

2012 Annual Report of the European Union to the Compliance Committee and the Extended Commission

(Agreed at the 7th meeting of the Compliance Committee and adopted at the 19th meeting of the Commission)

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 seeks information on a quota year basis. Those Members/CNMs that have not specified a quota year to the CCSBT (i.e. Indonesia, 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 2012, there were no major changes in the way the EU specifically manages its minor by-catches of Southern Bluefin Tuna.

(2) Future planned improvements

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

In the beginning of 2014 the reform of the Common Fisheries Policy (CFP) of the EU will come into effect. Achieving Maximum Sustainable Yield (MSY) will be a guiding principle, based on scientific advice, so that fishing pressure is adjusted to bring exploitation to levels that maximise yields within the boundaries of sustainability. Discarding will gradually be prohibited through an obligation to land all catches and the implementation of more selective fishing practices. The new orientations for the external dimension of reformed CFP intend to project these principles at the international level and to contribute to more responsible international fisheries governance, delivering sustainable exploitation of fish stocks globally.

The EU is constantly working on improving its electronic catch reporting systems, which has been fully operative since 2012, in order to resolve certain aspects of reporting that were not included in the first version of the ERS.

Likewise EU Member States are also working on improving the regulation of all activities by the long-line fleet in all areas.

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.

The following information indicates the number of vessels that were active in the CCSBT Convention Area during the period 2010 – 2012, but these vessels (only longliners) were authorised to fish for tuna and tuna like species including swordfish in the Convention Areas of ICCAT, WCPFC, IATTC and IOTC and did not target SBT. SBT are only caught by EU vessels as unavoidable by-catches and for some fleet segments catches of SBT amount to zero. It is currently being clarified how many EU vessels reported SBT catches, to be reported during the meeting of the Compliance Committee.

Fishing Season	Sector 1 (authorised commercial longliners)	Sector 2 (N/A)	Sector 3 (N/A)
	Number of vessels	Number of vessels	Number of vessels
2010	18 (Portugal), 35 (Spain)		
2011	16 (Portugal), 40 (Spain)		
2013	19 (Portugal), 46 (spain)		

(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 (2012)	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 (authorised commercial longliner)		Sector 2 (N/A)		Sector 3 (N/A)	
			Domestic allocation	Actual Catch Against Allocation	Domestic allocation	Actual Catch Against Allocation	Domestic allocation	Actual Catch Against Allocation
2010	10	0	Given that EU catches of SBT constitute by-catch, there is no domestic quota allocation.	10,8				
2011	10	0	idem	3,3				
2012	10	0	idem	4,04				

Definition of catch: Catches landed by commercial vessels.

(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):

No EU vessels fish directly for SBT. EU legislation prohibits the targeting of SBT and explicitly mentions that the allocated quota of 10 tonnes is to be used exclusively for the counting of by-catch (see Annex IG of Regulation 44/2012 of 17 January 2012 fixing for 2012 the fishing opportunities available in EU waters and, to EU vessels, in certain non-EU waters for certain fish stocks and groups of fish stocks which are subject to international negotiations and agreements <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:025:0055:0147:EN:PDF>)

(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> 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 50kg live-weight equivalent.</p> <p><i>ii. The level of detail recorded (shot by shot, daily aggregate etc):</i> The information recorded in the logbook shall be as follows: (a) the external identification number and the name of the fishing vessel; (b) the FAO alpha-3 code of each species and the relevant geographical area in which the catches were taken; (c) the date of catches; (d) the date of departure from and of arrival to port, and the duration of the fishing trip; (e) the type of gear, mesh size and dimension; (f) the estimated quantities of each species in kilograms live weight or, where appropriate, the number of individuals; (g) the number of fishing operations.</p> <p><i>iii. 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 relevant section of the CCSBT Scientific Research Plan.</p> <p><i>iv. What information on ERS was recorded in logbooks:</i> Masters of EU vessels shall record in the fishing logbook all estimated discards above 50kg of live-weight equivalent in volume for any species.</p> <p><i>v. Who were the log books submitted to¹:</i> Masters of EU fishing vessels shall submit the fishing logbook: (a) to their flag Member State (the government fisheries authority); and (b) if the landing has taken place in a port of another EU Member State, to the competent authorities of the port Member State concerned.</p> <p><i>vi. What was the timeframe and method² for submission:</i> Masters of EU fishing vessels shall submit the fishing logbook information as soon as possible and not later than 48 hours after landing.</p> <p>Concerning the method of submission it shall be by electronic means (VMS) according to the EU "Control Regulation". As from 1 January 2012 the electronic reporting requirement has applied to EU fishing vessels of 12 metres' length overall or more.</p>

¹ 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.

