

CCSBT-CC/1710/SBT Fisheries – European Union (Rev.1)
(CC agenda item 2.2)

Template for the Annual Report
to the Compliance Committee and the Extended Commission

(Revised as agreed at CC11 following CCSBT 23)

If there are multiple SBT fisheries, with different rules and procedures applying to the different fisheries, it may be easier to complete this template separately for each fishery. Alternatively, please ensure that the information for each fishery is clearly differentiated within the single template.

This template sometimes seeks information on a quota year basis. Those Members/CNMs that have not specified a quota year to the CCSBT (i.e. EU, South Africa and the Philippines), should provide the information on a calendar year basis. Within this template, the quota year (or calendar year for those without a quota year) is referred to as the “fishing season”. Unless otherwise specified, information should be provided for the most recently completed fishing season. Members and CNMs are encouraged to also provide preliminary information for the current fishing season where the fishing for that season is complete or close to complete.

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I. Summary of MCS Improvements

(1) Improvements achieved in the current fishing season

Provide details of MCS improvements achieved for the current fishing season.

In the EU, the Common Fishery Policy (CFP)¹ forms the foundation of fisheries management. The policy's objectives are to ensure that fishing and aquaculture activities are environmentally sustainable in the long term and are managed in a way that is consistent to achieve economic, social and employment benefits. Its success depends very much on the implementation of an effective control and enforcement system. The core elements of the EU fisheries control system for ensuring compliance with rules of the CFP are principally provided for in the Regulation (EC) No 1224/2009² ('the Control Regulation'), Regulation (EU) No 404/2011 which lays down detailed rules for its implementation, and in the Regulation (EC) No 1005/2008 ('the IUU regulation')³.

The Control Regulation entered into force on 1 January 2010, and thoroughly modernised the EU's approach to fisheries control. The control system established by the Control Regulation is designed to ensure that only the permitted quantities of fish are caught, that the necessary data for managing fishing opportunities are collected, that the rules are applied to all fishers in the same way, that harmonised sanctions are applied across the EU and that fisheries products can be traced back and checked throughout the supply chain, from net to plate.

Specifically, measures of the Control Regulation include requirements for all EU fishing vessels over 12 meters to carry a Vessel Monitoring System (VMS) on-board, and for all EU fishing vessels above 15m to be equipped with Automatic Identification System (AIS) transmitters. All vessels above 12m are required to electronically transmit fishing activity data via an electronic logbook, which ensures near real time transmission of catch data.

The IUU regulation entered into force on 1 January 2010, with the objective to close the loopholes that enable illegal operators to profit from their activities. Measures of the Regulation aim to ensure that only marine fisheries products validated as legal by the competent flag state or exporting state can be imported to or exported from the EU, that an IUU vessel list is issued regularly, based on IUU vessels identified by RFMOs, that states which turn a blind eye to illegal fishing activities can be blacklisted, and that EU operators who fish illegally anywhere in the world, under any flag, face substantial penalties proportionate to the economic value of their catch, which deprive them of any profit.

These regulations have been in force for some years; however implementation within the EU is continually improving. The European Commission continually performs audits and inspections of the European Member States control systems in place to ensure that they are not only compliant with the regulations but also effective. If

¹ Regulation (EU) No 1380/2013 of the European Parliament and of the Council on the Common Fisheries Policy,

² EU Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the Common Fisheries Policy.

³ Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing.

deficiencies are identified they are addressed through recommendations and other instruments such as action plans where necessary.

The implementation of effective control systems in the European Member States is supported through the allocation of European funds; the European Maritime and Fisheries Fund with an overall budget of 6400 Million Euro, being the fund for the EU's maritime and fisheries policies for 2014-2020. For fisheries control, the fund is available for application in numerous ways, for example for:

- the development, purchase and installation of the components necessary to ensure data transmission for ERS, VMS and AIS used for control purposes;
- the development, purchase and installation of the components necessary to ensure the traceability of fishery and aquaculture products;
- the modernisation and purchase of patrol vessels, aircrafts and helicopters for fisheries control;
- the purchase of other control means, including devices to enable the measurement of engine power and weighing equipment;
- the development of innovative control and monitoring systems and the implementation of pilot projects related to fisheries control, including fish DNA analysis or the development of websites related to control;
- training and exchange programmes, including between Member States, of personnel responsible for the monitoring, control and surveillance of fisheries activities;
- initiatives, including seminars and media tools, aimed at enhancing awareness, among both fishermen and other players such as inspectors, public prosecutors and judges, as well as among the general public, of the need to fight illegal, unreported and unregulated fishing and of the implementation of the CFP rules;

(2) Future planned improvements

Describe any MCS improvements that are being planned for future fishing seasons and the expected implementation date for such improvements.

The implementation of fisheries control systems in the EU Member States is continually improving. The European Commission continually performs audits and inspections of the European Member States control systems in place to ensure that they are not only compliant with the regulations but also effective. If deficiencies are identified they are addressed through recommendations and other instruments such as action plans where necessary. Currently, for example, improvements are underway across many European Member States in the implementation of the system of points issued to licence holders and vessel masters for serious infringements, required by the Control Regulation. In addition The Control Regulation stipulates that every five years, the European Union Member States provide a report on its application.

The European Union is continually reviewing and improving its legislation. The need to review the Union fisheries control system, and in particular the Control Regulation was recently raised. A comprehensive evaluation of the implementation of the Control Regulation and its impacts on the CFP, covering the period 2010-2016, was

carried out and its results published in the Report from the Commission to the European Parliament and the Council and the accompany Staff Working Document⁴.

The evaluation confirmed that the Control Regulation is highly relevant for ensuring compliance with the CFP, however improvements could be made. Therefore the procedure has recently been launched to begin the process of revision of this Regulation. Objectives which are being considered in the exercise will include increasing coherence with the CFP, decreasing complexity of the system, improving sanctioning systems, increasing control of the small fleet, increasing quality of data and improving the sharing and exchanging of information

Also, the EU continues to work to improve the IUU Regulation, for example, by simplifying and modernising its implementation (e.g. by moving from a paper-based EU catch certification system to an electronic-based one). This will increase the traceability of fisheries imports and exports in the EU and protect the system from potential document fraud.

