



CCSBT-EC/1910/15

Relationship with Non-Members

Purpose

To provide an update concerning discussion or issues with Non-Member and Non-CNM (Cooperating Non-Member) States/Entities.

Identification of States that have or are likely to become important port or market States for SBT, for consideration at CCSBT 26

CCSBT 18 agreed that the following process would be used for nominating States that have or are likely to become important port or market States for SBT:

- Members nominate important States whose cooperation is desired, together with background information supporting that nomination and provide this information to the Executive Secretary at least 6 weeks in advance of the Annual Meeting.
- The Executive Secretary incorporates this information in the Secretariat's agenda paper for the standing agenda item on "Relationship with Non-Members" for consideration by the Extended Commission.
- With the Extended Commission's endorsement, the Executive Secretary write to the nominated State(s) seeking their cooperation.
- The nominating Member follow-up the Executive Secretary's letter with bilateral discussion. This is an important step because experience has shown that many States do not respond to written communication.

No nominations were provided to the Secretariat in advance of CCSBT 26.

Interactions with Non-Members

In accordance with the decision of CCSBT 25, the Secretariat has invited the USA, China, Fiji, Singapore and Mauritius to attend the October 2019 Annual Meetings of the Compliance Committee and the Extended Commission.

There has been considerable interaction between the CCSBT Secretariat and non-Member States and other organisations during 2019. Most of this has been in the compliance area and is reported in paper CCSBT-CC/1910/10. This has included correspondence and/or interaction with: Canada, Lebanon, Mauritius, Namibia, Singapore and the USA, as well as with the following organisations: the Tuna Compliance Network; the International Monitoring Control and Surveillance Network; the International Commission for the Conservation of Atlantic Tunas; the Indian Ocean Tuna Commission (IOTC); the Western and Central Pacific Fisheries Commission; personnel from the Pacific Community (SPC) in relation to the Forum Fishery Agency/SPC's project on at-sea transshipment data collection by

observers; Global Fishing Watch; the PEW Charitable Trusts; and the UK Government's Marine Management Organisation.

Other interactions with non-Members since CCSBT 25 have included the People's Republic of China (China), the USA, Panama and Tristan da Cunha:

1. China

At CCSBT 25, the Extended Commission (EC) agreed that the CCSBT would communicate with China, requesting that its fleet avoid fishing in areas likely to catch SBT and provide information as to the specific areas to avoid. CCSBT Circular #2018/053 advised Members that Japan and the Secretariat have had informal correspondence with China on the possibility of China prohibiting its fishing vessels from fishing in areas likely to catch SBT and suggested deferring the formal letter to China to provide China with an opportunity to issue a notification on this matter. This approach was agreed by Members as was advised in CCSBT Circular #2018/058. Subsequently, on 7 January 2019, China issued new tuna management legislation that includes SBT. This legislation is provided at **Attachment A**, with a translation to English provided by China at **Attachment B**. The section related to SBT is part XIII.

During March 2019, the Executive Secretary repeated previous invitations from the CCSBT for China to consider becoming a Member of the CCSBT. That invitation is provided at **Attachment C**.

As reported to CCSBT 25, on 4 September 2018, the Executive Secretary wrote to China concerning alleged illegal fishing activities by vessels registered to the People's Republic of China (see Attachment C of paper CCSBT-EC/1810/14). China responded on 7 September 2018 to acknowledge receipt of the letter and to advise that China would conduct an internal investigation and inform the IOTC and CCSBT of the outcome of the investigation (see Attachment D of paper CCSBT-EC/1810/14). As at the date of finalising this paper, China had not reported the outcome to the CCSBT. However, China has reported the outcomes of the investigation, including DNA sampling, to the IOTC. China's conclusion was that: "*According to the information available at present, there is no evidence indicating that the Ping Tai Rong Leng 2 has conducted illegal transshipment at sea of southern bluefin tuna.*" The full outcome of the investigation is available at pages 65-78 of the IOTC paper [IOTC-2019-CoC16-08b_Rev1](#).

2. USA

The USA has continued its cooperation with the CCSBT Catch Documentation Scheme (CDS) by providing the Secretariat with information relating to the CCSBT CDS Documents it receives on a quarterly basis.

3. Panama

Panama established contact with the Secretariat in order to understand the process by which Panamanian flagged vessels have been authorised to receive transshipments of SBT from vessels flagged to CCSBT Members. An informal exchange of information about this process followed.

4. Tristan da Cunha

The Centre for Environment, Fisheries and Aquaculture Science (Cefas, UK based) has corresponded with the Secretariat in relation to the distribution of SBT fishing effort adjacent to Tristan da Cunha, a UK Overseas Territory, to support the development of sustainable fishing practices, management and enforcement.

