

Commission for the Conservation of
Southern Bluefin Tuna



みなまぐろ保存委員会

Report of the First Meeting of the Compliance Committee Working Group

**15 – 18 April 2007
Canberra, Australia**

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Agenda Item 1. Opening of meeting

1.1 Welcome

1. The meeting was opened by the Chair of the Compliance Committee, Mr Wood, who welcomed participants.

1.2 Introduction of Member representatives

2. Participants were introduced. The list of participants is shown in **Attachment 1**.

1.3 Adoption of agenda

3. A modified agenda was adopted as in **Attachment 2**.

1.4 Meeting arrangements

4. The Executive Secretary described the arrangements for the meeting.
5. The agreed document list is shown in **Attachment 3**.

1.5 Opening statements

6. Opening statements from Members are provided at **Attachment 4**.

Agenda Item 2. Implementation of Adopted Measures

2.1 Catch documentation scheme

7. The Secretariat presented its paper CCSBT-CC/0704/04, regarding a CCSBT Catch Documentation Scheme (CDS) that was compiled based on the CDS resolution from CCSBT 13 and comments from Members on a first draft of the paper.
8. The meeting discussed most parts of the Secretariat's paper. Many issues were identified that required further discussion. In particular:
 - Japan and Taiwan believed that an electronic CDS (e-CDS) was not practical for their circumstances, and expressed concerns about difficulties with an e-CDS in situations where the e-CDS server was "down";
 - It was considered necessary to record the catch from the purse seine fishery on a Catch document, not the Farm document as described in the Secretariat's paper.

9. At the request of the meeting, the Secretariat prepared a flow chart that described how the CDS tracks SBT within the Secretariat's paper. The flow chart was modified to account for the request to incorporate the purse seine fishery's catch in a Catch document and is shown at **Attachment 5**.
10. The issue of conventional versus machine readable tags was discussed, with Australia expressing a strong preference for machine readable tags and Japan advising that machine readable tags could not be used at this stage by Japanese agencies responsible for SBT imports and fishery monitoring because the agencies had practical concerns on machine readable tags. Australia clarified that machine readable tags were not electronic devices, but could simply be paper tags with bar code symbology and they would also include a number that could be read manually.
11. To aid discussion and development of a CDS by the meeting, Australia developed a detailed draft resolution for a CCSBT Catch Documentation Scheme and Tagging System. Australia's draft resolution is at **Attachment 6**. It builds on the concepts provided in the Secretariat's paper and takes account of some of the earlier discussion by the meeting on a CDS and binding agreements in relation to CDS agreed at CCSBT 13.
12. The meeting expressed its appreciation for Australia's efforts, the results of which resulted in discussion on a number of additional issues.
13. It was noted that any requirement for official validation of transshipments at sea would probably need to be met by using transshipment observers for that purpose and that this would not be achievable until transshipment observer programs were in place. Taiwan also considered that validation of transshipments was not practical.
14. Japan and Taiwan advised that imported SBT without TIS/CDS documentation could not be seized and could only be rejected.
15. New Zealand expressed concern that Australia's draft CDS resolution involved collection of catch and effort data at frequent intervals, which would result in a proliferation of paper work for the Secretariat as well as duplicating Member's own data collection systems. The proposed data collection timeframes for the CDS were shorter than in New Zealand's domestic requirements so that its own data collection systems could not be used to supply the proposed CDS data. Taiwan also questioned whether it was necessary for information for the CDS to be provided in real-time.
16. Taiwan suggested that the current CCSBT TIS should be used as a base for the CDS by adding a requirement that landings for domestic consumption to be recorded in the TIS to overcome the current gap in the catch information collected by the TIS. Taiwan believed that the CDS should be developed in a step wise approach by expanding the TIS, and then considering tagging in moving to a full CDS.
17. New Zealand raised the conceptual issues behind the decisions needing to be made on the CDS. New Zealand considered that the use of a tag to provide a simple tracking system for the CDS, together with the principle that SBT without a tag was unlawful was a valuable CDS tool. This was not achieved by a simple expansion of the TIS.

18. Japan remarked that it already had a practical and alternative CDS and tagging scheme and offered to provide a paper after the meeting that describes what Japan was doing. Taiwan requested that Japan develop a realistic approach for longline fisheries that was combined with TIS documentation. Japan agreed to develop a document as soon as possible.
19. Members generally agreed that each fish should be documented, not that there should be a single document for each fish. Hence, it would be acceptable to have a consignment that contained a document together with a list of tagged fish.
20. New Zealand remarked that there was potential to modify the existing CCSBT TIS form to track the transfer and trade of SBT so as to meet the requirements of the CDS resolution adopted at CCSBT 13. It noted that building on the TIS as suggested by Taiwan would have the advantage of enabling existing systems (such as databases) to be modified for use rather than requiring development of completely new systems. Modifying the TIS also lends itself to phased developments where certain elements could be developed earlier than others. New Zealand stated that it was happy to work with the Secretariat and other Members to develop these ideas further.
21. Japan felt that this approach was moving closer to its position on a CDS. Japan advised that it intended to develop a CDS proposal that it felt would be workable and circulate this to Members through the Secretariat. Japan re-iterated that it already had a number of catch documents in place and it introduced a new tag system in 2006 so that it already had all the functions required by a CDS in place. Japan also noted the importance of developing a system that could be easily processed by its customs agency.
22. Taiwan welcomed CDS proposals from all Members and emphasised that the CDS would need to be workable and not be an unnecessary burden on legitimate fishing and farming activities.
23. Australia commented that the CDS would need to be practical, effective and efficient. It noted that half measures and poorly designed measures would not be adequate to prevent IUU fishing and advised that it was critical that tracking is done at the catch, kill, and trade including transshipment, export, import and re-export. Australia advised that it would revise its draft CDS resolution, taking Members comments into account and would circulate the revised version for intersessional discussion. It also advised that it was happy to develop the tagging system in a staged approach.
24. New Zealand advised that it considered that the proposal for tags to remain in the fish during at least part of the market stage was important for identifying legal fish.
25. Japan advised that it was not possible for Japan to impose a legal requirement for tags to remain on SBT through the marketing process. The tags would only stay on the fish if there was cooperation by the commercial market and that this would in turn require the tags to be acceptable and advantageous to the market. Japanese officials will engage in consultation with the markets to ascertain whether such acceptance would be likely.

26. Australia sought a timeframe of about three weeks for circulation of further CDS proposals, but Japan advised that due to commitments at other meetings it would not be able to provide its proposal until June. New Zealand suggested that it would be valuable for all Members to provide a document on their current reporting arrangements as soon as possible so that these arrangements could be taken into account in proposals for a CDS.
27. Taiwan expressed its view that, since farming accounts for approximately half of the global quota, that any resolution needed to have equivalent requirements between the farming and the wild catch sectors.
28. Australia responded that it had comprehensive catch tracking documentation in place for its farms, including catch, transfer and towing documents. Some of its farming sector had already implemented tagging systems with machine readable bar coded tags that could be used to identify the origin of the fish, location where it was farmed, type of feed, weight and other data. The bar code provides information that allows access to a computer database accessible through the internet with a password and thereby access to the information.
29. In response to questions from Australia regarding what agency conducts inspections for both Japanese and foreign vessels that enter Japan, Japan advised that:
 - For all Japanese vessels and transshipment vessels which have SBT which is under Japanese national quota, officials from the Japanese Fisheries Agency conduct the inspection in one of the 8 designated ports.
 - Inspections of air freighted foreign products such as loins are conducted by customs.

2.2 Vessel monitoring system

30. Australia presented its draft resolution for a centralised vessel monitoring system (paper CCSBT-CC/0704/06). Members reconfirmed the need for a VMS for SBT vessels, particularly on the high seas. However, there was disagreement regarding the need for a centralised vessel monitoring system (CVMS) within the CCSBT.
31. Australia believed that centralised reporting was necessary and advised that:
 - A CDS has VMS as one of its primary forms of verification and without VMS, it becomes almost impossible to verify the location reported through a CDS.
 - The effectiveness of CVMS was supported by the 2006 FAO Expert Consultation on Vessel Monitoring Systems.
 - For Members and Cooperating Non-Members that do not have the capacity to implement their own VMS, they could rely on a centralised CCSBT reporting system instead of having to develop their own system.
 - Australia cited an example of where VMS would be extremely valuable in the prosecution of those involved in IUU fishing in the example 28 longline vessels misrepresented the location of capture of tuna caught and subsequently transhipped to a freezer vessel on the high seas.

- The third regular session of WCPFC has a binding conservation and management measure on VMS in which it adopted in accordance with Article 10 of the WCPFC convention, the following process relating to the implementation of the WCPFC VMS:
 - A Commission VMS;
 - The system to commence on 1 January 2008 south of 20°N and east of 175°E.

From paragraph 6, Nature and Specification of Commission VMS, the Commission VMS shall be a stand alone system to be administered by the WCPFC Secretariat which receives data directly from fishing vessels on the high seas.

