



CCSBT-CC/1010/05

Implementation Issues with the CCSBT Catch Documentation Scheme (CDS)

1. Introduction

The CCSBT CDS commenced operation on 1 January 2010. A number of issues with the operation of the CDS have arisen since that time. This paper lists 20 issues with the CDS that the Secretariat is aware of (or that have been submitted to the Secretariat) and where relevant and possible, provides recommendations or options for dealing with these issues. The 20 issues are:

Validation

1. Loop hole with respect to validation of transhipped, domestically landed SBT;
2. Consideration of validation of Re-export documents by non Members (and non CNMs);
3. Concern over delegation of the authority to validate CDS documents;

Tag issues

4. Problems with the centralised tag;
5. Problems with the requirement for “a fishing year identifier” in the tag number;
6. Australian tag (submitted by Japan);

Farm issues

7. Problem with the “CCSBT Farm Serial Number” used in the CCSBT record of authorised farms;
8. Definition of “farming capacity” for the CCSBT record of authorised farms (i.e. whether it is stocking or production capacity);
9. Items from Attachment 4 of the 2009 Compliance Committee meeting that were referred to this meeting for review/discussion (choice between options for the operation of Farm Stocking Forms and incorporation of hatchery raised SBT into the CDS);
10. Attachment of Farm Stocking Forms to Catch Monitoring Forms in case of exports/imports (submitted by Japan);

Import and Port State issues

11. Requests for provision of information on tagged SBT to importers;
12. South Africa’s Proposed Port State Measures in relation to the CDS;

Data provision timeframes and quality

13. Ambiguity in the timeframes for data submission and whether data should be provided in a timelier manner;
14. Rules for data quality;

General

15. Ambiguity in the meaning of vessel “Registration Number” (i.e. whether it is the CCSBT or national number);
16. Need to allow copies of Catch Monitoring Forms (CMF) to be provided with Re-Export/Export after Landing of Domestic Product Forms (REEF);

17. Taking account of additional processing of SBT before it reaches its final destination;
18. Common descriptions for Product Types;
19. Cooperating Non-Members are excluded from receiving certain information;
20. Pre-printing requirement of a document number on REEF (submitted by Japan).

2. Discussion of the Issues

(1) Loop hole with respect to validation of transhipped, domestically landed SBT

The CDS Catch Monitoring Form (CMF) specifies that validation of the catch/harvest section is not required for transshipments at sea. However, validation of the catch/harvest section is the only place on the CMF for validation of SBT that are to be landed domestically, so the CMF has a loop hole that does not require validation in these circumstances. Furthermore, this part of the CMF is in conflict with paragraph 5.1.1 of the CDS resolution, which specifies that the CDS document must be validated by:

“5.1.1 for landings of domestic product, an official of the flag Member or Cooperating Non-Member of the catching vessel or, when the fishing vessel is operating under a charter arrangement, by a competent authority or institution of the chartering Member or Cooperating Non-Member; and”

This loop-hole and conflict can be addressed by explicitly allowing the validation for landings of domestic product to occur at the time of landing of domestic product as opposed to requiring this validation before transshipment. This requires 5.1.1 of the CDS resolution to be changed as follows:

“5.1.1 for landings of domestic product, when the landing occurs: by an official of the flag Member or Cooperating Non-Member of the catching vessel or, when the fishing vessel is operating under a charter arrangement, by a competent authority or institution of the chartering Member or Cooperating Non-Member; and”

The CMF form and its instructions also need to be amended as follows:

CMF Form: *“Validation by Authority (not required for exports transhipped at sea):”*

CMF Instructions: *“Validation by Authority (not required for exports transhipped at sea): If this is not an export being transhipped at sea, enter the name and full title of the official signing the document, together with the signature of the official, date (dd/mm/yyyy) and official seal. In the case of SBT transhipped at sea that are destined for domestic landings, the validation can occur at the point of domestic landing (i.e. after transhipment).”*

(2) Consideration of validation of Re-export documents by non Members (and non CNMs)

Paragraph 5.1.3 of the CDS resolution requires that exports and re-exports be validated by an official of the exporting or re-exporting Member or Cooperating Non-Member. This prevents non Members (such as the USA and China) cooperating with the CCSBT by completing and validating CDS documents for any SBT that they re-export.

It is recommended that the requirement for validation by a Member or CNM only be limited to landings of domestic product and exports (not including re-exports). This can be achieved by splitting 5.1.3 into two paragraphs as follows:

5.1.3 for all export ~~or re-export~~ of SBT, an official of the exporting ~~or re-exporting~~ Member or Cooperating Non-Member; and”

5.1.4 “for all re-export of SBT, an official of the re-exporting Member, Cooperating Non-Member, or OSEC.”

The abbreviation “OSEC” stands for “Other State/Fishing Entity Cooperating in the CDS”. This term will be specified in full when first used in the resolution (which will be

paragraph 1.2 – see later). In addition, when first used, a footnote would be added to the resolution that states: “*The term “Other State/Fishing Entity Cooperating in the CDS” will be abbreviated to “OSEC” within this resolution and means a State/Fishing Entity that has expressed its commitment, in writing, to cooperate with this resolution.*”

and by amending the footnote in the instructions of the REEF for as follows:

“The official must be in the employment of, or delegated by, the competent authority of the State/Fishing Entity that exported the SBT appearing on the document. The Member, ~~or~~ Co-operating Non-Member or Other State/Fishing Entity Cooperating in the CDS which utilizes a delegated entity shall submit a certified copy of such delegation to the Executive Secretary.”

and to ensure provision of validation details and require an appropriate level of cooperation by OCSEs, make similar changes to the following text from paragraphs 1.2, 1.6, 1.7, 3.6, 5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 6.1, 7.3, 7.7, 8.1 and 8.2 of the CDS resolution:

“... Members, ~~and~~ Cooperating Non-Members or OSECs ...”

This suggestion does not include paragraphs 5.8, 7.1, 7.2 and 7.4 which provide further obligations regarding inspection of products in the CDS. The Compliance Committee should consider what level of compliance by OSECs should be required in the resolution and therefore whether OSECs should be included in these 4 paragraphs.

(3) Concern over delegation of the authority to validate CDS documents

Through an intersessional exchange of letters, Japan raised concerns regarding the delegations of validation authority that have been provided to some industry members. Japan sought comment from other CCSBT Members and responses were provided by New Zealand, Taiwan and Australia. Japan also provided follow-up correspondence and Korea responded to both Australia’s response and Japan’s follow-up. A copy of this correspondence is provided at **Attachment A**.

From the comments provided, a few general (but not necessarily unanimous) points can be noted:

- There is concern that if the authority to validate CDS documents is delegated to third parties that are not neutral, this could undermine the robustness of the CDS;
- There is recognition that exemptions may need to be considered under certain circumstances (e.g. small scale fisheries with fresh product); and
- There is concern that even validation by government officials can be insufficient if the validation process itself is not sufficiently robust.

These points suggest that a set of minimum standards for validation would be appropriate. A possible set of standards to help facilitate discussion on this issue is provided at **Attachment B**.

Further discussion of this issue is required at the Compliance Committee meeting. The Compliance Action Plan template that Members and CNMs have been asked to complete should assist in this discussion because the template requires Members and CNMs to provide information on their CDS validation processes at each of the main points from the fishing grounds to final destination. This will hopefully allow any weaknesses in the various validation processes to be identified and allow a set of validation standards to be developed that caters for the different operations that occur for SBT.

(4) Problems with the centralised tag

Two problems have been reported with the centralised tag. The first was reported by Taiwan, which conducted testing and found that the centralised tag can be broken using hands to pull it apart as shown in the photo below.



This is true, but it is also a design feature to help prevent re-use of the tag. Nevertheless, this highlights the importance of fastening the tag firmly to the SBT and following the manufacturer's instructions for use of the tag (see **Attachment C**). If the instructions are not followed, the tag can be broken or could potentially be removed for re-used.

The second problem was reported by New Zealand and was a tag in which the printed tag number came off both sides of the tag so that the tag number could only be read by reflected light (see photo below). The tag in question has been sent to the manufacturer for them to investigate. An interim response from the manufacturer indicates that due to the high oil content of the tag (which keeps it flexible at -70°C), rubbing the tag using gloves coated in fish oils (such as from gilling and gutting) could cause the print to come off. The manufacturer is investigating inks with greater oil resistance and will submit a further report soon. Fortunately, this is the only report we have received of such problems.



(5) Problems with the requirement for “a fishing year identifier” in the tag number

Paragraph 3b of Appendix 2 of the CCSBT CDS resolution specifies that:

“tag numbering shall include a unique flag state identifier and a fishing year identifier (e.g. NZ-2008-000001)”

Two problems exist with the requirement for “a fishing year identifier” to be included in the tag number.

