



CCSBT-CC/1710/13

## Draft Revised Minimum Performance Requirements (Compliance Policy 1)

### 1. Introduction

The CCSBT maintains a Minimum Performance Requirements (MPRs)<sup>1</sup> document which is updated regularly.

The Compliance Committee's three-year Action Plan (CAP) specifies that the following three areas of this document are to be newly drafted, or reviewed and updated during 2016-17:

- 3.5 Minimum Standards for Inspection in Port: (newly drafted)
- 4.1 Scientific Observer Program Standards (SOPs) (revisions proposed)
- 5.2 Recommendation on Ecologically Related Species (revisions proposed).

The Secretariat is also proposing to add one small new section (6.4), and revise existing section 6.5<sup>2</sup>:

- 6.4 ERSWG Data Exchange (newly drafted)
- 6.5<sup>2</sup> Annual Reporting to the Compliance Committee (revision proposed).

### 2. Background

The full MPR document is divided into sections which outline the minimum requirements for Members to meet their obligations with respect to each of CCSBT's Conservation and Management Measures (CMMs). The obligations, which are derived from relevant Decisions, Resolutions or Recommendations are listed on the left hand side of the document. The corresponding MPRs are listed opposite each obligation. Each year the Compliance Committee (CC) considers revisions and/or additions to parts of this document in order to reflect any new Decisions, Resolution or Recommendations, and/or revisions to existing ones, as well as to potentially strengthen existing MPRs.

CCSBT's MPR document is important because it is the basis upon which the CCSBT's programme of Quality Assurance Reviews (QARs) are conducted. Therefore, it's essential that CCSBT's MPR document appropriately reflects the minimum requirements that need to be met in order for Members to adequately fulfil their obligations.

### 3. Details of the Draft Revised MPRs

A set of proposed draft revisions (tracked)/ additions to the MPRs are provided at **Attachment A** for Members' consideration. Note that the following items are not presented in tracked mode:

- The MPRs for the Port Inspection Resolution (as the whole section is new);
- Some updated website links; and
- One instance where the order of sub-paragraphs has been switched, but the text itself has not been revised.

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<sup>1</sup> Titled "Minimum Performance Requirements to Meet CCSBT Obligations" ("Compliance Policy Guideline 1"). It is available [here](#).

<sup>2</sup> Section 6.5 will likely need to be re-numbered as section 6.6 if the proposed new section 6.4 is agreed and inserted

### ***Minimum Standards for Inspection in Port***

It is proposed that a new section (3.5) be inserted into the MPRs document to provide a set of initial minimum standards for the operation of the Minimum Standards for Inspection in Port Resolution which was adopted in 2015.

### ***CCSBT Scientific Observer Program Standards (SOPS)***

These obligations and corresponding MPRs have been revised to include:

- Updated introductory information as appropriate;
- The SOPs revisions agreed and adopted at CCSBT 22 in 2015;
- Insertion of text originally drafted by a consultant and presented in paper CCSBT-SMEC/1108/05 in 2011;
- The Secretariat's own proposed amendments to the MPRs to reflect either new or amended obligations, and/or strengthened MPRs; (note that one small sub-paragraph of this text is highlighted in grey and shown as being deleted - indicated by strike-through mode – based on ERSWG12's comments provided in section 4 below); and
- Minor editorial updates.

### ***Recommendation on ERS***

These obligations and corresponding MPRs have been revised to include:

- Updated introductory information; and
- A few small additions and clarifications added by the Secretariat.

### ***ERS Data Exchange***

It is proposed that a new section (6.4) be inserted into the MPRs to reflect the requirement for an ERSWG Data Exchange. This decision has been inadvertently omitted from the MPRs to date. If agreed, the existing section numbers (6.4 to 6.7) of the MPRs will need to be incremented by one to account for the insertion.

### ***Annual Reporting to the Compliance Committee***

There are two small revisions proposed to this section of the MPRs:

- The first is to the paragraph number reference provided in the "Links" (refer to link iii) information of this section. The current reference is to paragraph 3(a) of the 2008 VMS Resolution. However, it will need to be updated to reference paragraph 4(a) of the proposed consolidated VMS Resolution if that Resolution is accepted as currently proposed<sup>3</sup>, and
- The second revision is proposed to reflect the additional section III(2)(d) that Members agreed to add to the EC/CC National Reporting template at CCSBT 22 in 2015.

## **4. Review by ERSWG12**

Note that the 12<sup>th</sup> meeting of the Ecologically Related Species Working Group (ERSWG12) considered the proposed revisions/additions to those MPRs which are of direct relevance to it<sup>4</sup>, *i.e.* all revised sections except the Port Inspection Resolution section (3.5).

ERSWG12 only provided one item of feedback in its final report which concerns section 4.1 (Scientific Observer Program Standards) of the proposed revised MPRs. ERSWG12's comment was with respect to proposed paragraph 1.b.ii on page 9 of **Attachment A**.

