



CCSBT-CC/1410/06

Operation of CCSBT MCS Measures

Introduction

This document provides a summary of the operation of the main five CCSBT Monitoring, Control and Surveillance (MCS) measures from the Secretariat's perspective:

- i) The Catch Documentation Scheme (CDS),
- ii) The Transshipment at Sea Monitoring Program,
- ii) The Vessel Monitoring System (VMS),
- iv) The CCSBT Illegal Unreported and Unregulated (IUU) Vessel List Resolution, and
- v) Records of Authorised Vessels and Farms.

For each measure, the Secretariat's roles/responsibilities with respect to that measure are outlined. In addition, any issues that the Secretariat is aware of in the operation of the measure, and any recommendations for changes to that measure are also discussed.

The Secretariat has proposed four changes to the CDS Resolution and one change to each of the CCSBT Authorised Vessel and IUU Vessel List Resolutions.

I. Catch Documentation Scheme (CDS)

Secretariat Role

The Secretariat's roles/responsibilities are:

- receiving and processing¹ all CDS documents;
- checking the completeness and accuracy of these documents;
- conducting reconciliations between the different types of CDS forms and between copies of forms provided by exporters and importers;
- following-up with Members/Cooperating Non-members (CNMs) regarding discrepancies and missing information;
- managing validation details submitted by Members/CNMs;
- producing 6 monthly CDS reports;
- maintaining and enhancing the CDS database, and
- coordinating the purchase of centralised tags for use with the CDS.

Electronic CDS (e-CDS) Proposal Update

Members reached a consensus to delay final recommendations on an eCDS until CC9. This approach was taken to allow time for:

- CCSBT to learn from ICCAT's experiences in trying to implement an eCDS, and
- the Secretariat to consider and present approaches to Members' concerns raised at CC8 in relation to the implementation of an eCDS (refer to paper CCSBT-CC/1410/16 in relation to this).

¹ Loading all electronic documents received (all Catch Tagging Forms from all Members and all Catch Monitoring Forms & Re-Export/Export after landing of Domestic Product forms from Australia) to the database, and data entry of all paper documents received (all other forms).

CDS Operational Issues

The following are the main CDS operational issues that the Secretariat has observed since the Eighth meeting of the Compliance Committee (CC8).

Some of these issues are the same ones that were reported last year. The Secretariat is continuing to work with relevant Members/ CNMs to resolve these issues where possible/practicable.

1. Late Submission of CDS Documentation

Time delays in receiving data submissions can make some CDS tasks difficult or impossible to carry out in a timely manner. For example, late submissions may delay the commencement of reconciliation work and/or negatively impact on reconciliation results.

Late submissions may also affect the completeness of information that can be provided to meetings and presented in the Secretariat's six-monthly CDS reports. Most importantly, timely submission of data is crucial for the stock assessment process.

a) Catch Monitoring Forms (CMFs) and Catch Tagging Forms (CTFs)

As in 2013, some of the required CDS documentation due since CC8 continued to be received later than the agreed timeframes, with some Catch Monitoring Forms (CMFs) and Catch Tagging Form (CTF) data not being received until well after the quarterly data submission deadlines. In addition, some CMFs have not yet been received at all – see item 2 immediately below.

Indonesia

On 23 and 24 July 2014, the Secretariat received 206 additional CMFs and their associated tagging data for the period February to December 2013. Therefore these data were submitted between 3.5 months to one year later than the required data submission dates. Almost all of the additional forms submitted were CMFs/CTFs for landings of domestic product.

In addition, none of Indonesia's CMF documents for the first quarter of 2014 were submitted until between 18 and 21 July 2014. These CMFs were submitted approximately three weeks later than the data submission guidelines and too late for them to be data entered in time to be included in the first draft Compliance with Measures tables sent out to Members on 12 August 2014.

b) Authorised Validator Details - Korea

MIFAFF, the Korean Ministry for Food, Agriculture, Forestry and Fisheries underwent a large re-organisation during 2013 and became the Ministry of Oceans and Fisheries. During this period of re-organisation, many Korean CDS authorised validators and all their associated stamps were updated. However, the Secretariat did not receive the updated validation details until February 2014.

2. Non-Submission of CDS Documentation

a) The European Union

The EU has recorded a nil catch of SBT for 2013, and therefore is not required to submit any domestic landing or export CMFs for 2013.

The EU provided the following information in their National Report to CC9 concerning SBT catches:

“The small amount of EU SBT catches is either consumed on-board or landed along with other species of tuna by-catch (Thunnus alalunga, etc.) or donated to charity. The quantities of SBT caught by EU flagged vessels are unavoidable and minor by-catches. The EU has not put in place a separate system specifically aimed at monitoring catches of SBT since it does not actively participate in fishing for this stock.”

Import CMFs

The EU’s National Report to CC9 indicates that 29.6t of SBT has been imported into the EU since 2010 when the CDS was first implemented. These import figures are much less than those indicated in public databases such as the Global Trade Atlas (GTA) which record approximately 50 – 150t per annum of SBT imports to the EU.

Despite the occurrence of these imports, the EU has not yet provided any import copies of CMFs to the Secretariat. The EU did note in its National Report to CC8 that:

“The EU is currently collecting data from Member States about imports of SBT in order to be able to undertake an audit of the system used for controlling and monitoring imports of SBT, and to clarify any shortcomings in the system.”

The Secretariat has recently checked on the progress of this audit. The EU advised that the audit process is complex and so is still ongoing, and that it may provide further comment on the audit during the annual meeting.

b) Indonesia:

Export CMFs

For 2013 there are currently 94 export CMFs where copies of these CMFs have been received from the importer, but not yet submitted to the Secretariat by Indonesia. Similarly, for the first quarter of 2014, there are to date 97 export CMFs where copies of these have been already been received from the importer, but have not yet been submitted to the Secretariat by Indonesia. This constitutes a large percentage of CMFs which have not yet been submitted for each of these years.

It cannot be determined if there are any further Landing of Domestic Product CMFs which have not yet been submitted to the Secretariat by Indonesia.

Import REEF

There was one instance where Japan advised the Secretariat that it re-exported an 18.6t shipment of SBT (originally exported from Indonesia to Japan) back to Indonesia due to the poor quality of the fish received. No importer copy of this REEF has been submitted to the Secretariat by Indonesia.

c) South Africa: Import CMFs

During 2013, SBT from four Taiwanese (export) CMFs were sold into the local market in South Africa. South Africa has not yet submitted importer copies for these four CMFs to the Secretariat. In addition, South Africa has not responded to the Secretariat's queries regarding these import CMFs.

SBT from 4 Taiwanese export CMFs were also sold to South Africa during 2012. The importer copies of these CMFs were also not submitted to the Secretariat, however in that case South Africa advised that the matter was being investigated. No further updates were provided to the Secretariat on that investigation.

3. Secretariat Reconciliations of CDS Data: No Response Received

Indonesia, Korea and South Africa have not yet provided a response to the Secretariat's reconciliation reports concerning CDS forms required to be submitted for the 2013 calendar year. Korea has not yet provided a response to the Secretariat's reconciliation for the first quarter of 2014.

4. General CMF issues

a) Duplicate Form Numbers

The Secretariat recorded 3 instances of duplicate CMF numbers being submitted to the Secretariat by both Indonesia and South Africa. These are CMFs which have the same CMF number, but contain different information.

b) Copies of Cancelled CMFs Received Back from Importers

As in 2012, the Secretariat received a number of importer copies of Australian export CMFs from Japan for CMF numbers that had already been cancelled by Australia.

This situation can happen in cases where an export CMF is filled out by Australia, then a replacement CMF (with a new) number is issued which includes amended data, and the original Australian CMF is cancelled and then either i) or ii) below occurs:

i) The replacement Australian CMF (with a new number) is not sent to the importer, and therefore, the Secretariat receives only the original CMF number (not the replacement CMF) back from the importer, or

ii) The replacement CMF (with the new number) is sent to the importer, but the Secretariat still receives only the original CMF (number) and not the amended CMF (with the new number) back from the importer.

It is generally not possible for the Secretariat to determine which of the two scenarios i) or ii) has occurred. However, either scenario would result in the Secretariat receiving an export and import copy of essentially the same CMF (usually with some differences) with two different CMF numbers.

