

Commission for the Conservation of  
Southern Bluefin Tuna



みなまぐろ保存委員会

## **Report of the Sixth Meeting of the Compliance Committee**

**6-8 October 2011  
Bali, Indonesia**

## Sixth Meeting of the Compliance Committee

6-8 October 2011

Bali, Indonesia

### 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 and thanked Indonesia for its hospitality.
2. Members introduced their delegations to the meeting and provided brief opening remarks. The list of participants is shown at **Attachment 1**.
3. The Executive Secretary conveyed the regrets of the European Union for its absence from the Compliance Committee due to urgent and unforeseen circumstances in the European Commission.

#### *1.2. Adoption of agenda*

4. The agenda was adopted with minor modifications and is shown at **Attachment 2**.
5. The list of documents for the meeting is shown at **Attachment 3**.

#### *1.3. Meeting arrangements*

6. The Meeting agreed to the Chair's plan for running the meeting, which would be conducted in accordance with normal meeting arrangements.

### 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 updated Compliance Action Plans)*

7. Extensive discussion was held in relation to the contents of National Reports and Compliance Action Plans that were submitted to the meeting.
8. During discussion, the following additional information was provided:
  - Australia advised that it is developing a national recreational fishing survey for SBT which, depending on the availability of funding, is expected to be completed in 2013. Australia also advised that it would convey the results of the survey to the Commission in its national report, in line with previous commitments.

- Taiwan advised that its domestic SBT consumption was unlikely to expand because prices are higher for exported SBT and the current domestic landings are due primarily to regulations requiring a specified amount of SBT to be landed domestically.
  - Korea advised that there has been a trend of increased imports into Korea from 2009 to 2011 and it seems likely that the Korean domestic market may continue to expand.
  - In response to queries regarding the low level of Taiwan's remaining 2011 allocated catch, Taiwan stated that fishing in the Central Indian Ocean had ceased in September and traditionally SBT are caught from October onwards and there are only two vessels currently permitted to fish for SBT in the South West Indian Ocean.
  - Japan pointed out that in its view there is no current agreement on what type of mortality should be counted against national allocations, and this issue requires further consideration in the Extended Commission (EC) in the future.
  - Japan explained its plan for 2011 to increase its DNA sampling regime from 1,000 samples in 2010 to 1,500 samples.
  - The Philippines advised that it will review the status of its 25 vessels currently listed on the CCSBT list of approved vessels with the intention of removing non-active vessels. This may result in only three vessels remaining on the CCSBT list.
9. The Chair noted that despite the EU submitting a National Report and Compliance Action Plan, it was disappointing that for the second year in a row the EU are not here to answer questions from Members.
  10. Since the EU was unable to answer questions on its National Report and Compliance Action Plan, Members and Cooperating Non-Members were encouraged to submit their questions to the Executive Secretary who would in turn pass these on to the EU and circulate any responses.
  11. Members and Cooperating Non-Members (CNMs) were encouraged to use the Compliance Action Plan template in future for ease of reference and comparison.
  12. Members and CNMs were encouraged to continue implementing their national plans of action relating to seabirds and to endeavour to reduce seabird interactions. Concern was raised about the rate of seabird interactions in the longline fisheries of some Members, and the need for further information on compliance with seabird mitigation requirements.
  13. Questions were raised about the difficulties of monitoring transfers of fish under commercial conditions, particularly in relation to transshipment, and ensuring that all SBT transhipped reaches its intended destination. It was noted that commercial imperatives should not drive MCS solutions but random sampling of transshipments was a potential solution.

## ***2.2. Report from the Secretariat***

14. Paper CCSBT-CC/1110/04 was presented by the Executive Secretary, detailing Compliance with CCSBT Management Measures by Members and CNMs.
15. Overall, the Executive Secretary advised that while there was not 100% compliance from Members and CNMs, the Secretariat's analysis had shown that there had been significant improvement from last year. The Executive Secretary also advised that from monthly catch report data, it seemed that all Members and CNMs could manage their 2010 and 2011 reported catch within their allocation.
16. Attachment C of CCSBT-CC/1110/04 indicated that there was a significant discrepancy between the reported catch from Indonesia in 2010 and the estimated catch calculated by the Secretariat from CDS documents. Indonesia recommended the Secretariat work with Indonesia to resolve this.
17. There was agreement from Members that the report on Compliance with CCSBT Management Measures was valuable to the Compliance Committee and that evaluation of the report should form a routine part of the Compliance Committee's work.
18. In relation to the transfer of quota from New Zealand to Japan during 2010 and 2011, New Zealand advised that this was a formal arrangement between New Zealand and Japan developed during negotiations at CCSBT 16 that helped to solve difficult negotiations at CCSBT16 and was later confirmed to Members of the Extended Commission for information.
19. It was noted that there were a number of CDS documents recording catch taken by Indonesian vessels not listed on the CCSBT list of authorised vessels. Indonesia advised that it has many small vessels and it does not register them on the CCSBT list of vessels due to the small chance of them catching SBT.
20. New Zealand suggested some of the problems identified in relation to the CDS (e.g. incorrect or invalid codes being used; vessels not on the authorised vessels list) could potentially be overcome by adopting an electronic system. It was noted ICCAT was currently working an electronic CDS and this could be useful for CCSBT to learn from.

## ***2.3. Assessment of compliance with CCSBT management measures***

21. The Chair asked Members to consider the performance of CNMs in complying with CCSBT management measures in order to assist the Extended Commission with its decision in relation to continuing the status of CNMs. Concerns were raised about the EU's performance in reporting and in implementation of the CDS.

## **Agenda Item 3. Development of the CCSBT Compliance Plan**

22. The meeting finalised the Compliance Plan for recommendation to the Extended Commission. The finalised Plan is found at **Attachment 4**.

#### **Agenda Item 4. Development of Compliance Policy Statements**

23. The meeting finalised the Compliance Policy Statements for recommendation to the Extended Commission. These are found at **Attachments 5-8**.
24. During discussion of Compliance Policy 2 (Audit Policy), Members agreed that the audit process should be implemented on a trial basis over the next two years, subject to finance from the Extended Commission. This proposal may reduce the initial cost to Members and lead to useful amendments to the policy.
25. It was agreed that the Executive Secretary would run an intersessional discussion to develop performance requirements for compliance with national allocations and transshipments at sea, using the Consultant's existing work as a basis to start from.

#### **Agenda Item 5. Review of CCSBT MCS Measures**

##### ***5.1. CDS***

26. Paper CCSBT-CC/1110/07 was presented by the Executive Secretary summarising the checks developed and implemented for the CDS data provided to the Secretariat. Members supported the checks developed by the Secretariat.
27. Overall, Members expressed their willingness to improve their current CDS processes.
28. The Secretariat advised that its intention is to contact each Member and CNM where problems with CDS documentation arise and it will continue to do so despite it currently having a very large backlog of forms to follow up.
29. The Secretariat commented that SBT harvest dates listed in Catch Monitoring Forms spanning more than one month created difficulties in reconciling the catch and also lessened the amount of the information potentially provided by the CDS. In order to enable reconciliation of catch against quota and to verify calendar year catches for scientific purposes, it was agreed that Members and CNMs would use different rows for different fishing years and different rows for different calendar years from the 2012 fishing year. The Secretariat will also use Catch Tagging Forms to assist it in separating catch spanning a number of months.

##### ***5.2. Transshipment Resolution***

30. Paper CCSBT-CC/1110/05 analysing the implementation of the CCSBT Transshipment Resolution was presented by the Executive Secretary.
31. The Executive Secretary noted that in the first half of 2011 there had been a significant improvement in Members' and CNMs' compliance in submitting observer deployment requests where SBT is intended to be transhipped. In response to a question from Japan, the Secretariat explained that, in accordance with the recommendation from the Compliance Committee in 2010, all the ICCAT and IOTC transshipment observers had received training in CCSBT requirements and identification of SBT. However, an issue that still remains is

that observers are often not able to separate the species of tuna being transhipped, resulting in observation of ‘mixed species’ only.

32. Following CC5, there was a discussion on separating SBT from the catch of other tuna to facilitate transshipment monitoring. Some Members advised that it had not been possible to do so for operational reasons.
33. Members raised concerns about the effectiveness and efficiency of this compliance measure if SBT are unable to be separated or identified. Members were asked to reflect on how to improve this measure and if not, whether the Commission should continue to implement the measure.

### **5.3. VMS**

34. Brief discussion was had regarding the requirements of other RFMO VMS systems, namely the WCPFC and IOTC including noting that the WCPFC operated a centralised VMS.

### **5.4. Record of authorised farms and vessels**

35. Australia reiterated its intention to work with the Secretariat to revise the data provision form for authorised farms so that the form matches the structure of the Australian farm data.

## **Agenda Item 6. Discussion of new MCS measures**

### **6.1. Market Analyses**

36. Australia presented its paper on global markets for SBT (CCSBT-CC/BGD01). It noted that it would be useful for the Extended Commission to follow market trends of trade and consumption of SBT in order to identify possible compliance risks. Australia suggested that the Commission subscribe to a database providing trade data in order to gain information on broad market trends, noting that there were always going to be errors in trade data and, therefore, the analyses proposed could not provide precise estimates of trade and consumption.
37. Japan noted that it intends to continue its market monitoring currently taking place.
38. The Compliance Committee agreed to recommend to the Extended Commission that market analyses be conducted and that a subscription to trade data be taken out to allow the analyses to be undertaken. Further, the Compliance Committee recommended that the Extended Scientific Committee be tasked with developing a method for using these trade figures for analysing market trends.

### **6.2. Strengthening Compliance**

39. Japan presented its paper on strengthening compliance (CCBST-CC/1110/12). This was followed by detailed discussion of the paper.

40. Japan undertook to reflect on Members' comments and revise the paper accordingly for further discussion at the CCSBT18 meeting.
41. The benefit to compliance from a real time monitoring program for reducing compliance risks was pointed out as was the importance of ensuring all SBT mortalities are reported (including best estimates where detailed data are not available) and incorporated into scientific analyses.
42. The potential for DNA technology to be of further benefit to strengthen CDS is being investigated.

#### **Agenda Item 7. Future work program**

43. The future work program is provided in the compliance plan (**Attachment 4**).

#### **Agenda Item 8. Other business**

##### ***8.1. New Zealand's Paper on Carry-Forwards***

44. New Zealand presented its paper (CCSBT-CC/1110/08) on carry forward of unfished allocations for discussion.
45. The meeting agreed that from a compliance perspective there are risks involved with carry-over but that these risks can be managed through carry-over rules that are simple without carry-forward of quota between three year quota blocks. A modified version of New Zealand's paper, taking into account comments from Members, is at **Attachment 9** for consideration by the Extended Commission.

##### ***8.2. Australia's Paper on Observers***

46. Australia presented its paper on a CCSBT observer program (CCSBT-CC/1110/09) which had taken into account Members' comments since it was first presented at the 5th Compliance Committee meeting in 2010.
47. Members thanked Australia for its efforts to incorporate comments they had provided on an earlier draft of their proposal. Members affirmed the importance of observer data for verification of catch data and information on ERS.
48. A number of concerns were raised in regard to the paper and proposed workplan for implementation, including duplication with other RFMO regional observer programs and the practicality of observer exchange, noting that the WCPFC does provide a precedent for such exchange.
49. Since no agreement was reached between Members, Australia proposed to take account of the feedback it had received and prepare a revised paper for next year's ERS Working Group meeting.

### ***8.3. Australia's Paper on Stereo Video***

50. Australia presented its paper on the results of the commercial trial of stereo video technology in the Australian SBT farm sector (CCSBT-CC/1110/11), reporting that the trial had highlighted a number of issues that remained to be resolved. Australia advised its intention to work through a 12 month implementation phase before commencing stereo video monitoring for 100% of transfers, with a sampling strategy applied to each transfer, from 1 December 2012.
51. Japan noted its concerns regarding possible bias in the current 40 fish sampling method and questioned whether the stereo video monitoring would be used to resolve these concerns by undertaking a comparison between the methodologies. Australia responded that it would not be operating two catch-monitoring methods simultaneously and stereo-video will replace the existing system of monitoring catch, once the implementation issues had been resolved. Japan expressed its concern over this response from Australia.
52. Australia responded that it had invested considerable resources in improving catch monitoring in the farm sector in recent years, and was disappointed a similar effort had not been made to improve monitoring in some long line sectors, for which very little information was available. Australia further noted that a lack of reporting on discards, in addition to a low level of observer coverage to monitor discarding on vessels that had exhausted their SBT quota, remained the greatest threat to the management of SBT.

### ***8.4. Japan's Paper on Farmed Fish Analysis***

53. No comments were made directly in relation to Japan's paper (CCSBT-CC/1110/BGD02). However, the meeting discussed Japan's proposal that Extended Commission requests independent scientists to analyse Japan's size data of imported SBT and report to the Extended Commission on estimates obtained on Australia's SBT catch for farms. No decision was made and discussion on this matter was deferred to CCSBT18.

### ***8.5. Other***

54. The Executive Secretary and Chair will work on a draft template streamlining the National Report and Compliance Action Plan over the next six months with a view to finalising a template for the 7th Compliance Committee meeting.

## **Agenda Item 9. Recommendations to the Extended Commission**

55. The Compliance Committee recommends that the Extended Commission:
  - endorse the Compliance Plan;
  - endorse the following Compliance Policy Guidelines
    - Compliance Policy 1 – Minimum performance requirements to meet CCSBT obligations



- Compliance Policy 2 – Trial audit policy<sup>1</sup>
- Compliance Policy 3 – Corrective actions policy
- Compliance Policy 4 – MCS information collection and sharing;
- endorse a proposal for the Executive Secretary and Chair of the Compliance Committee, in consultation with Members, to streamline and integrate the National Report to the Extended Commission with the Compliance Action Plan Report;
- request the ERS working group to review the compliance reporting template in order to assist Members in improving ERS reporting;
- request Members to ensure that they have systems in place to accurately report their catches against quota and to provide best estimates of other SBT mortalities for incorporation in stock assessments; and
- endorse a proposal to undertake market analyses and subscribe to trade data to facilitate this.

## **Agenda Item 10. Conclusion**

### ***10.1. Timing and length of the next meeting***

56. The meeting agreed that the length of the next Compliance Committee meeting should depend on the volume of work to discuss, with most Members suggesting three days would be appropriate in 2012.

### ***10.2. Adoption of meeting report***

57. The report was adopted.

### ***10.3. Close of meeting***

58. The meeting closed at 2:47pm on 8 October 2011.

---

<sup>1</sup> Members also emphasised that the trial audit policy should be endorsed only when the budget of the Extended Commission is available.

## **List of Attachments**

### *Attachment*

1. List of Participants
2. Agenda
3. List of Documents
4. CCSBT Compliance Plan
5. CCSBT Compliance Policy Statement 1
6. CCSBT Compliance Policy Statement 2
7. CCSBT Compliance Policy Statement 3
8. CCSBT Compliance Policy Statement 4
9. Revised Considerations on development of rules for limited carry-forward of unfished allocations

## List of Participants Sixth Meeting of the Compliance Committee

First name	Last name	Title	Position	Organisation	Postal address	Tel	Fax	Email
<b>COMPLIANCE COMMITTEE CHAIR</b>								
Stan	CROTHERS	Mr			NEW ZEALAND			crothers@xtra.co.nz
<b>CCSBT CHAIR</b>								
Abdul	GHO FAR	Dr.		Faculty of Fisheries and Marine Science University of Diponegoro	Tembalang, Semarang			aaghofar@indosat.net.id
<b>MEMBERS</b>								
<b>AUSTRALIA</b>								
Phillip	GLYDE	Mr	Deputy Secretary	Department of Agriculture, Fisheries and Forestry	GPO Box 858, Canberra ACT 2601	+61 (0)2 6272 2100	+61 (0)2 6272 4906	phillip.glyde@daff.gov.au
Gavin	BEGG	Dr	General Manager	Australian Bureau of Agricultural and Resource Economics and Sciences	GPO Box 858, Canberra ACT 2601	+61 (0)2 6272 4277	+61 (0)2 6272 3882	gavin.begg@abares.gov.au
Anna	WILLOCK	Ms	Director	Department of Agriculture, Fisheries and Forestry	GPO Box 858, Canberra ACT 2601	+61 (0)2 6272 5561	+61 (0)2 6272 5089	anna.willock@daff.gov.au
Katrina	PHILLIPS	Dr	Senior Policy Officer, International Fisheries	Department of Agriculture, Fisheries and Forestry	GPO Box 858, Canberra ACT 2601	+61 (0)2 6272 5558	+61 (0)2 6272 5089	katrina.phillips@daff.gov.au
Gordon	NEIL	Mr	General Manager	Department of Agriculture, Fisheries and Forestry	GPO Box 858, Canberra ACT 2601	+61 (0)2 6272 5863	+61 (0)2 6272 5089	gordon.neil@daff.gov.au
Matthew	DANIEL	Mr	Manager, SBT fishery	Australian Fisheries Management Authority	Box 7051, Canberra Business Centre ACT 2610	+61 (0)2 6225533 8	+61 (0)2 6225 5446	matthew.daniel@afma.gov.au
Simona	TIMMINS	Ms	Senior Legal Officer, Office of International Law	Attorney-General's Department	Central Office Robert Garran Offices, National Circuit, Barton ACT 2600	+61 (0)2 6141 3385	+61 (0)2 6141 3486	simona.timmins@ag.gov.au

First name	Last name	Title	Position	Organisation	Postal address	Tel	Fax	Email
Brian	JEFFRIESS	Mr	Chief Executive Officer	Australian SBT Industry Association Ltd (ASBTIA)	PO Box 416, Fullarton SA 5063	+61 (0)8 (0)419 840 299	+61 (0)8 8682 3749	austuna@bigpond.com
Andrew	WILKINSON	Mr	General Manager	Tony's Tuna International P/L	Pine Freezer Road, Port Lincoln 5606 SA	+61 (0)8 8682 2266	+61 (0)8 8683 0646	andrew@tonystuna.com.au
Anthony	ELLIN	Mr	Financial Controller	Stehr Group Pty Ltd	PO Box 159, Port Lincoln SA 5606	+61 (0)8 8621 2900	+61 (0)8 8621 2990	aellin@stehrgroup.net
Craig	HUGHES	Mr	Tuna Farm Manager	Blaslov Fishing Group Pty Ltd	PO Box 848, Port Lincoln SA 5606	+61 (0)8 8683 4688	+61 (0)8 8683 4699	craig@blaslovfishing.com.au