- Everyone at this meeting is bound by this agreement if they fish for tuna in the WCPFC area.
 - Any Member fishing in the WCPFC or CCAMLR zones will be required to have VMS reporting to a centralised system when fishing in those regions.
 - All Australian vessels will have VMS by 1 July 2007.
 - It is important to have harmonised VMS systems with other RFMOs. For example when a vessel moves from the WCPFC area of competence to the IOTC area of competence it would effectively disappear from the CVMS system of the WCPFC. It would be unclear if that vessel had continued into the IOTC area of competence or turned back into the WCPFC area.
 - The cost of IUU fishing runs into billions of dollars and the purpose of CVMS is to reduce the extent of IUU fishing.
 - Australia was disappointed that some other Members don't see the need to harmonise VMS.
32. Japan, Taiwan and Korea re-iterated their positions from CCSBT 13 that they did not support a CVMS for the CCSBT and that VMS monitoring was as a flag state responsibility. They further stated that they understood the need for VMS monitoring on SBT vessels and that they have already installed VMS on their SBT fishing vessels. Korea considered that an alternative to CVMS might be for the CCSBT Secretariat to have access to VMS information on request in a similar manner as specified in paragraph 3 of IOTC resolution 0605. Japan and Taiwan emphasised both the direct and indirect additional cost to the Secretariat that would arise through imposition of a CVMS. Japan also commented that:
- For SBT, it is the quota that has to be adhered to, not fishing areas;
 - The purpose of VMS was to confirm position, not to collect fine scale information, and for the flag state to cross check that with other information;
 - There would be confidentiality issues if there was an accidental leak of information from the Secretariat;
 - Tracking requirements would be different for vessels operating on the high seas and inside EEZs (EEZs are under the national jurisdiction of coastal States);

- If WCPFC, IOTC and ICCAT all implement CVMS in the future, the range of SBT fishing areas would be covered removing the need for a CCSBT CVMS; and
 - IUU vessels will never have VMS. Only the legally operating vessels are being burdened.
33. New Zealand supported a VMS and was not opposed to a CVMS requirement for large scale fishing vessels and vessels fishing on the high seas, but New Zealand was not convinced of the need for the proposed hourly reporting and added benefits of such fine scale real-time monitoring by the CCSBT at the present time. Nevertheless, New Zealand supported the concept of some data transmission to the Secretariat and that the type and frequency of such transmission should be considered. New Zealand noted that one difference between CCSBT and other RFMOs was that other RFMOs have boundaries and closed areas to monitor which affect the requirements of a VMS.
 34. The Chair asked the meeting to consider whether mechanisms might exist, apart from CVMS, to provide the necessary confidence that individual Members had adequate vessel monitoring systems in place and that they were acting with integrity and honesty. He commented that other options, such as an independent audit of each Member's operation of their VMS, might provide an acceptable level of confidence.
 35. The Chair noted that CCSBT 13 had given the Compliance Committee responsibility for providing specific advice to CCSBT 14 on a VMS and that the Commission had set dates for implementation of the VMS resolution. There was considerable discussion on how to best develop that advice, particularly on whether to proceed by discussing the revised Australian VMS paper.
 36. Australia noted they it was the only Member who had provided a VMS paper in an attempt to progress the Commission's VMS CCSBT 13 requirements and further highlighted that it was the only Member to submit documents to the CCSBT Secretariat for consideration by Members prior to the meeting. The Australian documents were submitted 30 days prior to the meeting and where therefore the basis for many of the discussions. To make effective use of meetings it is essential for all Members to provide papers at a reasonable time prior to the meeting. Without this input it is difficult to see a commitment from other Members to move forward with the development of critical MCS measures as agreed at CCSBT 13.
 37. Korea noted that there were significant technical problems with Australia's revised VMS paper. For example, a Korean vessel may spend 12 months at sea and a requirement for repair of broken VMS within 2 months was completely impractical and expensive.
 38. Korea noted that a transitional approach would be necessary in implementing a VMS.
 39. New Zealand believed that there is a need for harmonization of VMS systems and agreement on trigger points and actions for enhancing VMS reporting, if necessary.
 40. Taiwan was firmly of the view that adoption of the IOTC VMS was the best path for CCSBT.

41. Australia was against the adoption of the IOTC model since it was a transitional model drafted to assist developing States. Given the experience of the CCSBT Members, the CCSBT did not need such a transition arrangement. All CCSBT Members are fully capable of implementing VMS and some CCSBT Members are primary manufacturers of VMS hardware.
42. Australia noted that CCSBT 13 stated that the VMS resolution should be finalised prior to CCSBT 14. Australia stated that it accepted that Centralised VMS was not going to be recommended at this meeting and agreed to move forward with that understanding.
43. New Zealand suggested that given Australia's position perhaps VMS data provided to Flag states and then to the Secretariat at agreed intervals was in line with the sentiment of the CCSBT 13 resolution.
44. Australia stated that there were already VMS standards and they had already been agreed to in binding measures by Members of this Commission in IOTC and WCPFC which are both area based RFMOs with areas of competence that overlap the distribution of SBT.
45. More discussion was needed especially on the high seas not covered by other Commissions.
46. There was discussion of the Commission adopting existing VMS resolutions based on those for WCPFC and IOTC (where SBT occurs regularly), and of CCAMLR and ICCAT (where SBT may also occur) and to adopt the IOTC regulations for high seas areas not covered by those RFMOs.
47. Members felt that this proposal had merit and would benefit from further work. New Zealand volunteered to bring a new paper based on Australia's suggestion back to this meeting.
48. Taiwan suggested that given the continued difficulties, work could continue intersessionally and that a new proposal may need to be brought to the next meeting of the Compliance Committee.
49. The Chair received agreement from Members to ask New Zealand to bring a new draft resolution to this meeting.
50. The Chair deferred further consideration of the draft resolution prepared by Australia.
51. There was extensive discussion in relation to the initial draft resolution prepared by New Zealand, including:
 - Japan noted that VMS locations are a matter of intellectual property;
 - Australia asked if the "catch all" clause for areas outside other RFMO areas should remain and Japan noted there was a geographic gap in ocean cover in the Eastern Pacific. It resolved to leave the "catch all" phrase in;
 - New Zealand noted that it anticipated further development of VMS obligations;
 - Australia and New Zealand strongly supported inclusion in the resolution a requirement for Members and Cooperating Non-Members to provide VMS data

requested on a case by case basis and not for this to be within the requested States discretion.

52. The final draft of the resolution is provided at **Attachment 7**.
53. It was agreed that the Secretariat should prepare a format for the VMS Summary Report specified in **Attachment 7** for the next meeting of the Compliance Committee.
54. Japan asked Australia how to secure confidentiality in terms of “representatives”, which include Ministers. Australia responded that Australian Ministers would be bound under international law by CCSBT confidentiality provisions.
55. Japan was not able to agree at this meeting to inclusion of “and representatives” in the text in paragraph 2 of Annex 1 of the draft resolution. Australia argued that it was integral to the process and so this text has been highlighted in the resolution as it is not agreed at this stage.

2.3 Regulation of transshipments by large scale fishing vessels

56. The Chair noted that CCSBT 13 agreed certain milestones needed to be reached by CCSBT 14 and beyond and asked for reports from each Member on their progress in relation to progressing regulation of transshipment.
57. Australia offered to introduce its paper on an independent observer program.
58. Taiwan expressed a view that an Observer program and the Transshipment programs were different programs despite both utilising observers and that they should be kept separate. New Zealand supported this view.
59. Taiwan and Korea explained the significant financial commitments each has to the ICCAT transshipment observer program. In their view CCSBT must cooperate and harmonise with the scheme being developed in IOTC and ICCAT and not attempt a separate scheme.
60. Taiwan noted that CCSBT needed to have measures that were consistent with the arrangements being developed in ICCAT and IOTC, but Taiwan did not consider that these programs would progress much until next year. It was generally agreed that to be practical, the CCSBT should not work independently and needed to work closely with IOTC on transshipment arrangements.
61. New Zealand saw no reason to delay resolution on transshipments. There were defined actions and timeframes outlined in the resolution which should be adhered to.
62. The Secretariat reported that discussions had been held with the Secretaries of ICCAT and IOTC concerning Transshipment Registers and harmonisation of processes and this work was progressing. The Secretariat expected to be in a position to report on the best way to cooperate with the other RFMOs by CCSBT 14.
63. Australia noted that at CCSBT 13 the Commission had adopted a binding measure on transshipment and that each Member and Cooperating Non-Member shall submit to the Secretariat by CCSBT 14 the list of carrier vessels authorised to receive at sea

transhipments from its LSTLVs. Once the transhipment measures were in place on 1 July 2008 it will be illegal for Members to tranship except to vessels on the CCSBT register of carrier vessels and that there were several other requirements including regional observers.

64. Japan advised that operation of carrier vessels vary from year to year. Through its tagging program, Japan is collecting detailed and up-to-date information on the operation of carrier vessels.
65. The Secretariat was requested to develop a letter to go to Members soon after this meeting that sets out Members obligations under the transhipment resolution adopted at CCSBT13 and that requests Members to report on progress on complying with these obligations in their National Reports to CCSBT 14. The Secretariat was also requested to report to the annual meeting of the Compliance Committee on the Secretariat's own work to fulfil the transhipment requirements of the CCSBT 13 resolution.