² In particular, whether the information is submitted electronically from the vessel.

	<p>Vessels above 10m but below 12m are obliged to maintain a logbook but can keep it in paper form if they so wish.</p> <p><i>vii. The type of checking and verification that was routinely conducted for this information:-</i> EU Member States' authorities check on a sample basis the logbooks of their flagged vessels against their landings. Also, they run target check when there is a suspicion of fraud or of irregularities. Furthermore, European Commission Inspectors have the right to request inspections and be present together with national authorities whenever they deem it necessary.</p> <p><i>viii. Reference to applicable legislation and penalties:</i> EU Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing" - referred to as the "<u>IUU Regulation</u>": http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:286:0001:0032:EN:PDF</p> <p>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 – referred to as the "<u>Control Regulation</u>": http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:343:0001:0050:EN:PDF</p> <p>EU Regulation (EU) No 404/2011 of 8 April 2011 laying down detailed rules for the implementation of Council Regulation (EC) No 1224/2009 establishing a Community control system for ensuring compliance with the rules of the Common Fisheries Policy (http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:112:0001:0153:EN:PDF)</p> <p>Penalties to non-complying vessels are applied by EU Member States according to their national legislation and as such are not directly imposed by the European Union.</p> <p>As mentioned in the EU's Compliance Action Plan in 2012, as from 2012, EU Member States introduced a point system for serious infringements on the basis of a list of serious infringements of the rules of the Common Fisheries Policy established at EU level to harmonize the way infringements are sanctioned.</p> <p>The serious infringements include:</p> <p>Article 90(1) of EU Regulation (EC) No 1224/2009:</p> <ul style="list-style-type: none"> - the non-transmission of a landing declaration or a sales note when the landing of the catch has taken place in the port of a third country; - the manipulation of an engine with the aim of increasing its power beyond the maximum continuous engine power according to the engine certificate; - the failure to land any species subject to a quota caught during a fishing operation, unless such landing would be contrary to obligations provided for in
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³ Including information on ERS, and comments on the effectiveness of the controls or monitoring tools and any plans for further improvement.

	<p>the rules of the common fisheries policy in fisheries or fishing zones where such rules apply.</p> <p>Article 42 of EU Regulation (EC) No. 1005/2008:</p> <ul style="list-style-type: none"> - activities considered to constitute IUU fishing - the conduct of business directly connected to IUU fishing, including the trade in/or the importation of fishery products; - the falsification of documents referred to in this Regulation or the use of such false or invalid documents. <p>Under the point system, national authorities of EU Member States 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 penalty 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 when a pre-set number of points have been accumulated in a 3-year period. <p>Points are attributed to the fishing license that is linked to a vessel, so they will stay 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 will also be required to establish a point system for masters of fishing vessels. The point system does not introduce new sanctions and 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><i>ix. Other relevant information³:</i> See under point Section III as regards ERS.</p>
<p><i>Additional reporting methods (such as real time monitoring programs)</i></p>	<p>No additional reporting methods for EU vessels are in force for SBT, recalling that EU legislation prohibits the targeting of SBT.</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: N/A</i> <i>ii. The information that was recorded (including whether it relates to SBT or ERS): N/A</i> <i>iii. Who the reports were submitted to and by whom (e.g. Vessel Master, the Fishing Company etc)¹: N/A</i> <i>iv. What was the timeframe and method² for submission: N/A</i> <i>v. The type of checking and verification that was routinely conducted for this information: N/A</i> <i>vi. Reference to applicable legislation and penalties: N/A</i> <i>vii. Other relevant information³: N/A</i>
<p><i>Scientific Observers</i></p>	<p>In the CCSBT Scientific Observer Program Standards the coverage of the</p>

program is indicated in point 4 as 'the fishing activity of CCSBT members and cooperating non-members where ever southern Bluefin tuna are targeted or are a significant by-catch'. The EU fleet does not target SBT, and the EU considers that a by-catch of approximately 3 tonnes or less of SBT cannot be considered as significant. There is therefore no specific observer programme for the CCSBT area, but EU vessels are required to comply with the observer programmes established by the IOTC, ICCAT and WCPFC. EU long liners active in the three relevant RFMOs have complied with the respective observer programmes and implementing reports and activities have been reported separately to those RFMOs or through the Scientific Committees. In IOTC, ICCAT and WCPFC the minimum observer requirements are fixed at 5%, which in some cases is exceeded by EU vessels.