In order for the compliance checking process to function appropriately, the Secretariat requests that if an exporter cancels a CMF and replaces it with a newly issued CMF (with a different number), then this replacement CMF must be sent to the importer. In addition, the exporter should provide clear advice to the importer and the Secretariat regarding:

- The original CMF number that was cancelled, and
- The new CMF number that was issued as its replacement.

The importer should then ensure that the replacement CMF number, including its associated import information, is the one submitted to the Secretariat. Alternatively, the importer could return both the original (cancelled) and replacement CMFs to the

Secretariat, and clearly mark which one is the original (cancelled), and which one is the replacement.

c) Fish Weight/Number Differ Between Exporter and Importer Copies of a CMF

This item continued to be an issue during 2013 and the first quarter of 2014. In 2013 there were 18 CMFs where the number of fish differed on the exporter and importer copies of the CMF, and 23 CMFs where the weight differed between the exporter and importer copies of CMFs, and a combined total of 32 CMFs where either the number of fish and/or weight was different between exporter and importer CMFs.

In the first quarter of 2014, there were 2 CMFs where the number of fish differed on the exporter and importer copies of the CMF, and 1 CMF where the weight differed between the exporter and importer copies of the CMF, and a combined total of 3 CMFs where either the number of fish and/or weight was different between exporter and importer CMFs.

d) Incomplete Form Numbers

The Secretariat received a large number of import copies of Australian CMFs for 2013 where the year prefix '13' was missing from the CMF form number. This issue was not evident in the exporter data which Australia submitted to the Secretariat in template format, but was evident in the importer copies of CMFs received back from Japan.

e) CMFs Received where Both Export and Landing of Domestic Product Sections had been Filled Out

There were a small number of (less than 5) Australian CMFs where both export and domestic landing information was filled out on the same CMF. These data were subsequently split onto separate domestic landing and export CMFs as should have occurred prior to their submission to the Secretariat.

f) South Africa Forms not Authorised by an Authorised Validator

During data entry/ reconciliation, the Secretariat noted the following regarding one South African individual. This person:

- Signed as the exporter and also signed on behalf of the fishing vessel master on 3 CMFs,
- Signed as the exporter and also signed on behalf of both the fishing vessel master and the receiving vessel master on 1 CMF.

On CDS forms these vessel master signatures must be provided by the fishing vessel master and receiving vessel master unless these vessels/masters have provided CCSBT with some kind of formal authorisation documentation allowing another individual to sign on their behalf. The Secretariat has not received any such authorisation documentation from South Africa. In addition, the Secretariat has not received any response from South Africa regarding its enquiries about this individual.

- 5. REEFs: Multiple Preceding Document Numbers Associated with a Single REEF**
During 2014, the Secretariat noted that, since the CDS commenced in 2010, multiple CMFs have been associated with a single REEF. In these cases, it is not possible to accurately conduct REEF discrepancy analyses that check for over-utilisation of CMFs in subsequent exports/re-exports. These discrepancy analyses form part of the Secretariat's CDS 6-monthly report.

To date, no compromise solution has been found to facilitate a way for these analyses to be carried out. The Secretariat proposed setting up a Member-accessible database to allow tag numbers to be matched to specific CMFs. However, the development of such a database was not supported by all Members. Therefore, no progress has yet been made on finding a solution which will facilitate these analyses to be conducted. (Refer to the section on 'Potential changes to the CDS Resolution', item 4, p11).

6. Tagging Data Issues

The Secretariat requests that Members check their tagging submissions carefully before submitting these data to the Secretariat. This is to limit the number of data mismatches and tag number duplications that occur in the data.

a) Tagging Data Mismatches

Many tagging data mismatches and/or missing sets of tagging data continued to be found during the reconciliation process for both 2013 and 2014 CDS data.

Mismatches generally occurred due to one of the following three situations:

- i) some tagging data which should have been submitted as part of the Excel spreadsheet quarterly submission of tagging data were missing, or
- ii) an incorrect or incomplete list of Catch Tagging Form (CTF) numbers was recorded on the CMF, or
- iii) the electronically submitted spreadsheets of catch tagging data contained errors such as referencing incorrect CMF numbers.

Another problem with the tagging data is that incorrect/ non-matching vessel information is sometimes provided as part of tagging submissions.

b) Duplicate Tag Numbers

One requirement of the CDS is that SBT tag numbers are unique. To ensure this requirement is met, a unique series of tag numbers are manufactured and distributed to Members in advance of each fishing season. During late 2013 and early 2014, the Secretariat undertook some audits of the CDS tagging data submitted for 2012 and 2013 in order to determine the presence/frequency of any non-unique, *i.e.* duplicated tag numbers.

This audit detected that thousands of non-unique 2012 and 2013 SBT tag numbers had been submitted. The Secretariat contacted the Members concerned, and determined that the majority of duplicates identified were due to data entry or transcription errors. These errors were subsequently corrected. However, some duplicate tag numbers still remain on the database.

The Secretariat now conducts additional checks on tagging data (such as for uniqueness) as they are being uploaded to its database.

c) Use of Non-Official CCSBT Tags and Double-Tagging

i) Non-Official CCSBT Tags Attached to SBT

Japan advised the Secretariat that three non-CCSBT tags were found on SBT from Taiwan at the Tsukiji market in December 2013. These tags were hand-made from green tape. A further 3 SBT from Taiwan were found tagged with only these green-tape tags in February 2014.

Japan and the Secretariat advised Taiwan of this situation. Taiwan investigated and provided the following response:

“According to our investigation, due to no sufficient CCSBT centralized tags left on the fishing vessel, the vessel owner has applied for additional CCSBT centralized tags. This Agency has supplied number of tags to this vessel for use (including <<tag numbers removed by Secretariat>>). Before the additional tags have been sent to the fishing vessel, the vessel master made temporary green color tapes on SBT to avoid difficulty for recognizing frozen SBT in the freezer storage. This particular case is an unexpected mistake that CCSBT centralized tags were not able to attach to the SBT when landed in Shimizu due to the massive landing of all kind of catches. We will strengthen the guidance for our fishermen to avoid similar case.”

ii) Two CCSBT Tags were attached to a Single SBT

Japan also advised the Secretariat that they found 2 SBT from Taiwan at the Tsukiji market in October 2013 which had been double-tagged with CCSBT tags.

Taiwan investigated this case as well and provided the following response:

“The SBT has been checked by our inspector when first landed in our domestic port, Kaohsiung, Taiwan and the number of the original attached tag was found unclear. Our official therefore asked the vessel master to attach a new tag for the SBT. In the meanwhile, the original tag was remained with the fish body since that tag was closely attached to the deep-frozen fish and difficult to be removed.”

d) Tagging Data Not Provided in Required Format

South Africa did not submit 2013 tagging data to the Secretariat in the standard Excel data submission template and instead, tagging data were provided as scanned copies of Catch Tagging Forms (CTFs). The Secretariat advised South Africa of this oversight but has not received an acknowledgement or response from South Africa on this matter. Therefore, the Secretariat decided to pay for data entry (7 hours) of these data in order for them to be included in the Secretariat’s CDS 6-monthly report (1 June 2014), reconciliation reports and papers to the Compliance Committee, etc.

7. Establishment of OSECs² to CCSBT’s CDS

The text in this item is similar to last year’s text, but has been updated.

CDS data indicate that between 2011 and 2013 inclusive, 445t of SBT product was imported by the USA, and that a smaller amount was imported by China (23.4 t) and Singapore (2.2t). To date, none of these Non-Cooperating Non-Member States/entities (NCNMs) have become formal OSECs to the CCSBT. As a result, the Secretariat has not yet received importer copies of CMFs from any NCNMs.

Therefore, independent verification of CDS exports to these States/entities cannot be conducted.

² The term OSEC refers to Other State/Fishing Entity Cooperating in the CDS

However, some progress has been made in this area. The USA has incorporated instructions about CCSBT CDS documentation into their Highly Migratory Species International Trade Permit Regulations. The Secretariat has continued its correspondence with the USA throughout 2014 to try to accelerate potential access to the USA's copies of import CMFs, however no additional progress has been made as yet. In addition, during 2013, Singapore indicated its willingness to cooperate with the CDS in future and attended CC8. The Secretariat has maintained its correspondence with Singapore since CC8, and is continuing to liaise with Singapore to determine whether access to its SBT trade data (with associated confidentiality constraints) may be possible.