#### FISHING ENTITY OF TAIWAN

Shiu-Ling	LIN	Ms.	Senior Specialist	Fisheries Agency	No. 70-1, Sec. 1, Jinshan S. Rd., Taipei, Taiwan	886 2 3343 6156	886 2 3343 6096	shiuling@ms1.fa.gov.tw
Allen	HUNG	Mr.	Secretary	Overseas Fisheries Development Council	19, Lane 113, Roosevelt Rd., Sec. 4, Taipei, Taiwan	886 2 2738 1522 ext139	886 2 2738 4329	allen@ofdc.org.tw
Ho-Hsin	KUNG	Ms.	Assistant	Overseas Fisheries Development Council	No. 70-1, Sec. 1, Jinshan S. Rd., Taipei, Taiwan	886 2 3343 6093	886 2 3343 6128	hohsin@ms1.fa.gov.tw
Kuan-Ting	LEE	Mr.	Secretary	Taiwan Tuna Association	3F-2, NO.2, YU KANG MIDDLE 1ST RD, KAOHSIUNG, TAIWAN	886 7 841 9606	886 7 831 3304	simon@tuna.org.tw

#### INDONESIA

Agus Apun	BUDHIMAN	Mr	Director for Fisheries Resources Management	Directorate General of Capture Fisheries - Ministry of Marine Affairs - Ministry of Marine Affairs	Jln. Medan Merdeka Timur No. 16, Gedung Mina Bahari II, Lantai 10, Jakarta Pusat, 10110 Indonesia	62 21 3519070 ext. 1002 and 62 3453008	62 21 3453008	budhiman.aab@gmail.com; budhiman2004@yahoo.com
Wudianto		Dr.	Researcher on Research Centre for Fisheries Management and Conservation and Conservation	Research Centre for Fisheries Management and Conservation of Fish Resources - Ministry of Marine Affairs	Jl. Pasir Putih I Ancol Timur, Jakarta Utara, 14430, Indonesia	+62 21 6471194 0	+62 21 6402640	wudianto_prpt@indo.net.id

First name	Last name	Title	Position	Organisation	Postal address	Tel	Fax	Email
Ali	SUMAN	Dr.	Head of Research Institute for Marine Fisheries	Research Centre for Fisheries Management and Conservation of Fish Resources - Ministry of Marine Affairs	Jl. Pasir Putih I Ancol Timur, Jakarta Utara, 14430, Indonesia	62 21 6471194	62 21 6402640	alisuman_62@yahoo.com
Erni	WIDJAJANTI	Mrs.	Deputy Director for Fishery Resources in Indonesia EEZ and High Seas - Directorate Fisheries Resources Management	Directorate General of Capture Fisheries - Ministry of Marine Affairs	Jln. Medan Merdeka Timur No. 16, Gedung Mina Bahari II, Lantai 10, Jakarta Pusat, 10110 Indonesia	62 21 3519070	62 21 3453008	erwijaya@yahoo.com
Whisnu	HARYATI	Mrs.	Deputy Director of Master Fishing Port - Directorate Fishing Port	Directorate General of Capture Fisheries - Ministry of Marine Affairs	GD.MINA BAHARI II LT.11 JL.MEDAN MERDEKA TIMUR NO.16 JAKARTA 10110	021-3520728/1132		
Saut	TAMPUBOLON	Mr.	Head Section of Fisheries Resources on IEEZ and High Seas - Directorate Fisheries Resources Management	Directorate General of Capture Fisheries - Ministry of Marine Affairs	Jln. Medan Merdeka Timur No. 16, Gedung Mina Bahari II, Lantai 10, Jakarta Pusat, 10110 Indonesia	62 21 3519070	62 21 3453008	s.tampubolon@yahoo.com
Trian	YUNANDA	Mr.	Head of Sub Division for Cooperation, Secretariat of Directorate General for Capture Fisheries	Directorate General of Capture Fisheries - Ministry of Marine Affairs	Jln. Medan Merdeka Timur No. 16, Gedung Mina Bahari II, Lantai 12 Jakarta Pusat, 10110 Indonesia	+62 21 3519070	62 21 3521781	tryand_fish@yahoo.com

First name	Last name	Title	Position	Organisation	Postal address	Tel	Fax	Email
Mahrus		Mr.	Staff of Program Division for Secretariat Directorate General of Capture Fisheries	Directorate General of Capture Fisheries - Ministry of Marine Affairs	Jln. Medan Merdeka Timur No. 16, Gedung Mina Bahari II, Lantai 12Jakarta Pusat, 10110 Indonesia	62 21 3519070 ext. 1214	62 21 3521781	mahrus_mmaf@yahoo.com
Novia Tri	RAHMAWATI	Mrs.	Staff of Directorate Fisheries Resources Management	Directorate General of Capture Fisheries - Ministry of Marine Affairs	Jln. Medan Merdeka Timur No. 16, Gedung Mina Bahari II, Lantai 10, Jakarta Pusat, 10110 Indonesia	62 21 3519070 ext. 1002 and 62 21 3453008	62 21 3453008	novia_dkp@yahoo.com
Yayan	HERNURYADIN	Mr.	Staff of Directorate Fisheries Resources Management	Directorate General of Capture Fisheries - Ministry of Marine Affairs	Jln. Medan Merdeka Timur No. 16, Gedung Mina Bahari II, Lantai 10, Jakarta Pusat, 10110 Indonesia	62 21 3519070 ext. 1002 and 62 21 3453008	62 21 3453008	boyan_nuryadin@yahoo.co.id
Putuh	SUADELA	Mrs.	Staff of Directorate Fisheries Resources Management	Directorate General of Capture Fisheries - Ministry of Marine Affairs	Jln. Medan Merdeka Timur No. 16, Gedung Mina Bahari II, Lantai 10, Jakarta Pusat, 10110 Indonesia	62 21 3519070 ext. 1002 and 62 21 3453008	62 21 3453008	putuhsuadela@yahoo.co.uk
Harini	NALENDRA	Mrs.	Vice Chairman for Indonesia Tuna Association	Indonesia Tuna Association	Jl. Waru No. 26 Rawamangun, Jakarta 13220 Indonesia	62 21 4700409; 4892282; 62 21 4701284 478 67454	62 21 4892282; 62 21 478 67454	harininalendra@harini.co.id
Nobuo	IMAZUMI	Mr.	Staff of Indonesia Tuna Association	Indonesia Tuna Association	Jl. Waru No. 26 Rawamangun, Jakarta 13220 Indonesia	62 21 4700409; 4892282; 62 21 4701284 478 67454	62 21 4892282; 62 21 478 67454	inobuo.hgs@gmail.com
Dwi Agus Siswa	PUTRA	Mr.	Secretary General for Indonesia Tuna Long Line Association	Indonesia Tuna Long Line Association	Jl. Ikan Tuna Raya Timur, Pelabuhan Benoa - Denpasar	62 361 727399	62 361 725099	atli.bali@gmail.com

First name	Last name	Title	Position	Organisation	Postal address	Tel	Fax	Email
Bambang	NOVANTORO	Mr.	Vice Secretary General for Indonesia Tuna Long Line Association	Indonesia Tuna Long Line Association	Jl. Ikan Tuna Raya Timur, Pelabuhan Benoa - Denpasar	62 361 727399	62 361 725099	atli.bali@gmail.com
Ivan Hans	JORGIH	Mr.	Head Division of Domestic Trade and Export	Indonesia Tuna Long Line Association	Jl. Ikan Tuna Raya Timur, Pelabuhan Benoa - Denpasar	62 361 727399	62 361 725099	atli.bali@gmail.com
Abdul	IMAN	Mr	Staff of Pengambengan Fishing Port - n Fishing Port	Pengambengan Fishing Port - Bali		62 365 42968	62 0365 42968	
Akmala Dwi	NUGARAH	Mr	Staff of Marketing and Information Section	Nizam Zachman Fishing Port - Jakarta		62 021 6617868	62 021 6617868	ppsnzj@gmail.com

## JAPAN

Kenji	KAGAWA	Mr	Chief Counselor	Fisheries Agency of Japan	1-2-1 Kasumigaseki, Chiyoda-ku Tokyo 100-8907	81 3 3591 2045	81 3 3502 0571	kenji_kagawa@nm.maff.go.jp
Tetsuya	KAWASHIMA	Mr	Assistant Director	International Affairs Division, Fisheries Agency of Japan	1-2-1 Kasumigaseki, Chiyoda-ku Tokyo 100-8907	81 3 3502 8459	81 3 3502 0571	tetsuya_kawashima@nm.maff.go.jp
Yujiro	AKATSUKA	Mr	Assistant Director	Fisheries Management Division, Fisheries Agency of Japan	1-2-1 Kasumigaseki, Chiyoda-ku Tokyo 100-8907	81 3 3591 6582	81 3 3595 7332	yuujirou_akatsuka@nm.maff.go.jp
Yuki	SANO	Mr	Assistant Director	Agricultural and Marine Products Office, Trade and Economic Cooperation Bureau Ministry of Economy, Trade and Industry	1-3-1 Kasumigaseki, Chiyoda-ku Tokyo 100-8901	+81 3 3501 0532	+81 3 3501 6006	yuki-sano@meti.go.jp
Tomoyuki	ITO	Dr		National Research Institute of Far Seas Fisheries	5-7-1 Orido, Shimizu Shizuoka 424-8633	81 543 36 6033	81 543 35 9642	itou@fra.affrc.go.jp

First name	Last name	Title	Position	Organisation	Postal address	Tel	Fax	Email
Masahiro	ISHIKAWA	Mr	President	Japan Tuna Fisheries Association	31-1, EITAI 2-CHOME, KOTO-KU, TOKYO 135-0034 JAPAN	+81-3-5646-2382	+81-3-5646-2652	gyojyo@japantuna.or.jp
Masaaki	NAKAMURA	Mr	Adviser	Japan Tuna Fisheries Association	31-1, EITAI 2-CHOME, KOTO-KU, TOKYO 135-0034 JAPAN	+81-3-5646-2382	+81-3-5646-2652	gyojyo@japantuna.or.jp
Nozomu	MIURA	Mr	Manager	Japan Tuna Fisheries Association	31-1, EITAI 2-CHOME, KOTO-KU, TOKYO 135-0034 JAPAN	+81-3-5646-2382	+81-3-5646-2652	gyojyo@japantuna.or.jp
Hiroshi	HANEDA	Mr	Adviser	Japan Tuna Fisheries Association	31-1, EITAI 2-CHOME, KOTO-KU, TOKYO 135-0034 JAPAN	+81-3-5646-2382	+81-3-5646-2652	gyojyo@japantuna.or.jp
Kimio	NISHIKAWA	Mr	Adviser	Japan Tuna Fisheries Association	31-1, EITAI 2-CHOME, KOTO-KU, TOKYO 135-0034 JAPAN	+81-3-5646-2382	+81-3-5646-2652	gyojyo@japantuna.or.jp
Noriyuki	SUZUKI	Mr	Adviser	Japan Tuna Fisheries Association	31-1, EITAI 2-CHOME, KOTO-KU, TOKYO 135-0034 JAPAN	+81-3-5646-2382	+81-3-5646-2652	gyojyo@japantuna.or.jp
Hiroshi	IKEDA	Mr	President	National Ocean Tuna Fishery Association	Coop Bldg 7F, 1-1-12, Uchikanda, Chiyoda-ku, Tokyo 101-8503	81 3 3294 9634	81 3 3294 9607	hirohito@poppy.ocn.ne.jp
Noriyoshi	KOFUNE	Mr	General Manager	National Ocean Tuna Fishery Association	Coop Bldg 7F, 1-1-12, Uchikanda, Chiyoda-ku, Tokyo 101-8503	81 3 3294 9634	81 3 3294 9607	n-kofune@zengyoren.jf-net.ne.jp
Toshiaki	KANAZAWA	Mr	Director	National Ocean Tuna Fishery Association	Coop Bldg 7F, 1-1-12, Uchikanda, Chiyoda-ku, Tokyo 101-8503	81 3 3294 9634	81 3 3294 9607	shounmaru@riasbb.net



First name	Last name	Title	Position	Organisation	Postal address	Tel	Fax	Email
<b>NEW ZEALAND</b>								
Arthur	HORE	Mr	Fisheries Manager Highly Migratory Species/Pelagic	Ministry of Agriculture and Forestry	608 Rosebank Rd, Avondale, Auckland 1026	+64 9 8207686	+64 9 8201980	arthur.hore@fish.govt.nz
Kevin	SULLIVAN	Dr	Science Manager Stock Assessments	Ministry of Agriculture and Forestry	P O Box 1020, Wellington 6140	+64 4 8194264		kevin.sullivan@fish.govt.nz
Stephanie	HILL	Ms	Senior Fisheries Analyst HMS	Ministry of Agriculture and Forestry	P O Box 1020, Wellington 6140	+64 4 8194230		stephanie.hill@fish.govt.nz
<b>REPUBLIC OF KOREA</b>								
Hyun-Wook	KWON	Ms	Deputy Director	International Fisheries Organization Division Ministry for Food, Agriculture, Forstry and Fisheries	88, Gwanmunro, Gwacheon-si, Gyeonggi-do, Korea, 427-720	82-2-500- 2414	82-2-503- 9174	6103kwon@naver.com
Jung-Re	KIM	Ms	Advisor	International Fisheries Organization Division Ministry for Food, Agriculture, Forstry and Fisheries	88, Gwanmunro, Gwacheon-si, Gyeonggi-do, Korea, 427-720	82-2-500- 2418	82-2-503- 9174	drew1126@naver.com
Zang Geun	KIM	Dr	Senior Scientist	Deep Sea Fisheries Office National Fisheries Research & Deveolpment Institute	152-1, Haean- Ro, Gijang-Up, Gijang-Gun, Busan, 619- 705, Korea	82-51- 720- 2310	82-51- 720- 2337	zgkim@nfrdi.go.kr
Sungsu	KIM	Mr	Deputy Director	Deep Sea Fisheries Management Office, Ministry for Food, Agriculture, Forstry and Fisheries	88, Gwanmunro, Gwacheon-si, Gyeonggi-do, Korea, 427-720	82-2-500- 2400	82-2-503- 9174	mr.sungsukim@korea.kr

First name	Last name	Title	Position	Organisation	Postal address	Tel	Fax	Email
Yunkyung	JOO	Ms	Staff	Fishery Products Quality Control Division Animal, Plant and Fisheries Quarantine and Inspection Agency	106, Haneulmaeulro Ilsandong-gu, Goyang-si, Gyunggi-do, Korea, 410-315	82-2-929-4624	82-2-929-4627	bestjyk@korea.kr
ChiGon	KIM	Mr	Managing Director	Pelagic Fisheries Division SAJO Industries Co., Ltd	157, 2-GA CHUNG JEONG-RO, SEODAEMUN-KU, SEOUL, KOREA	82-2-3277-1650	82-2-365-6079	tunaone@sajo.co.kr
InKeun	PARK	Mr	Managing Director	Pelagic Fisheries Division Korea Overseas Fisheries Association	274-1, Yangjae-dong, Seocho-gu, Seoul, Korea	82-2-589-1612	82-2-589-1630	parkik@kosfa.org
Narae	HA	Ms	Staff, Fishery 1 Team	Sajo Industries, co.ltd	157, 2-GA CHUNG JEONG-RO, SEODAEMUN-KU, SEOUL, KOREA	82-2-3277-1660	82-2-365-6079	nrha@sajo.co.kr
Kun-jae	KWAK	Mr	Senior Manager	Marine Business Division, Dongwon Industries	275, Yangjae-dong, Seocho-gu, Seoul, Korea	82-2-589-3306	82-2-589-4397	kwak1225@dongwon.com

## COOPERATING NON-MEMBERS

### PHILIPPINES

Gil	ADORA	Mr.	Asst. Director	Bureau of Fisheries and Aquatic Resources	Quezon City, Philippines	453-8457	452-8457	giladora.bfar@yahoo.com
Richard	SY	Mr.	Director	OPRT Philippines	Manila, Philippines	244-5565	244-5566	syrichard@pldtdsl.net

### SOUTH AFRICA

Nkosinathi	DANA	Mr	Director: Special Investigations Unit	Department of Agriculture, Forestry and Fisheries	Private Bag X2, Roggebay, 8012	+27 2140232 11		Nkosinathid@daff.gov.za
------------	------	----	--	---	--------------------------------	----------------	--	-------------------------

First name	Last name	Title	Position	Organisation	Postal address	Tel	Fax	Email
Craig	SMITH	Mr	Deputy Director: Pelagic and high Seas Fisheries Management	Department of Agriculture, Forestry and Fisheries	Private Bag X2, Roggebay, 8012	+27 2140230 48		CraigS@daff.gov.za
Phindiwe	DINGILE	Ms	Chief Director: Fisheries Operations Support	Department of Agriculture, Forestry and Fisheries	Private Bag X2, Roggebay, 8012	+272140 23477		CDFOS@daff.gov.za
Marisa	KASHORTE	Ms	Policy Analyst: Intergovernmental and International Relations	Department of Agriculture, Forestry and Fisheries	Private Bag X2, Roggebay, 8012	+27 2140235 58		MarisaK@daff.gov.za

## OBSERVERS

### HUMANE SOCIETY INTERNATIONAL

Nigel	Brothers	Mr	Consultant	Humane Society International	PO Box 439 Avalon NSW 2107	02 9973 1728	02 9973 1729	brothersbone@yahoo.com.au
-------	----------	----	------------	------------------------------	----------------------------	--------------	--------------	---------------------------

## INTERPRETERS

Saemi	BABA	Ms						
Kumi	KOIKE	Ms						
Yoko	YAMAKAGE	Ms						

## CCSBT SECRETARIAT

Robert	KENNEDY	Mr	Executive Secretary					rkennedy@ccsbt.org
Shinichi	SUZUKI	Mr	Deputy Executive Secretary		PO Box 37, Deakin West ACT 2600 AUSTRALIA	+61 2 6282 8396	+61 2 6282 8407	ssuzuki@ccsbt.org
Rachel	FRENCH	Ms	Assistant					

**Sixth Meeting of the Compliance Committee  
6-8 October 2011  
Bali, Indonesia  
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 updated Compliance Action Plans*).
  - 2.2. Report from Secretariat
  - 2.3. Assessment of compliance with CCSBT management measures
3. Development of the CCSBT Compliance Plan
4. Development of Compliance Policy Statements
5. Review of CCSBT MCS Measures
  - 5.1. CDS
  - 5.2. Transshipment
  - 5.3. VMS
  - 5.4. Record of authorised farms and vessels
6. Discussion of new MCS measures
  - 6.1. Market Analyses
  - 6.2. Strengthening Compliance
7. Future work program
8. Other business
9. Recommendations to the Extended Commission
10. Conclusion
  - 10.1. Timing of the next meeting
  - 10.2. Adoption of meeting report
  - 10.3. Close of meeting

**List of Documents**  
**The Sixth meeting of the Compliance Committee**

**(CCSBT-CC/1110/ )**

1. Provisional Agenda
2. List of Participants
3. Draft List of Documents
4. (Secretariat) Compliance with CCSBT Management Measures
5. (Secretariat) Implementation of the CCSBT Transshipment Resolution
6. (CC Chair, Consultant, Secretariat) Draft CCSBT Compliance Plan and Compliance Policy Statements – Revised after Special Meeting
7. (Secretariat) CDS Data Standards
8. (New Zealand) Considerations on development of rules for limited carry-forward of unfished allocations
9. (Australia) Revised proposal for verifying catch and effort data through a CCSBT scientific observer program
10. (Secretariat) Audit proposal with cost as requested by the CCWG
11. (Australia) Technical assessment of the 2011 commercial trial of stereo-video in the Australian southern bluefin tuna farm sector
12. (Japan) Revised Japan's proposal on Resolution on strengthening compliance

**(CCSBT-CC/1110/SBT Fisheries - )**

Australia	Australia's 2010 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 2010 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 2010/2011
European Union	Annual Review of National SBT Fisheries
Philippines	National Report of the Philippines as a Cooperating Non-Member of the Commission for the Conservation of Southern Bluefin Tuna (CCSBT)

South Africa Annual Review of the South African SBT Fishery for the 18th Annual Meeting of the Commission

**(CCSBT-CC/1110/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 2011

New Zealand New Zealand Compliance Action Plan 2011

Taiwan Taiwan Compliance Action Plan

European Union European Union Compliance Action Plan

Philippines Philippines Compliance Action Plan

South Africa South Africa's CCSBT Compliance Action Plan

**(CCSBT-CC/1110/BGD )**

1. (Australia) Global markets for southern bluefin tuna: Principles for an analysis of established, expanding and emerging markets (*previously CCSBT-ESC/1107/22*)
2. (Japan) Age composition of southern bluefin tuna used for farming in 2010 (*previously CCSBT-ESC/1107/26*)
3. (Japan) Monitoring of Southern Bluefin Tuna trading in the Japanese domestic markets: 2011 update (*previously CCSBT-ESC/1107/27*)

**(CCSBT-CC/1110/Info )**

**(CCSBT-CC/1110/Rep )**

1. Report of the Special Meeting of the Commission (August 2011)
2. Report of the Sixteenth Meeting of the Scientific Committee (July 2011)
3. Report of the Seventeenth Annual Meeting of the Commission (October 2010)
4. Report of the Sixth Meeting of the Compliance Committee (October 2010)
5. Report of the Fifteenth Meeting of the Scientific Committee (September 2010)
6. Report of the Second Meeting of the Strategy and Fisheries Management Working Group (April 2010)
7. Report of the Sixteenth Annual Meeting of the Commission (October 2009)
8. Report of the Fourth Meeting of the Compliance Committee (October 2009)
9. Report of the Strategy and Fisheries Management Working Group Meeting (April 2009)
10. Report of the Fifteenth Annual Meeting of the Commission (October 2008)
11. Report of the Third Meeting of the Compliance Committee (October 2008)

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

## **CCSBT Compliance Plan**

### **Purpose**

The Compliance Plan supports the CCSBT Strategic Plan, approved in August 2011. Specifically it supports the vision for Category C:

*“Members are actively participating in management of SBT through the Commission, and implementing its decisions”.*

The purpose of the Compliance Plan is to provide a framework for the Commission and Members to improve compliance, and over time, achieve full compliance with their CCSBT conservation and management measures.