Another pillar of fisheries regulation in the EU are the 'Technical Measures'; Regulation (EC) No 850/98⁵ and its subsidiary legal instruments. Technical measures are a broad set of rules which govern how, where and when fishermen may fish. They are established for all European sea basins, but they differ considerably from one basin to another, in accordance with the regional conditions.

The measures may include minimum landing sizes and minimum conservation sizes, specifications for design and use of gears, minimum mesh sizes for nets, requirement of selective gears to reduce unwanted catches, closed areas and seasons, limitations on by-catches (catches of unwanted or non-target species) and measures to minimise the impact of fishing on the marine ecosystem and environment.

The technical measures regulations in the EU need to be modernised in light of the reformed (in 2013) Common Fisheries Policy. To this effect, the European Commission has put forward a new framework proposal for technical conservation measures.

During 2017 developments of a revised system of issuing and managing fishing authorisations, intended to improve monitoring and transparency of the EU external fishing fleet, have been finalised and agreed. The new legislation when adopted will replace the current 'Fishing Authorisations Regulation' 1006/2008, and will cover all EU vessels fishing outside EU waters, as well as third-country vessels fishing in EU waters. The current scope of the authorisation system would be extended to include practices poorly monitored so far, such as private agreements between EU companies and third countries and abusive reflagging operations. Member States would authorise fishing vessels using common eligibility criteria, complemented by specific conditions depending on the nature of the authorisation. Part of the electronic fishing authorisations register, showing who fishes what and where, would for the first time be publicly accessible.

⁴ COM(2017) 192 final, <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2017:192:FIN>

⁵ Council Regulation (EC) No 850/98 of 30 March 1998 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms.

In terms of ongoing developments in the EU for the management of data, the Integrated Fisheries Data Management (IFDM) programme aims to establish an integrated European information system for fisheries management. The objectives being to increase the security, agility, performance and decrease the costs of fisheries data management. The 'FLUX Transportation Layer (FLUX TL)' is a messaging integration system developed, with implementation underway, to help European Member States and third parties exchange fisheries control information among themselves and the Commission in implementing fisheries control. Similarly, third parties (sea fisheries partnership agreement (SFPA) partners, RFMOs etc) will need to use FLUX TL to exchange information with EU countries. FLUX TL uses a new standard (UN/CEFACT) that has become the format to exchange electronic fisheries information and data between Member States, Member States and the Commission, or Member States and RFMOs and SFPAs. The FLUX transportation Protocol is a mechanism describing how to reliably deliver the messages to their destination and without human intervention.

(3) Implementation of the common CCSBT definition for the “Attributable SBT Catch”

CCSBT 21 agreed on a common definition of the Attributable SBT Catch. Further, it agreed to implement this common definition as soon as practicable, but not later than the 2018 quota year. Members should report on progress on the action points for implementing the Attributable SBT catch as specified in Table 1 at paragraph 53 of the CCSBT 21 report (provided here as Attachment A).

“A Member or CNM’s attributable catch against its national allocation is the total Southern Bluefin Tuna mortality resulting from fishing activities within its jurisdiction or control including, inter alia, mortality resulting from:

- commercial fishing operations whether primarily targeting SBT or not;*
- releases and/or discards;*
- recreational fishing;*
- customary and/or traditional fishing; and*
- artisanal fishing.”*

All SBT catches by the EU fleet are duly reported. The EU has reported zero by-catches of SBT in 2014, 2015 and 2016, which reflects mortalities resulting from all EU fishing activities in accordance with CCSBT 21 report.

The quota allocated to the EU has been respected. However, taking into account the very scarce quantity of this quota and the number of EU vessels fishing within the SBT migratory zone, the 10/11 tonnes (12/13.2 tonnes if carry-forward of Unfished Annual Total Allowable) could be occasionally exceeded with by-catches, even if there are no EU fishing vessels targeting SBT. In this context, the EU is considering the possibility to carry-forward of unfished quota to limit the risk to exceed its quota.

II. SBT Fishing and MCS Arrangements

(1) Fishing for Southern Bluefin Tuna

(a) Specify the number of vessels that caught SBT in each sector (e.g. authorised commercial longline, authorised commercial purse seine, authorised commercial charter fleet, authorised domestic fleet) during the previous 3 fishing seasons.

Fishing Season	Sector 1 (Indian Ocean)	Sector 2 (Atlantic Ocean)	Sector 3 (West Pacific)
	Number of vessels	Number of vessels	Number of vessels

(e.g. 2011/12)			
2014	0	0	0
2015	0	0	0
2016	0	0	0

The EU fleet does not target SBT. Any incidental catches of SBT by EU vessels are the result of by-catches of long-liners harvesting swordfish (notably in the IOTC Convention Area). EU Purse Seiners do not harvest SBT as they fish in tropical tunas fishing grounds.

There were more 30 long-liners fishing for swordfish in the southern Ocean, 26 in the Indian Ocean, and 4 in West Pacific and Atlantic entering intermittently in areas where encounters with the SBT could occur.

Interactions with SBT is unlikely to happen (took place in the past, notably in IOTC area). The average size of the long-liners is roughly 35 meters, ranging from 21 to 44 meters. There are also 35 small longliners active in La Reunion EEZ, mainly fishing Albacore but not operating in areas of SBT distribution (i.e. not interfering with SBT fisheries).

(b) Specify the historic national SBT allocation, together with any carry-forward of unfished allocation and the total SBT catch counted against the national allocation (Attributable Catch) during the 3 previous fishing seasons. All figures should be provided in tonnes. Some CCSBT Members use slightly different definitions for the catch that is counted against the allocation, so in the space below the table, clearly define the catch that has been counted against the national allocation:-

Fishing Season (e.g. 2011/12)	National SBT allocation (t) (excluding carry-forward)	Unfished allocation carried forward to this fishing season (t)	SBT catch counted against the national allocation (t)						
			Sector 1 (Indian Ocean)		Sector 2 (Atlantic Ocean)		Sector 3 (West Pacific)		
			Domestic allocation	Actual Catch Against Allocation	Domestic allocation	Actual Catch Against Allocation	Domestic allocation	Actual Catch Against Allocation	
2012	10	-	0	4	0	0	0	0	0
2013	10	-	0	0	0	0	0	0	0
2014	10	-	0	0	0	0	0	0	0
2015	10	-	0	0	0	0	0	0	0
2016	10	-	0	0	0	0	0	0	0

On yearly basis the EU Fishing Opportunities Regulations⁶ prohibits the targeting of SBT and explicitly mentions that the allocated EU quota of 10 tonnes is to be used exclusively for the counting of by-catch in compliance with the CCSBT allocation.

