

Commission for the Conservation of
Southern Bluefin Tuna



みなまぐろ保存委員会

Report of the Fifth Meeting of the Compliance Committee

9-10 October 2010

Taipei, Taiwan

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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 Stan Crothers, who welcomed participants.
2. Members introduced their delegations to the meeting and provided brief opening remarks. The list of participants is shown at **Attachment 1**.

1.2. Adoption of agenda

3. The agenda was adopted without modification and is shown at **Attachment 2**.
4. The list of documents for the meeting is shown at **Attachment 3**.

1.3. Meeting arrangements

5. The Meeting agreed to the Chair's plan for running the meeting, including that the report should contain only a record of outcomes.

Agenda Item 2. Compliance with CCSBT Conservation and Management Measures

2.1. Reports from Members and Cooperating Non-members (compliance related issues from National Reports and content of Compliance Action Plans)

6. Extensive discussion was held in relation to the contents of National Reports and Compliance Action Plans that were submitted to the meeting.
7. Following the discussion, the meeting made a number of recommendations including:
 - a) Due to a reduction in the scale of Japanese longline fisheries, the use of longline data for other longline fleets for scientific purpose should be evaluated, and reliable data needs to be collected from these other fleets.
 - b) There is concern about the expansion of markets for SBT, particularly in mainland China, Taiwan and Korea. Consequently, landing controls by such States and Entities are important and every effort should be made to strengthen the monitoring and control of the landings to ensure reliability of the data.
 - c) There is a need to improve reporting of Ecologically Related Species Interactions and compliance to IOTC and WCPFC measures.
 - d) Improve observer coverage levels, including for SBT bycatch fisheries, and ensure they meet the 10% level that has been agreed to. Members and

Cooperating Non-Members should report observer coverage in terms of total catch and total hooks or effort.

- e) Improve validation of the information contained in the CDS documents including through physical inspections.
 - f) Compliance Action Plans have provided a valuable source of information. The detail in these plans should continue to be improved and the plans should be kept up to date, and submitted to future annual meetings of the Compliance Committee.
 - g) Ensure that SBT discard quantities, together with discard fate (live/dead) are properly recorded and reported by all Members and Cooperating Non-Members as part of their national reports.
 - h) Improved monitoring of fisheries for and landings of other tuna species should be conducted, including exploring the use of techniques such as DNA analysis to verify the identification of tuna landed as other (non SBT) species.
8. South Africa reported to the meeting, a summary of discussions relating to compliance by the Philippines. The summary is provided at **Attachment 4**.

2.2. Report from the Secretariat

- 9. Paper CCSBT-CC/1010/04 was presented by the Executive Secretary, detailing Compliance with CCSBT Management Measures by Members and Cooperating Non-Members (CNMs). It was noted that the Secretariat was only in a position to deal with CCSBT Compliance Measures from an administrative perspective, and did not have the resources under current staffing levels to provide analyses of data.
- 10. The paper contained a table summarising compliance with CCSBT measures. It was noted that there was a significant variation in the levels of compliance with measures, and that improvements were required.
- 11. Members and CNMs were given an opportunity to provide revisions to information presented in the paper.
- 12. To assist Members in comparing different data sources the Secretariat advised that it would provide catch figures on both a calendar year and fishing season basis in next year's report.

2.3. Assessment of compliance with CCSBT management measures

- 13. The Meeting noted that recommendations under agenda item 2.1 signalled areas for improvement, and the following recommendations arose from discussion under agenda item 2.2:
 - a) Members and Cooperating Non-Members should more immediately move to rectify any issues of Non-Compliance identified in Attachment A of the revised CCSBT-CC/1010/04.
 - b) Members and Cooperating Non-Members should work to identify areas of compliance that could be improved, and identify ways to offer assistance to others if possible.

14. Concern was expressed regarding the differences in the level of validation and verification of catches between some Members. It was noted that rebuilding efforts for the SBT stock could be jeopardized by a lack of compliance that could arise through inadequate validation. It was agreed that this issue should be raised at the Extended Commission and that the Extended Commission should consider how and when to progress this issue.

Agenda Item 3. Outcomes from the Compliance Risk Assessment

3.1. Report from the Intersessional Compliance Risk Assessment Working Group

15. New Zealand presented CCSBT-CC/1010/11 and **Attachment 5**, which provided a summary of the work of the inter-sessional risk assessment working group.
16. The meeting thanked New Zealand for its extensive work on the risk assessment, and noted that this was a valuable step in creating a more structured strategy for assessing risk.

3.2. Discussion of recommendations and resolutions

17. The meeting further noted that some of the information contained in the characterisation of global fisheries for southern bluefin tuna was out of date, and agreed that the Secretariat should update this information with the most recent year's data.
18. A recommendation was made that the Executive Secretary, with advice and assistance from the Chair, would use the information from the Compliance Risk Assessment, together with measures relating to the discussion to prepare a draft Compliance Plan for consideration by the next annual meeting of the Compliance Committee.

Agenda Item 4. Review of CCSBT MCS Measures

4.1. CDS

19. The Executive Secretary presented paper CCSBT-CC/1010/05, which reported on implementation issues with the CCSBT Catch Documentation Scheme, and provided a number of recommendations to assist in resolution of these issues.
20. A CDS technical working group was convened to discuss these issues, along with issues detailed in papers CCSBT-CC/1010/08 and CCSBT-CC/1010/09. The recommendations from the CDS technical group are at **Attachment 6**.
21. Australia provided a statement in relation to the possibility of hatchery raised SBT entering the market, and how it plans to implement this within the CDS. The statement is at **Attachment 7**.

4.2. Transshipment

22. The Data Manager presented CCSBT-CC/1010/06 which reported on the implementation of the CCSBT transshipment resolution, and the meeting reviewed the issues in the paper.
23. The meeting noted that failure to notify in advance that a transshipment includes SBT could lead to non compliance with the measure in situations where the observer on board the vessel is not trained in CCSBT requirements.
24. The meeting also noted that the current transshipment resolution is unlikely to be an effective tool to verify the SBT catch.
25. Following discussion the meeting made the following recommendations in relation to transshipments:
 - a) Members and Cooperating Non-Members involved in transshipments of SBT should work to improve their administration of the resolution, with particular emphasis on accurate and timely notification of transshipments involving SBT.
 - b) It would be beneficial to have observers trained in CCSBT requirements and identification to be onboard all transshipments, to more accurately monitor whether SBT is involved. The Secretariat will raise this with IOTC and ICCAT.
 - c) Where possible, SBT should be transhipped separate to other tuna like species, in order to assist observers with identification.

4.3. Vessel Monitoring System

26. The meeting agreed that provision of VMS data to scientist could assist in verification of data, and was important for stock assessment work. It noted that in order to be of full use, accompanying fine-scale operational level data should also be provided. It was further agreed that this would require consideration of confidentiality requirements and ownership of VMS and operational level data.

4.4. Data sharing for Compliance Purposes

27. The meeting discussed the benefits of sharing among Members the data and information obtained in monitoring activities from fishing grounds to markets. It was suggested that the use of data of this sort be limited to compliance purposes only and be kept within the governments. It was recommended that this matter also be given consideration in the Extended Commission meeting.

Agenda Item 5. Report from the Joint Tuna RFMO workshop on Improvement, Harmonization and Compatibility of Monitoring, Control and Surveillance Measures

28. The Executive Secretary provided a summary of 19 recommendations arising from this workshop, classified into areas of relevance to CCSBT. The meeting agreed that this classification was correct as a snapshot of the current situation. However,

this could change during the Extended Commission meeting and the Secretariat was requested to update the document with such changes.

Agenda Item 6. Data Confidentiality and Integrity

6.1. Data Confidentiality Rules and Arrangements

29. The Executive Secretary presented CCSBT-CC/1010/07 concerning the draft CCSBT confidentiality rules and arrangements.
30. The meeting considered and agreed the draft confidentiality rules and arrangements with minor amendments. The draft is at **Attachment 8** and is recommended to the Extended Commission. Three proposed amendments in the draft have been “square bracketed” for consideration by the Extended Commission.

6.2. Standards and Procedures to Ensure Data Integrity

31. The Executive Secretary advised that this item related mainly to the Catch Documentation Scheme, however at the time documents were prepared for the meeting, only 3 months of CDS data had arrived and the Secretariat had not had an opportunity to analyse these data and consider appropriate standards and procedures for the data.
32. The Meeting agreed that the CDS standards and specifications should be deferred until next year when more CDS data will be available for analysis and that the Secretariat would be tasked with developing a draft set of standards and processes to ensure CDS data integrity for consideration by CC6.
33. The meeting noted that the standards and procedures in the Strategic Plan covered more than just the CDS. In particular, the importance of inspection of catches and verification of catch data was considered to be of particular importance. This is intended to be further discussed during the Extended Commission meeting.
34. The meeting noted that Australia had submitted a draft resolution on the provision of fisheries dependent data and recommended that this matter be given consideration by a small working group, coordinated by Australia, in the margins of the Extended Commission with a view to bringing forward a revised draft resolution for the consideration by the Extended Commission.

Agenda Item 7. Future work program

35. The recommendations at agenda items 3, 6 and 8 involve additional work during 2010/11 in the following areas, but it was noted that additional tasks may be scheduled from the Extended Commission:
 - The Secretariat to update the characterisation of global fisheries presented in the Compliance Risk Assessment;
 - The Executive Secretary and Chair prepare a draft compliance plan for consideration by the next meeting of the Compliance Committee;

- Members (particularly Australian and Japan) would work intersessionally to develop methods of market analyses for consideration by the Extended Scientific Committee and the Compliance Committee in 2011; and
 - Developing a draft set of standards and processes to ensure CDS data integrity for consideration by CC6.
36. The Humane Society International (HSI) requested the Compliance Committee to clarify with the Extended Commission, whether compliance issues that relate to ERS species and in particular mitigating mortalities are a responsibility of the Compliance Committee or the ERSWG. The meeting agreed to the request. HSI also queried whether a process will be implemented to mitigate risks of inadequate compliance measures being in place as identified in CCSBT-CC/1010/11.

Agenda Item 8. Other business

37. The meeting noted that the increase in domestic consumption of SBT by some Members and emerging markets for SBT warranted analysis of market and trade data to allow a comparison with reported catches and identify any catches or trade by non members and non CNMs.
38. It was agreed that Members (particularly Australian and Japan) would work intersessionally to develop methods of market analyses based on CDS data, trade data and public data from the markets. The outcomes of the intersessional work, with a design on how CCSBT would use these data in the future, would be reported to the Extended Scientific Committee and the Compliance Committee in 2011.
39. Australia advised that paper CCSBT-CC/1010/BGD02 described a process for implementing a regional observer program within the CCSBT and that it intended to introduce elements of its proposal for a regional observer program to the Extended Commission. Australia welcomed comments on its proposal.