The Compliance Plan includes a Three-Year Action Plan to address priority compliance risks. The action plan will be reviewed, and confirmed or updated every year. The action plan will therefore be a ‘rolling’ document and over time its emphasis will change.

Throughout this document references to Members include Cooperating Non-Members of the Extended Commission (CNMs), and all references to the Commission include the Extended Commission.

### **Structure**

This plan is in five parts:

1. Goals and Strategies
2. Compliance Principles
3. Roles and Responsibilities
4. Plan implementation and review
5. Three -Year Action Plan (Appendix)



## Part 1: Goals and Strategies

### Goals

The CCSBT Strategic Plan identifies four goals concerning participation and implementation by Members (Category C):

- ***Monitoring, control, and surveillance (Goal 8)***  
Integrated, targeted and cost-effective monitoring, control and surveillance measures are in place to ensure the Commission's goals are met.
- ***Members' obligations (Goal 9)***  
All Members comply with rules of CCSBT.
- ***Supporting developing countries (Goal 10)***  
Developing country members and cooperating non-members are able to comply with the Commission's management measures and other requirements.
- ***Participation in the CCSBT (Goal 11)***  
Ensure that all states and Regional Economic Integration Organisations (REIOs) and entities catching SBT are engaged in the cooperative management of SBT.  
Encourage the cooperation of port and market States with CCSBT's objectives and management arrangements

### Strategies

Strategies are the suggested approach to achieve the goals, and are numbered according to their corresponding goal.

The strategies below are based on the strategies set out in the CCSBT Strategic Plan (pages 14-15). In some cases the titles have been modified, and the descriptions elaborated. Strategy 8.4 has been expanded to explicitly cover monitoring of IUU fishing by non-members. Strategy 8.7 (Research) is new.

#### ***8.1 Implementation by Members of agreed MCS measures***

The Compliance Committee will monitor Members' implementation of CCSBT conservation and management measures. This will include developing a comprehensive list of conservation and management measures, and Members regularly reporting against their obligations under the measures. Member's reports will be analysed by the Compliance Committee, and Members will be questioned and provided with feedback on their reports.

The Compliance Committee will develop<sup>1</sup>, and regularly review, compliance policies that clearly specify Members' obligations and associated performance requirements, and provide Members with specific information on how their performance in meeting these obligations will be monitored. Compliance policies will be adopted following agreement by the Commission.

---

<sup>1</sup> Draft compliance policies have been prepared for minimum performance requirements (CP1), audit (CP2), corrective actions (CP3), and information sharing (CP4).

## ***8.2 Develop and implement an MCS strategy***

New measures may be needed to address emerging compliance risks or replace ineffective or inefficient measures. The Compliance Committee will adopt a risk-management approach when developing measures and obligations to recommend to the Commission. This includes:

- a) identifying any gaps between MCS measures in place and any improvements or additional measures required, and
- b) developing a plan for implementing any changes needed.

Recommendations for changes or additions to conservation and management measures will also include performance requirements.

## ***8.3 Strengthen Members' compliance***

Strengthen efforts by Members to ensure sufficient compliance at each stage of SBT fisheries, from catch grounds to markets, including transshipment, farming and trade.

The Compliance Committee will develop policies and guidelines to assist Members to plan and implement effective MCS systems and the cost efficient delivery of compliance services. These policies and guidelines will be based on Members' obligations and be focussed on how best to avoid, remedy or mitigate the risks of not meeting obligations.

## ***8.4 Monitoring expansion of SBT markets***

The Commission and Members will actively monitor SBT fishing by non-members and the expansion of SBT markets. This will include regular review of SBT trade data.

Non-members and port States that are facilitating any fishing for SBT that is inconsistent with CCSBT obligations will be encouraged to cooperate with CCSBT measures. Action will be taken against IUU SBT fishing including the use of trade and market measures consistent with international law.

## ***8.5 Exchange of compliance data***

The Compliance Committee will develop policies to facilitate exchange and sharing of MCS information among Members and with Port states. This will include implementation of any necessary data confidentiality rules.

The Compliance Committee will promote the sharing of information amongst Members; other interested parties such as port states, market states, and NGOs; and the public. This will include actively removing barriers to information sharing, developing systems to lower the costs of information sharing, and adopting policies that maximise open access to Commission information.

## ***8.6 Secretariat MCS services***

The Secretariat will provide the Compliance Committee with compliance policy and process advice, and assist with the specification and purchasing of shared compliance services.

This will include:

- a) analysis of MCS data submitted, and reporting, on an annual basis, trends in MCS data;
- b) assessing the effectiveness of existing MCS measures based on data submitted to the Secretariat;
- c) managing and monitoring the CCSBT's compliance initiatives; and

- d) administration of compliance systems and programmes (for instance catch documentation and reporting).

To provide these services, appointment of a dedicated compliance officer to the staff of the Secretariat will be considered.

Subject to funding decisions, the Secretariat may provide the Commission with MCS services in circumstances where these can be provided cost-effectively and without conflicting with its core roles of Commission support, facilitation and information management. Such services may be provided through dedicated staff or contracted services.

### ***8.7 Research & development***

The Compliance Committee will recommend the commissioning of research on new technologies and methods aimed at facilitating implementation of MCS systems. Promising technologies will be trialled to assess their practicality and cost-effectiveness. Allocation of costs for such trials should be based on compliance risks and benefits. Depending on the technology and its application, trials may be funded by individual Members or collectively.

#### ***9.1 Auditing Members MCS systems and processes***

Members' implementation, enforcement, and compliance with conservation and management measures and international obligations as they relate to CCSBT will be routinely audited.

The Compliance Committee will require Members to have their SBT MCS systems independently audited. The audit will focus on the systems and processes that each Member has implemented to meet its CCSBT obligations. Audit reports will be made available to all Members. The purpose of these audits is to give the Member assurance on the adequacy of their MCS systems, identify areas of improvement, and assure the Commission that the Member is meeting its obligations.

#### ***9.2 Corrective action and remedies***

The Compliance Committee will establish fair, transparent and non-discriminatory procedures for corrective actions--including penalties and incentives--to promote compliance with CCSBT obligations.

The Compliance Committee will recommend an investigation where it has reasonable cause to believe that a Member is not complying with core conservation and management measures and obligations, in particular Catch Management Measures and MCS Measures. The results of an investigation will be considered by the Commission.

The Committee will consider the nature and extent of corrective action and/or remedies that shall be applied to a Member that is non-compliant with its CCSBT obligations. Depending on the particular circumstances and degree of non-compliance, the corrective action and remedies recommended may include:

- compliance assistance
- payback of overcatch
- quota reduction
- public disclosure
- increased monitoring measures (inspections, observers etc)
- trade or market restrictions (as consistent with international law).

### ***10.1 Assist developing countries with Commission requirements***

The Compliance Committee will recommend that the Commission provide technical and financial assistance for Members to develop and implement MCS systems to meet their CCSBT obligations. Assistance may include:

- education, training and extension services
- technical consultancies
- sharing of services
- financial assistance.

The Committee will work with developing country Members to:

- a) identify areas where assistance would be beneficial to ensure they meet CCSBT obligations;
- b) identify ways in which assistance may be provided (e.g. up-skilling, secondments, workshops etc); and
- c) develop and implement a programme to assist developing countries with Commission requirements.

### ***11.1 Inclusive cooperation***

To promote broader implementation of CCSBT management measures, the Compliance Committee will identify non-member States that have, or are likely to become, important port States or market states for SBT. These States will be nominated to the Commission for it to consider whether to seek their cooperation with CCSBT management measures.

## Part 2: Compliance Principles

In implementing this plan, decisions will be guided by the following principles:

*Encouraging compliance:* Members should be encouraged to comply with their CCSBT obligations through implementation of effective compliance systems.

*Deterrence:* Effective deterrence should be used to detect and apply sanctions against IUU fishing.

*Accountability:* Members should be held publicly accountable for meeting their CCSBT obligations.

*Openness and transparency:*

- a) Compliance information should be available to all Members.
- b) Discussions should be inclusive of all Members.
- c) All compliance reporting documents should be publicly available as soon as practicable (subject to Rule 10 of CCSBT Rules of Procedure).

*Cooperation and collective action:* Members should cooperate, including through collective action, to facilitate effective monitoring and improve levels of compliance.

*Incentives:* Positive incentives should be used to encourage Members to monitor and improve their compliance systems.

*Efficiency:* Compliance obligations should be able to be met cost-effectively, and not impose unreasonable costs on Members.

*Risk management:* A risk management approach should be used to determine changes or additions to conservation and management measures, and the systems and processes to support those measures.

## **Part 3: Roles and Responsibilities**

### **Members**

- Actively participate in the Commission's decision-making processes relating to policy, planning, and establishing conservation and management measures.
- Meet obligations and ensure compliance with the measures agreed to by the Commission.
- Maintain effective fisheries MCS systems and ensure that nationally-flagged vessels and authorised farms comply with the Member's rules.<sup>2</sup>
- Report to the Compliance Committee on the implementation of measures and obligations and any areas where improvement is needed to achieve effective compliance with measures and obligations.
- Report any material non-compliance detected and remedial action taken.
- Implement any corrective actions or remedies agreed by the Commission.

### **Commission**

- Approve Compliance Plan and Three-Year Action Plan.
- Determine any corrective actions and remedies.
- Consider recommendations from Compliance Committee and make final determinations.

### **Compliance Committee**

- Recommend policy frameworks, guidelines, and technical assistance, to facilitate effective and consistent implementation of CCSBT measures by Members.
- Monitor the performance of Members' implementation of CCSBT measures.
- Carry out annual compliance risk assessment.
- Review the Three-Year Action Plan (Appendix 1), based on identification of compliance risks, and recommend any updates.
- Recommend additions or changes to CCSBT obligations to address compliance risks.
- Review audit reports and recommend compliance audits.
- Recommend investigations of alleged serious non-compliance and, if necessary, recommend corrective actions or remedies.

### **Secretariat**

- Facilitate constructive working relationships between Members.
- Facilitate inclusive, participative and transparent decision-making processes.
- Manage and distribute information that supports the role and responsibilities of Members and the Commission.
- Facilitate provision of educational, extension and technical services to support effective implementation of Commission measures.
- Prepare variance reports for the Compliance Committee.

---

<sup>2</sup> "Rules" include laws, regulations, and conditions on permits, licenses or authorisations.

- Provide advice to the Compliance Committee on compliance/ MCS policy, plans, guidelines and services.

## **Part 4: Plan Implementation and review**

### ***Implementation responsibilities***

The Compliance Committee will be responsible for managing implementation of this plan under the direction and oversight of the Commission. This will include:

- annual assessment of compliance risks, and
- annual review and update of the Three-Year Action Plan.

The Compliance Committee will make recommendations on updates to the Action Plan, new obligations, policies, or other actions for consideration and determination by the Commission.

The Secretariat will provide technical and administrative support, and compliance policy advice, to both the Compliance Committee and the Commission.

### ***Review***

The Commission will review the Compliance Plan whenever the CCSBT Strategic Plan is reviewed. The Three-Year Action Plan (Appendix 1) will be reviewed by the Compliance Committee every year.

## **Approval**

This plan was approved by the Commission:

\_\_\_\_\_  
Chair, Commission

\_\_\_\_\_  
Date



## **Appendix 1. Three-Year Action Plan (2012-2014)**

This Appendix sets out actions under each Goal and Strategy over the next three years. Numbers shown in **blue** are the numbers used for the strategies as set out in the CCSBT Strategic Plan.

In October 2010 the Extended Commission (EC) agreed that the Compliance Plan should place special emphasis on managing specific compliance risks identified by the Compliance Committee on the basis of a risk assessment. The specific compliance risks are listed below.

- Effective implementation of the CDS, with special emphasis on physical validation and appropriate verification.
- Improvement to the transshipment monitoring program, including prior notification of SBT transshipments with observer deployment requests and training of all observers to enable detection of SBT transshipments even when SBT is not declared.
- SBT being landed as other (non SBT) species.
- Expansion of markets for SBT.
- Monitoring of catches from the farm sector.
- Non-reporting of bycatch and discards against national allocations.
- Better systems to provide information to port States to assist port States to provide improved monitoring of SBT activities.

Based on Members' feedback in August 2011, the specific compliance risks have been prioritised. In the first period (2012 to 2014) the Action Plan focuses on the following priorities:

- compliance with national allocations
- implementing the CDS
- IUU fishing
- transshipment at sea.

Actions which are not directly related to current priorities show no activity in the current period.

**Goal 8 – Monitoring, control, and surveillance**

Integrated, targeted and cost-effective monitoring, control and surveillance measures are in place to ensure the Commission’s goals are met.

Strategy	Priority Actions	2012	2013	2014
<b>8.1 Implementing agreed MCS measures</b>  <b>8.1 (i)</b>	8.1.1 Develop and maintain an agreed list of conservation and management measures			
	8.1.2 Develop and adopt minimum performance requirements			
	- Compliance with national allocations			
	- CDS implementation			
	- Transhipments			
	8.1.3 Develop a revised and consolidated template for Members to report their performance against the obligations and agreed minimum performance requirements			
	8.1.4 Performance reporting system in place, including consideration of Members’ performance reports and Secretariat’s variance report			
<b>8.2 Develop and implement MCS strategy</b>  <b>8.1 (ii)</b>	8.2.1 Develop a compliance risk assessment framework to facilitate a consistent and coordinated approach to compliance/MCS planning and prioritisation by Members and Compliance Committee			
	8.2.2 Review and rationalise measures and obligations to eliminate unnecessary compliance costs			
<b>8.3 Strengthen compliance (MCS systems and services)</b>  <b>8.1 (iii)</b>	8.3.1 Explore costs and benefits of: common IUU vessel list with other RFMOs			
	- rationalisation of VMS among Members and RFMOs			
	- sharing common vessel registries with RFMOs			
	- rationalising CDS with other RFMOs			
	8.3.2 Evaluate ways to effectively implement Port State obligations			
	8.3.3 Build on existing bilateral arrangements and international networks (such as International Monitoring, Control and Surveillance Network) to enable Members to better monitor their fleet performance and any IUU fishing, and investigate non-compliance			
<b>8.4 Monitoring expansion of</b>	8.4.1. Implement systematic monitoring regime for emerging SBT markets			

**Goal 8 – Monitoring, control, and surveillance**

Integrated, targeted and cost-effective monitoring, control and surveillance measures are in place to ensure the Commission's goals are met.

<b>SBT markets</b>	8.4.2. Review SBT trade data			
<b>8.1 (iv)</b>	8.4.3. Implement systematic monitoring and surveillance regimes for IUU SBT fishing			
<b>8.5 Sharing compliance data</b> <b>8.1 (v)</b>	8.5.1. Determine standardised MCS information to share with Members and Port States			
<b>8.6 Secretariat MCS Services</b> <b>8.1 (vi)</b>	8.6.1. Analyse MCS data and report on trends (annually)			
	8.6.2. Assess effectiveness of MCS measures based on data submitted			
	8.6.3. Ensure all transshipment observers are trained in CCSBT obligations (in case SBT is found)			
	8.6.4. Trend analysis of publicly available market data			
<b>8.7 Research &amp; development</b>	8.7.1. R & D on new technologies & tools to aid observers, certifiers, and validators to identify SBT (in particular once processed)			

<b>Goal 9— Members' obligations</b>				
All Members comply with rules of CCSBT.				
<b>Strategy</b>	<b>Priority Actions</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>
<b>9.1 Auditing Members' systems and processes</b> <b>9.1 (i)</b>	9.1.1 Subject to funding in the CCSBT budget, appoint CCSBT auditor to conduct voluntary trial			
	9.1.2 Complete audit trial			
	9.1.3 Receive audit reports, consider findings, and take appropriate action			
<b>9.2 Corrective action and remedies</b> <b>9.1 (ii)</b>	9.2.1. Develop procedure for investigation of alleged non-compliance			
	9.2.2. Investigate allegations as needed			

<b>Goal 10: Supporting developing countries</b>				
Developing country Members and Cooperating Non-Members are able to comply with the Commission's management measures and other requirements.				
<b>Strategy</b>	<b>Priority Actions</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>
<b>10.1 Compliance assistance</b> <b>10.1 (i)</b>	10.1.1 Provide a programme of MCS assistance to Indonesia			
	10.1.2 Ongoing Identification and sharing of best practice for MCS systems			

<b>Goal 11: Participation in the CCSBT</b>				
Encourage the cooperation of port and market States with CCSBT's objectives and management arrangements				
<b>Strategy</b>	<b>Priority Actions</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>
<b>11.1 Inclusive cooperation</b> <b>11.2</b>	11.1.1 Identify non-member port and market states whose cooperation should be sought			
	11.1.2 Nominate such States to the Commission			

**Minimum performance requirements to meet CCSBT Obligations**  
*Compliance Policy Guideline 1*

**1. Introduction**

This policy sets out minimum performance requirements for Members and Cooperating Non Members (CNMs) of the Commission to meet their obligations in relation to CCSBT Conservation and Management measures. All obligations are assumed to apply to both Members and CNMs. Unless otherwise stated, all references to “Members” include CNMs and all references to the “Commission” include the Extended Commission. Obligations of the Commission and CCSBT Secretariat are not listed in this Policy.

