2011-2013 with the goal of achieving B_{MSY} through 2022 with at least 60 percent of probability, on a basis of the SCRS advice described in paragraph 2 above.
4. If the SCRS stock assessment detects a serious threat of fishery collapse, the Commission shall suspend all the fisheries for eastern Atlantic and Mediterranean bluefin tuna in 2011. Contracting Party, and Cooperating non-Contracting Party, Entity or Fishing Entity (hereafter referred to as CPCs) shall immediately intensify research activities so that SCRS can conduct further analysis and present recommendations on conservation and management measures necessary to resume the fisheries.

Closed fishing season

5. Purse seine fishing for bluefin tuna shall be prohibited in the eastern Atlantic and Mediterranean during the period from 15 June to 15 May.
6. The bad weather clause allowing for a possible extension of up to 5 days until 20 June (paragraph 21 of Rec. 08-05) shall be cancelled.

Further reduction of fishing capacity

7. Without prejudice to paragraph 45 of Rec. 08-05, each CPC shall reduce its fishing capacity referred to in paragraphs 42, 43 and 44 of Rec. 08-05 so as to ensure that the discrepancy between its fishing capacity and its fishing capacity commensurate with its allocated quota in 2011, 2012 and 2013, in accordance with the methodology approved at the 2009 annual meeting, shall be reduced by:
 - a) at least 50 percent in 2011
 - b) 20 percent in 2012
 - c) 5 percent in 2013
8. Management plans on fishing capacity for the remaining period shall be submitted annually for discussion and approval by the Commission.

Joint fishing operations

9. For each CPC, the number of joint fishing operations between CPCs from 2010 shall be limited to the level of 2007, 2008 or 2009. Before the start of the fishing season, each concerned CPC shall notify the number of its joint fishing operations with other CPCs to the ICCAT Secretariat.

Inter sessional meeting on compliance

10. The Commission shall review and determine each CPC's compliance, in particular that with paragraph 1 above and paragraph 46 of Recommendation 08-05, at its special session before the 2010 fishing season starts.
11. The Commission shall decide on the interim suspension or reduction of quota for the declared non compliant CPC, depending on the extent of the established non-compliance.

REC.ICCAT-GFCM/34/2010/4 (C)

Recommendation by ICCAT on the Conservation of thresher sharks caught in association with fisheries in the ICCAT convention area

The General Fisheries Commission for the Mediterranean (GFCM),

RECALLING that the objectives of the Agreement establishing the General Fisheries Commission for the Mediterranean are to promote the development, conservation, rational management and proper utilization of living marine resources,

ADOPTS in conformity with the provision of paragraph 1 (h) of Article III and Article V of the GFCM Agreement the following Recommendation of the International Commission for the Conservation of Atlantic Tunas (ICCAT):

**RECOMMENDATION GFCM34/2010/4 (C)
RECOMMENDATION BY ICCAT ON THE CONSERVATION
OF THRESHER SHARKS CAUGHT IN ASSOCIATION
WITH FISHERIES IN THE ICCAT CONVENTION AREA**

RECALLING that the Commission adopted the *Resolution by ICCAT on Atlantic Sharks* [Res. 01-11], the *Recommendation by ICCAT Concerning the Conservation of Sharks Caught in Association with Fisheries Managed by ICCAT* [Rec. 04-10], the *Recommendation by ICCAT to Amend the Recommendation 04-10 on the Conservation of Sharks Caught in Association with the Fisheries Managed by ICCAT* [Rec. 05-05], the *Supplemental Recommendation by ICCAT Concerning Sharks* [Rec. 07-06] and the *Recommendation by ICCAT on the Conservation of Bigeye Thresher Sharks (Alopias superciliosus) Caught in Association with Fisheries Managed by ICCAT* [Rec. 08-07],

CONSIDERING that thresher sharks of the family *Alopiidae* are caught as by-catch in the ICCAT Convention area,

NOTING that at its 2009 Meeting the Standing Committee on Research and Statistics (SCRS) recommended that the Commission prohibit retention and landings of bigeye thresher shark (*Alopias superciliosus*),

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

**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 prohibit, retaining onboard, transshipping, landing, storing, selling, or offering for sale any part or whole carcass of bigeye thresher sharks

(*Alopias superciliosus*) in any fishery with exception of a Mexican small-scale coastal fishery with a catch of less than 110 fish.

2. CPCs shall require vessels flying their flag to promptly release unharmed, to the extent practicable, bigeye thresher sharks when brought along side for taking on board the vessel.
3. CPCs should strongly endeavour to ensure that vessels flying their flag do not undertake a directed fishery for species of thresher sharks of the genus *Alopias spp.*
4. CPCs shall require the collection and submission of Task I and Task II data for *Alopias spp* other than *A. superciliosus* in accordance with ICCAT data reporting requirements. The number of discards and releases of *A. superciliosus* must be recorded with indication of status (dead or alive) and reported to ICCAT in accordance with ICCAT data reporting requirements.
5. CPCs shall, where possible, implement research on thresher sharks of the species *Alopias spp* in the Convention area in order to identify potential nursery areas. Based on this research, CPCs shall consider time and area closures and other measures, as appropriate.
6. *Recommendation by ICCAT on the Conservation of Bigeye Thresher Sharks (Alopias superciliosus) Caught in Association with Fisheries Managed by ICCAT [Rec. 08-07]* is superseded by this Recommendation.

REC.ICCAT- GFCM/33/2009/9 (A)

Recommendation [08-03] by ICCAT on Mediterranean swordfish

The General Fisheries Commission for the Mediterranean (GFCM),

RECALLING that the objectives of the Agreement establishing the General Fisheries Commission for the Mediterranean are to promote the development, conservation, rational management and best utilization of living marine resources,

ADOPTS, in conformity with the provision of paragraph 1 (h) of Article III and Article V of the GFCM Agreement the following Recommendation of the International Commission for the Conservation of Atlantic Tunas (ICCAT):

RECOMMENDATION 08-03 BY ICCAT ON MEDITERRANEAN SWORDFISH

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

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

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

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

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

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

4. This Recommendation replaces the *Recommendation by ICCAT on Mediterranean Swordfish* [Rec. 07-01].

REC.ICCAT- GFCM/33/2009/9 (B)

Recommendation [08-05] amending the recommendation by ICCAT to establish a multiannual recovery plan for bluefin tuna in the Eastern Atlantic and Mediterranean

The General Fisheries Commission for the Mediterranean (GFCM),

RECALLING that the objectives of the Agreement establishing the General Fisheries Commission for the Mediterranean are to promote the development, conservation, rational management and best utilization of living marine resources,

ADOPTS, in conformity with the provision of paragraph 1 (h) of Article III and Article V of the GFCM Agreement the following Recommendation of the International Commission for the Conservation of Atlantic Tunas (ICCAT):

RECOMMENDATION 08-05 AMENDING THE RECOMMENDATION BY ICCAT TO ESTABLISH A MULTIANNUAL RECOVERY PLAN FOR BLUEFIN TUNA IN THE EASTERN ATLANTIC AND MEDITERRANEAN

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

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

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

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

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

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

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

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

Part I General provisions

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

Definitions

2. For the purposes of this Plan:

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

- i) "Caging" means the transfer of bluefin tuna from the transport cage to the fattening and farming cages.
- j) "Fattening" means caging of bluefin tuna for a short period (usually 2-6 months) aiming mostly at increasing the fat content of the fish.
- k) "Farming" means caging of bluefin tuna for a period longer than one year, aiming to increase the total biomass.
- l) "Transshipment" means the unloading of all or any of the fish on board a fishing vessel to another fishing vessel at port.
- m) "Sport fishery" means a non-commercial fishery whose members adhere to a national sport organization or are issued with a national sport license.
- n) "Recreational fishery" means a non-commercial fishery whose members do not adhere to a national sport organization or are not issued with a national sport license.

Length of vessels

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

Part II Management measures

TAC and quotas

4. The total allowable catches (TACs) are fixed:
 - 2007: 29,500 t
 - 2008: 28,500 t
 - 2009: 22,000 t
 - 2010: 19,950 t¹
 - 2011: 18,500 t
5. The SCRS shall monitor and review the progress of the Plan and submit an assessment to the Commission in 2010.
6. The TAC for 2011 onwards may be adjusted following the SCRS advice. The relative shares shall be decided by the Commission in 2010.
7. The allocation scheme for 2007-2010 is set in Annex 4 to this Recommendation.

Associated conditions to TAC and quotas

8. Each CPC shall take the necessary measures to ensure that the fishing effort of its catching vessels and its traps are commensurate with the fishing opportunities on bluefin tuna available to that CPC in the Eastern Atlantic and Mediterranean Sea, including by establishing individual quotas for its catching vessels over 24 m included in the list referred to in paragraph 54 a).
9. Each CPC shall draw up an annual fishing plan for the catching vessels and traps fishing bluefin tuna in the Eastern Atlantic and Mediterranean Sea. The annual fishing plan shall identify, inter alia, the catching vessels over 24 meters included in the list referred to in paragraph 54 a) and the individual quota allocated to them and the method used to allocate quota as well as the measure to ensure the respect of the individual quota.
10. Each CPC shall also allocate a specific quota for the purpose of recreational and sport fisheries as defined in paragraph 2 m) and n).
11. No later than 1 March each year, the annual fishing plan shall be transmitted by each CPC to the ICCAT Executive Secretariat. Any subsequent modification to the annual fishing plan or to the specific method used to manage their quota shall be transmitted to the ICCAT Executive Secretariat at least 10 days before the exercise of the activity corresponding to that modification.
12. No later than 15 October, each CPC shall report to the ICCAT Executive Secretariat on the implementation of their annual fishing plans for that year. Those reports shall include:
 - a) the number of catching vessels actually engaged in active fishing activities involving bluefin tuna in the Eastern Atlantic and Mediterranean;
 - b) the catches of each catching vessel; and

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

- c) the total number of days each catching vessel fished in the Eastern Atlantic and Mediterranean.

13. The flag CPC may require the catching vessel to proceed immediately to a port designated by it when the individual quota is deemed to be exhausted.

14.

- a) No carry-over of any under-harvests shall be made under this Plan.
- b) By derogation to paragraph 4 of the 2002 *Recommendation by ICCAT Concerning a Multi-year Conservation and Management Plan for Bluefin Tuna in the East Atlantic and Mediterranean* [Rec. 02-08], no more than 50 % carry-over of any under-harvests arising from 2005 and/or 2006 may be made under this Plan. Paragraph 2 of the 1996 *Recommendation by ICCAT Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries* [Rec. 96-14] shall not apply for the overages in 2005 and 2006.
- c) The underages of Libya, Morocco and Tunisia in 2005 and 2006 may be carried over to 2009 and 2010 as follows:

| <i>CPCs</i> | <i>2009</i> | <i>2010</i> |
|-------------|-------------|-------------|
| Libya | 145 t | 145 t |
| Morocco | 327 t | 327 t |
| Tunisia | 202 t | 202 t |

- d) Any overage of a CPC shall be deducted from the next year's quotas of that CPC. Notwithstanding this provision, the payback of the European Community for its overage in 2007 shall be spread over 2009-2012 (500 t in 2009 and 2010, 1,510 t in 2011 and 2012). This payback shall be reviewed in the light of a general transparency and incentive provision on overages to be adopted by ICCAT at the latest in 2010.

15. CPCs shall be encouraged to voluntarily reduce their catches of bluefin tuna in Eastern Atlantic and Mediterranean in 2009. Notwithstanding paragraph 14 a), the voluntary reduced portion of the CPC's allocation may be carried over to 2011 on condition that such voluntary reduced portion is notified to the ICCAT Secretariat before March 1, 2009.

16. Private trade arrangements and or transfer of quotas/catch limits between CPCs shall be done only under authorization by the CPCs concerned and the Commission.

17. To comply with paragraph 1 of 2002 *Recommendation by ICCAT on Vessel Chartering* [Rec. 02-21], the percentage of a CPC's bluefin tuna quota/catch limit that may be used for chartering shall not exceed 60%, 40% and 20% of the total quota in 2007, 2008, 2009, respectively. No chartering operation for the bluefin tuna fishery is permitted in 2010. By derogation to paragraph 3 of the 2002 *Recommendation by ICCAT on Vessel Chartering* [Rec. 02-21], only bluefin tuna catching vessels flying the flag of a CPC can be chartered. The number of bluefin tuna catching vessels chartered and the duration of the charter shall be commensurate with the quota allocated to the charter nation.

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

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

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

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

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

Closed fishing seasons

19. Bluefin tuna fishing shall be prohibited in the East Atlantic and Mediterranean by large-scale pelagic longline catching vessels over 24 m during the period from 1 June to 31 December with the exception of the area delimited by West of 10°W and North of 42°N, where such fishing shall be prohibited from 1 February to 31 July.

20. Purse seine fishing for bluefin tuna shall be prohibited in the East Atlantic and Mediterranean during the period from 15 June to 15 April.

21. If a CPC can demonstrate that due to bad weather (more than 7 knots) certain of its purse seine catching vessels have been unable to utilize the fishing days referred to in paragraph 20, the CPC may carry over a maximum of 5 days lost until 20 June. This CPC shall notify by 15 June to the ICCAT Secretariat the information on the additional fishing days granted, with evidence of bad weather. The ICCAT Secretariat shall forward without delay this information to other CPCs.

22. Bluefin tuna fishing by baitboats and trolling boats shall be prohibited in the East Atlantic and Mediterranean during the period from 15 October to 15 June.

23. Bluefin tuna fishing by pelagic trawlers shall be prohibited in the East Atlantic during the period from 15 October to 15 June.

24. Bluefin tuna recreational and sport fishing shall be prohibited in the eastern Atlantic and Mediterranean from 15 October to 15 June.

Spawning grounds

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

Use of aircraft

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

Minimum size

27. CPCs shall take the necessary measures to prohibit catching, retaining on board, transshipping, transferring, landing, transporting, storing, selling, displaying or offering for sale bluefin tuna (*Thunnus thynnus thynnus*) weighing less than 30 kg.

28. By derogation of paragraph 27, a minimum size for bluefin tuna (*Thunnus thynnus thynnus*) of 8 kg shall apply to the following situations in accordance with the procedures set out in Annex 1.

- a) Bluefin tuna caught by baitboats and trolling boats in the eastern Atlantic.
- b) Bluefin tuna caught in the Adriatic Sea for farming purposes.
- c) Bluefin tuna caught in the Mediterranean Sea by the coastal artisanal fishery for fresh fish by baitboats, longliners and handliners.

29. For catching vessels fishing actively for bluefin tuna, an incidental catch of maximum 5% of bluefin tuna weighing between 10 and 30 kg may be authorized. This percentage is calculated on the total incidental catches in number of fish retained on board this vessel, or their equivalent in percentage in weight. Incidental catches must be deducted from the quota of the flag State CPC. The procedures referred to in paragraphs 61, 62, 63, 64, 66, 67 and 68 shall apply to the incidental catch.

By-catch

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

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

Recreational fisheries

31. Recreational fisheries on bluefin tuna shall be subject to the authorization for each vessel issued by the flag State CPC.

32. CPCs shall take the necessary measures to prohibit the catch and retention on board, transshipment or landing of more than one bluefin tuna in each sea trip.

33. The marketing of bluefin tuna caught in recreational fishing shall be prohibited except for charitable purposes.

34. Each CPC shall take measures to record catch data from recreational fishing and transmit them to the SCRS. Catches of recreational fisheries shall be counted against the quota allocated to the CPC in accordance with paragraph 10.

35. Each CPC shall take the necessary measures to ensure, to the greatest extent possible, the release of bluefin tuna caught alive, especially juveniles, in the framework of recreational fishing.

Sport fisheries

36. CPCs shall take the necessary measures to regulate sport fishing, notably by fishing authorizations.

37. The marketing of bluefin tuna caught in sport fishing competitions shall be prohibited except for charitable purposes.

38. Each CPC shall take measures to record catch data from sport fishing and transmit them to the SCRS. Catches of sport fishing shall be counted against the quota allocated to the CPC in accordance with paragraph 10.

39. Each CPC shall take the necessary measures to ensure, to the greatest extent possible, the release of the bluefin tuna caught alive, especially juveniles, in the framework of sport fishing.

Part III Capacity measures

Adjustment of fishing capacity

40. Each CPC shall ensure that its fishing capacity is commensurate with its allocated quota.

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

Freezing of fishing capacity

42. CPCs shall limit the number, and the corresponding gross registered tonnage, of their fishing vessels to the number and tonnage of their vessels that fished for, retained on board, transshipped, transported, or landed bluefin tuna during the period 1 January 2007 to 1 July 2008. This limit shall be applied by gear type for catching vessels and by vessel type for other fishing vessels.

43. Paragraph 42 shall not be interpreted to affect the measures contained in Annex 1 paragraphs 1 and 2 of this Recommendation.

44. CPCs shall limit the number of their traps engaged in the eastern Atlantic and Mediterranean bluefin tuna fishery to the number authorized by each CPC by 1 July 2008.

45. This freezing may not apply to certain CPCs, in particular developing States that demonstrate that they need to develop their fishing capacity so as to fully use their quota.

Such CPCs shall indicate in their management plans the programming of the introduction of additional fishing capacity into the fishery.

Reduction of fishing capacity

46. Without prejudice to paragraph 45, each CPC shall reduce its fishing capacity referred to in paragraphs 42, 43 and 44 so as to ensure for 2010 that at least 25% of the discrepancy between its fishing capacity and its fishing capacity commensurate with its allocated quota in 2010 is achieved.

47. To calculate its fishing capacity reduction, each CPC shall take into account inter alia, the estimated yearly catch rates per vessel and gear.

48. This reduction may not apply to certain CPCs that demonstrate that their fishing capacity is commensurate with their allocated quotas.

Adjustment of farming capacity

49. Each farming or fattening CPC shall establish a management plan over 2010-2013. Such plan shall be submitted to the Commission by 15 September 2009 for discussion and approval by the Commission at its annual meeting in 2009, and shall be reviewed at its annual meeting in 2010. Such plan shall include the information referred in paragraphs 50 to 53.

50. Each CPC shall limit its tuna farming capacity to the farming capacity of the farms that were registered in the ICCAT list or authorized and declared to ICCAT as of 1 July 2008.

51. Each CPC shall establish for 2010 a maximum input of wild caught bluefin tuna into its farms at the level of the input quantities registered with ICCAT by its farms in 2005, 2006, 2007 or 2008.

52. Within the maximum input quantity of wild caught bluefin tuna referred to in paragraph 51, each CPC shall allocate inputs to its farms.

53. Further adjustment of farming capacity shall be decided by the Commission at its annual meeting in 2010, depending on the level of the TAC after 2010.

Part IV
Control measures

ICCAT bluefin tuna records of vessels

54.

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

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

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

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

- a) full details of the intended replacement fishing vessel(s) referred to in paragraph 54;
- b) a comprehensive account of the reasons justifying the replacement and any relevant supporting evidence or references.

56. Conditions and procedures referred in the 2002 *Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels Over 24 Meters Authorized to Operate in the Convention Area* [Rec. 02-22] (except paragraph 3) shall apply *mutatis mutandis*.

ICCAT record of tuna traps authorized to fish for bluefin tuna

57. The Commission shall establish and maintain an ICCAT Record of all tuna traps authorized to fish for bluefin tuna in the Eastern Atlantic and Mediterranean Sea. For the purposes of this recommendation, tuna traps not entered into the record are deemed not to be authorized to be used to fish for, retain, transfer or land bluefin tuna.

58. Each CPC shall submit electronically to the ICCAT Executive Secretary, by 1 March each year, the list (including the name of the traps, register number) of its authorized tuna traps referred to in paragraph 57. Conditions and procedures referred in the 2002 *Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels Over 24 Meters Authorized to Operate in the Convention Area* [Rec. 02-22] (except paragraph 3) shall apply mutatis mutandis.

Information on fishing activities

59. By 1 March each year, each CPC shall notify the ICCAT Secretariat the list of the catching vessels included in the ICCAT record referred to in paragraph 54 a) that have fished for bluefin tuna in the eastern Atlantic and Mediterranean in the preceding fishing year.

60. Each CPC shall notify the ICCAT Secretariat of any information concerning vessels not covered in paragraph 59 but known or presumed to have fished for bluefin tuna in the eastern Atlantic and Mediterranean. The ICCAT Secretariat shall forward such information to the flag State for action as appropriate, with a copy to other CPCs for information.