Specify:

- 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:-

Fishing Season (e.g. 2011/12)	Sector 1			Sector 2			Sector 3		
	% effort obs.	% catch obs.	Obs. days deployed	% effort obs.	% catch obs.	Obs. days deployed	% effort obs.	% catch obs.	Obs. days deployed
N/A									
N/A									
N/A									

- ii. The system used for comparisons between observer data and other catch monitoring data in order to verify the catch data: N/A
- 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: N/A
- iv. What information on ERS was recorded by observers: N/A
- v. Who were the observer reports submitted to: N/A
- vi. Timeframe for submission of observer reports: N/A
- vii. Other relevant information (including plans for further improvement – in particular to reach coverage of 10% of the effort): N/A

VMS

The items of "ii" are required in association with the Resolution on establishing the CCSBT Vessel Monitoring System

Specify:

- 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:

According to EU Regulation (EU) No 404/2011 of 8 April 2011 laying down detailed rules for the implementation of Council Regulation (EC) No 1224/2009 establishing a Community control system for ensuring compliance with the rules of the Common Fisheries Policy (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:112:0001:0153:EN:PDF>) fishing vessels of 12 meters overall or more are obliged to carry VMS. An EU fishing vessel is not allowed to leave port without an operational satellite tracking device installed on board.

The satellite-tracking device installed on board EU fishing vessels shall ensure the automatic transmission to the Fisheries Monitoring Centre (FMC) of the flag EU Member State, at regular intervals, of data relating to:

- (a) the fishing vessel identification;
- (b) the most recent geographical position of the fishing vessel, with a position error which shall be less than 500 metres, with a confidence interval of 99 %;
- (c) the date and time (expressed in Coordinated Universal Time (UTC)) of the fixing of the said position of the fishing vessel; and
- (d) the instant speed and course of the fishing vessel.

2. Member States shall ensure that satellite-tracking devices are protected against input or output of false positions and cannot be manually over-ridden.

The EU is a Contracting Party to WCPFC, IOTC, CCAMLR and ICCAT and EU vessels fishing in the Convention Areas of the respective RFMOs comply with the applicable VMS provisions.

ii. *For the most recently completed fishing season, specify:*

- *The number of its flag vessels on the CCSBT Authorised Vessel List that were required to report to a National VMS system:*

All EU vessels on the CCSBT Authorised Vessel List are required to report to the Fisheries Monitoring Centre (FMC) of the flag EU Member State.

- *The number of its flag vessels on the CCSBT Authorised Vessel List that actually reported to a National VMS system:*

All EU vessels on the CCSBT Authorised Vessel List are required to report to the Fisheries Monitoring Centre (FMC) of the flag EU Member State.

- *Reasons for any non-compliance with VMS requirements and action taken by the Member:*

There have been no cases of non-compliance.

- *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:*

In the event of a technical failure or non-functioning of the satellite-tracking device fitted on board an EU fishing vessel, the master or his 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 EU Member State the up-to-date geographical coordinates of the fishing vessel by appropriate telecommunication means.

The FMC of the flag EU Member State shall enter the geographical positions into the VMS database without delay on their receipt. The manual VMS data shall be

	<p>clearly distinguishable in a database from automatic messages. Where appropriate, those manual VMS data shall be transmitted without delay to coastal Member States.</p> <p>Following a technical failure or non-functioning of the satellite-tracking device, an EU fishing vessel may only leave port once the satellite-tracking device fitted on board is fully functioning to the satisfaction of the competent authorities of the flag state. By derogation the FMC of the flag EU Member State may authorise its fishing vessels to leave the port with a non- functioning satellite-tracking device for its repair or replacement.</p> <p>The competent authorities of the flag EU Member State or, where appropriate, of the coastal Member State shall seek to inform the master of or the person responsible for the vessel or their representative when the satellite-tracking device fitted on board a EU fishing vessel appears to be defective or not fully functioning.</p> <p>The removal of the satellite-tracking device for repair or replacement shall be subject to the approval of the competent authorities of the flag EU Member State.</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 point 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>No investigations were initiated.</p> <p><i>iii. Reference to applicable legislation and penalties:</i></p> <p>See above under this point as well as under Section II, point 1(d), viii.</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>Zero %. The amounts of SBT caught as by-catch are not statistically significant.</p> <p><i>ii. Other relevant information³:</i> None</p>
<p><i>Other (use of masthead cameras etc.)</i></p>	<p>N/A</p>

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

The EU fleet does not target SBT, therefore it does not tow or transfer SBT to farms. No EU farms fatten SBT.