The Conservation and Management measures and obligations in this Policy have been provided by the CCSBT Secretariat, and have been taken from the original resolutions, decisions and recommendations of the CCSBT. The full title (where applicable) and an internet link to the full text for each measure are provided at the start of the relevant section of this document. The description and order of some obligations has been changed to enable the obligations to be more easily understood in isolation to the original resolution, decision or recommendation.

This policy is a non-binding document. The original resolution, decision or recommendation should be consulted for an authoritative specification of the obligations. The original recommendation, resolution or decision prevails over this policy where there are any inconsistencies with this policy.

Some measures contain provisions for sharing of information or data. These sharing arrangements often have associated confidentiality provisions, either as part of the associated decision/resolution, and/or as part of the Rules and Procedures for the Protection, Access to, and Dissemination of Data Compiled by the CCSBT. The confidentiality arrangements are not included in this document.

**2. Purpose**

The purpose of this policy is to improve implementation of CCSBT obligations. It enables all Members to have a common understanding of existing obligations and the core elements expected of quality implementation of these obligations. It also provides for transparency in terms of each Member’s implementation procedures. The policy requires Members to:

- a) develop, document and implement rules, operating systems, and processes to meet their CCSBT obligations; and
- b) report on the effectiveness of the rules, operating systems, and processes.

The degree of detail in the minimum performance requirements for particular obligations reflects compliance risks associated with implementation of obligations, and the consequential need for a more consistent and rigorous approach by all Members. Performance requirements could be further elaborated in future should further compliance risks—associated with implementation of obligations—emerge.

### **3. Policy Statement**

1. Members are expected to meet, or exceed, the minimum performance and reporting requirements set out in Appendix 1 of this Compliance Policy by September 2012. The Compliance Committee may agree to a specific later implementation date for particular Members, based on individual circumstances.
2. All rules, operating systems, and processes must be implemented.
3. All operating systems and processes for measures relating to Catch Management, Authorisation, and MCS (groups 1-3 in Appendix 1) must be documented. Members are also encouraged to document their operating systems and processes for measures relating to Science and Ecologically Related Species (groups 4 and 5 in Appendix 1).
4. All documentation must:
  - specify how compliance with rules will be monitored
  - specify sanctions for any non-compliance detected
  - assign responsibility to a competent authority or authorities for implementing all aspects of the operating systems and processes
  - include criteria and procedures to assess the effectiveness of the rules, systems and processes in achieving compliance with the obligations.
5. Annual performance reports must:
  - set out how minimum performance requirements are met and monitored
  - evaluate the effectiveness the rules, operating systems, and procedures in meeting obligations and performance requirements
  - disclose any compliance risks or deficiencies in the rules, operating systems, or procedures.

Individual Members may propose variations to the minimum performance requirements for particular obligations. Variations must demonstrate that they are at least as rigorous as the minimum performance requirements in Appendix 1. Proposed variations must be submitted to the Commission for approval. Approved variations will be appended to this document and form part of this Compliance Policy.

Some CCSBT obligations contain minimum standards. These, and any updates, are incorporated by reference in this Policy. In particular this includes:

- Appendix 2 (Minimum Procedural and Information Standards for CCSBT Member and Cooperating Non-Member Tagging Programmes), Resolution on the Implementation of a CCSBT Catch Documentation Scheme [CDS Resolution](#)
- Resolution on Establishing a Program for Transshipment by Large-Scale Fishing Vessels, Section 3 (At-Sea Transshipment), Annex 1 (CCSBT Transshipment Declaration, and Annex 2 (CCSBT Regional Observer Program) [Transshipment Resolution](#)
- CCSBT Scientific Observer Program Standards [Scientific Observer Program Standards](#)

### ***Definition of terms***

The following terms are used in this policy:

- *Operating systems and processes* – methods to deliver the services needed to meet the obligations and rules. Services include authorisation, validation, observers, enforcement, and research.
- *Rules* – legally binding or enforceable directions, obligations, or conditions. Rules include laws, regulations, and conditions on permits, licenses or authorisations.
- *Sanctions* – penalties or other corrective actions imposed in response to detected non-compliance or illegal activities.

In the context of the Catch Documentation Scheme (CDS), the following meanings are adopted in this policy:

- *Certification* means the first check and confirmation that details in a CDS form have been fully and accurately recorded. Certification is generally carried out by individuals who represent, or are responsible for, the relevant business operation (e.g. fishing, farming, importing or exporting) whose documentation is being certified.
- *Validation* means the second check to confirm that details in a CDS form have been fully and accurately recorded. Validation procedures include:
  - (1) checking documentation, and
  - (2) inspecting SBT product or catch and relevant documentation in a random sample from the Member's:
    - a. farms
    - b. vessels that are landing in, or re-exporting from, the Member's ports
    - c. vessels that are landing in foreign ports, or
  - (3) monitoring transshipments by the Member's vessels foreign ports.

Any inspections required must be completed prior to validating CDS forms. Validation is carried out by government officials or other individuals who have been duly delegated the authority to validate CDS documents.

- *Verification* means sampling, monitoring and investigation procedures to confirm or audit that SBT anywhere in the production chain, or entering the market, is compliant with CDS documentation requirements. Verification is carried out by a competent authority of the Member. Verification includes:
  - (1) examining and analysing samples of CDS documentation and SBT product, and investigating any discrepancies or irregularities detected, and
  - (2) monitoring markets to detect and investigate any supply of SBT whose CDS documentation is incomplete or missing.

#### **4. Policy implementation**

This policy will be implemented over three years. During this period, the Compliance Committee will work through the CCSBT obligations and agree to the performance requirements. Appendix 1 will be updated as performance requirements are agreed.

In 2011, the Compliance Committee will:

- a) consider performance requirements associated with Compliance with National Allocations obligations, and make recommendations to the Commission;
- b) determine the obligations to be addressed in 2012, and propose an inter-sessional process to bring proposed performance requirements to the Compliance Committee meeting in 2012.

When recommending any new obligations to the Commission, the Compliance Committee will include the performance requirements associated with the obligations. Once agreed by the Commission, any new obligations and performance requirements will be added to Appendix 1.



## 5. Roles and responsibilities under this Policy

<i>Who</i>	<i>Responsibility to:</i>
Commission	<ul style="list-style-type: none"><li>• Approve policy</li><li>• Approve performance requirements</li></ul>
Compliance Committee	<ul style="list-style-type: none"><li>• Recommend performance requirements (updates to Appendix 1)</li><li>• Monitor Member compliance through review of annual reports</li><li>• Review and recommend changes to this policy</li></ul>
Members	<ul style="list-style-type: none"><li>• Develop and implement rules, operating systems and processes</li><li>• Report on progress and effectiveness</li></ul>
Secretariat	<ul style="list-style-type: none"><li>• Develop reporting template</li><li>• Place this policy and annual reports on website</li></ul>

## 6. Policy review

This Policy is to be reviewed every three years from the date of approval of the Policy. Performance requirements are to be reviewed every three years from the date on which they were agreed.

A Member may request a review of one or more of the minimum performance requirements at any time. The request, setting out the reason for the review, must be submitted to the annual meeting of the Compliance Committee. The request must be sent to the Executive Secretary for circulation to Members at least 4 weeks before the Compliance Committee annual meeting.

## 7. Approval

This policy was approved by the Commission:

\_\_\_\_\_

Chair, Commission

\_\_\_\_\_

Date

Review date: \_\_\_\_\_ (unless reviewed earlier)

## Appendix 1. Minimum performance requirements

This appendix sets out minimum performance requirements for Members to meet their obligations relating to each Conservation and Management Measure. The Conservation and Management measures are grouped as follows:

- 1 Catch Management Measures
- 2 Authorisation Measures
- 3 MCS Measures
- 4 Science Measures
- 5 Measures Related to Ecologically Related Species
- 6 Routine Reporting Measures

### 1. Catch Management Measures

This section sets out minimum performance requirements for obligations relating to:

- Compliance with National Allocations (1.1)
- Compliance Action Plan (1.2)

#### 1.1 Compliance with National Allocations (Decisions)

**Title:** There is no official title for this measure, so “Compliance with National Allocations” will be used.

**Links:** Paragraphs 49-51 and 53 of the CCSBT 16 report and paragraphs 52, 54, and 66 of the CCSBT 17 report  
[http://www.ccsbt.org/userfiles/file/docs\\_english/meetings/meeting\\_reports/ccsbt\\_16/report\\_of\\_CCSBT16.pdf](http://www.ccsbt.org/userfiles/file/docs_english/meetings/meeting_reports/ccsbt_16/report_of_CCSBT16.pdf)  
[http://www.ccsbt.org/userfiles/file/docs\\_english/meetings/meeting\\_reports/ccsbt\\_17/report\\_of\\_CCSBT17.pdf](http://www.ccsbt.org/userfiles/file/docs_english/meetings/meeting_reports/ccsbt_17/report_of_CCSBT17.pdf)

**Note:** Obligations relating to this measure are subject to regular decisions of the Extended Commission and will require frequent updating. The current obligations relate to the TAC and national allocations agreed for 2010 and 2011.

## 1.1 Compliance with National Allocations

### Obligations

- i. For 2010 and 2011, each Member shall be bound to an average catch over the two years as specified in the “Allocated catch” column below. Australia and New Zealand will also undertake voluntary catch reductions so that their average catch over the two years does not exceed that specified in the “Effective catch limit” column.

	Nominal catch (t)	Allocated catch (t)	Effective catch limit (t)
Japan	5665	2261	2261
Australia	5665	4270	4015
New Zealand	1000	754	709
Korea	1140	859	859
Taiwan	1140	859	859
Indonesia	750	651	651

- ii. The 2010 and 2011 TAC allocation is considered to be a 2 year total TAC, and can be distributed across the two year period, with unused catch from the first year carried forward to the second year. There will be no carryover of unused quota from 2010/11 to 2012.

- iii. Catch allocations for CNMs for each of 2010 and 2011, are as follows:

	Allocated catch (t)
Philippines	45
South Africa	40
EC	10

### Minimum performance requirements

1. Each Member to ensure that its SBT catch does not exceed the Member’s Effective Catch Limit for the relevant period.
2. All fishing-related SBT mortality (including actual or estimated catch from recreational and artisanal fishing within the Member’s jurisdiction) is reported annually to the Extended Scientific Committee, for incorporation into stock assessment analysis, and to the Commission.

1. As above, except that references to Effective catch limit refer to Allocated Catch for CNMs.

## 1.2 Compliance Action Plans

**Title:** Resolution on action plans to ensure compliance with Conservation and Management Measures

**Link:** [http://www.ccsbt.org/userfiles/file/docs\\_english/operational\\_resolutions/Resolution\\_ComplianceActionPlans.pdf](http://www.ccsbt.org/userfiles/file/docs_english/operational_resolutions/Resolution_ComplianceActionPlans.pdf)

**Notes:** Date specific aspects of this resolution that are in the past are not listed in the obligations.

1.2 Compliance Action Plans	
Obligations	Minimum performance requirements
<p>i. Flag Members of pelagic longline vessels shall specify in their action plans improvement in at least 3 areas:</p> <ul style="list-style-type: none"> <li>• Port state inspection of transshipment of SBT               <ul style="list-style-type: none"> <li>➤ Members should designate foreign ports of transshipment of SBT for their vessels, prohibit such transshipment at other foreign ports and communicate with those designated port states to share relevant information required for effective inspection</li> </ul> </li> <li>• Verification of catch data through scientific observers on fishing vessels of coverage of 10% in terms of effort.</li> <li>• Actual inspection of catches by authorities of flag Members and CNMs.</li> <li>• All the above measures should be implemented in a manner that will not interfere with legitimate commercial transaction of SBT.</li> </ul>	
<p>ii. Members farming SBT shall implement in the 2011 fishing season commercial trials of stereo video systems for monitoring 10% of the SBT transferred to their cages and, if the systems prove successful, adopt them in the following season as the systems for ongoing monitoring.</p>	

## 2. Authorisation Measures

This section sets out minimum performance requirements for obligations relating to:

- Record of Authorised Farms (2.1)
- Record of Authorised Vessels (2.2)
- Record of Authorised Carrier Vessels (2.3)

### 2.1 Record of Authorised Farms (Resolution)

**Title:** Resolution on the Establishment of a Record of Authorised Farms

**Link:** [http://www.ccsbt.org/userfiles/file/docs\\_english/operational\\_resolutions/Resolution\\_AuthorisedFarms.pdf](http://www.ccsbt.org/userfiles/file/docs_english/operational_resolutions/Resolution_AuthorisedFarms.pdf)

**Note:** For the purposes of this resolution, SBT farms not entered into the record are deemed not to be authorised to operate for farming of SBT.

2.1 Record of Authorised Farms	
Obligations	Minimum performance requirements
i. Members shall submit to the Executive Secretary the list of SBT farms under the Member's jurisdiction that are authorised to operate for farming of SBT.	1. Operating systems and processes to: <ol style="list-style-type: none"> <li>a. authorise each farm to operate for farming of SBT;</li> <li>b. provide all required information on authorised farms to the Executive Secretary;</li> <li>c. submit any updates to the Executive Secretary promptly; and</li> <li>d. submit the authorisation information, and any updates, electronically using the Data Provision Form for CCSBT Record of Farms Authorised to Fish for SBT.</li> </ol>
ii. Members shall notify the Executive Secretary of any addition to, any deletion from and/or any modification of the record of authorised farms at any time such changes occur.	
iii. Members shall ensure that their authorised farms comply with relevant CCSBT measures	
iv. Members shall not permit landings of domestic product, exports, imports, and/or re-exports of SBT into and from farms which are not registered on the CCSBT record of authorised farms.	
v. To ensure effectiveness of the CDS:	See section 3.1 D (CDS Validation)

2.1 Record of Authorised Farms	
Obligations	Minimum performance requirements
<ul style="list-style-type: none"> <li>Members shall validate CDS documents only for farming facilities on the CCSBT record of authorised farms;</li> <li>Members that farm SBT shall require sales of farmed SBT to the first point of domestic sale to be accompanied by CDS documents validated only for the farming facilities on the CCSBT record of authorised farms;</li> <li>Members shall require imports of farmed SBT to be accompanied by CDS documents validated only for the farming facilities on the CCSBT record of authorised farms.</li> </ul>	

## 2.2 Record of Authorised Vessels

**Title:** Resolution on amendment of the Resolution on “Illegal, Unregulated and Unreported Fishing (IUU) and Establishment of a CCSBT Record of Vessels over 24 meters Authorized to Fish for Southern Bluefin Tuna” adopted at the CCSBT15 in 2008

**Link:** [http://www.ccsbt.org/userfiles/file/docs\\_english/operational\\_resolutions/Ammended\\_resolution\\_on\\_authorized\\_24m\\_vessel\\_list.pdf](http://www.ccsbt.org/userfiles/file/docs_english/operational_resolutions/Ammended_resolution_on_authorized_24m_vessel_list.pdf)

**Notes:** For the purpose of this resolution, fishing vessels (FVs) not entered into the Record are deemed not to be authorised to fish for, retain on board, tranship or land SBT.

2.2 Record of Authorised Vessels	
Obligations	Minimum performance requirements
<p>i. Members shall:</p> <ul style="list-style-type: none"> <li>ensure that all vessels under their registry do not carry out IUU fishing activities for SBT;</li> <li>take every possible action, consistent with relevant law, to prevent, deter and eliminate IUU fishing;</li> <li>review progress on the issue of IUU fishing for SBT and the implementation of its IUU measures including adopting further measures as required on a regular basis.</li> </ul>	<p>1. Review any evidence obtained of IUU fishing, and assess the effectiveness of Member measures to detect and deter IUU fishing.</p>

2.2 Record of Authorised Vessels	
Obligations	Minimum performance requirements
ii. Members shall submit to the Executive Secretary, the list of fishing vessels (FV) flying the Member's flag that are authorised to fish for SBT.	1. Operating systems and processes to: <ol style="list-style-type: none"> <li>a. authorise specific fishing vessels flying the Member's flag to fish for SBT;</li> <li>b. submit any updates to the Executive Secretary promptly, at any time changes occur; and</li> <li>c. ensure all authorisation information and any updates are submitted to the Executive Secretary electronically and using the CCSBT Data Provision Form for Authorised Fishing Vessels.</li> </ol>
iii. Members shall promptly notify the Executive Secretary of any addition to, any deletion from and/or any modification of the CCSBT record at any time such changes occur.	
iv. Flag Members of the vessels on the record shall: <ul style="list-style-type: none"> <li>• authorise their FVs to fish for SBT only if they are able to fulfil in respect of these vessels the requirements and responsibilities under the CCSBT Convention and its conservation and management measures;</li> <li>• take necessary measures to ensure that their FVs comply with all the relevant CCSBT conservation and management measures;</li> <li>• take necessary measures to ensure that their FVs on the CCSBT Record keep on board valid certificates of vessel registration and valid authorization to fish and/or tranship;</li> <li>• affirm that if those vessels have record of IUU fishing activities, the owners have provided sufficient evidence demonstrating that they will not conduct such activities any more;</li> <li>• ensure, to the extent possible under domestic law, that the owners and operators of their FVs on the CCSBT Record are not engaged in or associated with fishing activities for SBT conducted by FVs not entered into the CCSBT Record; and</li> <li>• take necessary measures to ensure, to the extent possible</li> </ul>	1. Ensure authorised FVs comply with relevant CCSBT measures, including requiring: <ol style="list-style-type: none"> <li>a. owners of FVs or fishing concessions to be citizens or legal entities within the Member's jurisdiction and subject to enforcement actions and the application of sanctions.</li> </ol> 2. Operating systems and processes to: <ol style="list-style-type: none"> <li>a. provide information to Executive Secretary on any fishing vessel not on the Record of Authorised Vessels that is suspected of fishing for and/or transhipping of SBT.</li> </ol>

2.2 Record of Authorised Vessels	
Obligations	Minimum performance requirements
<p>under domestic law, that the owners of the FVs on the CCSBT Record are citizens or legal entities within the flag Members and Co-operating Non-members so that any control or punitive actions can be effectively taken against them.</p>	
<p>v. Members shall prohibit the fishing for, the retaining on board, the transshipment and landing of SBT by the FVs which are not entered into the CCSBT Record.</p>	
<p>vi. To ensure effectiveness of the CDS</p> <ul style="list-style-type: none"> <li>• Flag Members shall validate CDS documents only for FVs on the CCSBT record;</li> <li>• Members shall require that SBT caught by FVs, when transhipped, landed as domestic product, exported, imported or re-exported within their jurisdictions, shall be accompanied by CDS documents validated for the vessels on the CCSBT Record; and</li> <li>• Members shall co-operate to ensure that CDS documents are not forged or do not contain misinformation.</li> </ul>	
<p>vii. Members shall notify the Executive Secretary of any factual information showing that there are reasonable grounds for suspecting FVs not on the CCSBT record to be engaged in fishing for and/or transshipment of SBT.</p>	
<p>viii. The Commission and the Members concerned shall communicate with each other, and make the best effort with FAO and other relevant regional fishery management bodies to develop and implement appropriate measures, where feasible, including the establishment of records of a similar nature in a timely manner so as to avoid adverse effects upon other tuna resources in other oceans. Such adverse effects might consist of excessive fishing</p>	



2.2 Record of Authorised Vessels	
Obligations	Minimum performance requirements
pressure resulting from a shift of the IUU FVs from fishing for SBT to other fisheries	

### 2.3 Record of Authorised Carrier Vessels (part of Transhipment Resolution)

**Title:** Record of vessels authorised to receive transhipments-at-sea in areas beyond national jurisdiction (*from section 2 of the “Resolution on Establishing a Program for Transhipment by Large-Scale Fishing Vessels”*)

**Link:** [http://www.ccsbt.org/userfiles/file/docs\\_english/operational\\_resolutions/Resolution\\_Transhipment.pdf](http://www.ccsbt.org/userfiles/file/docs_english/operational_resolutions/Resolution_Transhipment.pdf)

**Notes:** The obligations for the remainder of the Transhipment Resolution are in section 3.3 (Transhipment Monitoring Program). For the purposes of this Resolution, carrier vessels not entered on the record are deemed not to be authorised to receive SBT in at-sea transhipment operations.