The first problem is due to differing interpretations of “fishing year” as either “fishing season” or “calendar year”. If the reference to “fishing year” is retained (see below), it is recommended that a footnote be added to state that “*Fishing year may be interpreted as either the Member’s fishing season that finishes in the specified year or the calendar year in which fishing occurred.*”

The second problem is that inclusion of “fishing year” as part of the tag number means that any unused tags at the end of the year will be wasted, which is an unnecessary cost. Consequently, the Secretariat recommends that this paragraph be amended as follows:

“tag numbering shall include a unique flag state identifier and ~~the first~~ the first fishing year in which tags from the series are intended to be used identifier (e.g. NZ-2008-000001)”

This amendment overcomes the problems of tag wastage by only specifying the first year in which the tags will be used and therefore allowing unused tags to be applied to SBT in later

years as well. Differing interpretations of “fishing year” are also avoided by simply referring to “year” (i.e. calendar year).

In situations where it is useful to have the fishing year of catch on the tag (such as where no Catch Tagging Forms are available¹), the first year of intended use would be a close proxy in most cases as it is expected that the majority of tags would be used in the year that they were purchased for. However, this would not always be the case and the following requirement could be added if there was a need to restrict the period for which a tag can be used (e.g. to 2 years):

“Tags must be used (attached to an SBT) no later than the year following the year specified on the tag.”

This requirement could be monitored by the Secretariat setting up automatic checks to detect the use of tags older than the specified period.

(6) Australian tag (submitted by Japan)

Australian tags are in some cases visually impossible to be identified as they are attached to one side of a SBT product, typically on one of the two gill covers, and when such SBT products are placed on the ground tag-side down. We would like an Australian-type tag to be attached to a part of SBT product that can be properly identified when a SBT product is placed either right side or left side.

(7) Problem with the “CCSBT Farm Serial Number” used in the CCSBT record of authorised farms

The CCSBT Farm Serial Number is required on three of the CCSBT CDS forms². However the CCSBT record of authorised farms usually contains more than one CCSBT serial number for each farm³ (see **Attachment D**). This has caused difficulties for some farms because the CDS forms imply that only a single farm serial number can be recorded on each form but the farms apparently have difficulties splitting some of their harvest amongst their leases (which have different CCSBT farm serial numbers).

Therefore, the current practise of creating separate CCSBT Farm Serial Numbers for each lease of each farm has caused problems for farms in completing the CDS documentation. This can be easily corrected (if Members agree) by the Secretariat only creating separate CCSBT Farm Serial Numbers for separate farms (and not for separate leases within farms). In practise, this would mean that the revised CCSBT Farm Serial Numbers would be only the first 5 digits of the CCSBT Farm Serial Numbers shown in **Attachment D**, but that otherwise, the information in the authorised record of farms would remain unchanged.

A second option is to not make any changes and require reporting on a farm and lease specific basis. However, this option will not improve reconciliation abilities of the CDS because farm stocking information is currently only recorded at the higher, farm level.

¹ Catch Tagging Forms contain details of the actual month and year of harvest, so when these forms are available, the year identifier on the tag is not necessary.

² The “Farm Transfer Form”, “Catch Monitoring Form” and “Catch Tagging Form”.

³ When the CCSBT record of authorised farms was created, the Secretariat expected to receive one record for each farm, such that each farm could be given a single CCSBT serial number by the Secretariat. However, Australia subsequently provided multiple records per farm (1 record for each lease area), which was unexpected. The Secretariat dealt with the multiple records per farm by creating multiple serial numbers for each farm, but with the serial numbers being a concatenation of a single CCSBT identifier for each farm (e.g. “F0001”) and the Australian registration number for each specific lease within a farm. See **Attachment E** for examples.

(8) Definition of “farming capacity” for the CCSBT record of authorised farms (i.e. whether it is stocking or production capacity)

The CCSBT Resolution on the Establishment of a Record of Authorised Farms includes a requirement to provide “farming capacity (in tonnes)”, but does not define what is meant by farming capacity (e.g. initial “stocking capacity” or final grow-out “production capacity”). The type of farming capacity provided for the record of farms is important to determine what type of cross-checks can be conducted within the CDS⁴.

Australia have provided information on stocking capacity, so it is suggested that point 5 of paragraph 2 of the resolution on the record of authorised farms be amended as follows:

“– initial farming stocking capacity (in tonnes)”

(9) Items from Attachment 4 of the 2009 Compliance Committee meeting that were referred to this meeting for review/discussion (choice between options for the operation of Farm Stocking Forms and incorporation of hatchery raised SBT into the CDS)

The Report from the CDS technical working group at the 4th meeting of the Compliance Committee identified two issues that need to be discussed at the 5th meeting of the Compliance Committee.

(i) Choice of options for operation of the Farm Stocking Form (FSF)

During development of the CDS, there were two views regarding how the “Towing Section” of the FSF should operate. These were:

- The Towing Section of the FSF should contain a summary of the number of tow cages used for the specific catching vessel, including the date of the first and last tow cage and the total mortalities; or
- The Towing Section should contain a list of individual tow cages with tow cage identifiers and the dates and mortalities of each tow.

The working group agreed to use the first option above, but that the choice between the two options was to be reviewed after the first year of operation of the CDS. The Secretariat has no recommendation on this matter.

(ii) Incorporation of hatchery raised SBT into the CDS

When this issue was discussed by the working group, there was a possibility that hatchery raised SBT would be entering the farms in 2011. The Secretariat understands that this will now not occur in 2011, so it should be possible to defer this issue. Nevertheless, an initial examination of the CDS suggests that hatchery raised SBT can be incorporated into the CDS by:

- Having a requirement that hatchery raised SBT and wild caught farmed SBT always be reported separately within the CDS (i.e. not mixed on the same document); and
- Modifying the FSF with a check box added to specify either “hatchery raised” or “wild caught”. The existing Catching and Towing sections of the FSF would only relate to “wild caught” SBT and a new section for “Source Hatchery” would be added to record the source of “hatchery raised” SBT.

It would also be useful to add a check box to the Catch Monitoring Form (CMF) to specify whether it was for “hatchery raised” or “wild caught” farmed SBT. However,

⁴ For example: Farm Stocking Forms could be cross-checked against Stocking Capacity and Catch Monitoring Forms could be cross-checked with Production Capacity.

this is not essential because the document number(s) of the associated FSF form(s) are recorded on the CMF and the source of the SBT can be traced from that.

The Secretariat suggests that this issue be discussed at CC5 and that the Secretariat be given guidance from that discussion on changes to the CDS that Members would like to see to incorporate hatchery raised SBT. The Secretariat would make the associated changes to both the resolution and the forms and circulate that intersessionally for a round of comments before CC6.

(10) Attachment of Farm Stocking Forms to Catch Monitoring Forms in case of exports/imports (submitted by Japan)

The current CCSBT CDS Resolution does not require Farm Stocking Forms (FSF) to be attached to Catch Monitoring Forms (CMF) in case of exports/imports of SBT products. This means that review of farming information can be done only by farming countries (and the Secretariat). Compared to this, ICCAT CDS system provides that such farming information be included in CMFs, enabling importing countries to review such information.

“Recommendation by ICCAT on an ICCAT Bluefin Tuna Catch Documentation Program

- 14. Each CPC shall communicate a copy of all validated BCDs or BFTRCs, except in cases where paragraph 8c) applies, within five working days following the date of validation, or without delay where the expected duration of the transportation should not take more than five working days to the following.*
- a) the competent authorities of the country where the bluefin tuna will be domestically traded, or transferred into a cage or imported, and*
 - b) the ICCAT Secretariat.”*

We think it would be more appropriate to change CDS resolution so that FSF be attached to CMF in exports/imports of SBT products.

Note from the Secretariat: The above requirement could be achieved by modifying the following text in the instructions of the CMF as indicated below:

“For farms, Farm Stocking Forms(s) must have been produced by the State/Fishing Entity for all SBT on the CMF and the document number of those Farm Stocking Form(s) must be recorded on the CMF, and a copy of the Farm Stocking Form must be attached to the CMF.”

(11) Requests for provision of information on tagged SBT to importers

Through an intersessional exchange of letters, Japan requested that exporters provide information on tagged SBT (including tag number, length and weight) to importers so that importers can check whether the imported SBT and their tags are consistent with the information provided by the exporters. Responses to Japan’s request by Taiwan and New Zealand are at **Attachment E**. Responses from Australia, Korea and a follow-up by Japan are included at **Attachment A** in conjunction with these Member’s responses to the previously mentioned issue of validation.