Agenda Item 9. Conclusion

9.1. Timing of the next meeting

40. The timing of the annual Compliance Committee meeting is specified in the Committee's Terms of Reference and the meeting did not suggest any changes to this.

9.2. Adoption of meeting report

41. The report was adopted.

9.3. Close of meeting

42. The meeting closed at 6:00pm on 10 October 2010.

List of Attachments

Attachment

1. List of Participants
2. Agenda
3. List of Documents
4. Feedback of meeting between South Africa and Philippines on data reporting discrepancies
5. Intersessional working group summary of Member's and Cooperating Non-Member's implementation of CCSBT measures
6. Recommendations from the CDS Technical Working Group on Implementation Issues with the CCSBT Catch Documentation Scheme (CDS)
7. Statement from Australia Regarding the Possibility of Hatchery Raised Southern Bluefin Tuna (SBT) Entering the Market
8. A Draft of Data Confidentiality Rules and Arrangements

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**Fifth Meeting of the Compliance Committee
9-10 October 2010
Taipei, Taiwan
Agenda**

1. Opening of meeting
 - 1.1. Welcome
 - 1.2. Adoption of Agenda
 - 1.3. Meeting Arrangements
2. Compliance with CCSBT Conservation and Management Measures
 - 2.1. Reports from Members and Cooperating Non-members (*compliance related issues from National Reports and content of Compliance Action Plans*)
 - 2.2. Report from Secretariat
 - 2.3. Assessment of compliance with CCSBT management measures
3. Outcomes from the Compliance Risk Assessment
 - 3.1. Report from the Intersessional Compliance Risk Assessment Working Group
 - 3.2. Discussion of recommendations and resolutions
4. Review of CCSBT MCS Measures
 - 4.1. CDS
 - 4.2. Transshipment
 - 4.3. VMS
5. Report from the Joint Tuna RFMO workshop on Improvement, Harmonization and Compatibility of Monitoring, Control and Surveillance Measures
6. Data Confidentiality and Integrity
 - 6.1. Data Confidentiality Rules and Arrangements
 - 6.2. Standards and Procedures to Ensure Data Integrity
7. Future work program
8. Other business
9. Conclusion
 - 9.1. Timing of the next meeting
 - 9.2. Adoption of meeting report
 - 9.3. Close of meeting

List of Documents
The Fifth meeting of the Compliance Committee

(CCSBT-CC/1010/)

1. Provisional Agenda
2. List of Participants
3. Draft List of Documents
4. (Secretariat) Compliance with CCSBT Management Measures
5. (Secretariat) Implementation issues with the CCSBT Catch Documentation Scheme
6. (Secretariat) Implementation of the CCSBT Transshipment Resolution
7. (Secretariat) CCSBT Data Confidentiality Rules and Arrangements
8. (New Zealand) New Zealand comments on the operation of the Catch Documentation Scheme
9. (Australia) Australia's review of implementation issues with the Catch Documentation Scheme
10. (Australia) Draft Resolution on the Provision of Fisheries-Dependent Data to Support the Scientific Assessment of Southern Bluefin Tuna and Ecologically Related Species
11. (New Zealand) Work of the inter-sessional risk assessment working group

(CCSBT-CC/1010/SBT Fisheries -)

Australia	Australia's annual review of the Southern Bluefin Tuna Fishery
Indonesia	Annual Review of Indonesia SBT Fisheries for the Compliance Meetings and Annual Commission
Japan	Review of Japanese SBT Fisheries in the 2009 Fishing Season
Korea	Annual Review of National SBT Fisheries
New Zealand	Annual Review of National SBT Fisheries
Taiwan	Review of Taiwan's SBT Fishery of 2009/2010
European Union	European Union Report on 2009 SBT Fishery
South Africa	Annual Review of the South African SBT Fishery for the 17th Annual Meeting of the Commission
Philippines	National Report of the Philippines as a Cooperating Non-Member of the Commission for the Conservation of Southern Bluefin Tuna (CCSBT)

(CCSBT-CC/1010/Compliance Action Plan-)

Australia	Australia's compliance action plan for the Commission for the Conservation of Southern Bluefin Tuna
Indonesia	Indonesia Compliance Action Plan
Japan	Japan Compliance Action Plan
Korea	Korea Compliance Action Plan
New Zealand	New Zealand Compliance Action Plan 2010
Taiwan	Taiwan Compliance Action Plan 2010
South Africa	South Africa's CCSBT Compliance Action Plan

(CCSBT-CC/1010/BGD)

1. (Australia) Data and information requirements for management procedure implementation (previously CCSBT-ESC/1009/13)
2. (Australia) Scoping study for the development of a CCSBT Regional Observer Program (previously CCSBT-ESC/1009/30)
3. (Australia) Japanese market update 2010 (previously CCSBT-ESC/1009/31)
4. (Japan) Analysis of age composition of southern bluefin tuna used for farming in 2009 (previously CCSBT-ESC/1009/21)
5. (Japan) Monitoring on Japanese domestic markets: 2010 update (previously CCSBT-ESC/1009/32)

(CCSBT-CC/1010/Info)

1. (Secretariat) Report of the International Workshop on Improvement, Harmonisation and Compatibility of Monitoring, Control and Surveillance Measures, including Monitoring Catches from Catching Vessels to Markets (Barcelona, June 2010)
2. (New Zealand) New Zealand action plan to ensure compliance with conservation and management measures (April 2010) (Previously CCSBT- SFMWG/1004/06)

(CCSBT-CC/1010/Rep)

1. Report of the Fifteenth Meeting of the Scientific Committee (September 2010)
2. Report of the Second Meeting of the Strategy and Fisheries Management Working Group (April 2010)
3. Report of the Sixteenth Annual Meeting of the Commission (October 2009)
4. Report of the Fourth Meeting of the Compliance Committee (October 2009)
5. Report of the Strategy and Fisheries Management Working Group Meeting (April 2009)
6. Report of the Fifteenth Annual Meeting of the Commission (October 2008)
7. Report of the Third Meeting of the Compliance Committee (October 2008)

8. Report of the Independent Expert on the Performance Review (September 2008)
9. Report of the Performance Review Working Group (August 2008)

**Feedback of meeting between South Africa and Philippines
on data reporting discrepancies**

After re-examination of relevant documents between the two parties it was apparent that the discrepancies were the result of multiple transshipments of small quantities of southern bluefin caught as by-catch that was reported late to the Philippine Bureau of Fisheries and Aquatic Resources. Philippines agreed to amend the historic catch record to reflect the unreported catch and to issue a final warning to the relevant fishing companies for the late reporting. To avoid such discrepancies in future Philippines will allocate southern bluefin quotas to its vessels, starting in 2011, and will report all catches to CCSBT made by its vessels. Philippines also confirmed that most of its 28 authorized vessels were fishing in the Atlantic and Pacific oceans and hence would not have any by-catches of southern bluefin tuna. In addition, Philippine Bureau of Fisheries and Aquatic Resources established its own VMS station in 2010 to independently monitor the movement of its longline vessels. South Africa was satisfied with the willingness of the Philippines to improve the management of their fishery and hence South Africa was of the view that no sanctions should be considered.

Inter-sessional working group summary of Members' and Cooperating Non-Members' implementation of CCSBT measures

Actions adopted by CCSBT	Interventions	MCS arrangements to ensure effectiveness of interventions
	<p><i>i.e. how does the flag state ensure it can meet this commitment?</i></p> <p><i>Details of how the measure is implemented, including, as appropriate, whether through legislative or voluntary or other means; ability to detect breaches; whether or not sanctions would apply to any breach</i></p>	<p><i>i.e. what measures are in place to monitor fulfilment of the commitment?</i></p> <p><i>What monitoring and other means are used to see whether or not the fishing industry is complying with the measure.</i></p>
Australia		
TAC and allocation (including reporting on quota and catch against quota)	<p>Output controls in the form of individually transferable quotas (ITQs) allocated as statutory fishing rights (SFRs) under the SBT Fishery Management Plan (the Plan). Each year, following the annual meeting of the CCSBT, the AFMA Commission determines a national TAC for the Australian domestic SBT fishery. Under the Plan, the TAC must not exceed the allocation made to Australia by the CCSBT. Operators are entitled to a share of this TAC based on their SFR holding. SFRs are tradeable throughout the fishing season.</p>	<p>All SFR holders must record daily catch activity and landings in logbooks and catch disposal records (CDRs) determined by AFMA. All such logbooks and CDRs are legislative instruments. AFMA licensing and quota management officers monitor SFR holders catch versus available quota.</p> <p>Farm sector: verified counts of SBT transferred from each tow cage into a farm must be conducted by AFMA or a government contractor acting on AFMA's behalf in accordance with s22B of the Plan.</p> <p>AFMA fisheries officers conduct targeted compliance operations to check fishing vessels at sea and at landing ports, and random audits of fishing companies, fish receivers and export establishments. All fish receiver permit holders for SBT are audited on an annual basis.</p>
Data exchange agreements and monthly catch reporting	<p>Australia meets its data exchange requirements and provides monthly catch reports to CCSBT. Australia meets all required timelines in delivering data to the secretariat as required.</p>	<p>Catch data are verified through targeted compliance operations to check fishing vessels at sea and at landing ports, and random audits of fishing companies, fish receivers and export establishments. All farming companies are audited on an annual basis. Catch data are also verified by scientific observers.</p>
Authorisation of vessels and farms	<p>Australia is fully compliant with the requirement to maintain a current list of Australian-flagged vessels and Australian farms with the CCSBT Executive Secretary, informing the Executive Secretary of any addition to, deletion from or modification of these lists.</p>	<p>SFR registers are updated as part of the licensing process. Through domestic implementation of the CCSBT Catch Documentation Scheme, Australia has taken measures to not permit landings of domestic product, exports, imports and/or re-exports of SBT into or from farms which are not registered on the CCSBT record of authorized farms. All fish must be received by licensed fish receivers.</p>
Vessel Monitoring Systems (VMS)	<p>All boats operating in Australia's Commonwealth fisheries must be fitted with an approved and functional VMS</p>	<p>VMS status of all Commonwealth vessels is audited on a daily basis. AFMA notifies SFR holders on any VMS malfunctions monitors any suspected non-compliance.</p>
Transshipment monitoring	<p>All product from the Australian SBT is landed in</p>	<p>Not applicable.</p>