Since 2010 the level of catches has been maintained below the 10 tonnes allocated to the EU under the CCSBT SBT TAC for this purpose. Since 2011 the level of SBT by-catches by the EU fleet is very limited or close to zero.

(c) Describe the system used for controlling the level of SBT catch. For ITQ and IQ systems, this should include details on how the catch was allocated to individual companies and/or vessels. For competitive catch systems this should include details of the process for authorising vessels to catch SBT and how the fishery was monitored for determining when to close the fishery. The description provided here should include any operational constraints on effort (both regulatory and voluntary):-

⁶ See Annex IG of Regulation No 2017/127 of 20 January 2017 fixing for 2017 the fishing opportunities available in EU waters and, to EU vessels, in certain non-EU waters for certain fish stocks, Official Journal of the European Union, L 24, 28.1.2017. For 2016 see Council Regulation (EU) 2017/72 of 22 January 2016.

Control of catches is done through the EU electronic log-book, the EU CDS (when exported to third countries who request it), inspection in ports and observer programs.

(d) Provide details of the methods used to monitor catching in the fishery by completing the table below. Details should also be provided of monitoring conducted of fishing vessels when steaming away from the fishing grounds (this does not include towing vessels that are reported in Section 2).

Monitoring Methods	Description
Daily log book	<p><i>Specify:</i></p> <p>i. <i>Whether this was mandatory. If not, specify the % of SBT fishing that was covered:-</i></p> <p>The EU Control Regulation requires EU vessels over 10m to keep a fishing logbook of their operations, indicating specifically all quantities of each species caught and kept on board above 50 kg of live-weight equivalent.</p> <p>According to European Commission implementing Regulation (EU) No 404/2011 of 8 April 2011, when at sea the master of an EU fishing vessel shall transmit the electronic fishing logbook information to the competent authorities of the flag Member State at least once a day and no later than 24.00 hrs even when there are no catches. He/she shall also send such data:</p> <p>(a) at the request of the competent authority of the flag Member State;</p> <p>(b) immediately after the last fishing operation has been completed;</p> <p>(c) before entering into port;</p> <p>(d) at the time of any inspection at sea;</p> <p>(e) at the time of events defined in EU legislation or by the flag State</p> <p>ii. <i>The level of detail recorded (shot by shot, daily aggregate etc):-</i></p> <p>The information recorded in the logbook shall be as follows:</p> <p>(a) the external identification number and the name of the fishing vessel;</p> <p>(b) the FAO alpha-3 code of each species and the relevant geographical area in which the catches were taken;</p> <p>(c) the date of catches;</p> <p>(d) the date of departure from and of arrival to port, and the duration of the fishing trip;</p> <p>(e) the type of gear, mesh size and dimension;</p> <p>(f) the estimated quantities of each species in kilograms live weight or, where appropriate, the number of individuals;</p> <p>(g) the number of fishing operations.</p> <p>iii. <i>Whether the effort and catch information collected complied with that specified in the “Characterisation of the SBT Catch” section of the CCSBT Scientific Research Plan (Attachment D of the SC5 report), including both retained and discarded catch. If not, describe the non-compliance:-</i></p> <p>The effort and catch information is compliant with the mentioned document.</p> <p>iv. <i>What information on ERS was recorded in logbooks:-</i></p> <p>Masters of EU fishing vessels shall record in their fishing logbook all</p>

	<p>estimated discards above 50 kg of live-weight equivalent in volume for any species.</p> <p>Information on sea-birds and turtles is not necessarily included in the log-book but it is reported as per each RFMO requirement.</p> <p>v. <i>Who were the log books submitted to?</i>⁷:-</p> <p>See i and ii above.</p> <p>vi. <i>What was the timeframe and method</i>⁸<i> for submission:-</i></p> <p>See i and ii above.</p> <p>vii. <i>The type of checking and verification that was routinely conducted for this information:-</i></p> <p>Automated software, information cross check, scientific validation of logbook, transshipment authorisation/declaration/validation, inspections, landings and marketing (if applicable), European Commission audits and inspections, national plans.</p> <p>viii. <i>Reference to applicable legislation and penalties:-</i></p> <p>- Regulation on Illegal, Unregulated and Unreported Fishing (Regulation (EC) No 1005/2008) of 29 September 2008 which entered into force on 1 January 2010.</p> <p>- EU Regulation (EC) No 1224/2009 establishing a Community control system for ensuring compliance with the rules of the Common Fisheries Policy of 20 November 2009:</p> <p>Article 90 of Control Regulation and Articles 44, 45 and 46 of IUU Regulation provide for sanctions for serious infringements taking into account such as the nature of the damage, its value, the economic situation of the offender and the extent of the infringement or its repetition, the value of the prejudice to the fishing resources and the marine environment concerned.</p> <p>Article 91 of Control Regulation and Article 43 of IUU Regulation provide for immediate enforcement measures.</p> <p>Articles 92 of the Control Regulation provide for the establishment of a point system for serious infringements assigned to the holder of the fishing licence of the vessel and to the master of the vessel with the aim to ensure compliance with the rules of the Common Fisheries Policy and a level playing field in all waters where the EU vessels operate.</p>
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⁷ If the reports are not to be submitted to the Member's or CNM's government fisheries authority, then also specify whether the information will later be sent to the fisheries authority, including how and when that occurs.

⁸ In particular, whether the information is submitted electronically from the vessel.

- European Commission implementing Regulation (EU) No 404/2011 of 8 April 2011

Sanctions as referred to in Article 91 of Control Regulation and Articles 44 and 45 of IUU Regulation must be:

- effective, proportionate and dissuasive administrative sanctions for serious infringements, without prejudice of criminal sanctions, that may, inter alia, include:

- maximum sanction of at least 5 times (8 times for the case of repeated offenses) the value of the fishery products

- sequestration, immobilisation of fishing vessel

- confiscation of fish and prohibited gear, etc.