2.3 Record of Authorised Carrier Vessels	
Obligations	Minimum performance requirements

<p>i. Members shall submit to the CCSBT Secretary, the list of carrier vessels that are authorised to receive at-sea transhipments from its LSTLVs.</p>	<p>1. Operating systems and processes to:</p> <ul style="list-style-type: none"> <li>a. authorise specific carrier vessels to receive at-sea transhipments from its authorised Fishing Vessels (LSTLVs);</li> <li>b. ensure authorised carrier vessels will meet their obligations to (see Transhipment Monitoring performance requirements 3.3): <ul style="list-style-type: none"> <li>i. provide access and accommodation to observers,</li> <li>ii. cooperate with observers in relation to carrying out their duties, and</li> <li>iii. not interfere with, or seek to influence, observers in any way;</li> </ul> </li> <li>c. provide required information on authorised carrier vessels to the Executive Secretary ;</li> <li>d. submit any updates to the Executive Secretary promptly; and</li> <li>e. ensure all authorisations, and any updates, are submitted electronically to the Executive Secretary using the Data Provision Form for CCSBT Record of Authorised Carrier Vessels.</li> </ul>
<p>ii. Each Member shall promptly notify the Executive Secretary, after the establishment of the initial CCSBT Record of Carrier Vessels, of any addition to, any deletion from and/or any modification of the CCSBT Record of Carrier Vessels, at any time such changes occur.</p>	
<p>iii. Carrier vessels authorized for at-sea transhipment shall be required to install and operate a Vessel Monitoring System (VMS).</p>	

### 3. MCS Measures

This section sets out minimum performance requirements for obligations relating to:

- Catch Documentation System (3.1)
- Vessel Monitoring System (3.2)
- Transshipment (at sea) Monitoring Program (3.3)

#### 3.1 Catch Documentation System (Resolution)

**Title:** Resolution on the Implementation of a CCSBT Catch Documentation Scheme

**Link:** [http://www.ccsbt.org/userfiles/file/docs\\_english/operational\\_resolutions/Resolution\\_CDS.pdf](http://www.ccsbt.org/userfiles/file/docs_english/operational_resolutions/Resolution_CDS.pdf)

**Notes:** In the text below, the term “Member” includes CNMs as it does for the rest of this document, and the term “Member/OSEC” includes Members, CNMs and Other States/Fishing Entities Cooperating in the CDS.

To keep “like” tasks together the CDS obligations are grouped below as follows:

- A. General provisions and application
- B. Modification to standard CDS Documents
- C. Tagging
- D. Validation
- E. Retention and submission of documents to the Secretariat
- F. Verification of CDS documentation

3.1 Catch Documentation System	
A. Obligations (general)	Minimum performance requirements
i. All Members shall implement the CCSBT CDS for southern bluefin tuna (SBT) to document the movement of all SBT as outlined in this resolution. The CCSBT CDS incorporates CCSBT CDS documentation and tagging of SBT.	1. Operating systems and processes established to ensure: <ol style="list-style-type: none"> <li>a. CDS documents are uniquely numbered, and completed fully and in accordance with the document’s instructions;</li> <li>b. CDS documents accompany SBT as relevant, including:                             <ol style="list-style-type: none"> <li>i. a Catch Monitoring Form for all transshipments, landings of domestic product, exports, imports and re-exports</li> <li>ii. a Re-export/Export After Landing of Domestic Product for</li> </ol> </li> </ol>
ii. For transshipments, landings of domestic product, exports, imports and re-exports under the jurisdiction of a Member/OSEC, all SBT shall be accompanied by a Catch Monitoring Form, and where	

<b>3.1 Catch Documentation System</b>	
<b>A. Obligations (general)</b>	<b>Minimum performance requirements</b>
<p>required<sup>1</sup> at least one Re-export/Export after landing of domestic product Form as well. There is no waiver of this requirement. However:</p> <ul style="list-style-type: none"> <li>the exportation/import of fish parts other than the meat (i.e. head, eyes, roe, guts, tails) may be allowed without the document</li> <li>Members that prohibit the sale of fish caught by recreational fishers may exempt their recreational fisheries from the requirements of the CCSBT CDS</li> </ul>	<p>all exports of SBT landed as domestic product and for all re-exports</p> <p>iii. a Farm Transfer Form for all transfers of SBT between authorised farms within the Member's jurisdiction;</p> <p>c. all entities involved in towing and farming SBT have procedures to:</p> <p>i. determine, for the catch from each catching vessel:</p> <p>a) the mortality of SBT during towing</p> <p>b) the quantity (number and weight) of SBT transferred to each farm</p> <p>ii. use these records to complete the Farm Stocking Form at the end of each fishing season.</p>
<p>iii. Transfers of SBT into and between farms under the jurisdiction of a Member shall be documented on the Farm Stocking Form and Farm Transfer Form as applicable.</p>	
<p>iv. CCSBT CDS documents must be uniquely numbered.</p>	
<p>v. Members/OSECs shall not permit the landing as domestic product, transshipment, import, export and/or re-export of SBT caught by vessels not authorised to catch SBT and (if SBT farming is conducted under their jurisdiction) the transfer of SBT to or between, and harvest of SBT from, farms not authorised to farm SBT.</p>	<p>1. Operating systems and processes implemented to ensure that:</p> <p>a. at all times only carrier vessels currently entered into the CCSBT Record of Carrier Vessels are authorised to receive at-sea transshipments from the Member's LSTLVs; and</p> <p>b. no transshipment of SBT takes place until the carrier vessel and any updated details are entered into the Record.</p>

<b>3.1 Catch Documentation System</b>	
<b>B. Obligations (modification to CDS documents )</b>	<b>Minimum performance requirements</b>
<p>vi. Only minimal modifications, such as the addition of translations, may be made to the approved forms<sup>2</sup>. No information field may</p>	

<sup>1</sup> For all re-exports of SBT, and any exports of SBT that were landed as domestic product.

<b>3.1 Catch Documentation System</b>	
<b>B. Obligations (modification to CDS documents )</b>	<b>Minimum performance requirements</b>
be omitted from the standard form, except where the field is not applicable.	
vii. Any documentation modified, as described above <sup>3</sup> , shall be provided to the Executive Secretary for distribution to other Members/OSECs.	
viii. Significant amendments to the forms and form content may be made only with the agreement of the Commission at its annual meeting based on recommendations from the CCSBT Compliance Committee.	

<b>3.1 Catch Documentation System</b>	
<b>C. Obligations (Tagging )</b>	<b>Minimum performance requirements</b>
ix. Members shall require that an SBT tag be attached to each whole SBT at the time of kill except in the three circumstances described at paragraph 3.1 C “xiii” below.	1. Operating systems and processes to implement CCSBT Catch Tagging Program requirements, including: <ol style="list-style-type: none"> <li>a. ensuring all SBT tags meet the minimum specifications in paragraph 3 of Appendix 2 of the <a href="#">CDS Resolution</a>;</li> <li>b. recording the distribution of SBT tags to:               <ol style="list-style-type: none"> <li>i. entities authorised to fish for, or farm, SBT;</li> </ol> </li> <li>c. requiring a valid tag to be attached to each SBT brought on board a fishing vessel and killed (including SBT caught as incidental bycatch) or landed and killed from a farm (unless the special circumstances in 3.1C(xiii) apply);</li> <li>d. requiring tags to be attached to each fish as soon as</li> </ol>
x. A Catch Tagging Form shall be filled in as soon as practicable after the time of kill. Length and weight measurements shall be conducted before the SBT is frozen. Where measurements cannot be accurately done on board the vessel, they may be made at the	

<sup>2</sup> However the Catch Tagging Form may be amended to include additional information at the discretion of the Member .

<sup>3</sup> With the exception of additions to the Catch Tagging Form.

<b>3.1 Catch Documentation System</b>	
<b>C. Obligations (Tagging )</b>	<b>Minimum performance requirements</b>
time of landing or transshipment, provided the measurements and the associated Catch Tagging Form are filled in before any further transfer of the SBT.	practicable after the time of kill; and e. requiring details for each fish to be recorded on the Catch Tagging Form as soon as practicable, with weight and length measurements carried out before SBT is frozen.
xi. A tagging programme shall meet the minimum procedural and information standards set out in Appendix 2 of the CDS resolution <sup>4</sup> .	1. Operating systems and processes to: a. report any cases of whole SBT being landed without tags (due to exceptional circumstances in “xiii” and “xiv”) and minimise their occurrence in future.
xii. Members shall prohibit unauthorised use of SBT tags.	
xiii. Members/OSECs shall not permit whole SBT to be landed as domestic product, transhipped, exported, imported or re-exported without a tag, except that: a. in the case of farming operations, the SBT may be landed without a tag provided a tag is attached within 30 hours of kill; b. in exceptional circumstances, where a vessel on the CCSBT Record of Authorised Vessels does not have sufficient tags on board the vessel, the tag may be attached at landing; c. in exceptional circumstances, where a vessel catches SBT as unexpected bycatch and has no or insufficient tags on board, the tag may be attached at landing.	
xiv. In exceptional circumstances, where a tag becomes accidentally detached and cannot be reattached, a replacement tag shall be attached as soon as possible and no later than the time of landing, transshipment or export.	
xv. Members shall report any exceptional circumstances referred to in “xiii(b)”, “xiii(c)” or “xiv” of this measure to the Executive	

<sup>4</sup> This includes minimum standards for the tag and requirements for tag related information.

<b>3.1 Catch Documentation System</b>	
<b>C. Obligations (Tagging )</b>	<b>Minimum performance requirements</b>
Secretary within 7 days of the landing. The report shall provide details of the exceptional circumstances, the number of SBT tagged and for “xiv” of this measure, the old (where known) and new tag number(s).	
xvi. Members shall require that tags be retained on whole SBT to at least the first point of sale for landings of domestic product, and shall encourage the retention of tags on whole fish thereafter.	

<b>3.1 Catch Documentation System</b>	
<b>D. Obligations (Validation )</b>	<b>Minimum performance requirements</b>
xvii. The authority to validate CDS documents may be delegated to an authorised person by an official of the relevant State/fishing entity. Members/OSECs who utilise delegated person/s shall submit a certified copy of such delegation/s to the Executive Secretary. The individual who certifies a CCSBT CDS Document shall not be the same person who validates the Document.	<ol style="list-style-type: none"> <li>1. Operating systems and processes to:               <ol style="list-style-type: none"> <li>a. authorise validators;</li> <li>b. demonstrate that all persons with authority to validate CDS documents:                   <ol style="list-style-type: none"> <li>i. are government officials or other individuals who have been duly delegated authority to validate</li> <li>ii. have not certified the relevant CDS form;</li> </ol> </li> <li>c. inform the Executive Secretary of:                   <ol style="list-style-type: none"> <li>i. the details for all validators (including the information specified in obligation 3.1D xviii) and maintain this information up to date.</li> </ol> </li> </ol> </li> </ol>
xviii. Members/ OSECs shall provide to the Executive Secretary information on validation (including type of validation, name of the organization which validates the documents, title and name and signature of officials who validate the documents, sample impression of stamp or seal, and a list of all persons holding delegated authority to validate CCSBT CDS documentation prior to those officials and persons exercising the authority). Members/OSECs shall inform the Executive Secretary of any changes in a timely fashion.	
xix. The CCSBT CDS documentation must be validated (or signed in the case of transshipments at sea) as applicable by:	

<b>3.1 Catch Documentation System</b>	
<b>D. Obligations (Validation )</b>	<b>Minimum performance requirements</b>
<p>a. for landings of domestic product, an official of the flag Member of the catching vessel or, when the fishing vessel is operating under a charter arrangement, by a competent authority or institution of the chartering Member; and</p> <p>b. for all SBT transhipments subject to CCSBT Resolution on Establishing a Program for Transhipment by Large-Scale Fishing Vessels, the observer required by that resolution; and</p> <p>c. for all export of SBT, an official of the exporting Member; and</p> <p>d. for all re-export of SBT, an official of the re-exporting Member/OSEC.</p>	
<p>xx. Members/OSECs shall not validate any CCSBT CDS document that is not complete, has obviously incorrect information, or has not been validated as required by this resolution.</p>	<p>1. Ensure:</p> <p>a. validation only occurs:</p> <p>i. for tagged SBT (except where tag is no longer required due to processing)</p> <p>b. validated documentation accompanies:</p> <p>i. all SBT consignments (except transhipments at sea) and</p> <p>c. validation does not occur where:</p> <p>i. validation procedures not followed or</p> <p>ii. any deficiency or discrepancy is found.</p> <p>2. Operating systems and processes established to validate relevant CDS documents, including:</p> <p>a. requirements to check accuracy of information, including, at a minimum:</p> <p>i. ensuring CDS documentation is complete, valid and has no obviously incorrect information</p> <p>ii. taking into account any results from relevant inspections carried out by the validator or under the verification programme;</p>
<p>xxi. Full or partial consignments of untagged whole SBT must not be validated or accepted for transhipment, landing of domestic product, export (including export after landing of domestic product), import or re-export (except where the tag is no longer required to be attached to the SBT because it has undergone processing such as filleting or loining and the SBT is no longer whole).</p>	
<p>xxii. Members shall undertake an appropriate level of audit, including inspections of vessels, landings, and where possible markets, to the extent necessary to validate the information contained in the CDS documentation.</p>	
<p>xxiii. No Member/OSEC shall accept any SBT for transhipment,</p>	



<b>3.1 Catch Documentation System</b>	
<b>D. Obligations (Validation )</b>	<b>Minimum performance requirements</b>
landing of domestic product, export, import, or re-export where any or all required documents do not accompany the relevant consignment of SBT, where fields of information required on the form are not completed, or where the form has not been validated as required by this resolution.	<ul style="list-style-type: none"> <li>b. reporting requirements, including: <ul style="list-style-type: none"> <li>i. identification of any inconsistencies or inaccuracies found in the CDS documentation</li> <li>ii. notification to the Member's authorities.</li> </ul> </li> </ul>

<b>3.1 Catch Documentation System</b>	
<b>E. Obligations (Retention and submission of documents )</b>	<b>Minimum performance requirements</b>
xxiv. Members/OSECs shall retain all original CCSBT CDS Documents received by them. Members/OSECs shall also retain a copy of any CCSBT CDS Documents issued by them	
xxv. Copies of these CDS Documents shall be forwarded to the Executive Secretary on a quarterly basis.	<ul style="list-style-type: none"> <li>1. Copies of all completed CDS documents issued by catching Members or received by importing or receiving Members, sent to Executive Secretary in accordance with the following timeframes: <ul style="list-style-type: none"> <li>a. documents issued or received in Jan-Mar - due 30 June</li> <li>b. documents issued or received in Apr-Jun - due 30 September</li> <li>c. documents issued or received in Jul-Sep - due 31 December</li> <li>d. documents issued or received Oct-Dec - due 31 March.</li> </ul> </li> <li>2. Catch Tagging Form information provided to the Executive Secretary using the electronic Data Provision Form developed by the Secretariat and in accordance with the Data Provision Form's instructions.</li> </ul>
xxvi. Completed Catch Tagging Forms shall be provided to the flag Members which shall provide the information in the Catch Tagging Form to the Executive Secretary in an electronic format. All other forms shall be forwarded to the Executive Secretary either as a copy of the original form or in electronic format containing all the information in the forms.	

<b>3.1 Catch Documentation System</b>	
<b>F. Obligations (Verification of CDS documentation)</b>	<b>Minimum performance requirements</b>
xxvii. Each Member shall ensure that its competent authorities, or other authorised individual or institution, take steps to identify each consignment of SBT landed as domestic product in, imported into or exported or re-exported from its territory and examine the validated CCSBT CDS Documents for each consignment of SBT. These competent authorities, or authorised individuals or institutions, may also examine the content of the consignment to verify the information contained in the CCSBT CDS Document and in related documents and, where necessary, shall carry out verifications with the operators concerned.	<ol style="list-style-type: none"> <li>1. Operating systems and processes established for verification, including:               <ol style="list-style-type: none"> <li>a. inspecting CDS documentation;</li> <li>b. reviewing and analysing information from CDS documents , including:                   <ol style="list-style-type: none"> <li>i. cross-checking completeness and consistency of data from CDS Forms received</li> <li>ii. cross-checking data from six-monthly report from Executive Secretary</li> <li>iii. analysing any discrepancies;</li> </ol> </li> <li>c. investigating any irregularities suspected or detected;</li> <li>d. taking action to resolve any irregularities;</li> <li>e. notifying the Executive Secretary and relevant Members/ OSECs, of any consignments of SBT whose CDS documentation is considered doubtful, or incomplete or unvalidated;</li> <li>f. notifying the Executive Secretary of the final outcome of the investigation.</li> </ol> </li> </ol>
xxviii. Each Member shall review information and investigate and resolve any irregularities identified in relation to their information in the CDS reports, including any discrepancies identified during the comparison of data from the Executive Secretary. Among other matters, Members shall cross-check the six monthly reports provided by the Executive Secretary using information available to it.	
xxix. Each Member/OSEC shall, as soon as practicable, identify to the Executive Secretary and relevant Members/OSECs, any consignments of SBT where there are: <ul style="list-style-type: none"> <li>• doubts about the information contained in any associated CDS documentation; or</li> <li>• incomplete, missing or unvalidated CCSBT CDS documentation.</li> </ul>	
xxx. Each Member shall co-operate and take all necessary steps with relevant authorities, and within domestic law, to review,	

3.1 Catch Documentation System	
F. Obligations (Verification of CDS documentation)	Minimum performance requirements
investigate and resolve any concerns identified in “xxvii” and “xxviii” of this measure, and notify the Executive Secretary of the outcome of any such action for inclusion in its report to the Commission	
xxx. Members/OSECs shall cooperate to ensure that CDS documents are not forged and/or do not contain misinformation.	
xxxii. Where necessary, in support of catch verification procedures, Members/OSECs agree to exchange the necessary supporting information and, where relevant, evidence as may be necessary to verify the integrity of the flow of CDS information and to reconcile any discrepancies.	