Actions adopted by CCSBT	Interventions	MCS arrangements to ensure effectiveness of interventions
Transshipment monitoring continued	Australian ports. This is not expected to change in the foreseeable future. Should an operator of an Australian-flagged boat seek to land Australian SBT product at a foreign port, AFMA will notify the CCSBT Executive Secretary of the nominated port.	
Catch Documentation Scheme (CDS)	From 1 January 2010 no SBT will be accepted for domestic sale, export or import, without the correct accompanying CDS documentation. All documents required from SFR holders in the SBT Fishery have been updated to incorporate the requirements of the CDS, and individual documents are uniquely numbered. Copies of all documents issued and received will be provided to the CCSBT Secretariat on a quarterly basis to be compiled in an electronic database.	Compliance with the CCSBT CDS will be monitored in accordance with AFMA's 'Domestic Compliance and Enforcement Policy'. SFR holders must retain copies of each CDR and CCSBT CDS form for 5 years from the date of completion to meet audit requirements. All fish receiver permit holders for SBT will be audited on an annual basis.
Scientific Observer Programme	<p>Under the Plan, SFR holders must carry a scientific observer on a nominated boat if instructed by AFMA.</p> <p>Farm sector: scientific observer coverage target is 10% of purse seine operations (effort) and 10% of towing operations (effort).</p> <p>Longline sector: AFMA annually establishes restricted access areas (Core and Buffer Zones) in areas where longline fishing operations are most likely to interact with SBT. Longline operators are required to have minimum SBT quota holdings in order to operate in either of these designated zones. The required level of observer coverage varies according to the level of SBT quota held. The minimum level of observer coverage (effort) is 20% in the core zone and 10% in the buffer zone. Irrespective of the original quota holding, when a boat reaches a level of uncaught SBT quota below 500 kilograms there will be 100% observer coverage in the Core Zone until the zones are removed. Observer coverage will revert to 100% for all operators in the Core Zone if there is evidence that significant discarding of SBT is occurring on vessels without observer coverage.</p>	<p>The principal objectives of Australia's SBT scientific observer program are to provide validation of commercial catch and:</p> <ul style="list-style-type: none"> • monitor and record the day-to-day fishing operations; • observe, record and report catch, effort, non-target catch and the fate of SBT caught, including monitoring tow operations; • collect information on vessel details including search gear, search methods and fishing gear; • collect biological data from fishing operations; and • record all interactions and sightings of marine mammals and birds. <p>Actual levels of observer coverage (of effort and catch) achieved per sector per season are reported annually to the CCSBT in Australia's country reports, together with observed interactions with Ecologically Related Species.</p>
Recommendation on	Under the Eastern Tuna and Billfish Fishery	SFR holders are required to record all interactions with ERS in the

Actions adopted by CCSBT	Interventions	MCS arrangements to ensure effectiveness of interventions
Ecologically Related Species ERS continued	Management Plan 2005, Western Tuna and Billfish Fishery Management Plan 2005 and Threat Abatement Plan (TAP) 2006 for the Incidental Catch (or bycatch) of Seabirds during Oceanic Longline Fishing Operations , Australia complies with all current binding and recommendatory measures adopted by the IOTC and WCPFC aimed at the protection of ERS species from fishing. Australia's 'Eastern Tuna and Billfish Fishery Sea Turtle Mitigation Plan' was endorsed by WCPFC.	applicable logbook or CDRs. Interactions with ERS and deployment of mitigation equipment are also recorded by scientific observers. Compliance with recommendations on ERS is also monitored through targeted at-sea operations by AFMA fisheries officers.
Japan		
TAC and allocation (including reporting on quota and catch against quota)	<ul style="list-style-type: none"> ➤ Fishing licences ➤ Individual quotas ➤ Real-time catch reporting by RTMP (real-time monitoring program) ➤ Submission of logbooks ➤ Tagging of all whole SBT ➤ Designation of 8 domestic ports for landing and prohibition of landing at other ports including foreign ports. ➤ Submission of relevant documents before landing/transshipment ➤ Prohibition of possession and sale of illegally caught SBT 	<ul style="list-style-type: none"> ➤ Inspections of 100% of landings by government officials ➤ Monthly monitoring at Tsukiji market ➤ Implementation of CCSBT Catch Documentation Scheme ➤ Verification of submitted logbooks by government officials ➤ Verification of submitted documents on landing/transshipment by government officials
Data exchange agreements and monthly catch reporting	<ul style="list-style-type: none"> ➤ Real-time catch reporting by RTMP (real-time monitoring program) ➤ Submission of logbooks ➤ Deployment of scientific observers (10% coverage for 2010) 	<ul style="list-style-type: none"> ➤ Verification of submitted logbooks by government officials ➤ 100% landing inspection by government officials
Authorisation of vessels and farms	<ul style="list-style-type: none"> ➤ All SBT fishing vessels are required to be registered to the government (the government submits this information to CCSBT) ➤ Currently there is no SBT farming in Japan 	<ul style="list-style-type: none"> ➤ Inspection and renewal of fishing licence every 5 years ➤ Penalty up to revocation of fishing licence, depending on severity of violation
VMS	<ul style="list-style-type: none"> ➤ All large-scale tuna fishing vessels, including SBT vessels, are equipped with VMS in accordance with domestic law (in case of VMS malfunctioning, reporting must be done by fax) 	<ul style="list-style-type: none"> ➤ Monitoring of VMS data by government
Transshipment monitoring	<ul style="list-style-type: none"> ➤ Requirement to obtain permission in advance of transshipment of SBT ➤ Requirement to report amount of SBT and relating 	<ul style="list-style-type: none"> ➤ Verification of submitted documents by government officials ➤ 100% landing inspection by government officials

Actions adopted by CCSBT	Interventions	MCS arrangements to ensure effectiveness of interventions
CDS	<p>data before/after transshipment</p> <ul style="list-style-type: none"> ➤ CDS started on 1st January 2010 	<ul style="list-style-type: none"> ➤ Validation of all CDS documents by government official after landing inspection ➤ Random DNA testing ➤ Requirement for importers to submit tagging information of imported SBT products, including tag number, product size and weight
Scientific Observer Programme	<ul style="list-style-type: none"> ➤ Deployment of scientific observers (10% coverage for 2010) ➤ Training for all scientific observers 	<ul style="list-style-type: none"> ➤ Monitoring of observer program and coverage by the government ➤ Analysis of obtained data from observers
Recommendation on ERS	<ul style="list-style-type: none"> ➤ Development and implementation of National Plans of Action for seabirds and sharks in accordance with FAO International Plan of Action ➤ Tagging and release of bycaught sharks ➤ Implementation of FAO Guidelines for sea turtles ➤ Implementation of bycatch mitigation measures on seabird, including measures adopted at IOTC and WCPFC (Combination use of measures such as night setting, tori-pole, line weighting, dyed bait, management of offal etc.), according to CCSBT Recommendations on bycatch ➤ Reporting of bycatch every 10 days 	<ul style="list-style-type: none"> ➤ Collection of bycatch data, including through scientific observers
Taiwan		
TAC and allocation (including reporting on quota and catch against quota)	<p>After the annual meeting of the CCSBT, Fisheries Agency of Taiwan (FA) allocates its national quota of SBT to Taiwanese-flagged vessels. SBT is allocated to two sectors:</p> <p>1) Seasonal SBT-target vessels: Individual quota is allocated for each vessel; and</p> <p>2) Bycatch vessels: vessels shall be registered and permitted for bycatch; the amount of bycatch for each vessel is no more than 1 tonne (gilled and gutted).</p> <p>Any vessel that reaches its individual quota shall stop fishing for SBT and leave the fishing ground. If there is any further incidental catch of SBT, it shall be released/ discarded and the amount recorded on the catch reporting form. Penalties apply for any vessel that breaches its individual quota.</p>	<p>A CCSBT tag shall be applied to each SBT caught, and individual weight and length shall be measured and recorded on Catch Tagging Form. When SBT is caught, fishers shall daily report the above information to their company. This information shall be submitted to FA on a weekly-basis.</p> <p>Officials of FA shall examine the weekly report, transshipment declaration (inspection by IOTC or ICCAT regional observer), Catch Tagging Form, Catch Monitoring Form (Inspection by IOTC or ICCAT regional observer, or officials of FA through foreign/ domestic port inspection) against individual quota of each vessel to determine if there is any contravention or discrepancy.</p>

Actions adopted by CCSBT	Interventions	MCS arrangements to ensure effectiveness of interventions
Data exchange agreements and monthly catch reporting	<p>In accordance with Taiwanese domestic regulations, fishers shall record catch and effort data in logbooks that are kept on board. When vessels enter port or unload catch at port, logbooks shall be submitted to the FA. Those data are compiled and cross-checked with weekly reports, observer data, VMS and other available commercial data for data verification. The FA submits its catch and effort data to the Secretariat according to the data exchange requirements adopted by CCSBT.</p> <p>FA also accumulates weekly reports and submitted a monthly catch report to the Executive Secretary of CCSBT.</p>	<p>Taiwan established a scientific observer program in 2002. Observers record catch and effort data that are used to verify logbook data provided by fishers. Starting April 1, 2009, all SBT transhipped at sea by carrier vessels shall be monitored by regional observers of IOTC and ICCAT.</p> <p>Since 2010, all SBT transhipped at foreign ports or landing at its domestic port are inspected by officials of FA.</p>
Authorisation of vessels and farms	<p>Each year, after annual meeting of CCSBT, FA reviews its domestic regulations and determines the number of fishing vessels authorized to fish for SBT, and individual quota of those vessels based on its national allocation adopted by CCSBT. FA then submits an authorized vessel list to the Executive Secretary every year.</p>	<p>All vessels authorized to fish for SBT shall report to FA within 7 days of its departure and arrival. Any vessels authorized to fish for SBT shall be inspected by our officials when it enters into Port Louis or Cape Town.</p>
VMS	<p>All vessels authorized to fish for SBT are required to install satellite-based VMS and send an automatic location by VMS every four hours.</p>	<p>The VMS system shall be operated without interruption. When a vessel enters into port, VMS shall remain operational unless FA permits the vessel to shut down its VMS. The system is monitored daily by the Overseas Fisheries Development Council and FA.</p>
Transshipment monitoring	<p>Taiwan has joined ICCAT and IOTC Regional Observer Programs. All catch including SBT transhipped at-sea shall be monitored by observers.</p> <p>Since March 2010, Taiwan has designated two foreign ports (Port Louis and Cape Town) for SBT transshipment by its flagged vessels. Its officials stationed at Port Louis and Cape Town are responsible for inspecting all SBT catch. Any catch without inspection by its officials shall not receive a validated catch document.</p>	<p>The master and/or owner of vessels authorized to fish for SBT must notify FA with the related information at least 24 hours in advance of transshipment. After the transshipment, the master of vessel shall complete and transmit the transshipment declaration to FA no later than 24 hrs. FA will cross-check the information with the weekly report submitted by the vessel.</p>
CDS	<p>Regulations establish that a CCSBT tag shall be applied to each SBT caught, and individual weight and length shall be measured and recorded on Catch</p>	<p>In March 2010 FA designated two foreign ports (Port Louis and Cape Town) for SBT transshipment by its flagged vessels. Its officials stationed at Port Louis and Cape Town are responsible for inspecting all</p>