(a) 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): **N/A**
- ii. Monitoring systems for recording losses of SBT (in particular, SBT mortality): **N/A**

(b) 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): **N/A**
- ii. Monitoring system used for recording the quantity of SBT transferred: **N/A**
- iii. Plans to allow adoption of the stereo video systems for ongoing monitoring: **N/A**

(c) For "a" and "b" above, describe the process used for completing, validating⁴ and collecting the relevant CCSBT CDS documents (Farm Stocking Form, Farm Transfer Form): **N/A**

(d) Other relevant information³
None.

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

Transshipments at sea are regulated under EU law.

Article 20 of the EU "Control Regulation" foresees that:

Transshipments at sea shall be prohibited in EU waters. They shall be allowed only subject to an authorisation and to the conditions laid down in this Regulation in ports or places close to the shore of Member States designated for this purpose, and in accordance with the conditions laid down in Article 43(5) (conditions for determining a designated port).

Article 4(3) and (4) of the EU IUU Regulation states that:

"3. Transshipments between third country fishing vessels or between the latter and fishing vessels flying the flag of a Member State shall be prohibited in EU waters and shall take place only in port, in accordance with the provisions of this Chapter.

4. Fishing vessels flying the flag of a Member State shall not be authorised to tranship at sea catches from third country fishing vessels outside EU waters unless the fishing vessels are registered as carrier vessels under the auspices of a regional fisheries management organisation."

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

- i. The quantities of SBT transhipped during the previous fishing season:

Fishing Season 2012	Percentage of the annual SBT catch transhipped at sea	Percentage of the annual SBT catch transhipped in port
0t	0%	0%

⁴ Including the class of person who conducts this work (e.g. government official, authorised third party)

- ii. *The list of the LSTLVs registered in the CCSBT Authorised Vessel List which have transhipped at sea during the previous fishing season:*

No EU vessels transhipped SBT at sea 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 transhipment from their LSTLVs:*

No EU vessels transhipped SBT at sea during the previous fishing season.

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

- i. *Rules for and names of designated foreign ports of transhipment for SBT and for prohibition of transhipment at other foreign ports:*

No EU vessels transhipped SBT in port during the previous fishing season. No foreign ports have been designated for transhipment of SBT. It is recalled that that EU legislation prohibits the targeting of SBT.

- ii. *Port State inspections required for transhipments of SBT (include % coverage):*

No EU vessels transhipped SBT in port during the previous fishing season. It is recalled that that EU legislation prohibits the targeting of SBT.

- iii. *Information sharing with designated port states: N/A*

- iv. *Monitoring systems for recording the quantity of SBT transhipped: N/A*

- v. *Process for validating⁴ and collecting the relevant CCSBT CDS documents (Catch Monitoring Form, Catch Tagging Form):*

See Section III.

- vi. *Reference to applicable legislation and penalties: See above under Section II, point 1(d), viii.*

- vii. *Other relevant information³: None*

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

See above under this point. No EU vessels transhipped SBT at sea during the previous fishing season. It is recalled that that EU legislation prohibits the targeting of SBT.

- 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: N/A*

- ii. *Monitoring systems for recording the quantity of SBT transhipped: N/A*

- iii. *Process for collecting the relevant CCSBT CDS documents (Catch Monitoring Form, Catch Tagging Form): See Section III.*

- iv. *Reference to applicable legislation and penalties: See above under Section II, point 1, viii.*

- v. *Other relevant information³: None*

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

(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:

The quantities of SBT caught by EU vessels are unavoidable minor by-catches. The EU has not put in place a separate system specifically aimed at monitoring catches of SBT as EU legislation prohibits the targeting of SBT. Nevertheless, several mechanisms have been put in place to help the crew identify the different tuna species, urging that all catches of SBT are recorded properly.