Comments from Members indicated that:

- further discussion at the Compliance Committee is required on this subject;
- Members have developed their procedures around the CDS resolution and would need time to change their practises;
- There is some concern about imposition of additional requirements beyond the current CDS resolution; and
- An appropriate avenue to investigate concerns with CDS documents is through the cross-checking and anomaly/discrepancy reporting tasked to the Secretariat, which

includes checking of information in Catch Tagging Forms provided to the Secretariat by Members.

It is worth noting that under the CDS resolution, the Secretariat is the only entity that receives information on tagged SBT. The Secretariat will be conducting substantial cross-checking with this information, but the Secretariat is not able to:

- check that the SBT actually imported have the same tag numbers as reported by the exporter;
- check that the individual lengths and weights of tagged SBT match their reported measurements (the Secretariat's checks are bulk checks such as checks that the total number and weight of tagged SBT is the same as that on the associated CMF); or
- conduct real-time checking due to the timeframe for receiving documents.

Japan's proposal would therefore increase the robustness of the CDS in these specific areas.

None of the comments provided by Members mentioned confidentiality of information as a reason for concern about providing tagging information to importers. If this is correct, the main concerns regarding Japan's proposal may revolve around practicality, duplication of work⁵ and any costs involved. Assuming this assumption is correct, one possible solution to these problems could be as follows:

- For fresh product, provide a copy of the Catch Tagging Form data to both the importer (paper or electronically) and the Secretariat (electronic only as is currently required). Most shipments of fresh product contain less than 100 SBT⁶, so this duplication should not be a significant burden;
- For frozen product, follow the existing requirements of providing a copy (electronic) only to the Secretariat, but provide it in a timeframe whereby the Secretariat receives the data before the SBT arrive at their import destination. The Secretariat would load this data to a database on a specially restricted part of the private area of the new CCSBT web site, where only authorised staff of importers would have access to download tag information⁷. As a further security measure, it is proposed that the authorised person would need to enter the document number of the Catch Monitoring Form (CMF) that arrived with the import, the document numbers of the Catch Tagging Forms recorded on that CMF and the vessel registration number/farm serial number of the vessel/farm recorded on the same CMF form. Only the tag data that matched these 3 pieces of information would be extracted from the database.

(12) South Africa's Proposed Port State Measures in relation to the CDS

South Africa wrote to the Executive Secretary in July (see **Attachment F**) to advise Members of a deviation in the CDS resolution that it proposed to apply to foreign vessels entering South Africa ports to land or tranship SBT. Comments from Australia and Japan to this proposal are also at **Attachment F**. There was not consensus for the proposal to proceed at that time (at least until the matter was considered by the Compliance Committee and the Extended Commission).

South Africa's proposal was intended to assist Member's vessels that are utilising South Africa's ports, and to ensure that loopholes for IUU fishing activities were closed. The deviation from the resolution was to require Catch Tagging Forms to be submitted with the

⁵ There is a large quantity of information in Catch Tagging Forms (each fish is individually documented), so duplication of work with this form (such as sending information to both the Secretariat and an importer) is more significant than with any other CDS form.

⁶ According to TIS data for exports in 2008 and 2009, 89% of shipments of fresh SBT involved less than 100 SBT.

⁷ There would be a small cost of less than \$5,000 to setup the database on the private area of the web site.

vessel's application to enter port in lieu of requiring validation of the Catch Monitoring Form at that time by the flag State. According to South Africa, the CDS resolution "is not practical as the flag state can only provide authorisation after weighing the catch" and that this cannot be conducted for landings and transshipment in a foreign port. South Africa considered that submission of a copy of the Catch Tagging Form would provide sufficient information for its inspection purposes in these circumstances.

There are at least two issues that need to be considered in relation to transshipments in foreign ports:

(i) Requiring completed documentation before accepting SBT for transshipment etc. as required by paragraph 5.6 of the CDS resolution and resolving the difficulty with validation in foreign ports

Assuming that the Secretariat's recommendation at issue "1" of this paper is adopted, the difficulty for validation of transhipped SBT destined for landing as domestic product can be overcome by the amendment suggested below. This allows validation to occur at the point of domestic landing.

Amending the revised CMF instructions recommended at issue "1" as follows:

CMF Instructions: "Validation by Authority (not required for exports transhipped at sea): If this is not an export being transhipped at sea, enter the name and full title of the official signing the document, together with the signature of the official, date (dd/mm/yyyy) and official seal. In the case of SBT transhipped at sea or in foreign ports that are destined for domestic landings, the validation can occur at the point of domestic landing (i.e. after transshipment)."

The Secretariat does not suggest similar changes for situations where the transhipped SBT are destined for another foreign port (i.e. an export). This would only shift the problem raised by South Africa to another foreign port and to a longer time after the actual fishing. One option for transshipments of SBT destined for another foreign port would be for the flag State to use agents in the port State to conduct the physical inspection side of the validation process as suggested in the last bullet of the possible minimum standards for validation at **Attachment B**.

(ii) Whether the CDS should require port State verification of transshipments in port by foreign vessels

By suggesting that Catch Tagging Forms be provided, South Africa's proposal extends into verification of transshipments. Port State verification of landings and transshipments was raised during the CDS technical working group at the 4th meeting of the Compliance Committee. However, Members were not able to agree to port State verification at that time without giving it further consideration (see last bullet of paragraph 16 of Attachment 4). Assuming that Members have considered this matter and would like to require port State verification of transshipments, this could be achieved by:

(a) amending paragraph 7.1 of the CDS resolution to explicitly provide for port State verification of transshipments and to allow the port State to request of additional documents where validation has not yet been conducted (in cases where this is permitted by the CDS resolution);

"7.1 Each Member and Cooperating Non-Member shall ensure that its competent authorities, or other authorised individual or institution, take steps to identify each consignment of SBT landed as domestic product in, imported into, transhipped through, or exported or re-exported from its territory and examine the ~~validated~~ CCSBT CDS Documents for each consignment of SBT. These competent authorities, or authorised individuals or institutions, may also examine the content of the consignment to verify the information contained in the CCSBT CDS Document and in related documents and, where necessary, shall carry out verifications with the operators concerned. If validation has not been conducted, but is permitted to occur at a later time in accordance with this resolution (e.g. as per 5.1.1), the

competent authorities may request provision of additional documentation such as the completed Catch Tagging Form to aid in its inspection processes.

(b) modifying the Catch Monitoring Form (CMF) to provide a signature for the port State verification

“Signature of Observer (~~only~~ for transshipment at sea), or of port State official (for transshipment in a foreign port).”

A similar amendment would need to be made to the CMF instructions.

(13) Ambiguity in the timeframes for data submission and whether data should be provided in a timelier manner

Paragraphs 4.3 and 6.1 of the CDS resolution require that the CDS forms or electronic version of the information on those forms be forwarded to the Executive Secretary on a quarterly basis, but it does not specify for which period. In lieu of such specification, the practice used for the TIS has been adopted for the CDS as follows:

- forms issued/received from January to March are submitted on 30 June,
- forms issued/received from April to June are submitted on 30 September,
- forms issued/received from July to September are submitted on 31 December, and
- forms issued/received from October to December are submitted on 31 March.

This practise results in time lags from 3 to 6 months between receipt/issue of forms and provision of those forms to the Secretariat. Further time lags are then incurred due to time required to process the data.

A timelier practise would be to submit the information for the quarter within 1 month of the end of the quarter, such that the forms issued/received from January to March would be provided by the end of April etc.

(14) Rules for data quality

In operating the CCSBT Trade Information Scheme (TIS), the Secretariat conducted thorough checks of each form received and then contacted the relevant Members/CNMs regarding all problems and discrepancies detected on the forms.

The CDS contains significantly more opportunities for discrepancy checking than the TIS, including within-form checks and between-form checks (e.g. comparing the number and weight of SBT between the CMF and related tagging forms). The Secretariat is still developing its error checking routines, but it already seems likely that many discrepancies of a minor nature (e.g. a small percentage difference in weights) will occur that do not warrant contacting the relevant Member. The Secretariat is therefore currently planning to allow small discrepancies (such as weight discrepancies of less than 2.5%) to pass through on a form by form basis without contacting the relevant Member/CNM. However, the overall level of discrepancies for the main comparisons will still be discernable on the Executive Secretary's 6 monthly reports to the Extended Commission.

During the remainder of 2010 and for the first part of 2011, the Secretariat proposes to fine tune its error checking routines and the discrepancy levels at which it contacts the relevant Member/CNM to conduct further checking on the CDS forms in question. We suggest that we report the outcomes of this work to CC6 and that this could form part of the standards and procedures for ensuring CDS Data Integrity.

(15) Ambiguity in the meaning of Vessel “Registration Number” (i.e. whether it is the CCSBT or national number)

All CCSBT CDS forms (except the REEF form) require a vessel “Registration Number”. However, the forms do not specify whether the CCSBT Vessel Registration Number or the National Vessel Registration Number should be used. Consequently there has been a mixture of both types of vessel registration numbers being recorded on the CDS forms, with the national number being the most common.