Actions adopted by CCSBT	Interventions	MCS arrangements to ensure effectiveness of interventions
CDS continued	<p>Tagging Forms. When SBT is caught, fishers shall daily report the above information to their company. This information shall be submitted to FA on a weekly-basis.</p> <p>If observers or FA officials note any discrepancies in information or incomplete documentation, they shall not validate the Catch Tagging Form and/or Catch Monitoring Form. The master and/or owner of the vessels would also be penalized.</p>	<p>SBT catch. For domestic SBT consumption, all carrier vessels, containers and SBT vessels are requested being inspected by officials of FA.</p> <p>Transhipments of SBT at sea shall be monitored by observers.</p>
Scientific Observer Programme	<p>All of the vessels authorized to fish for SBT shall accept observer deployment by FA in accordance with regulations. Penalties apply for vessels that do not agree to carry observers.</p> <p>FA runs its observer training program every year and commissions the related scholars/experts to train observers, including data collection and recording, species identification, biological sampling.</p>	<p>Scientific observers collect and record independent catch and effort data every day, and report those data to FA every week. If there is any doubt, FA will request clarification from observers. To ensure data quality, FA also requests observer debriefing when observers return from the voyage.</p>
Recommendation on ERS	<p>In accordance with the recommendation on ERS mitigation measures adopted by ICCAT, WCPFC and IOTC, Taiwan has regulated its SBT vessels which fish in the area south of 25° S to adopt at least two seabird mitigation options. Taiwan also imposes shark bycatch regulation as follows:</p> <ul style="list-style-type: none"> • Release the shark when it is caught alive and record in the catch reporting form • Require vessels to not have onboard fins that total more than 5% of the weight of sharks <p>In addition, Taiwan requires fishing vessels operating on the high seas to have necessary devices on board, such as scoop net, de-hooker and line cutters, during the voyage or operation periods, for appropriate release of incidentally caught sea turtles, and to release such turtles alive where possible. Moreover, any type of plastic trash disposed at sea is prohibited to prevent it from being mistakenly eaten by a sea turtle. In addition, Taiwan has adopted measures to encourage fishermen to use circle hooks for mitigating by-catch of sea turtles.</p>	<p>All mitigation devices, such as tori lines, shall be inspected by officials of FA who are stationed abroad. Bycatch data/Information on ERS collected by Taiwanese observers has been compiled and analysed to assess the impact of fisheries on ERS.</p>

Actions adopted by CCSBT	Interventions	MCS arrangements to ensure effectiveness of interventions
New Zealand		
TAC and allocation (including reporting on quota and catch against quota)	<p>The commercial fishing of SBT is managed under the New Zealand Quota Management System (QMS) in which fishers have a tradable property right in the stock represented as quota. The value of a quota share is a proportion of the Total Allowable Commercial Catch (TACC). New Zealand's CCSBT SBT allocation is used as the basis for setting the Total Allowable Catch (TAC) under the QMS.</p> <p>The TAC is the total quantity of SBT that can be taken by commercial, customary Maori interests, recreational fishery interests and other sources of fishing-related mortality. After making allowances for customary Maori interests, recreational fishery interests and other sources of fishing-related mortality, the remainder of the catch limit is available for commercial exploitation with the setting of an annual TACC.</p> <p>New Zealand also imposes penalties (called deemed values) on catches in excess of quota. Catch against quota is monitored on a monthly basis and these penalties are administered throughout the year.</p>	<p>All operators of fishing vessels must complete reporting forms for each day where fishing takes place. Tuna longlining vessels must record information for each set and do so immediately following the end of the set on Tuna Longline Catch Effort Returns.</p> <p>Mandatory Amateur Charter Vessel Reporting is to be phased in regionally from 1 October 2010, for regions including the area in which the main recreational game fishery is based. The full roll-out will be complete with all regions reporting SBT from 1 Oct 2012. This will replace the existing voluntary reporting arrangement of SBT by recreational charter vessels.</p>
Data exchange agreements and monthly catch reporting	<p>All operators of fishing vessels must complete reporting forms for each day where fishing takes place. Tuna longlining vessels must record information for each set and do so immediately following the end of the set on Tuna Longline Catch Effort Returns. Returns must be submitted by the 15th of the month following the end of the fishing trip and are currently submitted by post.</p>	<p>Submitted returns are put through an initial validation test that screens each form for potential errors. Further clarification is often sought from fishers when possible errors are identified at this early stage.</p> <p>Verification of returns is carried out through analysis of data within and across different return types by the Ministry of Fisheries to identify any discrepancies, for example to compare information submitted from fishers to that which is sent from fish receivers. Returns are always verified for completeness and accuracy during any form of inspection by Ministry of Fisheries officials at all stages of the supply chain from catch to market.</p>
Authorisation of vessels and farms	<p>All vessels fishing within New Zealand waters must be registered.</p> <p>New Zealand does not currently farm SBT.</p>	<p>Monitoring and inspections ensure that vessels operating within New Zealand waters do so with a current permit.</p> <p>Permits can be suspended for failing to pay deemed value penalties</p>

Actions adopted by CCSBT	Interventions	MCS arrangements to ensure effectiveness of interventions
VMS	<p>The following types of vessels are required, under New Zealand legislation, to fit and continuously operate Automatic Location Communicators reporting to the New Zealand VMS:</p> <ul style="list-style-type: none"> • all New Zealand vessels over 28m in length; • all foreign charter vessels registered to fish in New Zealand waters; • all New Zealand flagged and registered vessels operating outside of New Zealand waters; • all vessels issued with a foreign licence to fish in New Zealand waters; and • vessels in some specific high risk fisheries <p>In accordance with the CCSBT VMS Resolution, New Zealand vessels fishing for highly migratory species beyond the NZ EEZ in the Western and Central Pacific report to the WCPFC VMS in addition to the NZ VMS.</p>	<p>(imposed for exceeding quota).</p> <p>VMS information is monitored and analysed by the Ministry of Fisheries. Discrepancy analysis is conducted against fisher reported activity to validate catch effort reporting.</p>
Transshipment monitoring	<p>Transshipments are not a common occurrence, and no authorisations have been issued for SBT. New Zealand currently has no carrier vessels to notify to the Secretariat.</p>	<p>Transshipments by New Zealand flagged vessels, either on the high seas or within New Zealand waters, are subject to specific prior approval by the Ministry of Fisheries. Such transshipments must be monitored by an observer or Fishery Officer and are to be conducted in accordance with a stringent set of conditions to ensure robust verification of quantities transhipped. In addition to the observer/fishery officer requirement, the conditions also stipulate notification requirements, VMS monitoring and completion of appropriate records that can be later verified against landing returns.</p>
CDS	<p>New Zealand implemented the CDS on January 1st 2010 and accordingly now requires that all SBT caught in New Zealand waters be tagged and that appropriate CDS documentation be completed.</p>	<p>Landings must occur through Licensed Fish Receivers. Catch Monitoring Forms are completed by Licensed Fish Receivers. New Zealand delegates authority to validate CDS documents to authorised third parties. The delegated authority system is established under the New Zealand Government Qualifications Authority; non-Ministry of Fisheries personnel receive training and receive a qualification for validation. The authorised validators work under the direction and authority of the Ministry of Fisheries. Completed Catch Monitoring Forms are returned by the 15th of the following month, in line with other domestic reporting requirements.</p> <p>CDS forms are also inspected as part of routine inspections by Ministry</p>

Actions adopted by CCSBT	Interventions	MCS arrangements to ensure effectiveness of interventions
Scientific Observer Programme	<p>Observer coverage for the 2009 year was as follows:</p> <p>New Zealand Charter Fleet Effort observed – 82% Catch observed – 89%</p> <p>New Zealand Domestic Fleet Effort observed – 10% Catch observed – 10%</p> <p>Target observer coverage levels are set in annual observer plans, based on a range of criteria including risk and international obligations (e.g. CCSBT observer programme standards). In general, New Zealand aims to achieve high coverage for its SBT fisheries.</p>	<p>of Fisheries Fishery Officers.</p> <p>Discrepancy analysis between observer data and commercial fisher submitted information is currently done on a case by case basis when necessary. However, the Ministry of Fisheries is looking to automate this analysis (using predefined algorithms) in the near future.</p> <p>Ministry of Fisheries fishery officers also, as required, conduct briefings of observers prior to trips and/or debriefs after trips are completed as required in accord with priorities and/or risks assessments. Routine debrief documentation is completed where no formal debrief is carried out by a fishery officer.</p>
Recommendation on ERS	<p>New Zealand adopted an NPOA-Seabirds in 2004, and is currently reviewing and updating this plan. An NPOA-Sharks was adopted in 2008. New Zealand has implemented the FAO guidelines on sea turtles as applicable.</p> <p>WCPFC agreements on seabirds are applied by regulation within New Zealand waters, and by high seas permit conditions elsewhere. Surface longline vessels have been issued with turtle mitigation equipment. Catch limits apply for the main HMS shark species, in line with the WCPFC measure, with provisions in high seas permit conditions covering finning outside the EEZ.</p> <p>Data on interactions with ERS were reported to the Ecologically Related Species Working Group in 2009 and, as subsequently agreed, are included in the report to the Compliance Committee and Extended Commission in 2010.</p>	<p>Observers collect information on all non-fish bycatch including sharks, turtles, seabirds and marine mammals. That information can include length, weight, sex and other biological data as well as information on the mitigation methods in use and observations e.g. on the presence of seabirds.</p>
Korea		
TAC and allocation (including reporting on quota and catch against quota)	<p>The government allocates the national catch limit to 4 companies, then the 4 companies distribute their allocations to their vessels equally.</p>	<p>Officials from MIMAFF keep the record of each vessel's catch against its allocation. The authority that issues Catch Documents follows up each vessel's allocation to check for any over-catch against vessel allocations. If catch on the catch document exceeds its allocation, the</p>