Agenda Item 3. Consideration of other possible Compliance Measures

3.1 Introduction

66. The Chair advised that MCS measures need to be considered as part of a package and consideration needed to be given to implementation arrangements in different jurisdictions that had different management arrangements.
67. The Chair invited Japan, as host of the January 2007 meeting of tuna RFMOs in Kobe, to comment on the outcomes of that meeting. Japan advised that the main outcome was the course of action agreed upon by that Meeting. It was clear at the meeting, that instead of individual tools, MCS measures should be considered as a package. However, each RFMO has independence which should not be unnecessarily diminished.
68. New Zealand and Australia noted that the plan of action agreed at the Kobe meeting identified harmonisation of MCS measures across the tuna RFMOs should be urgently addressed through effective cooperation and coordinating. The meeting noted that participants at the Kobe meeting of tuna RFMOs also agreed that all RFMOs should review their performance and that CCSBT 13 had already initiated this process.
69. Australia commented that the Kobe meeting also identified that technical work needs to be done on: harmonizing trade tracking systems and tagging systems; establishing a global list of IUU vessels; and harmonization of transshipment and control measures.
70. Japan presented paper CCSBT-CC/0704/16 which described the operation of Japan's new SBT management system for the 2006/07 fishing season, which ended on 31 March 2007.
71. Members stressed the importance of distributing papers in advance of the meeting and in time for translations of papers to be made by the Secretariat.

72. Japan stated that the paper was provided just before the meeting because of the need to incorporate information from the conclusion of the 2006/07 fishing season that only became available in early April.
73. Japan was thanked for its presentation and for the compliance measures it has taken for its SBT fishery. In response to questions about Japan's management system, Japan advised that:
- Tagging of SBT commenced in April 2006. There is no requirement for tags to remain on the fish after landing and inspection by officers from the Japanese Fisheries Agency. Japan is conducting experiments in conjunction with the Secretariat on how durable different types of tags are in relation to low temperatures (-60°C).
 - Australia asked Japan whether all boats fishing for SBT are checked, to which Japan replied: "all longliners and freezer boats which have SBT which is under Japanese national quota are checked".
 - Checking of SBT is conducted in the 8 designated ports around Japan. All vessels with SBT quota in these ports are inspected and the tag details of each SBT are checked. SBT are not landed outside the 8 ports and if this occurred in the future, it would be reported in local Japanese newspapers because of the rarity this type of landing.
 - All Japanese large scale longline vessels already have had VMS implemented.

3.2 Independent observer program

74. Members provided brief comments on Australia's paper CCSBT-CC/0704/08 concerning implementation of an enhanced CCSBT independent observer program.
75. New Zealand agreed with the importance of a well functioning program and that the 10 percent target for observer coverage was important for all Members. New Zealand also agreed with the trial use of video cameras within the 10 percent national observer coverage, but did not support any increase in observer coverage. New Zealand wished to further discuss issues of costs and achieving standards regardless of the source of observers.
76. Japan noted that it had a Scientific Observer program in place and that it is mindful of the 10 percent coverage objective. Japan also noted the importance of Scientific Observers achieving their tasks and further noted that when it used foreign non Japanese speaking observers on its vessels, there were problems frequently and observers often requested to leave the vessel at an early time.
77. Taiwan was also concerned about the language barrier for an international observer program and believed that, at the present time, it was more important to encourage Members to achieve the 10 percent coverage than to deploy international observers.

3.3 Port state measures

78. Australia commented on the importance of port state measures and the need for non members to be engaged to ensure the effectiveness of MCS measures. Australia indicated that a major pathway for SBT from IUU fishing could be through port states where SBT could be processed into value added product (e.g. loins and clear packs) and then re-exported to SBT markets without tags and outside the control of the CDS. The Twenty Seventh meeting of the FAO Committee on Fisheries agreed to commence negotiations on a binding measure on port state controls and Australia encouraged CCSBT Members to participate in the negotiations.
79. New Zealand agreed to prepare a paper on port state measures for the next meeting of the Compliance Committee.

3.4 Boarding and inspection

80. Members provided brief comments on Australia's paper CCSBT-CC/0704/12 on implementation of boarding and inspection regimes for the CCSBT.
81. Taiwan considered that boarding and inspection was a very sensitive issue with regard to sovereignty and its mechanism shall be established on a fair and equal footing basis.
82. Japan was continuing internal discussions on boarding and inspection issues. It dispatched 3 patrol vessels to the Indian Ocean, but it does not expect these to be able to inspect non-Japanese vessels for some time. Japan also noted the contentious issues that occurred with the cod fishery in the past and wanted to avoid those types of issues in the future.
83. New Zealand believed that the WCPFC regime proposed by Australia provided a basis for an effective regime that could be used by the CCSBT. New Zealand also noted that CCSBT Members were also Members of WCPFC and that adopting WCPFC procedures would ensure consistency with the harmonisation outcomes of the Kobe meeting of tuna RFMOs in January 2007.
84. Korea advised that each RFMO had to consider its own requirements according to its own situation. The concept of harmonisation is for when different RFMOs adopt similar types of resolutions, not as a reason for adopting a resolution in the first place. Korea is a Member of WCPFC, which has a boarding and inspection regime, but it does not wish to have a boarding and inspection regime for the CCSBT.
85. Japan noted that boarding and inspection was included in the WCPFC convention, but that it was not included in the CCSBT convention. It noted that much of the WCPFC convention area involved intricate structure of high seas and EEZs whereas most of the SBT fishing was conducted in the Indian Ocean and these differences should be considered in deciding whether boarding and inspection was required for the CCSBT.
86. Australia advised that SBT was caught in large numbers within and adjacent to its EEZ, over which it exercises its full sovereign rights under international law. Australia further noted that the WCPFC area of competence extended east of 148°E and that it would be exercising its boarding and inspection rights as appropriate in

that area as a WCPFC Member. Australia also commented that it considered harmonisation to be important and that it hoped that IOTC would harmonise boarding and inspection regimes with WCPFC in the near future and that CCSBT would follow suit. Australia noted that those States parties to the United Nations Fish Stocks Agreement (Japan, New Zealand and Australia) are obliged by that agreement to adopt boarding and inspection procedures within the Commission. Finally, Australia advised that it would provide a draft resolution for a CCSBT boarding and inspection regime for circulation to Members in a few weeks.

3.5 Vessel register

87. Members provided brief comments on Australia's paper CCSBT-CC/0704/09 on a register for illegal, unreported and unregulated vessels.
88. New Zealand supported the concept of the IUU register as outlined in Australia's paper. There were some issues surrounding definitions of IUU fishing and the process of listing and de-listing vessels from the register that New Zealand felt required further discussion, but New Zealand was happy to work with Members to resolve those issues.
89. Japan and Taiwan preferred a consensus regime as opposed to the two thirds majority regime proposed by Australia. Taiwan advised that the CCSBT Convention said "decisions of the Commission shall be taken by unanimous vote". Australia advised that the CCAMLR consensus regime for the IUU register has caused a number of practical problems, but Japan believed that it was necessary to seriously consider negative list which could eliminate fishing vessels.
90. Japan noted that the IUU list proposal was restricted to fishing vessels and wondered whether this, as well as the authorised vessel list, could be extended to include farm cages.
91. Australia advised that it would make amendments taking into account suggestions by Members and circulate a revised paper before the next meeting of the Compliance Committee.

3.6 Compliance measures for SBT farming

92. Japan circulated a paper on draft compliance measures on SBT Farming containing two resolutions one on Farm Facilities and the other on Farming. Japan noted that on Farm Facilities it was important to have a positive list for farming operations similar to that for long lining. The list identified that cages should be treated like vessels. The Farming resolutions had elements concerning sampling which are based on resolutions of ICCAT.
93. Australia noted that the paper had not been provided before the meeting and had therefore not had the opportunity to examine the two resolutions or to consult with the industry but was prepared to make some initial observations.

94. On the facilities component the facilities list is largely currently available and Members should consult:
http://www.pir.sa.gov.au/pages/aquaculture/public_reg/aqua_public_reg.htm
95. Japan noted that the positive list should be under the CCSBT framework.
96. Australia stated that Japan's idea to include facilities was a good one and that consideration should be given to authorising fishing companies, transshipment companies and processing companies involved in SBT fisheries.
97. On the Farming resolution Australia believed that most of the information is currently available and would be included in a CDS.
98. Australia believed that minimum of a 10% sample rate was readily achievable with a stereo video system and there was much that could probably be agreed in the paper intersessionally but there would be need to carefully look at the detail.
99. New Zealand noted its support for any programs that materially strengthened management and conservation measures in the SBT fishery.

3.7 Other measures

100. Australia briefly introduced its paper CCSBT-CC/0704/09 on DNA sampling and advised that in a production environment, the test cost \$14. Australia considered that the test was valuable to identify, where necessary, whether product without a tag was an SBT.
101. Japan advised that it could not confiscate SBT at the markets and that it would have to buy any SBT that it wanted to test. Japan and Taiwan also felt that genetic testing was a scientific issue that required discussion by the Extended Scientific Committee.
102. New Zealand considered DNA sampling to be a useful compliance tool and welcomed further investigation.