Transshipment

61. Transshipment at sea operations of bluefin tuna in the East Atlantic and Mediterranean Sea shall be prohibited.

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

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

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

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

63. Prior to entry into any port, the receiving fishing vessel or its representative, shall provide the relevant authorities of the Port State at least 48 h before the estimated time of arrival, with the following:

- a) estimated time of arrival,
- b) estimated quantity of bluefin tuna retained on board, and information on the geographic area where it was taken;
- c) the name of the transshipping fishing vessel and its number in the ICCAT record of catching vessels authorized to fish actively for bluefin tuna or in the ICCAT record of

other fishing vessels authorized to operate in the eastern Atlantic and Mediterranean Sea,

- d) the name of the receiving fishing vessel, its number in the ICCAT record of catching vessels authorized to fish actively for bluefin tuna or in the ICCAT record of other fishing vessels authorized to operate in the eastern Atlantic and Mediterranean Sea,
- e) the tonnage and the geographic area of the catch of bluefin tuna to be transhipped.

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

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

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

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

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

Recording requirements

64. The masters of catching vessels shall keep a bound or electronic logbook of their operations, indicating particularly the quantities of bluefin tuna caught and kept on board, whether the catches are weighed or estimated, the date and location of such catches and the type of gear used in accordance with the requirements set out in Annex 2.

65. The masters of the catching vessels involved in a joint fishing operation shall record in their logbook:

- a) as regards the catching vessel transferring the fish into cages:
 - its name and international radio call sign;
 - the date and the time of the catch and of the transfer,
 - the location of the catch and of the transfer (longitude/latitude),
 - amount of catches taken on board, and amount of catches transferred into cages,
 - amount of catches counted against its individual quota,
 - the name of the tug boat and its ICCAT number.
- b) as regards the other catching vessels not involved in the transfer of the fish:
 - their names and international radio call signs;

- the date and the time of the catch and of the transfer,
- the location of the catch and of the transfer (longitude/latitude),
- that no catches have been taken on board or transferred into cages,
- amount of catches counted against their individual quotas,
- the name and the ICCAT number of the catching vessel referred to in (a),
- the name of the tug boat and its ICCAT number.

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

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

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

67. Prior to entry into any port, the fishing vessels or their representative, shall provide the relevant authorities of the port, at least 4 hours before the estimated time of arrival, with the following:

- a) estimated time of arrival,
- b) estimate of quantity of bluefin tuna retained on board,
- c) the information on the geographic area where the catch was taken;

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

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

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

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

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

Communication of catches

69.

- a) Each CPC shall ensure that its catching vessels fishing actively for bluefin tuna shall communicate by electronic or other means, to their competent authorities, a weekly catch report, with, as a minimum, information on the catch amount, including nil catch returns, the date and the location (latitude and longitude) of the catches. This report shall be transmitted by the latest Monday noon with the catches taken in the Plan Area during the preceding week ending Sunday midnight GMT. This report shall include information on the number of days in the Plan Area since the beginning of the fishing or since the last weekly report.
- b) Each CPC shall ensure that its purse seine catching vessels and its other catching vessels over 24 m fishing actively for bluefin tuna shall communicate, except in case of nil catch returns, by electronic or other means, to their competent authorities, a daily catch report, with, as a minimum, information on the catch amount, the date and the location (latitude and longitude) of the catches. If a CPC requires such daily reports even in case of nil catch returns, the weekly reports referred to in a) shall not be required.
- c) On the basis of the information referred to in (a) and (b), each CPC shall transmit without delay weekly catch reports for all vessels to the ICCAT Secretariat in accordance with the format set out in Annex 5.

Reporting of catches

70. Each CPC shall report its provisional monthly catches of bluefin tuna. This report shall be sent to the ICCAT Secretariat within 30 days of the end of the calendar month in which the catches were made.

71. The ICCAT Secretariat shall within 10 days following the monthly deadlines for receipt of the provisional catch statistics collect the information received and circulate it to CPCs together with aggregated catch statistics.

72. The Executive Secretary shall notify without delay all CPCs of the date on which the accumulative reported catch taken by catching vessels of the CPCs is estimated to equal 85% of the concerned CPC quota for this stock. The CPC shall take the necessary measures to close its bluefin tuna fisheries before its quota is exhausted and notify this closure without delay to the ICCAT Secretariat which will circulate this information to all CPCs.

Cross check

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

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

Transfer operations

74. Before any transfer operation into towed cages, the master of the catching vessel shall send to its flag State CPC authorities before the transfer, a prior transfer notification indicating:

- name of the catching vessel and ICCAT number record,
- estimated time of transfer,
- estimate of quantity of bluefin tuna to be transferred,
- information on the position (latitude/longitude) where the transfer will take place,
- name of the tug vessel, number of cages towed and ICCAT number record.

75. The transfer operation shall not begin without the prior authorization of the catching vessel flag State. If the flag State of the catching vessel considers on receipt of the prior transfer notification that:

- a) the catching vessel declared to have caught the fish had not sufficient quota for bluefin tuna put into the cage,
- b) the quantity of fish has not been duly reported and not taken into account for the consumption of the quota that may be applicable,
- c) the catching vessel declared to have caught the fish is not authorized to fish for bluefin tuna, or
- d) the tug vessel declared to receive the transfer of fish is not registered in the ICCAT record of all other fishing vessels referred to in paragraph 54 b) or is not equipped with a Vessel Monitoring System,

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

76. The masters of catching vessels shall complete and transmit to their flag State the ICCAT transfer declaration at the end of the transfer operation to the tug vessel, in accordance with the format set out in Annex 3.

77. The transfer declaration shall accompany the transfer of fish during transport to the farm or a designated port.

78. The authorization for transfer by the flag State does not prejudice the authorization of the caging operation.

79. The master of the caging vessel shall ensure that the transfer activities shall be monitored by video camera in the water.

80. The ICCAT Regional Observer on board the catching vessel, as referred to in the ICCAT Regional Observer Programme (Annex 7), shall record and report upon the transfer activities carried out, verify the position of the catching vessel when engaged in transfer operation, observe and estimate catches transferred and verify entries made in the prior transfer operation as referred to in paragraph 75 and in the ICCAT transfer declaration as referred to in paragraph 76.

81. The ICCAT Regional Observer shall countersign the prior transfer notification and the ICCAT transfer declaration. He shall verify that the ICCAT transfer declaration is properly filled and transmitted to the master of the tug vessel.

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

Caging Operations

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

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

83. Before any transfer operation into a farm, the flag CPC of the catching vessel shall be informed by the competent authority of the farm State of the transfer into cage of quantities caught by catching vessels flying its flag. If the flag CPC of the catching vessel considers on receipt of this information that:

- a) the catching vessel declared to have caught the fish had not sufficient quota for bluefin tuna put into the cage,
- b) the quantity of fish has not been duly reported and not taken into account for the calculation of any quota that may be applicable, or
- c) the catching vessel declared to have caught the fish is not authorized to fish for bluefin tuna,
- d) it shall inform the competent authority of the farm State to proceed to the seizure of the catches and the release of the fish into the sea.

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

84. The CPC under whose jurisdiction the farm for bluefin tuna is located shall take the necessary measures to prohibit placing in cages for farming or fattening bluefin tuna that are not accompanied by accurate, complete and validated documentation required by ICCAT.

85. The CPC under whose jurisdiction the farm is located shall ensure that transfer activities from cages to the farm shall be monitored by video camera in the water. This requirement shall not apply where the cages are directly fixed to the mooring system.

Trap activities

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

VMS

87. Without prejudice to paragraph 1 d) of Recommendation [06-07], CPCs shall implement a vessels monitoring system for their fishing vessels over 24 m, in accordance with the 2003 Recommendation by ICCAT Concerning Minimum Standards for the Establishment of a Vessel Monitoring System in the ICCAT Convention Area [Rec. 03-14].

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

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

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

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

CPC Observer Program

88. Each CPC shall ensure observer coverage on its catching vessels actively fishing for bluefin tuna over 15 m in overall length of at least:

- 20% of its active purse seine vessels between 15 m and 24 m in overall length;
- 20% of its active pelagic trawlers,
- 20% of its active longline vessels,
- 20% of its active baitboats,
- 100% during the harvesting process for tuna traps.

The observer tasks shall be, in particular, to:

- a) monitor a catching vessel compliance with the present recommendation,
- b) record and report upon the fishing activity, which shall include, inter alia, the following:
 - amount of catch (including by-catch), that also includes species disposition, such as retained on board or discarded dead or alive,

REC.ICCAT- GFCM/33/2009/9 (B)

- area of catch by latitude and longitude,
 - measure of effort (e.g., number of sets, number of hooks, etc.), as defined in the ICCAT Field Manual for different gears.
 - date of catch,
- c) observe and estimate catches and verify entries made in the logbook,
- d) sight and record vessels that may be fishing contrary to ICCAT conservation measures.

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

In implementing this observer requirement, CPCs shall:

- a) ensure representative temporal and spatial coverage to ensure that the Commission receives adequate and appropriate data and information on catch, effort, and other scientific and management aspects, taking into account characteristics of the fleets and fisheries;
- b) ensure robust data collection protocols;
- c) ensure observers are properly trained and approved before deployment;
- d) ensure, to the extent practicable, minimal disruption to the operations of vessels fishing in the Convention Area.

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

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

ICCAT Regional observer Programme

89. An ICCAT Regional Observer Programme shall be established to ensure an observer coverage of 100%:

- of purse seine vessels over 24 m during all the annual fishing season (Annex 7);
- of all purse seiners involved in joint fishing operations, irrespective of the length of the vessels. In this respect, an observer shall be present during the fishing operation;
- during all transfer of bluefin tuna to the cages and all harvest of fish from the cage.

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

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

The observer tasks shall be, in particular, to:

- observe and monitor farming operation compliance with the Recommendation by ICCAT on Bluefin Tuna Farming [Rec. 06-07],
- validate the caging report referred to in paragraph 82,

- carry out such scientific work, for example collecting samples, as required by the Commission based on the directions from the SCRS.

Enforcement

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

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

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

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

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

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

Access to video records

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

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

Market measures

94. Consistent with their rights and obligations under international law, exporting and importing CPCs shall take the necessary measures:

- to prohibit domestic trade, landing, imports, exports, placing in cages for farming, re-exports and transshipments of eastern Atlantic and Mediterranean bluefin tuna species that are not accompanied by accurate, complete, and validated documentation required

by this Recommendation and Recommendation [08-12] on a bluefin tuna catch documentation programme.

- to prohibit domestic trade, imports, landings, placing in cages for farming, processing, exports, re-exports and the transshipment within their jurisdiction, of eastern and Mediterranean bluefin tuna species caught by fishing vessels whose flag State either does not have a quota, catch limit or allocation of fishing effort for that species, under the terms of ICCAT management and conservation measures, or when the flag State fishing possibilities are exhausted, or when the individual quotas of catching vessels referred to in paragraph 9 are exhausted;
- to prohibit domestic trade, imports, landings, processing, exports from farms that do not comply with the Recommendation by ICCAT on Bluefin Tuna Farming [Rec. 06-07].

Conversion factors

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

Growth factors

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

Part V ICCAT Scheme of Joint International Inspection

97. In the framework of the multi-annual management plan for bluefin tuna, each CPC agrees, in accordance with Article 9, paragraph 3, of the ICCAT Convention, to apply the ICCAT Scheme of Joint International Inspection adopted during its Fourth Regular Meeting, held in November 1975 in Madrid², as modified in Annex 8.

98. The Scheme referred to in paragraph 97 shall apply until ICCAT adopts a monitoring, control and surveillance scheme which will include an ICCAT scheme for joint international inspection, based on the results of the Integrated Monitoring Measures Working Group, established by Resolution 00-20.

Part VI Final provisions

99. Availability of data to the SCRS

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

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

All data shall be treated in a confidential manner.

100. Evaluation

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

101. Cooperation

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

102. Repeals

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

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

Specific conditions applying to the catching vessels referred to in Paragraph 28

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

Each CPC may allocate no more than 90% of its quota for bluefin tuna among its catching vessel in Adriatic for farming purposes.

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

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

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

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

Each landing shall be subjected to an inspection in port.

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

9. CPCs shall implement a catch reporting regime that ensures that an effective monitoring of the utilization of each vessels quota.

10. Bluefin tuna catches may not be offered for retail sale to the final consumer, irrespective of the marketing method, unless appropriate marking or labeling indicates:

- a) the species, fishing gear used,
- b) the catch area and date.

11. Beginning 1 July 2007, CPCs whose baitboats, longliners, handliners and trolling boats are authorized to fish for bluefin tuna in the East Atlantic and Mediterranean shall institute tail tag requirements as follows:

- a) Tail tags must be affixed on each bluefin tuna immediately upon offloading.
- b) Each tail tag shall have a unique identification number and be included on bluefin tuna catch documents and written on the outside of any package containing tuna.

12. The master of the catching vessel shall ensure that any quantity of bluefin tuna landed in designated port shall be weighed before first sale or before being transported elsewhere from the port of landing.

Minimum specification for logbooks:

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

Minimum standard information for logbooks:

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

Minimum information in case of landing, transshipment/transfer:

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

Document No.

ICCAT TRANSFER/TRANSHIPMENT DECLARATION

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

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

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

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

REC.ICCAT- GFCM/33/2009/9 (B)

ICCAT Observer signature (if applicable).

Obligations in case of transfer/transshipment:

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

Allocation Scheme for 2007-2010

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

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

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

ICCAT Regional Observer Programme

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

Designation of the observers

6. The designated observers shall have the following qualifications to accomplish their tasks:
sufficient experience to identify species and fishing gear;
 - satisfactory knowledge of the ICCAT conservation and management measures assessed by a certificate provided by the CPCs and based on ICCAT training guidelines;
 - the ability to observe and record accurately;
 - a satisfactory knowledge of the language of the flag of the vessel or farm observed.

Obligations of the observer

7. Observers shall:
have completed the technical training required by the guidelines established by ICCAT;
 - a) be nationals of one of the CPCs and, to the extent possible, not of the farm State or flag State of the purse seine vessel;
 - b) be capable of performing the duties set forth in point 8 below;
 - c) be included in the list of observers maintained by the Secretariat of the Commission;
 - d) not have current financial or beneficial interests in the bluefin tuna fishery.
8. The observer tasks shall be in particular:
 - a) As regards observers on purse-seine vessels, to monitor the purse seine vessels' compliance with the relevant conservation and management measures adopted by the Commission. In particular the observers shall:
 - i) record and report upon the fishing activities carried out;

- ii) observe and estimate catches and verify entries made in the logbook;
 - iii) issue a daily report of the purse seiner vessels' transfer activities;
 - iv) sight and record vessels which may be fishing in contravention to ICCAT conservation and management measures;
 - v) record and report upon the transfer activities carried out;
 - vi) verify the position of the vessel when engaged in transfer;
 - vii) observe and estimate products transferred, including through the review of video recordings;
 - viii) verify and record the name of the fishing vessel concerned and its ICCAT number;
 - ix) carry out scientific work such as collecting task II data when required by the Commission, based on the directives from the SCRS.
- b) As regards observers in the farms, to monitor the farms' compliance with the relevant conservation and management measures adopted by the Commission. In particular the observers shall:
- i) verify the data contained in the transfer declaration and caging declaration, including through the review of video records;
 - ii) certify the data contained in the transfer declaration and caging declaration;
 - iii) issue a daily report of the farms' transfer activities;
 - iv) countersign the transfer declaration and caging declaration;
 - v) carry out such scientific work, for example collecting samples, as required by the Commission, based on the directives from the SCRS.
- c) establish general reports compiling the information collected in accordance with this paragraph and provide the master and farm operator the opportunity to include therein any relevant information.
- d) submit to the Secretariat the aforementioned general report within 20 days from the end of the period of observation.
- e) exercise any other functions as defined by the Commission.

9. Observers shall treat as confidential all information with respect to the fishing and transfer operations of the purse seiners and of the farms and accept this requirement in writing as a condition of appointment as an observer;

10. Observers shall comply with requirements established in the laws and regulations of the flag or farm State which exercises jurisdiction over the vessel or farm to which the observer is assigned.

11. Observers shall respect the hierarchy and general rules of behavior which apply to all vessel and farm personnel, provided such rules do not interfere with the duties of the observer under this program, and with the obligations of vessel and farm personnel set forth in paragraph 12 of this program.

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

12. The responsibilities regarding observers of the flag States of the purse seine vessels and their masters shall include the following, notably:

- a) Observers shall be allowed to access to the vessel and farm personnel and to the gear, cages and equipment;

- b) Upon request, observers shall also be allowed access to the following equipment, if present on the vessels to which they are assigned, in order to facilitate the carrying out of their duties set forth in paragraph 8:
 - i) satellite navigation equipment;
 - ii) radar display viewing screens when in use;
 - iii) electronic means of communication;
- c) Observers shall be provided accommodations, including lodging, food and adequate sanitary facilities, equal to those of officers;
- d) Observers shall be provided with adequate space on the bridge or pilot house for clerical work, as well as space on deck adequate for carrying out observer duties; and
- e) The flag States shall ensure that masters, crew, farm and vessel owners do not obstruct, intimidate, interfere with, influence, bribe or attempt to bribe an observer in the performance of his/her duties.

The Secretariat, in a manner consistent with any applicable confidentiality requirements, is requested to provide to the farm State or flag State of the purse seine vessel, copies of all raw data, summaries, and reports pertaining to the trip. The Secretariat shall submit the observer reports to the Compliance Committee and to the SCRS.

Observer fees

- a) The costs of implementing this program shall be financed by the farm operators and purse seiner's owners. The fee shall be calculated on the basis of the total costs of the program. This fee shall be paid into a special account of the ICCAT Secretariat and the ICCAT Secretariat shall manage the account for implementing the program;
- b) No observer shall be assigned to a vessel or farm for which the fees, as required under subparagraph a), have not been paid.

ICCAT Scheme of Joint International Inspection

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

I. Serious violations

1. For the purposes of these procedures, a serious violation means the following violations of the provisions of the ICCAT conservation and management measures adopted by the Commission:

- a) fishing without a license, permit or authorization issued by the flag CPC,
- b) failure to maintain sufficient records of catch and catch-related data in accordance with the Commission's reporting requirements or significant misreporting of such catch and/or catch-related data;
- c) fishing in a closed area;
- d) fishing during a closed season;
- e) intentional taking or retention of species in contravention of any applicable conservation and management measure adopted by the ICCAT;
- f) significant violation of catch limits or quotas in force pursuant to the ICCAT rules;
- g) using prohibited fishing gear;
- h) falsifying or intentionally concealing the markings, identity or registration of a fishing vessel;
- i) concealing, tampering with or disposing of evidence relating to investigation of a violation;
- j) multiple violations which taken together constitute a serious disregard of measures in force pursuant to the ICCAT;
- k) assault, resist, intimidate, sexually harass, interfere with, or unduly obstruct or delay an authorized inspector or observer;
- l) intentionally tampering with or disabling the vessel monitoring system;
- m) such other violations as may be determined by the ICCAT, once these are included and circulated in a revised version of these procedures;
- n) fishing with assistance of spotter planes;
- o) interference with the satellite monitoring system and/or operates without VMS system;
- p) transfer activity without transfer declaration.

2. In the case of any boarding and inspection of a fishing vessel during which the authorized inspectors observe an activity or condition that would constitute a serious violation, as defined in paragraph 1, the authorities of the inspection vessels shall immediately notify the authorities of the fishing vessel, directly as well as through the ICCAT Secretariat.

3. The flag State CPC shall ensure that, following the inspection referred to in paragraph 2 of this Annex, the fishing vessel concerned ceases all fishing activities. The flag State CPC shall require the fishing vessel to proceed immediately to a port designated by it, and where an investigation shall be initiated.