Despite the national vessel registration number being reported more frequently, the Secretariat recommends that the forms and associated instructions be amended to specify that the CCSBT Vessel Registration Number should be used. This has the advantages of:

- Helping to prevent non-authorized vessels from being accepted on CDS forms;
- Providing a common style of vessel registration number on forms from all Members and CNMs, which will make it easier to detect invalid registration numbers; and
- Being consistent with the requirements for farms which require a CCSBT Farm Serial Number, not a national number.

(16) Need to allow copies of Catch Monitoring Forms (CMF) to be provided with Re-Export/Export after Landing of Domestic Product Forms (REEF)

As part of the operation of the CDS, it was intended that a copy of a CMF form (instead of the original) would be attached to a REEF form for re-exports and exports after landing of domestic product because this is the only way that the system can work when multiple destinations or split shipments are involved⁸. This can be seen from the note at the bottom of the REEF form.

However, the instructions for the REEF form suggest that the original forms are required. It is therefore recommended that the second paragraph of the instructions to the REEF form be amended as follows:

“In addition, this form must be accompanied by a copy of the associated Catch Monitoring Form and copies of any previously issued Re-Export/Export after Landing of Domestic Product Forms for the SBT being exported.”

(17) Taking account of additional processing of SBT before it reaches its final destination

The CDS does not currently take account of additional processing that may take place on board carrier vessels, such as the removal of fins, tail and gill plates of farmed fish. Such processing makes the product lighter at its final destination than specified in the CMF. This diminishes the ability of the CDS to adequately track and verify the quantities of SBT from the point of capture to the final destination⁹. Members should consider whether there is a need to track such additional processing.

⁸ There is only one original CMF for a particular landing/export etc., so the original CMF cannot be sent to multiple destinations or with split shipments.

⁹ Particularly for fish that are subsequently re-exported or exported after landing of domestic product.

The Re-export/Export after Landing of Domestic Product Form (REEF) could be modified to include additional processing on board carrier vessels before reaching the destination, but this would result in a more confusing form. Similarly, the CMF could be modified to allow recording of such additional processing, but this would make the CMF longer than a single page and would also cause confusion.

A simpler solution would be to create a new form (Additional Processing Form –APF) for use where additional processing of SBT on a CMF was conducted on a carrier vessel. The APF would be required when additional processing changes the product type (such as from “GG” to “FL” – fillets) or where the product type remained the same, but there was a substantial¹⁰ reduction to the weight of product through the additional processing. The APF would contain the following information:

- A unique document number (commencing with “AP”). The document number would be assigned by the State/Fishing Entity that receives the shipment;
- The document number of the associated CMF;
- The name and CCSBT registration number of the carrier vessel (which must be on the approved list of carrier vessels);
- The description of fish (Product, Type, Weight and Number) from the CMF and the same description information for the processed fish.
- Certification (name, signature, date) by the carrier vessel’s master to testify that the information is complete, true and correct to the best of the master’s knowledge and belief.
- Certification (name, signature, date) by the official of the State/Fishing Entity that receives the shipment to testify that the information is complete, true and correct to the best of the official’s knowledge and belief.

Where the additional processing is sufficient to require an APF to be completed, both the APF and CMF would need to be submitted when landing SBT at the final destination. Copies of the APF would also need to accompany copies of the CMF for any future re-exports or exports after landing of domestic product. The receiving State/Fishing Entity would send a copy of the APF to the Secretariat along with the quarterly submission of CDS documents.

The following additional changes would need to be made to the CDS resolution and associated forms to incorporate an APF:

- Add the following paragraph to the resolution:

“3.1.4 bis Additional Processing Form – records additional processing of SBT[#] (after that specified on the CMF) onboard a carrier vessel before the vessel reaches the final product destination specified on the CMF”

In which “[#]” is a footnote that would state that *“Additional processing is processing that results in a change to the product type or results in a X% or more reduction in weight of the product”* and “X%” needs to be defined.

- Amending the text relating to preceding documents on the REEF as follows:

“Form Number of Preceding Document (Catch Monitoring Form, Additional Processing Form, or Re-Export/Export After Landing of Domestic Product Form)”

- Amending the instructions of the REEF as follows:

“In addition, this form must be accompanied by the associated Catch Monitoring Form, the Additional Processing Form (if issued) and any previously issued Re-Export/Export after Landing of Domestic Product Forms for the SBT being exported”; and

“Form number of Preceding Document: Enter the unique Document Number of the CDS form that precedes this. (Catch Monitoring Form, Additional Processing Form, or Re-Export/Export after

¹⁰ Substantial should be defined. It might be a 2% or 3% reduction in weight.

Landing of Domestic Product Form). If an Additional Processing Form (APF) has been issued for these SBT, the APF is considered to be more recent than the associated Catch Monitoring Form.

(18) Common descriptions for Product Types

The CDS forms refer to five Product Types, these being: Round (RD), Gilled and Gutted (GG), Dressed (DR), Fillet (FL), or Other (OT). However, no description or definitions of the different product types are provided in the CDS and there has been at least one case where the exporter and importer have used a different definition of dressed product. The exporter considered dressed product to be “gutted, gill plate and tail wholly removed”, while the importer considered that dressed product was also headless.

Agreed definitions of product types are necessary for applying appropriate conversion factors within the CDS, so it is important to properly document agreed definitions for the different product types. The Secretariat has requested that Members/CNMs to provide the Secretariat with a description of Product Types used prior to the 2010 meeting of the Extended Scientific Committee. This information will be collated and provided to the Compliance Committee as a working paper for consideration in relation to this issue.

(19) Cooperating Non-Members are excluded from receiving certain information

Two paragraphs (5.4 and 6.3) of the CDS resolution relating to provision of information only specify provision of that information to Members of the CCSBT. Cooperating Non-Members (CNM) are not included.

Paragraph 5.4 concerns provision of information on validation. For effective operation of the CDS, information on validation should be provided to all States/Fishing Entities that might receive CDS documents. Hence, it is recommended that paragraph 5.4 be amended as follows:

“5.4 The Executive Secretary will maintain and update the information specified in 5.3 and provide it to all Members and Cooperating Non-Members and promptly circulate any changes.”

This paragraph will be further modified to include Other States/Fishing Entities Cooperating with the CDS depending on the outcomes of the discussion of issue “2” in this paper.

Paragraph 6.3 relates to the six monthly reports from the Executive Secretary. The last sentence of that paragraph states that the report will be provided “only to a designated authority of each Member”. Hence, CNMs are again excluded. However, the reports can provide important self assessment information, so it would be valuable for CNMs to have access to these reports. Consequently consideration should be given to amending paragraph 6.3 as follows:

“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 July - 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.”

(20) Pre-printing requirement of a document number on REEF (submitted by Japan)

The Government of Japan distributes REEF¹¹ to Japanese exporters in advance for smooth implementation of SBT re-exports/exports after landing as domestic products. The requirement of pre-printing of document numbers on REEF forms causes much waste of paper, as it is difficult to forecast which exporters re-export/export SBT, and how many forms they would need. Therefore, we would like to request to exempt this requirement in case government officials directly issue a document number to a REEF when they examine an application for SBT re-exports/exports after landing as domestic products. We could add the following to the CDS Resolution (1 and 2 are from last year's CDS recommendation¹²).

“Form Numbering System

- 1. Standard numbering system should be used which consists of the two character form code, followed by the two character international country code, then the two digit year and finally a unique form number in a format specified by the specific Member or Cooperating Non-Member.*
- 2. The form number should be pre-printed on the forms, but that a space could be left in the pre-printed form number for the two digit year to be handed written on the form.*
- 3. Pre-printing would not be necessary for REEF, provided that government officials directly issue a document number to a REEF when they examine an application for SBT re-exports/exports after landing of domestic product”*

Prepared by the Secretariat

¹¹ Re-Export / Export after Landing of Domestic Product Form.

¹² From the Report from the CDS technical working group at Attachment 4 of the CC4 Report.

Attachment A

Correspondence concerning Delegation of the Authority to Validate CDS Documents

3 March 2010

Mr. Robert Kennedy
Executive Secretary
Commission for the Conservation of the Southern Bluefin Tuna

Dear Mr. Kennedy,

With regard to the CCSBT Catch Documentation Scheme (CDS) started on 1 January 2010, Japan has found some problems in the CDS Resolution after commencing operation of CDS. One of the largest problems is the provision on delegation of authority to validate CDS in paragraph 5.2 of the Resolution. This paragraph stipulates that the authority to validate CDS documents may be delegated to an authorized person by an official of the relevant State/fishing entity.