Agenda Item 4. Monitoring Compliance with Implemented Measures

4.1 Discussion on the possible means of monitoring the effectiveness of, and compliance with, implemented compliance measures

103. There was no discussion under this agenda item.

Agenda Item 5. Other Business

104. The Chair proposed a workplan which is at **Attachment 8**.

Agenda Item 6. Compliance Committee Report to the Extended Commission

105. There was no discussion under this agenda item.

Agenda Item 7. Close of meeting

106. The report was adopted.

107. The meeting closed at 5:20pm on 18 April 2007.

List of Attachments

Attachment

- 1 List of Participants
- 2 Agenda
- 3 List of Documents
- 4 Opening Statements
- 5 Secretariat's CDS Flow Chart
- 6 Australia's Draft Resolution on adoption and implementation of a CCSBT Catch Documentation Scheme and Tagging System
- 7 Resolution on establishing a CCSBT Vessel Monitoring System
- 8 Chairman's Workplan

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First Meeting of the Compliance Committee Working Group

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Agenda

**First Meeting of the Compliance Committee Working Group
Canberra, Australia
15-18 April 2007**

- 1. Opening Of Meeting**
 - 1.1. Welcome
 - 1.2. Introduction of Member Representatives
 - 1.3. Adoption of Agenda
 - 1.4. Meeting Arrangements
 - 1.5. Opening Statements

- 2. Implementation Of Adopted Measures**
 - 2.1. Catch documentation scheme
 - 2.2. Vessel monitoring system
 - 2.3. Regulation of transshipments by large scale fishing vessels

- 3. Consideration of Other Possible Compliance Measures**
 - 3.1. Introduction
 - 3.2. Independent observer program
 - 3.3. Port state measures
 - 3.4. Boarding and inspection
 - 3.5. Vessel register
 - 3.6. Compliance measures for SBT farming
 - 3.7. Other measures

- 4. Monitoring Compliance With Implemented Measures**
 - 4.1. Discussion on the possible means of monitoring the effectiveness of, and compliance with, implemented compliance measures

- 5. Other Business**

- 6. Compliance Committee Report To The Extended Commission**

- 7. Close Of Meeting**

First Meeting of the Compliance Committee Working Group

List of Documents

(CCSBT-CC/0704/)

01. Draft Agenda
02. List of Participants
03. Draft List of Documents
04. (Secretariat) Initial CDS Considerations (Draft 2)
06. (Australia) Centralised Vessel Monitoring System for the CCSBT
08. (Australia) Implementation of an enhanced CCSBT Independent Observer Programme
09. (Australia) Illegal Unreported, Unregulated (IUU) Vessel Register
11. (Australia) DNA Sampling
12. (Australia) Implementation of boarding and inspection regimes for the CCSBT
13. (Australia) 'Catching On - Trade-Related Measures as a Fisheries Management Tool' (TRAFFIC)
14. (Australia) 'Confronting Shark Conservation Head On' (TRAFFIC)
15. (Japan) Draft compliance measures on SBT Farming
16. (Japan) Domestic management of SBT fisheries in Japan

(CCSBT-CC/0704/BGD)

01. (Australia) 'The use of Trade-Related Measures In the Commission for the Conservation of Southern Bluefin Tuna' (TRAFFIC)

(CCSBT- CC/0610/Rep)

01. Report of the Special Meeting of the Commission (July 2006)
02. Report of the Seventh Stock Assessment Group Meeting (September 2006)
03. Report of the Eleventh Meeting of the Scientific Committee (September 2006)
04. Report of the First Meeting of the Compliance Committee (October 2006)
05. Report of the Thirteenth Annual Meeting of the Commission (October 2006)

Australian Opening Statement

On behalf of the Australian Government I welcome you all to this CCSBT Compliance Working Group meeting. We have had only one meeting of the CCSBT Compliance Committee and we are behind other RFMOs on MCS measures. We have come here to work on MCS measures, agreed at CCSBT13, particularly CDS, VMS, and Transshipment – all of which require prompt implementation.

To begin with, I would like to refer to the issues raised at the Joint RFMO meeting in Kobe in January 2007 and the range of activities highlighted there especially:

1. ensuring compliance by establishing integrated MCS measures;
2. the technical work required to develop and harmonise trade tracking systems and tagging systems;
3. harmonising transshipment with control measures;
4. the creation of a tuna vessel list; and
5. the creation of a global list of IUU vessels.

Further to these items, the CCSBT will need to agree on how to implement a performance review, which was raised at Kobe and we should ensure we move forward with this as soon as possible. If the CCSBT were reviewed at present, such a review would come up with a range of negative remarks, which would only be exacerbated by any delay in the implementation of MCS measures.

I would now like to raise an unfortunate issue of a breach of confidentiality by Japan whereby a recent visit by JFA and other officials to the Australian farm operations in Port Lincoln, was reported in a Japanese newspaper (*Suizan Keizai Shimbun*) on 11 April 2007. Australia is aggrieved that the newspaper article was virtually identical to the paper produced by the JFA on its trip there, which amounts to a clear and serious breach of confidentiality.

The visit to Port Lincoln was organized between Australia and Japan. Australia made repeated requests to the JFA before the March 2007 visit to Port Lincoln to sign

confidentiality agreements but Japan refused. Instead JFA officials provided the Australian Government with an assurance in writing before the trip that, rather than sign confidentiality agreements, the visiting delegation and information from the visit would be bound by the CCSBT confidentiality provisions.

Japan has commented previously about an incident which occurred last year whereby an Australian Government employee mentioned confidential CCSBT information in a public forum. The representative made those comments on his own accord and they were anecdotal. I would like to inform the meeting that the Australian Government takes these matters very seriously and that person no longer works for the Australian Government.

The matter of Japan's serious breach of confidentiality needs to be put on the record, but we hope that we can move forward in a cooperative way.

Australia would be grateful for the opportunity for a member of the Australian SBT Industry to make a statement to correct some matters in this article.

I look forward to a fruitful meeting and seek positive outcomes which we can take to the Commission meeting in October this year.

Statement by Australian Industry

Chair, thank you for allowing us to make a contribution to the discussion on the article on Australian tuna farming in the *Suisan Keizai Shimbun* on 11 April 2007.

The issue of a possible breach of confidentiality is one for the Commission, and we have no comment on that.

Our point is that Australian industry is committed to a constructive and open approach to improving monitoring of catches. That is why we welcomed the visit to Australian farms by another Japanese Delegation during March.

Most of the issues generally raised by the Delegation in the newspaper article, including allegations about dead fish and the hiding of fish could easily be refuted in detail if the Japanese Government raises them in a formal way.

The issue which concerns us most is the mention of a specific Australian farmer in the newspaper article, and the allegation by the scientific member of the Delegation that the farmer was using chemicals to treat the fish.

Firstly, the Australian farmer mentioned in the newspaper, Sarin Marine Farm (SMF), is the farmer who volunteered first to take the large Delegation to their farm. The SMF staff went to a lot of trouble to host the Delegation and show them the transfer of SBT from the tow pontoon to the farm pontoons. SMF also offered the opportunity to the Delegation to see a weight sample, but the Delegation arrived after the weight sample was made.

Secondly, the reference about SMF using chemicals was made by Mr K Ishikawa, the President of Japan Tuna Fisheries Cooperative Association. We have a high respect for Mr Ishikawa and his Association. Therefore we can only assume that there was a misunderstanding by the Delegation scientist, and the Newspaper.

The allegation made on the use of chemicals is categorically untrue. The impact on SMF of this allegation is very damaging to SMF. SMF is a very small farmer, and relatively new in farming. They have worked very hard to build up trust with their Japanese customers. Part of that trust is not using any chemicals. SMF has already had a lot of complaints from their Japanese customers, and lost many hundreds of thousands of dollars in business. To put this matter in context, you can imagine the effects on a prominent Japanese company had Australian officials made similar allegations against it.

This problem can be easily fixed. Therefore we have written to Mr Ishikawa to request his Association do two things to correct the misunderstanding. This would be achieved by:

- (1) The Newspaper publishing a correction – and we have suggested some words; and

- (2) By the Japan Tuna Fisheries Cooperative Association sending a letter to the President of SMF. The letter would note that there had been a misunderstanding and that there was no intention to suggest that SMF was using any chemicals.

We hope that the Japanese Government can persuade the Japan Tuna Fisheries Cooperative Association to make these corrections. It is very important to ensure a continued constructive approach by all industries to improving the CCSBT, and the SBT stock.

We also hope that there will be no more targeting of specific companies in future commentaries.

Opening Statement by the Fishing Entity of Taiwan

Mr. Chairman, distinguished delegates, ladies and gentlemen----Good morning.

Following the suggestion of Japan, before entering full discussion on the issues appearing in the agenda I would like to take this opportunity to clearly make some comments on our positions.

Firstly, as you are aware, the first joint meeting of tuna RFMOs was held in January this year, all participants reached an agreement on “Course of Action”, which emphasizes the need that the management measures including MCS measures shall be harmonized and in consistency among RFMOs. We hope CCSBT could follow that principle for the effectiveness and efficiency in managing the stocks of Southern Bluefin Tuna.

Secondly, the ongoing discussion of proposed management schemes or systems in terms of MCS measures shall be designed as simply as possible and in a manner that is easily fulfilled by the fishing and farming industries and implemented by the members’ government. Besides, the various approaches on MCS measures shall also be based on the principle of applicability.

Thirdly, over the past years, CCSBT devoted its energies to tighten the monitoring and overseeing over fishing activities of tuna deep sea fishery in order to combat IUU fishing. However, ensuing gradual elimination of IUU fishing vessels, the situation has been changing. The SBT allocation for farming purpose accounts for almost half of Total Allowable Catch. For being fair and equal footing between capture fishery and farming fishery, as well as for the better management and conservation SBT stocks, CCSBT should pay more attention to the farming fishery in respect of the MCS measures.