The Secretariat will continue to promote cooperation with other NCNMs to further assist the CCSBT CDS reconciliation and verification processes.

The following issues reported to CC8 have shown improvement since that meeting:

8. CMFs for Exports which did not include Valid Authorised Fishing Vessels

In its National Report to the Extended Commission/ CC8, Indonesia noted that there were 360 vessels in its artisanal longline fleet (< 30GT) in 2012 that caught SBT but were not included in the CCSBT authorised vessel list. This year, in its report to CC9, Indonesia did not report any unauthorised Indonesian artisanal longline vessels that fished during 2013. However, the Secretariat notes that 8 different Indonesian vessels (recorded on 9 different CMFs) were not authorised to fish during 2013 on the harvest dates provided.

9. Mismatching Page Numbers and Duplicate Form Numbers

In the past, CMFs from Indonesia were submitted as two-page documents, and sometimes the first and second pages of these CMFs had different numbers. Indonesia has now moved to submitting generally single page CMFs and there have not been any issues of mismatching page numbers recorded during 2013 and the first quarter of 2014.

10. REEFs³ Submitted when not Required

During 2012, both Indonesia and Taiwan submitted REEFs in some cases where it was un-necessary to do so. To the Secretariat's knowledge, this has not occurred during 2013 and the first quarter of 2014.

11. Transshipment Information Filled out when no Transshipment Occurred

During submission of data for 2012, the Secretariat received approximately 30 CMFs from Taiwan where the transshipment tick-box was selected and partial transshipment information was filled out on export CMFs. However, it was subsequently confirmed that no transshipments took place and that the transshipment sections of these forms should have been left blank. This issue has only occurred on 2 Taiwanese CMFs during 2013 and none during the first quarter of 2014.

³ REEFs refers to 'Re-export/ Export after Landing of Domestic Product Forms'

POTENTIAL CHANGES TO THE CDS RESOLUTION

The following changes to the CDS resolution are suggested or recommended by the Secretariat (**Attachment A** contains the specific recommended changes to the Resolution):

1. CMFs: Re-Format Final Product Destination Section

The Secretariat proposes re-formatting the final destination section of CMFs to try to simplify the information that needs to be provided. Modifications to both the Landing of Domestic Product and Import Sections are proposed.

The “Final Product Destination Section” of the CMF instructions would also need to be modified appropriately.

a) Simplify Landing of Domestic Product Section

The current CMF and instructions require that for landings of domestic product, each buyer of the domestic product must provide his/her name, address, signature and date on which the SBT was received, and the weight (kg) that was purchased.

A landing of domestic product is accompanied by one CMF, but in some cases, the SBT may be stored and sold to multiple domestic buyers over an extended period of time, for example over several months or years. Currently, when this happens, each buyer signs and dates the CMF, but it may be a long period of time before the CMF is completed with all the domestic buyer information and is received by the Secretariat. In addition, if there are a large number of domestic buyers, then the Secretariat may receive multiple pages of domestic sale certification details (up to 20 – 30 pages of buyers have been attached to a single CMF). There is no current operational compliance advantage in receiving all of this domestic buyer information, and it is a significant burden for both the relevant Member and the Secretariat to process it.

To limit the details that need to be submitted for certifications of domestic sale, and to expedite the receipt of complete CMFs in cases where there are multiple domestic buyers over extended periods of time, the Secretariat recommends that:

- Only one certification of domestic sale be required for each landing of domestic product CMF,
- This certification should:
 - a) be provided by the single initial person or company that receives the SBT upon domestic landing, and
 - b) relate to the complete domestic landing weight of all SBT recorded on the CMF.

The Secretariat also recommends that a “Type” column is added to the Landing of Domestic Product section so that these columns will match those proposed for the import section below.

b) Amend Import Section to Add “Type” and “Weight (kg)” columns

The current CMF design provides for SBT weights to be recorded in both the Description of Fish section and in the Landing of Domestic Product (LDP) Final Destination section. There is currently nowhere for the importer to record weight in the Final Destination Section. This is important given that SBT weights recorded at sea are likely to be less accurate than those recorded once the SBT are landed. Taiwan has modified its own CMF because of this issue.

The Secretariat recommends that “Weight (kg)” and “Type” columns be added to the Importer section of the CMF:

- *Weight (kg)*
- *Type: (RD/GGO/GGT/DRO/DRT/FL/OT*)*.

If accepted, a proposal such as this one could remove the need for Taiwan to use a modified version of the current CMF.

Options

The proposed changes in “a)” and “b)” above could be achieved by either:

- separate modifications to the Landing of Domestic Product (LDP) and Import sections, or
- a modification that will combine the LDP and Import sections together.

Therefore, two alternative proposals for achieving the modifications described in “a)” and “b)” above are provided for Members’ consideration at **Attachment A**.

2. CMFs: Farm Stocking Form Number(s)

The Secretariat proposes that limitations be put in place regarding the Farm Stocking Form Numbers that can be recorded on a single CMF in the Catch/Harvest section field: “Document Number(s) of Associated Farm Stocking (FS) Form(s)”.

Specifically, the Secretariat proposes that each CMF should only list Farm Stocking Form (FSF) Numbers that all originate from the same fishing season and that this limitation should be explicitly stated in the CMF instructions.

This provision is necessary to allow determination of whether discrepancies exist between the number of SBT transferred into a farm versus the number harvested from a farm as required in the Secretariat’s 6-monthly reports (Farm discrepancy report, Appendix 3 of the CDS Resolution). It is not possible to check for discrepancies when FSF numbers from multiple seasons are recorded on one CMF.

3. The Executive Secretary’s 6-Monthly CDS Reports (Appendix 3)

Paragraph 6.3 and Appendix 3 of the CDS Resolution describe the required timeframes and contents of the Executive Secretary’s CDS 6-monthly reports. Currently, two 6-monthly CDS reports are required to be provided to Members/CNMs each calendar year. The first report is provided by 1 June, and the second by 1 December each year.

The Secretariat considers that it would be more informative for Members if one of these two reports became an annual rather than a 6-monthly CDS report. The Secretariat therefore proposes that the 1 June 6-monthly CDS report should be replaced by an annual report that summarises the CDS information from the entire previous calendar year, and that the 1 December report continue to be a 6-monthly CDS report.

Amendments would need to be made to both paragraph 6.3 and Appendix 3 (header only) of the CDS Resolution in order to implement this change.

4. Checking for the Over-Utilisation of CMFs Recorded on REEFs (Appendix 3 – REEF³ Discrepancy Report)

The purpose of the current 6-monthly CDS REEF³ discrepancy report is to check for any CMFs that have been ‘over utilised’ in subsequent exports after landing and/or re-exports. In order to detect CMF over-utilisation, each REEF must list only one CMF (as required in the CDS Resolution), and each Exported after landing/Re-exported CMF must be referenced by only one REEF.

However, some Members, have listed multiple CMFs on one REEF. This situation appears to occur where Members store frozen SBT from multiple CMF documents in one location/freezer. Recording data in this way prevents analysis to check for ‘over utilised’ CMF forms.

In order to help resolve this problem, the Secretariat proposed that it could provide details of the specific CDS CMF document numbers associated with CDS tag numbers, as proposed in Circular #2013/063 in December 2013. This would then provide Members with the information necessary in order to reference REEFs and CMFs together in a one-to-one manner.

Members did not reach a consensus on the Secretariat’s proposed solution (Circular #2014/002), and it was noted that the timeframes for provision of CTFs would prevent the Secretariat’s proposed solution from working in all cases. Therefore the Secretariat is not currently able to effectively analyse the REEF data for discrepancies/over-utilisation nor produce the report described in Appendix 3 – Reef Discrepancy Report – for all Members.

The Secretariat now seeks guidance from Members regarding potential options to resolve this situation. Options could include:

- Modification of SBT storage practices, or
- Removing the requirement to record the form number(s) of preceding CDS documents on REEFs because the information cannot currently be used as envisaged. This would mean that it would not be possible to check for over-utilisation of CMFs recorded on subsequent re-exports. Accordingly, the requirement for the Secretariat to produce a REEF discrepancy report should also potentially be removed.