Actions adopted by CCSBT	Interventions	MCS arrangements to ensure effectiveness of interventions
TAC and allocation continued	Every vessel submits a monthly catch report to the Ministry for Food, Agriculture, Forestry and Fisheries (MIFAFF) until it uses up 90% of its allocation. Each vessel's catch data shall be reported every 10 days from the day when 90% of its allocation is used up. When 98% of the catch allocation is used up, the vessel should report its catch to MIFAFF every day. The vessel stops SBT fishing when it reaches its limit and moves to other fishing grounds.	authority rejects the issuance of the document and then the owner of the vessel is regarded as being engaged in IUU fishing. Officials inspect the SBT landings at ports to check if the reported catch corresponds with the actual landing. The verification is conducted by National Fisheries Research and Development Institute through the examination of the logbooks.
Data exchange agreements and monthly catch reporting	Korea provides monthly catch data to CCSBT to meet its data exchange requirements.	The reported catch can be verified by on board observers, and by checking logbooks and the CDS documents.
Authorisation of vessels and farms	The Korean government issues fishing licences and permits for distant sea fisheries including SBT fishing. Korea does not farm SBT.	Inspections and renewal of fishing licences are applied for every 5 years. If a vessel is found to have violated the relevant law, the licences and permits are revoked or suspended for a certain period of time.
VMS	All vessels fishing on the distant seas should be equipped with an approved and functioning VMS	VMS status of all vessels on high seas is monitored on a daily basis by the Korean government (MIFAFF).
Transshipment monitoring	All SBT catches transhipped at sea are audited by transshipment observers and carrier vessel masters. For the port transshipment, the port observer, the inspectors from the authority concerned or the transshipment observers conduct the examination.	The masters or the owners of the vessels report the plan and result of the transshipment to MIFAFF through the companies and the Distant Sea Fisheries Association before 2 weeks and 15 days after the transshipment.
CDS	All SBT must be accompanied by the correct CDS documentation for export, import and/or landing to domestic ports as of 1 January 2010.	The National Fisheries Product Quality Inspection Service (NFIS) is in charge of the issuance of the CDS documentation. NFIS issues CDS document within each vessel's catch limit.
Scientific Observer Programme	Korea deploys scientific observers to collect catch and biological data on board. The deployment of the observers is made on the basis of rotation by companies. NFRDI operates the scientific observer program including the training and deployment, and provision of the observer guidelines. Korea maintains observer coverage at over 10%.	NFRDI conducts debriefing through its distant-water fisheries statistical system.
Recommendation on ERS	Korea developed its national plans of action for seabirds and sharks in accordance with the FAO international plan of action.	All vessels are required to record all interactions with ERS on the bycatch logbook distributed by NFRD according to the guidelines. The scientific observers examine the deployment of mitigation equipment on

Actions adopted by CCSBT	Interventions	MCS arrangements to ensure effectiveness of interventions
ERS continued	Scientific observers deployed on board collect species composition of by-catch and ERS species, the fin ratio of sharks, depredation etc. Korea complies with all current binding and recommendatory measures adopted by the IOTC and WCPFC aimed at the protection of ERS species from fishing.	board and check the bycatch logbook records.
European Union		
General	<p>As the activities of each fishing fleet affect the opportunities of other fleets, the EU countries have decided to manage their fisheries in collaboration, through the common fisheries policy (CFP). This policy brings together a range of measures designed to achieve a thriving and sustainable European fishing industry.</p> <p>In general terms, the conservation of marine biological resources is an exclusive competence of the EU (Art 3.1.d of the Treaty on the Functioning of the EU), whereas the other aspects of the Fisheries Policy lay on a shared competence with Member States (e.g. MS are responsible for the implementation of the EU legislation).</p> <p>The Common Fisheries Policy finds its basis on the Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy, which establishes the general framework of the EU action in this field.</p>	<p>In the European Union, the <u>adoption of legislation</u> in the field of fisheries is an exclusive competence of the European legislator (Council and Parliament). Legislation adopted through "regulations" is directly applicable in Member States without any further transposition in national jurisdictions.</p> <p>The <u>management of fisheries</u> is based on a system of shared competences between the European Institutions and the Member States (Flag States). Member States are responsible for implementing the legislation, controlling the vessels flying their flags, checking their ports, collecting data, applying sanctions etc. Furthermore, they must report to the European Commission on the implementation of the legislation by transmitting data, reports, CDS etc.</p> <p>The European Commission has no direct role in the implementation of the legislation, which is a competence of Member States. What the European Commission does is checking the proper application of the legislation by the Member States and sanctions them when this does not happen.</p> <p>Fisheries rules and control systems are agreed on at EU level, but implemented by national authorities and inspectors in EU countries.</p> <p>To encourage closer collaboration and exchange of best practice, the Community Fisheries Control Agency (CFCA) organises joint control campaigns, where inspectors from different EU countries work together. The European Commission has its own inspectors, who can visit national authorities at any time to check they are implementing EU rules correctly. It is not their role to inspect individual fishers' operations, however.</p> <p>When the European Commission finds that national authorities are not</p>

Actions adopted by CCSBT	Interventions	MCS arrangements to ensure effectiveness of interventions
<p>General continued</p>		<p>enforcing fisheries rules properly:</p> <ul style="list-style-type: none"> ○ it first tries to resolve issues through consultation ○ in certain circumstances it may temporarily withhold funds from the European Fisheries Fund until the issue is resolved ○ any overshoot of quotas may be deducted from future quotas ○ in extreme cases, the Commission can take the member state concerned to the EU Court of Justice. <p>Rights and obligations are clearly detailed in each Council Regulation. Furthermore, obligations, controls and sanctions on EU vessels are detailed in Council Regulation (EU) N. 1224/2009 (Control Regulation, including all general provisions on control and monitoring of EU flagged vessels)</p>
<p>TAC and allocation (including reporting on quota and catch against quota)</p>	<p>TAC allocation among Member States is decided every year through a Council Regulation (directly binding after publication in all Member States). Member States are then free to allocate their quotas among their vessels as they see fit.</p> <p>More generally, each Member State has a vessel register recording the vessels flying its flag. Being on this register is a pre-requirement to receive a fishing licence and, ultimately, a share of the national quota.</p> <p>Council Regulation (EU) No 53/2010 of 14 January 2010 fixing for 2010 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in EU waters and, for EU vessels, in waters where catch limitations are required.</p> <p>EU quota of SBT under CCSBT is included in ANNEX IG of the above Regulation.</p>	
<p>Data exchange agreements and monthly catch reporting</p>	<p>Council Regulation (EU) N. 1224/2009 Control Regulation, including all general provisions on control and monitoring of EU flagged vessels</p>	

Actions adopted by CCSBT	Interventions	MCS arrangements to ensure effectiveness of interventions
Data exchange agreements and monthly catch reporting continued	Vessels are obliged to keep a logbook, to periodically transmit catch data to their national authorities. Each Member state is obliged by the above Regulation to designate one single entity which collects all the data reported and transmits them to the European Commission.	
Authorisation of vessels and farms	Vessels and farm registration are issues regulated at national level in the European Union. Member States are free to set their own rules and methodologies as long as they're compatible with international law and allow compliance with EU law.	
VMS	Council Regulation (EU) N. 2244/2003 (laying down detailed provisions regarding satellite-based Vessel Monitoring Systems) As from 1 January 2005, fishing vessels exceeding 15 metres of overall length are obliged to carry VMS. A Community fishing vessel subject to VMS is not allowed to leave a port without an operational satellite-tracking device installed on board.	
Transshipment monitoring	Transshipments are regulated in order to minimise the risks of fraudulent fishing activities. Within the EU (EU-flagged vessels): Council Regulation (EU) N. 1224/2009 (Control Regulation, including all general provisions on control and monitoring of EU flagged vessels) Both within (EU-flagged vessels) and beyond (non EU-flagged vessels for products destined to the EU market) the EU: COUNCIL REGULATION (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate IUU fishing.	
CDS	COUNCIL REGULATION (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing Commission Regulation (EC) No 1010/2009 of 22 October 2009 laying down detailed rules for the	

Actions adopted by CCSBT	Interventions	MCS arrangements to ensure effectiveness of interventions
CDS continued	<p>implementation of Council Regulation (EC) No 1005/2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing</p> <p>Provisions for the establishment and implementation of CDS are included in Council Regulation 1005/2008, whereas the implementation rules are included in Commission Regulation 1010/2009. In particular, "catch documents, and any related documents, validated in conformity with catch documentation schemes adopted by a regional fisheries management organisation which are recognised as complying with the requirements laid down in this Regulation, shall be accepted as catch certificates" in compliance with EU legislation.</p>	
Scientific Observer Programme	<p>Council Regulation (EU) N. 1224/2009 Control Regulation, including all general provisions on control and monitoring of EU flagged vessels</p> <p>In the EU's framework there is no legislation regulating Scientific Observers Programmes. These are rather set-up on a case by case basis, generally in compliance with RFMOs recommendations.</p> <p>EU legislation (see above) rather focuses on Control Observers *Schemes. Under these, control observers on board fishing vessels shall verify the fishing vessel's compliance with the rules of the common fisheries policy. They shall implement all the tasks of the observer scheme and in particular verify and record the vessel's fishing activities and relevant documents.</p>	
Recommendation on ERS	<p>The protection of ecologically related species is covered by several EU legislative instruments. The aim is reducing as much as possible the impact of fisheries activities on marine ecosystems, including ecologically related species.</p> <p>Council Regulation (EC) No 1288/2009 of 27 November 2009 establishing transitional technical measures from 1 January 2010 to 30 June 2011</p>	

Actions adopted by CCSBT	Interventions	MCS arrangements to ensure effectiveness of interventions
ERS continued	<p data-bbox="551 169 1223 344">Commission Regulation (EC) No 517/2008 of 10 June 2008 laying down detailed rules for the implementation of Council Regulation (EC) No 850/98 as regards the determination of the mesh size and assessing the thickness of twine of fishing nets</p> <p data-bbox="551 376 1223 489">Council Regulation (EC) No 850/98 of 30 March 1998 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms</p>	

Recommendations from the CDS Technical Working Group on Implementation Issues with the CCSBT Catch Documentation Scheme (CDS)

The technical working group considered the CDS implementation issues that were raised in papers CCSBT-CC/1010/04, 08 and 09. The recommendations from that consideration are listed below. Background concerning these issues is available from those three papers.

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

A recommendation has not been agreed on this issue, but the technical working group recalled the requirements for validation of transshipments in the CDS Resolution, as follows:

- (i) For transshipments at sea or in port that are landed as domestic product: validation of the catch/harvest section occurs upon landing;
- (ii) For transshipments at sea that are subsequently exported: the catch/harvest section is not validated, but the export section must be validated before import into the market state (and transshipment observers sign the form);
- (iii) For transshipments in port that are subsequently exported: both the catch/harvest and export sections must be validated before import into the market state.

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

It was agreed that the requirement for validation by only Members and CNMs should be limited to landings of domestic product and exports (not including re-exports). Non cooperating non members should be permitted to validate re-exports. This will be achieved by splitting 5.1.3 into two paragraphs as follows:

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

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

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

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

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

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

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

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

A recommendation has not been agreed on this issue.

(4) Problems with the centralised tag

It was agreed that the Secretariat would liaise with Taiwan and Indonesia regarding the problems that they had experienced with the tag. The Secretariat should then discuss the issues with the tag manufacturer to determine what solutions might be possible.

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

It was agreed that Members and Cooperating Non-Members would advise the Secretariat whether the “Fishing Year Identifier” used for their tag refers to their “Fishing Season” or a “Calendar Year”. This advice is to be provided by 31 October 2010.

(6) Australian tag (submitted by Japan)

Australia and Japan will hold bilateral discussions to seek a suitable location for attaching the Australian tags to SBT.

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

The CCSBT Farm Serial Numbers will be revised to become a single 5 digit number for each farm and each lease for a specific farm will be given the same serial number.

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

It was agreed that point 5 of paragraph 2 of the CCSBT Resolution on the Establishment of a Record of Authorised Farms should be amended as follows:

“– initial farming stocking capacity (in tonnes)”

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

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

It was recommended that the current option for operation of the FSF should continue, but that this would be subject to review, along with other parts of the CDS, when a full review of the CDS is conducted.