Thank you.

Japanese Opening Statement

Japan, like the other members, knows the importance of MCS measures and considers this meeting highly important. MCS seems to be new concept for someone but we are now discussing just about the fishery management. At the Compliance meeting, Members of the Extended Commission describe their management of fishing vessels and fishermen, discuss that management system's function and learn from each other. It is appropriate to correspond to a lack which is needed to add.

Japan has a great interest in the CDS. We already have a similar system to CDS which is TIS. The difference is that CDS includes the information on catch. Catch is defined in the longline fishery, but we need to discuss the definition of catch on the farming. We do not have clearly understanding of the point of catch on the farming which links to the Purse seine fishery.

Japan has strengthened its management and compliance measures since last April and clearly explained them. Also we are ready to improvement of our management and compliance measures based on the other members' comments where possible.

One of the agreements at the CCSBT 13 is the Australian Farming Study (AFS). In fact we have not seen any progress in terms of the agreed schedule on AFS though the Australian government told that they were putting their every effort. Japanese fishermen were discontented with such situations so we sent a delegation to Port Lincoln. The delegation includes a government official in order for coordination of field observation. Japan had submitted the report of that visit to the CCSBT Secretariat.

Regarding the Australian concern of the article of the news paper, improvements may be necessary in future if the Australian government sees it problem. Also, the Australian statement implied that an official may have leaked it, but it is not true. Last year there were incidents of information leaking in Australia. However we think that it is important to avoid unpleasant situation from now on.

Regarding the MCS, we would like to point out an important thing. MCS will be achieved by not only the government. Even if we will have an ideal MCS, it is

meaningless if fisherman can not understand and cope with the MCS. Furthermore, MCS must be easy to understand not only by our group but also by outside people. Also, we would like to seek reciprocity, transparency and consistency in MCS. If the farming is a fishery, it will be covered by the compliance measure in the same manner to longline fisheries.

Translated by Secretariat

New Zealand Opening Statement

Thank you Mr. Chair and thank you to the Commission for hosting this important meeting of the Compliance Committee.

Some of the matters for discussion here have already been discussed at the meeting in Kobe and RFMO chairs will meet later to work on the recommendations arising from Kobe. This commission will be under scrutiny at that meeting. It will be important to make progress here to help the commission to meet the challenges that lie ahead in that process.

The object of this meeting is to build on the work of the last meeting of this committee and of the Commission to further develop and agree on MCS measures. New Zealand views the development of a robust CDS as the core MCS measure around which other MCS measures can be developed to support and complement.

While it is important to consider each individual MCS measure in detail we must also take time to step back and consider how any agreed measures link together as an integrated package of MCS measures that together achieve the objectives of the Commission.

It is also important that each measure is robust enough in itself to be effective in order that members have comfort that the measure is being implanted as designed but is flexible enough to fit with members differing fisheries management frameworks.

New Zealand stands ready to work cooperatively with all members to achieve these outcomes.

Thank you Mr. Chair.

Opening Statement by the Republic of Korea

Mr. Chair, Executive Secretary and Delegates,

On behalf of the Korean Government, I would like to express my appreciation to the Australian Government and Mr. Dave Wood, the Chairman, Mr. Neil Hermes, the Executive Secretary of the Commission and his staff for their hard work and excellent arrangement of this meeting and providing us with this valuable opportunity to review the progress of what we have had since the last meeting of the Commission as a whole.

Korea would like to highlight some of the general principles in establishing some MCS measures which are supposed to be discussed during the meeting.

These measures should be, where appropriate, strengthened to prevent, deter and eliminate IUU fishing activities. These measures are composed of many elements which are closely linked with each other and mutually complementary. Considering the urgency of the MCS management measures, however, CDS issue should be dealt with as a priority. Then, we could focus on other measures step by step, such as VMS, Transshipment and so on. The strongest measure in each element is not an almighty or a panacea for preventing IUU fishing activities. At the same time, any conservation measures should take into account the cost effectiveness and easiness of compliance.

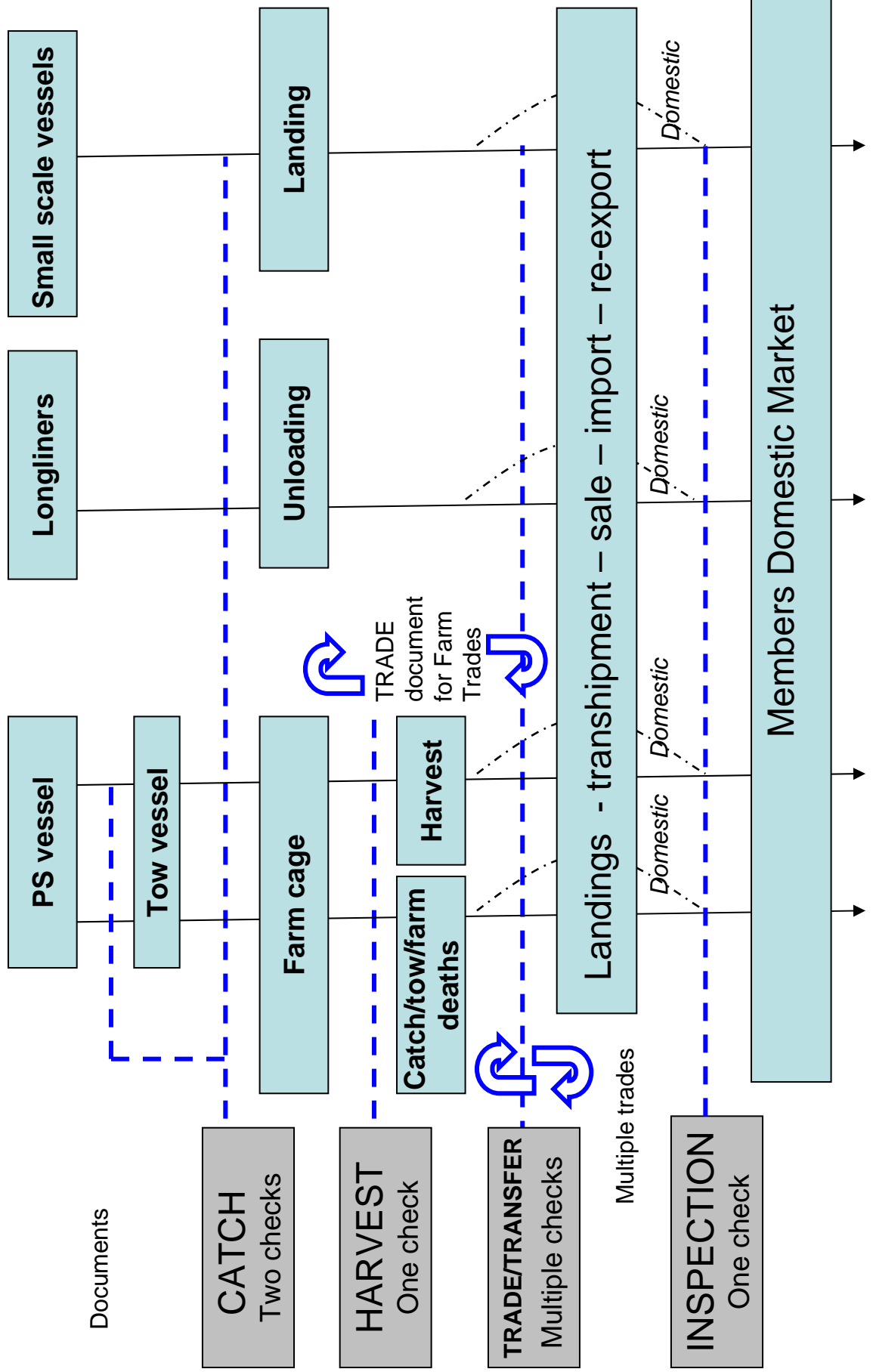
If we adopt Compliance Management Measures on the issues we will discuss, the Commission should review these measures annually and take additional action if required. Korea believes that in this way we can achieve the sustainable fishery for the SBT.

Reopening some issues might be very controversial and some issues will not be easily resolved. To achieve the common objectives of the commission, however, Korea is eager to cooperate closely with other Members.