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

II. Conduct of inspections

4. Inspection shall be carried out by inspectors of the fishery control services of Contracting Governments. The names of the inspectors appointed for that purpose by their respective governments shall be notified to the ICCAT Commission;

5. Ships carrying inspectors shall fly a special flag or pennant approved by the ICCAT Commission to indicate that the inspector is carrying out international inspection duties. The names of the ships so used for the time being, which may be either special inspection vessels or fishing vessels, shall be notified to the ICCAT Commission, as soon as may be practical;

6. Each inspector shall carry an identity document supplied by the authorities of the flag State in the form shown in paragraph 17 of this Annex and giving him an appointment stating that he has authority to act under arrangements approved by the ICCAT Commission. This identity document shall be valid for a minimum of five years;

7. Subject to the arrangements agreed under paragraph 12 of this Annex, a vessel employed for the time being in fishing for tuna or tuna-like fishes in the Convention Area outside the waters within its national jurisdiction shall stop when given the appropriate signal in the International Code of Signals by a ship carrying an inspector unless it is actually carrying out fishing operations, in which case it shall stop immediately once it has finished such operations. The master¹ of the vessel shall permit the inspector, who may be accompanied by a witness, to board it. The master shall enable the inspector to make such examination of catch or gear and any relevant documents as the inspector deems necessary to verify the observance of the ICCAT Commission's recommendations in force in relation to the flag State of the vessel concerned and the inspector may ask for any explanations that he deems necessary;

8. On boarding the vessel an inspector shall produce the document described in paragraph 6 of this Annex. Inspections shall be made so that the vessel suffers the minimum interference and inconvenience and the quality of the fish does not deteriorate. An inspector shall limit his enquiries to the ascertainment of the observance of the ICCAT Commission's recommendations in force in relation to the flag State of the vessel concerned. In making his examination an inspector may ask the master for any assistance he may require. He shall draw up a report of his inspection in a form approved by the ICCAT Commission. He shall sign the report in the presence of the master of the vessel who shall be entitled to add or have added to the report any observations which he may think suitable and must sign such observations. Copies of the report shall be given to the master of the vessel and to the inspector's government, which shall transmit copies to the appropriate authorities of the flag State of the vessel and to the ICCAT Commission. Where any infringement of the recommendations is discovered the inspector should, where possible, also inform the competent authorities of the flag State, as notified to the ICCAT Commission, and any inspection ship of the flag State known to be in the vicinity;

¹ Master refers to the individual in charge of the vessel.

9. Resistance to an inspector or failure to comply with his directions shall be treated by the flag State of the vessel in a manner similar to resistance to any inspector of that State or a failure to comply with his directions;

10. Inspector shall carry out their duties under these arrangements in accordance with the rules set out in this recommendation but they shall remain under the operational control of their national authorities and shall be responsible to them;

11. Contracting Governments shall consider and act on reports of foreign inspectors under these arrangements on a similar basis in accordance with their national legislation to the reports of national inspectors. The provisions of this paragraph shall not impose any obligation on a Contracting Government to give the report of a foreign inspector a higher evidential value than it would possess in the inspector's own country. Contracting Governments shall collaborate in order to facilitate judicial or other proceedings arising from a report of an inspector under these arrangements;

12.

a) Contracting Governments shall inform the ICCAT Commission by 1 March each year of their provisional plans for participation in these arrangements in the following year and the Commission may make suggestions to Contracting Governments for the coordination of national operations in this field including the number of inspectors and ships carrying inspectors;

b) the arrangements set out in this recommendation and the plans for participation shall apply between Contracting Governments unless otherwise agreed between them, and such agreement shall be notified to the ICCAT Commission:

Provided however, that implementation of the scheme shall be suspended between any two Contracting Governments if either of them has notified the ICCAT Commission to that effect, pending completion of an agreement;

13.

a) the fishing gear shall be inspected in accordance with the regulations in force for the subarea in which the inspection takes place. The inspector will state the nature of this violation in this report;

b) inspectors shall have the authority to inspect all fishing gear in use or that fishing gear on deck ready for use;

14. The inspector shall affix an identification mark approved by the ICCAT Commission to any fishing gear inspected which appears to be in contravention of the ICCAT Commission's recommendations in force in relation to the flag State of the vessel concerned and shall record this fact in his report;



15. The inspector may photograph the gear in such a way as to reveal those features which in his opinion are not in conformity with the regulation in force, in which case the subjects photographed should be listed in the report and copies of the photographs should be attached to the copy of the report to the flag State;

16. The inspector shall have authority, subject to any limitations imposed by the ICCAT Commission, to examine the characteristics of catches, to establish whether the ICCAT Commission's recommendations are being complied with.

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

17. New proposed model Identity Card for inspectors.

Dimensions: Width 10.4cm, Height 7cm

| | | |
|---|--|---|
| <p>INTERNATIONAL COMMISSION FOR THE CONSERVATION OF ATLANTIC TUNA</p>  <p>ICCAT</p> <p>Inspector Identity Card</p> <p>Contracting Party:</p> <p>Inspector Name:</p> <p>Card n°:</p> <p>Issue Date: Valid five years</p> <p>Photograph</p> | |  <p>ICCAT</p> <p>The holder of this document is an ICCAT inspector duly appointed under the terms of the Scheme of Joint International Inspection and Surveillance of the International Commission for the Conservation of the Atlantic Tuna and has the authority to act under the provision of the ICCAT Control and Enforcement measures.</p> <p>..... ICCAT Executive Secretary Issuing Authority</p> <p>..... Inspector</p> |
|---|--|---|

REC.ICCAT- GFCM/33/2009/9 (C)

Recommendation [08-12] by ICCAT amending recommendation [07-10] on an ICCAT bluefin tuna catch documentation program

The General Fisheries Commission for the Mediterranean (GFCM),

RECALLING that the objectives of the Agreement establishing the General Fisheries Commission for the Mediterranean are to promote the development, conservation, rational management and best utilization of living marine resources,

ADOPTS, in conformity with the provision of paragraph 1 (h) of Article III and Article V of the GFCM Agreement the following Recommendation of the International Commission for the Conservation of Atlantic Tunas (ICCAT):

**RECOMMENDATION 08-12 BY ICCAT AMENDING
RECOMMENDATION 07-10 ON AN ICCAT BLUEFIN TUNA
CATCH DOCUMENTATION PROGRAM**

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

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

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

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

PART I GENERAL PROVISIONS

1. Each Contracting Party, Cooperating non-Contracting Party, Entity and Fishing Entity (hereafter referred to as CPCs) shall take the necessary steps to implement an ICCAT Bluefin Tuna Catch Documentation Scheme for the purpose of identifying the origin of any bluefin tuna in order to support the implementation of conservation and management measures.

2. For the purpose of this Programme:

a) "Domestic trade" means:

- trade of bluefin tuna harvested in the ICCAT Convention area by a vessel or trap, which is landed in the territory of the CPC where the vessel is flagged or where the trap is established, and

- trade of farmed bluefin tuna products originating from bluefin tuna harvested in the ICCAT Convention area by a vessel which is flagged to the same CPC where the farm is established, which is supplied to any entity in this CPC, and
 - trade between the Member States of the European Community of bluefin tuna harvested in the ICCAT Convention area by vessels flagged to one Member State or by a trap established in one Member State.
- b) "Export" means:
Any movement of bluefin tuna in its harvested or processed form (including farmed) from the territory of the CPC where the fishing vessel is flagged or where the trap or farm is established to the territory of another CPC or non-Contracting Party, or from the fishing grounds to the territory of a CPC which is not the flag CPC of the fishing vessel or to the territory of a non-Contracting Party.
- c) "Import" means:
Any introduction of bluefin tuna in its harvested or processed form (including farmed) into the territory of a CPC, which is not the CPC where the fishing vessel is flagged or where the trap or the farm is established.
- d) "Re-export" means:
Any movement of bluefin tuna in its harvested or processed form (including farmed) from the territory of a CPC where it has been previously imported.
- e) "flag State" means the State where the fishing vessel is flagged; "trap State" means the State where the trap is established; and "farm State" means the State where the farm is established.
3. CPCs shall require a completed Bluefin Tuna Catch Document (BCD) for each bluefin tuna:
- a) landed at its ports,
 - b) delivered to its farms, and
 - c) harvested from its farms.

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

4. In order to support an effective BCD, CPCs shall:
- a) not place bluefin tuna into a farm not authorized by the CPC or listed in the ICCAT record,
 - b) not place bluefin tuna from different years or CPCs in the same cages unless effective measures are in place to determine the CPC of origin and catch year when the bluefin tuna are ultimately harvested from the farm
5. Each CPC shall provide BCD forms only to catching vessels and traps authorized to fish bluefin tuna in the Convention area, including as by-catch. Such forms are not

transferable. Each BCD form shall have a unique document identification number. Document numbers shall be specific to the flag or trap State and assigned to the catching vessel or trap.

5. Domestic trade, export, import and re-export of fish parts other than the meat (i.e., heads, eyes, roes, guts and tails) shall be exempted from the requirements of this Recommendation.

PART II VALIDATION OF BCDs

7. The catching vessel master or trap operator, or its authorized representative, or the operator of farms, or the authorized representative of the flag, farm, or trap State, shall complete the BCD by providing the required information in appropriate sections and request validation in accordance with paragraph 9 for a BCD for catch landed, transferred to cages, harvested, transhipped, domestically traded or exported on each occasion that it lands, transfers, harvests, tranships, domestically trades or exports bluefin tuna.

8. A validated BCD shall include, as appropriate, the information identified in Annex 1 attached. A BCD format is attached as Annex 2. In cases where a section of the BCD format does not provide enough room to completely track movement of BFT from catch to market, the needed information section of the BCD may be expanded as necessary and attached as an annex using the original BCD format and number. The authorized representative of the CPC shall validate the annex as soon as possible but not later than the next movement of BFT.

9.

- a) The BCD must be validated by an authorized government official, or other authorized individual or institution, of the flag State of the catching vessel, the State of the seller/exporter, or the trap or farm State that caught, harvested, domestically traded or exported the bluefin tuna. If the catching vessel is operating under a charter arrangement, the BCD must be validated by an authorized governmental official or institution of the chartering entity's CPC.
- b) The CPCs shall validate the BCD for all bluefin tuna products only when all the information contained in the BCD has been established to be accurate as a result of the verification of the consignment, and only when the accumulated validated amounts are within their quotas or catch limits of each management year, including, where appropriate, individual quotas allocated to catching vessels or traps, and when those products comply with other relevant ICCAT provisions of the conservation and management measures.
- c) Validation under 9(a) shall not be required in the event that all bluefin tuna available for sale are tagged by the flag State of the catching vessel or the trap State that fished the bluefin tuna.
- d) Where the bluefin tuna quantities caught and landed are less than 1 metric ton or three fish, the logbook or the sales note may be used as a temporary BCD, pending the validation of the BCD within seven days and prior to export.

PART III VALIDATION OF BFTRCs

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

PART IV VERIFICATION AND COMMUNICATION

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

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

PART V TAGGING

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

accumulated catch amounts are within their quotas or catch limits of each management year, including, where appropriate, individual quotas allocated to vessels or traps.

PART VI VERIFICATION

18. Each CPC shall ensure that its competent authorities, or other authorized individual or institution, take steps to identify each consignment of bluefin tuna landed in, domestically traded in, imported into or exported or re-exported from its territory and request and examine the validated BCD(s) and related documentation of each consignment of bluefin tuna. These competent authorities, or authorized individuals or institutions, may also examine the content of the consignment to verify the information contained in the BCD and in related documents and, where necessary, shall carry out verifications with the operators concerned.

19. If, as a result of examinations or verifications carried out pursuant to paragraph 18 above, a doubt arises regarding the information contained in a BCD, the final importing State and the CPC whose competent authorities validated the BCD(s) or BFTRCs shall cooperate to resolve such doubts.

20. If a CPC involved in trade of bluefin tuna identifies a consignment with no BCD, it shall notify the findings to the exporting State and, where known, the flag State.

21. Pending the examinations or verifications under paragraph 18 to confirm compliance of the bluefin tuna consignment with the requirements in the present Recommendation and any other relevant Recommendations, the CPCs shall not grant its release for domestic trade, import or export, nor, in the case of live bluefin tuna destined to farms, accept the transfer declaration.

22. Where a CPC, as a result of examination or verifications under paragraph 18 above and in cooperation with the validating authorities concerned, determines that a BCD or BFTRC is invalid, the domestic trade, import, export or re-export of the bluefin tuna concerned shall be prohibited.

23. The Commission shall request the non-Contracting Parties that are involved in domestic trade, import, export or re-export of bluefin tuna to cooperate with the implementation of the Program and to provide to the Commission data obtained from such implementation.

PART VII NOTIFICATION AND COMMUNICATION

24. Each CPC that validates BCDs in respect of its flag catching vessels, traps or farms in accordance with paragraph 9(a), shall notify the ICCAT Secretariat of the government authorities, or other authorized individuals or institutions (name and full address of the organization(s) and, where appropriate, name and title of the validating officials who are individually empowered, sample form of document, sample impression of stamp or seal, and as appropriate tag samples) responsible for validating and verifying BCDs or BFTRCs. This notification shall indicate the date at which this entitlement comes into force. A copy of the provisions adopted in national law for the purpose of implementing the bluefin tuna catch documentation program shall be communicated with the initial notification, including

procedures to authorize non-governmental individuals or institutions. Updated details on validating authorities and national provisions shall be communicated to the ICCAT Secretariat in a timely fashion.

25. The information on validating authorities transmitted by notifications to the ICCAT Secretariat shall be placed on the password protected page of the database on validation held by the ICCAT Secretariat. The list of the CPCs having notified their validating authorities and the notified dates of entry into force of the validation shall be placed on a publicly accessible website held by the ICCAT Secretariat. CPCs are encouraged to access this information to help verify the validation of BCDs and BFTRCs.

26. Each CPC shall notify to the ICCAT Secretariat the points of contact (name and full address of the organization(s)) that should be notified when there are questions related to BCDs or BFTRCs.

27. Copies of validated BCDs and notification pursuant to paragraphs 24, 25 and 26 shall be sent by CPCs to the ICCAT Secretariat, by electronic means, whenever possible.

28. The Commission shall consider the introduction of an electronic system as informed by results reported to the Commission from the electronic statistical document pilot programs conducted by CPCs in accordance with *Recommendation by ICCAT on an Electronic Statistical Document Pilot Program* [Rec. 06-16]. Those CPCs which implement an electronic system in advance of the Commission shall ensure the electronic system meets the requirements of this measure and has the ability to produce paper copies upon request of national authorities from the exporting and importing Parties.

29. Copies of BCDs shall follow each part of split shipments or processed product, using the unique document number of the BCD to link them.

30. CPCs shall keep copies of documents issued or received for at least two years.

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

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

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

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

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

1. ICCAT Bluefin tuna catch document number*
2. Catch Information
 - Vessel or trap name*
 - Flag State*
 - ICCAT Record No.
 - Date, area of catch and gear used*
 - Number of fish, total weight, and average weight*¹
 - Tag No. (if applicable)
 - Government validation
 - Name of authority and signatory, title, address, signature, seal and date
3. Trade Information for live fish trade
 - Product description
 - Exporter/Seller information
 - Transportation description
 - Government validation
 - Name of authority and signatory, title, address, signature, seal and date
 - Importer/buyer
4. Transfer information
 - Towing vessel description
 - Vessel name, flag
 - ICCAT Record No. and towing cage number (if applicable)
5. Transshipment information
 - Carrier vessel description
 - Name
 - Flag State
 - ICCAT Record No.
 - Date
 - Port (name and country or position)
 - Product description
 - (F/FR; RD/GG/DR/FL/OT)
 - Total weight (NET)
 - Government validation
 - Name of authority and signatory, title, address, signature, seal and date
6. Farming information
 - Farming facility description
 - Name, flag of farm*, ICCAT FFB No.* and location of farm
 - Participation in national sampling program (yes or no)
 - Cage description
 - Date of caging, cage number

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.

- Fish description
- Estimates of number of fish, total weight, and average weight*
- Estimated size composition (<8 kg, 8-30 kg, >30 kg)
- Government validation
- Name of authority and signatory, title, address, signature, seal and date

7. Harvest from Farms information

- Harvest description
- Date of harvest*
- Number of fish, total (round) weight, and average weight*
- Tag numbers (if applicable)
- Government validation
- Name of authority and signatory, title, address, signature, seal and date

8. Trade information

- Product description
- (F/FR; RD/GG/DR/FL/OT)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, address, 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

Bluefin Tuna Catch Document Form

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

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

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

1. Document number of the BFTRC*
2. Re-export section
 - Re-exporting CPC/Entity/Fishing Entity
 - Point of re-export*
3. Description of imported bluefin tuna
 - Product type F/FR RD/GG/DR/FL/OT⁴
 - Net weight (kg)
 - BCD number(s) and date(s) of importation*
 - Flag(s) of fishing vessel(s) or state of establishment of the trap, where appropriate
4. Description of bluefin tuna to be re-exported
 - Product type F/FR RD/GG/DR/FL/OT*¹
 - Net weight (kg)*
 - Corresponding BCD number(s) from section 3
 - State of destination
5. Statement of re-exporter
 - Name
 - Address
 - Signature
 - Date
6. Validation by governmental authorities
 - Name and address of the authority
 - Name and position of the official
 - Signature
 - Date
 - Government seal
7. Import section
 - Statement by the importer in the CPC of import of the bluefin tuna consignment
 - Name and address of the importer
 - Name and signature of the importer's representative and date
 - Point of import: City and CPC*

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

⁴ When different types of products are recorded in this section, the weight shall be recorded by each product type

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

Reporting CPC:

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

1. Information extracted from BCDs

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

2. Information on cases under Part VI paragraph 18.

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

REC.ICCAT-GFCM/32/2008/2

ICCAT recommendation [07-01] on Mediterranean swordfish

The General Fisheries Commission for the Mediterranean (GFCM),

RECALLING that the objectives of the Agreement establishing the General Fisheries Commission for the Mediterranean are to promote the development, conservation, rational management and proper utilization of living marine resources,

ADOPTS in conformity with the provisions of paragraph 1 (h) of Article III and Article V of the GFCM Agreement the following Recommendation of the International Commission for the Conservation of Atlantic Tunas (ICCAT):

RECOMMENDATION [07-01] BY ICCAT ON MEDITERRANEAN SWORDFISH

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

NOTING that the SCRS in its 2007 assessment 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 that a reduction in the volume of juvenile catches would improve yield per recruit and spawning biomass per recruit levels;

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

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

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

1. Fishing for Mediterranean swordfish shall be prohibited in the Mediterranean Sea during the period from October 15 to November 15, 2008.
2. CPCs shall monitor the impact of this closure and submit relevant information to the SCRS.
3. CPCs shall ensure the maintenance or development of adequate scientific information in the formats requested by ICCAT and in the smallest time-area possible on the size distributions of the catches.

REC.ICCAT-GFCM/31/2007/3 (A)

ICCAT recommendation [06-05] to establish a multi-annual recovery plan for bluefin tuna in the eastern Atlantic and Mediterranean

The General Fisheries Commission for the Mediterranean (GFCM),

RECALLING that the objectives of the Agreement establishing the General Fisheries Commission for the Mediterranean are to promote the development, conservation, rational management and proper utilization of living marine resources,

ADOPTS in conformity with the provisions of paragraph 1 (h) of Article III and Article V of the GFCM Agreement the following Recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT):

RECOMMENDATION [06-05] BY ICCAT TO ESTABLISH A MULTI-ANNUAL RECOVERY PLAN FOR BLUEFIN TUNA IN THE EASTERN ATLANTIC AND MEDITERRANEAN

RECOGNIZING that the Commission's Standing Committee on Research and Statistics (SCRS) has indicated in its 2006 stock assessment that the spawning stock biomass (SSB) for bluefin tuna continues to decline, while fishing mortality is increasing rapidly, especially for large fish,

NOTING that the SCRS has indicated a possible collapse of the stocks in the near future unless adequate management measures are implemented, in view of its estimation of the combined fishing capacity of all fleets and the current fishing mortality rates,

CONSCIOUS that in order to reverse these declines in spawning biomass and to initiate recovery, the SCRS recommends substantial reductions in fishing mortality and catch,

CONSIDERING that the SCRS has pointed out that management actions are also needed to mitigate the impacts of over-capacity, as well as to eliminate illegal fishing,

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

TAKING INTO ACCOUNT the stock recovery scenarios developed by SCRS based on the stock assessment carried out in 2006,

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

CONVINCED that to achieve those objectives, it is necessary to implement a coherent Recovery Plan for that stock over a fifteen year period. The objective is to recover the stock

through a combination of measures which will protect the spawning stock biomass and reduce the juvenile catches,

NOTING that the measures included in the Multi-Annual Recovery Plan should be considered as specific emergency measures to address the status of bluefin stock,

NOTING that a substantial reduction of the fishing mortality, both on juveniles and adult fish could be obtained in a first stage by a combination of closed fishing seasons and increased minimum size,

TAKING INTO ACCOUNT the 2001 *ICCAT Criteria for the Allocation of Fishing Possibilities*,

RECOGNIZING that the success of the Recovery Plan involves the implementation by ICCAT of an appropriate system of control which should include a set of effective control measures to ensure the respect of the management measures, in particular TAC and quotas, closed seasons and minimum size and the regulation of the caging operations,

INSISTING on the need to immediately improve the protection of juveniles and to adjust the minimum sizes for East Atlantic and Mediterranean bluefin tuna,

CONSIDERING the responsibility of flag States, port States, farm States and market States to ensure compliance with the present Recommendation,

GIVEN the need to assess and address overcapacity in fleets participating in many ICCAT fisheries and seeking eventually to develop effective ways to address this problem in a comprehensive manner, in particular in the eastern and Mediterranean bluefin tuna fishery, in the framework of the Capacity Working Group that will meet in 2007,

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

**Part I
General provisions**

1. The Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (hereinafter referred to as CPCs), whose vessels have been actively fishing for bluefin tuna in the East Atlantic and Mediterranean shall implement a 15 year Recovery Plan for bluefin tuna in the East Atlantic and Mediterranean starting in 2007 and continuing through 2022, with the goal of achieving Bmsy, with greater than 50% probability. Each CPC shall adjust its fishing effort commensurate with available fishing opportunities fixed in accordance with this Plan.
2. In 2008 this Recovery Plan shall be reviewed and may be adjusted, notably, on the basis of subsequent SCRS advice.
3. For the purposes of this Plan:

- a) "Fishing vessel" means any vessel used or intended for use for the purposes of the commercial exploitation of tuna resources, included fish processing vessels and vessels engaged in transshipment;
- b) "Joint fishing operation" means any operations between two or more vessels flying the flag of different CPCs where catch is transferred from the fishing gear of one vessel to another;
- c) "Transfer activities" means any transfer of bluefin tuna
 - from the fishing vessel to the end fattening bluefin tuna farm, including for the fish dead or escaped during the transport,
 - from a bluefin tuna farm or a tuna trap to a processing vessel, transport vessel or to land.
- d) "Tuna trap" means fixed gear anchored to the bottom usually containing a guide net that leads fish into an enclosure.
- e) "Caging" means that bluefin tuna is not taken on board and includes both fattening and farming,
- f) "Fattening" means caging of bluefin tuna for a short period (usually 2-6 months) aiming mostly at increasing the fat content of the fish,
- g) "Farming" means caging of bluefin tuna for a period longer than one year, aiming to increase the total biomass,
- h) "Transshipment" means the unloading of all or any of the fish on board a fishing vessel to another fishing vessel at port,
- i) "Processing vessel" means a vessel on board of which fisheries products are subject to one or more of the following operations, prior to their packaging: filleting or slicing, freezing and/or transformation,
- j) "Sport fishery" means a non-commercial fishery whose members adhere to a national sport organisation or are issued with a national sport licence.
- k) "Recreational fishery" means a non-commercial fishery whose members do not adhere to a national sport organisation or are not issued with a national sport licence.