农业农村部办公厅文件

农办渔〔2019〕1号

农业农村部办公厅关于进一步严格遵守 金枪鱼国际管理措施的通知

有关省(区、市)渔业主管厅(局),中国远洋渔业协会,上海海洋大学,中国农业发展集团有限公司,各金枪鱼渔业企业:

为认真执行养护大西洋金枪鱼国际委员会、印度洋金枪鱼委员会、中西部太平洋渔业委员会和美洲间热带金枪鱼委员会(以下合称“国际金枪鱼组织”)通过的各类资源养护和管理措施,我部于2013年2月20日发布了《农业部办公厅关于严格遵守金枪鱼国际管理措施的通知》(农办渔〔2013〕21号),对我国金枪鱼渔业企业切实遵守国际金枪鱼组织资源养护和管理措施、减少涉外违

规事件的发生发挥了积极作用。近年来,随着金枪鱼资源的变化和国际渔业管理形势的发展,国际金枪鱼组织陆续对原有管理措施进行了修订和增补。为进一步提升我国金枪鱼渔业履约能力,促进我国远洋渔业规范有序发展,现就有关事项通知如下。

一、渔船注册

国际金枪鱼组织要求在各公约区作业的渔船须通过船旗国政府或其授权机构在相关委员会秘书处注册,未注册渔船不得在公约区生产,渔船相关数据发生变更时也须及时向相关委员会秘书处登记备案。根据上述规定,取得我部颁发的《公海渔业捕捞许可证》的金枪鱼渔船所属企业,应通过我部委托单位中国远洋渔业协会,按国际金枪鱼组织要求办理注册事宜,完成注册后方可开始生产。注册信息有变化的,应及时办理变更手续。

中国远洋渔业协会要严格按照《公海渔业捕捞许可证》确定的作业条件和国际金枪鱼组织要求,及时为有关渔船办理注册事宜。

二、捕捞日志

各金枪鱼渔业企业应按照《农业部办公厅关于规范金枪鱼渔业捕捞日志的通知》(农办渔〔2008〕44号)要求,确保所属渔船认真填写《金枪鱼渔业捕捞日志》(包括如实记录误捕禁捕鲨鱼鱼种、海鸟、海龟、海洋哺乳动物以及无害释放等情况),于每年3月31日前将上年度每艘渔船的捕捞日志提交中国远洋渔业数据中

心(上海海洋大学海洋科学学院)。同时,金枪鱼渔业企业还应按月向中国远洋渔业协会如实报告分物种捕捞产量(蓝鳍金枪鱼产量按周报告)。

三、捕捞配额

我部根据我国金枪鱼渔船生产情况、各洋区金枪鱼资源状况和国际金枪鱼组织有关规定,以“公开、公平、公正”的原则,按年度将我国获得的分洋区、分品种金枪鱼捕捞配额分配至各金枪鱼企业和渔船。

各金枪鱼企业和渔船须严格按我部规定在配额内生产,不得无配额或超配额捕捞。当捕捞配额用尽时,有关企业和渔船应立即停止生产,并将超出配额的渔获无害释放。

中国远洋渔业协会应及时统计各金枪鱼企业和渔船捕捞产量,严格按我部制定的捕捞配额办理有关进出口证书。

四、作业海域和渔具(含辅助设备)的限制和禁用

(一)各金枪鱼渔业企业和渔船须严格按照《公海渔业捕捞许可证》规定的作业海域和条件生产,未经批准不得进入他国管辖海域从事渔业活动。在公海生产的渔船应与邻近国家管辖海域界限保持至少3海里安全距离。禁止在公海使用大型流网作业。

(二)在大西洋东部捕捞蓝鳍金枪鱼的延绳钓渔船,作业时间限制在1月1日至5月31日;在西经10度以西和北纬42度以北围成的区域作业时间限制在8月1日至翌年1月31日。所有渔船

不得进入地中海生产。

(三)除太平洋岛国租赁我国的渔船另有规定外,在中西部太平洋北纬 20 度至南纬 20 度海域作业的金枪鱼围网渔船每年 7 月 1 日至 9 月 30 日禁用集鱼装置。若在公海生产,须在每年 4 月 1 日至 5 月 31 日或 11 月 1 日至 12 月 31 日追加禁用集鱼装置。我国金枪鱼围网渔船在公海作业的总天数不得超过 26 天,每艘围网渔船每年放置的集鱼装置(配备位置报送器)不得超过 350 个。

(四)大西洋蓝鳍金枪鱼渔业和印度洋金枪鱼渔业禁止使用飞行器和无人机用于探鱼和其他辅助捕鱼目的。

(五)禁止在印度洋作业渔船以诱鱼为目的安装或使用水上或水下人工光源捕捞金枪鱼和类金枪鱼。

五、最小捕捞规格

(一)在大西洋作业的金枪鱼渔船须遵守以下最小捕捞规格:

1. 蓝鳍金枪鱼:30 千克(115 厘米下颌叉长)。低于最小捕捞规格(在 8 千克至 30 千克或 75 厘米至 115 厘米之间)的个数比例每艘船不得超过 5%。

2. 剑鱼:25 千克(125 厘米下颌叉长)。低于最小捕捞规格的个数比例每艘船不得超过 15%。

(二)在印度洋作业的金枪鱼渔船须遵守以下最小捕捞规格:

四鳍条纹旗鱼、印度枪鱼、蓝枪鱼和平鳍旗鱼下颌叉长不小于 60 厘米。

六、船位监测

在我部就船位监测制定新的规定前,各洋区作业的金枪鱼渔船按以下方式报送船位信息:

(一)大西洋:2019年作业渔船须每4小时报送一次船位(捕捞蓝鳍金枪鱼的渔船直接向养护大西洋金枪鱼国际委员会秘书处报送船位)。自2020年1月1日起,延绳钓渔船报送频率为至少每2小时一次,围网渔船为至少每1小时一次。