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<sup>3</sup> Refer to paper CCSBT-CC/1710/09

<sup>4</sup> Refer to paper CCSBT-ERS/1703/08

ERSWG12 commented that:

*“147. The meeting did not consider it necessary for the Minimum Performance Requirements to require that a timeframe and process be specified for achieving the 10 percent observer coverage target. It was considered that this would be adequately covered through the Compliance Committee’s annual evaluation of national reports and that the Compliance Committee could specify any necessary remedial action.*

*148. The ERSWG did not recommend any other changes to the Minimum Performance Requirements and left these for consideration by the Compliance Committee.”*

In response to this, the Secretariat has retained the proposed text in **Attachment A** (p9), but it is highlighted in grey and presented in strike-through mode so that it appears as a deletion.

## **5. Summary**

Members are invited to consider and decide whether to agree the proposed draft revisions presented at **Attachment A**.

**Prepared by the Secretariat**

### 3.5 Minimum Standards for Inspection in Port (Resolution)

**Title:** Resolution for a CCSBT Scheme for Minimum Standards for Inspection in Port

**Link:** [https://www.ccsbt.org/sites/ccsbt.org/files/userfiles/file/docs\\_english/operational\\_resolutions/Resolution\\_Minimum\\_Port\\_Inspection\\_Standards.pdf](https://www.ccsbt.org/sites/ccsbt.org/files/userfiles/file/docs_english/operational_resolutions/Resolution_Minimum_Port_Inspection_Standards.pdf)

**Notes:** This Resolution includes Annexes A and B. Annex A is a form for the information that needs to be provided in advance by vessels requesting port entry; Annex B is a form for reporting the results of inspections.

3.5 Minimum Standards for Inspection in Port	
Obligations	Minimum performance requirements
<p>i. Each Member wishing to grant access to its ports to foreign fishing vessels shall designate a point of contact for the purposes of receiving notifications. Each Member shall designate a point of contact for the purpose of receiving inspection reports. It shall transmit the name and contact information for its points of contact to the CCSBT Secretariat no later than 30 days following the entry into force of this Resolution. Any subsequent changes shall be notified to the CCSBT Secretariat at least 14 days before such changes take effect. The CCSBT Secretariat shall promptly notify Members of any such change.</p>	<p><b><i>Unless otherwise stated, Port Members/CNMs are required to meet the minimum performance requirements provided in this section (3.5) if they wish to consider granting port access to foreign Fishing or Carrier Vessels<sup>1</sup> equal to or greater than 12m LOA carrying SBT or fish products originating from SBT that have not been previously landed or transhipped in port:</i></b></p> <ol style="list-style-type: none"> <li>1. Submit to the CCSBT Secretariat:               <ol style="list-style-type: none"> <li>a) a designated point of contact for receiving port entry requests; and</li> <li>b) a list of designated ports to which foreign FVs/CVs may request entry.</li> </ol> </li> <li>2. Appoint a competent authority capable of carrying out the inspections in each designated port.</li> <li>3. Submit to the CCSBT Secretariat promptly and at least 14 days before any changes take effect:</li> </ol>
<p>ii. Each Member wishing to grant access to its ports to foreign fishing vessels shall:</p> <ol style="list-style-type: none"> <li>a) designate its ports to which foreign fishing vessels may request entry pursuant to this Resolution;</li> <li>b) ensure that it has sufficient capacity to conduct inspections in every designated port pursuant to this Resolution;</li> <li>c) provide to the CCSBT Secretariat within 30 days from the date of entry into force of this Resolution a list of designated ports.</li> </ol>	

<sup>1</sup> Not including container vessels

<b>3.5 Minimum Standards for Inspection in Port</b>	
<b>Obligations</b>	<b>Minimum performance requirements</b>
<p>Any subsequent changes to this list shall be notified to the CCSBT Secretariat at least 14 days before the change takes effect.</p>	<p>a) any updates to the designated point of contact for receiving port entry requests, and b) any updates to the list of designated ports.</p> <p>4. All Members/CNMs shall: a) submit to the CCSBT Secretariat, the name and contact information of a designated point of contact for the receipt of inspection reports<sup>2</sup>; and b) submit any subsequent changes to the designated point of contact for the receipt of inspection reports to the CCSBT Secretariat promptly and at least 14 days before such changes take effect.</p>
<p>iii. Each port Member wishing to grant access to its ports to foreign fishing vessels shall require foreign fishing vessels seeking to use its ports for the purpose of landing and/or transshipment to provide the required information<sup>3</sup>, at least 72 hours before the estimated time of arrival at the port. The port Member may also request other information as it may require to determine whether the vessel has engaged in IUU fishing, or related activities.</p>	<p>1. Submit to the CCSBT Secretariat any designated port entry prior notification times (in hours) that differ from the standard 72 hours.</p>

<sup>2</sup> These inspection reports will be for FVs/ CVs that were inspected by a Port Member/CNM for the purposes of this Resolution