II. Transshipment at Sea Monitoring Program

Secretariat Role

The Secretariat maintains a record of carrier vessels authorised to receive transshipments at-sea. On receipt of updates, the Secretariat updates its authorised carrier vessel database and the CCSBT web site. For transshipments involving SBT, the Secretariat receives and maintains records of observer deployment requests, transshipment declarations and observer reports received from both the IOTC and ICCAT Secretariats.

A summary of transshipment data provided to the Secretariat on transshipment declarations and/or observer reports for 2013 and the first half of 2014 (aggregated by flag and product type) is provided at **Attachment B** (Tables 1, 2 and 3). The Secretariat has not provided this summary on a vessel by vessel basis for confidentiality reasons, however this information is available if it is required by the Compliance Committee.

Tables 1, 2 and 3 provide information for all transshipment declarations received, but in some cases the observer reports have not yet been received. In many cases Tables 1 and 2 apparently show large discrepancies between transshipment declaration weights of SBT versus observer reported weights. The reason for these discrepancies is because, to date, many observer reports have often not included the weight of SBT transhipped for each individual vessel, but only the overall weight of all SBT over a series of transshipments. In such situations the Secretariat cannot accurately estimate the weight of SBT transhipped per vessel. This area of uncertainty is now being addressed – refer to the ‘Area of improvement’ paragraph below under the ‘Operational Issues’ section.

The following summarises the information received by the Secretariat:

- Observer deployment requests specifying that SBT were to be transhipped were received for 69.2% of all known SBT transshipments during 2013.
- Observer deployment requests specifying that SBT were to be transhipped have so far been received for 70% of all known SBT transshipments during the first half of 2014. Deployment requests are a key part of the effective operation of this program, and it is important to improve and maintain the percentage of deployment requests that are being received.
- The Secretariat received 78 transshipment declarations for transshipments totalling 1,506t during 2013, and has so far received 10 transshipment declarations totalling 118.1t for the first half of 2014.
- Observer reports have to date been received for 97.4% of all known 2013 transshipments which is a good improvement from the 76.5% received in 2012. Of the observer reports received, 21.1% contained observer estimates of the weights of SBT transhipped, while the remaining 78.9% did not provide specific information on SBT weights.
- The Secretariat is continuing to work with IOTC and ICCAT to obtain outstanding observer reports in relation to the received transshipment declarations.
- Table 3 of **Attachment B** provides a summary of transshipment weights according to transshipment declarations, observer reports, and CDS information. To enable valid comparisons to be made, this table presents data for only those transshipments for which the Secretariat has received both transshipment declarations and observer reports, and has also been able to match these transshipments with CDS documents. When summed, the weights of transhipped SBT reported from these three sources differed from each other by 0.2% at the most, however the Taiwanese figures differ from each other by 12.5%.

Operational Issues

This year, the Secretariat has again observed the same main issue with operation of the Transshipment Resolution as noted at the Seventh and Eighth meetings of the Compliance Committee:

1. Observers are often unable to separate species during transshipments. This is usually due to the fish being transhipped in frozen 'strings' containing a mix of species and also due to the speed of these transfers. These two factors often result in the observer report recording 'Mixed Tuna Species'. Where observers can separate SBT, they most commonly use one of two methods to identify SBT and estimate weights. Both of these methods rely on information provided by the fishing vessel:
 - Identify SBT by the presence of CCSBT tags that have been inserted by the fishing vessel;
 - Where SBT can be visibly identified in a transfer (often using the above method), observers commonly use an average weight, multiplied by the estimated number, to calculate a total weight. The average weight is generally calculated using weights and numbers of fish provided by the fishing vessel.

Note that the CCSBT Compliance Committee that SBT has requested that, in order to assist observers with identification, SBT be transhipped separate to other tuna-like species where possible.

Area of Improvement

There has been one area of improvement in the transshipment data received by the CCSBT Secretariat during 2014. With the assistance of IOTC, the Secretariat asked the Observer Consortium if it could include the SBT weight transhipped for each individual transshipment (rather than over a series of transshipments combined) in its standard IOTC observer reports. The Observer Consortium agreed to this request and the Secretariat has now started to receive transshipment-specific estimates of the weight of SBT transhipped in some ICCAT and IOTC Observer reports.

Recommendations

The Secretariat has no recommendations for change, but would like to continue to emphasise the request made by the CCSBT Compliance Committee in 2010 that where possible, SBT should be transhipped separate to other tuna-like species, in order to assist observers with identification.

III. Vessel Monitoring System (VMS)

Secretariat Role

The Secretariat has no interaction with Members' Vessel Monitoring Systems.

IV. CCSBT IUU Vessel List

Secretariat Role

Each year (from 2014 onwards), Members and CNMs will transmit to the Secretariat any information about vessels presumed to be carrying out SBT IUU fishing activities during the current and/or previous year, accompanied by the suitably documented supporting evidence.

The Secretariat is tasked with collating this information and preparing a draft CCSBT IUU List. The Compliance Committee then considers the Draft IUU Vessel List and the current CCSBT IUU Vessel list, as well as any additional information and comments provided.

On 30 May 2014 (in Circular #2014/021) the Secretariat sent a reminder, for Members and CNMs to provide information about vessels presumed to be carrying out SBT IUU fishing activities. No such information has been provided. In addition, the Extended Commission has not yet directed the Compliance Committee to consider cross-listing IUU vessel lists with other tuna Regional Fisheries Management Organisations and relevant organisations. Therefore, there are currently no vessels to consider listing on the CCSBT IUU Vessel List.

Operational Issues

The Secretariat notes that the current IUU Resolution may not be specific enough to include farms. Therefore, the Secretariat proposes that an amendment to paragraph 18g) of the current ‘Resolution on Establishing a List of Vessels Presumed to have Carried Out Illegal, Unreported and Unregulated Fishing Activities For Southern Bluefin Tuna (SBT)’. The proposed amendment is provided at **Attachment C**.

Recommendation

The Secretariat requests that Members consider and make a recommendation regarding the Secretariat’s proposed change to the CCSBT’s IUU Vessel List Resolution.

V. Records of Authorised Vessels and Farms

Secretariat Role

The Secretariat receives authorised farm and vessel updates approximately twice a week, with vessel updates containing up to one hundred vessels. On receipt of this information, the Secretariat updates its authorised vessels/farms database as well as the CCSBT web site. Updated information is also shared with the joint tuna RFMOs’ consolidated list of authorised vessels.

Operational Issues

The following item continues to be the main issue with the operation of the authorised vessel/farm resolutions that the Secretariat has observed since the Seventh and Eighth meetings of the Compliance Committee:

1. There are still a small number of cases where vessels caught SBT and were not authorised at the time of harvest. Refer to paper CCSBT–CC/1410/04 for further details.
2. The revised draft CCSBT transshipment Resolution at agenda item 4.2 currently includes a new provision to provide the Lloyds/ IMO number of authorised Carrier Vessels to the CCSBT Executive Secretary in cases where this information is available. If this provision is agreed then, for consistency, the CCSBT’s ‘Resolution on amendment of the Resolution on “Illegal, Unregulated and Unreported Fishing (IUU) and Establishment of a CCSBT Record of Vessels over 24 meters Authorized to Fish for Southern Bluefin Tuna’ will also need to be updated to require that Lloyds/ IMO number information is provided where available. Refer to **Attachment D** for proposed amendments to paragraphs 3 and 13 if the proposal to add Lloyd’s/IMO number is agreed.

Recommendations

The Secretariat requests that:

- a) wherever possible, Members submit vessel authorisation renewals prior to current authorisations expiring, and
- b) Members consider and make a recommendation regarding the Secretariat’s proposed change to the CCSBT’s Authorised Vessel Resolution.

Secretariat Recommended Changes to the CDS Resolution

Where practical, recommended changes to relevant parts of the CDS resolution are shown in tracked mode below.

Proposal 1: CMFs: Re-Format Final Product Destination Section

The Secretariat presents two alternative proposals to modify the Final Destination section of CMFs for Members’ consideration:

- Option a) proposes modifying the 2 parts (Landing of Domestic Product and Imports) of the Final Destination section separately;
- Option b) proposes modifying the Final Product Destination section in a combined way.