(ii) Incorporation of hatchery raised SBT into the CDS

Australia recommended that an additional “check box” be added to the Catch/Harvest Section of the Catch Monitoring Form titled “For Hatchery Raised SBT” and that the Name of the Hatchery also be recorded on the Catch Monitoring Form.

The Secretariat will prepare revised forms incorporating this change for intersessional consideration and agreement.

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

A recommendation has not been agreed on this issue.

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

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

A recommendation has not been agreed on this issue, but Members noted on-going bilateral communications to facilitate port state monitoring.

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

A requirement for verification of transshipments by Port States was not considered to be necessary, But it was noted that 5.2 of the CDS resolution provides for delegation of authority to validate CDS documents and that such delegations could include officials of port States.

(14) Rules for data quality

It was agreed that the Secretariat should allow small discrepancies (such as weight discrepancies of less than 2.5%) to pass through on a form by form basis without contacting the relevant Member/CNM for explanations/verifications. However, any systematic bias (e.g. consistently higher or lower weights) in such discrepancies should be identified and reported.

It was also agreed that during the remainder of 2010 and for the first part of 2011, the Secretariat would fine tune its error checking routines and the discrepancy levels at which it contacts the relevant Member/CNM to conduct further checking on the CDS forms in question. The outcomes of this work should be reported to CC6 and this should form part of the standards and procedures for ensuring CDS Data Integrity.

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

The working group recommended that the second paragraph of the instructions to the REEF form be amended as follows:

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

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

It was agreed that paragraph 5.4 of the CDS resolution be amended as follows:

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

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

And that paragraph 6.3 be amended in a similar manner:

“6.3 *The Executive Secretary shall report to the Extended Commission on and circulate to all Members and Cooperating Non-Members the data collected by the CCSBT CDS each year by 1 June for the period of 1 July - 31 December of the preceding year and by 1 December for the period of 1 January - 30 June of the current year. The information to be contained in the reports is specified in Appendix 3. The Executive Secretary shall provide an electronic copy of the report only to a designated authority of each Member and Cooperating Non-Member.”*

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

The CDS technical working group at CC4 agreed to a form numbering system as specified in points “1” and “2” below. The present working group agreed that a third point be added to the number system as specified below.

“Form Numbering System

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

(21) Opportunities for streamlining the operation of the CDS

The working group agreed the desirability of finding efficiencies for the operation of the CDS and that an electronic CDS was a likely approach. Members wanted to see a cost benefit analysis of an electronic CDS before making any decisions. In addition, there was a view that such analysis should possibly be deferred for another year while the CDS is still being refined.

(22) Allowing for additional vessels on catch monitoring form

A recommendation has not been agreed on this issue.

Statement from Australia regarding the possibility of hatchery raised Southern Bluefin Tuna (SBT) entering the market

The Catch Documentation Scheme (CDS) forms do not currently accommodate the possibility of hatchery-raised fish. In the event that hatchery-raised fish do enter the market place, Australia will ensure that a letter from a duly authorised Australia government official is attached to the Catch Monitoring Form (CMF) indicating that it is a hatchery-raised product.

The CDS procedures will be adhered to in all aspects including tagging, completion of relevant forms and validation.

**RULES AND PROCEDURES FOR THE PROTECTION, ACCESS TO,
AND DISSEMINATION OF DATA COMPILED BY THE CCSBT**

1. Basic principles relating to the dissemination of data by the CCSBT

1. Data and information specified in Table 1 and held by the CCSBT or its Secretariat, and by service providers or contractors acting on their behalf, shall only be released in accordance with these Rules and Procedures.
2. Notwithstanding paragraph 1, data may be released if the Member (or Cooperating Non-Member) of the Extended Commission providing the data to the CCSBT authorises its release.
3. Persons duly authorised by the Executive Secretary within the CCSBT Secretariat¹ and service providers, who have read and signed the Commission's confidentiality protocol, shall have access to the data necessary to perform their CCSBT duties.
4. Officers of the Commission² and its subsidiary bodies, who have read and signed the Commission's confidentiality protocol, shall have access to the data necessary to perform their CCSBT duties.
5. Members and Cooperating Non-Members (CNM) of the Extended Commission shall have access to data to serve the purposes of the Convention, including data:
 - (a) covering vessels flying their flag that were authorised or engaged in fishing for, retaining on board, transshipping or landing southern bluefin tuna.
 - (b) covering any vessels fishing in waters under their jurisdiction for the time period during which such fishing occurred.
 - (c) subject to paragraph 21, for the purpose of compliance activities [on the high seas] that are consistent with the Convention and Conservation and Management Measures and other relevant decisions adopted by the Commission
 - (d) for the purpose of scientific and other research, if the Member or CNM of the Extended Commission that originally provided that data authorises the Extended Commission to release them or if the data have a "No risk" or "Low" confidentiality risk classification according to Table 1³. In cases where a Member or CNM of the Extended Commission elects to provide an ongoing authorisation for the release of such data, the Member or CNM may at any time cancel this authorisation by notifying the Secretariat that it has revised its earlier decision.
6. To the greatest extent practical, the CCSBT, its Secretariat and their service providers or contractors acting on their behalf, should release data in a timely manner.

¹ Persons duly authorised by the Executive Secretary within the CCSBT Secretariat are Secretariat staff and contractors that are appointed by the Executive Secretary that are responsible to the Executive Secretary.

² Officers of the Commission are people appointed by the Commission (e.g. Independent Chairs, Scientific Advisory Panel) to perform a specific function for the Commission and are responsible to the Commission for this function.

³ These data are typically made available to Members through the private area of the CCSBT web site or the CCSBT Data CD.

2. Risk classification and definition of confidentiality

7. Data covered by these Rules and Procedures will be classified in accordance with the risk classification methodology included in **Table 1**, which reflects *inter alia* the damage that would be done to the operations or credibility of the Extended Commission as a consequence of the unauthorised disclosure of such information.
8. Data covered by these Rules and Procedures are determined to be either public domain or non-public domain data in accordance with the confidentiality risk classification established in **Table 1**.

3. Dissemination of Public Domain Data

9. Except for data as described in Paragraph 10, the types of data listed in Table 1 with a “No risk” classification have been designated to be Public Domain data.
10. Data in the public domain shall not reveal the individual activities or identity of any vessel, entity or person. Catch and Effort data in the public domain shall be aggregated by flag, gear, year, month and 1°x1° grid (for surface fisheries) or 5°x5° grid (for longline fisheries) and, provided that the data contains information on the number of vessels in a strata, shall be made up of observations from a minimum of three vessels.
11. Public Domain data shall be available to any persons for (a) downloading from the Commission’s website and/or (b) release by the Commission on request.
12. The Commission’s website should contain a statement describing the conditions associated with the viewing or downloading of Public Domain data (for example, that the source of the data must be acknowledged), and should require the person requesting the data to “Accept” these conditions before viewing or downloading can begin.

4. Dissemination of Non-Public Domain Data

4.1 Definition of Non-Public Domain Data

13. Subject to the decisions of the Extended Commission, all types of data not described in paragraph 9 shall be referred to as Non-Public Domain data.

4.2 General rules for dissemination of, and access to, Non-Public Domain data

14. All access to and dissemination of Non-Public Domain data shall only be authorised in accordance with these Rules and Procedures and shall be protected in accordance with the CCSBT Data Security Standards specified in **Attachment 1**.
15. The CCSBT Secretariat shall log and report to the Extended Commission all access and release of Non-Public Domain data with a “Medium” or High” risk classification including where applicable, the name and affiliation of the person, the type of data

accessed or released, the purpose for which the data were requested, the date when the data were requested, the date when the data were released and authorisations that were provided.

4.3 Access to Non-Public Domain data by the Staff of the Secretariat, the CCSBT Service Providers, and Officers of the Commission and its Subsidiary Bodies

16. Pursuant to paragraphs 3 and 4, persons duly authorised by the Executive Secretary, within the CCSBT Secretariat and service providers, including the scientific advisory panel, shall have access to the data necessary to perform their CCSBT duties. Officers of the Commission and its subsidiary bodies shall have access to the data necessary to perform their CCSBT duties. All such persons shall sign a Confidentiality Agreement with the Executive Secretary and maintain the CCSBT Data Security Standards in respect of data to which they have access. The Executive Secretary shall maintain a Register of all such persons (including the purpose for which they require access to the data) and make the Register available to a Member or CNM of the Extended Commission on written request.

4.4 Access to Non-Public Domain data by Members and CNMs of the Extended Commission

17. Members and CNMs of the Extended Commission shall have access to Non-Public Domain data to serve the purposes of the Convention, including data:

- (a) Covering vessels flying their flag that were authorised or engaged in fishing for, retaining on board, transshipping or landing southern bluefin tuna.
- (b) Covering any vessels fishing in waters under their jurisdiction for the time period during which such fishing occurred.
- (c) For the purpose of scientific and other research, if the Member or CNM of the Extended Commission that originally provided that data authorises the Extended Commission to release them or if the data have a “Low” confidentiality risk classification according to Table 1³. In cases where a Member or CNM of the Extended Commission elects to provide an ongoing authorisation for the release of such data, the Member or CNM may at any time cancel this authorisation by notifying the Secretariat that it has revised its earlier decision.

18. Members and CNMs of the Extended Commission shall notify the Secretariat of a small number of representatives (preferably only 2) authorised to submit requests⁴ for access to Non-Public Domain data. Such notification will include name, affiliation, and contact information (e.g. telephone, facsimile, email address). The CCSBT Secretariat will maintain a list of such authorised representatives. Members and CNMs of the Extended Commission and the Secretariat shall ensure the list of Member and CNM representatives is kept up to date and made available.

19. The authorised representative(s) of the Members and CNMs of the Extended Commission are responsible for ensuring the confidentiality and security of the Non-Public Domain

⁴ The requests by the authorised representatives would usually be to grant access to data for other people (e.g. scientists), not for themselves. For data classified with a “low risk”, the only requests that need to be made are requests for access to relevant parts of the private area of the CCSBT web site. These requests can be handled by simple e-mail correspondence directly with the Secretariat. For data with a “medium” or “high” risk, the procedures in Attachment 2 must be followed.

data according to its risk classification and in a manner consistent with the CCSBT Data Security Standards.

21. For the purpose of compliance activities [on the high seas], the Extended Commission will adopt separate rules and procedures for the access and dissemination of Non-Public Domain data.
22. [VMS data will be made available for scientific purposes, subject to the separate rules and procedures referred to in paragraph 21 above.]
23. Access to Non-Public Domain data by Members and CNMs of the Extended Commission shall be administered and authorised by the Executive Secretary on the basis of these Rules and Procedures in conjunction with the Procedures for Requesting the Release of Non-Public Domain data at **Attachment 2**.
25. A Member or CNM that has not fulfilled its obligations to provide data to the Extended Commission for two consecutive years shall not be granted access to Non-Public Domain data until all such obligations are met. A Member or CNM whose representative, authorised in accordance with paragraphs 18 and 19 above, failed to observe the rules stipulated in these Rules and Procedures shall not be granted access to Non-Public Domain data until appropriate actions have been taken.