<sup>3</sup> As a minimum standard, the information set out in Annex A

<b>3.5 Minimum Standards for Inspection in Port</b>	
<b>Obligations</b>	<b>Minimum performance requirements</b>
iv. The port Member may prescribe a longer or shorter notification period, taking into account, inter alia, the type of fishery product, the distance between the fishing grounds and its ports. In such a case, the port Member shall inform the CCSBT Secretariat, which shall publish the information promptly on the CCSBT website.	
v. After receiving the relevant information, as well as such other information as it may require to determine whether the foreign fishing vessel requesting entry into its port has engaged in IUU fishing, the port Member shall decide whether to authorize or deny the entry of the vessel into its port. In case the port Member decides to authorize the entry of the vessel into its port, the following provisions on port inspection shall apply.	1. Operating systems and processes established and implemented to: <ol style="list-style-type: none"> <li>a) review and assess the port entry request information provided by any foreign FV/ CV carrying SBT and determine whether to authorise port entry;</li> <li>b) select which vessels to inspect based on risk-assessment profiles and any information received from other RFMOs; and</li> <li>c) schedule vessel inspections to achieve the target inspection rate of 5% of all landings/ transshipments involving SBT (or fish products originating from SBT) that occur in designated ports each calendar year.</li> </ol>
vi. Inspections shall be carried out by a competent authority of the port Member.	
vii. Each year Members shall inspect at least 5 % of landing and transshipment operations in their designated ports as are made by foreign fishing vessels.	
viii. In determining which foreign fishing vessel to inspect, the port Member shall, in accordance with its domestic law, take into account, inter alia: <ol style="list-style-type: none"> <li>a) Whether a vessel has failed to provide complete information;</li> <li>b) requests from other Members or relevant regional fisheries management organizations (RFMOs) that a particular vessel be inspected, particularly where such requests are supported by evidence of IUU fishing by the vessel in question;</li> <li>c) whether clear grounds exist for suspecting that a vessel has engaged in IUU fishing, including information derived from RFMOs.</li> </ol>	

<b>3.5 Minimum Standards for Inspection in Port</b>	
<b>Obligations</b>	<b>Minimum performance requirements</b>
<p>ix. Each inspector shall carry a document of identity issued by the port Member. In accordance with domestic laws, port Member inspectors may examine all relevant areas, decks and rooms of the fishing vessel, catches processed or otherwise, nets or other fishing gears, equipment both technical and electronic, records of transmissions and any relevant documents, including fishing logbooks, Cargo Manifests and Mates Receipts and landing declarations in case of transshipment, which they deem necessary to ensure compliance with the CCSBT conservation and management measures. They may also question the Master, crew members, or any other person on the vessel being inspected. They may take copies of any documents considered to be evidence of a possible infringement. The Port member shall ensure the operational confidentiality of such documents.</p>	<ol style="list-style-type: none"> <li>1. Rules are in place to ensure that all inspectors are provided with appropriate identification which they must carry while undertaking inspections.</li> <li>2. Operating systems and processes established and implemented to ensure that inspectors:               <ol style="list-style-type: none"> <li>a) are provided with an inspection manual that sets out the standards/ guidelines for conducting Port State inspections including:                   <ol style="list-style-type: none"> <li>i) how to check the relevant SBT product, as well as equipment and documentation on board, and</li> <li>ii) an inspection report template which facilitates the recording of all of the relevant inspection information required by this Resolution, including any infringements detected; and</li> </ol> </li> <li>b) Physically monitor the landing and/or transshipment of SBT.</li> </ol> </li> </ol>
<p>x. Inspections shall involve the monitoring of the landing or transshipment and include a cross-check between the quantities of SBT notified in the prior notification message and held on board. Inspections shall be carried out in such a way that the fishing vessel suffers the minimum interference and inconvenience, and that degradation of the quality of the catch is avoided, to the extent practicable.</p>	

<b>3.5 Minimum Standards for Inspection in Port</b>	
<b>Obligations</b>	<b>Minimum performance requirements</b>
<p>xi. On completion of the inspection, the port Member inspector shall provide the Master of the foreign fishing vessel with the inspection report<sup>4</sup>. The Master shall be given the opportunity to add any comments or objection to the report and to contact the flag Member. The inspector and the Master shall sign the report and a copy of the report shall be provided to the Master. The Master's signature shall serve only as acknowledgement of the receipt of a copy of the report.</p>	<p>1. Operating systems and processes established and implemented to administer the completion of inspection reports including to:</p> <p>a) provide a mechanism to append notes on any practical problems encountered during the inspection such as safety concerns and/or lack of cooperation or intimidation by the vessel master and/or crew;</p> <p>b) submit each completed inspection report to:</p> <p style="padding-left: 20px;">i) the master of the inspected vessel upon completion, and</p> <p style="padding-left: 20px;">ii) the CCSBT Secretariat no later than 14 days after the inspection completion date(s); and</p> <p>c) notify the CCSBT Secretariat if an inspection report cannot be provided to the Secretariat within the specified 14 day time period, as well as the reason for the delay.</p>
<p>xii. The port Member shall transmit a copy of the inspection report to the CCSBT Secretariat no later than 14 days following the date of completion of the inspection. If the inspection report cannot be transmitted within 14 days, the port Member should notify the CCSBT Secretariat within the 14 day time period the reasons for the delay and when the report will be submitted.</p>	
<p>xiii. Flag Members shall take necessary action to ensure that Masters facilitate safe access to the fishing vessel, cooperate with the competent authorities of the port Member, facilitate the inspection and communication and not obstruct, intimidate or interfere, or cause other persons to obstruct, intimidate or interfere with port Member inspectors in the execution of their duties.</p>	