(二)东太平洋(西经150度以东的太平洋海域):作业渔船须每4小时报送一次船位。

(三)印度洋:作业渔船须每4小时报送一次船位。

(四)中西部太平洋(含南纬4度以南、西经130—150度之间与美洲间热带金枪鱼委员会管辖海域的重叠区):

1. 作业渔船须每1小时同时向中国远洋渔业协会以及中西部太平洋渔业委员会秘书处报送一次船位。

2. 金枪鱼围网渔船在禁用集鱼装置期间,须每30分钟同时向中国远洋渔业协会以及中西部太平洋渔业委员会秘书处报送一次船位。如遇船位监测设备故障,须立即回港修理,不得手动报送船位。

3. 部分原经中西部太平洋渔业委员会批准使用的船位监测设备(ARGOS系统的FVT、MAR GE、MAR GE V2和MAR GE V3)已不能满足该委员会确定的监测需求,目前使用这类设备的渔船须在

2022年12月底前更换委员会许可的其他船位监测设备。

4. 除金枪鱼围网船在禁用集鱼装置期间的规定外,金枪鱼渔船如遇船位监测设备故障,渔船所属企业应立即向中国远洋渔业协会报告,在设备故障排除前须按统一格式每6小时向中国远洋渔业协会和中西部太平洋渔业委员会秘书处手动报送一次船位,并在30天内修复或更换船位监测设备。如30天内未能恢复自动报位,该渔船应立即停止作业,收起所有渔具回港。如因卫星故障或渔船机械故障无法在30天内返港,渔船所属企业可通过中国远洋渔业协会向中西部太平洋渔业委员会秘书处申请延长15天手动报送船位期限,延期期间须每4小时报送一次船位。

七、渔获转载和接受观察员

(一) 金枪鱼围网渔船和捕捞大西洋蓝鳍金枪鱼的延绳钓渔船禁止在海上转载渔获。以上渔获只允许在有关国家在国际金枪鱼组织报备的港口卸载或转载。

(二) 自2019年1月1日起,所有金枪鱼渔船禁止在中西部太平洋“东部小公海”(即由库克群岛、法属波利尼西亚和基里巴斯的专属经济区围成的公海海域)转载渔获。

(三) 除上述规定外的其他金枪鱼渔船可在海上转载渔获,但只能转载给在该洋区委员会注册并载有区域观察员的运输船,每次转载前需向中国远洋渔业协会报告。

(四) 金枪鱼渔船有义务接受我部按照国际金枪鱼组织要求

派驻的国家观察员,以及国际金枪鱼组织按有关规定派驻的区域观察员,并严格按照《远洋渔业国家观察员管理实施细则》(农办渔[2016]72号)要求,按职务船员待遇为观察员提供生活和工作方便。不得妨碍、影响、恐吓、干涉、贿赂或企图贿赂观察员履行其职责。如遇有船上观察员落海等意外情况时,需立即停止捕捞作业展开搜救,并向我部和中国远洋渔业协会报告。

八、公海登临检查

目前只有中西部太平洋渔业委员会对金枪鱼渔船实施公海登临检查,执法船舶须在该委员会注册,并悬挂该委员会统一执法旗帜。在此海域作业的金枪鱼渔船,在保证渔船和船员安全并核实执法船舶及人员身份后,应配合有关执法人员对渔船的登临和检查。检查中遇到问题,应及时通过渔船所属企业向我部和中国远洋渔业协会报告。

九、合法捕捞证书制度

金枪鱼渔业企业运回或进口、出口或加工再出口冷冻大目金枪鱼、剑鱼和蓝鳍金枪鱼时,须按程序通过中国远洋渔业协会向我部和海关总署办理统计证书等合法捕捞证书手续。进出口大西洋蓝鳍金枪鱼的企业需注册并使用蓝鳍金枪鱼电子证书(e-BCD)。

中国远洋渔业协会要严格按照我部和海关总署有关规定,做好合法捕捞证明有关工作。对实施合法捕捞通关证明联网核查的冷冻大目金枪鱼、剑鱼和蓝鳍金枪鱼,要严格按照我部和海关总署

公告第 2157 号的要求核查,防止非法捕捞的上述产品进入我国关境。

十、兼捕物种

(一) 鲨鱼

1. 我部不批准主捕鲨鱼的远洋渔业项目,各金枪鱼企业和渔船应采取有效措施,尽最大可能避免或减少捕捞鲨鱼。除国际金枪鱼组织禁止在船上留存的鲨鱼外,金枪鱼延绳钓渔船应充分利用兼捕的鲨鱼(即保留除头、内脏和皮以外的全部鱼体和鱼鳍,直至第一卸货港),不得取鳍抛体。船上留存鲨鱼鳍的重量不得超过鲨鱼体重量的 5%,直至渔船到达第一卸货港。鼓励渔船采取鲨鱼鳍与鲨鱼体自然相连、捆绑,或对应标记等措施。

2. 禁止在渔船上留存、转载和在港口卸载以下物种:

(1) 大西洋:大眼长尾鲨、长鳍真鲨、双髻鲨类(含路氏双髻鲨、无沟双髻鲨和锤头双髻鲨)、镰状真鲨和北大西洋尖吻鲭鲨(北纬 5 度以北)。

(2) 印度洋:长尾鲨类和长鳍真鲨。

(3) 中西部太平洋:长鳍真鲨和镰状真鲨。

(4) 东太平洋:长鳍真鲨和蝠鲞(在南纬 4 度以南、西经 130—150 度的海域,在美洲间热带金枪鱼委员会注册的金枪鱼渔船须遵守关于蝠鲞的禁令)。延绳钓渔船兼捕镰状真鲨的重量不得超过一个航次渔获总量的 20%。

如渔船误捕上述物种,应在保证船员安全的前提下立即无害释放,并在捕捞日志上如实详细记录(包括释放时的状态:死亡/存活)。

3. 禁用鲨鱼线:在太平洋作业的延绳钓渔船禁用鲨鱼线(连接在浮子绳或直接连在浮子上专用捕捞鲨鱼的单线)。

(二) 海鸟

在大西洋南纬 25 度以南、印度洋南纬 25 度以南以及太平洋北纬 23 度以北和南纬 30 度以南海域作业的延绳钓渔船,须采用安装惊鸟绳、放钩时对支绳加重和夜晚放钩 3 项措施中的 2 项措施。

在中西部太平洋南纬 30 度以南作业的延绳钓渔船可选择鱼钩屏蔽保护器,替代上述 3 项措施。在南纬 25 度和 30 度之间作业的金枪鱼渔船,自 2020 年 1 月 1 日起须选择安装惊鸟绳、放钩时对支绳加重和鱼钩屏蔽保护器 3 项措施中的任 1 项措施。

(三) 海龟

延绳钓渔船须配备脱钩器,并尽可能使用圆型钩,减少对可能误捕到的海龟的伤害。鼓励在印度洋作业的延绳钓渔船使用有鳍鱼作饵料,不鼓励使用鱿鱼作饵料。

(四) 鲸豚类或鲸鲨

当目测到鲸豚类或鲸鲨时,禁止金枪鱼围网渔船放网捕捞跟随鲸豚类或鲸鲨的金枪鱼鱼群。当发现渔获中有鲸豚类或鲸鲨

时,应立即停止起网,释放鲸豚类或鲸鲨,并通过渔船所属企业向中西部太平洋渔业委员会秘书处和中国远洋渔业协会报告。

(五)大西洋旗鱼和枪鱼

鼓励在大西洋作业的延绳钓渔船使用圆型钩,减少对误捕到的旗鱼和枪鱼的伤害。鼓励渔船采取适当措施将误捕的旗鱼和枪鱼无害释放,尽最大可能减少死亡率。

十一、海洋环境保护

(一)在印度洋和太平洋公海作业的渔船不得在距离采集海洋环境的数据浮标一海里内生产,不得故意损害连接浮标的装置和将浮标捞出放置在渔船上。

(二)自2019年1月1日起,在中西部太平洋作业的渔船不得向海里丢弃塑料制品(包括塑料包装以及含塑料和聚苯乙烯的物品)。

(三)当渔船捕捞到具有标记放流标志的金枪鱼时,应尽可能记录所捕获鱼种的种类、叉长、体重、捕捞位置(经纬度)等信息,并尽快反馈中国远洋渔业协会。

十二、临时入渔

中国远洋渔业协会需加强对金枪鱼渔船临时入渔他国管辖海域作业的组织 and 协调。金枪鱼渔船按照与他国达成的租赁或入渔协议,需临时入渔他国海域时,渔船所属企业应在入渔前和入渔结束后5天内向中国远洋渔业协会报告入渔船数、实际作业天数、产

量、观察员上船情况等信

十三、禁止捕捞南方蓝鳍金枪鱼

我国目前尚未加入 1994 年成立的养护南方蓝鳍金枪鱼委员会,没有获得南方蓝鳍金枪鱼的捕捞配额。为避免非法捕捞或误捕南方蓝鳍金枪鱼,我国渔船须遵守下列措施:

(一)禁止在船上存留、转载和在岸上卸载南方蓝鳍金枪鱼,误捕的南方蓝鳍金枪鱼需立即释放并在捕捞日志中如实记录。

(二)印度洋:每年 9 月 1 日至 10 月 31 日禁止在南纬 30—45 度,东经 20—45 度以及南纬 30—45 度,东经 70—140 度的海域作业。全年禁止在南纬 10—20 度,东经 100—130 度的南方蓝鳍金枪鱼产卵场作业。

(三)中西部太平洋:全年禁止在南纬 37—45 度,东经 170—180 度以及南纬 45—50 度,东经 150—170 度的海域作业。

(四)大西洋:全年禁止在南纬 40—45 度,西经 10 度到东经 20 度的海域作业。

中国远洋渔业协会要做好船位监测预警工作,发现违反上述规定的渔船须立即提请渔船撤离,并向我部报告。

十四、渔船标识

远洋渔船应按我部有关规定涂写渔船船名、呼号、船籍港等标识,并确保始终保持标识清晰。

各金枪鱼渔业企业要严格执行上述管理措施,切实做好相关

人员的培训工作,不断提高遵纪守法和国际履约水平。有关省(区、市)渔业行政主管部门要督促辖区内远洋渔业企业认真执行上述管理措施,减少涉外违规事件发生。中国远洋渔业协会要认真做好我部委托和授权的上述工作,将有关规定细则在网上发布,方便企业办理,不得向企业收取与我部委托工作相关的费用。加强行业协调和组织,不断提高行业组织化程度和自律水平。