### 3.2 Vessel Monitoring System (Resolution)

**Titles:** Resolution on the development and implementation of a Vessel Monitoring System

Resolution on establishing the CCSBT Vessel Monitoring System

**Links:** [http://www.ccsbt.org/userfiles/file/docs\\_english/operational\\_resolutions/Resolution\\_VMS\\_Development\\_Implement.pdf](http://www.ccsbt.org/userfiles/file/docs_english/operational_resolutions/Resolution_VMS_Development_Implement.pdf)

[http://www.ccsbt.org/userfiles/file/docs\\_english/operational\\_resolutions/Resolution\\_VMS.pdf](http://www.ccsbt.org/userfiles/file/docs_english/operational_resolutions/Resolution_VMS.pdf)

**Notes:**

3.2 Vessel Monitoring System	
Obligations	Minimum performance requirements
i. Members shall develop and implement their satellite-linked Vessel Monitoring Systems for fishing vessels catching SBT and flagged to Members.	1. Operating systems and processes in place to: <ol style="list-style-type: none"> <li>a. ensure all VMSs are tamper-resistant and meet the requirements in 3.2 ii(c);</li> <li>b. to ensure the VMS automatically transmits the following data:               <ol style="list-style-type: none"> <li>i. vessel identification</li> <li>ii. geographic position</li> </ol> </li> </ol>
ii. The Vessel Monitoring Systems shall include the following elements: <ol style="list-style-type: none"> <li>a. Flag states/fishing entities shall monitor and manage their</li> </ol>	

<b>3.2 Vessel Monitoring System</b>	
<b>Obligations</b>	<b>Minimum performance requirements</b>
<p>vessels equipped with vessel monitoring devices</p> <p>b. The following data shall be continuously and automatically reported, at a frequency that allows the fishing activity of a vessel to be identified, while the vessel is fishing: the vessel identification; its geographical position; and the date and time</p> <p>c. Vessel monitoring devices shall be tamper-resistant and located in a sealed unit with official seals that indicate whether the unit has been accessed or tampered with.</p> <p>d. In the event of a technical failure of the device, the master or owner of a vessel shall be required to report to the flag state/fishing entity, at a frequency that allows the fishing activity of a vessel to be identified, the vessel's identification, its geographical position, and the date and time.</p>	<p>iii. date and time;</p> <p>c. require, in the event of a technical failure of the VMS, the Master to report the required information; and</p> <p>d. monitor vessels' VMS reports.</p>
<p>iii. Members shall implement a mandatory Vessel Monitoring System for fishing of SBT inside the Exclusive Economic Zone by 1 January 2008 for vessels above a specified size.</p>	
<p>iv. Members shall ensure their domestic regulations and rules enable them to act in accordance with the Vessel Monitoring System to be developed under paragraph "i" above.</p>	
<p>v. In addition to the above, Members shall adopt and implement satellite-linked Vessel Monitoring Systems (VMS) for vessels fishing for SBT in accordance with the requirements of the RFMO<sup>5</sup> (IOTC, WCPFC, CCAMLR, ICCAT) whose convention area is being fished at the time, or in accordance with IOTC's requirements when fishing in any other high seas area.</p>	
<p>vi. In response to requests from Members in accordance with</p>	

<sup>5</sup> The Resolutions/Measures of the other RFMOs that apply are specified in paragraph 1 and 2 of the CCSBT Resolution.

3.2 Vessel Monitoring System	
Obligations	Minimum performance requirements
<p>paragraph 3b of the 2008 CCSBT VMS resolution in relation to incidents concerning specific vessels, Members that receive the request shall:</p> <ol style="list-style-type: none"> <li>a. investigate the incidents and provide details<sup>6</sup> of the investigation to the Member which requested VMS data; or</li> <li>b. provide VMS data<sup>8</sup> on the vessel(s) to the requesting Member, which will inform the results of its investigation to the Member which is the flag state/fishing entity of the vessel(s)</li> </ol>	

### 3.3 Transshipment (at sea) Monitoring Program (Resolution)

**Title:** Resolution on Establishing a Program for Transshipment by Large-Scale Fishing Vessels

**Link:** [http://www.ccsbt.org/userfiles/file/docs\\_english/operational\\_resolutions/Resolution\\_Transshipment.pdf](http://www.ccsbt.org/userfiles/file/docs_english/operational_resolutions/Resolution_Transshipment.pdf)

**Notes:**

- To enable interoperability between the CCSBT, IOTC and ICCAT transshipment monitoring programs, for the purpose of this measure, the IOTC/ICCAT Secretariat, observers, transshipment declarations and registration numbers may be treated as being the CCSBT equivalents provided that the presence of SBT is reported at each stage (from the initial observer deployment request through to the transshipment declaration).
- Section 2 of this Resolution relates to the establishment and maintenance of a record of authorised carrier vessels that are authorised to receive SBT at sea from tuna longline fishing vessels with freezing capacity (LSTLVs). Its obligations are set out in section 2.3 of this Appendix so that it is together with the other CCSBT Authorisation measures.

---

<sup>6</sup> Confidentiality provisions that apply to this information are specified in the Resolution.

3.3 Transshipment (at sea) Monitoring Program	
Obligations	Minimum performance requirements
<p>i. Transshipments by LSTLVs in waters under the jurisdiction of the Members are subject to prior authorization from the Coastal State / Fishing Entity concerned.</p>	<p><b><i>Unless otherwise specified, the Flag state of the authorised fishing vessel (LSTLV) is responsible for meeting the minimum performance requirements set out in section 3.3.</i></b></p> <ol style="list-style-type: none"> <li>1. Operating systems and processes to ensure:               <ol style="list-style-type: none"> <li>a. any carrier vessel receiving the transhipped SBT is meeting its obligations to provide access and accommodation to observers, and to cooperate with the observer in relation to the performance of his or her duties (see Carrier Vessel Authorisation minimum performance requirements, section 2.3).</li> </ol> </li> <li>2. Ensure:               <ol style="list-style-type: none"> <li>a. fishing vessel and carrier vessel are on the CCSBT registers;</li> <li>b. transshipment declarations are completed and transmitted by the fishing vessel and the carrier vessel, in accordance with paragraphs 11-14 of <a href="#">Transshipment Resolution</a>.</li> </ol> </li> <li>3. Operating systems and processes to:               <ol style="list-style-type: none"> <li>a. issue transshipment authorisations;</li> <li>b. request placement of observers on board carrier vessels;</li> <li>c. notify any cases of ‘force majeure’ (where transshipment occurs without an observer on the carrier vessel) to Executive Secretary;</li> <li>d. ensure observers can board the fishing vessel (provided it is safe to do so), and have access to personnel and areas necessary to monitor compliance with paragraph 5(a) of Annex 2 of the <a href="#">Transshipment Resolution</a>.</li> </ol> </li> </ol>
<p>ii. Members shall take the necessary measures to ensure that LSTLVs flying their flag comply with the following conditions:</p> <ol style="list-style-type: none"> <li>a. LSTLVs are not authorised to tranship at sea, unless they have obtained prior authorization from their Flag State / Fishing Entity. To receive prior authorization, the master and/or owner of the LSTLV must notify the following information to its Flag State / Fishing Entity authorities at least 24 hours in advance of an intended transshipment:           <ul style="list-style-type: none"> <li>• Name &amp; CCSBT Registration Number of the transshipping LSTLV &amp; receiving carrier vessel;</li> <li>• Tonnage by product to be transhipped;</li> <li>• Date &amp; location of transshipment; and</li> <li>• Geographic location of the SBT catches</li> </ul> </li> <li>b. The LSTLV concerned shall complete and transmit to its flag State / Fishing Entity, not later than 15 days after the transshipment, the CCSBT transshipment declaration<sup>7</sup>, along with its CCSBT Registration Number.</li> </ol>	
<p>iii. The master of the receiving carrier vessel shall:</p> <ol style="list-style-type: none"> <li>a. complete and transmit the CCSBT transshipment declaration to the CCSBT Secretariat and the flag Member of the LSTLV, along with its CCSBT Registration Number, within 24 hours of the completion of the transshipment.</li> </ol>	

<sup>7</sup> As specified in Annex 1 of this resolution.

<b>3.3 Transshipment (at sea) Monitoring Program</b>	
<b>Obligations</b>	<b>Minimum performance requirements</b>
<p>b. 48 hours before landing, transmit a CCSBT transshipment declaration, along with its CCSBT Registration Number, to the competent authorities of the State / Fishing Entity where the landing takes place.</p>	
<p>iv. Each Member shall ensure that all carrier vessels transshipping at sea have on board a CCSBT observer in accordance with the CCSBT Regional Observer Program<sup>8</sup>.</p>	
<p>v. Vessels shall be prohibited from commencing or continuing at-sea transshipping at sea without a CCSBT regional observer on board, except in cases of 'force majeure' duly notified to the Executive Secretary.</p>	
<p>vi. To ensure the effectiveness of the CCSBT conservation and management measures pertaining to the Catch Documentation System (CDS):</p> <p>a. In validating the necessary CCSBT CDS documentation, as required by the CDS, Flag Members of LSTLVs shall ensure that transshipments are consistent with the reported catch amount by each LSTLV.</p> <p>b. The Flag Member of LSTLVs shall validate the necessary CCSBT CDS documentation for the transhipped fish, as required by the CDS, after confirming that the transshipment was conducted in accordance with this Resolution. This confirmation shall be based on the information obtained through the CCSBT Regional Observer Program.</p> <p>c. Members shall require that SBT caught by LSTLVs, when</p>	<p>1. Report on number of inspections and fish count.</p>

<sup>8</sup> The CCSBT Regional Observer Program is described at Annex 2 of this resolution. The description includes obligations of the Flag State/Fishing Entity of both Carrier vessels and LSTLVs to the observers which are not described here. In order to place a CCSBT observer on board a carrier vessel, the Member must submit an observer deployment request to the Secretariat, stating that SBT will be transhipped, before the transshipment.

3.3 Transhipment (at sea) Monitoring Program	
Obligations	Minimum performance requirements
imported into the territory of a Contracting Party, be accompanied by necessary CCSBT CDS documentation validated for the vessels on the CCSBT Authorised Vessel List and a copy of the CCSBT transhipment declaration.	
vii. All SBT landed or imported into the Members either unprocessed or after having been processed on board and which are transhipped, shall be accompanied by the CCSBT transhipment declaration until the first sale has taken place.	1. Operating systems and processes established to ensure: <ol style="list-style-type: none"> <li>a. all transhipped product is accompanied by signed Transhipment Declaration until the first point of sale.</li> </ol>
viii. The costs of implementing this program shall be financed by the flag Members of LSTLVs wishing to engage in transhipment operations	

## 4. Science Measures

This section sets out minimum performance requirements for obligations relating to the Scientific Observer Program Standards.

### 4.1 Scientific Observer Program Standards (Decision/Recommendation)

**Title:** CCSBT Scientific Observer Program Standards

**Link:** [http://www.ccsbt.org/userfiles/file/docs\\_english/operational\\_resolutions/observer\\_program\\_standards.pdf](http://www.ccsbt.org/userfiles/file/docs_english/operational_resolutions/observer_program_standards.pdf)

**Notes:** The objectives of the CCSBT Scientific Observer Program Standards are to:

- Provide a framework for the alignment of members' scientific observer programs with the objectives of the SRP;
- Standardize scientific observer programs across fleets and fisheries among members; and
- Specify minimum standards for the development of a scientific observer program for members without a program.

### 4.1 Scientific Observer Program Standards



Obligations	Minimum performance requirements
<p>i. All Members are expected to adapt their respective programs taking into account the standards but recognizing that members may have additional requirements they wish to maintain in their respective programs.</p>	<p>1. All Flag Members' programmes meet the minimum standards for the <a href="#">CCSBT Scientific Observer Program</a>.</p>
<p>ii. Responsibility for the operation of the CCSBT Scientific Observer Program on the high seas and in domestic EEZ fisheries lies with the Member whose flag is flown on the vessel.</p>	
<p>iii. The CCSBT Scientific Observer Program covers the fishing activity of CCSBT Members wherever southern bluefin tuna are targeted or are a significant bycatch.</p>	<p>1. Operating systems and processes established for the Scientific Observer Program that:</p> <ul style="list-style-type: none"> <li>a. ensure the program applies: <ul style="list-style-type: none"> <li>i. wherever SBT is targeted or are a significant bycatch;</li> </ul> </li> <li>b. set out procedures to meet the target observer coverage of 10% for catch and effort monitoring in each fishery, including: <ul style="list-style-type: none"> <li>i. requiring observer coverage to be representative of Member's range of SBT fisheries;</li> </ul> </li> <li>c. implement observer recruitment and training schemes to meet section 8 of the CCSBT Scientific Observer Program Standards relating to: Qualification of observers, Independence/Integrity, Scientific Observer Training, and Recruitment of observers;</li> <li>d. set out how observers are assigned to vessels;</li> <li>e. analyse, at least once a year, the effectiveness of the actual assignment of observers in achieving 10% coverage across a representative range of the Member's SBT fisheries.</li> </ul>
<p>iv. The Program has a target observer coverage of 10% for catch and effort monitoring for each fishery. Observer coverage should be representative of different vessel-types in distinct areas and times. In order to approach 10% coverage in some strata (e.g., specific vessel-types in certain areas and times) it may be necessary to have higher than 10% coverage in other strata.</p>	
<p>v. Each Member should assign observers to its vessels and cruises based on a carefully considered and appropriately designed sampling scheme that has a high likelihood of ensuring reasonably representative coverage. The program should ensure that, within the main fishing areas and seasons and to the extent possible, all representative vessels, areas, and time periods have an approximately equal probability of being sampled.</p>	
<p>vi. Each Member should evaluate and analyse the sampling scheme used for the assignment of observers against the principles outlined above. Each Member should document the scheme used for the observer assignments actually implemented and make this information and data collected available to the Commission in its national report (as described in the reporting requirements) to enable review within the Commission of whether or not the</p>	

<b>4.1 Scientific Observer Program Standards</b>	
<b>Obligations</b>	<b>Minimum performance requirements</b>
standards are being met.	
vii. The placement of observers should also encompass arrangements to ensure the independence and scientific integrity of the data.	
viii. Observer plans and training programs should include specific provision for the role and responsibilities of observers for tag recapture reporting.	
ix. Each Member is responsible for the recruitment and training of observers for placement on their flagged vessels. Training schemes should be constructed to impart the skills necessary to adequately collect the scientific data and should take account of the principles specified in section 8 of the CCSBT Scientific Observer Program Standards relating to: Qualification of observers, Independence/Integrity, Scientific Observer Training, and Recruitment of observers.	
x. Any vessel selected for an observation should be capable of meeting the minimum requirements for accommodation, sanitary facilities, meals, equipments and communication systems equivalent to those of the crew (junior officer when possible) so that the observer's duties are not compromised. A selected vessel should be advised of its responsibility for the observer while they are on board.	1. Operating systems and processes established to: <ul style="list-style-type: none"> <li>a. advise a selected fishing vessel of its responsibilities while the observer is on board.</li> </ul>
xi. The scientific data to be collected should include the following categories of information. A detailed description of the information to be collected for each of these categories is provided in Attachment 1 of the CCSBT Scientific Observer Program Standards. Annex 1 of that attachment provides hierarchies for prioritising the collection of data. <ul style="list-style-type: none"> <li>A. Details of the observed vessel, including its size, capacity</li> </ul>	1. Operating systems and processes established to: <ul style="list-style-type: none"> <li>a. ensure required data is collected and, where necessary, hierarchies to prioritise data collection are applied.</li> </ul>

#### 4.1 Scientific Observer Program Standards

Obligations	Minimum performance requirements
<p>and equipment.</p> <ul style="list-style-type: none"><li>B. Summary of the observed trip, which will include information such as the observer name, dates of embarkation and disembarkation.</li><li>C. Comprehensive catch, effort and environmental information for each set that occurred while the observer was on-board the vessel, regardless of whether the set/haul was actually observed. This includes the target species, location fished and quantity of gear used.</li><li>D. Observed catch information for each period of observation, including the time at start and end of observation, the number of hooks observed, the observed catch in number and weight for SBT and all other species caught to the extent possible.</li><li>E. Biological measurements taken of individual SBT, as much as possible, including its condition, length, weight, sex and details of samples (otoliths, scales, gonads, etc.) that were taken from the SBT for later analysis.</li><li>F. SBT tag recovery information, including, both tag numbers (actual tags also to be provided), date, location, length, weight, sex, details of samples taken (e.g. otoliths), and whether or not the tags were spotted during a period of fishing that was being observed.</li></ul>	

## 5. Measures Relating to Ecologically Related Species

This section sets out minimum performance requirements for obligations relating to:

- Seabird Mitigation Measures in Longline Fisheries (5.1)
- Recommendation on Ecologically Related Species (5.2)

### 5.1 Seabird Mitigation Measures in Longline Fisheries (Decision & Recommendations)

**Title:** There is no official title for this measure as this is not a “single measure”, but instead is a collection consisting of a decision at CCSBT 4, a request at CCSBT 5 and a series of recommendations at CCSBT 3.

**Links:** Details of the requirement to use Tori poles are at Agenda Item 10.2 and Attachment U of the CCSBT 4 (part 1) report.

[http://www.ccsbt.org/userfiles/file/docs\\_english/meetings/meeting\\_reports/ccsbt\\_04/report\\_of\\_ccsbt4\\_part1.pdf](http://www.ccsbt.org/userfiles/file/docs_english/meetings/meeting_reports/ccsbt_04/report_of_ccsbt4_part1.pdf)

Details relating to the guidelines for design and deployment of tori lines are at Agenda Item 10.2 and Attachments 29 & 30 of the CCSBT 5 (part 1) report: [http://www.ccsbt.org/userfiles/file/docs\\_english/meetings/meeting\\_reports/ccsbt\\_05/report\\_of\\_ccsbt5\\_part1.pdf](http://www.ccsbt.org/userfiles/file/docs_english/meetings/meeting_reports/ccsbt_05/report_of_ccsbt5_part1.pdf)

Details of the other obligations below (obligations iii and iv) are at Agenda Item 5 and Attachment E of the CCSBT 3 (part 2) report.