- suspension/withdrawal of authorization to fish

- ban on access to subsidies

If a vessel is included in the EU IUU list the following applies (Article 37 of Regulation 1005/2008):

- withdrawal of fishing authorisation

- prohibition of any fishing operations and chartering

- prohibition of authorisation to change crew

- importation/landing/exportation of its products prohibited, etc.

ix. Other relevant information⁹:-

- See also point on VMS below. In addition to the above described methods used to monitor catching, EU vessels also comply with monitoring and control of fishing measures in force in other relevant tuna RFMOs.

⁹ Including information on ERS, and comments on the effectiveness of the controls or monitoring tools and any plans for further improvement.

<p><i>Additional reporting methods (such as real time monitoring programs)</i></p>	<p><i>If multiple reporting methods exists (e.g. daily, weekly and/or month SBT catch reporting, reporting of tags and SBT measurements, reporting of ERS interactions etc), create a separate row of in this table for each method. Then, for each method, specify:</i></p> <ul style="list-style-type: none"> <i>i. Whether this was mandatory. If not, specify the % of SBT fishing that was covered:-</i> <i>ii. The information that was recorded (including whether it relates to SBT or ERS):-</i> <i>iii. Who the reports were submitted to and by whom (e.g. Vessel Master, the Fishing Company etc)⁷:-</i> <i>iv. What was the timeframe and method⁸ for submission:-</i> <i>v. The type of checking and verification that was routinely conducted for this information:-</i> <i>vi. Reference to applicable legislation and penalties:-</i> <i>vii. Other relevant information⁹:-</i> <p>No additional reporting methods. In addition, the EU applies reporting obligations according to the mandatory statistical requirements of other tuna RFMOS.</p>																																														
<p><i>Scientific Observers</i></p>	<p><i>Specify:</i></p> <ul style="list-style-type: none"> <i>i. The percentage of the SBT catch and effort observed and the total number of days that observers were actually deployed for in the three previous seasons for each sector (e.g. longline, purse seine, commercial charter fleet, domestic fleet). The unit of effort should be hooks, sets and tows for longline, purse seine and towing respectively:-</i> <table border="1" data-bbox="400 1093 1353 1305"> <thead> <tr> <th rowspan="2">Fishing Season (e.g. 2011/12)</th> <th colspan="2">Sector 1</th> <th rowspan="2">Obs. days deployed</th> <th colspan="2">Sector 2</th> <th rowspan="2">Obs. days deployed</th> <th colspan="2">Sector 3</th> <th rowspan="2">Obs. days deployed</th> </tr> <tr> <th>% effort obs.</th> <th>% catch obs.</th> <th>% effort obs.</th> <th>% catch obs.</th> <th>% effort obs.</th> <th>% catch obs.</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table> <ul style="list-style-type: none"> <i>ii. The system used for comparisons between observer data and other catch monitoring data in order to verify the catch data:-</i> <i>iii. Excluding the coverage, specify whether the observer program complied with the CCSBT Scientific Observer Program Standards. If not, describe the non-compliance. Also indicate whether there was any exchange of observers between countries:-</i> <i>iv. What information on ERS was recorded by observers:-</i> <i>v. Who were the observer reports submitted to:-</i> <i>vi. Timeframe for submission of observer reports:-</i> <i>vii. Other relevant information (including plans for further improvement – in particular to reach coverage of 10% of the effort):-</i> <p>There is no specific SBT observer program as there are no substantial catches of SBT (zero in 2014, 2015 and 2016). However, there is an observer program aiming to reach 10% of observers for the EU longliners targeting swordfish in association with sharks in the southern</p>	Fishing Season (e.g. 2011/12)	Sector 1		Obs. days deployed	Sector 2		Obs. days deployed	Sector 3		Obs. days deployed	% effort obs.	% catch obs.	% effort obs.	% catch obs.	% effort obs.	% catch obs.																														
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	% effort obs.	% catch obs.		% effort obs.	% catch obs.		% effort obs.	% catch obs.																																							

	<p>hemisphere. In addition, the EU is implementing observer programmes according to the requirements of other tuna RFMOS.</p>
<p><i>VMS</i></p> <p><i>The items of "ii" are required in association with the Resolution on establishing the CCSBT Vessel Monitoring System</i></p>	<p><i>Specify:</i></p> <p><i>i. Whether a mandatory VMS for SBT vessels that complies with CCSBT's VMS resolution was in operation. If not, provide details of non-compliance and plans for further improvement:-</i></p> <p>Yes, the EU Control Regulation (Article 9) requires the use of VMS for the EU vessels of more than 12 meters' length.</p> <p><i>ii. For the most recently completed fishing season, specify:</i></p> <ul style="list-style-type: none"> • <i>The number of its flag vessels on the CCSBT Authorised Vessel List that were required to report to a National VMS system:-</i> <p>See point II (1) a) on MCS</p> <ul style="list-style-type: none"> • <i>The number of its flag vessels on the CCSBT Authorised Vessel List that actually reported to a National VMS system:-</i> <p>All</p> <ul style="list-style-type: none"> • <i>Reasons for any non-compliance with VMS requirements and action taken by the Member:-</i> <p>None</p> <ul style="list-style-type: none"> • <i>In the event of a technical failure of a vessel's VMS, the vessel's geographical position (latitude and longitude) at the time of failure and the length of time the VMS was inactive should be reported:-</i> <p>In the event of a technical failure or non-functioning of the satellite-tracking device fitted on board a EU fishing vessel, the master or his/her representative shall, starting from the time that the event was detected or from the time that he was informed, communicate every 4 hours, to the FMC of the flag Member State the up-to-date geographical coordinates of the fishing vessel by appropriate telecommunication means.</p> <p>The FMC of the flag Member State shall enter the relevant geographical positions into the VMS database without delay on their receipt. The manual VMS data shall be clearly distinguishable in a database from automatic messages. Where appropriate, those manual VMS data shall be transmitted without delay to coastal Member States.</p> <ul style="list-style-type: none"> • <i>The procedures used for manual reporting in the event of a VMS failure (e.g. "manual position reporting on a 4 hourly basis"):-</i> <p>See above.</p> <ul style="list-style-type: none"> • <i>A description of any investigations initiated in accordance with paragraph 3(b) of the CCSBT VMS resolution including progress to date and any actions taken:-</i>