Part II

Management measures

TAC and quotas

4. The total allowable catches (TACs) are fixed:
 - 2007: 29,500 t,
 - 2008: 28,500 t,
 - 2009: 27,500 t,
 - 2010: 25,500 t.
5. The TACs for subsequent years shall be established taking into account the progress made in the rebuilding of the stock.
6. The SCRS shall monitor and review the progress of the Plan and submit an assessment to the Commission for the first time in 2008, and each two years thereafter.
7. The TAC for 2009 and 2010 may be adjusted following the SCRS advice. The relative shares shall remain unchanged for 2010 from those in the current Recommendation.

8. To establish a fair and equitable allocation of the quota in the bluefin tuna fishery in the East Atlantic and Mediterranean Sea, an allocation scheme for a four-year period, starting in 2007, shall be established at a meeting to be convened in early 2007.

Associated conditions to TAC and Quotas

9. Each CPC may allocate its bluefin tuna quota to its fishing vessels and traps authorized to fish actively for bluefin tuna.

10. No carry-over of any under-harvests shall be made under this Plan. By derogation to paragraph 4 of the 2002 *Recommendation by ICCAT Concerning a Multi-year Conservation and Management Plan for Bluefin Tuna in the East Atlantic and Mediterranean* [Rec. 02-08], no more than 50 % carry-over of any under-harvests arising from 2005 and/or 2006 may be made under this Plan. Paragraph 2 of the 1996 *Recommendation by ICCAT Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries* [Rec. 96-14] shall not apply for the overages in 2005 and 2006.

11. Private trade arrangements and or transfer of quotas/catch limits between CPCs shall be done only under authorisation by the CPCs concerned and the Commission.

12. To comply with paragraph 1 of 2002 *Recommendation by ICCAT on Vessel Chartering* [Rec. 02-21], the percentage of a CPC's bluefin tuna quota/catch limit that may be used for chartering shall not exceed 60%, 40% and 20% of the total quota in 2007, 2008, 2009, respectively. No chartering operation for the bluefin tuna fishery is permitted in 2010. By derogation of paragraph 3 of the 2002 *Recommendation by ICCAT on Vessel Chartering* [Rec. 02-21], only bluefin tuna fishing vessels flying the flag of a CPC can be chartered. The number of bluefin tuna fishing vessels chartered and the duration of the charter shall be commensurate with the quota allocated to the charter nation.

13. Joint fishing operations for bluefin tuna shall only be authorised with the consent of flag States. Detailed information shall be provided to the flag State of the fishing vessel participating in the joint fishing operation related to the duration and the composition of the operators involved in the joint operation. This information shall be transmitted by the concerned flag State to the ICCAT Secretariat.

Closed fishing seasons

14. Bluefin tuna fishing shall be prohibited in the East Atlantic and Mediterranean by large-scale pelagic longline vessels over 24 m during the period from 1 June to 31 December, with the exception of the area delimited by West of 10°W and North of 42°N.

15. Purse seine fishing for bluefin tuna shall be prohibited in the East Atlantic and Mediterranean during the period from 1 July to 31 December.

16. Bluefin tuna fishing by baitboats shall be prohibited in the East Atlantic and Mediterranean during the period from 15 November to 15 May.

17. Bluefin tuna fishing by pelagic trawlers shall be prohibited in the East Atlantic during the period from 15 November to 15 May.

Use of aircraft

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

Minimum size

19. CPCs shall take the necessary measures to prohibit catching, retaining on board, transshipping, transferring, landing, transporting, storing, selling, displaying or offering for sale bluefin tuna (*Thunnus thynnus thynnus*) weighing less than 30 kg.

20. By derogation to paragraph 19 above and without prejudice to paragraph 21, a minimum size for bluefin tuna (*Thunnus thynnus thynnus*) of 8 kg shall apply to the following situations:

- a) Bluefin tuna caught by baitboats, trolling boats and pelagic trawlers in the eastern Atlantic shall be authorised in accordance with the procedures set out in Annex 1.
- b) Bluefin tuna caught in the Adriatic Sea for farming purposes.

By-catch

21. A by-catch of maximum 8% of bluefin tuna shall be authorized to fishing vessels, fishing actively or not for bluefin tuna weighing less than 30 kg and no less than 10 kg. This percentage is calculated on the total of these incidental by-catches in number of fish per landing of the total bluefin tuna catches of these vessels, or their equivalent in percentage in weight. By-catch must be deducted from the quota of the flag State CPC. The discard of dead fish shall be prohibited and shall be deducted from the quota of the flag State CPC. The procedures referred to in Annex 1, paragraph 7 and 8, apply to the landing of by-catch.

Recreational fisheries

22. CPCs shall take the necessary measures to prohibit the catch and retention on board, transshipment or landing of more than one piece in each sea trip.

23. The marketing of bluefin tuna caught in recreational fishing is prohibited except for charitable purposes.

24. Each CPC shall take measures to record catch data from recreational fishing and transmit them to the SCRS.

25. Each CPC shall take the necessary measures to ensure, to the greatest extent possible, the release of bluefin tuna caught alive, especially juveniles, in the framework of recreational fishing.

Sport fisheries

26. CPCs shall take the necessary measures to regulate sport fishing, notably by fishing authorisations.

27. The marketing of bluefin tuna caught in sport fishing competitions is prohibited except for charitable purposes.

28. Each CPC shall take measures to record catch data from sport fishing and transmit them to the SCRS.

29. Each CPC shall take the necessary measures to ensure, to the greatest extent possible, the release of the bluefin tuna caught alive, especially juveniles, in the framework of sport fishing.

Part III Control measures

ICCAT record of vessels authorized to fish for bluefin tuna

30. The Commission shall establish and maintain an ICCAT record of all fishing vessels authorised to fish actively for bluefin tuna in the eastern Atlantic and Mediterranean Sea. For the purposes of this recommendation fishing vessels not entered into the record are deemed not to be authorized to fish for, retain on board, tranship, transport, transfer or land bluefin tuna in the eastern Atlantic and Mediterranean Sea.

31. Each CPC shall submit electronically, where possible, to the ICCAT Executive Secretary, by 1 June 2007, the list of its vessels authorized to fish for bluefin tuna referred to in paragraph 30.

32. Conditions and procedures referred in the 2002 *Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels Over 24 Meters Authorised to Operate in the Convention Area* [Rec. 02-22] apply mutatis mutandis.

ICCAT record of tuna traps authorized to fish for bluefin tuna

33. The Commission shall establish and maintain an ICCAT Record of all tuna traps authorized to fish for bluefin tuna in the Eastern Atlantic and Mediterranean Sea. For the purposes of this recommendation, tuna traps not entered into the record are deemed not to be authorized to be used to fish for, retain, tranship or land bluefin tuna.

34. Each CPC shall submit electronically, where possible to the ICCAT Executive Secretary, by 1 June 2007, the list (including the name of the traps, register number) of its authorized tuna traps referred to in paragraph 33. Conditions and procedures referred in the 2002 *Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels Over 24 Meters Authorised to Operate in the Convention Area* [Rec. 02-22] apply mutatis mutandis.

Transshipment

35. Transshipment at sea operations of bluefin tuna in the East Atlantic and Mediterranean Sea shall be prohibited, except for fishing vessels operating in accordance with Recommendation 06-11.

Authorised vessels may only tranship bluefin tuna catches in designated ports. To this end, each CPC shall designate ports in which transshipping of bluefin tuna is authorized and communicate a list of these ports to the ICCAT Secretariat by 1 June 2007. Each CPC shall transmit to the ICCAT Secretariat any subsequent changes in the list at least 15 days before

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

Prior to entry into any port, the receiving vessels (catching vessel or processing vessel) or their representative, shall provide the relevant authorities of the Port State or authorities of the State where the farm is located, at least 48 h before the estimated time of arrival, with the following:

- a) estimated time of arrival,
- b) estimated quantity of bluefin tuna retained on board,
- c) information on the geographic area where the catches were taken;
- d) the name of the catching vessel and its number in the ICCAT record of authorised fishing vessels for bluefin tuna,
- e) the name of the receiving vessel, its number in the ICCAT record of authorised fishing vessels for bluefin tuna,
- f) the tonnage of bluefin tuna to be transhipped,
- g) the geographic area of the tuna catches.

Any transhipment requires the prior authorisation from the flag State of the catching fishing vessel concerned.

The master of the catching vessel shall, at the time of the transhipment, inform its Flag State of the following:

- a) the quantities of bluefin tuna involved,
- b) the date and port of the transhipment,
- c) the name, registration number and flag of the receiving vessel and its number in the ICCAT record of authorized fishing vessels for bluefin tuna,
- d) the geographical area of the tuna catches.

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

The relevant authority of the Port State or of the farm CPC shall send a record of the transhipment to the flag State authority of the catching vessel, within 48 hours after the transhipment has ended.

Recording requirements

36. The masters of authorized fishing vessels catching bluefin tuna shall keep a bound or electronic logbook of their operations, indicating particularly the quantities of bluefin tuna caught and kept on board, whether the catches are weighted or estimated, the date and location of such catches and the type of gear used set out in Annex 2.

37. The master of the vessel engaged in a joint fishing operation shall record in its logbook:

- a) where the catch is taken on board or transferred into cages:
 - the date and the time,
 - the location (longitude/latitude),
 - amount of catches taken on board, or transferred into cages,
 - the name and international radio call sign of the fishing vessel by whose gear the catch has been taken,

- b) where the catch is not taken on board or is in a net before transfer activities or transferred into cages:
- the date and the time,
 - the location (longitude/latitude),
 - that no catches have been taken on board or transferred into cages,
 - the name and international radio call sign of the catching fishing vessel by whose gear the catch has been taken.

38. Authorised vessels may only land bluefin tuna catches in designated ports. To this end, each CPC shall designate ports in which landing of bluefin tuna is authorized and communicate a list of these ports to the ICCAT Secretariat by 1 June 2007. Each CPC shall transmit to the ICCAT Secretariat any subsequent changes in the list at least 15 days before their entry into force. On the basis of this information the ICCAT Secretariat shall maintain a list of designated ports on the ICCAT website.

Prior to entry into any port, the fishing vessels or their representative, shall provide the relevant authorities of the port, at least 4h before the estimated time of arrival, with the following:

- a) estimated time of arrival,
- b) estimate of quantity of bluefin tuna retained on board,
- c) information on the zone where the catches were taken;

Each landing or caging shall be subject to an inspection by the relevant authorities of the port. The relevant authority shall send a record of the landing to the flag State authority of the vessel, within 48 hours after the landing has ended. After each trip and within 48 h of landing, the masters of authorised vessels fishing for bluefin tuna shall submit a landing declaration to the competent authorities of the CPC where the landing takes place and to its flag State. The master of the authorised vessel shall be responsible for the accuracy of the declaration, which shall indicate, as a minimum, the quantities of bluefin tuna landed and the area where they were caught. All landed catches shall be weighed and not only estimated.

39. The masters of authorised fishing vessels for bluefin tuna shall complete and transmit to their flag State the ICCAT transshipment declaration no later than 15 days after the date of transshipment in port in accordance with the format set out in Annex 3.

Communication of catches

40. Each CPC shall ensure that its authorised vessels engaged in fishing activities for bluefin tuna shall communicate by electronic, or other means, to its competent authorities, which shall transmit without delay, to the ICCAT Secretariat, the following report:

- a) Quantities of bluefin tuna, including nil catch returns. This report shall for the first time be transmitted at the latest at the end of the ten days after the entry into the Plan Area or after the beginning of the fishing trip. In the case of joint operations the master shall indicate to which vessel or vessels the catches are attributed, to be counted against the quota of the flag State.
- b) From 1 June of each year, the masters shall transmit the report referred to in point a) on a five-day basis.

Reporting of catches

41. Each CPC shall report its provisional monthly catches of bluefin tuna. This report shall be sent to the ICCAT Secretariat within 30 days of the end of the calendar month in which the catches were made.

42. The ICCAT Secretariat shall within 10 days following the monthly deadlines for receipt of the provisional catch statistics collect the information received and circulate it to CPCs together with aggregated catch statistics.

43. The Executive Secretary shall notify without delay all CPCs of the date on which the accumulative reported catch taken by vessels of the CPCs is estimated to equal 85% of the concerned CPC quota for this stock. The CPC shall take the necessary measures to close its bluefin tuna fisheries before its quota is exhausted and notify this closure without delay to the ICCAT Secretariat which will circulate this information to all CPCs.

Cross check

44. CPCs shall verify, including by using VMS data, the submission of logbooks and relevant information recorded in the logbooks of their vessels, in the transfer/transshipment document and in the catch documents. The competent authorities shall carry out administrative cross checks on all landings, all transshipment or caging between the quantities by species recorded in the vessel logbook or quantities by species recorded in the transshipment declaration and the quantities recorded in the landing declaration or caging declaration, and any other relevant document, such as invoice and/or sales notes.

Caging operations

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

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

46. Before any transfer activity, the flag state of the catching vessel shall be informed by the competent authority of the farm State of the transfer into cage of quantities caught by fishing vessels flying its flag. If the flag State of the catching vessel considers on receipt of this information that:

- a) the fishing vessel declared to have caught the fish had not sufficient quota for bluefin tuna put into the cage,
- b) the quantity of fish has not been duly reported and not taken into account for the calculation of any quota that may be applicable,
- c) the fishing vessel declared to have caught the fish is not authorised to fish for bluefin tuna, it shall inform the competent authority of the farm State to proceed to the seizure of the catches and the release of the fish into the sea.

47. The master of authorised fishing vessels for bluefin tuna shall complete and transmit to their flag State the ICCAT transfer declaration not later than 15 days after the date of transfer to tug vessels or to the cage, in accordance with the format set out in Annex 3.

The transfer declaration shall accompany the transferred fish during transport to the cage.

Trap activities

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

VMS

49. CPCs shall implement a vessels monitoring system for its bluefin tuna fishing vessels over 24 m referred to in paragraph 30, in accordance with 2003 *Recommendation by ICCAT Concerning Minimum Standards for the Establishment of a Vessel Monitoring System in the ICCAT Convention Area*. With effect from 1 January 2010 this measure shall be applied to bluefin tuna fishing vessels over 15 m. Not later than 31 January 2008, each CPC shall communicate without delay messages pursuant to this paragraph to the ICCAT Secretariat, in accordance with the data exchange formats and protocols adopted by the Commission in 2007.

Observer programme

50. Each CPC shall ensure observer coverage on its fishing vessels over 15 m in length of at least:

- 20% of its active purse seine vessels In the case of joint fishing operations, an observer shall be present during the fishing operation,
- 20% of its active pelagic trawlers,
- 20% of its active longline vessels,
- 20% of its active baitboats,
- 100% during the harvesting process for tuna traps.

The observer tasks shall be, in particular, to:

- monitor a vessel compliance with the present recommendation,
- record and report upon the fishing activity,
- observe and estimate catches and verify entries made in the logbook,
- sight and record vessels which may be fishing contrary to ICCAT conservation measures.

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

51. Each CPC under whose jurisdiction the farm for bluefin tuna is located shall ensure an observer presence during all transfer of bluefin tuna to the cages and all harvest of fish from the cage. The observer tasks shall be, in particular, to:

- observe and monitor farming operation compliance with the *Recommendation by ICCAT on Bluefin Tuna Farming* [Rec. 06-07],
- validate the caging report referred to in paragraph 45,
- carry out such scientific work, for example collecting samples, as required by the Commission based on the directions from the SCRS.

Enforcement

52. CPCs shall take enforcement measures with respect to a vessel, where it has been established, in accordance with its law that the fishing vessel flying its flag does not comply with the provisions of paragraphs 14, 15, 16, 17, 19, 20, 36, 37, 38 and 39 (closed seasons, minimum size and reporting requirements). The measures may include in particular depending on the gravity of the offence and in accordance with the pertinent provisions of national law:

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

53. The CPC under whose jurisdiction the farm for bluefin tuna is located shall take enforcement measures with respect to a farm, where it has been established, in accordance with its law that this farm does not comply with the provisions of paragraphs 45, 46 and 51 (caging operations and observers) and with the Recommendation by ICCAT on Bluefin Tuna Farming [Rec. 06-07]. The measures may include in particular depending on the gravity of the offence and in accordance with the pertinent provisions of national law:

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

Market measures

54. Consistent with their rights and obligations under international law, exporting and importing CPCs shall take the necessary measures:

- to prohibit domestic trade, landing, imports, exports, placing in cages for farming, re-exports and transshipments of eastern Atlantic and Mediterranean bluefin tuna species that are not accompanied by accurate, complete, and validated documentation required by this Recommendation.
- to prohibit domestic trade, imports, landings, placing in cages for farming, processing, exports, re-exports and the transshipment within their jurisdiction, of eastern and Mediterranean bluefin tuna species caught by fishing vessels whose flag State either does not have a quota, catch limit or allocation of fishing effort for that species, under the terms of ICCAT management and conservation measures, or when the flag State fishing possibilities are exhausted.

- to prohibit domestic trade, imports, landings, processing, exports from farms that do not comply with the Recommendation by ICCAT on Bluefin Tuna Farming [Rec. 06-07].

Conversion factors

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

Part IV ICCAT Scheme of Joint International Inspection

56. In the framework of the multi-annual management plan for bluefin tuna, each CPC agrees, in accordance with Article 9, paragraph 3, of the ICCAT Convention, to apply the ICCAT Scheme of Joint International Inspection adopted during its fourth Regular Meeting, held in November 1975 in Madrid .

57. The Scheme referred to in paragraph 56 shall apply until ICCAT adopts a monitoring, control and surveillance scheme which will include an ICCAT scheme for joint international inspection, based on the results of the Integrated Monitoring Measures Working Group, established by Resolution 00-20.