<sup>4</sup> Including, as a minimum standard, the information set out in Annex B



<b>3.5 Minimum Standards for Inspection in Port</b>	
<b>Obligations</b>	<b>Minimum performance requirements</b>
<p>xiv. If the information collected during the inspection provides evidence that a foreign fishing vessel has committed an infringement of the CCSBT conservation and management measures, the inspector shall:</p> <p>a) record the infringement in the inspection report;</p> <p>b) transmit the inspection report to the port Member competent authority, which shall promptly forward a copy to the CCSBT Secretariat and to the flag Member point of contact and, as appropriate, the relevant coastal Member;</p> <p>c) to the extent practicable, ensure safekeeping of the evidence pertaining to such infringement. If the infringement is to be referred to the flag Member for further action, the port Member shall promptly provide the evidence collected to the flag Member.</p>	<p>1. In cases where an infringement was detected, operating systems and processes established and implemented to:</p> <p>a) provide a copy of the inspection report containing the infringement(s) to the relevant Flag Member's inspection point of contact<sup>5</sup>;</p> <p>b) collect and securely store any supporting evidence so that it can be provided to the Flag Member if required; and</p> <p>c) take legal action if appropriate, and notify the relevant Flag Member, coastal State Member and the CCSBT Secretariat (as applicable) within 14 days of that action being taken.</p>
<p>xv. If the infringement falls within the legal jurisdiction of the port Member, the port Member may take action in accordance with its domestic laws. The port Member shall promptly notify the action taken to the flag Member, the relevant coastal Member, as applicable, and the CCSBT Secretariat.</p>	

<sup>5</sup> The CCSBT Secretariat should already have been provided with a copy of the inspection report

<b>3.5 Minimum Standards for Inspection in Port</b>	
<b>Obligations</b>	<b>Minimum performance requirements</b>
<p>xvi. Infringements that do not fall within the jurisdiction of the port Member, and infringements for which the port Member has not taken action, shall be referred to the flag Member and, as appropriate, the relevant coastal Member. Upon receiving the copy of the inspection report and evidence, the flag Member shall promptly investigate the infringement and notify the CCSBT Secretariat of the status of the investigation and of any enforcement action that may have been taken within 6 months of such receipt. If the flag Member cannot notify the CCSBT Secretariat this status report within 6 months of such receipt, the flag Member should notify the CCSBT Secretariat within the 6 month time period the reasons for the delay and when the status report will be submitted.</p>	<p>1. All Members/CNMs have established and implemented operating systems and processes to:</p> <ol style="list-style-type: none"> <li>a) investigate any infringements by vessels flying their Flag notified to them by the Port State where the Port State did not take action; and</li> <li>b) notify the CCSBT Secretariat of the status of any such investigations including any enforcement action(s) taken within 6 months of receiving the infringement notice(s), or if a status update cannot be provided within 6 months, advise the CCSBT Secretariat when an update will be given, as well as the reason for the delay.</li> </ol>
<p>xvii. Should the inspection provide evidence that the inspected vessel has engaged in IUU activities of fishing SBT, the port Member shall promptly report the case to the flag Member, and the relevant coastal Members, as applicable, and notify as soon as possible the CCSBT Secretariat, along with its supporting evidence, for the purpose of inclusion of the vessel in the draft IUU list.</p>	<p>1. Operating systems and processes implemented and established to report any evidence of IUU fishing activities to the Flag Member, relevant coastal Members, and the CCSBT Secretariat at least 14 weeks before the annual meeting of the Compliance Committee.</p>

## 4. Science Measures

This section sets out minimum performance requirements for obligations relating to the Scientific Observer Program Standards.

### 4.1 Scientific Observer Program Standards (Decision/Recommendation)

**Title:** CCSBT Scientific Observer Program Standards

**Link:** [https://www.ccsbt.org/userfiles/file/docs\\_english/operational\\_resolutions/observer\\_program\\_standards.pdf](https://www.ccsbt.org/userfiles/file/docs_english/operational_resolutions/observer_program_standards.pdf)

**Notes:** The objectives of the CCSBT Scientific Observer Program Standards are to:

- Provide a framework for the alignment of ~~m~~M~~e~~mbers' scientific observer programs with the objectives of the SRP;
- Standardi~~s~~ze scientific observer programs across fleets and fisheries among ~~m~~M~~e~~mbers; ~~and~~
- Specify minimum standards for the development of a sScientific eObserver pProgram for ~~m~~M~~e~~mbers without a program; and
- To provide a minimum set of standards for collection of bycatch data, consistent with international recommendations, and where appropriate to assist in harmonisation of bycatch data collection across tuna Regional Fisheries Management Organisations.