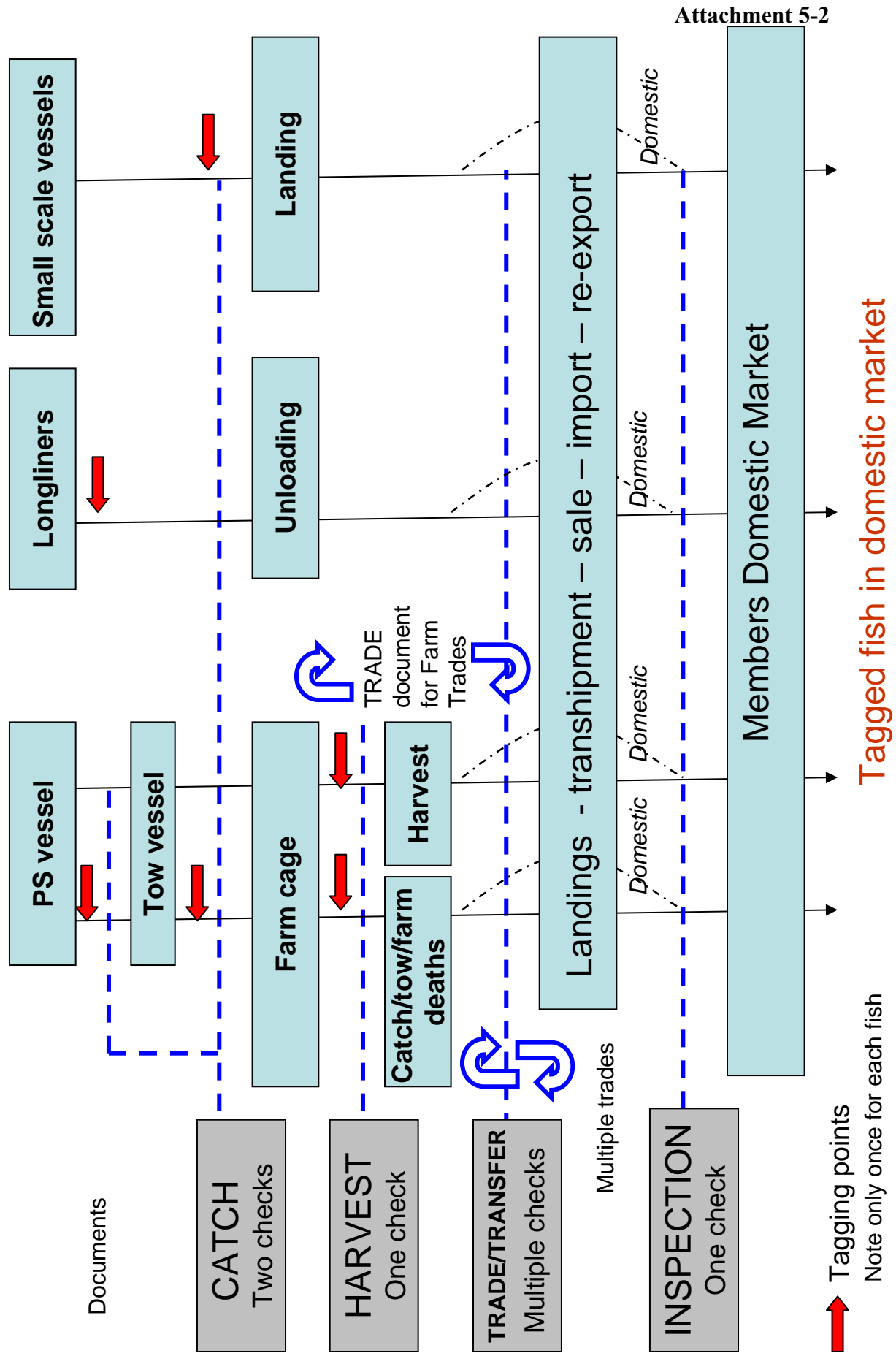
Lastly, Korea would like to see this meeting identifying the areas necessary for coordination and strengthening our concerted efforts toward sustainable SBT fisheries.

Thank you very much, Mr. Chair.

CDS FLOW CHART



CDS FLOW CHART (plus proposed tag program)



**Australia's Draft
Resolution on adoption and implementation of a
CCSBT Catch Documentation Scheme and Tagging System**

(for adoption at the Fourteenth Annual Meeting – 16-19 October 2007)

Resolution on adoption and implementation of a CCSBT Catch Documentation Scheme and Tagging System

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

Referring to the resolution on the implementation of a Catch Documentation Scheme to record all catches of Southern Bluefin Tuna regardless of whether the Southern Bluefin Tuna were traded, adopted at the Thirteenth Annual Meeting of the Extended Commission for the Conservation of Southern Bluefin Tuna;

Noting that that resolution identified the tagging of individual fish as a possible component of a Catch Documentation Scheme;

Bearing in mind the need to achieve harmonisation of Catch Documentation Schemes across Regional Fisheries Management Organisations;

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

1. The following definitions are intended only for the purposes of the completion of CCSBT Catch Documentation and shall be applied as stated regardless of whether such actions as landings, transshipments, imports, exports or re-exports constitute the same under any Member's or Cooperating Non-Member's customs law or other domestic legislation:
 - (a) CCSBT Catch Documentation: The CCSBT Catch, Longline Operations, Farm Tow, Farm Movement, Transfer and Inspection Documents required by this resolution.
 - (b) CCSBT Vessel Register: The register of vessels authorised to fish for southern bluefin tuna established in accordance with the [insert name of resolution].
 - (c) Export: Any movement of a fish, including in processed form, from territory under the control of the State / Fishing Entity or free trade zone of landing, or, where that State or free trade zone forms part of a customs union, any other member State of that customs union.
 - (d) Farm: A facility for growing wild-caught southern bluefin tuna.
 - (e) Import: The physical entering or bringing of a fish into any part of the geographical territory under the control of a State, except where the catch is landed or transhipped within the definitions of 'landing' or 'transhipment' in this resolution.
 - (f) Kill: The death of a fish during commercial fishing operations, usually occurring at point of harvest in farming operations or at catch during longline operations.
 - (g) Landing: The initial transfer of a fish in its harvested or processed form from a vessel to dockside or to another vessel in a port or free trade zone where the catch is certified by an authority of the Port State as landed; except in the case of farming operations where landing is the initial

transfer of a fishing from a farm to a processing facility (whether a shore-based facility or a processing vessel).

- (h) Longline operations: All fishing operations, including lone-line and pole and line operations, other than purse-seine farming operations.
- (i) Port State: The State / Fishing Entity that has control over a particular port area or free trade zone for the purposes of landing, transshipment, importing, exporting and re-exporting and whose authority serves as the authority for landing or transshipment certification.
- (j) Processed: Processing of a fish, including filleting, loining and removing the head, but not include any treatment (such as cleaning, gilling and gutting, freezing, removing fins, gill plates and tail) where the carcass remains whole.
- (k) Re-export: Any movement of a catch, including in processed form, from territory under the control of a State / Fishing Entity, free trade zone, or member State of a customs union of import unless that State / Fishing Entity, free trade zone, or any member State of that customs union of import is the first place of import, in which case the movement is an export within the definition of 'export' in this resolution.
- (l) Transfer: Import, export, re-export, transshipment, landing [or sale].
- (m) Transshipment: The transfer of a fish, including in processed or non-processed form, from a longline vessel to another vessel or means of transport. [For the avoidance of doubt, temporarily placing a catch on land or an artificial structure to facilitate such transfer shall not prevent the transfer from being a transshipment where the catch is not 'landed' within the definition of 'landing' in this conservation measure.]

CCSBT CATCH DOCUMENTATION SCHEME

Electronic and/or paper-based Catch Documentation Scheme

2. CCSBT Catch Documentation may be electronic and/or paper-based.
3. Members and Cooperating Non-Members are encouraged to move progressively towards use of electronic CCSBT Catch Documentation.

CCSBT Catch Document required for longline operations

4. Members and Cooperating Non-Members shall require each master or operator of its vessels on the CCSBT Authorised Vessel List to complete a CCSBT Catch Document for each southern bluefin tuna killed during longline operations. The Document shall be completed at the time the fish is killed.
5. Members and Cooperating Non-Members shall require each master or operator of its vessels on the CCSBT Authorised Vessel List to complete a CCSBT Longline Operations Document at the completion of each southern bluefin tuna longline fishing trip.

CCSBT Farm Tow, Farm Movement and Catch Documents required for farming operations

6. Members and Cooperating Non-Members shall require each master or operator of a tow boat used in farming operations to complete a CCSBT Farm Tow Document. The Document shall be completed at the time that the fish are moved into a farm.
7. Members and Cooperating Non-Members shall require each person transferring southern bluefin tuna between farms, and between pens in the same farm, to complete a CCSBT Farm Movement Document. The Document shall be completed at the time that the fish are moved into a farm or a new pen.
8. Members and Cooperating Non-Members shall require each owner or operator of its farms to complete a CCSBT Catch Document for each southern bluefin tuna killed during farming operations. The Document shall be completed at the time the fish is landed. The owner or operator shall be required to include the unique identifier of the CCSBT Tow Document.

CCSBT Catch Documentation required for transfers

9. Members and Cooperating Non-Members shall require each person conducting a transfer of southern bluefin tuna under its jurisdiction, including to or from one of its flag vessels, to complete a CCSBT Transfer Document for each transfer.
10. The CCSBT Transfer Document shall include the CCSBT Inspection Document number, if the transfer must be verified in accordance with this resolution.
11. Transfer of a southern bluefin tuna without valid CCSBT Catch Documentation as required by this resolution shall be prohibited.

Requirement to verify transfers of southern bluefin tuna and CCSBT Inspection Document

12. Each Member and Cooperating Non-Member shall ensure its authorised government agent or officials inspect and require verification of each of the following transfers of a southern bluefin tuna occurring under its jurisdiction: import, export, re-export, and landing. In particular:
 - (a) Every southern bluefin tuna that is landed must be inspected to ensure it has valid CCSBT Catch Documentation and a CCSBT tag;
 - (b) Every southern bluefin tuna that is exported or re-exported must be inspected to ensure it has valid CCSBT Catch Documentation and a CCSBT tag; and
 - (c) Every shipment of southern bluefin tuna that is imported must be inspected to ensure that this shipment has valid CCSBT Catch Documentation and the total weight of shipment matches the CCSBT Catch Documentation.