ANNEX 1

Specific conditions applying to baitboat, trolling boat and pelagic trawler fisheries in the eastern Atlantic

1. CPCs shall limit the maximum number of its baitboat and trolling boats authorized to fish bluefin tuna to the number of the vessels participating in directed fishery for bluefin tuna in 2006.
2. CPCs shall limit the maximum number of its pelagic trawler vessels authorized to fish bluefin tuna as by- catch.
3. By 1 June 2007, CPCs shall submit to ICCAT Secretariat, the number of fishing vessels established pursuant to paragraph 1 and 2 of this Annex.
4. CPCs shall issue specific authorisations to baitboat, trolling boat and pelagic trawler vessels fishing for bluefin tuna and shall transmit the list of such vessels to ICCAT Secretariat.
5. Each CPC shall allocate no more than 10% of its quota for bluefin tuna among these authorised vessels, with up to a maximum of 200 t of bluefin tuna weighing no less than 6,4 kg caught by baitboat vessels of an overall length of less than 17 m.
6. Each CPC may allocate no more than 2% of its quota for bluefin tuna among its coastal artisanal fishery for fresh fish.
7. Authorised vessels may only land bluefin tuna catches in designated ports. To this end, each CPC shall designate ports in which landing of bluefin tuna is authorised and communicate a list of these ports to the ICCAT Secretariat by 1 June 2007. Each CPC shall transmit to the ICCAT Secretariat any subsequent changes in the list at least 15 days before their entry into force. On the basis of this information the ICCAT Secretariat shall maintain a list of designated ports on the ICCAT website for these fisheries.
8. Prior to entry into any designated port, authorised vessels or their representative, shall provide the competent port authorities at least 4 h before the estimated time of arrival with the following:
 - a) estimated time of arrival,
 - b) estimate of quantity of bluefin tuna retained on board,
 - c) information on the zone where the catches were taken;

Each landing shall be subjected to an inspection in port.

9. CPCs shall implement a catch reporting regime that ensures that effective monitoring of the utilisation of each vessels quota.
10. Bluefin tuna catches may not be offered for retail sale to the final consumer, irrespective of the marketing method, unless appropriate marking or labelling indicates:
 - a) the species, fishing gear used,

b) the catch area and date.

11. Beginning 1 July 2007, CPCs whose baitboats are authorized to fish for bluefin tuna in the East Atlantic shall institute tail tag requirements as follows:

- a) Tail tags must be affixed on each bluefin tuna immediately upon offloading.
- b) Each tail tag shall have a unique identification number and be included on bluefin tuna statistical documents and written on the outside of any package containing tuna.

Minimum specification for logbooks:

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

Minimum standard information for logbooks:

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

Minimum information in case of landing, transshipment/transfer:

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

Document N.

ICCAT TRANSFER/TRANSHIPMENT DECLARATION

Tug/Carrier vessel
 Name of vessel and radio call sign:
 Flag:
 Flag State authorization No.
 National Register No.
 ICCAT Register No.
 IMO No.

Fishing Vessel
 Name of the vessel and radio call sign,
 Flag:
 Flag State authorisation No.
 National register No.
 ICCAT Register No.
 External identification:
 Fishing logbook sheet No.

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

For transhipment, indicate the weight in kilograms or the unit used (e.g. box, basket) and the landed weight in kilograms of this unit: kilograms.

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

In case of transfer of live fish indicate number of unit and live weight

ICCAT Observer signature (if applicable):
Obligations in case of transfer /transhipment:

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

REC.ICCAT-GFCM/31/2007/3 (B)

ICCAT recommendation [06-07] on bluefin tuna farming

The General Fisheries Commission for the Mediterranean (GFCM),

RECALLING that the objectives of the Agreement establishing the General Fisheries Commission for the Mediterranean are to promote the development, conservation, rational management and proper utilization of living marine resources,

ADOPTS in conformity with the provisions of paragraph 1 (h) of Article III and Article V of the GFCM Agreement the following Recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT):

RECOMMENDATION [06-07] BY ICCAT ON BLUEFIN TUNA FARMING

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

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

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

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

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

CONSIDERING the on-going work to establish a Bluefin Tuna Catch Documentation Programme,

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

1. Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (hereafter referred to as CPCs) whose flag vessels fish or transfer quantities of bluefin tuna to cages for farming shall undertake the necessary measures:

- a) to require that the captains of vessels (including tugs and towing vessels) carrying out transfer operations of bluefin tuna for caging maintain vessel logs and report the

quantities transferred and the number of fish as well as the date, place of harvest and name of the vessel and of the company responsible for the caging. This detailed information shall be entered into a register which shall contain details of all the transshipments carried out during the fishing season. This register shall be kept onboard and be accessible at any time for control purposes.

- b) to require the reporting of the total amount of the transfers of bluefin tuna including loss in quantity and number during the transportation to the cages by farm for fattening and farming, carried out by their flag vessels.
- c) to set up and maintain a list of their flag vessels that fish for, provide or transport bluefin tuna for farming purposes (name of the vessel, flag, license number, gear type), i.e., fishing boat, transport vessel, vessels with pools, etc.
- d) to equip these tugs and towing vessels with an operational satellite tracking and monitoring system (VMS).

2. The CPCs under whose jurisdiction the farms for bluefin tuna are located in the Convention area shall adopt the necessary measures to:

- a) assign an identifiable different number to each cage of its farming facility.
- b) ensure that a caging declaration is submitted to the farming CPCs by the operator for further submission to the Commission in accordance with the ICCAT format in the attached Annex, on each fishing or transport vessel that participated in the transfer of tuna to cages for fattening, including the quantities of bluefin tuna destined for farming. This declaration shall include information relative to the validation numbers and dates of the bluefin tuna statistical document(s), the quantities (in t) of fish transferred to the cages, the number of fish, loss during transportation, the date, the place, the location of the catch, the name of the vessel, fishing methods used, as well as its flag and license number;
- c) ensure that the tuna farms and the national scientific institutes obtain data as specified in the following paragraph on the size composition of the fish caught as well as the date, time and area of catch and the fishing method used, in order to improve statistics for stock assessment purposes. To this end, establish a sampling program for the estimation of the numbers-at-size of the bluefin tuna caught which requires notably that size sampling (length or weight) at cages must be done on one sample (=100 specimens) for every 100 t of live fish, or on a 10% sample of the total number of the caged fish. Size samples will be collected during harvesting at the farm and on the dead fish during transport, following the ICCAT methodology for reporting Task II. The sampling should be conducted during any harvesting, covering all cages. Data must be transmitted to ICCAT, by 31 July for the sampling conducted the previous year.
- d) ensure the reporting of the quantities of bluefin tuna placed in cages and of estimates of the growth and mortality while in captivity and of the amounts sold (in t);
- e) set up and maintain a registry of the farming facilities under their jurisdiction;
- f) each CPC referred to in this paragraph shall nominate a single authority responsible for coordinating the collection and verification of information on caging activities and for reporting to and cooperating with the CPC whose flag vessels have fished the caged tuna.

This single authority shall submit, to the CPCs whose flag vessels have fished the caged tuna, a copy of each caging declaration referred to in paragraph 2a and of its supporting Bluefin

Tuna Statistical Document, within one week after the completion of the transfer operation of bluefin tuna into cages.

3. CPCs mentioned in paragraphs 1 and 2 shall take the appropriate measures to verify the accuracy of the information received and shall cooperate to ensure that quantities caged are consistent with the reported catches (logbook) amount of each fishing vessel.
4. The CPCs that export farmed bluefin tuna products shall ensure that these products be accompanied by the ICCAT Bluefin Tuna Statistical Document and, where appropriate, that these products be identified as "farmed" with cage number of 2 a) and ICCAT FFB Record Number on the ICCAT Bluefin Tuna Statistical Document.
5. The CPCs shall transmit, each year, to the Executive Secretary, prior to 31 August:
 - the total amount of the transfer of bluefin tuna by farm 1 b),
 - the list of flag vessels provided for in paragraph 1c),
 - the results of the program referred to in paragraph 2 b),
 - the quantities of bluefin tuna placed in cage and estimate of the growth and mortality by farm 2d),
 - the quantities of bluefin tuna caged during the previous year,
 - the quantities by sourcing of origin marketed during the previous year.
6. The CPCs mentioned in this recommendation as well as the Contracting Parties that import bluefin tuna shall cooperate, particularly through the exchange of information.
7. The Commission shall request non-Contracting Parties that farm bluefin tuna in the Convention area to cooperate in the implementation of this recommendation.
8. Based on the information referred to in paragraph 4 on the Bluefin Tuna Statistical Document reports and the Task I data, the Commission shall review the effectiveness of these measures.
9.
 - a) The Commission shall establish and maintain an ICCAT record of farming facilities authorized to operate for farming of bluefin tuna caught in the Convention area (hereafter referred to as FFBs). For the purposes of this recommendation, FFBs not entered into the record are deemed not to be authorized to operate for farming of bluefin tuna caught in the Convention area.
 - b) Each CPC under whose jurisdiction FFBs are located shall submit electronically, where possible, to the ICCAT Executive Secretary by 31 August 2004 the list of its FFBs that are authorized to operate for farming of bluefin tuna. This list shall include the following information:
 - name of the FFB, register number,
 - names and addresses of owner (s) and operator (s),
 - location,
 - farming capacity (in t)
 - c) Each CPC shall notify the Executive Secretary, after the establishment of the ICCAT record of FFBs, of any addition to, any deletion from and/or any modification of the ICCAT record of FFBs at any time such changes occur.

- d) The ICCAT Executive Secretary shall maintain the ICCAT record of FFBs, and take any measure to ensure publicity of the record through electronic means, including placing it on the ICCAT website, in a manner consistent with confidentiality requirements noted by CPCs.
 - e) The CPCs under whose jurisdiction FFBs are located shall take the necessary measures to ensure that their FFBs comply with the relevant ICCAT measures.
 - f) To ensure the effectiveness of ICCAT conservation and management measures pertaining to bluefin tuna:
 - (i) CPCs under whose jurisdiction FFBs are located shall validate Bluefin Tuna Statistical Documents only for the farms on the ICCAT record of FFBs,
 - (ii) CPCs shall require farmed bluefin tuna, when imported into their territory to be accompanied by the Bluefin Tuna Statistical Document.
 - (iii) CPCs importing farmed bluefin tuna and the States that authorize the FFB shall cooperate to ensure that the Bluefin Tuna Statistical Documents are not forged or do not contain misinformation.
 - g) Each CPC shall take the necessary measures, under their applicable legislation, to prohibit the imports and sale of bluefin tuna into and from farms not registered in the ICCAT record of farming facilities authorised to operate as well as those that do not respect the sampling requirements foreseen in paragraph 2c and/or do not participate in the sampling programme referred to in paragraph 2c.
- 10.
- a) The Commission shall establish and maintain an ICCAT record of vessels that fish for, provide or transport bluefin for farming, i.e., fishing boats, transport vessels, vessels with pools, etc. For the purpose of this recommendation the vessels not entered into the record are deemed not to be authorized to fish for, provide or transport bluefin tuna for farming.
 - b) Each CPC shall submit, electronically where possible, to the ICCAT Executive Secretary by 31 August 2006 the list of the vessels that are authorized to operate for farming of bluefin tuna. This list shall include the following information:
 - name of the vessel, registry number
 - previous flag (if any)
 - previous name (if any)
 - previous details of deletion for other registers (if any)
 - international radio call sign (if any)
 - type of vessels, length and gross registered tonnage (GRT)
 - name and address of owner(s) and operator(s)
 - gear used
 - time period authorised for fishing and/or providing or transporting bluefin tuna for farming.
 - c) Each CPC shall promptly notify, after the establishment of the initial ICCAT record, the ICCAT Executive Secretary of any addition to, any deletion from and/or any modification of the ICCAT record and any time such changes occur.
 - d) The ICCAT Executive Secretary shall maintain the ICCAT record and take any measure to ensure publicity of the record and through electronic means, including placing it on the ICCAT website in a manner consistent with confidentiality requirement noted by CPCs.

11. Each CPC shall take the necessary measures so that the FFBs do not receive bluefin tuna from vessels that are not included in the ICCAT record (fishing vessels, transport vessels, vessels with pools, etc).
12. The SCRS shall undertake trials to identify growth rates including weight gains during the fattening or caging period.
13. This Recommendation replaces the Recommendation by ICCAT to Amend the Recommendation on Bluefin Tuna Farming [Rec. 05-04].

REC.ICCAT-GFCM/31/2007/3 (C)

ICCAT recommendation [06-11] establishing a programme for transshipment

The General Fisheries Commission for the Mediterranean (GFCM),

RECALLING that the objectives of the Agreement establishing the General Fisheries Commission for the Mediterranean are to promote the development, conservation, rational management and proper utilization of living marine resources,

ADOPTS in conformity with the provisions of paragraph 1 (h) of Article III and Article V of the GFCM Agreement the following Recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT):

**RECOMMENDATION [06-11] BY ICCAT
ESTABLISHING A PROGRAMME FOR TRANSHIPMENT**

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

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

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

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

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

SECTION 1. GENERAL RULE

1. Except under the special conditions outlined below in Section 2 for transshipment operations at sea, all transshipment operations of tuna and tuna-like species in the ICCAT Convention area must take place in port¹³.

¹³ By derogation, this provision shall not apply until 31 December 2009 to four Russian vessels, the characteristics of which shall be notified to the ICCAT Secretariat. However, the extension to 2009 shall be subject to the results of the review process in 2008.

2. The flag Contracting Party, Cooperating non-Contracting Party, Entity or Fishing Entity (hereafter referred to as CPCs) shall take the necessary measures to ensure that large-scale tuna vessels (hereafter referred to as the “LSTVs”) flying their flag comply with the obligations set out in Annex 3 when transshipping in port.

SECTION 2. PROGRAMME TO MONITOR TRANSHIPMENT AT SEA

3. The Commission shall establish a program of transshipment which applies initially to large-scale tuna longline fishing vessels (hereafter referred to as the “LSTLVs”) and to carrier vessels authorized to receive transshipment from these vessels. The Commission shall at its 2008 annual meeting, review and, as appropriate, revise this Recommendation. Pending this review, small-scale albacore longline vessels shall be exempt from the requirements of paragraph 4.

4. The flag CPCs of LSTLVs shall determine whether or not to authorize their LSTLVs which fish for tuna and tuna-like species to transship at sea. However, the flag CPC may authorize the at-sea transshipment by its flag LSTLVs on the condition that such transshipment is conducted in accordance with the procedures defined in Sections 3, 4 and 5, and Annexes 1 and 2 below.

SECTION 3. RECORD OF VESSELS AUTHORISED TO RECEIVE TRANSHIPMENT IN THE ICCAT AREA

5. The Commission shall establish and maintain an ICCAT Record of Carrier Vessels authorized to receive tuna and tuna-like species in the Convention area from LSTLVs. For the purposes of this Recommendation, carrier vessels not entered on the record are deemed not to be authorized to receive tuna and tuna-like species in transshipment operations.

6. Each CPC shall submit, electronically where possible, to the ICCAT Executive Secretary by 1 July 2006 the list of the carrier vessels that are authorized to receive transshipments from its LSTLVs in the Convention area. This list shall include the following information:

- The flag of the vessel
- Name of vessel, register number
- Previous name (if any)
- Previous flag (if any)
- Previous details of deletion from other registries (if any)
- International radio call sign
- Type of vessels, length, gross registered tonnage (GRT) and carrying capacity
- Name and address of owner(s) and operator(s)
- Time period authorized for transshipping.

7. Each CPC shall promptly notify the ICCAT Executive Secretary, after the establishment of the initial ICCAT record, of any addition to, any deletion from and/or any modification of the ICCAT record, at any time such changes occur.

8. The ICCAT Executive Secretary shall maintain the ICCAT record and take measures to ensure publicity of the record and through electronic means, including placing it on the

ICCAT website, in a manner consistent with confidentiality requirements notified by CPCs for their vessels.

9. Carrier vessels authorized for at-sea transshipment shall be required to install and operate a VMS in accordance with the 2003 Recommendation by ICCAT Concerning Minimum Standards for the Establishment of a Vessel Monitoring System in the ICCAT Convention Area [Rec. 03-14].

SECTION 4. AT-SEA TRANSHIPMENT

10. Transshipments by LSTLVs in waters under the jurisdiction of the CPCs are subject to prior authorization from the coastal State concerned. CPCs shall take the necessary measures to ensure that LSTLVs flying their flag comply with the following:

Flag State authorization

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

Notification obligations

Fishing vessel:

12. To receive the prior authorization mentioned in paragraph 11 above, the master and/or owner of the LSTLV must notify the following information to its flag State authorities at least 24 hours in advance of the intended transshipment:

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

The LSTLV concerned shall complete and transmit to its flag State, not later than 15 days after the transshipment, the ICCAT transshipment declaration, along with its number in the ICCAT record of fishing vessels, in accordance with the format set out in Annex 2.

Receiving carrier vessel:

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

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

Regional Observer Program

15. Each CPC shall ensure that all carrier vessels transshipping at sea have on board an ICCAT observer, not later than 31 March 2007, in accordance with the ICCAT regional observer program in Annex 2. The ICCAT observer shall observe the respect of this Recommendation, and notably that the transshipped quantities are consistent with the reported catch in the ICCAT transshipment declaration.

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

SECTION 5. GENERAL PROVISIONS

17. To ensure the effectiveness of the ICCAT conservation and management measures pertaining to species covered by Statistical Document Programs:

- a) In validating the Statistical Document, flag CPCs of LSTLVs shall ensure that transshipments are consistent with the reported catch amount by each LSTLV.
- b) The flag CPC of LSTLVs shall validate the Statistical Documents for the transshipped fish, after confirming that the transshipment was conducted in accordance with this Recommendation. This confirmation shall be based on the information obtained through the ICCAT Observer Program.
- c) CPCs shall require that the species covered by the Statistical Document Programs caught by LSTLVs in the Convention area, when imported into the territory of a Contracting Party, be accompanied by statistical documents validated for the vessels on the ICCAT record and a copy of the ICCAT transshipment declaration.

18. The CPCs shall report annually before 15 September to the Executive Secretary:

- The quantities by species transshipped during the previous year.
- The list of the LSTLVs registered in the ICCAT record of fishing vessels which have transshipped during the previous year.
- A comprehensive report assessing the content and conclusions of the reports of the observers assigned to carrier vessels which have received transshipment from their LSTLVs.

19. All tuna and tuna-like species landed or imported into the CPCs either unprocessed or after having been processed on board and which are transshipped, shall be accompanied by the ICCAT transshipment declaration until the first sale has taken place.

20. Each year, the Executive Secretary of ICCAT shall present a report on the implementation of this Recommendation to the annual meeting of the Commission which shall review compliance with this Recommendation.

21. This Recommendation replaces the *Recommendation by ICCAT Establishing a Programme for Transshipment by Large-scale Longline Fishing Vessels* [Rec. 05-06].

ICCAT TRANSHIPMENT DECLARATION

Carrier vessel

Name of vessel and radio call sign
 Flag
 Flag State authorization number
 National Register Number
 ICCAT Register Number, if available

Fishing vessel

Name of the vessel and radio call sign
 Flag
 Flag State authorization number
 National Register Number
 ICCAT Register Number, if available
 External identification

| | | | | | | | | |
|---------------|-----|-------|------|------|-----------|---------------|-------------------------|------------------|
| Carrier: | Day | Month | Hour | Year | 2_ 0_ _ _ | Agent's name: | Master's name of LSTLV: | Master's name of |
| Departure | _ _ | _ _ | _ _ | from | _ _ _ _ | Signature: | Signature: | Signature: |
| Return | _ _ | _ _ | _ _ | to | _ _ _ _ | | | |
| Transshipment | _ _ | _ _ | _ _ | | _ _ _ _ | | | |

Indicate the weight in kilograms or the unit used (e.g. box, basket) and the landed weight in kilograms of this unit: |_|_| kilograms
 LOCATION OF TRANSHIPMENT.....

| | | | | | | | | | | | | |
|---------|------|-----|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Species | Port | Sea | Type of Product | Type of Product | Type of Product | Type of Product | Type of Product | Type of Product | Type of Product | Type of Product | Type of Product | Type of Product |
| | | | Whole | Gutted | Head off | Filleted | | | | | | |

If transshipment effected at sea, ICCAT Observer signature:

ICCAT REGIONAL OBSERVER PROGRAMME

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

Designation of the observers

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

Obligations of the observer

4. Observers shall:
 - (a) have completed the technical training required by the guidelines established by ICCAT;
 - (b) be nationals of one of the CPCs and, to the extent possible, not of the flag State of the receiving carrier vessel;
 - (c) be capable of performing the duties set forth in point 5 below;
 - (d) be included in the list of observers maintained by the Secretariat of the Commission;
 - (e) not be a crew member of an LSTLV or an employee of an LSTLV company.
5. The observer tasks shall be in particular to:
 - (a) monitor the carrier vessel's compliance with the relevant conservation and management measures adopted by the Commission. In particular the observers shall:
 - i) record and report upon the transshipment activities carried out;
 - ii) verify the position of the vessel when engaged in transshipping;
 - iii) observe and estimate products transhipped;
 - iv) verify and record the name of the LSTLV concerned and its ICCAT number;
 - v) verify the data contained in the transshipment declaration;
 - vi) certify the data contained in the transshipment declaration;
 - vii) countersign the transshipment declaration;
 - (b) issue a daily report of the carrier vessel's transshipping activities;
 - (c) establish general reports compiling the information collected in accordance with this paragraph and provide the captain the opportunity to include therein any relevant information.