以上管理措施的详细内容可登陆国际金枪鱼组织官方网站及中国远洋渔业信息网查询(网址附后)。

自本通知下发之日起,《农业部办公厅关于严格遵守金枪鱼国际管理措施的通知》(农办渔〔2013〕21号)不再执行。

附件:有关网址



附件

有关网址

一、养护大西洋金枪鱼国际委员会 (ICCAT)

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

二、印度洋金枪鱼委员会 (IOTC)

<http://www.iotc.org/cmms>

三、中西部太平洋渔业委员会 (WCPFC)

<https://www.wcpfc.int/conservation-and-management-measures>

四、美洲间热带金枪鱼委员会 (IATTC)

<http://www.iattc.org/ResolutionsActiveENG.htm>

五、中国远洋渔业信息网

www.cndwf.org

农业农村部办公厅

2019年1月8日印发

**Notification by General Office of Ministry of Agriculture and Rural Affairs on
Further Strictly Comply With International Tuna Measures**

Nongbanyu¹ (2019) No.1

Related Provincial (Autonomous Regional and Municipal) Fisheries Authorities, China Overseas Fisheries Association, Shanghai Ocean University, China Agricultural Development Group Co., Ltd. and All Tuna Fishing Companies:

In order to faithfully implement all kind of resources conservation and management measures adopted by the International Commission for Conservation of Atlantic Tunas (ICCAT), Indian Tuna Commission (IOTC), Western and Central Pacific Fisheries Commission (WCPFC) and Inter-American Tropical Tuna Commission (IATTC) (hereinafter as the Commissions), this Ministry issued a *Notification by General Office of Ministry of Agriculture on Strictly Comply With International Tuna Measures* [Nongbanyu (2013) No.21] on 20 February 2013, the Notification played an active role in terms of practical comply with Regional Tunas Management Organizations' resources conservation and management measures by the Chinese tuna industry and reduce infringement events concerning foreign affairs. In recent years, Commissions successively made amendment of original measures and added new measures along with the variation of tuna resources and development of international fisheries governance. For the purpose of further enhancing capability of compliance by China's tuna industry and promoting standardized and orderly distant water fisheries development of China, it is hereby to notify the followings:

I. Fishing Vessels Registration

Commissions request that all fishing vessels operating in the respected conversion areas shall register in the secretariats of Commissions through the flag state's authority or its authorized agency, fishing vessels not registered in the secretariats of Commissions shall not fish in the conversion areas, and any change of vessels' data and information shall also be registered in the secretariats of Commissions in a timely manner. Based on above measures, the enterprises have fishing vessels fish for tunas and obtained High Seas Fishing Permit from this Ministry shall register its fishing vessels through China Overseas Fisheries Association (COFA), the authorized organization by this Ministry, in accordance with the request of Commissions, and fishing operation can only commence after the completion of the register. Any change of registered information shall be timely notified for change.

COFA shall register the relevant vessels in the Commissions without delay, in strict accordance with the operation condition described in High Seas Fishing Permit and request by Commissions.

II. Fishing Log Books

Chinese tuna enterprises shall ensure its fishing vessels to seriously fill out Tuna Fishing Log Book (*inter alia*, including faithfully record incident catch of no retained shark species, sea birds, sea turtles, marine mammal as well as situation of no harm

¹ Means document related to fisheries issued by General Office of Ministry of Agriculture and Rural Affairs.

release), according to the request by *Notification by General Office of Ministry of Agriculture on Regulation of Tuna Fishing Log Books* [Nongbanyu (2008) No. 44], and submit each vessel's log book for last year to Data Center of China Distant Water Fisheries (Marine Science College, Shanghai Ocean University) before 31 March of each year. Meanwhile, The tuna enterprises shall monthly report catch by species in a truthful manner to COFA (weekly report for Atlantic bluefin tuna catch).

III. Fishing Quota

This Ministry allocates tuna fishing quota obtained in different oceans and by species to tuna enterprises and fishing vessels each year, based on situation of tuna fishing operation, tuna resources status in different oceans and relevant measures of Commissions as well as principle of openness, equity and fairness.

All tuna enterprises and fishing vessels shall conduct fishing operation under quota allocated by this Ministry, and shall not fish without fishing quota or fishing after its quota be exhausted. As soon as its fishing quota be exhausted, the relevant enterprises and fishing vessels shall immediately cease fishing operation, and conduct no harm release the over harvested portion.

COFA shall timely collect tuna catch from all enterprises and fishing vessels, and shall strictly observe the quota allocated by this Ministry while dealing with certificating products to be imported and exported.

IV. Limitation and prohibition of Fishing Area and Fishing Gear (including supporting equipment)

1. All tuna fishery enterprises and fishing vessels shall strictly follow fishing area and condition specified in the High Seas Fishing Permit while conducting fishing operation. It is prohibited from conducting fishing activities in the jurisdiction of other countries without authorization. Fishing vessels conducted fishing operation on the high seas shall keep at least three nautical miles of safe distance from outer limit of nearby jurisdiction of other countries. It is prohibited from using large scale drift net on the high seas.

2. In Atlantic Ocean, fishing for eastern Atlantic Bluefin tuna shall limit its fishing period from 1 January to 31 May; however in the area west of 10° W and north of 42° N, the fishing period shall be limited from 1 August to 31 January of next year. All vessels must not enter into the Mediterranean Sea for fishing operation.