EITHER

a) Modify the Landing of Domestic Product and Import Sections Separately

Amend the CMF form as follows:

- i) Add a “Type” column to the Landing of Domestic Product section as below:

Landing of Domestic Product for Domestic sale.		Certification of Domestic Sale: I certify that the above information is complete, true and correct to the best of my knowledge and belief.				
Name	Address	Date	Type: RD/GGO/ GGT/DRO/DRT/ FL/OT	Weight (kg)	Signature	

and,

- ii) Add “Type” and “Weight (kg)” columns to the import section

Certification by importer : I certify the above information is complete, true and correct to the best of my knowledge and belief.					
Name	Address	Date	Signature	Type: RD/GGO/ GGT/DRO/DRT/ FL/OT	Weight (kg)

Associated Modifications to CMF Instructions:

i) Landing of Domestic Product

“Certification of domestic sale: The initial person or company that receives southern bluefin tuna from a domestic vessel for the purpose of domestic sale must provide his/her/its name, address, ~~signature, and~~ date (dd/mm/yyyy) on which the southern bluefin tuna was landed/received, type⁴, weight (kg) of the complete domestic landing of SBT, and signature. ~~Each buyer must also provide his/her name, address, signature, date (dd/mm/yyyy) on which the southern bluefin tuna was received, and weight purchased.”~~

ii) Import

“Certification by Importer: The person or company that imports southern bluefin tuna must provide his/her/its name, address, ~~signature,~~ date (dd/mm/yyyy) on which the southern bluefin tuna was imported, signature, type⁴, and weight (kg). For fresh and chilled product, the signature of the importer may be substituted by a person of a customs clearance company when the authority for signature is properly accredited to it by the importer.”

OR

b) Combine the Landing of Domestic Product and Import Sections Together

Amend the CMF form as follows:

FINAL PRODUCT DESTINATION SECTION - Tick either Landing of Domestic Product OR Import						
<input type="checkbox"/>	Landing of Domestic product for Domestic sale	←	Or	→	<input type="checkbox"/>	Import
Certification of domestic sale or import:						
I certify that the above information is complete, true and correct to the best of my knowledge and belief.						
Name	Address	Date	Signature	Type: RD/GGO/GGT/ DRO/DRT/FL/OT	Weight (kg)	
City		State or province		State/Fishing Entity		

Associated Modifications to CMF Instructions:

Tick the box to specify whether the final destination of the product is for landing of domestic product or for import.

~~You must then complete the part of the final product destination section corresponding to the box that you ticked.~~

Certification of domestic sale or import: The person or company that receives southern bluefin tuna from a domestic vessel for the purpose of domestic sale or that imports southern bluefin tuna must provide his/her/its name, address, ~~signature, and~~ date (dd/mm/yyyy) on which the southern bluefin tuna was received, signature, type⁴ and weight of SBT (kg) purchased.

~~Each buyer must also provide his/her name, address, signature, date (dd/mm/yyyy) on which the southern bluefin tuna was received, and weight purchased.~~

⁴ A list of types is provided in the 'Description of fish' section.

Import

Final Point of Import Location

City: Enter the City of Domestic Landing or Import.

State or Province: Enter the State or Province of Domestic Landing or Import.

State/Fishing Entity: Enter the State/Fishing Entity of Domestic Landing or Final Import.

~~Certification by Importer:~~ ~~The person or company that imports southern bluefin tuna must provide his/her/its name, address, signature, date (dd/mm/yyyy) on which the southern bluefin tuna was imported. For fresh and chilled product, the signature of the importer may be substituted by a person of a customs clearance company when the authority for signature is properly accredited to it by the importer.~~

Proposal 2: CMFs: Farm Stocking Form Number(s)

CMF Instructions – Farm Stocking Forms:

“Document number(s) of the Associated Farm Stocking (FS) Form(s): Enter the unique document number of each Farm Stocking Form that is associated with this form. The Farm Stocking Form Number(s) associated with this form should all be for fish stocked in the same fishing season. If there is insufficient room to enter all document numbers, enter this information on a separate page and attach that page.”

Proposal 3: The Executive Secretary’s 6-Monthly CDS Reports (Appendix 3)

6.3 The Executive Secretary shall report to the Extended Commission on and circulate to all Members and Cooperating Non-Members the data collected by the CCSBT CDS each year by 1 June for the period of 1 ~~January~~ - 31 December of the preceding year and by 1 December for the period of 1 January - 30 June of the current year. The information to be contained in the reports is specified in **Appendix 3**. The Executive Secretary shall provide an electronic copy of the report only to a designated authority of each Member and Cooperating Non-Member.

Appendix 3 –update the header:

**“Content of the Executive Secretary’s Six Monthly/ Annual Reports
to the Extended Commission”**

Proposal 4: CMF Checking for the Over-Utilisation of CMFs Recorded on REEFs (Appendix 3 – Reef Discrepancy Report)

The Secretariat does not have any specific recommendations for change on this item and seeks further guidance from Members.

Table 1: Summary of Transhipments at sea during the 2013 Calendar Year

Fishing Vessel Flag	From Transhipment Declarations			From Observer Reports	
	Number of Transhipments	Total Net Weight (kg) of SBT	Product Type	Number of Transhipments	Total Net Weight (kg) of SBT
Japan	40	939,741	GG	40	185,634
Korea	6	186,949	GG	6	21,300
Taiwan	32	379,615	GG	30	21,781
TOTAL	78	1,506,305		76	228,445

Table 2: Summary of Transhipments at sea during the first half of the 2014 Calendar Year

Fishing Vessel Flag	From Transhipment Declarations			From Observer Reports	
	Number of Transhipments	Total Net Weight (kg) of SBT	Product Type	Number of Transhipments	Total Net Weight (kg) of SBT
Japan	6	107,160	GG	6	103,861
Korea	1	8,026	GG	1	11,930
Taiwan	3	1,971	GG	3	2,905
TOTAL	10	118,148		10	118,696

Table 3: Summary of Transhipments at sea versus CDS Forms versus Observer Reports for the 2013 Calendar Year⁵

Fishing Vessel Flag	Comment	Number of Transhipments	Total Net Weight (kg) from Transhipment Declaration	Total Net Weight (kg) from CDS	Total Net Weight (kg) from Observer Report
Japan	All data provided	9	159,999	159,974	156,704
Taiwan	All data provided	2	3,681	3,681	3,221
Japan	Observer report provided, no SBT weight specified	15	429,997	429,976	Weight not provided
Korea	Observer report provided, no SBT weight specified	3	91,698	91,485	Weight not provided
Taiwan	Observer report provided, no SBT weight specified	26	355,366	355,757	Weight not provided
TOTAL		55	1,040,741	1,040,873	

⁵ This report is limited to transhipments where observer reports have been provided, and where the Secretariat has been able to match CDS information

Resolution on Establishing a List of Vessels Presumed to have Carried Out Illegal, Unreported and Unregulated Fishing Activities For Southern Bluefin Tuna (SBT)

(~~adopted~~revised at the 21st~~0th~~th Annual Meeting, 16~~7~~⁷ October 201~~4~~³)

The Extended Commission for the Conservation of Southern Bluefin Tuna (CCSBT),

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

Recalling that the Extended Commission adopted the CCSBT Compliance Plan at its Eighteenth Annual Meeting in October 2011;

Concerned by the fact that Southern Bluefin Tuna (SBT) IUU fishing activities diminish the effectiveness of CCSBT 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 to the vessels, without prejudice to further measures adopted in respect of flag States or entities under the relevant CCSBT instruments;

Considering the action undertaken in all other tuna regional fisheries management organisations to address this issue;

Conscious of the need to address, as a matter of priority, the issue of fishing vessels conducting IUU fishing activities,

Noting that efforts to prevent, deter and eliminate IUU fishing must be addressed in the light of all relevant international fisheries instruments and in accordance with other relevant international obligations, including the rights and obligations established under the World Trade Organisation (WTO) Agreement;

Recalling Article 15 (4) of the Convention, which calls on Members to cooperate in taking appropriate action, consistent with international law and their respective domestic laws, to deter fishing activities for SBT by nationals, residents or vessels of any State or entity not party to the CCSBT Convention where such activity could affect adversely the attainment of the objective of the Convention;

Agrees, in accordance with paragraph 3(b) of Article 8 of the Convention for the Conservation of Southern Bluefin Tuna, that:

Definition of SBT IUU Fishing Activities and CCSBT IUU Vessel Lists

1. At each annual meeting, the Extended Commission will identify those vessels which have engaged in fishing activities for SBT in a manner which has undermined the effectiveness of the Convention and the CCSBT measures in force. The Extended Commission shall establish, and amend as necessary in subsequent years, a list of such vessels (the CCSBT IUU Vessel List), in accordance with the procedures and criteria set out in this Resolution (or subsequent revision).
2. As part of the annual process, a Draft IUU Vessel List will first be drawn up by the Executive Secretary based on information received from Members/ Cooperating non-Members (CNMs). The Compliance Committee (CC) will then adopt a Provisional IUU Vessel List based on the initial Draft IUU List and any information provided in relation to the vessels on this Draft List. The CC will also consider the current CCSBT IUU Vessel List and may make recommendations to remove vessels from it as appropriate. Finally, the Extended Commission will consider both the Provisional IUU List and any recommendations made by the CC to amend the current CCSBT IUU Vessel List, and then adopt a final CCSBT IUU Vessel List. CCSBT IUU Vessel List definitions are provided at **Annex I**.
3. For the purposes of this Resolution, the fishing vessels are presumed to have carried out SBT IUU fishing activities, *inter alia*, when a Member or CNM presents suitably documented evidence that such vessels:
 - a. Harvested SBT and were not authorised by a Member or CNM to fish for SBT, or;
 - b. Did not record and/or report their SBT catches or catch-related data in accordance with CCSBT reporting requirements, or made false reports, or;
 - c. Used prohibited or non-compliant fishing gear in a way that undermines CCSBT conservation and management measures, or;
 - d. Transhipped with, or participated in joint operations such as re-supplying or re-fuelling vessels included in the CCSBT IUU Vessel List, or;
 - e. Harvested SBT in the waters under the national jurisdiction of the coastal State or entity without authorisation and/or committed a serious infringement of its laws and regulations directly related to the SBT fishery, without prejudice to the sovereign rights of the coastal State or entity to take measures against such vessels, or;
 - f. Engaged in fishing activities for SBT, including transhipping, re-supplying or re-fuelling, contrary to any other CCSBT conservation and management measures.

Information on alleged SBT IUU Fishing Activities

4. Members and CNMs shall transmit every year to the Executive Secretary at least 14 weeks before the annual meeting of the CC, a list of vessels presumed to be carrying out SBT IUU fishing activities during the current and/or previous year, accompanied by the suitably documented supporting evidence concerning the presumption of SBT IUU fishing activity. The CCSBT Reporting Form for SBT Illegal Activity (**Annex II**) shall be used.
5. This list and evidence shall be based, *inter alia*, on information collected by Members and CNMs from all relevant sources including but not limited to:
 - a) Relevant resolutions of the CCSBT, as adopted and amended from time to time;
 - b) Reports by Members and CNMs on vessel inspections;
 - c) Reports by Members and CNMs relating to CCSBT conservation and management measures in force;
 - d) Catch and trade information obtained on the basis of relevant trade statistics such as Food and Agriculture Organisation of the United Nations (FAO) data, statistical and CDS documents, and other national or international verifiable statistics; and
 - e) Any other information obtained from port States or entities and/or gathered from the fishing grounds that is suitably documented.
6. Before or at the same time as transmitting a list of presumed SBT IUU vessels to the Executive Secretary, the Member or CNM shall notify the relevant flag State or entity, either directly or through the Executive Secretary (using the Reporting Form in **Annex II**), of a vessel's inclusion on this list, and provide that flag State or entity with a copy of the pertinent suitably documented information.

Draft CCSBT IUU Vessel List

7. On the basis of the information received pursuant to paragraph 4, and any other suitably documented information available, the Executive Secretary shall draw up a Draft IUU Vessel List. This list shall be drawn up in conformity with **Annex III**. The Executive Secretary shall transmit it together with the current CCSBT IUU Vessel List, including any inter-sessional amendments, as well as all the supporting evidence provided, to all Members, and CNMs as well as to those Non-Cooperating Non-Members (NCNMs) whose vessels are included on these lists, at least 10 weeks before the annual CC meeting.
8. The Executive Secretary shall request the flag State or entity to notify the owner of the vessel(s) of its/their inclusion in the Draft IUU Vessel List and of the consequences that may result from its/their inclusion being confirmed in the CCSBT IUU Vessel List adopted by the Extended Commission.

9. Upon receipt of the Draft IUU Vessel List, Members and CNMs 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.
10. Members, CNMs and NCNMs with vessels included on the Draft IUU and/or current CCSBT IUU Lists will transmit any comments to the Executive Secretary at least 6 weeks before the annual CC meeting, including suitably documented information as described in paragraph 22, showing that the listed vessels have not fished for SBT in a way that undermines CCSBT conservation and management measures.
11. On the basis of the information received pursuant to paragraphs 7 and 10, the Executive Secretary shall circulate the Draft IUU Vessel list and the current CCSBT IUU Vessel List, together with all suitably documented information provided pursuant to paragraph 10 as a CC meeting document to all Members and CNMs 4 weeks in advance of the annual CC meeting.
12. All Members, CNMs, and any NCNMs concerned may at any time submit to the Executive Secretary any additional information, which might be relevant for the establishment of the CCSBT IUU Vessel list. The Executive Secretary shall circulate the information, at the latest before the annual CC meeting, together with all the evidence provided.

Provisional CCSBT IUU Vessel List

13. Each year the CC shall examine the Draft IUU Vessel List and current CCSBT IUU Vessel list, as well as the information referred to in paragraphs 7, 11 and 12.
14. The CC shall remove a vessel from the Draft IUU Vessel List if the flag State or entity demonstrates that:
 - a) The vessel did not take part in any SBT IUU fishing activities described in paragraph 3, or
 - b) Effective action has been taken in response to the SBT IUU fishing activities in question, including, *inter alia*, prosecution and/or imposition of sanctions of adequate severity. Members and CNMs will report any actions and measures taken to promote compliance by their flagged vessels with CCSBT conservation and management measures.
15. Following this examination, the CC shall:
 - a) Adopt a Provisional IUU Vessel List in conformity with **Annex III** following consideration of the Draft IUU Vessel List and information and evidence circulated under paragraphs 7, 11 and 12. The Provisional IUU Vessel List shall be submitted to the Extended Commission for approval, and
 - b) Recommend to the Extended Commission which, if any, vessels should be removed from the current CCSBT IUU Vessel List, following consideration of the current List and of the information and evidence circulated under paragraphs 10 and 12.

CCSBT IUU Vessel List

16. At its annual meeting the Extended Commission shall review the Provisional IUU Vessel List, taking into account any new suitably documented information related to vessels on the Provisional IUU Vessel List, and any recommendations to amend the current CCSBT IUU Vessel List made pursuant to paragraph 15 above. The Extended Commission will then adopt a new CCSBT IUU Vessel List.
17. Upon adopting the new CCSBT IUU Vessel List, Members, CNMs and NCNMs with vessels on the CCSBT IUU Vessel List are requested to:
 - a) Notify the owner of the vessel of its inclusion on the CCSBT IUU Vessel List and the consequences that result from being included on the CCSBT IUU Vessel List, as referred to in paragraph 18, and
 - b) Take all the necessary measures to eliminate these IUU fishing activities, including, if necessary, the withdrawal of the registration or the fishing licenses of these vessels, and to inform the Extended Commission of the measures taken in this respect.
18. Members and CNMs shall take all necessary non-discriminatory measures subject to, and in accordance with their applicable laws and regulations, international law and each Member's/ CNM's international obligations to:
 - a) Remove or withdraw any SBT fishing authorisations for the vessel or impose alternative sanctions consistent with domestic laws and regulations of the flag State;
 - b) Ensure that the fishing vessels, flying their flag do not assist in any way, engage in fishing processing operations or participate in any transshipment or joint fishing operations with vessels included on the CCSBT IUU Vessel List;
 - c) Ensure that vessels on the CCSBT IUU Vessel List are not authorised to land, tranship, re-fuel, re-supply, or engage in other commercial transactions in their ports, except in case of *force majeure*;
 - d) Ensure that foreign flagged vessels included on the CCSBT IUU Vessel List do not enter into their ports, except in case of *force majeure*, unless vessels are allowed entry into port for the exclusive purpose of inspection and/or effective enforcement action;
 - e) Ensure that a vessel included in the CCSBT IUU Vessel List is not chartered based on its license;
 - f) Ensure that foreign-flagged vessels included in the CCSBT IUU Vessel List are not granted their flag, except if the vessel has changed owner and the new owner has provided sufficient evidence demonstrating the previous owner or operator has no further legal, beneficial or financial interest in, or control of, the vessel, or having taken into account all relevant facts, the flag Member or CNM determines that granting the vessel its flag will not result in IUU fishing;