- i. Rules for designated ports of landing of SBT: N/A
- ii. Inspections required for landings of SBT (including % coverage): N/A
- iii. Monitoring systems for recording the quantity of SBT landed: N/A
- iv. Process for validating⁴ and collecting the relevant CCSBT CDS documents (Catch Monitoring Form, and depending on circumstances, Catch Tagging Form): See Section III.
- v. Reference to applicable legislation and penalties: See above under Section II, point 1(d), viii.
- vi. Other relevant information³: None

(5) SBT Exports

(a) Specify the quantity of the domestic catch that was exported and provide an estimate of the total quantity of the domestic SBT catch (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 fishing seasons to each country/fishing entity.

The small amount of EU SBT by-catches is either consumed by the vessel crew or given to local workers in the port of landing that assist with off-loading the vessel. By-catches of SBT taken in the WCPFC Convention Area are off-loaded in Papeete (Tahiti), and by-catches taken in the IOTC Convention Area are off-loaded in Durban (South Africa). EU SBT by-catches therefore never enter any commercial channels, for which reason the catch documentation is not filled in or the specimen of SBT are not tagged.

Fishing Season	Estimate of retained within the country/fishing entity (Domestic catch-Export) Consumption	SBT Exported to							
		Country / Fishing Entity 1	:	:	:	:	:	:	:
2010	0%								
2011	0%								
2012	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): N/A

- ii. *Monitoring systems for recording the quantity of SBT exported:* N/A
- iii. *Process for validating⁴ 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):* See Section III.
- iv. *Reference to applicable legislation and penalties:* See above under Section II, point 1, viii.
- v. *Other relevant information³:* None

(6) SBT Imports

(a) *Specify the total quantity of SBT (in tonnes to 1 decimal place) imported during each of the last 3 fishing seasons from each country/fishing entity.*

Fishing Season (e.g. 2011/12)	SBT Imported from								
	Country / Fishing Entity 1	Australia	Indonesia	:	:	:	:	:	:
2010		9,6 tonnes fresh	0						
2011		1,6 tonnes fresh	1 tonne frozen						
2012*		2 tonnes fresh	0						

*Provisional data.

- (b) *Describe the system used for controlling and monitoring imports of SBT. This should include details of:*
- i. *Rules for designated ports for import of SBT:* The EU is currently collecting data from Member States about imports of SBT in order to be able to undertake an audit of the system used for controlling and monitoring imports of SBT, and to clarify any shortcomings in the system.
 - ii. *Inspections required for import of SBT (including % coverage):* Idem
 - iii. *Process for checking and collecting CCSBT CDS documents (Catch Monitoring Form and depending on circumstances, Re-export/Export after landing of domestic product Form):* Idem
 - iv. *Reference to applicable legislation and penalties:* Idem
 - v. *Other relevant information³:* Idem

(7) SBT Markets

(a) *Describe any activities targeted at points in the supply chain between landing and the market:*

Not relevant for the EU.

(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):*

Not relevant for the EU.

(c) Other relevant information³

None

(8) Other

Description of any other MCS systems of relevance.

None.

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 5.8⁵ of the Resolution, and the level of compliance.

The small amount of EU SBT by-catches is either consumed by the vessel crew or given to local workers in the port of landing that assist with off-loading the vessel. By-catches of SBT taken in the WCPFC Convention Area are off-loaded in Papeete (Tahiti), and by-catches taken in the IOTC Convention Area are off-loaded in Durban (South Africa). EU SBT by-catches therefore never enter any commercial channels, for which reason the catch documentation is not filled in or the specimen of SBT are not tagged.

(2) Ecologically Related Species

(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:*

On 16 November 2012, the European Commission adopted an EU Plan of Action (EU-PoA) for reducing incidental catches of seabirds in fishing gears: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2012:0665:FIN:EN:PDF>

The Action Plan in this EU-PoA seeks to provide a management framework to minimise seabird by-catch to as low levels as are practically possible. This is in line with the objectives of the reformed EU Common Fisheries Policy (CFP) of moving towards ecosystem management covering all components of the ecosystem including seabirds. It is also 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 UN Food and Agriculture Organisation (FAO) Committee on Fisheries (COFI) and follows FAO Best Practice Technical Guidelines drawn up in 2008.

