

Resolution on the CCSBT Vessel Monitoring System (VMS)

(adopted at the Twenty-Fourth Annual Meeting: 12 October 2017)

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

Recalling that, at its thirteenth annual meeting, the Extended Commission Members and Cooperating Non-Members (CNMs) agreed the “Resolution on the development and implementation of a Vessel Monitoring System” (2006), and at its fifteenth annual meeting also agreed the “Resolution on establishing the CCSBT Vessel Monitoring System” (2008);

Recognising the need for monitoring, control and surveillance measures to apply to all sectors of the global Southern Bluefin Tuna (SBT) fishery;

Recognising the importance of these Vessel Monitoring Systems as an integral part of an effective monitoring, control and surveillance regime for the southern bluefin tuna fishery, in particular to ensure the long-term sustainability of the stock;

Mindful that a Vessel Monitoring System was identified as one of the important monitoring, control and surveillance measures to deter illegal, unreported and unregulated fishing in the Course of Actions adopted at the Kobe Joint Meeting of Tuna Regional Fisheries Management Organisations (tRFMOs) in January 2007;

Recognising the need to stipulate minimum standards for the Vessel Monitoring Systems;

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

1. The Members and Cooperating Non-Members (CNMs) of the Extended Commission shall adopt and implement satellite-linked Vessel Monitoring Systems (VMS) for vessels flying their flag fishing¹ for or taking SBT on the following basis:
 - a. for such vessels fishing in the IOTC Convention Area, in accordance with IOTC, “Resolution 15/03 on the Vessel Monitoring System (VMS) Programme” (including Annex 1 to that Resolution);
 - b. for such vessels fishing in the WCPFC Convention Area, in accordance with WCPFC Conservation and Management Measure 2014-02, “Commission Vessel Monitoring System” (including Annex 1 to that Measure);

¹ As described in Article 2(b) of the CCSBT Convention, "fishing" means:

(i) the catching, taking or harvesting of fish, or any other activity which can reasonably be expected to result in the catching, taking or harvesting of fish; or

(ii) any operation at sea in preparation for or in direct support of any activity described in sub-paragraph (i) above.

- c. for such vessels fishing in the CCAMLR Convention Area, in accordance with CCAMLR Conservation Measure 10-04 (2015), “Automated Satellite-Linked Vessel Monitoring System (VMS)” (including Annexes 10-04/A, 10-04/B and 10-04/C to that Measure);
 - d. for such vessels fishing in the ICCAT Convention Area, in accordance with ICCAT Recommendation 14-09, “Recommendation by ICCAT concerning Minimum Standards for the Establishment of a Vessel Monitoring System in the ICCAT Convention Area”; and
 - e. for such vessels fishing in any other high seas area outside the IOTC, WCPFC, CCAMLR, and ICCAT Convention Areas, in accordance with IOTC, “Resolution 15/03 on the Vessel Monitoring System (VMS) Programme” (including Annex 1 to that Resolution).
2. The application of the VMS provided for in paragraph 1(a-e) shall be consistent with any modifications to those VMS requirements that may be adopted by those respective Commissions.
3. Members and Cooperating Non-Members shall implement a mandatory Vessel Monitoring System for vessels fishing for or taking SBT inside any Exclusive Economic Zones not included in paragraph 1 in accordance with each Member’s/CNM’s respective legislation.
4. The Vessel Monitoring Systems shall include at least the following elements:
 - a. Flag States/fishing entities shall monitor and manage their vessels equipped with vessel monitoring devices.
 - b. The data specified in paragraph 4d shall be transmitted to the relevant national and regional authorities at least once every 4 hours.
 - c. The flag State/Fishing Entity may only authorise the Automatic Location Communicator (ALC) to be switched off when the vessel is in port and when the Port State has been notified.
 - d. The data to be collected and transmitted shall include: the vessel identification; its geographical position; and the date and time.
 - e. Vessel monitoring devices shall be tamper-resistant and located in a sealed unit with official seals that indicate whether the unit has been accessed or tampered with.
 - f. In the event of a technical failure of the device, the master or owner of a vessel shall be required to report to the flag State/fishing entity, at a frequency that allows the fishing activity of a vessel to be identified, the vessel’s identification, its geographical position, and the date and time.

5.
 - a. The Members and CNMs of the Extended Commission shall provide VMS summary reports annually in advance of the Compliance Committee meeting and in the format approved by the Commission.²
 - b. In relation to incidents concerning specific vessel(s) when the vessel(s) are suspected to have operated in contravention of CCSBT conservation and management measures, Members and CNMs of the Extended Commission may request another Member and CNM of the Extended Commission which is the flag State/fishing entity of the vessel(s) to provide VMS data on the vessel(s) on a case by case basis. The Member and CNM which receives such a request shall:
 - (i) investigate the incidents and provide details of the investigation to the Member or CNM which requested VMS data; or
 - (ii) provide VMS data on the vessel(s) to the requesting Member or CNM, which will inform the results of its investigation to the Members or CNM which is the flag State/fishing entity of the vessel(s).
6. The Extended Commission agrees to adopt the confidentiality and security provisions attached in Annex I in relation to the information provided pursuant to paragraph 5(b).
7. With the assistance of the Secretariat, the Compliance Committee shall review and report to the Compliance Committee in 2018 or 2019 on the implementation of this Resolution and any possible measures to improve its effectiveness as a component of the monitoring, control and surveillance regime for the SBT fishery. Such a review shall take account of any developments by other RFMOs, including development of a harmonised VMS across tuna RFMOs.
8. The VMS shall not derogate from the rights and responsibilities of flag States/fishing entities.
9. This Resolution replaces and supersedes the two CCSBT Resolutions, the “Resolution on the development and implementation of a Vessel Monitoring System” (2006), and the “Resolution on establishing the CCSBT Vessel Monitoring System” (2008).

² These summary reports should be provided in accordance with the [Template for the Annual Report to the Compliance Committee and Extended Commission](#).

Annex I – Confidentiality, Use and Security of VMS Data

Confidentiality and use of VMS Data

1. VMS data shall be confidential and may only be provided or used as permitted by this Resolution.
2. Members and CNMs of the Extended Commission which receive VMS data from another Member or CNM of the Extended Commission shall maintain the confidentiality of those data and shall not use the data except as specified in the Resolution. In particular, Members and CNMs of the Extended Commission which receive VMS data may only provide those data to representatives and officials of the Member or CNM for the purposes outlined in paragraph 3 of this Annex.
3. Members and CNMs of the Extended Commission may only use those VMS data to monitor compliance with CCSBT conservation and management measures.

Information technology security

4. Members and CNMs of the Extended Commission which receive VMS data shall adopt secure information technology systems to ensure that the confidentiality of VMS data is maintained.

VMS Data Confidentiality Policies

5. Members and CNMs of the Extended Commission which propose to request VMS data shall prepare a VMS Data Confidentiality Policy and provide that Policy to the Secretariat and all other Members and CNMs of the Extended Commission. The VMS Data Confidentiality Policy shall outline all measures which the Member and CNMs of the Extended Commission proposes to implement to ensure it complies with the requirements in Annex I of this Resolution.