3. In Western and Central Pacific, except otherwise stipulated for the situation of Chinese vessels be chartered by Pacific small islands states, the purse seiner vessels shall prohibit from using Fish Aggressive Devises (FADs) in the area between 20° N and 20° S from 1 July to 30 September. If the purse seiner vessels conducting fishing operation on the high seas, the period from 1 April to 31 May or from 1 November to 31 December shall be additional FADs prohibition period. China's fishing days for purse seiner vessels on the high seas shall be limited no more than 26 days, and purse seine vessels shall have deployed at sea, at any one time, no more than 350 drifting FADs with activated instrumented buoys.

4. It is prohibited from using aircrafts and unmanned aerial vehicles in Atlantic bluefin tuna fishery and Indian tuna fishery for the purpose of fish finding and other fishing aids.

5. It is prohibited from using, installing or operating surface or submerged artificial lights for the purpose of aggregating tuna and tuna-like species in Indian Ocean tuna fisheries.

V. Minimum Size

1. Fishing vessels operating in the Atlantic Ocean shall comply with the following minimum size:

a. Eastern Bluefin tuna: 30 kg (115 cm fork length); each individual vessel shall not be over 5% of number of fish that lower than the minimum size (between 8 kg and 30 kg or between 75cm and 115 cm).

b. Swordfish: 25 kg (125cm low jaw fork length); each individual vessel shall not be over 15% of number of fish that lower than the minimum catch size.

2. Fishing vessels operating in the Indian Ocean shall comply with the following minimum size:

It shall not retain on board, transship, land any specimen smaller than 60 cm lower jaw fork length (LJFL) of Indian Ocean Striped Marlin, Black Marlin, Blue Marlin and Indo Pacific Sailfish.

VI. Fishing Vessel Position Monitoring

Before this Ministry making a new regulation on fishing vessel position monitoring, the fishing vessels fish for tunas in different oceans shall report its position according to the followings:

1. In Atlantic: The fishing vessels shall report its position with interval of four hours (the fishing vessels target eastern Atlantic bluefin tuna shall also report its position to secretariat of ICCAT directly). Starting from 1 January 2020, long line vessels and purse seiner vessels shall report its position with interval of at least two hours and at least one hour respectively.

2. In East Pacific Ocean (Pacific area east of 150° W): the fishing vessels operating in the area shall report its position with interval of four hours.

3. In Indian Ocean: the fishing vessels operating in the area shall report its position with interval of four hours.

4. In Western and Central Pacific Ocean (including the area south of 4° S, 130° W-150° W that overlapping with IATTC):

a. The fishing vessels operating in the area shall report its position to COFA and WCPFC secretariat with interval of one hour.

b. During the period of prohibition of using FADs, the purse seiner vessels shall report its position to COFA and WCPFC secretariat with interval of thirty minutes. In the case of vessel monitoring equipment has problem, the purse seiner vessel shall immediate return to port for repair, and no manual reporting be allowed.

c. Some vessel position monitoring equipment formerly approved by WCPFC are no longer in meeting the requirement decided by this Commission (Argos: FVT, MAR GE, MAR GE V2 and MAR GE V3), the fishing vessels currently using such equipment shall replace it by vessel position motoring equipment of other type before the end of December, 2022.

- d. Except the regulation for purse seiner vessels during the period of prohibition of use FADs, if vessel monitor equipment has problem, the related enterprise shall immediately report the situation to COFA, and shall conduct manual report of vessel position to COFA and WCPFC secretariat based on unified form with interval of six hours before trouble of equipment be cleared, and shall repair the equipment or replace the position monitoring equipment within 30 days. If the vessel in question cannot recover automatic position reporting within 30 days, the fishing vessel shall stop fishing, retrieve all of its fishing gear and return to port. However, if the vessel cannot return to port due to malfunction of satellite network or mechanical fault of the vessel, the enterprise concerned may apply for a period of additional 15 days of manual report to WCPFC secretariat via COFA, interval of manual report shall be four hours during the additional 15 days.

VII. Transshipment and Accept Observers

1. Products fished by a purse seiner vessel and Atlantic bluefin tuna harvested by a long line vessel shall not be transshipped at sea. The above products can only be landed or transshipped in designated ports reported by relevant states and recorded by Commissions.

2. Starting from 1 January 2019, all tuna fishing vessels shall be prohibited from transshipping its products in east high seas pocket (high seas area surrounding by Exclusive Economic Zones of Cook Inlands, French Polynesia and Kiribati) of Western and Central Pacific Ocean.

3. Except the above regulation, other fishing vessels fish for tunas may transship its products at sea, but shall only transship to the carry vessels that registered in Commission of respective ocean and has a regional observer on board. It shall report to COFA before each of transshipment happened.

4. All tuna fishing vessels shall have obligation to accept a national observer dispatched by this Ministry based on request of Commissions, as well as a regional observer deployed by Commissions under relevant measures, and shall strictly follow the request by *Implementation Regulation on National Observer Management in Distant Water Fisheries* [Nongbanyu (2016) No. 72], provide living and working convenience to observers as to official crew. The observer is not obstructed, intimidated, interfered with, influenced, bribed or is attempted to be bribed in the performance of his/her duties. In the event that an observer presumed fallen overboard and other accidents, the relevant fishing vessels shall immediately cease all fishing operations and commence search and rescue, and report the situation to this Ministry and COFA.