- (d) submit to the Secretariat the aforementioned general report within 20 days from the end of the period of observation.
 - (e) exercise any other functions as defined by the Commission.
6. Observers shall treat as confidential all information with respect to the fishing operations of the LSTLVs and of the LSTLVs owners and accept this requirement in writing as a condition of appointment as an observer;
7. Observers shall comply with requirements established in the laws and regulations of the flag State which exercises jurisdiction over the vessel to which the observer is assigned.
8. Observers shall respect the hierarchy and general rules of behavior which apply to all vessel personnel, provided such rules do not interfere with the duties of the observer under this program, and with the obligations of vessel personnel set forth in paragraph 9 of this program.

Obligations of the flag States of carrier vessels

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

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

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

Observer fees

- a) The costs of implementing this program shall be financed by the flag CPCs of LSTLVs wishing to engage in transshipment operations. The fee shall be calculated on the basis of the total costs of the program. This fee shall be paid into a special account of the ICCAT

Secretariat and the ICCAT Secretariat shall manage the account for implementing the program;

- b) No observer shall be assigned to a vessel for which the fees, as required under subparagraph a), have not been paid.

IN-PORT TRANSHIPMENT BY LSTVs

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

Notification obligations

2. Fishing vessel

2.1 Prior to transshipping, the captain of the LSTV must notify the following information to the Port State authorities, at least 48 hours in advance:

- the name of the LSTV and its number in the ICCAT record of fishing vessels,
- the name of the carrier vessel, and the product to be transshipped,
- the tonnage by product to be transshipped,
- the date and location of transshipment,
- the major fishing grounds of the tuna catches

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

- the products and quantities involved
- the date and place of the transshipment
- the name, registration number and flag of the receiving carrier vessel
- the major fishing grounds of the tuna catches.

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

Receiving vessel

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

Landing State

4. The master of the receiving carrier vessel shall, 48 hours before landing, complete and transmit an ICCAT transshipment declaration, to the competent authorities of the landing State where the landing takes place.

5. The port State and the landing State referred to in the above paragraphs shall take the appropriate measures to verify the accuracy of the information received and shall cooperate with the flag CPC of the LSTV to ensure that landings are consistent with the reported catches amount of each vessel. This verification shall be carried out so that the vessel suffers the minimum interference and inconvenience and that degradation of the fish is avoided.

6. Each flag CPC of the LSTV shall include in its Annual Report each year to ICCAT the details on the transshipments by its vessels.

REC.ICCAT-GFCM/26/2001/1

Recommendation [00-14] by ICCAT regarding compliance with management measures which define quotas and/or catch limits

RECOGNIZING that the *Recommendation Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries* was adopted at the 1996 Commission meeting and it was extended to include compliance in the South Atlantic swordfish fishery at the 1997 Commission meeting;

NOTING the treatment of overage and underage differs among the stocks and this complicates quota management and compliance;

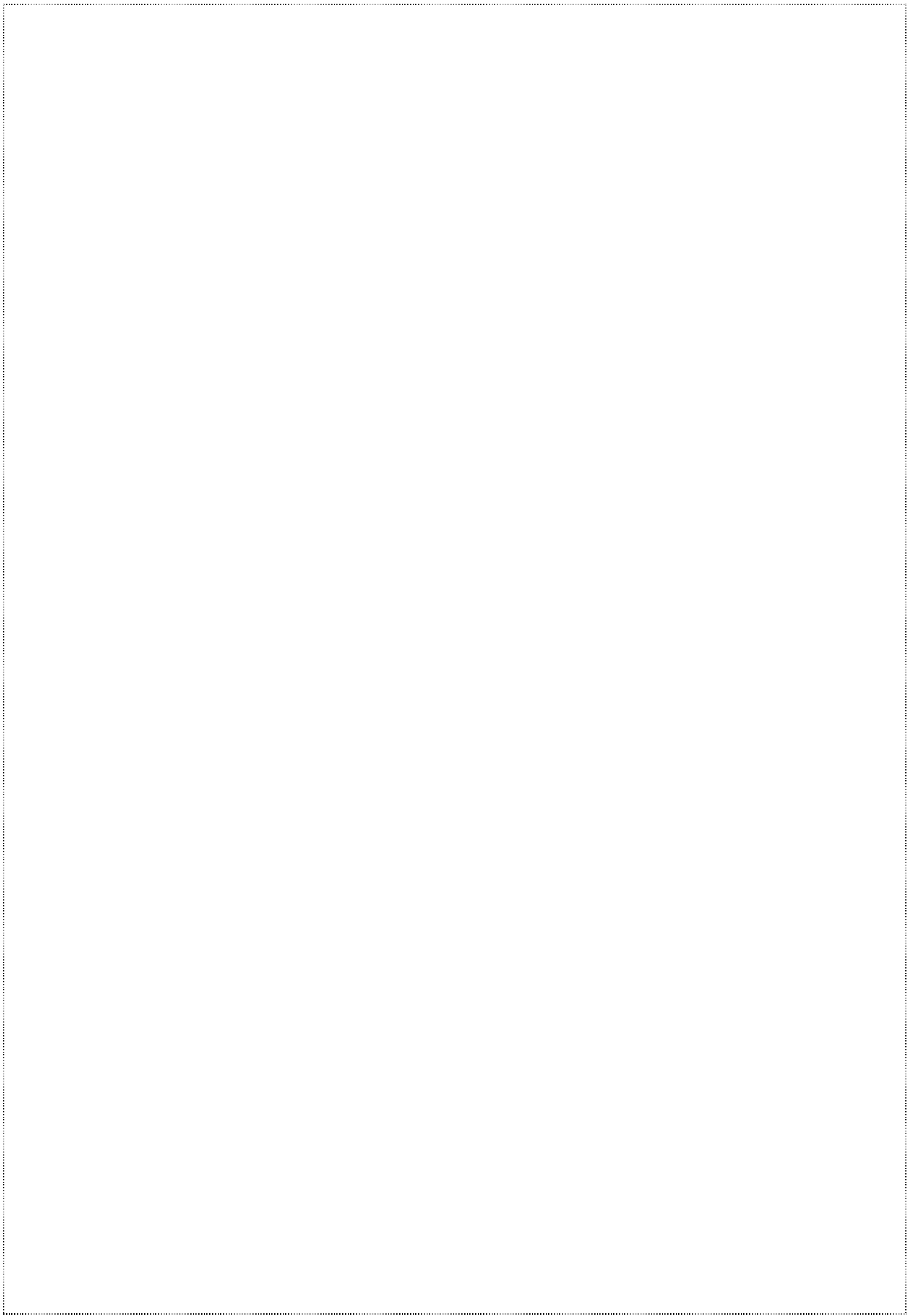
RECOGNIZING the need to simplify the rules by generalizing the treatment of overage and underage to avoid future confusion;

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

- For any species under quota/catch limit management, underages/overages from one year may be added to/must be subtracted from the quota/catch limit of the management period immediately after or one year after that year, unless any recommendation on a stock specifically deals with overages/underages, in which case that recommendation will take precedence.

[2]

RESOLUTIONS



RES-GFCM/35/2011/1

On the submission of combined data on fishing vessels

The General Fisheries Commission for the Mediterranean (GFCM),

RECALLING the obligations of Contracting Parties to submit data on fishing vessels, in accordance with established standards and protocols, under Recommendations:

- GFCM/33/2009/1 on the establishment of a Fisheries Restricted Area in the Gulf of Lions to protect spawning aggregations and deep sea sensitive habitats
- GFCM/33/2009/2 on the minimum mesh size in the cod-end of demersal trawlers
- GFCM/33/2009/5 on the establishment of the GFCM Regional Fleet Register, and
- GFCM/33/2009/6 concerning the establishment of a GFCM Record of Vessels over 15 meters authorized to operate in the GFCM Area

CONSIDERING that most of the data to be reported under each of these Recommendations are common and that a single transmission of data on fishing vessels, incorporating all the data fields specified in each Recommendation, would facilitate the data submission processes executed by Contracting Parties;

RESOLVES that:

1. Contracting Parties shall submit the data specified in Recommendations GFCM/33/2009/1, GFCM/33/2009/2, GFCM/33/2009/5 and GFCM/33/2009/6 as a single dataset, as defined in Annex 1.
2. The data shall be submitted by Contracting Parties to the Secretariat at least at the beginning of each calendar year, and not later than 31st March, followed by updates, as appropriate, to fully reflect the situation of their fleets at any given time.
3. The data shall be submitted by Contracting Parties in accordance with the data submission standards and protocols established by the Secretariat, taking into account the provisions under paragraph 1.

| Regional Fleet Register (RFR) | ADDITIONAL DATA FIELDS | | | | | |
|--|--|--|---|--|---|--|
| | Authorized Vessel List (AVL) | Minimum Mesh Size | Fisheries Restricted Area (FRA) | | | |
| <i>Recommendation GFCM/33/2009/5</i> | <i>Recommendation GFCM/33/2009/6</i> | <i>Recommendation GFCM/33/2009/2</i> | <i>Recommendation GFCM/33/2009/1</i> | | | |
| All Regional Fleet Register fields (47) as specified in Annex I of Recommendation GFCM/33/2009/5 | Indicator Y/N <i>(Automatic on the basis of Regional Fleet Register data)</i> | Indicator Y/N | Indicator Y/N | | | |
| | | <i>Time period authorized for fishing with demersal trawl gear</i> | <i>Number of fishing days exerted by each vessel in the year 2008</i> | <i>Number of fishing days exerted in the fishery restricted area</i> | <i>Main gear(s) used to fish in the fishery restricted area</i> | <i>Seasonal period authorized for fishing in the fishery restricted area</i> |

RES-GFCM/35/2011/2

**On data confidentiality policy and procedures, amending Resolution
GFCM/30/2006/1**

The General Fisheries Commission for the Mediterranean (GFCM),

RECOGNISING the need for confidentiality at the commercial and organisational levels for data, reports and messages submitted to GFCM;

ADOPTS, in accordance with paragraph 1 (h) of Article III and with Article V of the GFCM Agreement, the following policy and procedures on confidentiality of data:

1. Field of application

The provisions set out below shall apply to all data, reports and messages (electronic and of other nature) transmitted and received pursuant to GFCM recommendations.

2. General provisions

- a) The Executive Secretary and the appropriate authorities of the Contracting Parties and Cooperating non-Contracting Parties (CPCs) , transmitting and receiving data, reports and messages shall take all necessary measures to comply with the security and confidentiality provisions set out under paragraphs 3 and 4 of the present Resolution;
- b) The Executive Secretary shall inform all CPCs of the measures taken by the Secretariat to comply with these security and confidentiality provisions;
- c) The Executive Secretary shall take all the necessary steps to ensure that the requirements pertaining to the deletion of data, reports and messages handled by the Secretariat are complied with;
- d) Each CPC shall guarantee the Executive Secretary the right to obtain as appropriate, the rectification of data, reports and messages the processing of which does not comply with the provisions of the GFCM Agreement;
- e) The Commission may instruct the Executive Secretary not to make available the data, reports and messages submitted to the GFCM by a CPC, where it is established that the CPCs in question has not complied with these security and confidentiality provisions.

3. Provisions on data confidentiality

- a) Data, reports and messages shall be used only for purposes stipulated in GFCM Recommendations.
- b) (i) With respect to data provided under Recommendation GFCM/33/2009/3, the Secretariat shall develop web-based data access and reporting facilities which should be available, in accordance with the provisions of paragraph 4 (b), only to:
 - Registered users nominated by the Contracting Party, without any time restrictions unless specified. This nomination could be revoked at any time by the Contracting Party,
 - Registered participants of GFCM meetings with access limited to the period of the respective meetings.
- (ii) General statistical reports and publications shall be made available to the general public without any restriction, in accordance with the guidance of the Commission and the security provisions of paragraph 4.

4. Provisions on data security

- a) CPCs and the Executive Secretary shall ensure the secure treatments of data, reports and messages, in particular where the processing involves transmission over an electronic network. CPCs and the Executive Secretary must implement appropriate technical and organisational measures to protect data, reports and messages against accidental or unlawful destruction or accidental loss, alteration, unauthorised disclosure or access, and against all inappropriate forms of processing.

The following security issues must be addressed from the outset:

- System access control: the system has to withstand a break-in attempt from unauthorised persons;
- Authenticity and data access control: the system has to be able to limit the access of authorised parties to a predefined set of data only;
- Communication security: it shall be guaranteed that data, reports and messages that enter the system are securely communicated;
- Data security: it shall be guaranteed that data, reports and messages that enter the system are securely stored for the required time and that they will not be tampered with;
- Security procedures: security procedures shall be designed addressing access to the system, system administration and maintenance, backup and general use of the system.

Having regard to the state of the art and the cost of their implementation, such measures shall ensure a level of security appropriate to the risks represented by the processing of the data, reports and messages.

b) Data security

Access limitation to the data shall be secured via a flexible user identification and password mechanism. Each user shall be given access only to the data necessary for his task.

c) Security procedures

Each CPC and the Executive Secretary shall nominate a security system administrator. The security system administrator shall review the log files generated by the software, properly maintain the system security, restrict access to the system as deemed needed and act as a liaison with the Executive Secretary in order to solve security matters.

**Concerning the procedure to submit new proposals of decisions
to the annual sessions of the GFCM**

The General Fisheries Commission for the Mediterranean (GFCM),

RECALLING that the objectives of the Agreement establishing the GFCM, are to promote the development, conservation, rational management and best utilization of living marine resources;

AWARE of the necessity for coordinated and timely actions by all Contracting Parties and Cooperating non-Contracting Parties of GFCM (CPCs) to ensure the enforcement of GFCM's conservation and management measures, and the need to encourage all CPCs of GFCM to abide by these measures;

CONSIDERING the need for action to ensure the effectiveness of the GFCM objectives;

TAKING into account the conclusions of the GFCM Performance Review, in favour of the improvement of the effectiveness of the Commission with regards to the decision-making process in the field of fisheries and aquaculture management;

NOTING that the GFCM, at its Thirty-fourth Session, debated on the importance of adopting a strict procedure concerning the submission of new proposals for decisions to the Annual Sessions of the Commission;

ADOPTS, in conformity with the provision of paragraph 1 (b) and (h) of Article III and Article V of GFCM Agreement, that:

1. Contracting Parties shall ensure, to the extent possible, to submit to the GFCM Secretariat at least 15 days before the beginning of each Annual Session, any new proposal for decision related to the fisheries and aquaculture management in order to guarantee its communication in timely manner to the other Contracting Parties.
2. All efforts should be endeavored in order for these proposals to be, to the extent possible, elaborated by more than one member and presented in at least two of the GFCM working languages.
3. To ensure the effectiveness of GFCM objectives, paragraphs 1 and 2 are without prejudice to the adoption of any other decision regarding fisheries and aquaculture management needed during the Annual Session.
4. Any new proposal for decision introduced beyond the time-limit fixed under paragraph 1 shall be first submitted to the Commission for approval at the opening of the Annual Session in order to be considered or not during the Session.

5. The submission of proposal for decision shall follow a procedure well defined by the Commission. The Task Force, as established to follow-up on the Recommendations of the GFCM Performance Review, shall review the question and submit a proposal on this subject to the consideration of the Thirty-Sixth Session of the Commission. The procedure, thus proposed by the Working Group and adopted by the Commission in 2012, shall be annexed to the present Resolution.

RES-GFCM/33/2009/1

On the management of demersal fisheries in the GFCM area

The General Fisheries Commission for the Mediterranean (GFCM),

RECALLING that the objectives of the Agreement establishing the General Fisheries Commission for the Mediterranean (GFCM) are to promote the development, conservation, rational management and best utilisation of living marine resources;

RECALLING the Declaration of the Ministerial Conference for the Sustainable Development of the Fisheries in the Mediterranean held between 25th and 26th November 2003 in Venice;

RECALLING that effective management measures aim to curb the decline in fish stocks, identified in the scientific advice, and to ensure conserve fisheries resources;

CONSIDERING that the Scientific Advisory Committee suggested that fishing mortality should be reduced significantly, on the basis of the scientific evidence that some of the demersal stocks may be approaching a critical state;

RECALLING Recommendation GFCM/2002/1 which urges the control of fishing effort and the improvement of the exploitation pattern of demersal fisheries;

RECALLING Recommendation GFCM/2006/1 which calls for a management programme in relation to fishing effort control in demersal and small pelagic fisheries;

RE-AFFIRMING the principles of the FAO Code of Conduct for Responsible Fisheries and recalling the precautionary and ecosystem approach to fisheries, in particular, in relation to the development of new fisheries

RESOLVES that:

1. Unless proven unnecessary by sound scientific advice, a reduction of a minimum of 10 % of bottom trawling fishing effort shall be applied in all GFCM areas;
2. SAC should continue to monitor the fishing effort of other demersal fisheries together with their impact on demersal resources, with a view to include such fisheries under the provisions of paragraph 1, if necessary;
3. This measure does not affect the number of fishing vessels;
4. This Resolution should be implemented without prejudice to fleet modernisation plans which may be in place in some Member countries.