4.1 Scientific Observer Program Standards	
Obligations	Minimum performance requirements
i. All Members are expected to adapt their respective programs <u>to, at a minimum, meet</u> <del>taking into account</del> these standards but <del>recogniz</del> noting that <del>m</del> M <del>e</del> mbers <u>are encouraged to implement further</u> <del>may have additional</del> requirements <del>they wish to maintain</del> in their respective programs.	1. All Flag Members' programs <del>me</del> et the minimum standards for the <a href="#">CCSBT Scientific Observer Program</a> .
ii. Responsibility for the operation of the CCSBT Scientific Observer Program on the high seas and in domestic EEZ fisheries lies with the Member whose flag is flown on the vessel.	
iii. The CCSBT Scientific Observer Program covers the fishing activity of CCSBT Members wherever southern bluefin tuna are targeted or are a significant bycatch.	1. Operating systems and processes established, <u>documented and implemented</u> for the Scientific Observer Program <del>that</del> : a. ensure the program applies <u>to all the Member's CCSBT authorised fishing vessels</u> ; <del>;</del> wherever SBT is targeted or are a significant bycatch;
iv. The Program has a target observer coverage of 10% for catch and effort monitoring for each fishery. Observer coverage should be representative of different vessel-types <b>in</b> distinct areas and	

4.1 Scientific Observer Program Standards	
Obligations	Minimum performance requirements
times. In order to approach 10% coverage in some strata (e.g., specific vessel-types in certain areas and times) it may be necessary to have higher than 10% coverage in other strata.	
v. Each Member should assign observers to its vessels and cruises based on a carefully considered and appropriately designed sampling scheme that has a high likelihood of ensuring reasonably representative coverage. The program should ensure that, within the main fishing areas and seasons and to the extent possible, all representative vessels, areas, and time periods have an approximately equal probability of being sampled. <u>Consideration should also be given to higher levels of coverage in some strata from time to time to address specific fisheries management questions (e.g. to better quantify non-fish and protected species bycatch where this is identified as a risk).</u>	<ul style="list-style-type: none"> <li>b. set out procedures to meet the target observer coverage of 10% for catch and effort monitoring in each fishery, including: <ul style="list-style-type: none"> <li><u>i. requiring observer coverage to be representative of the Member's range of SBT fisheries;</u></li> <li><u>ii. specifying the timeframe and process to achieve the target coverage (10%) in any fishery in which the target fishery is not currently being achieved;</u></li> <li><u>iii. have a mechanism in place to consider and implement higher levels of observer coverage in some strata if required;</u></li> </ul> </li> <li>c. set out how observers are assigned to vessels;</li> <li>d. analyse, at least once a year, the effectiveness of the actual assignment of observers in achieving 10% coverage across a representative range of the Member's SBT fisheries;</li> <li>e. implement observer recruitment and training schemes to meet section 8 of the CCSBT Scientific Observer Program Standards relating to: Qualification of observers, Independence/Integrity, Scientific Observer Training, and Recruitment of observers;</li> <li><u>f. specify agency/agencies responsible for implementing each component of the Scientific Observer Program, including:</u> <ul style="list-style-type: none"> <li><u>i. checking that observers are adequately qualified, independent and have no recent serious criminal offences,</u></li> <li><u>ii. training, including with respect to tag recapture reporting,</u></li> <li><u>iii. assigning observers to vessels,</u></li> <li><u>iv. monitoring performance of assignments in relation to achieving target observer coverage,</u></li> </ul> </li> </ul>
vi. Each Member should evaluate and analyse the sampling scheme used for the assignment of observers against the principles outlined above. Each Member should document the scheme used for the observer assignments actually implemented and make this information and data collected available to the Commission in its national report (as described in the reporting requirements) to enable review within the Commission of whether or not the standards are being met.	
vii. The placement of observers should also encompass arrangements to ensure the independence and scientific integrity of the data.	
viii. Observer plans and training programs should include specific provision for the role and responsibilities of observers for tag recapture reporting.	

4.1 Scientific Observer Program Standards	
Obligations	Minimum performance requirements
ix. Each Member is responsible for the recruitment and training of observers for placement on their flagged vessels. Training schemes should be constructed to impart the skills necessary to adequately collect the scientific data and should take account of the principles specified in section 8 of the CCSBT Scientific Observer Program Standards relating to: <u>Qualifications</u> of observers, Independence/Integrity, Scientific Observer Training, and Recruitment of observers.	<u>v. receiving and analysing observer information, and vi. forwarding information to the Extended Scientific Committee.</u>
x. Any vessel selected for an observation should be capable of meeting the minimum requirements for accommodation, sanitary facilities, meals, equipments and communication systems equivalent to those of the crew (junior officer when possible) so that the observer's duties are not compromised. A selected vessel should be advised of its responsibility for the observer while they are on board.	1. Operating systems and processes established, <u>documented and implemented</u> to: <u>a. confirm all selected fishing vessels can meet the minimum requirements for placing observers on board;</u> <u>a-b. _____ advise a selected fishing vessel of its responsibilities while the observer is on board.</u>
xi. The scientific data to be collected should include the following categories of information. A detailed description of the information to be collected for each of these categories is provided in Attachment 1 of the CCSBT Scientific Observer Program Standards. Annex 1 of that attachment provides hierarchies for prioritising the collection of data. A. Details of the observed vessel, including its size, capacity and equipment. B. Summary of the observed trip, which will include information such as the observer name <u>and identification number, degree of experience</u> , dates of embarkation and disembarkation.	1. Operating systems and processes established, <u>documented and implemented</u> to: <u>a. ensure the required information/data is collected as specified in section 10 and Attachment 1 of the Scientific Observer Program Standards</u> and, where necessary, <u>the hierarchies to prioritise data collection are applied; and</u> <u>a-b. _____ analyse information/data collected in 1.a above and report the information/data specified in Attachment 2 of the Observer Program Standards to the CCSBT Extended Scientific Committee (ESC) and the Ecologically Related Species Working Group (ERSWG).</u>