According to this provision, Australia has made the arrangement to delegate the authority to the Licensed Fish Receivers (LFRs). Japan is very much concerned about this arrangement, since it delegates the authority to the SBT farmers themselves as LFRs, who are supposed to obtain validation of their CDS documents by the government. Under this arrangement, SBT products harvested from farms by Australian farmers are currently being exported to Japan with validation on harvest and export by LFRs, or by the farmers themselves, without any validation by government officials.

Although the CDS Resolution allows delegation of authority, Japan has to say that the products are not validated by a neutral third party, if the authority is delegated to the industry involved in SBT fishery. If you allow the industry to validate what they do, there is no difference between this practice and having fishers themselves validate their amount of catch and call it "validation". According to this logic, we think there is no need for observers on board. Such arrangement can never be accepted in the other RFMOs, including ICCAT, and can never withstand criticism from outside and environmental organizations, especially under circumstances with the looming issue of CITES listing of SBT. In CCSBT, Australia is the only country that delegates authority to the industry involved in SBT fishery. In addition, we are concerned that this arrangement hinders us from achieving the objectives of CDS described in the preamble part of the Resolution, which is the provision for the tracking and validation of legitimate product flow, and accurate confirmation of the SBT catch by each Member and Cooperating Non-member across all sectors of the global SBT fishery.

Japan believes it is essential that validation of catch, harvest, export and import should be conducted by the officials of catching, harvesting, exporting and importing country. This issue must be resolved immediately. Japan would like to request all the CCSBT Members and Cooperating Non-members to solve this issue as soon as possible. In order to fulfill its responsibility as an importing country, Japan has no intention to permit imports of SBT products exported under this arrangement, starting from at least next fishing season. Japan also would like to ask you to circulate this letter to all the CCSBT Members and Cooperating Non-members, and to seek their opinions on this issue promptly.

I would like to close by expressing my sincere appreciation for your efforts to operate the Secretariat of CCSBT efficiently and effectively.

Sincerely,

Masanori Miyahara
Chief Counselor
Fisheries Agency of Japan
Japanese CCSBT Commissioner

(Translated by Secretariat)



Ministry of
Fisheries
Te Tautiaki i nga tini a Tangaroa

26 March 2010

Mr. Robert Kennedy
Executive Secretary
Commission for the Conservation of the Southern Bluefin Tuna

Dear Bob,

LETTER FROM JAPAN DATED 3 MARCH 2010 ON CATCH DOCUMENTATION SCHEME (CDS)

You have asked for comment on a letter from Japan regarding provision 5.2 of the Catch Documentation Scheme for southern bluefin tuna. New Zealand comments as follows.

Japan notes that the provision on delegation of authority to validate CDS in paragraph 5.2 of the Resolution stipulates that the authority to validate CDS documents may be delegated to an authorised person by an official of the relevant State/fishing entity, but has expressed concern that delegations have occurred to industry members.

The CDS which commenced on 1 January 2010 was developed with considerable time and expense on the part of all members. New Zealand has relied on the agreed provisions of the Resolution to put in place arrangements to give it effect.

The provision for delegation of authority was an agreed principle and remains unchanged from the previous CCSBT Trade Information Scheme (TIS). New Zealand has placed reliance on this provision in making arrangements for the operation of the CDS in our fishery and is of the view that this provision worked very effectively under the TIS system. A large proportion of the New Zealand fishery for SBT is based on fresh product which is landed in small quantities at a range of different ports at non standard times. To delete this provision would put at risk the small scale New Zealand fresh SBT fishery because we would not be able to resource the validation requirements of the CDS using only government fisheries officials. This situation is likely to be similar for some other CCSBT members and cooperating non- members.

This situation is in total contrast to both the SBT freezer boat operations and existing documentation scheme for CCAMLR, where the fishery is based on frozen product and validation is not an urgent procedure. For CCAMLR, New Zealand has appointed only two officials to validate catch documents. For CCSBT however New Zealand has a pool of validators including officials and delegated authorities to provide for prompt validation and minimize constraints to the operations of the fishery and international trade in fresh SBT.

New Zealand is however appreciative of the concerns raised by Japan and we are open to discussion of appropriate standards and specifications for the delegation of authority. Key factors to consider include ensuring appropriate validation of the information collected on CDS forms through government direction, management and audit, while ensuring the system adopted is appropriate to the characteristics of the fishery. New Zealand for example has established its delegated authority system under the New Zealand Government Qualifications Authority whereby non-Ministry of Fisheries personnel must be trained and receive qualification for validation and work under the direction and authority of the Ministry of Fisheries.

New Zealand would request that members consider our comments and we would welcome the opportunity to further discuss the issue.

Yours sincerely

A handwritten signature in black ink, appearing to read 'A. Hore', written in a cursive style.

Arthur Hore
New Zealand Commissioner to CCSBT

From: [FA3_Huang HangYen](#)
To: [Bob Kennedy;](#)
cc: [Tzu Yaw Tsay; shicharn@ms1.fa.gov.tw; chunghai@ms1.fa.gov.tw;](#)
[kuoping@ms1.fa.gov.tw; tenshang@ms1.fa.gov.tw; Ding-Rong Lin; Shiu-](#)
[Ling Lin; chichao@ms1.fa.gov.tw; Ho-Hsin Kung;](#)
Subject: Re: CCSBT Reminders
Date: Friday, 2 April 2010 8:27:25 PM

Dear Bob,

Following my previous email on the matter in relation to Action Plan, I would like to provide Taiwan's further comment on delegation of authority to validate CDS. In accordance with the CDS resolution adopted at the last Extended Commission meeting, we consider that such document should be validated by government officials or a neutral third party.

Best regards,

Hong-Yen Huang
Director
Deep Sea Fisheries Division
Fisheries Agency



Australian Government

Department of Agriculture, Fisheries and Forestry

Mr Robert Kennedy
Executive Secretary
Commission for the Conservation of Southern Bluefin Tuna
PO Box 27
Deakin ACT 2600

Dear Mr Kennedy

I am responding to the two pieces of correspondence received from Mr Miyahara, Chief Counsellor, Fisheries Agency of Japan, who is seeking the opinion of CCSBT Members and Cooperating Non-members on Japan's two issues regarding the implementation of the Catch Documentation Scheme (CDS).

Australia understands the points made by Japan in regards to the validation of the Catch Monitoring Form. We would note that for countries that do not farm SBT, this form records the catch of SBT. In the case of those countries that farm SBT, the actual catch of SBT is documented on the Farm Stocking Form and these forms are directly relevant to validating Australia's compliance with its national allocation. In Australia's case the Farm Stocking Form is validated by Australian Government officials from the Australian Fisheries Management Authority. Australia therefore seeks the advice of other CCSBT Members on which form is the most appropriate to be signed by government officials for farmed SBT.

In Australia's case the Catch Monitoring Form simply documents the harvesting from the farms after grow out. The validation of these forms has been delegated by the Australian Government to licensed fish receivers. All such licensed fish receivers are required to keep records and are subject to a detailed annual audit to ensure that their validation processes and the information provided are correct. This was the process also used in the Trade Information Scheme and its veracity was not in question.

Having said this, the CDS is a new system and we are open to discussing further with other Members areas where it can be improved and where further clarification may be required. To assist us in this regard, we would request that other Members provide information on who validates CDS documentation in their State and the processes undertaken to validate the information in the documentation (for example, inspections of each shipment, auditing of process, percentage of random samples taken). This will allow us to benefit from the experiences of other Members and help to ensure that there is equivalence of process between all Members.

Australia would be particularly interested in knowing how government officials check and validate catches on landing for distant water fishers where product is transhipped. Under the current CDS measure these forms are only certified by the master of the receiving vessel, who do not carry a formal delegation from the relevant authority as Australia understands.

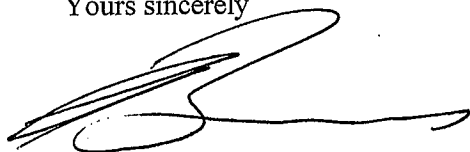
With respect to the provision of tagging information it is Australia's understanding that paragraph 5.7 of the CDS resolution only places an obligation on importing members to ensure that whole SBT have tags attached to them. Our understanding accords with that of the CCSBT Secretariat; that there is no requirement to provide Catch Tagging Forms to the importing party.

CCSBT specifically agreed a data-sharing arrangement with respect to this information, set out in subparagraph 4.3 of the CDS resolution. Australia is complying both with the CCSBT data-sharing arrangements and with the data submission requirements of the CDS. This data is accessible to all CCSBT Members and Cooperating Non-members by formal request to the CCSBT Secretariat.

CCSBT has tasked the Secretariat with cross-referencing all CDS records and providing the Commission with a report on any discrepancies and anomalies. This, and the agreed data-sharing arrangement, is the appropriate avenue to investigate any concerns regarding CDS documents.