VIII. High Seas Boarding and Inspection

Currently the WCPFC is an only Commission that has measures to board and inspect fishing vessels fish for tunas on the high seas, enforcement vessels shall be registered in the Commission and fly the flag of the Commission's unified enforcement flag. The fishing vessels fish for tunas in the area shall cooperate with duly authorized enforcement officials to board and inspect the fishing vessel under the situations to ensure the safety of fishing vessel and crew and after verification of

identity of enforcement vessel and officials. If any problem occurred, the fishing vessel shall immediately, through its enterprise, report the problem to this Ministry and COFA.

IX. Catch Documentation System (CDS)

The enterprises conducting tuna fisheries shall go through the procedure for certificating its Statistic Documents and Catch Documentation in this Ministry and General Administration for Customs via COFA when carrying back or importing, exporting or re-exporting frozen bigeye tuna, swordfish and Atlantic bluefin tuna. Enterprises conducting Atlantic Bluefin tuna Import and export shall be registered and using e-BCD.

COFA shall complete the work related to CDS strictly according to the relevant regulation issued by this Ministry and General Administration for Customs, With respect to online verification of customs clearance certification for the legal catch of frozen bigeye tuna, swordfish and Atlantic bluefin tuna, COFA shall conduct the verification strictly in accordance with the request stipulated in *the No. 2157 Announcement by Ministry of Agriculture- General Administration for Customs*, so that to deter the IUU caught above products entering into customs area of China.

X. Bycatch Species

1. Sharks

(1) This Ministry does not approve any distant water fisheries project that targeting sharks, all tuna enterprises and fishing vessels shall, to the greatest possible, avoid or reduce catching sharks. Except the no retention shark species, fishing vessels fish for tunas shall fully utilize harvested sharks (i.e. keeping shark carcass and fin, excepting head, guts, and skins). The weight of shark fin on board shall not be over 5% of the weight of sharks on board up to the first point of landing. Fishing vessels are encouraged to take measures including shark fin and shark carcass naturally attached, fin and carcass binding together or using corresponding labels.

(2) It shall prohibit retaining on board, transshipping and landing the following shark species:

- a. Atlantic Ocean: bigeye thresher sharks, whitetip sharks, hammerhead sharks (including *Sphyrna lewini*, *Sphyrna mokarran* and *Sphyrna zygaena*), silky sharks and North Atlantic shortfin mako (north of 5° N).
- b. Indian Ocean: bigeye thresher sharks and whitetip sharks.
- c. Western and Central Pacific Ocean: whitetip sharks and silky sharks.
- d. East of Pacific Ocean: whitetip sharks and Mobulid rays (includes Manta rays and Mobula rays) (in the area of south of 4° S, 130° E to 150° E, the fishing vessels fish for tunas registered in IATTC shall observe the prohibition of Mobulid rays). Longline vessels shall limit its bycatch of silky sharks to a maximum of 20% of the total catch by one fishing trip in weight.

If fishing vessels caught the above shark species incidentally, the sharks shall be immediately released without further harm under the precondition of ensuring the safety of crew, and to record the details in the fishing log books accurately (with

indication of status when releasing: dead/alive).

(3) Prohibition of using “shark lines”: longline vessels operating in the Pacific Ocean shall be prohibited using “shark lines” (individual lines attached to the floatline or to the floats directly, and used to target sharks).

2. Seabirds

Longline vessels operating in the area south of 25° S in the Atlantic Ocean, in the area south of 25° S in the Indian Ocean and in the area north of 23° N and south of 30° S in the Pacific Ocean shall use two mitigation measures from equipping tori lines, night setting and weighted branch lines.

Longline vessels operating in the area south of 30° S in the Western and Central Pacific Ocean may use hook-shielding devices to replace the above three measures. Starting from 1 January 2020, among mitigation measures of tori lines, weighted branch lines and hook-shielding devices, longline vessels fishing in the area 25° S-30° S in the Western and Central Pacific Ocean shall use one of three measures.

3. Sea Turtles

All longline vessels shall equip de-hooks, to minimum the harm to possible bycaught sea turtles. As far as possible, longline vessels shall use circle hooks to reduce damage of possible incident caught sea turtles. The longline vessels operating in Indian Ocean are encouraged to use finfish as bait, using squid as bait is not encouraged.

4. Cetaceans or Whale Sharks

If a cetacean or a whale shark is sighted prior to commencement of the set, a tuna purse seiner vessel is prohibited from setting a purse seine net on a school of tuna associated with a cetacean or a whale shark. In the event that a cetacean or a whale shark is unintentionally encircled in the purse seine net, the purse seiner vessel shall stop the net roll, release the cetacean or the whale shark, and report the incident to WCPFC secretariat and COFA via enterprise it belongs to.

5. Atlantic Sailfish and Marlin

Longline vessels operating in Atlantic Ocean are encouraged to use circle hooks, to reduce damage of incident caught sailfish and marlin. Fishing vessels are encouraged to take appropriate steps in conducting no harm release the incident caught sailfish and marlin, and to reduce the mortality rate to the greatest possible.