4.1 Scientific Observer Program Standards	
Obligations	Minimum performance requirements
<p>C. Comprehensive catch, effort and environmental information for each set that occurred while the observer was on-board the vessel, regardless of whether the set/haul was actually observed. This includes the target species, location fished and quantity of gear used.</p> <p><u>D. Fishing methods and gear, including mitigation measures in use while fishing. The observer should record/describe mitigation measures, including the configurations that were in use during the observed period. This includes the details of mitigation measures and their use as described in Attachment 1 of the CCSBT Scientific Observer Program Standards. Where applicable, the absence of mitigation equipment should also be noted.</u></p> <p><del>D</del>.E. Observed catch information for each period of observation, including the time at start and end of observation, the number of hooks observed, the observed catch in number and weight for SBT and all other species caught to the extent possible.</p> <p><del>E</del>.F. Biological measurements taken of individual SBT, as much as possible, including its condition, length, weight, sex and details of samples (otoliths, scales, gonads, etc.) that were taken from the SBT for later analysis.</p> <p><u>G. Information on SBT and ERS not retained should include counts by species and their life status (using the relevant codes as detailed in Attachment 1 of the SOPS).</u></p> <p><del>F</del>.H. SBT tag recovery information, including, both tag numbers (actual tags also to be provided), date, location, length, weight, sex, details of samples taken (e.g. otoliths), and</p>	

<b>4.1 Scientific Observer Program Standards</b>	
<b>Obligations</b>	<b>Minimum performance requirements</b>
whether or not the tags were spotted during a period of fishing that was being observed.	

## 5.2 Recommendation on Ecologically Related Species (Recommendation)

**Title:** Recommendation to Mitigate the Impact on Ecologically Related Species of Fishing for Southern Bluefin Tuna.

**Link:** Details of CCSBT's Recommendation ~~and can be found at:~~

~~[http://www.ccsbt.org/userfiles/file/docs\\_english/operational\\_resolutions/Recommendation\\_ERS.pdf](http://www.ccsbt.org/userfiles/file/docs_english/operational_resolutions/Recommendation_ERS.pdf)~~

~~Details of the relevant IOTC and WCPFC Resolutions, and ICCAT Recommendations on seabirds can be found at:~~

~~[http://www.ccsbt.org/userfiles/file/other\\_rfmo\\_measures/iecat/ICCAT\\_2007-07.pdf](http://www.ccsbt.org/userfiles/file/other_rfmo_measures/iecat/ICCAT_2007-07.pdf)~~

~~[http://www.ccsbt.org/userfiles/file/other\\_rfmo\\_measures/iecat/ICCAT\\_2011-09.pdf](http://www.ccsbt.org/userfiles/file/other_rfmo_measures/iecat/ICCAT_2011-09.pdf)~~

~~[http://www.ccsbt.org/userfiles/file/other\\_rfmo\\_measures/iote/Resolution%2012\\_06.pdf](http://www.ccsbt.org/userfiles/file/other_rfmo_measures/iote/Resolution%2012_06.pdf)~~

~~[http://www.ccsbt.org/userfiles/file/other\\_rfmo\\_measures/wcpfc/CMM\\_2012\\_07\\_Seabirds.pdf](http://www.ccsbt.org/userfiles/file/other_rfmo_measures/wcpfc/CMM_2012_07_Seabirds.pdf)~~ (South of 30°S)

~~[http://www.ccsbt.org/userfiles/file/other\\_rfmo\\_measures/wcpfc/Res\\_2005\\_01.pdf](http://www.ccsbt.org/userfiles/file/other_rfmo_measures/wcpfc/Res_2005_01.pdf)~~

~~Additional~~the relevant links for IOTC and WCPFC Resolutions/CMMs and ICCAT Recommendations for all ERS ~~(including for seabirds)~~ can be found on the bycatch mitigation page of the CCSBT website at:

[https://www.ccsbt.org/site/bycatch\\_mitigation.php](https://www.ccsbt.org/site/bycatch_mitigation.php)

**Notes:** At CCSBT 20, Members provided a commitment to adhere to the ERS rules in IOTC, WCPFC and ICCAT Convention areas of the IOTC, WCPFC and ICCAT in which their vessels fish for SBT.