Australia would like to thank Japan for bringing this matter to the attention of the CCSBT Members and Cooperating Non-members and looks forward to continuing to work together to resolve these issues to the mutual benefit of all.

Yours sincerely



Craig Burns
Executive Manager
Trade and Market Access

10 June 2010

2 July 2010

Mr. Robert Kennedy
Executive Secretary
Commission for the Conservation of the Southern Bluefin Tuna

Dear Mr. Kennedy,

First of all, I would like to express my appreciation for your having circulated the two letters I sent to you on 3 March and 11 March on operation of the Southern Bluefin Tuna (SBT) Catch Documentation Scheme (CDS), and for the comments submitted by CCSBT Members.

With regard to the authority to validate CDS documents, each Member has expressed a different view. Australia asked the question in its letter dated 10 June regarding what CDS form should be validated by government officials. Japan thinks that, as mentioned in my letter on 3 March, all the forms should be validated by government officials or a neutral third party. In light of the purpose of CDS, it is not appropriate that CDS documents are validated by a person who cannot be regarded as a neutral third party, including farmers and fishers.

On the other hand, New Zealand expressed its concern about its difficulties in conducting all validation by government officials, due to the characteristics of New Zealand's SBT fishery, where small amounts of fresh SBT products are landed at various ports at non standard times. Japan understands this concern. The ICCAT CDS has some special exemptions such as waiver of validation requirements of CDS documents by government officials or a neutral third party for Atlantic bluefin Tuna products that are tagged at the time of catch, and the temporary use of other documents such as logbooks as CDS documents where tuna quantities caught and landed are small, for example, less than 1 metric ton. We may need to consider some exemptions for the small scale SBT fishery that handles fresh products. Including this point, we need to continue our discussion on the authority of CDS validation at the Compliance Committee meeting this year.

In the case of ICCAT Atlantic bluefin tuna CDS, government officials or a neutral third party, including the Chamber of Commerce, validate CDS documents at each stage of catching, farm stocking, harvesting and exporting. For farming, in particular, this strict validation system has been adopted in ICCAT in order to ensure complete checking of tuna products at each stage of farming operation, taking the larger uncertainty in farming into account. Japan is making its best effort to rigidly implement the ICCAT Atlantic bluefin tuna CDS. In fact, we recently suspended the import of as much as 3,600 tons of farmed Atlantic bluefin tuna with CDS documents that contained imperfect information. This strict action has potent influence on the international trade of Atlantic bluefin tuna. Japan, however, is working hard on strict operation of Atlantic bluefin tuna CDS, paying large administrative costs, so that Japan can fulfill its responsibilities as the world's largest tuna importing and consuming country, and also as

an ICCAT Member. The issue of conservation and management of tuna species is gaining increased attention of the domestic public, especially recently. Japan is not in a situation to operate the SBT CDS more loosely than the Atlantic bluefin tuna CDS, both domestically and internationally. We would like to ask CCSBT Members' and Cooperating non-members' understanding that Japan must request measures with the same degree of severity from all countries, in a non-discriminatory manner, that export tuna products to Japan.

Australia asked the question in its letter dated 10 June on the process used to validate CCSBT CDS documents, especially in the case of transshipments. In Japan's system, all CDS forms are validated by government officials. Both products that are landed to a Japanese port directly by fishing vessels, and products brought to Japan by transshipment vessels, are first inspected by government officials at the time of landing to a Japanese port, and then accompanying CDS documents are validated by the officials. As Japan does not allow SBT products caught by Japanese fishing vessels to be exported directly from the place of transshipment, all Japanese SBT products have to be landed to Japan once. In the case of exports of such products, the Re-export/export after landing of domestic product form (REEF) is used.

With regard to the provision of SBT tag information (such as tag number, length, weight etc.), CCSBT Members have commented that this issue needs to be further discussed at the Compliance Committee meeting this year. Japan thinks it is a matter of course that exporting countries provide importing countries with such very basic information on the products as length and weight. I feel difficulties in importing SBT products from countries that cannot provide such information. Japan, as a responsible tuna importing and consuming country, will continue to collect tag information on imported SBT products anyway. I would like to urge CCSBT Members and Cooperating non-members to cooperate with us in provision of tag information, so that Japan can fulfill its responsibility. We need to continue our discussion on this issue at the Compliance Committee meeting this year.

I would like to close by expressing my sincere appreciation for your efforts to operate the Secretariat of CCSBT efficiently and effectively.

Sincerely,

Masanori Miyahara
Chief Counselor
Fisheries Agency of Japan
Japanese CCSBT Commissioner

(Translated by Secretariat)

Ministry for Food, Agriculture, Forestry and Fisheries



#188, Gwanmunro, Gwacheon-si, Gyeonggi-do, Korea, 427-719

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Date: 28 July, 2010

Robert Kennedy
Executive Secretary
Commission for the Conservation for Southern Bluefin Tuna
PO Box 37
Deakin West
ACT 2600

Dear Mr. Kennedy,

I am responding to the request from Australia (June 10, 2010) and Japan (July 2, 2010) to provide information on Korea's domestic procedures for implementing the Southern Bluefin Tuna Catch Documentation Scheme (the SBT CDS).

As Japan indicated necessity of the provision of SBT Tagging information in its letter, Korea is in the same position that further discussions would be needed to resolve the difficulties between Japan and Australia. In principle, however, Korea is of view that excessive requirements beyond the CCSBT resolution are not desirable for the smooth trade process of the legitimately caught SBT.

In reference to paragraph 8.2 of the CDS resolution, "Where necessary, in support of catch verification on procedures, Members and Cooperation Non-Members agree to exchange the necessary supporting information and, where relevant, evidence as may be necessary to verify the integrity of the flow of CDS information and to reconcile any discrepancies," I think the Commission should add more clarification to this paragraph. Otherwise, submitting the Catch Tagging Form is bound to be left as the subject to a mutual agreement between Japan and Australia.

For sharing experiences and information, I like to introduce Korea's processes for implementation of the SBT CDS as follows;

1. Fishing vessel catch Southern Bluefin tunas.
2. The crew members attach tags to each of their catch and fill out Catch Tagging Forms accordingly.

3. In cases of transshipment and landing, the forms are certified in a different way

i) In case of transshipment at sea, all three parties involved in the process--the master of the fishing vessel, the observer of the transshipment vessel and the master of the receiving vessel--certify the forms with signature.

ii) In case of port landing or transshipment, the Korean government officials inspect the SBT catch landing or transshipment and then certify the form with signature. For domestic port landing, 100% of the SBT is inspected, while for the foreign port landing or transshipment, the Korean government is making efforts to inspect as much as it can but currently not 100% is being covered.

4. Finally, the government authority validates the information in the documentation. The government authority here is the National Fisheries Products Quality Inspection Service of the Ministry for Food, Agriculture, Forestry and Fisheries of Korea.

It would be much appreciated if you could circulate it to the CCSBT Members and Cooperating Non-Members.

Thank you for your tireless efforts in operating the Secretariat of the CCSBT as the Executive Director.

Regards,

51 716 5.

Jang-Woo Seo
Director
International Fisheries Organization Division
Ministry for Food, Agriculture, Forestry and Fisheries
Republic of Korea

Possible Minimum Standards for Validation of CDS Documents

These minimum standards are intended to be in addition to audits conducted under section 5.8 of the CDS resolution. It must also be emphasised that these standards are intended to facilitate discussion only and are not intended to form the basis of a final set of standards.

Requirements for Validators

- Validation should be conducted by government officials wherever practical;
- The authority to validate may be delegated to neutral third parties for situations where government validation is not practical (*the meaning of “neutral third party” would need to be agreed and defined. For example, it could be defined as a person who is not involved in the fish or fishing industry*);
- The authority to validate may be delegated to other parties in exceptional circumstances where validation by government officials and neutral third parties are not practical (*exceptional circumstances would need to be defined*);
- A validator should not validate any CDS forms in which the validator has any financial interest, including financial interest or employment in any company which has a financial interest in the SBT on that CDS form; and
- Each Member, Cooperating Non-Member and other cooperating State/Fishing Entity should implement a validator training program and not authorise a validator for validating CDS documents until the validator has met the requirements of that training program.

Responsibility of the Validator

- The validator is responsible for checking that the CDS document is fully completed and is correct. The validation section of the document should only be completed after these checks have been conducted and the CDS document has been determined to be complete and correct to the best of the validator’s ability.