[http://www.ccsbt.org/userfiles/file/docs\\_english/meetings/meeting\\_reports/ccsbt\\_03/report\\_of\\_ccsbt3\\_part2.pdf](http://www.ccsbt.org/userfiles/file/docs_english/meetings/meeting_reports/ccsbt_03/report_of_ccsbt3_part2.pdf)

**Notes:** Paragraphs “ii” to “iv” below are not binding on Members, but Members are nevertheless expected to comply.

5.1 Seabird Mitigation Measures in Longline Fisheries	
Obligations	Minimum performance requirements
i. Mandatory use of Tori poles is required by all Members in all longline SBT fisheries below 30° south.	1. Operating systems and processes to: <ol style="list-style-type: none"> <li>ensure tori poles are used in all longline SBT fisheries below 30° south;</li> <li>encourage design and deployment of tori poles to be consistent with the guidelines in Attachment 30 of the CCSBT 5 (part 1) report.</li> </ol>
ii. Members are requested to use the guidelines for the design and deployment of tori poles for tuna longline fisheries as specified in Attachment 30 <sup>9</sup> of the CCSBT 5 (part 1) report.	

<sup>9</sup> These guidelines are now over 10 years old and may be in need of review.

## 5.1 Seabird Mitigation Measures in Longline Fisheries

Obligations	Minimum performance requirements
<p>iii. Members should:</p> <ul style="list-style-type: none"><li>○ Continue existing information collection on the nature and extent of ERS captures in southern bluefin tuna fishing operations.</li><li>○ Collect data concerning the incidental catch of seabirds and information concerning the state and trend of the seabird population subjected to incidental catch in cooperation with appropriate international organisations, other States and entities concerned.</li><li>○ Promote the use of appropriately designed and deployed tori lines in SBT longline fishing operations.</li><li>○ Take the following measures, as appropriate, in longline fisheries while taking southern bluefin tuna:<ul style="list-style-type: none"><li>▪ avoid the dumping of offal as far as possible while longlines are being set or hauled; and</li><li>▪ use thawed baits.</li></ul></li><li>○ Make every effort to ensure that birds captured alive during longlining are released alive and that wherever possible hooks are removed without jeopardising the life of the bird concerned.</li></ul>	<p>1. Encourage adoption of methods to mitigate incidental catch of seabirds, including:</p> <ul style="list-style-type: none"><li>a. collecting information on incidental catch of seabird ; and</li><li>b. developing, trialling and implementing improved measures to reduce incidental seabird catch and mortality.</li></ul>
<p>iv. Members shall:</p> <ul style="list-style-type: none"><li>○ Exchange information concerning new or refined techniques to reduce incidental catch of seabirds and cooperate in developing and assessing the effectiveness of such techniques, including those with the objective of preventing the approach of seabirds to fishing vessels or restraining the feeding activities of seabirds. In introducing a technique, a Member will consider its effectiveness in reducing the incidental catch of ERS, and the</li></ul>	

5.1 Seabird Mitigation Measures in Longline Fisheries	
Obligations	Minimum performance requirements
<p>costs and benefits, including possible impacts on harvesting of tuna</p> <ul style="list-style-type: none"> <li>○ Continue to assess the effectiveness of the measures described in the points above.</li> <li>○ Promote, among the fishers concerned, understanding about the incidental capture of seabirds and measures which can be implemented to reduce seabird capture in longline operations.</li> </ul>	

## 5.2 Recommendation on Ecologically Related Species (Recommendation)

**Title:** Recommendation to Mitigate the Impact on Ecologically Related Species of Fishing for Southern Bluefin Tuna.

**Link:** [http://www.ccsbt.org/userfiles/file/docs\\_english/operational\\_resolutions/Recommendation\\_ERS.pdf](http://www.ccsbt.org/userfiles/file/docs_english/operational_resolutions/Recommendation_ERS.pdf)

**Notes:** This recommendation is not binding on Members, but Members are expected to comply with this recommendation.

5.2 Recommendation on Ecologically Related Species	
Obligations	Minimum performance requirements

5.2 Recommendation on Ecologically Related Species	
Obligations	Minimum performance requirements
<p>i. Members will, to the extent possible, implement the International Plan of Action for Reducing Incidental Catches of Seabirds in Longline Fisheries (IPOA-Seabirds), the International Plan of Action for the Conservation and Management of Sharks (IPOA-Sharks), and the FAO Guidelines to reduce sea turtle mortality in fishing operations (FAO-Sea turtles), if they have not already done so.</p>	<p><b><i>Although ERS obligations (5.2) are not legally binding, Members are expected to comply with them. Hence it is useful to have minimum performance requirements, as set out below.</i></b></p> <p>1. Operating systems and processes established to:</p> <ul style="list-style-type: none"> <li>a. comply with measures to protect ecologically related species (including seabirds, sea turtles and sharks) set by the IOTC and the WCPFC when fishing in their Convention areas;</li> <li>b. comply with data requirements adopted by the IOTC or WCPFC for incidental catch while fishing in their Convention areas; and</li> <li>c. report data to: <ul style="list-style-type: none"> <li>i. Extended Commission and Ecologically Related Species Working Group and</li> <li>ii. IOTC or WCPFC where SBT fishing occurs in their Convention areas.</li> </ul> </li> </ul>
<p>ii. Members will comply with all current binding and recommendatory measures aimed at the protection of ecologically related species, including seabirds, sea turtles and sharks, from fishing, which are adopted from time to time:</p> <ul style="list-style-type: none"> <li>o by the Indian Ocean Tuna Commission, when fishing in its Convention area, and</li> <li>o by the Western and Central Pacific Fisheries Commission, when fishing in its Convention area</li> <li>o irrespective of whether the Member concerned is a member of the relevant Commission or otherwise cooperates with it.</li> </ul>	
<p>iii. Members will collect and report data on ecologically related species to the Extended Commission and/or its subsidiary bodies as appropriate, including the Ecologically Related Species Working Group. Further, the undertaking described in paragraph “ii.” will include a commitment to comply with measures adopted by the Indian Ocean Tuna Commission and the Western and Central Pacific Fisheries Commission on the collection and reporting of data in relation to ecologically related species.</p>	

## 6. Routine Reporting Measures

This section sets out minimum performance requirements for obligations relating to:

- Monthly Catch Reporting (6.1)
- Reporting of initial allocations and final catch by vessel/company (6.2)
- Scientific Data Exchange (6.3)
- National Report to the Extended Commission (6.4)
- Annual Reporting to the Compliance Committee (6.5)
- National Report to the Extended Scientific Committee (6.6)
- Annual Report to the Ecologically Related Species Working Group (6.7)

### 6.1 Monthly Catch Reporting (Decision)

**Title:** Monthly Catch Reporting to the CCSBT.

**Link:** Details of this decision are at Agenda Item 12.4 of the CCSBT 12 report.

[http://www.ccsbt.org/userfiles/file/docs\\_english/meetings/meeting\\_reports/ccsbt\\_12/report\\_of\\_ccsbt12.pdf](http://www.ccsbt.org/userfiles/file/docs_english/meetings/meeting_reports/ccsbt_12/report_of_ccsbt12.pdf)

**Notes:** The primary purpose of monthly catch reporting is to improve the management and the compliance regimes for the fishery.

6.1 Monthly Catch Reporting	
Obligations	Minimum performance requirements
i. Each month, each Member will report the total SBT catch for the month and the total cumulative SBT catch for the year to date to the Secretariat. The report is to be provided no later than the last day of the month following fishing.	<ol style="list-style-type: none"><li>1. Report submitted electronically to Executive Secretary no later than the last day of the month following fishing.</li><li>2. Monthly and cumulative catch reported as whole weight in kilograms.</li></ol>



## 6.2 Reporting of initial allocations and final catch by vessel/company (Decision)

**Title:** This measure does not have a formal title, but it is commonly referred to as “Reporting of initial allocations and final catch by vessel/company”.

**Link:** Details of this decision are at paragraphs 39 and 40 of the CCSBT 13 report.

[http://www.ccsbt.org/userfiles/file/docs\\_english/meetings/meeting\\_reports/ccsbt\\_13/report\\_of\\_CCSBT13.pdf](http://www.ccsbt.org/userfiles/file/docs_english/meetings/meeting_reports/ccsbt_13/report_of_CCSBT13.pdf)

**Notes:** Reporting of initial allocations and final catch by vessel/company was established in order to improve transparency of and confidence in CCSBT management measures.

6.2 Reporting of initial allocations and final catch by vessel/company	
Obligations	Minimum performance requirements
i. Members shall provide to the CCSBT Secretariat in a timely manner <sup>10</sup> information relating to: a) the yearly SBT quota and catch allocation arrangements for this fishery either by company, quota holder or vessel <sup>11</sup> ; and b) the final SBT catch against quota by company, quota holder or vessel at the completion of a vessel’s fishing period or fishing year.	
ii. In the case where Members manage through an “Olympic” system members shall only be required to report details in (b).	

<sup>10</sup> Intersessional discussion following this decision determined that information on the initial quota allocation is due within two months of the start of the fishing season and that the final catch information is due within 6 months of the end of the fishing season.

<sup>11</sup> Vessel details provided shall include vessel name and call sign.

### 6.3 Scientific Data Exchange (Annual Decision)

**Title:** Scientific Data Exchange

**Link:** This set of obligations is updated at each year's meeting of the Extended Scientific Committee (ESC). Requirements for the 2011 Scientific Data Exchange are at Attachment 14 of the SC 15 report:

[http://www.ccsbt.org/userfiles/file/docs\\_english/meetings/meeting\\_reports/ccsbt\\_17/report\\_of\\_SC15.pdf](http://www.ccsbt.org/userfiles/file/docs_english/meetings/meeting_reports/ccsbt_17/report_of_SC15.pdf)

**Notes:** The Scientific Data Exchange requirements are detailed and specify what each Member is required to provide and the due date for each item of data. The requirements vary by Member and may change slightly from year to year.

6.3 Scientific Data Exchange	
Obligations	Minimum performance requirements
i. All Members are required to provide the data specified in the most recent annual data exchange requirements by the ESC and by the due date specified in those requirements.	1. Submit data electronically to the Executive Secretary.

### 6.4 National Report to the Extended Commission (Decision)

**Title:** Annual Review of Fisheries for the Annual Commission Meeting

**Notes:** This review must also be submitted to the Compliance Committee, which meets prior to the Extended Commission.

6.4 National Report to the Extended Commission	
Obligations	Minimum performance requirements
i. Prior to the annual meeting of the Extended Commission, each Member shall submit the annual review of fisheries in accordance with the agreed format for the annual review (Attachment A). <sup>12</sup>	1. Submit report electronically to Executive Secretary at least 4 weeks before annual meeting of Compliance Committee ( <i>which precedes the annual EC meeting</i> ), with responses provided for every section of the [ <i>revised and agreed</i> ] template.

<sup>12</sup> Attachments A and B are expected to be reviewed and replaced once this policy is finalised. The Annual Review and Compliance Action Plan would be replaced with a single report. The new report format should be an enhancement of the existing compliance action plan template. The Secretariat will revise the reporting template in accordance with the final decisions on this policy.

## 6.5 Annual Reporting to the Compliance Committee (Suite of Decisions/Resolutions/Recommendations)

**Title:** This is a compilation of reporting requirements to the Compliance Committee (CC), so it does not have an official title.

**Links:** The following points provide the source of the associated obligations within this measure:

- i. Procedural Rule 10 of the Terms of Reference of the Compliance Committee: -  
[http://www.ccsbt.org/userfiles/file/docs\\_english/basic\\_documents/terms\\_of\\_reference\\_for\\_subsidary\\_bodies.pdf](http://www.ccsbt.org/userfiles/file/docs_english/basic_documents/terms_of_reference_for_subsidary_bodies.pdf)
- ii. Paragraph 7(f) of the CC5 report:-  
[http://www.ccsbt.org/userfiles/file/docs\\_english/meetings/meeting\\_reports/ccsbt\\_17/report\\_of\\_CC5.pdf](http://www.ccsbt.org/userfiles/file/docs_english/meetings/meeting_reports/ccsbt_17/report_of_CC5.pdf)
- iii. Paragraph 3 (a) of the Resolution on establishing the CCSBT vessel monitoring system:-  
[http://www.ccsbt.org/userfiles/file/docs\\_english/operational\\_resolutions/Resolution\\_VMS.pdf](http://www.ccsbt.org/userfiles/file/docs_english/operational_resolutions/Resolution_VMS.pdf)
- iv. Paragraph 18 of the Resolution on establishing a program for transshipment by large-scale fishing vessels:-  
[http://www.ccsbt.org/userfiles/file/docs\\_english/operational\\_resolutions/Resolution\\_Transshipment.pdf](http://www.ccsbt.org/userfiles/file/docs_english/operational_resolutions/Resolution_Transshipment.pdf)
- v. Paragraph 4 of the Recommendation to mitigate the impact on ecologically related species of fishing for southern bluefin tuna  
[http://www.ccsbt.org/userfiles/file/docs\\_english/operational\\_resolutions/Recommendation\\_ERS.pdf](http://www.ccsbt.org/userfiles/file/docs_english/operational_resolutions/Recommendation_ERS.pdf)

6.5 Annual Reporting to the Compliance Committee	
Obligations	Minimum performance requirements
i. Each Member shall submit the above Annual Review of Fisheries in accordance with the agreed format for the annual review (Attachment A) <sup>13</sup> four weeks prior to the convening of the Compliance Committee meeting.	1. The report is submitted electronically to Executive Secretary at least 4 weeks before the annual meeting of Compliance Committee.
ii. Each Member should continue to improve the detail in its Compliance Action Plan, and the plan should be kept up to date and submitted to future annual meetings of the Compliance Committee. The agreed template for the plan is provided at Attachment B. <sup>13</sup>	
iii. Members shall provide VMS summary reports in advance of the Compliance Committee meeting. The agreed format of the report	1. Submit report electronically to Executive Secretary at least 4 weeks before the annual Compliance Committee meeting.

<sup>13</sup> Attachments A and B are expected to be reviewed and replaced once this policy is finalised

<b>6.5 Annual Reporting to the Compliance Committee</b>	
<b>Obligations</b>	<b>Minimum performance requirements</b>
is at Section III (1) of Attachment B. <sup>13</sup>	
iv. Members shall report the following to the Executive Secretary 6 weeks prior to the Annual Meeting of the Commission: <ul style="list-style-type: none"> <li>o The quantities of SBT transhipped during the previous year.</li> <li>o The list of the LSTLVs registered in the CCSBT Authorised Vessel List which have transhipped during the previous year.</li> <li>o A comprehensive report assessing the content and conclusions of the reports of the observers assigned to carrier vessels which have received transhipment from their LSTLVs.</li> </ul>	1. Submit information electronically to Executive Secretary at least 6 weeks before the annual Compliance Committee meeting.
v. Members will report annually to the Compliance Committee on the action they have taken pursuant to paragraphs 1, 2 and 3 of the Recommendation to mitigate the impact on ecologically related species of fishing for SBT. These three paragraphs are shown at Section III (3) of Attachment B.	1. Submit report electronically to Executive Secretary at least 4 weeks before the annual Compliance Committee meeting.

## **6.6 National Report to the Extended Scientific Committee (Decision)**

**Title:** Annual Review of National SBT Fisheries for the Scientific Committee

<b>6.6 National Report to the Extended Scientific Committee</b>	
<b>Obligations</b>	<b>Minimum performance requirements</b>
i. Each Member shall submit the annual review of SBT fisheries in accordance with the agreed format for the annual review (Attachment C).	1. Submit annual report electronically 4 weeks before the Extended Scientific Committee annual meeting, with responses provided for every section of the agreed template.

## 6.7 Annual Report to the Ecologically Related Species Working Group (Decision)

**Title:** Requirement for Member's Annual Report to the ERSWG

6.7 Annual Report to the Ecologically Related Species Working Group	
Obligations	Minimum performance requirements
i. Each Member shall submit its annual report to the ERSWG four weeks before the ERSWG meeting in accordance with the agreed format for the annual report (Attachment D).	<ol style="list-style-type: none"><li>1. Submit annual report 4 weeks before the ERSWG annual meeting, with responses provided for every section of the agreed template.</li><li>2. Submit report electronically.</li></ol>

**Trial Audit policy**  
***Compliance Policy Guideline 2***

**1. Introduction**

This compliance policy provides direction and guidance to carry out a two year trial audit program, subject to funding in the CCSBT budget, to implement Strategy 9.1(i)<sup>1</sup> of the CCSBT Strategic Plan:

*Routinely audit Members' implementation, enforcement, and compliance with conservation and management measures and international obligations as they relate to CCSBT.*

This policy guideline will be reviewed after the two year trial audit program.

Independent auditing is a process that assesses the adequacy and effectiveness of management systems. Regular audits help Members identify how well their management systems are working and whether any improvements are needed. It benefits the audited Member by giving them confidence in the integrity and robustness of their own monitoring and reporting systems. Audits also promote confidence among all Members as to the quality of individual Member's performance reporting.

In this policy all references to the Commission include the Extended Commission, and all references to Members include Cooperating Non-Members (CNMs) of the Extended Commission.

**2. Purpose of policy**

The purpose of this policy is to provide for independent assessment of the effectiveness of Members' MCS systems and processes with respect to meeting their CCSBT obligations, and identification of any necessary improvements.

The policy provides for two types of MCS audits:

- a) routine systems audits, and
- b) targeted compliance audits.

Systems audits may focus on particular CCSBT obligations, and comprise:

- a) overview checks to ensure that MCS systems are in place to meet obligations; and
- b) sampling of the effectiveness of the MCS systems.

---

<sup>1</sup> This corresponds to *Strategy 9.1 Auditing Members MCS systems and processes* in the draft Compliance Plan.

Compliance audits will focus on particular aspects of the MCS framework which present a material compliance risk. Compliance audits are more in depth and there is greater testing of the MCS systems. A compliance audit is not an enforcement investigation.

### **3. Policy statement**

- The Compliance Committee is to recommend an audit program setting out priorities for systems audits and any compliance audits, for approval by the Commission. The audit program will aim to ensure that all Members' MCS systems and processes are subject to a systems audit once every 5 years.
- Members are to undergo systems audits of their MCS systems and processes, in accordance with this policy and the agreed audit program.
- Members are to undergo a compliance audit where the Commission considers that a particular component of the MCS framework presents a material compliance risk.
- The Compliance Committee may from time to time recommend technical implementation guidelines that attach to this policy.
- The costs of implementing the audit program will be part of the annual budget of the Commission.