13. All transhipments of a southern bluefin tuna occurring on the high seas shall be verified, and a CCSBT Inspection Document completed, by an approved observer in accordance with the CCSBT transhipment requirements.

14. Persons conducting inspections in accordance with this resolution shall identify the origin of the fish and determine whether the fish was caught in compliance with all CCSBT conservation and management measures, including having a CCSBT Catch, Farm Tow, Farm Movement and Transfer Document as required. CCSBT Inspection Documents shall be provided for each fish meeting these requirements.

15. If a question arises regarding information contained in any CCSBT Catch Documentation, each Member and Cooperating Non-Member shall cooperate with any relevant Member and Cooperating Non-Member to resolve the question.

16. Each Member and Cooperating Non-Member shall promptly notify the Secretariat of any CCSBT Catch Documentation that is suspected of being invalid. Each Member and Cooperating Non-Member shall also promptly notify the Secretariat where it suspects, on the basis of the verification process outlined in this resolution, that the southern bluefin tuna was not caught in compliance with all CCSBT conservation and management measures.

17. Each Member and Cooperating Non-Member shall provide to the Executive Secretary information on validation (e.g. the type of validation, name of the organisation which validates the documents, title of officials who validate the documents, sample impression of any stamp or seal or electronic signature) and inform him or her of any change in a timely fashion. The Executive Secretary shall request information on validation from other relevant States / Fishing Entities, and request them to inform him or her of any change in a timely fashion.

Sale of seized or confiscated southern bluefin tuna

18. If a Member and Cooperating Non-Member participating in the CDS has cause to sell or dispose of seized or confiscated southern bluefin tuna, it may issue a Specially Validated CCSBT Catch Document specifying the reasons for that validation. The Specially Validated CCSBT Catch Document shall include a statement describing the circumstances under which confiscated fish are moving in trade. To the extent practicable, Parties shall ensure that no financial benefit arising from the sale of seized or confiscated catch accrue to the perpetrators of IUU fishing or involved in the transfer of IUU product.

19. If a Member and Cooperating Non-Member issues a Specially Validated CCSBT Catch Document, it shall immediately report all such validations to the Secretariat for conveying to all Parties and, as appropriate, recording in trade statistics.

General requirements for CCSBT Catch Documentation

20. Each Member and Cooperating Non-Member shall prepare its own CCSBT Catch Documentation form meeting the requirements outlined at Annexes 1 – 6. Members and Cooperating Non-Members shall provide such forms to the Executive

Secretary, who shall distribute these to other Members and Cooperating Non-Members, for their approval.

21. If a Member or Cooperating Non-Member modifies standard CCSBT Catch Documentation for its use, it shall provide to the Executive Secretary a copy of such modified form. The Executive Secretary shall provide the modified form to other Members and Cooperating Non-Members, and to other relevant States / Fishing Entities.
22. The CCSBT Catch, Transfer and Inspection Documents shall include the unique identifier of the fish, being the unique identifier of the tag attached to that fish.
23. Each CCSBT Farm Tow and Transfer Document shall have a unique identifier issued by the flag State / Fishing Entity. CCSBT Farm Tow and Transfer Documents that are suspended, withdrawn, cancelled or expired, shall be returned to the flag State / Fishing Entity, upon demand, for nullification and destruction.
24. Except as provided in the following paragraph, within seven days of being required to complete any CCSBT Catch Documentation, the person required to complete the Document shall transmit to the Secretariat a copy of the Document, or the information contained on the Document. Notwithstanding the previous sentence, Members and Cooperating Non-Members are encouraged to require persons to electronically transmit CCSBT Catch Documentation as soon as possible after being required to complete the Document.
25. Authorised government representatives assigned to verify transfers and complete CCSBT Inspection Documents, in accordance with this resolution, shall electronically transmit to the Secretariat copies of such Documents or the information contained therein within 2 days of being required to complete the Document.
26. The Executive Secretary shall report to the Commission on and circulate to all Members the data collected by the CDS each year by 1 June for the period of 1 July-31 December of the preceding year and by 1 December for the period of 1 January -30 June of the current year.

Members and Cooperating Non-Members / Secretariat to audit CCSBT Catch Documentation

27. The Secretariat shall compile the raw data from all CCSBT Catch Documentation received by it into an electronic database. The Secretariat will organise the development of a database that supports the Catch Documentation Scheme.

Access and confidentiality

28. CCSBT Catch Documentation, and the information contained therein, shall be confidential and may only be provided or used as permitted by this resolution.
29. The Executive Secretary shall ensure the confidentiality of the CCSBT Catch Documentation, and the information contained therein, in its database.

30. A Member may request the Executive Secretary to provide that Member with any CCSBT Catch Documentation to be used for inspection, verification, scientific use or other purposes agreed by all Members or Cooperating Non-Members of the Extended Commission.

Revocation and replacement of the CCSBT Statistical Document Program

31. This resolution revokes and replaces the CCSBT Statistical Document Program established by the Extended Commission.

CCSBT TAGGING SYSTEM

CCSBT tagging system

32. The Secretariat shall source CCSBT tags and, in proportion to CCSBT Total Allowable Catches, supply such tags to each Member and Cooperating Non-Members for distribution to vessels on the CCSBT Authorised Vessels Register and authorised farming facilities.

33. CCSBT tags that are suspended, withdrawn, cancelled or expired, shall be returned to the flag State / Fishing Entity, upon demand, for nullification and destruction. Flag States / Fishing Entities shall promptly notify the Secretariat of this, which shall keep a record of this.

34. CCSBT tags shall, to the extent possible, meet the following requirements:

- (a) Be cost-effective;
- (b) Contain an easily identifiable CCSBT logo;
- (c) Have a unique individual identifier, assigned by the Secretariat, printed on the tag as a bar-code and easily readable number;
- (d) Be able to be securely fastened to southern bluefin tuna;
- (e) Be non-reusable, tamper-proof and secure from counterfeiting or replication;
- (f) Be able to withstand temperatures used for freezing southern bluefin tuna, salt water and rough-handling; and
- (g) Be food-safe.

35. Members and Cooperating Non-Members shall require each vessel on the CCSBT Authorised Vessel List to attach a CCSBT tag to each southern bluefin tuna at the time of kill. The CCSBT tag shall remain on each individual fish until processed.

36. Where a southern bluefin tuna is processed at sea, a separate unique identifier for each fish shall be marked (by attaching a barcode or otherwise affixing the identifier) on each saleable part of a southern bluefin tuna after it has been processed.

37. Transfer or sale of a southern bluefin tuna without a CCSBT tag shall be prohibited.
38. The Secretariat shall keep a database of all CCSBT tags.
39. The Executive Secretary, or representative, shall conduct unscheduled and independent audits of southern bluefin tuna within markets to determine whether whole southern bluefin tuna have required CCSBT tags, and shall conduct genetic testing of fish without tags to determine if they are southern bluefin tuna.

GENERAL REQUIREMENTS FOR IMPLEMENTING THIS RESOLUTION

Implementation by States / Entities other than Members or Cooperating Non-Members

40. The Executive Secretary shall request States / Fishing Entities other than Members or Cooperating Non-Members, which transfer southern bluefin tuna, to cooperate with the implementation of this resolution, and to provide to the Secretariat data obtained from such implementation.

Review and improvement of the CCSBT Catch Documentation and Tagging Schemes

41. The Extended Commission will, at its 2008 meeting, review implementation of the CCSBT Catch Documentation and Tagging schemes to identify weaknesses and areas for improvement, and will endeavour to make any necessary improvements to the schemes.

Annex 1 –CCSBT Catch Document

CCSBT Catch Documents shall meet the following requirements:

1. section for referencing relevant documents for the fish – eg Farm Catch and Tow Documents, Transfer / Transshipment Documents, Inspection Document
2. name of the holder of fishing concession
3. details of the catching vessel(s): master, name of vessel, flag, distinguishing symbol, name of master,
4. date on or dates within which the SBT was caught
5. location or locations where the SBT was caught
6. weight and length of SBT
7. [to be completed]

Annex 2 –CCSBT Longline Operations Document

CCSBT Longline Operations Documents shall meet the following requirements:

1. section for referencing relevant documents for the trip – eg Catch Document
2. name of the holder of fishing concession
3. details of the catching vessel(s): master, name of vessel, flag, distinguishing symbol, name of master,
4. dates of the fishing trip
5. location or locations where the SBT was caught
6. details of all SBT killed and not retained (including whale and shark damaged fish)
7. [to be completed]

Annex 3 – CCSBT Farm Tow Document

CCSBT Farm Tow Documents shall meet the following requirements:

1. name of the holder of fishing concession
2. details of the catching vessel(s): name of vessel, distinguishing symbol, flag, name of master
3. details of name of the towing vessel: name of vessel, flag, name of master
4. date on or dates within which the SBT was caught
5. location or locations where the SBT was caught
6. date of transfer
7. identification number of the tow cage
8. identification number of the farm pen or cage
9. verified count of the number of SBT transferred
10. verified estimate of the weight of SBT transferred, and
11. details of any SBT mortalities during purse seine operations, tow and transfer to the farm.
12. [to be completed]

Annex 4 –CCSBT Transfer Document

CCSBT Transfer Documents shall meet the following requirements:

1. section for referencing Catch Document and any Inspection Document for the fish.
2. [to be completed]

Annex 5 – CCSBT Farm Movement Document

CCSBT Farm Movement Documents shall meet the following requirements:

1. section for referencing relevant documents for the fish –Catch, Farm Tow, Transfer and Inspection Documents
2. [to be completed]

Annex 6 – CCSBT Inspection Document

CCSBT Inspection Documents shall meet the following requirements:

1. section for referencing relevant documents for the fish –Catch, Farm Tow, Transfer and Inspection Documents
2. [to be completed]

Attachment 7

Resolution on establishing a CCSBT Vessel Monitoring System

(for adoption at the Fourteenth Annual Meeting – 16 -19 October 2007)

Resolution on establishing the CCSBT Vessel Monitoring System

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

Recalling that, at its thirteenth annual meeting, the Extended Commission agreed to develop and implement a CCSBT Vessel Monitoring System (the 2006 VMS resolution);

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

Recognising the importance of the CCSBT Vessel Monitoring System 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 adoption of a vessel monitoring system was identified as an important monitoring, control and surveillance measure to deter illegal, unreported and unregulated fishing in the Course of Actions adopted at the Kobe Joint Meeting of Tuna Regional Fisheries Management Organisations from 22 – 26 January 2007;

Recognising the need to stipulate minimum standards and other requirements for the CCSBT Vessel Monitoring System;

Aware that some Members and other regional fisheries management organizations have established Vessel Monitoring Systems and that the experiences of such Members and organizations may be useful in developing and implementing a Commission for the Conservation of Southern Bluefin Tuna Vessel Monitoring System;

Agrees, in accordance with paragraph 4(b) of Article 8 of the Convention for the Conservation of Southern Bluefin Tuna, that:

1. The Members and Cooperating Non-Members of the Extended Commission shall adopt and implement satellite-linked Vessel Monitoring Systems (VMS) for vessels fishing for Southern Bluefin Tuna on the following basis:
 - a. for such vessels fishing in the IOTC Area, in accordance with IOTC Resolution 06/03 On Establishing a Vessel Monitoring System Programme (including Annex 1 to that Resolution);
 - b. for such vessels fishing in the WCPFC Area, in accordance with WCPFC Conservation and Management Measure 2006-06 “Commission Vessel Monitoring System” (including Annex 1 to that Measure);
 - c. for such vessels fishing in the CCAMLR Area, in accordance with CCAMLR Conservation Measure 10-04 (2006) “Automated Satellite-Linked Vessel Monitoring System (VMS)” (including Annex 10-04/A and Annex 10-04/B to that Measure);

- d. for such vessels fishing in the ICCAT Area, in accordance with ICCAT Recommendation 03-14 “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 where there is no VMS , in accordance with IOTC Resolution 06/03 On Establishing a Vessel Monitoring System 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 that may be adopted by those respective Commissions from time to time.
3.
 - a. The Members and Cooperating Non-Members of the Extended Commission shall provide VMS summary reports annually in advance of the Compliance Committee meeting and in the format recommended by the Second Meeting of the Compliance Committee.
 - 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 Cooperating Non-Members of the Extended Commission may request another Member and Cooperating Non-Member of the Extended Commission which is the flag state of the vessel(s) to provide VMS data on the vessel(s) on a case by case basis. The Member and Cooperating Non-Member which receive such request shall:
 - (i) investigate the incidents and provide details of the investigation to Member or Cooperating non-Member which requested VMS data; or
 - (ii) provide VMS data on the vessel(s) to requesting Member or Cooperating Non-Member, which will inform the results of its investigation to the flag state Members or Cooperating Non-Member.
4. The Extended Commission agrees to adopt the confidentiality and security provisions attached in Annex I in relation to the information provided pursuant to paragraph 3(b).
5. The Secretariat shall review and report to the Compliance Committee in 2009 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 review shall take account of any developments by other RFMOs, including development of a harmonised VMS across tuna RFMOs
6. This resolution does not supersede the 2006 VMS resolution adopted at CCSBT 13.

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 Cooperating Non-Members of the Extended Commission which receive VMS data from another Member or Cooperating Non-Member 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 Cooperating Non-Members of the Extended Commission which receive VMS data may only provide those data to **representatives and** officials of the Government for the purposes outlined in paragraph 3 of this Annex.
3. Members and Cooperating Non-Members 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 Cooperating Non-Members 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 Cooperating Non-Members 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 Cooperating Non-Members of the Extended Commission. The VMS Data Confidentiality Policy shall outline all measures which the Member and Cooperating Non-Members of the Extended Commission proposes to implement to ensure it complies with the requirements in Annex I of this resolution.

Chairman's Workplan

Whilst the CCWG 1 was a good opportunity for information sharing, it was disappointing in the level of agreement reached in the areas where the Commission already has draft resolutions and has requested actions to be in place by certain dates.

In order that implementation of the draft resolutions be achieved by the dates required by the Commission, I propose the following Work Plan.

1. CCWG 2

- a. I propose to hold a 5 day CCWG 2 meeting in Canberra from 8-12 October prior to CCSBT 14. This will be in advance of, and replace, the 2 day CC2 meeting currently programmed for 14-15 October which will as a result be reduced to a one day meeting on the 15 October.
- b. I request Australia and the Secretariat make the appropriate arrangements for this meeting and advise Members.
- c. The Draft Agenda for CCWG 2 is attached.
- d. All Papers and Plans listed below for discussion at CCWG 2 as listed below will be provided to the Secretariat for circulation by 1 September 2007.(unless indicated by an earlier date)

2. CDS

- a. All Members provide a document describing current reporting arrangements ASAP so these arrangements can be taken into consideration in CDS proposals.
- b. Australia to provide a revised CDS Paper and Implementation Plan in the light of the discussions at CCWG 1
- c. Japan to provide a description of Japans current activities and provide a CDS proposal for consideration by Members.
- d. The Secretariat to update its CDS Paper in the light of the discussions at CCWG 1
- e. The Secretariat to prepare a Tag Paper including details of available tags with tag samples and costings (assuming central purchase and purchase by Flags) on a range of suitable tuna tags including those that can be written on, have printed numbers, have bar codes and are electronically readable.
- f. The Secretariat to prepare a CDS Indicative Costings Paper on sample costings (and estimate possible costs for fishers, for Flags and for Secretariat) assuming
 - i. Tag management (central or Flag states)
 - ii. Records (electronic or paper based)
 - iii. Tags
 - iv. Sample costings to include staffing, overheads, computer hardware and software, installation and maintenance .etc

3. Transhipments

- a. That the Secretariat prepare a letter (as required in the record of CCWG 1) to Members setting out Members' and the Secretariat's obligations under the resolution adopted at CCSBT 13 and requesting Members to report on progress on complying with these obligations.
- b. Secretariat to produce a comprehensive Transhipment Paper describing arrangements in other Tuna RFMOs and CCAMLR and on progress on harmonisation and on opportunities for CCSBT for further harmonisation
- c. That **XXX** produces a comprehensive draft implementation plan for Transhipment resolutions

4. VMS

- a. Japan to confirm, in terms of the confidentiality and use of VMS Reports (Annex1), the provision of data for Government representatives as well as officials.
- b. That New Zealand produces a comprehensive draft implementation plan for VMS resolutions

5. Port State Measures

- a. New Zealand will produce a Port State Paper – the way forward

6. Independent Observers

- a. Members to provide comments on Paper CCSBT-CC0704/08 and 08A to the Secretariat for circulation by 30 June 2007.
- b. That **XXX** will produce an Observer Paper- the way forward

7. Boarding and Inspection

- a. Australia will provide an updated paper in May 2007.
- b. Members to provide comments on Paper CCSBT-CC0704/12 to the Secretariat for circulation by 30 June 2007.
- c. That **XXX** will produce a Boarding and Inspection Paper-the way forward

8. Vessel Register

- a. Australia to make amendments and circulate a revised paper for CCWG 2.
- b. Members to provide comments on Paper CCSBT-CC0704/09 to the Secretariat for circulation by 30 June 2007.
- c. The Secretariat will produce a Vessel Register paper on the current vessel registers for all RFMOs and the opportunities for further harmonisation
- d. That **XXX** will produce a Vessel Register Paper- the way forward

9. SBT Farm Compliance

- a. Members to provide comments on Paper CCSBT-CC0704/15 and 16 to the Secretariat for circulation by 30 June 2007.
- b. That Japan will on the basis of Members comments produce a Farm Management Paper- the way forward

CCWG 2

Draft Agenda

1. Transshipment

Finalise details of implementation plans for CCSBT 14 Resolution on Transshipment for recommendation to CC 2

2. CDS

Finalise a full resolution for adoption at CCSBT 14 and details of implementation plans for CCSBT 14 Resolution on CDS for recommendation to CC 2

3. VMS

Finalise details of implementation plans for CCSBT 14 Resolution on VMS for recommendation to CC 2

4. Port state Measures

Plan for progress on Port State measures

5. Independent Observers

Plan for progress on Independent Observers

6. Boarding and Inspection

Plan for progress on Boarding and Inspection

7. Vessel register

Plan for progress on Vessel Register

8. SBT Farm Compliance

Plan for progress on Farm Compliance issues

9. DNA sampling

10. Other Business

11. Report

12. Close