5.2 Recommendation on Ecologically Related Species	
Obligations	Minimum performance requirements
<p>i. Members will, to the extent possible, implement the International Plan of Action for Reducing Incidental Catches of Seabirds in Longline Fisheries (IPOA-Seabirds), the International Plan of Action for the Conservation and Management of Sharks (IPOA-Sharks), and the FAO Guidelines to reduce sea turtle mortality in fishing operations (FAO-Sea turtles), if they have not already done so.</p> <hr/> <p>ii. Members will comply with all current binding and recommendatory measures aimed at the protection of ecologically related species, including seabirds, sea turtles and sharks, from fishing, which are adopted from time to time:</p> <ul style="list-style-type: none"> <li>o by the Indian Ocean Tuna Commission, when fishing in its Convention area,</li> <li>o by the Western and Central Pacific Fisheries Commission, when fishing in its Convention area, <del>and</del></li> <li>o by the International Commission for the Conservation of Atlantic Tunas, when fishing in its Convention area, <u>and</u></li> <li>o irrespective of whether the Member concerned is a <del>m</del>Member of the relevant Commission or otherwise cooperates with it.</li> </ul>	<p><b><i>CCSBT Members are bound to comply with their ERS obligations and commitments under relevant Convention Areas of RFMOs to which CCSBT Members belong when fishing for SBT in the absence of a binding CCSBT measure. Hence it is useful to have minimum performance requirements, as set out below.</i></b></p> <p>1. Operating systems and processes established to:</p> <ul style="list-style-type: none"> <li>a. comply with <u>the following</u> measures to protect seabirds set by the IOTC, the WCPFC or the ICCAT; <ul style="list-style-type: none"> <li>i. when fishing south of 25 degrees South latitude in <u>the</u> IOTC or <u>the</u> ICCAT <u>Convention Areas</u>, or when fishing south of 30 degrees South latitude in <u>the</u> WCPFC <u>Convention Area</u>, ensure that all longline vessels use at least two of the three mitigation measures which are 1) night setting with minimum deck lighting, 2) bird-scaring lines (tori lines) , and 3) Line weighting. (Specification of the measures should be consistent with those provided by relevant RFMOs);</li> <li>ii. when fishing in other areas <u>of the IOTC, ICCAT or WCPFC Convention Areas</u>, consider implementing the</li> </ul> </li> </ul>

5.2 Recommendation on Ecologically Related Species	
Obligations	Minimum performance requirements
<p>iii. Members will collect and report data on ecologically related species to the Extended Commission and/or its subsidiary bodies as appropriate, including the Ecologically Related Species Working Group. Further, the undertaking described in paragraph “ii.” will include a commitment to comply with measures adopted by the Indian Ocean Tuna Commission, the Western and Central Pacific Fisheries Commission and the Commission for the Conservation of Atlantic Tunas on the collection and reporting of data in relation to ecologically related species.</p>	<p>measures described above, as appropriate, consistent with scientific advice.</p> <p>b. comply with <u>any other</u> measures to protect ecologically related species <del>other than sea birds</del> (including <u>sea birds</u>, sea turtles and sharks) set by the IOTC, the WCPFC or the ICCAT when fishing in their Convention Areas;</p> <p>c. comply with <u>any information/data collection and reporting</u> requirements adopted by the IOTC, the WCPFC or the ICCAT <del>for</del> <u>with respect to the</u> incidental catch <u>and mortality of seabirds, sea turtles and sharks</u> while fishing in their Convention Areas; and</p> <p>d. report <u>ERS information/data</u> to:</p> <ol style="list-style-type: none"> <li>i. the <u>CCSBT</u> Extended Commission/ <u>Compliance Committee (refer to section 6.6v. of these MPRs)</u>, and the Ecologically Related Species Working Group <u>(refer to section 6.8i. of these MPRs)</u>, and</li> <li>ii. the IOTC, the WCPFC or the ICCAT where SBT fishing occurs in their Convention Areas.</li> </ol>

#### **6.4 Ecologically Related Species Data Exchange (Annual Decision)**

**Title:** Ecologically Related Species Data Exchange

**Link:** Requirements for the 2015 onwards Data Exchange are at Attachment 7 of the ERSWG 11 report:

[https://www.ccsbt.org/sites/ccsbt.org/files/userfiles/file/docs\\_english/general/ERSWG%20Data%20Exchange.pdf](https://www.ccsbt.org/sites/ccsbt.org/files/userfiles/file/docs_english/general/ERSWG%20Data%20Exchange.pdf)

**Notes:** The ERS Data Exchange requirements are detailed and ERS data for the immediately preceding calendar year must be provided by 31 July of the current year (so data for 2016 are to be provided to the Secretariat by 31 July 2017).

<b><u>6.4 Ecologically Related Species Data Exchange</u></b>	
<b><u>Obligations</u></b>	<b><u>Minimum performance requirements</u></b>
i. <u>Members will comply with the requirements of the ERSWG Data Exchange.</u>	1. <u>Operating systems and processes established and implemented to annually collect and provide the data specified in the ERSWG Data Exchange for the immediately preceding calendar year, and submit these data to the CCSBT Secretariat by 31 July of the current year.</u>