The plan's 30 recommended actions are a combination of binding and non-binding measures. Specific short-term actions include:

- more rapid implementation of fisheries management measures to protect seabirds within Special Protection Areas (SPAs) designated under the EU Birds Directive;
- undertaking more extensive monitoring of fisheries where information on seabird by-catch is lacking or uncertain;
- implementing proven mitigation measures (such as the use of bird-scaring lines and acoustic deterrents or the use of weighted lines) in long line fisheries in EU and non-EU waters where by-catch is highest;
- instigating research into the development of practical and efficient mitigation measures particularly in static net fisheries.

In the longer-term, the goal is to incorporate the mitigation and monitoring elements into the new frameworks for technical measures and data collection being developed in the context of the reformed EU Common Fisheries Policy and provide necessary funding to support this under the European Maritime and Fisheries Fund.

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

⁵ 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."

The conservation of sharks and rays is addressed within the framework of the EU Plan of Action (EU-PoA) adopted by the European Commission in February 2009: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2009:0040:FIN:EN:PDF>

The scope of the EU-PoA for Sharks covers directed commercial, by-catch commercial, directed recreational, and by-catch recreational fishing of any chondrichthyans within European Union waters. It also includes any fisheries covered by current and potential agreements and partnerships between the European Union and third countries, as well as fisheries in the high seas and fisheries covered by RFMOs managing or issuing non-binding recommendations outside European Union waters. The EU-PoA identifies the measures deemed necessary both at EU level (TACs, technical measures, effort and capacity limits) and under international management regimes (measures taken in the framework of RFMOs, CITES, CMS and the Barcelona Convention). A wide range of measures for shark management were already in place in the EU before the adoption of the EU-PoA and the implementation of the EU-PoA is progressing well.

Following the adoption of the EU-PoA the EU has actively participated to the negotiations of an instrument on the conservation of migratory sharks under the aegis of the Convention on the Conservation of Migratory Species (CMS), which led to the adoption in February 2010 of a Memorandum of Understanding on the conservation of migratory sharks. The EU signed the Sharks MoU in November 2011 and participated actively in the first meeting of signatories, which took place in Bonn, Germany, on 24 – 27 September 2012. It also presented a proposal at CITES CoP 16, which took place in Bangkok on 3 – 15 March 2013, to list porbeagle in Appendix II of CITES.

In the EU-PoA, the EU emphasizes the need to support the work of the RFMOs and strengthen the RFMOs that are in place. These orientations are confirmed by the European Commission Communication on the External Dimension of the Common Fisheries Policy.

On 16 July 2013, the European Commission published a report on the provision of scientific advice for the purpose of the further implementation of the EU-PoA on sharks: http://ec.europa.eu/fisheries/documentation/studies/sharks/index_en.htm. The objective of the project behind the report was to obtain scientific advice for the purpose of implementing the EU-PoA on sharks as regards the facilitation of monitoring fisheries and shark stock assessment on a species-specific level in the high seas. The study focused on major elasmobranch species caught by both artisanal and industrial large pelagic fisheries on the High Seas of the Atlantic, Indian and Pacific area, which are currently monitored and potentially managed by respective Tuna RFMOs. Specifically, firstly the study aims to collate and estimate historical fisheries data especially on species composition of catches, catches and effort, size frequencies in order to identify the gaps in the current availability of fishery statistics as well current knowledge biology and ecology of sharks that should be filled in order to support the scientific advice provided to RFMOs on sustainable management of elasmobranch fisheries. Secondly, the project behind the report aimed to review and prioritise the gaps identified to develop a research program to fill those gaps in support for the formulation of scientific advice for management of sharks.

Furthermore, with funding from among other the 7th European Framework Programme for Research, the MADE project, a European research project, aimed at proposing measures to mitigate impacts of fisheries targeting large pelagic fish in the open ocean. Focusing on

tropical tuna purse seiners using fish aggregating devices and pelagic long liners, the goal was to develop appropriate knowledge on the behavioural ecology of species as well as on the fisheries themselves:

http://www.made-project.eu/index.php?option=com_content&view=frontpage&Itemid=1#

Finally, on 6 July 2013, Regulation (EU) No 605/2013 of the European Parliament and of the Council of 12 June 2013 amending Council Regulation (EC) No 1185/2003 on the removal of fins of sharks on board vessels, entered into force. EU operators are now obliged to land all sharks with their fins attached. The practice of "shark finning" has been prohibited on EU fishing vessels since 2003. However, a derogation allowed special fishing permits to be issued for on-board processing, whereby shark fins could be removed from the carcasses (with the fins and the remainder of the shark being landed together or separately). While the practice of shark finning was forbidden in EU waters and on EU vessels, the fact that on-board processing was still possible, cast doubts on the effectiveness of controls, which rely on carcass-to-fin weight ratios, and hindered improved landing statistics, the latter being necessary to allow for science-based management of shark species.