Minimum Required Level of validation Cross-Checking

- Ensure that the vessel and/or farm(s) recorded on the CDS forms are the correct vessel/farm(s) and that they were registered on the CCSBT authorised record of vessels/farms throughout the period of fishing/farming and landing;
- For Farm Stocking Forms (FSF) and Catch Monitoring Forms (CMF), ensure that the number and weight of SBT on the CDS form is consistent with catch reports of the vessel(s) involved;
- For validation of the catch/harvest section of the CMF, at least **X%** of shipments should be physically inspected by the flag State or an agent appointed by the Flag State¹. During the inspections:
 - At least **Y%** of whole SBT should be randomly inspected for tags,
 - At least **Z%** of the shipment should be counted or weighed to verify the number or weight recorded in the description of fish.

¹ Agents could be used in Foreign Ports to conduct the physical inspection part of the validation process.

Where a physical inspection is not conducted, other procedures (including careful examination of other catch documentation) should be used to verify the accuracy of the CMF form.

Catch Monitoring Tag 漁獲管理タグ

How to Use 使用方法



- ① Tie the band of the tag to the bottom of the gills (i.e. throat) of the tuna and insert the end of the band into the slot at the base of the tag's flat plate. Please make sure to **keep the jagged (rough) surface on the inside.**

鰓の下部（喉の部分）にタグのバンドを巻き付け、バンドの先端を平らな札の根元にある穴に差し込んでください。この際、**必ずバンドのギザギザが内側になる**ように巻き付けてください。



- ② Pull and fasten the band. It is recommended to attach the tag to the front end (i.e. nearest to the head) as much as possible in order to protect the tag by Gill Covers which may prevent the tag breaking in case of damage.

差し込んだバンドを引き、締め付けてください。タグはなるべく前方側（頭部側）に取り付けた方が、取り付け後に両側の鰓蓋によって覆われるため、万が一の場合も脱落する可能性が低くなります。



- ③ After fastening the band, slide the tag around so that the plate **is on the inside of the body.**

締め付けた後、**必ず札が魚体の内側に入る**ようにバンドを回転させてください。

Note: To ensure optimum performance of this tag you should follow the above instructions.
 注：このタグの機能を十分に発揮させるため、上記の方法にしたがって装着してください。

TANAKA SENYOUHIN co.,ltd

1-12-5 Monzen-nakacho, Koto-ku, Tokyo 135-0048 Japan

Phone: 81(0)3-3642-4541

Extract from the CCSBT Record of Authorised Farms (as at 28 July 2010)

CCSBT Farm Serial No	Country	Farm Name	Reg No.	Start Auth Date	End Auth Date	Longitude	Latitude	Farm Capacity (t)
F0001-AQ024	Australia	AJKA PTY LTD	AQ00024	4/11/2009	4/11/2010	136.0750	-34.7046	405.00
F0001-AQ055	Australia	AJKA PTY LTD	AQ00055	31/10/2009	30/10/2010	136.0798	-34.7031	123.00
F0002-AQ023	Australia	AUSTRALIAN FISHING ENTERPRISES PTY LTD	AQ00023	4/11/2009	4/11/2010	136.1177	-34.6889	65.16
F0002-AQ048	Australia	AUSTRALIAN FISHING ENTERPRISES PTY LTD	AQ00048	31/10/2009	30/10/2010	136.0498	-34.6747	600.00
F0002-FB008	Australia	AUSTRALIAN FISHING ENTERPRISES PTY LTD	FB00008	31/10/2009	30/10/2010	136.1263	-34.6880	180.00
F0002-FB009	Australia	AUSTRALIAN FISHING ENTERPRISES PTY LTD	FB00009	31/10/2009	30/10/2010	136.0784	-34.6248	114.84
F0002-FB079	Australia	AUSTRALIAN FISHING ENTERPRISES PTY LTD	FB00079	31/10/2009	30/10/2010	136.0759	-34.6654	1446.00
F0003-AQ047	Australia	AUSTRALIAN TUNA FISHERIES PTY LTD	AQ00047	31/10/2009	30/10/2010	136.0724	-34.6266	510.00
F0004-AQ058	Australia	BLASLOV FISHING PTY LTD	AQ00058	31/10/2009	30/10/2010	136.1185	-34.6008	438.00
F0006-FB078	Australia	CLEAN SEAS TUNA LTD	FB00078	10/07/2008	15/07/2011	136.6474	-33.9240	60.00
F0007-FB051	Australia	EYRE TUNA PTY LTD	FB00051	9/01/2010	8/01/2011	135.9857	-34.7043	378.00
F0008-AQ060	Australia	FINA K FISHERIES PTY LTD	AQ00060	31/10/2009	30/10/2010	136.0457	-34.6362	366.00
F0009-AQ026	Australia	KIS TUNA PTY LTD	AQ00026	4/11/2009	4/11/2010	136.1065	-34.6300	21.60
F0009-AQ030	Australia	KIS TUNA PTY LTD	AQ00030	4/11/2009	4/11/2010	136.1166	-34.6280	305.22
F0009-AQ046	Australia	KIS TUNA PTY LTD	AQ00046	31/10/2009	30/10/2010	136.1261	-34.6261	204.78
F0009-AQ050	Australia	KIS TUNA PTY LTD	AQ00050	31/10/2009	30/10/2010	136.1227	-34.6268	60.00
F0009-AQ056	Australia	KIS TUNA PTY LTD	AQ00056	31/10/2009	30/10/2010	136.1093	-34.6295	206.40
F0010-AQ059	Australia	LUCKY S FISHING PTY LTD	AQ00059	31/10/2009	30/10/2010	136.0342	-34.6385	162.00
F0011-AQ057	Australia	MARNIKOL FISHERIES PTY LTD	AQ00057	31/10/2009	30/10/2010	135.9926	-34.6859	384.00
F0011-FB011	Australia	MARNIKOL FISHERIES PTY LTD	FB00011	31/10/2009	30/10/2010	135.9611	-34.7012	180.00
F0012-AQ045	Australia	PRISMAN PTY LTD	AQ00045	31/10/2009	30/10/2010	136.0382	-34.6864	306.00

Attachment E

Correspondence concerning the Provision of Tag Information to Importers

11 March 2010

Mr. Robert Kennedy
Executive Secretary
Commission for the Conservation of the Southern Bluefin Tuna

Dear Mr. Kennedy,

Further to my previous letter dated 3 March, which raised the problem regarding the provision on delegation of authority to validate CDS in paragraph 5.2 of “Resolution on Implementation of CCSBT Catch Documentation Scheme” and expressed our thought on it, I am also writing to advise you of our serious concern about sufficiency of compliance with paragraph 5.7 of the Resolution.

Paragraph 5.7 of the Resolution stipulates that full or partial consignments of untagged whole SBT must not be validated or accepted for transshipment, landing of domestic product, export, import or re-export.

For this purpose, any importing companies who want to import SBT to Japan are requested to provide tagged SBT information (data including tag number, length, weight etc.) under our national legislation. This is an indispensable measure to check whether imported SBT are attached with the tags which are consistent with the information provided to the importers by exporters.

However, with regard to Australian farmed SBT, we are not able to ensure such check in line with paragraph 5.7 of the Resolution because the farmers do not provide such tagging information to Japanese importing companies.

As I mentioned in my previous letter, a failure of precise and smooth implementation of CDS can never withstand criticism from outside for incompetence of CCSBT conservation and management measures, especially under circumstances with the looming issue of CITES listing of SBT.

Japan believes that the tagging information is necessary to comply with paragraph 5.7 of the Resolution. Therefore, we would like to urge all CCSBT Members and Cooperating Non-members to ensure that such information are provided to importers when SBT are exported. I also would like to ask you to circulate this letter to all the CCSBT Members and Cooperating Non-members, and to seek their opinions on this issue promptly.

I would like to close by expressing my sincere appreciation for your efforts to operate the Secretariat of CCSBT efficiently and effectively.

Sincerely,

Masanori Miyahara
Chief Counselor
Fisheries Agency of Japan
Japanese CCSBT Commissioner

(Translated by Secretariat)



行政院農業委員會漁業署
FISHERIES AGENCY
Council of Agriculture, Executive Yuan
No.1 Yugang North 1st Road,
Chien chen district KAOHSIUNG, TAIWAN
TEL: 886-7-8113288 FAX: 886-7-8158278 <http://www.fa.gov.tw>

April 9, 2010

Robert (Bob) Kennedy
Executive Secretary
Commission for the Conservation of
Southern Bluefin Tuna
PO Box 37, Deakin West, ACT 2600, Australia
PHONE: 61 2 6282 8396

SUBJECT: Compliance with the CDS – verification of tagged SBT

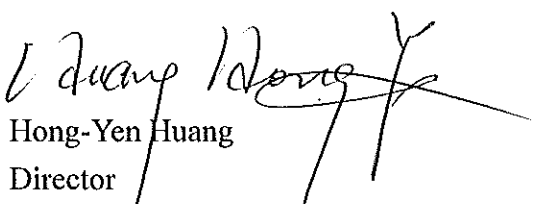
Dear Bob,

I would like to share our views regarding provision 5.7 of the CCSBT Catch Document Scheme.