## 6.65 Annual Reporting to the Compliance Committee (Suite of Decisions/Resolutions/Recommendations)

**Title:** Template for the Annual Report to the Compliance Committee and Extended Commission<sup>6</sup>

**Links:** The following points provide the source of the associated obligations within this measure:

- i. Procedural Rule 10 of the Terms of Reference of the Compliance Committee: -  
[https://www.ccsbt.org/userfiles/file/docs\\_english/basic\\_documents/terms\\_of\\_reference\\_for\\_subsidary\\_bodies.pdf](https://www.ccsbt.org/userfiles/file/docs_english/basic_documents/terms_of_reference_for_subsidary_bodies.pdf)
- ii. Paragraph 26 (and Attachment 5) of the CC7 report:-  
[https://www.ccsbt.org/userfiles/file/templates/Annual\\_CC-EC\\_Reporting\\_Template.doc](https://www.ccsbt.org/userfiles/file/templates/Annual_CC-EC_Reporting_Template.doc)
- iii. Paragraph 34 (a) of the Resolution on establishing the CCSBT vessel monitoring system:-  
[https://www.ccsbt.org/userfiles/file/docs\\_english/operational\\_resolutions/Resolution\\_VMS.pdf](https://www.ccsbt.org/userfiles/file/docs_english/operational_resolutions/Resolution_VMS.pdf)
- iv. Paragraph 31 of the Resolution on establishing a program for transshipment by large-scale fishing vessels:-  
[https://www.ccsbt.org/userfiles/file/docs\\_english/operational\\_resolutions/Resolution\\_Transshipment.pdf](https://www.ccsbt.org/userfiles/file/docs_english/operational_resolutions/Resolution_Transshipment.pdf)
- v. Paragraph 4 of the Recommendation to mitigate the impact on ecologically related species of fishing for southern bluefin tuna:-  
[https://www.ccsbt.org/userfiles/file/docs\\_english/operational\\_resolutions/Recommendation\\_ERS.pdf](https://www.ccsbt.org/userfiles/file/docs_english/operational_resolutions/Recommendation_ERS.pdf)
- vi. Paragraph 66 of the EC20 report (Attributable Catch):-  
[https://www.ccsbt.org/userfiles/file/docs\\_english/meetings/meeting\\_reports/ccsbt\\_20/report\\_of\\_CCSBT20.pdf](https://www.ccsbt.org/userfiles/file/docs_english/meetings/meeting_reports/ccsbt_20/report_of_CCSBT20.pdf)
- vii. Paragraph 25 (and Attachment 5) of the CC7 report (best estimates of all sources of mortality):-  
[https://www.ccsbt.org/userfiles/file/docs\\_english/meetings/meeting\\_reports/ccsbt\\_19/report\\_of\\_CC7.pdf](https://www.ccsbt.org/userfiles/file/docs_english/meetings/meeting_reports/ccsbt_19/report_of_CC7.pdf)

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<sup>6</sup> The reporting template can be found at the following link: [https://www.ccsbt.org/userfiles/file/templates/Annual\\_CC-EC\\_Reporting\\_Template.doc](https://www.ccsbt.org/userfiles/file/templates/Annual_CC-EC_Reporting_Template.doc)

<b>6.65 Annual Reporting to the Compliance Committee</b>	
<b>Obligations</b>	<b>Minimum performance requirements</b>
i. Each Member shall submit the above Annual Report to the Compliance Committee (CC) and Extended Commission (EC) in accordance with the agreed format for the template of the annual Report to the CC and EC <sup>6</sup> four weeks prior to the convening of the Compliance Committee meeting.	1. The report is submitted electronically to Executive Secretary at least 4 weeks before the annual meeting of Compliance Committee. No sections of the template should be left empty. If the required information is not collected, this should be stated rather than leaving a section empty. Similarly, if a section is not applicable to a particular fishery, this should be stated instead of leaving that section empty.
ii. Each Member should continue to improve the detail in its report to the Compliance Committee and Extended Commission <sup>6</sup> , and the report should be kept up to date and submitted to future annual meetings of the Compliance Committee.	
iii. Members shall provide VMS summary reports in advance of the Compliance Committee meeting.	1. Complete section II(1)(d): VMS of the Annual National Report template. <sup>6</sup>
iv. Members shall report the following to the Executive Secretary 4 weeks prior to the Annual Meeting of the Commission: <ul style="list-style-type: none"> <li>o The quantities of SBT transhipped at sea and in port during the previous fishing season;</li> <li>o The list of the LSTLVs registered in the CCSBT Authorised Vessel List which have transhipped at sea and in port during the previous fishing season, and</li> <li>o A comprehensive report assessing the content and conclusions of the reports of the observers assigned to Carrier Vessels which have received at-sea transhipments from their LSTLVs during the previous fishing season.</li> </ul>	1. Complete sections II(3)(a) i – iii of the Annual National Report template. <sup>6</sup>

<b>6.65 Annual Reporting to the Compliance Committee</b>	
<b>Obligations</b>	<b>Minimum performance requirements</b>
v. Members will report annually to the Compliance Committee on the action they have taken pursuant to paragraphs 1, 2 and 3 of the Recommendation to mitigate the impact on ecologically related species of fishing for SBT.	1. Complete sections III(2)(a) – ( <del>d</del> e) of the Annual National Report template. <sup>6</sup>
vi. Members will report annually on the details of their implementation timetable and implementation progress with respect to the development of a common definition of Attributable SBT Catch that takes into account the importance of including all sources of mortality.	1. Complete section I(3) of the Annual National Report template. <sup>6</sup>
vii. Members will report annually on their best estimates of all sources of mortality including recreational catch and discards.	1. Complete section III(3) of the Annual National Report template. <sup>6</sup>