- g) Ensure that SBT from vessels included in the CCSBT IUU Vessel List are not landed, farmed, transhipped and/or traded internationally and and/or domestically; and
 - h) Collect and exchange with other Members and CNMs any appropriate information with the aim of searching for, controlling and preventing false CDS documents and/or false import/export certificates of SBT from vessels included in the CCSBT IUU Vessel List.
19. The Executive Secretary will take any necessary measure to ensure publicity of the CCSBT IUU Vessel List adopted by CCSBT, in a manner consistent with any applicable confidentiality requirements, and through electronic means, by placing it on the CCSBT web site. Furthermore, the Executive Secretary will transmit the CCSBT IUU Vessel List to appropriate regional fisheries organisations for the purposes of enhanced co-operation between CCSBT and these organisations in order to prevent, deter and eliminate IUU fishing.

Cross-Listing

20. The Extended Commission may consider cross-listing IUU vessel lists with all other tuna Regional Fisheries Management Organisations and relevant organisations on a case by case basis as agreed by the Extended Commission.

Trade Measures/ Sanctions

21. Without prejudice to the rights of flag States or entities and coastal States or entities to take proper action consistent with international law, including applicable WTO obligations, Members and CNMs shall not take any unilateral trade measures or other sanctions against vessels provisionally included in the Draft and Provisional IUU Vessel Lists, pursuant to paragraphs 7 and 15, or which have been already removed from the CCSBT Draft, Provisional or Current IUU Vessel Lists, pursuant to paragraphs 14 or 16 or 22 - 26, on the grounds that such vessels are involved in SBT IUU fishing activities.

Deletion from the CCSBT IUU Vessel List

22. A Member, CNM or NCNM whose vessel appears on the CCSBT IUU Vessel List may request the removal of the vessel from the list through the Compliance Committee or at any time during the inter-sessional period by submitting to the Executive Secretary suitably documented information demonstrating that:
- a) It has adopted measures so that this vessel complies with all CCSBT conservation and management measures; and
 - b) It is and will continue to assume effectively its responsibilities with respect to this vessel in particular as regards the monitoring and control of the SBT fishing activities executed by this vessel; and
 - c) One or more of the following:
 - i) It has taken effective action in response to the SBT IUU fishing activities that resulted in the vessel's inclusion in the CCSBT IUU Vessel List,

including prosecution or the imposition of sanctions of adequate severity;

ii) The vessel has changed ownership and that the new owner can establish that the previous owner no longer has any legal, financial or real interests in the vessel or exercises control over it, and that the new owner has not participated in SBT IUU fishing activities;

iii) The case regarding the vessel that conducted SBT IUU fishing activities has been settled to the satisfaction of the Member(s)/ CNM(s) that originally submitted the vessel for listing and the flag State or entity involved.

23. On the basis of the information received in accordance with paragraph 22, the CCSBT Executive Secretary will transmit electronically the removal request, with all the supporting information to each Member within 15 days following the notification of the removal request.
24. Each Member of the Extended Commission will examine the request to remove the vessel and notify the Executive Secretary in writing of their conclusion regarding either the removal from, or the maintenance of the vessel on the CCSBT IUU Vessel List within 21 days following the notification by the Executive Secretary referred to in paragraph 23.
Decisions on any inter-sessional requests to remove the vessel shall be made in accordance with Rule 6(5) of the Rules of Procedure, such that no response is considered to be support for the request.
25. The Executive Secretary shall communicate the result of the decision to all Members and CNMs and to any NCNM which requested the removal of its vessel from the CCSBT IUU Vessel List.
26. If Members agree to the removal of the vessel from the CCSBT IUU Vessel List, the Executive Secretary will take the necessary measures to remove the vessel concerned from the CCSBT IUU Vessels List, as published on the CCSBT web site. Moreover, the Executive Secretary will forward the decision of removal of the vessel to appropriate regional fisheries organisations.
27. If a Member does not agree with the request for the removal of the vessel from the CCSBT IUU Vessel List, the vessel will be referred to the Compliance Committee for further consideration and the Executive Secretary will inform the Members, CNMs as well as any NCNMs that made the removal request.

ANNEX I: CCSBT IUU Vessel List Definitions

The format of all CCSBT IUU Vessel Lists must conform to **Annex III**.

Draft CCSBT IUU Vessel List

This list is drawn up by the Executive Secretary in accordance with paragraph 7, and based on information submitted by Members and CNMs on the CCSBT Reporting Form for SBT Illegal Activity (**Annex II**), and any other suitably documented information about vessels presumed to be carrying out SBT IUU fishing activities during the current and/or previous year. This list is then examined each year by the Compliance Committee (CC).

Provisional CCSBT IUU Vessel List

This list is derived from the Draft IUU Vessel List.

It is created when the CC has completed its consideration of the Draft IUU Vessel List and the associated evidence circulated, and has made any appropriate amendments to the Draft List. At this point, the appropriately amended Draft List is adopted by the CC as a Provisional IUU Vessel List.

Current CCSBT IUU Vessel List

This list is created from a combination of considering the agreed Provisional IUU Vessel List and the Current CCSBT IUU Vessel List.

The Extended Commission reviews the Provisional IUU Vessel List at its annual meeting, taking into account any new suitably documented information related to vessels on the Provisional list, as well as any recommendations to amend the current CCSBT IUU Vessel List made by the CC. This process will result in a CCSBT IUU Vessel List which is agreed and adopted by the Extended Commission as the current CCSBT IUU Vessel List.

The current CCSBT IUU Vessel List can be modified inter-sessionally according to paragraph 20 by cross-listing additions and/or removals from other RFMOs, or through requests from Members/CNMs/NCNMs according to paragraphs 22 to 27.

ANNEX II: CCSBT Reporting Form for SBT Illegal Activity

1. Details of Vessel

- a Current Name of Vessel (Previous name/s, if any);
- b Current Flag (previous flag/s, if any);
- c Date first included on CCSBT IUU Vessel List (if applicable);
- d Lloyds, IMO and UVI Number (if available);
- e Photo(s) (if any);
- f Call Sign (previous call sign, if any);
- g Owner / Beneficial Owner/s (previous owner/s, if any), and owner's place of registration (if any);
- h Operator (previous operator/s, if any);
- i Master/Fishing master name and nationality;
- j Date of alleged SBT IUU fishing activities;
- k Position (as accurately identified as possible)¹ of the alleged SBT IUU fishing activities (if available);
- l Summary of alleged SBT IUU activities (see section 2 for more detail);
- m Summary of any actions known to have been taken in respect of the alleged SBT IUU fishing activities;
- n Outcome of actions taken.

¹ Positional information may include latitudes/ longitudes, geographic location name(s) and/or CCSBT statistical area number (s), etc

2. Details of CCSBT Resolution Elements Contravened

Place a "X" next to the individual elements of paragraph 3 of this Resolution that were contravened, and provide relevant details including date, location and source of information. Additional information can be provided in an attachment if necessary, and listed under section 3.

Paragraph Reference	SBT IUU Fishing Activity	Indicate
3a	Harvested SBT and were not authorised by a Member or CNM to fish for SBT	
3b	Did not record and/or report their SBT catches or catch-related data in accordance with CCSBT reporting requirements, or made false reports	
3c	Used prohibited or non-compliant fishing gear in a way that undermines CCSBT conservation and management measures	
3d	Transhipped with, or participated in joint operations such as re-supplying or re-fuelling vessels included in the CCSBT IUU Vessel List	
3e	Harvested SBT in the waters under the national jurisdiction of the coastal State or entity without authorisation and/or committed a serious infringement of its laws and regulations directly related to the SBT fishery, without prejudice to the sovereign rights of the coastal State or entity to take measures against such vessels	
3f	Engaged in fishing activities for SBT, including transshipping, re-supplying or re-fuelling, contrary to any other CCSBT conservation and management measures	

3. Associated Documents

List here the associated documents that are appended e.g. boarding reports, court proceedings, and photographs.