	<p>Not applicable.</p> <p><i>iii. Reference to applicable legislation and penalties:-</i></p> <p>Currently, penalties to non-complying vessels, either for VMS matters or other fisheries related offenses, are applied by Member States according to their national legislation within the framework of the Control and IUU Regulations and are not directly imposed by the European Union. To harmonize the way infringements are sanctioned, the EU has established a list of serious infringements of the rules of the common fisheries policy. EU countries must include in their legislation effective, proportionate and dissuasive sanctions and ensure that the rules are respected.</p> <p>As from 1 January 2012, EU Member States introduced a point system for serious infringements. Under the scheme, national authorities will:</p> <ul style="list-style-type: none"> - assess alleged infringements involving vessels registered under its flag, using standard EU definitions - impose a pre-set number of points on vessels involved in serious infringements (points are recorded in the national registry of fisheries offences) - suspend the vessel's license for 2, 4, 8 or 12 months or permanently withdrawn when a pre-set number of points have been accumulated in a 3-year period. <p>Points are attributed to the fishing license holder that is linked to a vessel so they will be transferred with the vessel even when it is sold on to a new owner. Detailed rules for the point system have been drawn up at EU level in close cooperation with Member States. EU Member States are also required to establish a point system for masters of fishing vessels. The point system does not interfere with the discretionary power of the national judge in assessing the facts of the case and the gravity of the behaviour in question.</p> <p>The point system related to the master of the vessel who committed a serious infringement is defined by EU Member States.</p>
<p><i>At-Sea Inspections</i></p>	<p><i>Specify:</i></p> <p><i>i. The coverage level of at sea inspections (e.g. % of SBT trips inspected):-</i></p> <p>No at sea inspections program, no SBT trips.</p> <p><i>ii. Other relevant information^o:-</i></p>
<p><i>Other (use of masthead cameras etc.)</i></p>	<p>Nothing to report.</p>

(e) Report on the review of internal actions and measures taken in relation to the authorised vessel requirements provided at Attachment B, including any punitive and sanction actions taken.

(2) SBT Towing and transfer to and between farms (farms only)

Not applicable, no EU farming.

(b) Describe the system used for controlling and monitoring towing of SBT from the fishing ground to the farming area. This should include details of:

- i. Observation required for towing of SBT (include % coverage):-
- ii. Monitoring systems for recording losses of SBT (in particular, SBT mortality):-

(c) Describe the system used for controlling and monitoring transferring of SBT from tow cages into farms. This should include details of:

- i. Inspection/Observation required for transfer of SBT (include % coverage):-
- ii. Monitoring system used for recording the quantity of SBT transferred:-
- iii. Plans to allow adoption of the stereo video systems for ongoing monitoring:-

(d) For “b” and “c” above, describe the process used for completing, validating¹⁰ and collecting the relevant CCSBT CDS documents (Farm Stocking Form, Farm Transfer Form):-

(e) Other relevant information⁹

(3) SBT Transshipment (in port and at sea)

Not applicable, no SBT transshipments.

(a) In accordance with the Resolution on Establishing a Program for Transshipment by Large-Scale Fishing Vessels, report:

- i. The quantities of SBT transhipped at sea and in port during the previous fishing season:-

Fishing Season <i>(e.g. 2011/12)</i>	Percentage of the annual SBT catch transhipped at sea	Percentage of the annual SBT catch transhipped in port

- ii. The list of the LSTLVs registered in the CCSBT Authorised Vessel List which have transhipped at sea and in port during the previous fishing season:-
- iii. A comprehensive report assessing the content and conclusions of the reports of the observers assigned to carrier vessels which have received at-sea transshipments from their LSTLVs during the previous fishing season:-

(b) Describe the system used for controlling and monitoring transshipments in port. This should include details of:

- i. Flag State rules for and names of:
 - designated foreign ports where SBT may be transhipped, and
 - foreign ports where in-port transshipments of SBT are prohibited:-
- ii. Flag State inspection requirements for in-port transshipments of SBT (include % coverage):-
- iii. Information sharing with designated Port States:-

¹⁰ Including the class of person who conducts this work (e.g. government official, authorised third party)

- iv. *Monitoring systems for recording the quantity of SBT transhipped:-*
- v. *Process for validating¹⁰ and collecting the relevant CCSBT CDS documents (Catch Monitoring Form, Catch Tagging Form):-*
- vi. *Reference to applicable legislation and penalties:-*
- vii. *Other relevant information⁹:-*

(c) *Describe the system used for controlling and monitoring transhipments at sea. This should include details of:*

- i. *The rules and processes for authorising transhipments of SBT at sea and methods (in addition to the presence of CCSBT transhipment observers) for checking and verifying the quantities of SBT transhipped:-*
- ii. *Monitoring systems for recording the quantity of SBT transhipped:-*
- iii. *Process for collecting the relevant CCSBT CDS documents (Catch Monitoring Form, Catch Tagging Form):-*
- iv. *Reference to applicable legislation and penalties:-*
- v. *Other relevant information⁹:-*

(4) Port Inspections of Foreign FVs/CVs with SBT/SBT Products on Board

Not applicable, there are no foreign vessels with SBT/SBT products on board using EU ports. The EU has ratified the FAO Port State Measures and is member of IOTC, WCPFC and ICCAT and therefore applies the port States measures in force in these RFMOs

This section provides for reporting with respect to the CCSBT's Scheme for Minimum Standards for Inspection in Port. It should be filled out by Port State Members that have authorised foreign Fishing Vessels/Carrier Vessels carrying SBT or SBT products to enter their designated ports for the purpose of landing and/or transhipment. Only information for landings/transhipments of SBT or SBT products that have NOT been previously landed or transhipped at port should be included in the table below.

- i. *Provide a list of designated ports into which foreign FVs/ CVs carrying SBT or SBT product may request entry:-*
- ii. *Provide the minimum number of hours of notice required for foreign FVs/CVs carrying SBT or SBT product to request authorisation to enter these designated ports:-*
- iii. *For the most recent whole calendar year, provide information about the number of landing/transhipment operations that foreign FVs/CVs carrying SBT or SBT product made in port, the number of those landing/transhipment operations that were inspected, and the number of inspections where infringements of CCSBT's measures were detected:-*

Calendar Year	Foreign Flag	No. of Landing/ Transhipment Operations (that occurred)	No. of Landing/ Transhipment Operations Inspected	No. of Landing/ Transhipment Operations where an Infringement of CCSBT's Measures was Detected

	TOTAL NUMBER			

(5) Landings of Domestic Product (from both fishing vessels and farms)

Not applicable. No EU landings of domestic products.