4.5 Exchange of data with other regional fisheries management organisations

27. If the Commission enters into agreements for the exchange of data with other regional fisheries management organisations (RFMOs) or other organisations, such agreements must include requirements that the other RFMO provides equivalent data on a reciprocal basis and maintains the data provided to them in a manner consistent with the CCSBT Data Security Standards. The data that may be exchanged are data with a risk classification of “no risk” or “low risk”. Data with higher risk classifications may only be considered for sharing after specific approval from the Extended Commission. At each annual session the Executive Secretary will provide copies of data exchange agreements that exist with other RFMOs and a summary of the data exchanges that occurred during the previous 12 months under such agreements.

4.5 Disseminations of Non-Public Domain data in other circumstances

26. Non-Public Domain data will be made available by the Secretariat to any persons⁵ if the Member or CNM of the Extended Commission that originally provided that data authorises the Extended Commission to release them. In cases where a Member or CNM of the Extended Commission elects to provide an ongoing authorisation for the release of such data, the Member or CNM may at any time cancel this authorisation by notifying the Secretariat that it has revised its earlier decision.
27. Conditions for access to Non-Public Domain data by each non-Member shall be determined on a case by case basis by the Member or CNM of the Extended Commission that originally provided the data. At the discretion of that Member or CNM, these conditions may or may not involve procedures similar to those specified at **Attachment 2**.

⁵ Including universities, researchers, NGOs, media, consultants, industry, federations, etc.

4.6 Force majeure

28. The Executive Secretary may authorise the release of Non-Public Domain data to rescue agencies in cases of *force majeure* in which the safety of life at sea is at risk.

5. Periodic Review

29. The Extended Commission or its subsidiary bodies will periodically review these Rules and Procedures, and subsidiary documents, and the rules and procedures referred to in paragraphs 21 and 22 above, and amend these if necessary.
30. When considering the provision of data not specified in Table 1, the Extended Commission or its subsidiary bodies should consider an appropriate risk classification for that data for inclusion in Table 1.

6. Final Clause

31. These Rules and Procedures do not prevent a Member or CNM from authorising the release of any data it has provided to the CCSBT.

Table 1: Types of information and confidentiality risk classification.

Information types that have not received a risk classification within this table will not be managed within these confidentiality rules. However, this table may be updated by the Extended Commission from time to time, including through intercessional agreement between Members of the Extended Commission, as required.

With the exception of approved summaries of certain information types below, the following broad dissemination principles apply to the four confidentiality risk classifications⁶:

- “No risk”: Publicly available and may be placed on the public area of the CCSBT web site.
- “Low Risk”: Not publicly available. However, it is available to all Members and CNMs without specific approval and may be placed on the private area of the CCSBT web site and on the CCSBT Data CD.
- “Medium Risk”: Not publicly available. Requires specific authorisation to be released. May not be placed on the CCSBT Data CD or on the private area of the CCSBT web site (unless in a special part of the private area that is further restricted to specifically authorised people).
- “High Risk”: Not publicly available. Requires specific authorisation to be released. May not be placed on the CCSBT Data CD or on the private area of the CCSBT web site.

Information Type	Risk Classification
Annual catch estimates and number of vessels stratified by gear and flag	No risk
Annual number of active SBT vessels, by gear type and flag ⁷	No risk
Aggregated catch and effort data stratified by gear/year/month, 5x5 (LL) or 1x1 (surface), and flag – and made up of observations from a minimum of three vessels in those cases where the data contains information on the number of vessels in a strata.	No risk
CCSBT Records of Authorised Fishing Vessels, Carrier Vessels & Farms	No risk
Aerial survey, SAPUE and troll indices	No risk
Biological data (catch at size and age data)	No risk ⁸ - Low
Biological data (gender, direct aging, otoliths, stomach contents, maturity, genetic data, isotopic N15/C14 collected by samples)	Low
Conventional Tagging data	No risk ⁹ - Low
Aggregated SBT catch and effort data stratified by gear/year/month, 5x5 (LL) or 1x1 (surface), and flag, with no minimum number of vessels	Low
Aggregated catch and effort data of other species stratified by gear/year/month, 5x5 (LL) or 1x1 (surface), and flag, with no minimum number of vessels	Medium
Other data and information specified by the Extended Scientific Committee (and subsequently approved by the Extended Commission) for the routine Scientific Data Exchange that have not been explicitly identified elsewhere in this table	Low
Monthly catch reporting by flag	Low
Authorised CDS Validators	Low ¹⁰
Initial quota allocations and final catch by vessel/company	Medium

⁶ The four risk classifications are also differentiated by the required level of security that applies to each classification as specified in the CCSBT Data Confidentiality Security Policy.

⁷ This information does not currently exist, but will become available once the CDS has been in operation for 12 months.

⁸ Catch at size and age data are considered to public after the annual Commission meeting each year. Other biological data are only considered public if adequate time has passed to allow the scientists that organised the collection of such data to publish a paper analysing it.

⁹ Only data from the CCSBT operated tagging program are considered to be “No risk”.

¹⁰ Also available to non-Members that are cooperating with the CCSBT CDS.

Information Type	Risk Classification
Aggregated catch and effort data for longline at a 1x1 resolution, with no minimum number of vessels ¹¹	Medium
Transshipment consignments	Medium
Certified transshipment observer personnel	Medium
Catch Documentation Scheme and Trade Information Scheme	Medium
Farming growth rates and tag seeding data	High
Individual SBT length data from stereo video observation of farm transfers	High
Operational level catch and/or effort data ¹²	High
Aggregated Scientific observer data other than biological data specified above, including for seabirds, turtles and marine mammals	Medium
Operational level Scientific observer data other than biological data specified above	High

¹¹ As part of the annual data exchange, the Secretariat provides aggregated catch effort data at this resolution for New Zealand from the operational level data New Zealand provides.

¹² Including target and/or non-target catch, this information is currently only provided by New Zealand.

Table 2: Annotations on information types mentioned in Table 1.

Information Type	Annotations
CCSBT Records of Vessels & Farms	Covers vessels & farms authorised to farm, fish and carry SBT.
Vessel and gear attributes from other open sources	Includes data collected by observers and port inspectors. Covers all vessels (i.e. includes vessels restricted to national jurisdiction–domestic fleets). Includes electronic equipment.
Oceanographic and meteorological data	“Oceanographic and meteorological data” in this context does not include information identifying the fishing vessel that collected the information, for example, which would otherwise alter its security classification.
Aerial survey, SAPUE and troll indices	Recruitment indices derived from aerial surveys (both scientific and commercial spotting – SAPUE stands for Surface Abundance Per Unit Effort) and scientific troll surveys.
Biological data	Biological data include catch at size and age data, data on gender and maturity, genetic data, direct aging and data on hard parts such as otoliths, stomach contents, and isotopic N15/C14 data collected by observers, port samplers and other sources. “Biological data” in this context does not include information identifying the fishing vessel, for example, which would otherwise alter its security classification.
Conventional Tagging data	Conventional Tagging data include release and recapture positions, lengths and dates. “No risk” Tagging data does not include information identifying the fishing vessel, company or individual that recaptured the tagged tuna (not even coded identifiers), for example, which would otherwise alter its security classification.
Other data and information specified by the Extended Scientific Committee (and subsequently approved by the Extended Commission) for the routine Scientific Data Exchange that have not been explicitly identified elsewhere in this table	Each year the Extended Scientific Committee (ESC) reviews the scientific Data Exchange Requirements for the following year and produces a table defining the types of data that are to be exchanged. The present information type relates to all information in that table produced by the ESC that are not explicitly classified elsewhere in Table 1 of these rules ¹³ . Any restrictions on the use of data specified in the Data Exchange requirements are to be observed in addition to following the procedures required for this data’s classification within Table 1 of these rules.
Monthly catch reporting by flag	CCSBT reporting system where monthly catches shall be reported by Members and CNMs one month after the month fishing.
Initial quota allocations and final catch by vessel/company	CCSBT reporting system where Members and CNMs report the quota initially allocated to each vessel/company and the final catch for the season of each vessel/company.
Catch Documentation Scheme and Trade Information Scheme	Data collected through the CCSBT Catch Documentation and Trade Information Schemes
Operational level Catch Effort data	Non-aggregated, set by set data collected on fishing vessel logbooks and by observers.
Electronic tagging data	Detailed electronic tagging data include detailed records from pop-up or archival tags such as date, time, depth, temperature, light intensity, etc.
Certified inspection personnel	If identified by individual then Risk Classification would be assigned to HIGH.
Violations and infringements, detailed	May cover Individual Violations and infringements pending investigation and/or prosecution. Includes compliance information collected by observers.
Economic & Social data	Insufficient information currently available to determine Risk Classification.

¹³ For example, the following items usually appear in the scientific Data Exchange requirements but are not specifically listed within these rules: recreational catch estimates, SBT import statistics, mortality allowance usage, non-retained catches, CPUE indexes etc.

CCSBT Data Confidentiality Security Policy (DCSP)

The purpose of this policy is to help ensure that non-public data (within this attachment only, non-public data is referred to as “Data”) is provided to and managed by Data receivers in a manner that maintains confidentiality. This policy is not intended to cover aspects of data security that are not related to protection of confidentiality, such as loss or damage to data (e.g. through fire, flood, accident, systems malfunction etc.).

Data receivers (including the CCSBT Secretariat) are required to manage the security of Data to at least the standards specified below. The standards below are intentionally brief in order to provide a clear overview of the scope of the requirements. Further information can be obtained on most items from ISO/IEC 27002:2005(e)¹⁴.

The Executive Secretary may impose additional security requirements before releasing specific Data. The receiver of the Data will be required to observe any such additional security requirements. The Executive Secretary may also waive specific security requirements if requested to do so by the provider of the Data.

1) Human Resources Security

- For data with a risk classification of “medium” or “high”, only people approved by the Executive Secretary (herein referred to as “Approved People”) shall be allowed access to the Data by the receiving organisation (herein referred to as “The Organisation”). For data with a “low” risk classification, people approved by the receiving Member or CNM shall be allowed to access the data (also referred to herein as “Approved People”).;
- The Organisation shall have appropriate terms and conditions in its contract/arrangement with Approved People to state their responsibilities for information security and to enable disciplinary action for Approved People who commit a security breach.
- Approved People shall be provided, as appropriate, with information security awareness education and training by The Organisation.
- The Organisation shall have termination procedures in place for maintaining confidentiality from Approved People whose role or employment changes. This will include as a minimum, the return or secure disposal¹⁵ of the Data, cancellation of access to the Data by such approved people, and for Approved People with approval for access to “medium” and High” risk data, notification to the Executive Secretary of the person’s changed status together with the action taken.