ANNEX III: Information to be Included in all CCSBT IUU Vessel Lists
(Draft, Provisional and Current)

The Draft, Provisional and Current CCSBT IUU Vessel Lists shall contain the following details, where available:

- i) Name of the vessel and previous name/s, if any;
- ii) Flag of the vessel and previous flag/s, if any;
- iii) Owner of the vessel and previous owner/s, including beneficial owners, if any, and owner's place of registration (if any);
- iv) Operator of the vessel and previous operator/s, if any;
- v) Call sign of the vessel and previous call sign/s, if any;
- vi) Lloyds/IMO and UVI number, if available;
- vii) Photograph(s) of the vessel, where available;
- viii) Date vessel was first included on the CCSBT IUU Vessel List;
- ix) Summary of the activities which justify inclusion of the vessel on the List, together with references to all relevant supporting documents and evidences;
- x) Date and location of any relevant sightings of the vessel, if any;
- xi) Summary of any other related activities performed by the vessel contrary to CCSBT conservation and management measures, if any.

Resolution on amendment of the Resolution on “Illegal, Unregulated and Unreported Fishing (IUU) and Establishment of a CCSBT Record of Vessels over 24 meters Authorized to Fish for Southern Bluefin Tuna” adopted at the CCSBT~~2115~~ in 20~~1408~~

(adopted at the ~~Twenty-First~~~~Fifteenth~~ Annual Meeting – ~~134-167~~ October 20~~1408~~)

The Extended Commission for the Conservation of Southern Bluefin Tuna,

Noting that the Resolution on “Illegal, Unregulated and Unreported Fishing (IUU) and Establishment of a CCSBT Record of Vessels over 24 meters Authorized to Fish for Southern Bluefin Tuna (hereinafter referred to as “the original Resolution”) ” was adopted at its 10th annual meeting in 2003;

Further Noting that substantial amount of Southern Bluefin Tuna has been and are harvested by vessels less than 24 meters operating under flags of non-members to the CCSBT which are not covered by the original Resolution;

Considering the urgent need to take further comprehensive approach to deter IUU fishing activities; and

Recognizing technical difficulties for import states to establish effective inspection schemes on import of fresh tuna products.

Agrees, in accordance with paragraph 3(b) of Article 8 of the CCSBT Convention, that:

The provision regarding vessel size limitation in the original Resolution which applies to those more than 24 meters is removed, and the original Resolution is amended as follows:

1. The Contracting Parties, Member of the Extended Commission and Cooperating Non-Members shall:
 - a. ensure that all vessels under their registry do not carry out IUU fishing activities for southern bluefin tuna;
 - b. take every possible action, consistent with relevant law, to prevent, deter and eliminate IUU fishing; and

c. review progress on the issue of IUU fishing for SBT and the implementation of its IUU measures including adopting further measures as required on a regular basis.

2. The Extended Commission shall establish and maintain an CCSBT Record of fishing vessels (hereinafter referred to as "fishing vessels" or "FVs") authorized to fish for SBT. For the purpose of this recommendation, FVs not entered into the Record are deemed not to be authorized to fish for, retain on board, tranship or land SBT.

3. Each Member of the Extended Commission (hereinafter referred to as "Member"), and Co-operating Non-member shall submit electronically, where possible, to the Executive Secretary ~~by 1 July 2005~~, the list of FVs flying its flag that are authorized to fish for SBT. This list shall include the following information:

- Lloyds/ IMO Number (if any);

- Name of vessel(s), register number(s);
- Previous name(s) (if any);
- Previous flag(s) (if any);
- Previous details of deletion from other registries (if any);
- International radio call sign(s) (if any);
- Type of vessel(s), length and gross registered tonnage (GRT);
- Name and address of owner(s) and operator(s);
- Gear(s) used; and
- Time period authorized for fishing and /or transshipping.

The Members and Co-operating Non-members shall indicate, when initially submitting their list of vessels according to this paragraph, which vessels are newly added or meant to replace vessels currently on their list submitted to the Executive Secretary. The initial CCSBT record shall consist of all the lists submitted under this paragraph.

4. Each Member and Co-operating Non-member shall promptly notify, after the establishment of the initial CCSBT Record, the Executive Secretary of any addition to, any deletion from and/or any modification of the CCSBT Record at any time such changes occur.

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

the Members and Co-operating Non-members.

6. The flag Members and Co-operating Non-members of the vessels on the record shall:

- a) authorize their FVs to fish for SBT only if they are able to fulfill in respect of these vessels the requirements and responsibilities under the CCSBT Convention and its conservation and management measures;
- b) take necessary measures to ensure that their FVs comply with all the relevant CCSBT conservation and management measures;
- c) take necessary measures to ensure that their FVs on the CCSBT Record keep on board valid certificates of vessel registration and valid authorization to fish and/or tranship;
- d) affirm that if those vessels have record of IUU fishing activities, the owners have provided sufficient evidence demonstrating that they will not conduct such activities any more;
- e) ensure, to the extent possible under domestic law, that the owners and operators of their FVs on the CCSBT Record are not engaged in or associated with fishing activities for SBT conducted by FVs not entered into the CCSBT Record;
- f) take necessary measures to ensure, to the extent possible under domestic law, that the owners of the FVs on the CCSBT Record are citizens or legal entities within the flag Members and Co-operating Non-members so that any control or punitive actions can be effectively taken against them.

7. The Members and Co-operating Non-members 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 Extended Commission at its 2005 meeting and annually thereafter. In consideration of the results of such review, the Extended Commission shall, if appropriate, request the flag Members and Co-operating Non-members of FVs on the CCSBT Record to take further action to enhance compliance by those vessels to CCSBT conservation and management measures.

8. a) The Members and Co-operating Non-members shall take measures, under their applicable legislation, to prohibit the fishing for, the retaining on board, the transhipment and landing of SBT by the FVs which are not entered into the CCSBT Record.

- b) To ensure the effectiveness of the CCSBT conservation and management measures pertaining to CCSBT Catch Documentation Scheme:
 - i) flag Members and Co-operating Non-members shall validate CDS documents only for the FVs on the CCSBT Record,
 - ii) the Members and Co-operating Non-members shall require that SBT caught by FVs, when transhipped, landed as domestic product, exported, imported or re-exported within their jurisdictions, shall be accompanied by CDS documents validated for the vessels on the CCSBT Record and,
 - iii) the Members and Co-operating Non-members shall co-operate to ensure that CDS documents are not forged or do not contain misinformation.

9. Each Member and Co-operating Non-member shall notify the Executive Secretary of any factual information showing that there are reasonable grounds for suspecting FVs not on the CCSBT record to be engaged in fishing for and/or transhipment of SBT.

- 10. a) If a vessel mentioned in paragraph 8 is flying the flag of a Member and Co-operating Non-member, the Executive Secretary shall request that Member and Co-operating Non-member to take measures necessary to prevent the vessel from fishing for SBT.
- b) If the flag of a vessel mentioned in paragraph 8 cannot be determined or is of a non-Member without cooperating status, the Executive Secretary shall compile such information for future consideration by the Extended Commission.

11. The Extended Commission and the Members and Co-operating Non-members 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 other tuna resources in other oceans. Such adverse effects might consist of excessive fishing pressure resulting from a shift of the IUU FVs from fishing for SBT to other fisheries.

12. Before the Extended Commission decides to implement measures specified in paragraph 8, the Extended Commission and the Members shall contact all the relevant countries to inform of this resolution and consult with them, and give them sufficient time to adopt themselves to this resolution. They shall continue to encourage non-Contracting Parties to become Members or Co-operating non-Members.

13. This resolution repeals the previous amendment to the resolution on “Illegal, Unregulated and Unreported Fishing (IUU) and Establishment of a CCSBT Record of Vessels over 24 meters Authorized to Fish for Southern Bluefin Tuna” adopted at the ~~Eleventh~~Fifteenth Annual Meeting from ~~149-1722~~ October 20084.