(a) Specify the approximate percentage of the annual SBT catch that was landed as domestic product.

(b) Describe the system used for controlling and monitoring domestic landings of SBT. This should include details of:

- i. Rules for designated ports of landing of SBT:-
- ii. Inspections required for landings of SBT (including % coverage):-
- iii. Details of genetic testing conducted and any other techniques that are used to verify that SBT are not being landed as a different species:-
- iv. Monitoring systems for recording the quantity of SBT landed:-
- v. Process for validating¹⁰ and collecting the relevant CCSBT CDS documents (Catch Monitoring Form, and depending on circumstances, Catch Tagging Form):-
- vi. Reference to applicable legislation and penalties:-
- vii. Other relevant information⁹:-

(6) SBT Exports

(a)

i. Specify the quantity of the domestic catch that was exported and provide an estimate of the total quantity of the domestic SBT catch (weight in tonnes to 1 decimal place) that was retained within the country/fishing entity (i.e. the quantity can be estimated by subtracting the total export from domestic catch) during each of the last 3 full calendar years to each country/fishing entity. All weights provided in this table should be net weights, not whole weights.

Calendar Year ¹¹	Estimate of retained within the country/fishing entity (Domestic catch-Export)	SBT Exported to							
		Country / Fishing Entity 1	:	:	:	:	:	:	:
1995	0	-	-	-	-	-	-	-	-
1996	0	-	-	-	-	-	-	-	-
1997 (1 st quarter)	0	-	-	-	-	-	-	-	-

ii. Specify the quantity of imported catch that was re-exported

¹¹ "Calendar year" refers to the calendar year of the (re-)export date

Calendar Year ¹¹	SBT Re-exported to							
	Country / Fishing Entity 1	:	:	:	:	:	:	:
1995	0							
1996	0							
1997 (1 st quarter)	0							

(b) Describe the system used for controlling and monitoring exports of SBT (including of landings directly from the vessel to the foreign importing port). This should include details of:

- i. Inspections required for export of SBT (including % coverage):-
- ii. Details of genetic testing conducted and any other techniques that are used to verify that SBT are not being exported as a different species:-
- iii. Monitoring systems for recording the quantity of SBT exported:-
- iv. Process for validating¹⁰ and collecting the relevant CCSBT CDS documents (Catch Monitoring Form and depending on circumstances, Catch Tagging Form or Re-export/Export after landing of domestic product Form):-
- v. Reference to applicable legislation and penalties:-
- vi. Other relevant information⁹:-

(7) SBT Imports

(a) Specify the total quantity of SBT (weight in tonnes to 1 decimal place) imported during each of the last 3 full calendar years from each country/fishing entity. All weights provided in this table should be net weights, not whole weights.

Calendar Year ¹¹	SBT Imported from								
	Country / Fishing Entity 1	:	:	:	:	:	:	:	:
1995	0								
1996	0								
1997 (1 st quarter)	0								

(b) Describe the system used for controlling and monitoring imports of SBT. This should include details of:

- i. Rules for designating specific ports for the import of SBT:-
- ii. Inspections required for imports of SBT (including % coverage):-
- iii. Details of genetic testing conducted and any other techniques that are used to verify that SBT are not being imported as a different species:-

- iv. *Process for checking and collecting CCSBT CDS documents (Catch Monitoring Form and depending on circumstances, Re-export/Export after landing of domestic product Form):-*
- v. *Reference to applicable legislation and penalties:-*
- vi. *Other relevant information⁹:-*

(8) SBT Markets

Not applicable

- (a) Describe any activities targeted at points in the supply chain between landing and the market:-*
- (b) Describe the system used for controlling and monitoring of SBT at markets (e.g. voluntary or mandatory requirements for certain documentation and/or presence of tags, and monitoring or audit of compliance with such requirements):-*
- (c) Other relevant information⁹*

(9) Other

Description of any other MCS systems of relevance.

Nothing relevant to report.

III. Additional Reporting Requirements

(1) Coverage and Type of CDS Audit undertaken

As per paragraph 5.9 of the CDS Resolution, specify details on the level of coverage and type of audit undertaken, in accordance with 5.8¹² of the Resolution, and the level of compliance.

An internal assessment has been launched on the trade and intra-EU exchange of SBT following reporting by Global Trade Atlas (GTA) of SBT exchanges within the EU despite no imports/landings. The final conclusions indicate misreporting of species.

(2) Ecologically Related Species

(This information has been more extensively reported in the EU Annual Review of SBT Fisheries for the Extended Scientific Committee)

Indian Ocean (IOTC)

Spanish fleet:

The catches of the by-catch by species since 1993 have been described in several scientific papers previously presented to IOTC and also provided via reports of the National Fishing Authority. Total catch of sharks in 2015 was estimated as 4,143 t, 123 t for billfish, 974 t for tunas and 299 t for other species. Basic statistical tasks and the monitoring of the swordfish fishery as well as some research was conducted to find out which species are captured as by-catch or incidental interactions and their respective catch levels.

Sharks

The profitable use of the different parts of the sharks is regularly better than that most of the teleost species. The sharks (trunks or carcass) with their respective fins naturally attached are retained, frozen and stowed on board and landed for human consumption. By-catch data has been reported for year 2015. Due to the low coverage of these by-catch species it was not feasible to robustly estimate the global catch of those species by area-time stratification.

Seabirds

A total of 45,733 hooks were scientifically observed with an incidental interaction on 4 seabirds in surface longliners during the year 2015.

Marine Turtles

There was scientifically observed incidental interaction on 2 marine turtles in surface longliners on 45,733 hooks observed during the year 2015, all of them were released alive.