¹⁴ International Standard on “Information technology – Security techniques – Code of practise for information security management”.

¹⁵ For data with a “medium” or “high” risk classification, “Secure Disposal” means that media containing the data should be disposed of through incineration or shredding of paper records and by physically destroying electronic media or deleting the information by overwriting the Data using techniques that make the original information non-retrievable rather than using standard delete or format functions. Secure Disposal of “medium” and “high” risk data requires all copies of the Data, including any backups, to be destroyed. For Data with a “low” risk classification, the disposal procedures required for higher risk Data can be adjusted to a more practical process providing that such processes maintain confidentiality. For example, instead of destroying backups containing low risk Data, it would be sufficient to keep those backups in a secure environment with procedures in place that prevented unauthorised access to the Data on those backups.

2) Physical and Environmental Security

- Any unencrypted Data and products of that Data shall be stored in a physically secure area which will at minimum consist of:
 - a robust security perimeter¹⁶ and properly functioning entry controls (such as automatic locks with card controlled entry or manned reception desk) that prevent entry of unaccompanied non-approved people into the secure area; and
 - A properly functioning and monitored electronic intruder detection system that will detect an intrusion into the secure area.
- Data with a low to medium confidentiality classification and products of that Data that are encrypted as described in paragraph “5”, may be used in a non-public area outside the secure area described above. When not in use, the media containing these encrypted Data shall be carried in person, or stored in a locked private facility and secured or hidden out of sight.
- Equipment used for displaying the Data (such as monitors and printers) shall be located and positioned in such a manner as to prevent unauthorised viewing, recording or copying of the displayed information. Printouts of the Data or products of the Data shall be removed from printers immediately.
- The Data shall be Securely Disposed¹⁵ of:
 - for “medium” and “high” risk data, when the purpose for which the data were requested has been completed;
 - for all data, when the data are no longer required by the Organisation to serve the purposes of the Convention;
 - from any media that are scheduled for maintenance by non-Approved People and from any media prior to its disposal.

3) Communication and Operations Management

- Precautions shall be in place to detect and prevent the introduction of malicious code (such as computer viruses, Trojan horses and logic bombs) and unauthorised mobile code. These precautions will at least include:
 - Installation and regular (daily or less) update of malicious code detection and repair software to scan computers, media and e-mails for malicious code; and
 - The Organisation shall conduct education awareness campaigns, as appropriate, on the dangers of malicious code and how to reduce the risk of infection by malicious code.
- Appropriate network controls shall be implemented to maintain security for any Data that is accessible through the network.
- Cabling carrying the Data shall be protected from interception.
- The Data shall not be transmitted on public networks (such as the internet) unless the Data has been appropriately encrypted.
- Unencrypted Data shall not be transmitted on wireless networks unless the network is a private encrypted network and the Data has a low confidentiality classification. A computer that is connected to a wireless network may not contain Data with a medium or high confidentiality classification unless the Data are encrypted and the encrypted volume is not mounted (not active) while the computer is connected to the wireless network.
- Any actual or suspected security incidents shall be investigated and reported to the Executive Secretary.

¹⁶ A ground floor office with windows would require additional protection for the windows, or physically secure internal enclosures for the security perimeter to be acceptable.

4) Access Control

- Access to the Data shall require successful logon by an Approved Person, involving a User ID and Password¹⁷.
- The User ID shall be unique to the specific Approved Person.
- The Password must be kept confidential to the Approved Person only and should be subject to a suitable password management policy, including:
 - Provision of any temporary passwords in a secure manner and forcing passwords to be changed on first log on;
 - Forcing use of minimal length and complexity of passwords;
 - Prevent re-use of passwords;
 - Advising users to use quality passwords (easy to remember without writing down, not based on information that is easy to guess, not vulnerable to dictionary attacks, free of consecutive identical or sequential characters, contain both letters and numbers and have an acceptable minimum length) and changing passwords whenever there is an indication of possible password or system compromise, and at regular intervals;
 - Storing, transmitting and displaying passwords in protected (e.g. encrypted) form; and
 - Limiting the number of unsuccessful log-on attempts to only 3 and rejecting further attempts without specific authorisation.
- Accounts of Approved People shall be protected when unattended by use of a password protected screen saver¹⁸ that activates after less than 10 minutes of inactivity.

5) Cryptographic Control

- The Data shall be encrypted using robust encryption techniques whenever it is not in a physically secure area as described in paragraph “2” above.
- Provision or transmission of Data by the Secretariat to data receivers or to the private area of the CCSBT web site¹⁹ shall use encryption techniques (encrypted files or encrypted transmission protocols).
- Encryption may use either secret key techniques or public key techniques where each user has a public and a private key. For both types of techniques, a wide variety of suitable file encryption software is available for purchase (such as PGP) or for free (such as TrueCrypt).
- Encrypted volumes shall be automatically dismounted when there has been no activity (reading/writing to the encrypted volume) for 60 minutes, after entering a power saving mode, and when the user logs off.
- Secret and private keys shall be protected from unauthorised disclosure and shall be distributed to intended users in a secure manner.

¹⁷ Other technologies for identification and authentication such as biometrics (e.g. finger-print verification) may be used.

¹⁸ Or equivalent measure.

¹⁹ Unless otherwise agreed by the provider of the Data, only Data with a medium confidentiality classification or less may be placed on the private area of the CCSBT web site. However, Data with a medium confidentiality classification must be placed in a further restricted part of the private area that can only be accessed by people specifically authorised to access that Data.

Procedures for Requesting the Release of Non-Public Domain Data

1. Member's and CNM's of the Extended Commission that have provided Non-Public Domain data to the CCSBT shall notify the Secretariat regarding their representatives with the authority to authorise the release of Non-Public Domain data by the CCSBT. Decisions whether to authorise the release of such data shall be made in a timely manner.
2. The remaining procedures below are not required for CCSBT Members and CNMs to obtain access to data when:
 - The data are listed with a "Low" confidentiality risk classification in Table 1 of the Rules and Procedures for Protection, Access to, and Dissemination of, Data Compiled by the CCSBT; or
 - The data were provided by the Member or CNM seeking access to that data.
3. A written request for access to Non-Public Domain data shall be provided to the Executive Secretary²⁰. In the case of a Member or CNM of the Extended Commission that is seeking access to serve the purpose of the Convention, the Member or CNM shall specify the purpose of the Convention by reference to the relevant article(s). The written request shall use the CCSBT Data Request Form (*Annex 1 to this Attachment*). In addition, the Member or CNM requesting access shall:
 - (a) undertake to only use such data for the purpose described in the written request;
 - (b) complete and sign the CCSBT Data Confidentiality Agreement (*Annex 2 to this Attachment*), and provide the signed agreement to the Executive Secretary; and
 - (c) maintain the requested data in a manner consistent with the CCSBT Data Security Standards specified in **Attachment 1**.
4. For Members or CNMs of the Extended Commission seeking access to data under paragraph 17(c), the Executive Secretary shall forward the completed Data Request Form and the signed confidentiality agreement to the Member or CNM of the Extended Commission that originally provided the data and seek authorisation from that Member or CNM for the CCSBT to release the data.
5. The Executive Secretary shall not authorise the release of more data than is necessary to achieve the purpose described in the written request.
6. The Executive Secretary may attach conditions appropriate for the access to such data (such as that the data be deleted upon achievement of the purpose for which it was released or by a pre-determined date, that a register of persons accessing the data be maintained and furnished to the Extended Commission upon request, etc.)
7. Requests may be made for a standing authorisation, such that Members and CNMs of the Extended Commission may have multiple accesses to the requested data for the same purpose as of the original written request.
8. Dissatisfaction with the Executive Secretary's decisions in regard to access to non-public domain data by Members and CNMs of the Extended Commission shall be resolved by the Chair of the Extended Commission.

²⁰ Requests by Members should be provided only by the Authorised Representative as specified in section 4.4, paragraph 20.

CCSBT Data Request Form

1. Data Requested

The specification of data being requested should refer to the type of data and any parameters relevant to the type of data, which may include, *inter alia*, the gear types, time periods, geographic areas and flags covered, and the level of stratification of each parameter.

[Insert the list of data sets here]

2. Purpose

If non-public domain data are being requested, the use of the data shall be authorised only for the purpose described below.

[If non-public domain data are being requested, insert the description of the purpose for which the data is requested]

3. Persons for whom access to the data is requested if non-public domain data are being requested, the name(s), job title(s) and affiliation(s) of the authorised representative(s) for whom access to the data is being requested shall be listed below; the use of the non-public domain data shall be authorised only for the person(s) listed below.

[Insert the list of persons here]

- Sign the Confidentiality Agreement.

CCSBT Data Confidentiality Agreement

Confidentiality Agreement for the Dissemination of Non-Public Domain Data by the Commission for the Conservation of Southern Bluefin Tuna (CCSBT).

Applicants name(s) and full contact details and signatures

Full name Institution, address and

Contact details

Signature and Date

I/we agree to the following:

- To abide by any conditions attached to use of the data by the Executive Secretary;
- That the data shall be used only for the purpose for which the data are being requested, be accessed only by the individuals listed in Item 3 of the Data Request Form, and be securely destroyed¹⁵ upon completion of the usage for which the data are being requested;
- To make no unauthorised copies of the data requested. If a copy of all, or part, of the data requested is made by the applicant, all copies, or part thereof, will be registered with the Executive Secretary and will be securely destroyed upon completion of purpose for which the data was requested;
- To abide by the CCSBT's Data Security Standards as specified in Attachment 1 of the Rules and Procedures for Protection, Access to, and Dissemination of, Data Compiled by the CCSBT;
- That prior to the publication of any report of an analysis for which the requested data will be used, the report shall be provided to, and cleared by, the Executive Secretary of the CCSBT, who shall ensure that no non-public domain data will be published;
- To provide copies of all published reports of the results of the work undertaken using the data released to the CCSBT Secretariat and to the relevant subsidiary body of CCSBT;
- Applicant(s) will not disclose, divulge, or transfer, either directly or indirectly, the confidential information to any third party without the written consent of the Executive Secretary;
- Applicant(s) shall promptly notify the Executive Secretary, in writing, of any unauthorised, negligent or inadvertent disclosure of confidential information of the CCSBT.
- Applicant(s) assume all liability, if any, in respect of a breach of this Confidentiality Agreement, once the data requested is released to the applicant(s).
- Pursuant to paragraph 25 of the Rules and Procedures for the Protection, Access to, and Dissemination of, Data Compiled by the CCSBT, Member(s) and CNM(s) of the Extended Commission shall not be granted access to non-public domain data until the appropriate actions have been taken to account for any disclosure in violation of the Agreement by the applicant or, *inter alia*, its affiliates, employees, attorneys, accountants, consultants, contractors, or other advisers or agents; and.
- That this Agreement may be terminated by the CCSBT giving written notice to the applicant.