RES-GFCM/33/2009/2

**Establishment of Geographical Sub-Areas
in the GFCM area amending the resolution GFCM/31/2007/2**

The General Fisheries Commission for the Mediterranean (GFCM),

RECOGNIZING the need to compile data, monitor fisheries and assess fisheries resources in a georeferenced manner;

RECALLING the efforts made by Scientific Advisory Committee (SAC) and its Sub-Committees to identify appropriate boundaries for sub-areas in the GFCM area (FAO area 37);

CONSIDERING the decision made by the Commission at its 26th Session (2001) to establish Geographical Sub-Areas (GSAs) in the GFCM area;

CONSIDERING the advice emanating from the ninth and eleventh session of SAC;

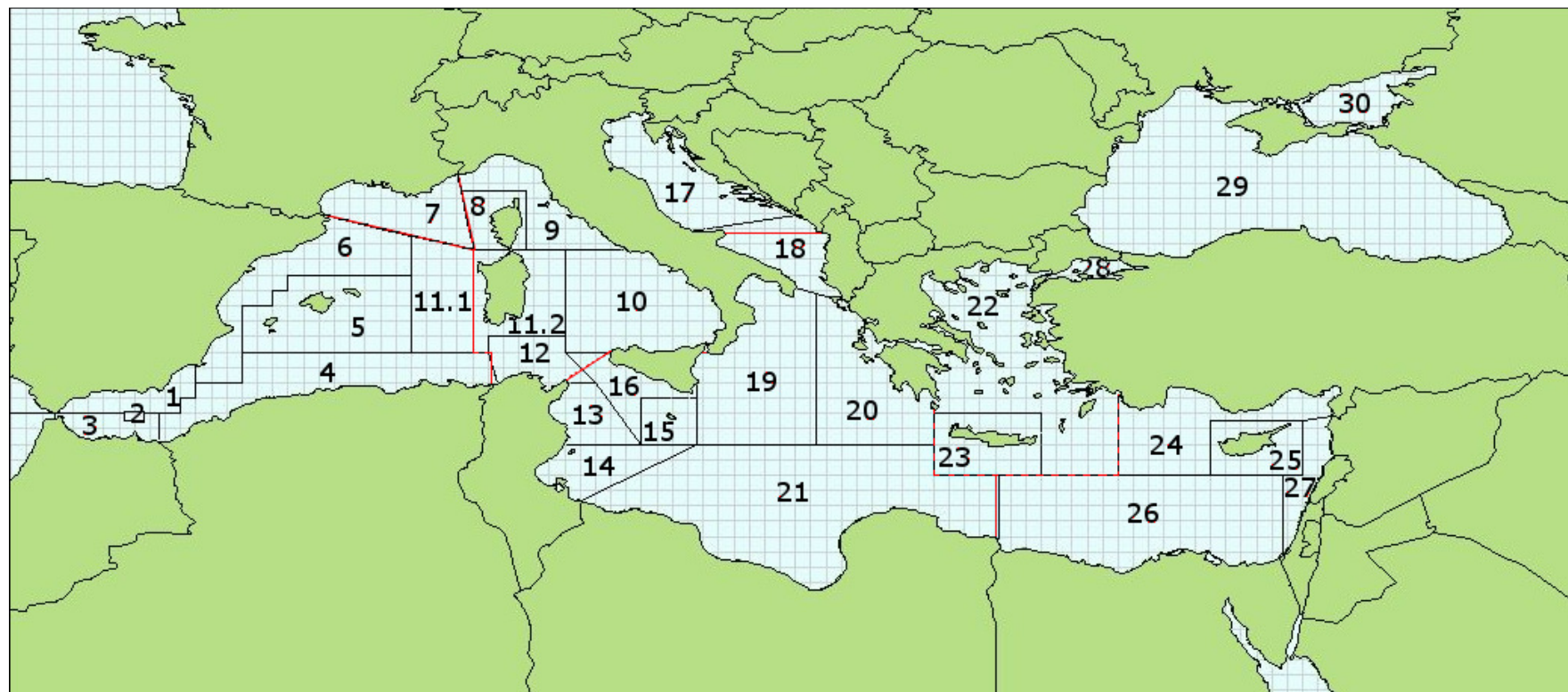
ESTABLISHES:

1. Geographical Sub-Areas in the GFCM area as shown in Annexes 1, 2 and 3.

Table of GFCM Geographical Sub-Areas (GSAs) (GFCM, 2009)

| FAO SUBAREA | FAO STATISTICAL DIVISIONS | GSAs |
|---------------------|---------------------------|-------------------------------------|
| WESTERN | 1.1 BALEARIC | 1 Northern Alboran Sea |
| | | 2 Alboran Island |
| | | 3 Southern Alboran Sea |
| | | 4 Algeria |
| | | 5 Balearic Island |
| | | 6 Northern Spain |
| | | 11.1 Sardinia (west) |
| | 1.2 GULF OF LIONS | 7 Gulf of Lions |
| | 1.3 SARDINIA | 8 Corsica Island |
| | | 9 Ligurian and North Tyrrhenian Sea |
| | | 10 South Tyrrhenian Sea |
| | | 11.2 Sardinia (east) |
| 12 Northern Tunisia | | |
| CENTRAL | 2.1 ADRIATIC | 17 Northern Adriatic |
| | | 18 Southern Adriatic Sea (part) |
| | 2.2 IONIAN | 13 Gulf of Hammamet |
| | | 14 Gulf of Gabes |
| | | 15 Malta Island |
| | | 16 South of Sicily |
| | | 18 Southern Adriatic Sea (part) |
| | | 19 Western Ionian Sea |
| | | 20 Eastern Ionian Sea |
| | | 21 Southern Ionian Sea |
| EASTERN | 3.1 AEGEAN | 22 Aegean Sea |
| | | 23 Crete Island |
| | 3.2 LEVANT | 24 North Levant |
| | | 25 Cyprus Island |
| | | 26 South Levant |
| | | 27 Levant |
| BLACK SEA | 4.1 MARMARA | 28 Marmara Sea |
| | 4.2 BLACK SEA | 29 Black Sea |
| | 4.3 AZOV SEA | 30 Azov Sea |

GFCM Geographical Sub-Areas (GSAs) (GFCM, 2009)



--- FAO Statistical Divisions (red) --- GFCM Geographical Sub-Areas (black)

| | | | | |
|---------------------------|--|-----------------------|--------------------------|--------------------|
| 01 - Northern Alboran Sea | 07 - Gulf of Lions | 13 - Gulf of Hammamet | 19 - Western Ionian Sea | 25 - Cyprus Island |
| 02 - Alboran Island | 08 - Corsica Island | 14 - Gulf of Gabes | 20 - Eastern Ionian Sea | 26 - South Levant |
| 03 - Southern Alboran Sea | 09 - Ligurian and North Tyrrhenian Sea | 15 - Malta Island | 21 - Southern Ionian Sea | 27 - Levant |
| 04 - Algeria | 10 - South and Central Tyrrhenian Sea | 16 - South of Sicily | 22 - Aegean Sea | 28 - Marmara Sea |

RES-GFCM/33/2009/2

| | | | | |
|----------------------|---|----------------------------|-------------------|----------------|
| 05 - Balearic Island | 11.1 - Sardinia (west) 11.2 - Sardinia (east) | 17 - Northern Adriatic | 23 - Crete Island | 29 - Black Sea |
| 06 - Northern Spain | 12 - Northern Tunisia | 18 - Southern Adriatic Sea | 24 - North Levant | 30 - Azov Sea |

Geographical coordinates for GFCM Geographical Sub-Areas (GSAs) (GFCM, 2009)

| GSAs | LIMITS | GSAs | LIMITS | GSAs | LIMITS | GSAs | LIMITS |
|----------|--|----------|--|----------|--|-----------|--|
| 1 | Coast Line 36° N 5° 36' W 36° N 3° 20' W 36° 05' N 3° 20' W 36° 05' N 2° 40' W 36° N 2° 40' W 36° N 1° 30' W 36° 30' N 1° 30' W 36° 30' N 1° W 37° 36' N 1° W | 4 | Coast Line 36° N 2° 13' W 36° N 1° 30' W 36° 30' N 1° 30' W 36° 30' N 1° W 37° N 1° W 37° N 0° 30' E 38° N 0° 30' E 38° N 8° 35' E Algeria-Tunisia border Morocco-Algeria border | 7 | Coast line 42° 26' N 3° 09' E 41° 20' N 8° E France-Italy border | 10 | Coast line (including North Sicily) 41° 18' N 13° E 41° 18' N 11° E 38° N 11° E 38° N 12° 30' E |
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| 14 | Coast line 35° N 11° E 35° N 15° 18' E Tunisia-Libya border | 20 | Coast line Albania-Greece border 39° 58' N 19° 10' E 35° N 19° 10' E 35° N 23° E 36° 30' N 23° E | 26 | Coast line Libya-Egypt border 34° N 25° 09' E 34° N 34° 13' E Egypt-Gaza Strip border |
| 15 | 36° 30' N 13° 30' E 35° N 13° 30' E 35° N 15° 18' E 36° 30' N 15° 18' E | 21 | Coast line Tunisia-Libya border 35° N 15° 18' E 35° N 23° E 34° N 23° E 34° N 25° 09' E Libya-Egypt border | 27 | Coast line Egypt-Gaza Strip border 34° N 34° 13' E 34° N 35° E 35° 47' N 35° E Turkey-Syria border |
| 16 | Coast line 38° N 12° 30' E 38° N 11° E 37° N 12° E 35° N 13° 30' E 36° 30' N 13° 30' E 36° 30' N 15° 18' E 37° N 15° 18' E | 22 | Coast line 36° 30' N 23° E 36° N 23° E 36° N 26° 30' E 34° N 26° 30' E 34° N 29° E 36° 43' N 29° E | 28 | |
| 17 | Coast line 41° 55' N 15° 08' E Croatia-Montenegro border | 23 | 36° N 23° E 36° N 26° 30' E 34° N 26° 30' E 34° N 23° E | 29 | |
| 18 | Coast lines (both sides) 41° 55' N 15° 08' E 40° 04' N 18° 29' E Croatia-Montenegro border Albania-Greece border | 24 | Coast line 36° 43' N 29° E 34° N 29° E 34° N 32° E 35° 47' N 32° E 35° 47' N 35° E Turkey-Syria border | 30 | |

RES-GFCM/32/2008/1

Reporting on the implementation of GFCM management measures

RECALLING the role of the GFCM in promoting development, conservation, rational management and best utilization of living marine resources, as well as the sustainable development of aquaculture in the Convention Area,

RECOGNIZING the vital implementation of GFCM measures, as referred to in Article III of the GFCM Agreement, to ensure the sustainability of fisheries and aquaculture in the Convention Area;

RECALLING the obligation of Members to transpose the relevant GFCM Recommendations adopted in virtue of Article V of the GFCM Agreement, into the appropriate policy, legal or institutional framework to which they pertain;

REFERRING to the responsibilities of the Compliance Committee in the monitoring of the implementation of GFCM measures;

TAKING INTO ACCOUNT that the Compliance Committee underlined the need to improve the quality of information submitted on the implementation of GFCM measures;

NOTING the duties of the Secretariat, with particular reference to paragraph 4 (i) of Rule V of the Rules of Procedure;

UNDERLINING that the adoption of this Resolution is without prejudice to specific data and information reporting obligations contained in the respective Recommendations and Resolutions.

RESOLVES that:

1. Members should report annually to the Secretariat on the implementation of GFCM measures, at least thirty-days prior to each GFCM Session, using the format appended to this Resolution.

RES-GFCM/31/2007/3

40mm square mesh size in codend of trawlnets exploiting demersal resources

RECALLING that the objectives of the Agreement establishing the General Fisheries Commission for the Mediterranean are to promote the development, conservation, rational management and proper utilization of living marine resources;

RECALLING Recommendation REC.CM-GFCM/29/2005/1 on the management of certain fisheries exploiting demersal and deepwater species and, notably, Article 1 therein;

REAFFIRMING its commitment to further improve the selectivity of demersal trawl fisheries beyond that which is permitted by the 40 mm diamond mesh size with the view to ensure a better protection of juveniles of several species as well as to reduce discarding practices in a multispecies context;

CONSIDERING the advice on several demersal stocks given at the ninth session of the Scientific Advisory Committee (SAC);

RECOGNIZING that from a socio-economic point of view, and unless otherwise requested by conservation needs, it is necessary to ensure gradual changes in the exploitation pattern of fisheries;

TAKING into account the need to assess the possible short and long-term socio-economic impact of the change in mesh size;

ADOPTS that:

1. Members of GFCM implement on a voluntary basis at least the 40 mm square mesh codend in bottom trawling.
2. Experimental selectivity trials with 40 mm square mesh codend trawlnets are undertaken particularly in those Geographical Sub-Areas (GSAs) where such information is not yet available and Members consider advisable to acquire it before any possible implementation.
3. SAC shall evaluate the results of such trials, including the short and long-term impact, at the latest by 2010 and shall advise accordingly.

RES-GFCM/31/2007/4

Pelagos sanctuary for the conservation of marine mammals

NOTING the imperative international responsibility concerning the conservation and management of the living marine resources in the Mediterranean Sea for the needs of present and future generations;

RECALLING that establishing close or specially regulated fishing areas is recognized to be one of the measures for the reconstitutions of marine fish stocks;

RECALLING also that sustainable management of fish stocks is closely linked with and may benefit from, the conservation of other marine biodiversity components and in particular high trophic level species;

NOTING that an Intergovernmental “Agreement related to the creation in the Mediterranean of a Sanctuary for Marine Mammals” hereafter named the “Pelagos Agreement”, extends, inter alia, on waters beyond national sovereignties or jurisdictions of the coastal States (as in Annex 1);

NOTING also the wishes expressed by the Pelagos Agreement Contracting Parties to cooperate with the GFCM in matters related to fisheries issues;

TAKING NOTE of the measures, attached to this Intergovernmental Agreement, related to fisheries matters, in particular Article 7 (b) and (c) by which the Pelagos Contracting Parties:

1. Will comply with the international regulations and those of the European Community (EC), regarding the use and the keeping of fishing equipment known as “pelagic drift net”,
2. Will exchange their view, as deemed necessary, to promote in the appropriate fora and after scientific evaluation, the adoption of regulations relating to the use of new fishing equipment that could result in the indirect capture of marine mammals or that could endanger their sources of prey, while also considering the risk of loss or of deliberate disposal of fishing equipment at sea.

NOTING also that the Pelagos Sanctuary, as a Specially Protected Area, refers to the UNEP/CMS/ACCOBAMS Agreement and was recognized by the Contracting Parties of the Barcelona Convention’s “Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean” as Specially Protected Area of Mediterranean Importance (SPAMI) and as such the Contracting Parties to this Protocol agree (Article 8.3.b) “to comply with the measures applicable to the SPAMI and not to authorize nor undertake any activities that might be contrary to the objectives for which the SPAMIs were established”;

CONSIDERING that most of the GFCM Mediterranean Riparian States and the EU are Parties to one or both of the agreements mentioned above and that the Conservation Plan adopted by the Pelagos Contracting Parties refers to the competence of the GFCM, as far as fisheries measures are concerned;

CONSIDERING also the Recommendation GFCM/30/2006/5 related to the criteria for obtaining the status of cooperating non-contracting party in the GFCM area;

NOTING the interests of the Pelagos Sanctuary as an ecosystem approach experimental zone;

ADOPTS in conformity with the provisions of paragraph 1 (b), (e) and (h) of Article III and Article VIII of the GFCM Agreement:

1. The GFCM Secretariat is requested to cooperate with the Pelagos Secretariat on the exchange of data and each would report to its respective Governing Body.

Excerpt of the “Agreement related to the creation in the Mediterranean of a Sanctuary for Marine Mammals”:

Article 3

The sanctuary is composed of maritime areas situated within the internal waters and territorial seas of the French Republic, the Italian Republic and the Principality of Monaco, as well as portions of adjacent high seas. The limits of the sanctuary are the following:

- to the west, a line extending from Point Escampobariou (western point of the Giens peninsula: 43° 01' 70" N, 06° 05' 90" E) to Cape Falcone, situated on the western coast of the island of Sardinia (40° 58' 00" N, 008° 12' 00" E),
- to the east, a line extending from Cape Ferro, situated on the north-eastern coast of Sardinia (41° 09' 18" N, 009° 31' 18" E) to Fosso Chiarone, situated on the western Italian coast (42° 21' 24" N, 011° 31' 00" E).

RES-GFCM/29/2005/1

**General guidelines for a GFCM control and enforcement scheme:
needs and principles**

The main aim will be to bring about a scheme of the General Fisheries Commission for the Mediterranean (GFCM) that ensures a high degree of compliance with relevant conservation measures and legal certainty and security for the vessel concerned. Furthermore, the intended Scheme must pay due regard to the characteristics and specificities of different GFCM geographical sub-areas (GSAs) and fisheries. An effective Control and Enforcement Scheme should embody a number of principles, namely:

- (i) Consistency with the provision of the Agreement establishing the GFCM and existing instruments of international law.
- (ii) Evaluation of the current GFCM measures and possibly complementing them with new measures.
- (iii) The Scheme would underline the general duty to cooperate and a commitment to transparency taking into account requirements for confidentiality.
- (iv) The Scheme would have two types of measures:
 - Measures applicable to all fisheries. Measures concerning vessels would apply only to vessels beyond a certain size.
 - Measure applicable on a case by case basis to certain fisheries, where and when such a measure would be cost-effective.
- (v) The Scheme should contribute to the improvement of data collection and statistics and timely transmission of statistics, for scientific as well as monitoring purposes.
- (vi) Provisions for ensuring compliance by both Contracting and non-Contracting Parties vessels, thereby seeking to minimize the level of IUU fishing in the GFCM area.
- (vii) The special requirements of Developing States should be fully recognized and active cooperation should be established to facilitate the implementation of the measures by them.

Under these circumstances, a possible GFCM Scheme could consist of the following basic components:

1) Flag State duties

The following monitoring measures should be taken by the flag States in regard to vessels entitled to fly their flags in the GFCM area:

- (i) Control of their vessels by:
 - a) adopting measures so that their vessels comply with and do not undermine GFCM conservation and management measures;
 - b) authorizing their vessels to fish in the GFCM Area by means of fishing authorizations, licenses, or permits;

- c) ensuring they do not authorize vessels to fish in the GFCM Area unless they are able to effectively exercise their responsibilities in respect of such vessels, including monitoring and controlling their fishing activities;
 - d) ensuring 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 State;
 - e) requiring their vessels fishing on the high seas to carry the license, authorization or permit on board at all times and to produce it on demand for inspection by a duly authorized person.
- (ii) Establishment of a national record of fishing vessels entitled to fly their flags and authorized to fish in the GFCM Area, which should include vessels of other States authorized under charter agreements, and transmission of this information to GFCM.
 - (iii) Regulation of transshipment.
 - (iv) Measures regarding the operation and control of chartering.
 - (v) Requirements for recording and timely reporting of vessel position, catch of target and non target species, fishing effort and other relevant fisheries data including an estimate of discards, unless GFCM stipulates otherwise. These data should be verified for certain fisheries by observer programs, where these programs have been adopted by the Commission.
 - (vi) Implementation of a vessel monitoring system (VMS).
 - (vii) Investigation of, follow-up to, and report on actions taken in response to an alleged violation by a vessel.

2) Obligations of the Contracting Parties and Cooperating non-Contracting Parties

The obligations of the Contracting Parties and Cooperating non-Contracting Parties should include:

- (i) Provision to GFCM, in the manner and at such regular intervals as may be required by GFCM, of compliance reports and information concerning its fishing activities, including fishing area and fishing vessels, in order to facilitate the compilation of reliable fishing statistics on GFCM regulated species (catch, effort, size samples, etc.), and the effective implementation of GFCM compliance program.
- (ii) Compliance with all GFCM conservation and management measures.

3) Compliance and enforcement

The Contracting Parties, through the Commission, should establish an observation and inspection programme to ensure compliance with GFCM conservation and management measures. The programme may inter alia comprise the following elements:

- (i) High seas inspection.
- (ii) Procedures for an effective investigation of an alleged violation of GFCM conservation and management measures, and for reporting to the Commission on the actions taken, including procedures for exchanging information.
- (iii) Provisions for appropriate action to be taken when inspections reveal serious violations as well as the expedient and transparent follow-up of such actions in order to uphold the Flag State's responsibility within the intended programme.
- (iv) Port inspection.

- (v) Monitoring of landings and catches, including statistical follow-up for management purposes.
- (vi) Specific monitoring programmes adopted by GFCM, including boarding and inspection.
- (vii) Observer programs.

4) A programme to promote compliance by vessels of non-Contracting Parties

Further to existing measures, GFCM should examine measures consistent with international law to deter activities of such vessels which undermine the effectiveness of GFCM conservation and management measures, such as:

- Implementation of all the relevant elements of the FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing.
- Prohibition of landings and transshipments of GFCM species by vessels of non-Contracting Parties, sighted in the GFCM Area, that do not comply with the relevant GFCM conservation and management measures.

RES-GFCM/21/1995/2

Reporting on activities of fishing vessels operating in the Mediterranean

The General Fisheries Council for the Mediterranean (GFCM), at its Twenty-first Session held in Alicante, Spain, from 22 to 26 May 1995, agreed to set a minimum length limit of 15 metres for the application of the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas (hereinafter referred to as the Agreement).

The Council,

MINDFUL that Article II.2 of the Agreement allows, but does not require a Party to exempt fishing vessels of less than 24 metres in length from the application of the Agreement, subject to two provisions set out in Article II.2.

NOTING that Article II.3 of the Agreement provides for coastal States of fishing regions such as the Mediterranean where exclusive economic zones and other zones of extended jurisdiction have not been declared, to set a different length limit below which the Agreement shall not apply, and that the limit would only apply in respect of vessels flying the flag of a coastal State and operating exclusively in that fishing region.

CONCERNED that there is no provision for vessels of non-coastal States that operate in the Mediterranean to report on their activities to the GFCM,

NOTING also that Article III of the Agreement requires the flag States to ensure that its vessels provide it with the necessary information on their operations, including fishing area, catch and landing data,

ESTABLISHES, for the purpose of Article II.3 of the Agreement, a minimum length limit of 15 metres for fishing vessels flying the flag of a coastal State of the Mediterranean and operating exclusively in the Mediterranean.

REQUESTS all States without distinction, whose fishing vessels operate in international waters in the Mediterranean to provide information on these vessels, as set out in Article VI of the Agreement, to the Secretariat of the GFCM.

RES-GFCM/15/1980/1

Definition of a littoral management policy

CONSIDERING that the management of the coastal area implies a global process of reflection, discussion and decision-making, taking into account the interaction of all the activities conducted in that area,

FURTHER CONSIDERING that this process is based on the definition of a management policy drawn up by all the parties concerned within a multi-disciplinary structure or mechanism,

FINALLY CONSIDERING that the authorities responsible for the management of coastal resources should contribute to this process the result of their analysis in order to ensure that the needs and prospects of coastal fisheries and aquaculture are taken fully into consideration in the management of coastal areas,

The Fifteenth Session of the General Fisheries Council for the Mediterranean *PROPOSES*

- the definition of a national strategy indicating in particular the place of artisanal fisheries in management schemes;
- the drawing up of coastal occupation plans according to types of utilization;
- the formulation of practical management schemes;
- the strengthening of liaison among fishermen, research workers and administrators by establishing multi-disciplinary reflection, discussion and decision structures.