Portuguese fleet

Ecosystem and bycatch issues:

All IOTC Resolutions and Recommendations concerning Sharks, Seabirds and Marine Turtles are broadly publicized among fishermen operating in the IOTC

¹² Paragraph 5.8 of the CDS Resolution specifies that "Members and Cooperating Non-Members shall undertake an appropriate level of audit, including inspections of vessels, landings, and where possible markets, to the extent necessary to validate the information contained in the CDS documentation."

convention area. IPMA (Portuguese Research Institute) prepared and distributed among the fleet ID sheets for all major species usually caught in the fishery. These ID sheets include photos, FAO and scientific names for target, by-catch and accidentally species caught (including marine turtles and seabirds). The recently IOTC ID guides translated to Portuguese and/or Spanish have been also made available.

Sharks

Major shark species catches are reported annually. Fishermen are encouraged to release by-catch species that are alive at-haulback, as well as juvenile specimens. EU regulation on shark finning is enforced and no shark finning is taking place onboard Portuguese fishing vessels. Moreover, shark fins are no longer removed from the trunks, as the fleet has no more special permissions. Blue shark belly have been observed as being occasionally used as bait, particularly in areas/seasons when high shark bycatch occur. Accordingly, an increase use of wire traces has also been observed. Since 2013 a strong increase on shark catches was reported in comparison to previous years, due to the overall increase on fishing effort, as several vessels have returned to the Indian Ocean after a few years fishing in the Atlantic.

Seabirds

IOTC recommendations on seabirds have been made available to the fishermen operating with longline gear. Skippers are encouraged to adopt mitigation measures, namely the use of *tori* lines, line weights and to conduct night gear setting with minimum deck lights, when fishing south of 25° South or whenever interaction with seabirds is foreseen. Moreover, within the scope of the EU data collection framework (EU-Portugal mainland component), skippers are encouraged to report the incidental catches of seabirds. The recently IOTC ID guide has not yet been distributed as translations into Portuguese and/or Spanish of these guides are not yet printed and made available. During 2015, no seabirds were accidentally captured in the sets covered by the fishery observer program (Table 19). In 2015 the fishery observer program covered 11.1% of the total fishing effort.

Marine Turtles

Fishermen are encouraged to carefully handle marine turtles accidentally caught, and immediately release them after gear removal. IPMA has provided guidance on how to safely handle and release the turtles, as well as ID guides. During 2015, six sea turtles were accidentally captured in the sets covered by the fishery observer program, and all those sea turtles were released alive. In 2015 the fishery observer program covered 11.1% of the total fishing effort.

Other ecologically related species (e.g. marine mammals, whale sharks)

The accidental catch of other species such as marine mammals and whale sharks are considered extremely rare. Whenever such animals are caught, fishermen are encouraged to immediately and safely release them. In 2015 there was one interaction with a marine mammal in the sets covered by the fishery observer program, which was immediately released alive. In 2015 the fishery observer program covered 11.1% of the total fishing effort.

UK fleet:

Sharks

Shark catches are reported by species and the vessels are encouraged to release bycatch species that are caught alive. In 2010 the UK revoked the finning permits for all vessels and therefore on-board finning is prohibited.

Turtles

No incidental interactions reported in 2016.

Seabirds

No incidental interactions reported in 2016.

Orcas

No incidental interactions reported in 2016.

Atlantic Ocean ICCAT)

Data on interactions with ecologic related species has been provided to ICCAT. During the last ICCAT annual meeting, the compliance of the European Union with regard to the current binding and recommendatory ICCAT measures aimed at the protection of ecologically related species, as well as to the collection and provision of data regarding these species, was found to be satisfactory by the ICCAT Compliance Committee.

Pacific Ocean

Data on interactions with ecologic related species has been provided to WCPFC.

(a) Reporting requirements in relation to implementation of the 2008 ERS

Recommendation:

- i. Specify whether each of the following plans/guidelines have been implemented, and if not, specify the action that has been taken towards implementing each of these plans/guidelines:-*

- *International Plan of Action for Reducing Incidental Catches of Seabirds in Longline Fisheries:*

(For all RFMOs) The EC has adopted in 2012 an Action Plan establishing a management framework to minimise seabird bycatch to as low levels as are practically possible, in line with one of the key objectives of the Common Fisheries Policy (CFP) of moving towards ecosystem management covering all components of the ecosystem including seabirds. This EUPOA is consistent with the framework of an International Plan of Action (IPOA) for reducing the Incidental Catches of Seabirds in Longline Fisheries adopted in 1999 by the FAO.

- *International Plan of Action for the Conservation and Management of Sharks:*

(For all RFMOs) The EC has adopted in 2009 an Action Plan for the conservation and management of sharks aiming at s based on the following three specific objectives: 1) deepen knowledge both on shark fisheries and on shark species and their role in the ecosystem; 2) ensure that directed fisheries for shark are sustainable and that their by-catches are properly regulated; 3) encourage a coherent approach between the internal

and external EC fishery policy for sharks. The EUPOA shark is based on the IPOA SHARKS adopted by the FAO in 1999.

- *FAO Guidelines to reduce sea turtle mortality in fishing operations:*

The EU complies with the conservation and management measure for turtles adopted by IOTC, ICCAT and WCPFC. EU vessels implement appropriate mitigation methods and guidelines.

- ii. *Specify whether all current binding and recommendatory measures¹³ aimed at the protection of ecologically related species¹⁴ from fishing of the following tuna RFMOs are being complied with. If not, specify which measures are not being complied with and the progress that is being made towards compliance:-*

See previous point. The EU complies with referred international plans and FAO guidelines in all referred RFMOs.

- iii. *Specify whether data is being collected and reported on ecologically related species in accordance with the requirements of the following tuna RFMOs. If data are not being collected and reported in accordance with these requirements, specify which measures are not being complied with and the progress that is being made towards compliance:-*

Data has been provided to tuna RFLMOs according to their requirements. Some of this data has already been provided to CCSBT, notably through the annual scientific report.