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

The FAO Guidelines are implemented by the EU through relevant RFMO measures.

In IOTC the EU tabled a proposal in 2013 to include in the IOTC mandatory reporting requirements, information on catches of marine turtles for long line gear, which was adopted. The EU also presented the attached good practice guide on how to deal with by-catches of sea turtles.



GuideBonnesPratique
s_Panneau tortue.pdf

In WCPFC the EU presented the attached report on the implementation of the FAO Guidelines:



Report on progress
of implementation of

In IATTC the EU implements the following measure:

Resolution C-07-03 (<http://www.iattc.org/pdf/files2/resolutions/c-07-03-sea-turtles.pdf>)

In ICCAT EU implements Recommendation 10-09 on the by-catch of sea turtles in ICCAT fisheries: <http://www.iccat.int/Documents/Recs/compendiopdf-e/2010-09-e.pdf>

- ii. *Specify whether all current binding and recommendatory measures⁶ aimed at the protection of ecologically related species⁷ 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:*
 - *IOTC, when fishing within IOTC's Convention Area:*

⁶ Relevant measures of these RFMOs can be found at: http://www.ccsbt.org/site/bycatch_mitigation.php.

⁷ Including seabirds, sea turtles and sharks.

All current binding and recommendatory measures are complied with.

IOTC Resolution 10/06 on reducing the incidental by-catch of seabirds in Longline Fisheries

For the majority of the EU long-liners fishing permits are only issued to vessels having reported information on seabirds encounters and measures taken to reduce incidental encounters. For some other vessels, scientific observers have also supported masters to implement this Resolution, including the introduction of self-sampling schemes.

EU scientists have provided important information to the IOTC Scientific Committee (including the EU annual scientific report) on seabirds' data, protective measures and research undertaken.

- *WCPFC, when fishing within WCPFC's Convention Area: All current binding and recommendatory measures are complied with.*
 - *ICCAT, when fishing within ICCAT's Convention Area: All current binding and recommendatory measures are complied with.*
- 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:*
- *CCSBT⁸: The EU fleet's interactions with ecologically related species does not relate to targeted SBT fisheries, but occur when fishing for the species managed by the IOTC, ICCAT or WCPFC.*
 - *IOTC, for fishing within IOTC's Convention Area: Data is being collected and reported on ecologically related species in accordance with the requirements of IOTC.*
 - *WCPFC, for fishing within WCPFC's Convention Area: Data is being collected and reported on ecologically related species in accordance with the requirements of WCPFC.*
 - *ICCAT, for fishing within ICCAT's Convention Area: Data is being collected and reported on ecologically related species in accordance with the requirements of ICCAT.*

(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 possible⁹):

The EU fleet's interactions with ecologically related species does not relate to targeted SBT fisheries, but occur when fishing for the species managed by the IOTC, ICCAT or WCPFC.

⁸ Current CCSBT requirements are those in the Scientific Observer Program Standards and those necessary for completing the template for the annual report to the ERSWG.

⁹ Where species specific information is available, insert additional line(s) for each species below the relevant Seabird, Sharks, and/or Sea Turtles sub headings.

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

(c) Mitigation – describe the current mitigation requirements:

(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 (Authorised commercial long liner)		Sector 2 (please name)		Sector 3 (please name)	
	Retained SBT	Non-Retained SBT	Retained SBT	Non-Retained SBT	Retained SBT	Non-Retained SBT
2003	3,5 t	0				
2004	1 t	0				
2005	2,6 t	0				
2006	3,4 t	0				
2007	18,1 t	0				
2008	14,3 t	0				
2009	1,68 t	0				
2010	10,8 t	0				
2011	3,3 t	0				
2012	4,04 t	0				

Fishing Season <i>(e.g. 2011/12)</i>	Retained and Non-Retained SBT					
	<i>Sector 1</i> <i>(Authorised commercial long liner)</i>		<i>Sector 2</i> <i>(please name)</i>		<i>Sector 3</i> <i>(please name)</i>	
	Retained SBT	Non-Retained SBT	Retained SBT	Non-Retained SBT	Retained SBT	Non-Retained SBT