RES-GFCM/15/1980/2

Evaluation of present coastal resources

CONSIDERING that the management of the coastal area implies a global process of reflection, discussion and decision-making, taking into account the interaction of all the activities conducted in that area,

FURTHER CONSIDERING that this process is based on the definition of a management policy drawn up by all the parties concerned within a multi-disciplinary structure or mechanism,

FINALLY CONSIDERING that the authorities responsible for the management of coastal resources should contribute to this process the result of their analysis in order to ensure that the needs and prospects of coastal fisheries and aquaculture are taken fully into consideration in the management of coastal areas,

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- the formulation of practical management schemes;
- the strengthening of liaison among fishermen, research workers and administrators by establishing multi-disciplinary reflection, discussion and decision structures.

RES-GFCM/15/1980/3

Development of the coastal area by artificial structures

RECOGNIZING the interest in pursuing the effort to acquire the know-how leading to an economic return from new aquaculture activities,

CONSIDERING the considerable prospects of developing mollusc production in certain coastal areas by means of artificial reefs or the immersion of shellfish culture installations,

CONSIDERING further that such installations, by providing shelter and feed, help increase appreciably the biomass directly usable by man,

The Fifteenth Session of the General Fisheries Council for the Mediterranean

DRAWS THE ATTENTION of the competent national authorities to the interest in promoting the development of such structures in the context of their integrated management plans for coastal exploitation.

[3]

OTHER DECISIONS (OTH)

OTH-GFCM/30/2006/1¹⁴

Guidelines on sustainable Bluefin Tuna farming practices in the Mediterranean¹⁵

PART 1 – INTRODUCTION

1. The development of bluefin tuna (BFT) farming¹⁶ practices in the Mediterranean since the mid-1990s has been accompanied by a series of concerns about the sustainability of this important industry and about its impacts. The price of bluefin destined for sashimi, coupled with the ability to rapidly increase the weight of wild-caught bluefin in farms, has created more demand for bluefin captured at sea and, consequently, placed greater pressure on the stock.

2. In 2002, the General Fisheries Commission for the Mediterranean (GFCM) called for the establishment of a Working Group, to be convened jointly with the International Commission for the Conservation of Atlantic Tunas (ICCAT), with a mandate to develop practical guidelines to address known problems, with emphasis on fishing and farming statistics, and to propose research needed in order to investigate potential problems.

3. The Working Group met three times between 2003 and 2005 to develop the Guidelines that are presented in this document.

PART 2 – NATURE AND SCOPE

4. The farming of Atlantic bluefin in the Mediterranean Sea should be considered an activity clearly overlapping between capture fisheries and aquaculture. The potential of bluefin farming, all the perceived risks associated with it, and all matters relevant to the sustainability of this recent commercial activity, clearly encompass issues specific to both the fisheries and aquaculture sectors.

5. In the long-term, the potential sustainability of BFT farming is linked also to the research advances in the successful “domestication” of the species. Although considerable progress has been made in this regard, the economically feasible “closed-cycle” production of BFT has not been achieved yet. The Guidelines have thus been prepared based on BFT farming as currently practiced in the Mediterranean.

¹⁴ Paragraph 23 of the Report of the 30th Session

¹⁵ Prepared by the Ad Hoc GFCM/ICCAT Working Group on Sustainable Bluefin Tuna Farming/Fattening Practices in the Mediterranean

¹⁶ Tuna farming in the Mediterranean is currently practiced as capture-based aquaculture. It involves the collection of wild fish, ranging from small to large specimens, and their rearing in floating cages for periods spanning from a few months up to 1 to 2 years. Fish weight increment or change in the fat content of the flesh is obtained through standard fish farming practices. Confinement of captured fish during short periods of time (2–6 months) aimed mostly at increasing the fat content of the flesh, which strongly influences the prices of the tuna meat in the Japanese sashimi market, can also be referred to as “tuna fattening”.

6. The Guidelines encompass a series of statistical, socioeconomic, biological, environmental and management issues. They have been limited to only those issues arising, or potentially arising, because of BFT farming. In other words, the Guidelines do not address the sustainability issues that could exist even without farming. The Guidelines were written by a group of experts – primarily scientists – in these disciplines.

7. The Guidelines are advisory in nature. They are intended to reinforce the basis for the regulations¹⁷ that have already been introduced by GFCM and ICCAT for bluefin tuna in the Mediterranean, primarily for the capture fisheries component. The Guidelines could also serve as a basis for a broader management framework that takes into consideration other aspects related to the sustainability of the farming industry.

PART 3 – GUIDELINES

3.1 Capture fisheries

8. Farmed bluefin tuna comes from capture fisheries. The expansion of tuna farming activities in the Mediterranean has generated a growing demand of wild fish specimens. Hence, one of the main concerns about this demand is the current and potential pressure to increase fishing effort. A main step towards responsible and sustainable fishing is to enforce the conservation and management measures of the regional fisheries management organizations, particularly ICCAT and GFCM (e.g. Rec. [02-08]).

9. *Catches.* In order to ensure that the potential pressure to increase fishing effort due to farming is not realized, it is necessary to ensure compliance with the quotas established for the conservation of the stock. In addition, under a number of international instruments, flag States of the fishing vessels have responsibilities to collect and report catch data, irrespective of whether the fish are destined for either the market or farming.

10. *Illegal, unreported and unregulated (IUU) fishing.* Every effort should be made to combat and eliminate IUU fishing and farming, including through the development of a responsible trading system among countries, in order to ensure that only fish caught and farmed in accordance with agreed conservation and management rules is allowed to enter into international trade. In particular, the recommendation that ICCAT and GFCM members prohibit landings from fishing vessels, placing in cages for farming and/or the trans-shipment within their jurisdiction of tunas or tuna-like species caught by IUU fishing activities, should be enforced ([Rec. 03-16]).

11. *Other information.* The Recommendation on BFT farming ([Rec. 04-06]) specifies types of data that flag States of fishing or transfer vessels should collect and maintain (vessel logs, quantities, time and place of catch, vessel lists, etc.). In addition to these requirements, research should be conducted on methodologies to obtain accurate estimates of the size composition of the catch; such methodologies should be adopted for the collection and reporting of size composition data.

¹⁷ Available from www.iccat.es and www.fao.org/gfcm.org. Specific regulations cited in the text are listed at the end for ease of reference.

3.2 Transport and transfer

12. A critical point of this phase is the control of the amount (quantitatively and qualitatively) of fish that are transferred from the fishing gear to the transport and/or farming cages.

13. *Fish transfers.* The traceability of the transfer of live fish into cages should be ensured, particularly when different countries are involved. The ICCAT Bluefin Tuna Statistical Document Program ([Res. 94-5], [Rec. 97-04], [Rec. 03-19]) set the modality of collecting trade data but does not cover live fish transfers. The ICCAT Recommendation [03-16] prohibits the transshipment of fish caught by IUU activities. The ICCAT Recommendation [04-06] regulates the statistical data to be taken by tugs or fishing vessels and farms.

14. Research should be promoted to further develop the methods and techniques presently available for quantifying live fish (e.g. underwater video cameras or acoustic methods); standards should be agreed to and adopted as soon as possible, also to allow for fair transactions thus avoiding conflicts between vessel and farm operators.

15. *Scientific research.* The provision of fish specimens to the research community, if required, will ensure the collection of valuable scientific information on the wild BFT population that may benefit both the fishery and farming sectors. Therefore, the industry should be encouraged to facilitate the provision to the research community of specimens accidentally killed during fishing, transfer or transport, as they represent a significant biological sample from the wild stock. Furthermore, specimens collected at the beginning of the farming process will provide 'point zero' information required to properly evaluate the performance of the farming activity at the end of the production cycle. Areas of research could include, among others: reproduction biology, growth, mortality, genealogy, stock structure and behaviour.

3.3 Farming

16. This section refers to the BFT production phase itself. The culture technique follows in some ways the traditional offshore cage system, with similar rearing structures and technical constraints. On the other hand, farming of this pelagic species raises a series of distinct issues that require particular attention.

3.3.1 Registration

17. Licences/registration. It is essential to adopt a system to license or register farming facilities in order to comply with the requirements for listing authorized facilities in the ICCAT Recommendation [04-06], which should help prevent IUU farming. In addition, if excess farming capacity is deemed undesirable, due consideration should be given to the magnitude of the total allowable catch established for this species in the region.

3.3.2 Socio-economic issues

18. *Socio-economic issues.* A preliminary socio-economic appraisal to evaluate the context in which farming takes place appears to be an important requisite. Activities linked to BFT farming should be addressed particularly in view of job opportunities.

19. Studies for integrated coastal zone management should be carried out to avoid the possibility of conflicts between the BFT farmers and other resource users including those from the tourism, other aquaculture activities, and small-scale fisheries sectors. During the site selection process in particular, it would be advisable to give considerable attention to avoidance of conflicts with other sea users; consideration should be given to making arrangements for the involvement and participation by local fishermen, e.g. in the supply of baitfish.

20. *Subsidies.* Currently, BFT farming is unquestionably tied up to the availability and exploitation of natural resources (both seed and baitfish) and the practice of subsidizing activities that utilize limited natural resources is not generally in line with sustainable management policies. In some Mediterranean countries, subsidies for aquaculture development exist including funds for BFT farming. However, it remains unclear whether these will have a positive or negative impact on the development and sustainability of the BFT industry. This important issue certainly requires further monitoring and analysis.

21. The industry, in collaboration with public authorities, should develop, apply and monitor procedures and standards which aim to guarantee appropriate labour and safety conditions in BFT farming operations.

22. The Mediterranean aquaculture sector, including BFT farming, will benefit significantly from human resource development efforts, including capacity-building and promotion of skills on good farm management, as well as training of farm technicians and other farm workers.

3.3.3 Environmental issues

23. *Feeding.* In the absence of a formulated feed, the current practice is to feed the BFT using frozen baitfish from wild stocks of different geographical origins. The main risks resulting from the use of this kind of feed could be:

- The possible overexploitation of wild stocks of small pelagic baitfish;
- The involuntary introduction of pathogens. Frozen allochthonous species can be vectors to pathogenic organisms as well as potential aetiological disease agents of autochthonous wild populations.

24. The use of baitfish from local fisheries could represent a solution to the risk of introducing new pathogens. However, stock assessment and monitoring of local baitfish populations would be required to prevent the overfishing of these resources and, in the cases in which vessels are providing the baitfish directly to the farm without landing it, the quantities caught should be collected and reported by the flag State in order to be included in the national capture production statistics.

25. A standardized quality-control system should be developed to ensure the quality of baitfish [i.e. screened for heavy metals, polychlorinated biphenyls (PCBs), dioxin, etc.] and to ensure the absence of potential pathogens.

26. Furthermore, it appears essential that research on the nutritional requirements of BFT be promoted with the aim to develop an artificial feed capable of guaranteeing acceptable meat quality standards as required by the market.

27. In order to minimize the amount of baitfish used, and to avoid the polluting effect of uneaten food, improvement of feeding management practices is advisable.

28. *Site selection, Environmental impact Assessment (EIA) and farm design.* The steps of selecting an area where the farms will be located, a specific site within that area, and the evaluation of any potential environmental impacts are closely related. In addition, farm design considerations are important. Once an area is chosen, site selection should be preceded by an EIA. Factors that should be taken into account include, but are not limited to:

- avoiding sensitive ecological areas;
- ensuring the presence of an adequate water current pattern to properly/effectively disperse settling/floating particles/substances/debris and sediments;
- maintaining a safe distance from potential sources of pollution (e.g. industrial parks, urban areas) to prevent contamination of the farmed fish;
- ensuring a safe distance between farms and river beds, in order to avoid potential problems associated with floods;
- ensuring the development and effective implementation of site rehabilitation plans, as appropriate;
- ensuring a minimum and safe distance between farms, as well as a minimum distance between individual cages;
- ensuring a sufficient minimum distance between the cage bottom and the sea bed in order to allow for adequate water circulation;
- minimizing both visual and environmental impacts through farm design;
- avoiding the use of copper- and zinc-based antifouling on nets and mooring systems.

29. *Environmental monitoring.* Approval of farming concessions and licenses should be, for all intents and purposes, linked to the submission of environmental monitoring plans. While all countries involved in BFT farming in the Mediterranean have requirements for EIA and environmental monitoring of aquaculture sites, it would be useful to develop minimum standards to be applied for bluefin at a regional or national level. The Committee on Aquaculture (CAQ) of GFCM should consider the feasibility of developing such standardized guidelines. Standard analysis of the main water and sediment's physical, chemical and biological parameters at agreed distances from the farm site should be the norm, at an agreed-upon frequency. As with other aquaculture activities, the results of monitoring procedures should be transparent and available to the public. The frequency of monitoring should be controlled and closely planned with the competent local environmental authorities, and could be conducted with the assistance of accredited independent environmental monitoring and certification services.

30. Environmental monitoring might, when and as appropriate, include the monitoring of ecological effects on (i) the benthos, including changes in biodiversity parameters, and deposition; (ii) the water column and water surface; (iii) interactions with attracted species and populations.

31. Environmental monitoring guidelines may include reference to the need/opportunity for regular assessment, including meaningful quantitative and interpretative analysis of environmental impact status and trends, as well as regular updates on the use of the information thus generated. This includes information on improved management (especially

production practice and farm operation; waste reduction/reuse) and contingency planning efforts.

3.3.4 Data and research

32. *Farm data and records.* Information concerning farming operations and environmental parameters (fish movements between cages, stocking densities at any possible given/possible time, feed application/use, effective feed consumption, temperature, dissolved oxygen, etc.) should be properly collected, recorded and made available for monitoring purposes. Respecting confidentiality requirements, this information should also be made available for research purposes.

33. *Scientific research.* The farming activity presents a valuable opportunity for cooperative research between the industry and the scientific community, and such collaboration should be encouraged. Furthermore, collaborative efforts should be aimed at designing experiments on live fish during farming, especially on captive behaviour, reproductive physiology, growth performance, nutritional demand and feed conversion rates. The non-marketable parts of fish that die incidentally during recruitment and/or farming should be considered as potentially suitable samples for research.

3.3.5 Animal welfare

34. *Animal welfare.* The welfare status of captive livestock is an important determinant of society's overall acceptance of farming technology. In general terms, the following would be advisable:

- During all phases of the production cycle, due care should be taken to avoid inflicting unnecessary stress to farmed fish. Handling of the fish should be reduced to a minimum during both fishing and transfer of the BFT into the transport or final cages.
- Setting an upper limit to the density of the cultured fish in the cages (kg/m³). This parameter is closely related to the overall well-being of the fish in terms of its likely correlation with the incidence of pathogens, as well as with stressful conditions at high densities.
- Adequate and standard harvesting procedures should be followed to minimize the suffering of the fish, and to guarantee quality standards of the final product required by the market.

3.4 Harvesting and marketing

35. The harvesting process is the production phase in which the data that can be collected and reported for biological and statistical purposes are measurements that are not as affected by estimation error as in the capture/transfer phase. These data, along with the farming reports, can be cross-checked with the estimates of inputs, as a means for validating the initial amount of farmed fish. It is essential that the concerned local authorities survey the correct application of the ICCAT/GFCM recommendations to ensure the accuracy of reported harvest and trade data.

36. *Biological samples and research.* In the input phase, accidentally-killed fish represent valuable specimens for scientific purposes. However, the data on input biomass are estimates. On the other hand, during the harvesting phase, all fish are physically available, such that

accurate data and biological samples can be collected from a significant number of fish. The availability of specimens for sampling and data collection would facilitate the implementation of research activities.

37. *Waste management.* During harvesting and processing of the fish for the market, a large amount of biological waste is produced. Unless used for research purposes, this waste should be properly stored, treated, landed and disposed of. Licensed farms should have approved waste-disposal plans, including plans for farm material subjected to renewal (e.g. nets, ropes).

38. *Farm harvest data.* The output data of the harvesting activity should be recorded and reported.

- For stock assessment purposes, it is important to obtain the size composition of the captured fish. Since there currently are technological difficulties for measuring the fish at the time of capture with the desired degree of accuracy and precision, it is necessary to record and report the size composition at the time of harvesting, as specified in the ICCAT recommendation [04-06, par. 2]. Estimates of the round weight of harvested fish should also be obtained, as these data would be useful for monitoring regional farming activity and for cross-checking inputs and outputs.
- Summary information on annual inputs and outputs to farming operations should also be reported in accordance with the ICCAT Recommendation [04-06, par. 5]. This information should be made available in round weight so that it can be analysed with respect to catch and aquaculture statistics.

39. *Trade.* The traceability of all internationally-traded tuna can be accomplished with instruments such as the ICCAT Bluefin Tuna Statistical Document Program [Rec. 03-19]. However, the usefulness of this Program should be improved by amending its coverage to include international transfers of live fish, and by ensuring that all ICCAT and GFCM members submit bi-annual summaries of their imports, as required by the Program. The data collected by the Program will also provide information useful for validation and estimating unreported catches.

3.5 Summary of statistical issues

40. From the point of view of the sustainability of the bluefin resource, it is clear that a number of statistics have to be collected, reported and analysed at the regional level, so that the stock can be assessed and managed properly. Such requirements for data collection and reporting in capture fisheries directed at BFT existed well before the practice of farming began (e.g. in the ICCAT Convention, in various ICCAT recommendations and resolutions, in the 1995 UN Fish Stocks Agreement, in the FAO Code of Conduct for Responsible Fisheries). It is important to obtain the following:

- accurate estimation of total weight of the catch from the wild;
- accurate estimation of the biological characteristics of the catch (e.g. size composition);
- accurate statistics on the origins of the catch (flag, area, season, transfer and destination);
- accurate statistics on purse seine fishing operations (e.g. fishing effort and fishing strategy);

- accurate estimates of input to and output from the cages, growth and conversion rates, and a brief description of the method used to measure the input;
- information on authorized farming facilities.

41. The framework for the separation of the capture and aquaculture components of tuna farming was established by the Coordinating Working Party on Fishery Statistics (CWP). The CWP noted that *“the problem was to ensure that the weight of the captured organisms is recorded as capture fishery production and that subsequent incremental growth in captivity is recorded as aquaculture, so as to avoid partial or total double counting”*.

42. The data specifically requested on the aquaculture and fisheries components should be reported by members to FAO, GFCM and ICCAT in accordance with the formats established by these organizations. It is important to stress that flag states have the responsibility to collect and report catch data for vessels flying their flag, irrespective of whether the fish are destined for canneries or farms.

43. However, the separate account of the capture and aquaculture components is often difficult to implement. The key point in the collection of statistics from tuna farming remains the measurement/estimation of the number and weight of the fish introduced in the cages.

44. When such techniques are not yet well or completely developed, and considering the uncertainties associated with quantifying fast-moving fish, it would be practical to consider additional sources of information that can be used to complement or cross-check such data. For example, the outputs from farms can be estimated quite accurately and, with a good estimate of growth rates, the initial input into the farms can be back-calculated. Similarly, trade data can be used to validate or complement output reports, although at the current time not all ICCAT Contracting Parties that import bluefin tuna (or its products) provide summaries of the Bluefin Statistical Documents to ICCAT. Thus, full implementation of the Statistical Document Program (which has been recently amended to include information on farming) will strengthen its ability to serve as a validation tool.

45. It is also necessary to ensure that standard types of measurements are used when reporting data, in order to ensure consistent interpretation and comparisons. In general, all fish measurements of weight should be reported in round weight (live weight) and all measurements of size should be reported in fork length in accordance with the ICCAT Field Manual. Although conversion factors and length-weight relationships are available for wild bluefin, these do not necessarily apply to farmed bluefin. Furthermore, the relationships and conversion factors may change depending on the duration of the farming operations, the feed used, and other factors. It is recommended that accurate conversion factors and relationships between measurement types be developed for the different types of farming operations.

Recommendations cited

- [Res. 94-05] *Resolution by ICCAT Concerning the Effective implementation of the ICCAT Bluefin Tuna Statistical Document Program.*
- [Rec. 97-04] *Recommendation by ICCAT Concerning the Implementation of the ICCAT Bluefin Tuna Statistical Document Program on Re-export.*
- [Rec. 02-08] *Recommendation by ICCAT Concerning a Multi-year Conservation and Management Plan for Bluefin Tuna in the East Atlantic and Mediterranean.*

OTH-GFCM/30/2006/1

- [Rec. 03-16] *Recommendation by ICCAT to Adopt Additional Measures Against Illegal, Unreported and Unregulated (IUU) Fishing.*
- [Rec. 03-19] *Recommendation by ICCAT Concerning the Amendment of the Forms of the ICCAT Bluefin/Bigeye/Swordfish Statistical Documents.*
- [Rec. 04-06] *Recommendation by ICCAT on Bluefin Tuna Farming.*