(b) *Specify the number of observed ERS interactions including mortalities, and describe the methods of scaling used to produce estimates of total mortality (information should be provided by species – including the scientific name – wherever possible¹⁵):*

	Sector 1 (please name)		Sector 2 (please name)	
Most Recent Calendar Year (please specify)				
Total number of hooks (shots for PS)	n.a.		n.a.	
Percentage of hooks (shots) observed	n.a.		n.a.	
	<i>Total number of observed interactions/mortality</i>			
	<i>Interactions</i>	<i>Mortality</i>	<i>Interactions</i>	<i>Mortality</i>
Seabirds				
Sharks				
Sea Turtles				
Previous Calendar Year (please specify)				
Total number of hooks (shots for PS)				
Percentage of hooks (shots) observed				
	<i>Total number of observed interactions/mortality</i>			
	<i>Interactions</i>	<i>Mortality</i>	<i>Interactions</i>	<i>Mortality</i>
Seabirds				
Sharks				
Sea Turtles				

n.a. – No EU fishing vessels targeting or fishing SBT

(c) *Mitigation – describe the current mitigation requirements:*

n.a.

¹³ Relevant measures of these RFMOs can be found at: http://www.ccsbt.org/site/bycatch_mitigation.php.

¹⁴ Including seabirds, sea turtles and sharks.

¹⁵ Where species specific information is available, insert additional line(s) for each species below the relevant Seabird, Sharks, and/or Sea Turtles sub headings.

(d) Monitoring usage of bycatch mitigation measures:

i. Describe the methods being used to monitor compliance with bycatch mitigation measures (e.g. types of port inspections conducted and other monitoring and surveillance programs used to monitor compliance). Include details of the level of coverage (e.g. proportion of vessels inspected each year):

n.a.

ii. Describe the type of information that is collected on mitigation measures as part of compliance programmes for SBT vessels:

n.a.

(3) Historical SBT Catch (retained and non-retained)

Specify the best estimate (weight and number as available) of the historical fishing amounts of SBT for each sector (e.g. commercial longline, commercial purse seine, commercial charter fleet, domestic fleet, recreational) in the table below. The table should include the most recently completed fishing season. Figures should be provided for both retained SBT and non-retained SBT. For longline and recreational, “Retained SBT” includes SBT retained on vessel and “Non-Retained SBT” includes those returned to the water. For farming, “Retained SBT” includes SBT stocked to farming cages and “Non-Retained SBT” includes towing mortalities. If the number of individuals is known but the value in tonnes is unknown, enter the number of individuals in square brackets (e.g. [250]). Table cells should not be left empty. If the value is zero, enter “0”. It is recognised that for some sectors, the information requested in this table may not yet be available. Therefore, if the value is unknown, enter “?”. However, estimates are preferred over unknown entries. Cells containing estimates with a high degree of uncertainty should be shaded in light grey. A description of any estimation methods should be provided below the table.

Fishing Season (e.g. 2011/12)	Retained and Non-Retained SBT					
	Sector 1 Indian Ocean		Sector 2 Atlantic Ocean		Sector 3 West Pacific	
	Retained SBT	Non-Retained SBT	Retained SBT	Non-Retained SBT	Retained SBT	Non-Retained SBT
2012	4	0	0	0	0	0
2013	0	0	0	0	0	0
2014	0	0	0	0	0	0
2015	0	0	0	0	0	0
2016	0	0	0	0	0	0

Fishing Season (e.g. 2011/12)	Retained and Non-Retained SBT					
	Sector 1 Indian Ocean		Sector 2 Atlantic Ocean		Sector 3 West Pacific	
	Retained SBT	Non- Retained SBT	Retained SBT	Non- Retained SBT	Retained SBT	Non- Retained SBT

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53. The action points shown in Table 1 were agreed by Members, noting that within the table, “External” refers to non-Member catches, while “Internal” relates to Members’ attributable catches.

Table 1: Action points in relation to implementing the Attributable SBT Catch.

	External	Internal	ESC work schedule
2015	The EC initiates discussion on the principles and process for taking account of non-member catch in the 2018-20 TAC period. The ESC, CC and Members to undertake analyses to provide estimates of non-member catch. Commission market analyses on significant markets to contribute to estimating non-member catch.	<ol style="list-style-type: none"> 1. Individual Member research on applicable sources of mortality and report back to ESC and CC for discussion and review. 2. Members shall endeavour to set allowances to commence for 2016-17 quota years for all sources of attributable mortality based on best estimates and notify other Members by CCSBT22. If Members can't they will notify CCSBT22 and explain why they are unable to and set a date by which they can set the allowance. 3. The EC initiate discussion and agreement to a process for dealing with attributable catch within the next quota block (2018-20). 	Collation of information on unreported mortalities and categorising this information in accordance with OM “fleets” (ESC19 Report).
2016	The ESC, CC and Members continue analyses to provide estimates of non-member catch. The EC decides on the adjustment to take account of non-member catch in the 2018-20 TAC period.	<ol style="list-style-type: none"> 1. The EC if necessary continue discussion so as to agree on a process for dealing with attributable catch within the next quota block (2018-20). 2. Individual Members continue research on applicable sources of mortality and report back to the ESC and CC for discussion and review. 	ESC scheduled to run MP to recommend TAC for 2018-2020.
2017	The ESC, CC and Members continue analyses to provide estimates of non-member catch.	Individual Members continue research on applicable sources of mortality & report back to the ESC and CC for discussion review.	ESC scheduled to conduct full stock assessment and the first formal review of MP.
2018		Full implementation of the common definition of attributable catch.	

As referred in session I(3), EU SBT catches are duly reported. The EU has reported zero by-catches of SBT in 2014, 2015 and 2016, which reflects mortalities resulting from all EU fishing activities in accordance the implementation of the Attributable SBT Catch.

Attachment B

CCSBT Authorised Vessel Resolution

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

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

As in other RFMOs, CCSBT conservation and management measures (CMMs) will be transposed to the EU legislation. Notwithstanding, before the transposition of the mentioned CMMs and pursuant to Article 216(2) of the Treaty on the Functioning of the European Union (EU), the EU as a Contracting Party to CCSBT is bound to ensure that the measures adopted by the Commission are effectively implemented by EU vessels.

Such international obligations are also binding for EU Member States. They are bound to take the necessary measures to ensure compliance with the provisions of the CCSBT CMMs by their vessels and, as appropriate, their nationals.

Moreover, in accordance with EU legislation, all EU vessels operating within SBT migratory areas are subject to monitoring and control measures to ensure that CCSBT and EU Common Fisheries Policy rules are fully respected. Therefore all measures adopted by the Commission in its previous sessions are implemented by EU vessels operating in SBT migratory areas.