In compliance with the CDS Resolution which has entered into force on 1 January 2010, the required catch documents (Catch Monitoring Form and Catch Tagging Form for example) shall accompany the SBT caught by Taiwan's fishing vessels. As for SBT caught before 1 January 2010, according to provision 9.1, the tagging requirements of the CDS may be exempted until 30 June 2010.

In response to Japan's concern regarding urging CCSBT Members and Cooperating Non-members to ensure that tagged SBT information are provided to importers when SBT are exported, we think this issue is technically resolvable for us. However, this issue is more suitable to be addressed in the next meeting of the Compliance Committee.

Yours sincerely,


Hong-Yen Huang
Director
Deep Sea Fisheries Division

9 April 2010

Mr. Robert Kennedy
Executive Secretary
Commission for the Conservation of the Southern Bluefin Tuna

Dear Bob

LETTER FROM JAPAN DATED 11 MARCH 2010 ON CATCH DOCUMENTATION SCHEME (CDS)

You have asked for comment on a letter from Japan regarding provision 5.7 of the CDS resolution for southern bluefin tuna. Japan believes that tagging data (including tag number, fish weight and fish length) should accompany exports of southern bluefin in order to give effect to para 5.7 of the CDS resolution and urges all CCSBT members to ensure that this information is provided to importers when southern bluefin tuna are exported.

New Zealand is not opposed to making improvements to the operation of the CDS, and we anticipate a review of the operation of the scheme in its first year at the next Compliance Committee meeting, which may produce other suggested improvements. However, as I indicated in my earlier correspondence, New Zealand has relied on the CDS in its current form to develop procedures for its application to the New Zealand fishery. We are not able to make changes mid-season and would require a longer time frame to implement the change proposed by Japan if agreed by other members.

We welcome further discussion on ways to improve the implementation of the CDS, as we believe it to be a critical component of the monitoring control and surveillance arrangements for southern bluefin tuna.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Arthur Hore', written in a cursive style.

Arthur Hore
New Zealand Commissioner to CCSBT

**Correspondence concerning South Africa's
Proposed Port State Measures in relation to the CDS**



agriculture, forestry & fisheries

Department:
Agriculture, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA

Marine Resource Management, Department of Agriculture, Forestry and Fisheries
Private Bag X2, Roggebaai 8012

Tel: +27 21 402 3048. Fax: +27 21 402 3622. E-mail: CraigS@daff.gov.za

12 July 2010

Mr Bob Kennedy
Executive Secretary
CCSBT

Dear Sir

RE: Implementation of the Southern Bluefin Tuna Catch Document Scheme

South Africa is an important port state for southern bluefin tuna, with approximately 25% of the global TAC transshipped or landed in our ports. Given our close proximity to the southern bluefin fishing ground, the high value of the species, and the current state of the resource, we want to make every effort to ensure that our ports do not support Illegal, Unreported and Unregulated fishing of southern bluefin tuna. In this way South Africa can greatly contribute to the management of a sustainable southern bluefin tuna fishery.

In implementing the catch document scheme for southern bluefin tuna on 1 July 2010 it has become apparent that the provision of the Catch Monitoring Form (CMF) in terms of "Resolution on the Implementation of the CCSBT Catch Document Scheme" is not practical as the flag state can only provide authorization after weighing the catch. Given that the catch is landed or transshipped in a foreign port this cannot be implemented by the flag state. Hence, as a port state we have deviated from the resolution by introducing the following procedures:

- 1) Vessels entering South Africa ports to land or transship southern bluefin will be required to submit a copy of the tagging form with the vessel's application to enter port. The rationale for this is that the tagging form is completed by the fishing master/ skipper and is already on board the vessel at time of application. Hence, there is no delay for the vessel to enter port, and there is sufficient information provided for inspection purposes.
- 2) Vessels entering South Africa ports to land or transship other species with southern bluefin to remain on board will be required to provide a letter of acknowledgement from the flag state fisheries authority– see attached template. The rationale for this is that SA does not have sufficient capacity to monitor the landing and transshipment of every vessel visiting our ports. Hence, it is quite possible that southern bluefin, which is supposed to remain on board, can enter the market this way without being reported to the flag state or detected by the port state. Requesting this information from the flag

state would give us the assurance that the southern bluefin on board the vessel is indeed reported to and recorded by the flag state and would thereby minimize the potential for unreported catches to enter the market.

Although deviating from the Resolution, these procedures are meant to assist Parties' vessels utilizing our ports, but at the same time to ensure that all loopholes for IUU fishing activity is closed. It is hereby requested that this letter be circulated to all Parties informing them of the port state measures currently implemented by South Africa and to determine if there are any objections. If objections are raised then South Africa would have no option but to request the completed CMF for all southern bluefin landed or transshipped in our ports. In addition, we would also require the acknowledgment letter from the flag state if southern bluefin is to remain on board the vessel.

Yours sincerely



MR RICHARD SELEKE

Designation: Deputy-Director General (Acting): Fisheries

Letter signed by: Craig Smith

Designation: Deputy Director: Pelagics and High Seas Fisheries Management



Australian Government

Department of Agriculture, Fisheries and Forestry

Mr Robert Kennedy
Executive Secretary
Commission for the Conservation of Southern Bluefin Tuna
PO Box 37
DEAKIN WEST ACT 2600

Dear Mr Kennedy

Resolution on the Implementation of the CCSBT Catch Documentation Scheme

I am responding to correspondence received from Mr Richard Seleke, Deputy-Director General Fisheries, Department of Agriculture, Forestry and Fisheries, Republic of South Africa, who is seeking the opinion of CCSBT Members and Cooperating Non-members on South Africa's proposed deviations from the resolution on the implementation of a CCSBT Catch Documentation Scheme (CDS).

Australia understands there are some difficulties in implementing the CDS resolution. In anticipation of such difficulties, the resolution has been scheduled for review at the fifth meeting of the CCSBT Compliance Committee in October 2010 to identify any implementation issues, strengths and weaknesses, and to recommend options for improvement. Australia is of the view that all Members and Cooperating Non-members should comply fully with the resolution until the Extended Commission can consider the recommendations of the Compliance Committee in October 2010. Therefore, Australia cannot support South Africa's proposed deviations from the CDS at this time.

In adopting the CDS Resolution, CCSBT reached consensus agreement on the forms that must accompany landings, imports, exports and transshipments of Southern Bluefin Tuna (SBT) and at what point these must be validated. The Catch Monitoring Form (CMF) is the document that records information on the catch, landing, import, export and transshipment of all SBT. Importantly, it is the only document in the CDS that records information on intermediate product destinations, such as foreign ports. As such, the CMF is critical to CCSBT's ability to track the flow of legal SBT product and eliminate illegal, unreported and unregulated fishing for SBT.

Section 5.1 of the resolution sets out the validation requirements for CDS documentation. Within Section 5.1, there is no explicit requirement for who must validate documents accompanying transshipments in port or landings of non-domestic product (i.e. imports). Therefore, we would suggest that an official of the port state is able to validate the CMF. This would provide CCSBT with the assurance that appropriate documentation is being used to track all non-domestic landings and in-port transshipments of SBT through intermediate product destinations.

In contrast, the Catch Tagging Form (CTF) was not designed for exchange among Members or Cooperating Non-members but rather for submission to the CCSBT Secretariat. Further, because the CTF contains no information on filleted SBT or summary data on net weight or number of fish, it would be far more onerous to use this form instead of the CMF when inspecting vessels visiting South Africa's ports.

Australia would like to thank South Africa for the opportunity to comment on the proposed deviations from the implementation of the CCSBT CDS and looks forward to reviewing and improving the CDS resolution in October 2010.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Rhondda Dickson', with a large, stylized initial 'R'.

Dr Rhondda Dickson
Deputy Secretary
Department of Agriculture, Fisheries and Forestry
29 July 2010

30 July 2010

Mr. Robert Kennedy
Executive Secretary
Commission for the Conservation of the Southern Bluefin Tuna

Dear Mr. Kennedy,

I am writing to express our views to South Africa's letter dated on July 12, 2010 and circulated by you.

We would like to commend South Africa's constant effort as a port state to combat Illegal, Unreported and Unregulated fishing. In this context, Japan support and cooperate with South Africa's new port state measures.

As a requirement for data confidentiality, we would like South Africa to ensure these data provided to South Africa will be kept within the South African authority only for use of verification of transshipped SBT.

I would like to close by expressing my sincere appreciation for your efforts to operate the Secretariat of CCSBT efficiently and effectively.

Yours sincerely,

Masanori Miyahara
Chief Counselor
Fisheries Agency of Japan
Japanese CCSBT Commissioner