XI. Marine Environment Protection

1. Fishing vessels operating on the high seas in the Indian Ocean and in the Pacific Ocean shall be prohibited from fishing within one nautical mile of a data buoy that collect data used to conduct oceanographic research, and shall be prohibited from cutting a data buoy anchor line and taking a data buoy on board of a fishing vessel.

2. Starting from 1 January 2019, the fishing vessels operating in the Western and Central Pacific Ocean shall be prohibited from discharging any plastics (including plastic packaging, items containing plastic and polystyrene).

3. If fishing vessels caught a tuna with label from tag programme, it should record species, fork length, weight, position of harvest (longitude and latitude) and other information of the caught tuna as far as possible, and should report to COFA as soon as possible.

XII. Temporary Access

COFA should strengthen the organizing and coordinating fishing vessels fish for tunas temporarily access to other countries' national jurisdiction. When fishing vessels fish for tunas need to temporarily access to other countries' national jurisdiction under chartering or access agreement, the enterprises that own the fishing vessels shall report number of fishing vessels accessed, actual fishing days, catch, observers on board of the fishing vessels and other information to COFA before the access and within 5 days after the access completed.

XIII. Prohibition of fishing for South Bluefin Tuna (SBT)

Currently China is not yet a member of the Commission for the Conservation of Southern Bluefin Tuna established in 1994, and does not obtain the fishing quota of SBT, in order to avoid illegal fish for or incident catching SBT, the fishing vessels of China shall observe the following measures:

1. No retention on board, transshipping and landing SBT, the incident caught SBT shall be released immediately and recorded in the log book.

2. In the Indian Ocean: It shall prohibit from fishing in the areas of 30° S to 45° S, 20° E to 45° E and 30° S to 45° S, 70° E to 140° E from 1 September to 31 October. It shall prohibit from fishing in SBT spawning ground of 10° S to 20° S, 100° E to 130° E all year round.

3. In the Western and Central Pacific Ocean: It shall prohibit from fishing in the areas of 37° S to 45° S, 170° E to 180° E and 45° S to 50° S, 150° E to 170° E all year round.

4. In the Atlantic Ocean: It shall prohibit from fishing in the area of 40° S to 45° S and 10° W to 20° E all year round.

COFA shall complete its work on vessel monitor and early warning, once detecting a fishing vessel is in violation of above regulation, it shall immediately ask the vessel to leave the prohibited area, and report the case to this Ministry.

XIV. Fishing Vessel Marking

The distant water fishing vessels shall painted name of the vessel, call sign and port of registry and other marking on the hull according to relevant regulation of this Ministry, and shall ensure the marking always keeping clearness.

All tuna enterprises shall serious comply with above management measures, and earnestly work out training of relevant persons, so as to enhance the level of observing law and discipline as well as implementation. The Provincial (Autonomous Regional and Municipal) fisheries authorities shall supervise and urge the enterprises conducting distant water fisheries under its respective jurisdiction to seriously implement the above management measures, reduce the number of infringement events concerning foreign affairs. COFA shall do its best for the work entrusted and authorized by this Ministry and shall publish the detailed measures on its website, so that the enterprises can easily follow the measures. COFA shall not collect charges from enterprises related to the work entrusted by this Ministry. COFA should strengthen the organizing and coordinating the industry, and improve organizational degree and self-discipline level of the industry continually.

For detailed management measures, please refer to the website of Commissions as well as COFA (see the attachment).

Notification by General Office of Ministry of Agriculture on Strictly Comply With International Tuna Measures [Nongbanyu (2013) No.21] is no longer in effective starting on the date of this Notification issued.

General Office of Ministry of
Agriculture and Rural Affairs
(With official stamp)
7 January 2019

Attachment: Relevant website.

Attachment:

Relevant Website

1. the International Commission for Conservation of Atlantic Tunas (ICCAT)
<http://www.iccat.int/en/RecsRegs.asp>
2. Indian Tuna Commission (IOTC)
<http://www.iotc.org/cmms>
3. Western and Central Pacific Fisheries Commission (WCPFC)
<https://www.wcpfc.int/conservation-and-management-measures>
4. Inter-American Tropical Tuna Commission (IATTC)
<http://www.iattc.org/ResolutionsActiveENG.htm>
5. China Distant Water Fisheries Information Network
www.cndwf.com

Commission for the Conservation of
Southern Bluefin Tuna



みなまぐろ保存委員会

Mr Sun Haiwen
Director
Division of International Cooperation
Bureau of Fisheries and Fishery Laws Enforcement
Ministry of Agriculture and Rural Affairs
People's Republic of China

15 March 2019

Dear Director Sun,

I am pleased to extend an invitation to the People's Republic of China (China) to consider becoming a Member of the Commission for the Conservation of Southern Bluefin Tuna (CCSBT).

To assist China to consider this matter, I have attached copies of the Convention for the Conservation of Southern Bluefin Tuna, CCSBT's Resolution to Establish an Extended Commission and an Extended Scientific Committee, and a list of key CCSBT Resolutions. Each page of the attached documents has been initialled by me.

Please contact me if I can be of any assistance to China in its consideration of becoming a Member of the CCSBT.

Please accept assurances of my highest consideration and esteem.

Yours sincerely,

Robert Kennedy
Executive Secretary

CC: Ms Zhao Liling
Director
Division of Distant Water Fisheries
Bureau of Fisheries and Fishery Laws Enforcement
Ministry of Agriculture and Rural Affairs
People's Republic of China