#### ***3.1 Audit program***

The audit program will commence with a two year trial, subject to funding in the CCSBT budget, involving a systems audit of two Members to be selected on a voluntary basis.

Subject to successful completion of the trial and a review of this policy guideline by the Compliance Committee, the Committee will develop an audit program setting out, on an annual basis:

- a) priorities for systems audits for the year;
- b) specific compliance audits for the year; and
- c) proposed priorities for systems audits for the following four years.

Priorities for systems audits will be set in discussion with Members based on the Committee's assessment of the obligations which are most important to implement effectively.

The Compliance Committee will identify any compliance risks it considers warrant a compliance audit. The compliance risk may relate to the MCS systems of all Members, a single Member, or a group of Members. The Compliance Committee will recommend the terms of reference for the compliance audit and set out any specific questions to be answered by the auditor.

The audit program will be updated every year with the aim of ensuring that:

- a) all Members' MCS systems and processes are subject to a systems audit once every 5 years; and
- b) compliance audits are required when a specific and material compliance risk has been identified.

### ***3.2 Auditor appointment***

Audits must be undertaken by an auditor approved by the Commission. The auditor must be certified to carry out external audits (e.g. ISO 9001).

The Commission will approve the auditor following verification that the nominee is appropriately qualified, independent, and has relevant expertise. The Executive Secretary will contract the approved auditor to carry out audits of Members' MCS systems in accordance with the agreed audit program.

### ***3.3 Systems audit objectives and procedure***

The auditor must review MCS systems and processes, and assess the following matters:

- What systems and supporting processes in place?
- Are the systems and processes fit for purpose?
- Do the systems and processes work when tested in the course of sampling the effectiveness of the MCS systems?
- Do the systems meet CCSBT obligations to required performance standard?
- Have any corrective or preventative measures been taken in response to compliance monitoring?

To verify systems compliance and effectiveness the auditor must examine relevant, objective evidence. Where the Member does not provide the auditor with sufficient information to effectively conduct the audit, the Member will fail the audit.

The auditor is to prepare an audit report, setting out findings from the assessment and identifying any deficiencies that should be addressed. The following procedure will be used:

- Within 20 working days of completing the fieldwork for the audit, a draft of the report will be sent to the Member for comment.
- Members will have 20 working days to comment on the draft. Members' comments should be limited to correcting any factual errors or seeking clarification in the draft report.
- The final audit report is to be provided to the Commission, with a copy to the Member, within 20 working days of receiving the Member's comments.



### ***3.4 Consideration of systems audit report***

Audit reports will be considered by the Compliance Committee, which will report the outcomes and any recommended actions to the Commission.

Where any deficiencies are identified, the Member may provide a written report to:

- a) explain any deficiencies, including any discrepancies between the audit report and the Member's annual performance report; and
- b) set out intended actions to correct deficiencies.

If the Member disagrees with the auditor, the Compliance Committee will endeavour to reach a consensus on the way forward taking into account the need to mitigate any compliance risks. The consensus on the way forward will be referred to the Commission for endorsement. If no agreement is reached, the matter will be referred to the Commission for determination.

Following the Commission's consideration of the Compliance Committee's report, Members must:

- a) correct any deficiencies identified in the audit report, as agreed by the Commission, and
- b) undergo a secondary audit 18 months later to confirm effectiveness of improved systems.

The Compliance Committee may recommend waiving the secondary audit if it considers the deficiencies do not pose a significant risk to the effectiveness of the relevant MCS systems, and it is satisfied with the Member's intended actions to address the problem.

The audit report and any written report from the Member will be publicly available following the Commission's consideration of the Compliance Committee's report, subject to Rule 10 of the CCSBT Rules of Procedure.

### ***3.5 Compliance audit objectives and procedures***

The Compliance Committee will identify the objective of a compliance audit, based on potential compliance risks, and recommend the terms of reference for the audit. The terms of reference will include any specific questions to be addressed by the auditor.

The procedure for a compliance audit will be as set out in section 3.3 for a systems audit, however the terms of reference may provide for different time frames for reporting. Consideration of a compliance report will be as set out in section 3.4.

#### 4. Roles and responsibilities under this Policy

<i>Who</i>	<i>Responsibility to:</i>
Commission	<ul style="list-style-type: none"><li>• Approve policy and audit program</li><li>• Approve auditor</li><li>• Consider Compliance Committee's report and recommendations</li></ul>
Compliance Committee	<ul style="list-style-type: none"><li>• Recommend audit program</li><li>• Consider audit reports and any written Members' reports</li><li>• Consider secondary audit reports</li><li>• Report to Commission, and recommend actions to correct deficiencies</li><li>• Monitor Member progress in implementing this policy</li><li>• Review policy and recommend any changes</li></ul>
Secretariat	<ul style="list-style-type: none"><li>• Contract approved auditor</li><li>• Place policy and reports on website</li></ul>
Members	<ul style="list-style-type: none"><li>• Cooperate with approved auditor</li><li>• Respond to audit report</li><li>• Correct any identified deficiencies</li></ul>

#### 5. Policy review

This policy is to be reviewed every three years from the date of agreement. The Commission may initiate a review at any earlier time. A Member may request an earlier review. The request, setting out the reasons for the review, must be submitted to the annual meeting of the Compliance Committee.

#### 6. Approval

This policy was approved by the Commission:

\_\_\_\_\_  
Chair, Commission

Date : \_\_\_\_\_

Review date: \_\_\_\_\_ (unless reviewed earlier)

**Corrective actions policy**  
***Compliance Policy Guideline 3***

**1. Introduction**

This compliance policy provides direction and guidance to implement Strategy 9.1(ii)<sup>1</sup> of the CCSBT Strategic Plan:

*Establish fair, transparent and non-discriminatory procedures for penalties (e.g. payback of overcatch, quota reduction) and incentives to promote compliance.*

In this policy all references to the Commission include the Extended Commission, and all references to Members include Cooperating Non-Members (CNMs) of the Commission.

**2. Purpose of policy**

The purpose of this policy is to bring all Members into compliance with their CCSBT obligations in a way that maintains the stability and cohesion of the Commission. To this end, it sets out a framework to respond to evidence of non-compliance by a Member. The primary response focus is to assist Members to achieve capacity to effectively comply with CCSBT obligations.

**3. Guidelines for corrective actions**

Non-compliance with Members' obligations can arise due to three main sources:

- administrative failings, including not fully implementing effective systems and processes to support obligations
- failure by Members to take action against non-compliance by fishers, farmers, processors, exporters or importers within their jurisdiction
- deliberate actions by Members to avoid meeting obligations.

The following guidelines will be used to determine the corrective action to be recommended where there is evidence of non-compliance:

1. Catch in excess of the Member's annual or multi-year national catch limit should, in the first instance, be repaid at a ratio of 1:1 over a time period specified by the Commission. Where there are specific aggravating factors a higher ratio of quota payback may be determined.

---

<sup>1</sup> This corresponds to *Strategy 9.2 Corrective action and remedies* in the draft Compliance Plan.

2. Administrative failings should, in the first instance, be addressed through an agreed programme to correct administrative deficiencies within a specified timeframe.
3. Corrective actions for administrative failings by a developing country Member should focus on capacity building programmes, provided this is effectively targeted at correcting the deficiencies.
4. Corrective actions should take into account relevant aggravating factors such as harm caused to other Members, ongoing non-compliance without good cause (including systematic under-reporting or over-catch over multiple years), or evidence of intent to avoid CCSBT obligations.

#### **4. Decision-making process**

##### *Compliance Committee*

In considering potential non-compliance and any necessary corrective actions, the Compliance Committee may:

- assess initial evidence of non-compliance
- request the Member to investigate and report back
- if necessary (for instance, where the Member needs assistance or the Committee is not satisfied with the Member's investigation), recommend an independent investigation which may include an audit or market review
- review evidence of non-compliance on the basis of the reports received
- consider any remedies suggested by the Member
- prepare a report to Commission, setting out findings, any remedies already agreed with the Member, and any recommended further corrective actions based on this policy guideline.

The Member will be provided with an opportunity to suggest corrective actions or remedies to improve their compliance with CCSBT obligations. Members will seek the support of the Compliance Committee for their suggested course of action.

Following consideration of the Member's suggestions, the Compliance Committee may agree to the Member's suggestion or recommend corrective actions for consideration by the Commission. The Compliance Committee report to the Commission may include majority and minority views.

##### *Commission*

The Commission will:

- consider the Compliance Committee report, and
- negotiate an outcome (corrective action) with the Member.

## 5. Corrective actions list

Depending on the particular circumstances and degree of non-compliance, corrective actions recommended by the Compliance Committee may include:

1. *Compliance assistance/capacity building programmes*
  - Skills training—e.g. for observers, compliance officers or validators
  - Systems development – e.g. technical or financial assistance to establish or improve operating systems and procedures
  - Analytical assistance – e.g. to improve monitoring of trade flow of SBT from catching phase to the market place
  - Technology purchase – e.g. VMS, data recording and transmission from fishing vessels
2. *Quota pay back*
3. *Quota reductions in national catch allocations*
4. *Increased monitoring requirements*
  - Placement of observers
  - Increased inspection requirements
  - Increased VMS reporting frequency
  - Restrictions on transshipment or landings
5. *Public disclosure*
6. *Trade or market restrictions consistent with international law*

## 6. Roles and responsibilities under this Policy

<i>Who</i>	<i>Responsibility to:</i>
Commission	<ul style="list-style-type: none"> <li>• Approve policy</li> <li>• Consider Compliance Committee's recommendations</li> <li>• Initiate investigations</li> <li>• Determine corrective actions</li> </ul>
Compliance Committee	<ul style="list-style-type: none"> <li>• Monitor Member compliance</li> <li>• Assess evidence of non-compliance and consider Members' views</li> <li>• Consider Members' suggestions for corrective actions</li> <li>• If necessary, recommend: <ul style="list-style-type: none"> <li>○ independent investigation</li> <li>○ quota payback timeframe</li> <li>○ quota payback greater than 1:1</li> <li>○ corrective actions.</li> </ul> </li> <li>• Review policy and recommend any revisions.</li> </ul>
Secretariat	<ul style="list-style-type: none"> <li>• Place policy and reports on website</li> </ul>
Members	<ul style="list-style-type: none"> <li>• Investigate evidence of national non-compliance</li> <li>• Respond to evidence of non-compliance from national or independent investigations</li> </ul>

## **7. Policy review**

This policy is to be reviewed every three years from the date of agreement. The Commission may direct a review at any earlier time. A Member may request an earlier review. The request, setting out the reasons for the review, must be submitted to the annual meeting of the Compliance Committee.

## **8. Approval**

This policy was approved by the Commission:

\_\_\_\_\_

Chair, Commission

\_\_\_\_\_

Date

Review date: \_\_\_\_\_ (unless reviewed earlier)

**MCS information collection and sharing**  
*Compliance Policy Guideline 4*

**1. Introduction**

Members' MCS systems routinely gather information about other Members' registered fishing vessels or authorised carrier vessels, when the vessels are operating at sea in an area of surveillance or inspections. Similarly, Port states routinely gather information while vessels are in port. Sharing such information with the flag Member should result in more cost-effective and comprehensive monitoring of fleets, enabling Members to better meet their obligations.

In this policy all references to the Commission include the Extended Commission, and all references to Members include Cooperating Non-Members (CNMs) of the Extended Commission.

**2. Purpose of policy**

The purpose of this policy is to promote sharing of MCS information:

- a) among Members;
- b) between Port states and Flag Members;
- c) between market States and Members; and
- d) with the Secretariat.

**3. Policy statement**

All Members are expected to:

- a) share MCS information promptly with other Members' national fisheries agencies and the Secretariat; and
- b) advise Port states of information the Member would like to receive to ensure the integrity of the SBT management regime.

It is intended that information from routine aerial surveillance, port inspections, at-sea inspections and market monitoring or investigations would be shared with relevant Flag members. Members are expected to respond to any information received that indicates potential non-compliance, and advise the Member or Port State providing the information of the response taken.

To achieve cost-effective information sharing, the Compliance Committee will:

- a) identify the MCS information to be collected and shared by Members and Port States;
- b) recommend standardised formats for collecting and sharing this information;
- c) recommend guidelines to ensure information security and confidentiality;
- d) request the Secretariat to regularly analyse information it may receive and report on any trends or unusual variations.

Members are encouraged to participate in the current fisheries MCS network, including building on existing bilateral arrangements and international networks such as the International Monitoring, Control and Surveillance Network.

Over time, there may be a need to establish a formal compliance network among Members and with members of other RFMOs. A formal compliance network would include obligations to provide information and respond to information received, and may include reciprocity of enforcement powers.

#### 4. Roles and responsibilities under this Policy

<i>Who</i>	<i>Responsibility to:</i>
Commission	<ul style="list-style-type: none"> <li>• Approve policy</li> <li>• Consider recommendations from Compliance Committee</li> </ul>
Compliance Committee	<ul style="list-style-type: none"> <li>• Recommend standardised MCS information to be collected and shared</li> <li>• Recommend guidelines for information security and confidentiality</li> <li>• Review and revise policy</li> </ul>
Secretariat	<ul style="list-style-type: none"> <li>• Analyse information it may receive and report on trends and variations</li> </ul>
Members	<ul style="list-style-type: none"> <li>• Share information</li> </ul>

#### 5. Policy review

This policy is to be reviewed every three years from the date of agreement. The Commission may direct a review at any earlier time. A Member may request an earlier review. The request, setting out the reasons for the review, must be submitted to the annual meeting of the Compliance Committee.

#### 6. Approval

This policy was approved by the Commission:

\_\_\_\_\_ Date  
 Chair, Commission  
 Review date: \_\_\_\_\_ (unless reviewed earlier)



## Revised Considerations on development of rules for limited carry-forward of unfished allocations

### Purpose

CCSBT18 is to consider the adoption of a management procedure (MP). It has been agreed that within the MP, catches will be set and maintained for three year periods unless exceptional circumstances dictate otherwise. Rules to govern the treatment of national allocations within and between three year periods will be required. This paper outlines issues associated with a proposed carry-forward provision.

### Introduction

The ability to carry-forward limited amounts of unfished quota from one year to the next has several potential advantages, particularly in the context of CCSBT adopting an MP. One potential advantage is reducing the risk that, in attempting to fully catch individual or country allocations in a given year, those allocations may be over-fished. Another is that a small biological gain through growth might be anticipated for fish not harvested in the preceding year assuming that the alternative is a fully caught national allocation in each year.<sup>1</sup>

The Special Meeting of CCSBT held in Sydney in August 2011 considered how catches should be managed within and between three-year quota blocks once an agreed MP is in place. A small working group noted further consideration is needed on the monitoring and accounting measures that would need to be in place, but agreed in principle that some carry-forward of under-catches could be agreed.

It was agreed that the Compliance Committee and the Extended Commission should further consider the small working group's recommendations. This paper provides some additional items for discussion, in particular in relation to monitoring and accounting requirements.

### Key principles

Recommendations from the Special Meeting for how carry-forward should be managed include:

- Catches would be maintained within an individual annual TAC set at the same level for each year in the three-year period, except for limited provision for carry-forward of under-catch.
- Noting the potential administrative complexity of carry-forward schemes, Members can choose whether or not to implement such a scheme in their fisheries.
- Members would have:
  - An **annual TAC**: the agreed national allocation set by CCSBT; and
  - An **annual available catch limit**: the annual TAC plus any carry-forward of unfished catch from the previous year.

---

<sup>1</sup> Report of the Extended Scientific Committee for the Thirteenth Meeting of the Scientific Committee, 5–12 September 2008, Rotorua, New Zealand.

- If an annual TAC OR the annual available catch limit (depending on which Members agree on) is under-caught, up to 20% of this figure can be carried forward to the next quota year.
- Consideration be given to conditional carry-forward of under-fishing from the last year of one three-year period to the first year of the next (only if the TAC remains the same or increases).<sup>2</sup>

### **Monitoring and accounting arrangements**

The Special Meeting noted not all members would necessarily wish to allow carry-forward of unfisher catch, for example in situations where additional administrative complexity would put their management system at risk. The advantages of (and need for) carry-forward depends on the systems members have in place for managing their fisheries. If members do wish to have some carry-forward, they would need to have effective systems in place to:

- Accurately quantify total catches;
- Document how carry-forward is to be accrued and distributed;
- Limit any incentives or opportunities for mis-reporting of catch;
- Report catch against allocation to the Extended Commission, Compliance Committee, and Extended Scientific Committee; and
- Establish the circumstances under which carry-forward would *not* take place.

These considerations are outlined in further detail below, followed by a case study of how this could work in practice.

### **Quantifying catches**

The ability to accurately quantify total catches against the country allocation would be essential in order to calculate any possible under-catch that could then be carried forward. Naturally members already have in place various systems for quantifying catches, generally through fisher reporting, along with a system or systems for verifying catches.

It should be noted that the Catch Documentation Scheme may be effective at ensuring catches are accurately quantified but may not be timely enough to ensure this information is available at the end of the quota year. The information would need to be available at the end of the quota year so that any under-fishing could be calculated (and carried forward).

### **Allocating carry-forward catches**

Again, systems for accruing and distributing any carry-forward would likely vary depending on how members manage their fisheries. A key decision is whether any carry-forward would become a 'pool' of catch available to all fishers, or it would specifically be attributed to those fishers who under-caught in the previous year. In part, this depends on whether the fishery operates under individual quotas or a competitive catch limit.

---

<sup>2</sup> Report of the Special Meeting of the Commission, 23–27 August 2011, Sydney, Australia.

### **Limiting incentives for mis-reporting**

There may be a concern that, in some circumstances, the ability for fishers to receive additional catch in the next quota year if they have under-fished in the current year could provide an incentive for fishers to under-report their catches. It is not clear that this provides any greater risk of mis-reporting than currently occurs, and verification procedures should help to prevent this. Current provisions requiring the reporting of catches to CCSBT on a monthly basis and catch against quota on an annual basis (outlined below) should mitigate this risk.

### **Reporting catches against national allocations**

Several catch reporting systems are already in place within CCSBT, including:

- An annual data exchange is used to provide the scientific committee with information on members' catches for the preceding fishing year (amongst other things).
- Members report their SBT catches on a monthly basis, which provides a near real-time check on catches versus national allocations.
- Quota and catch against quota reporting
- Annual summaries of members' fisheries, including a catches against allocations (i.e. country reports for the Compliance Committee and Extended Commission).

The annual data exchange is likely to remain the primary source of catch information for the scientific committee, and is timed to ensure all members have full catch data available to submit.

In order to monitor catches against national allocations, monthly reporting of catch against allocations should continue. Members who chose to utilise under fishing provisions should be required to report on their use to the CCSBT in annual reports.

An additional reporting item could also be added for members who implement a carry-forward system. Those members would be required to report their updated annual quota to the Commission as soon as possible after it is known. This revised figure would then be the basis for assessing catch against quota at the annual meeting, as well as for reporting catch by quota holder/fishing vessel against initial allocations.

An example is given below of how this might operate in practice:

#### **Under-fishing example 1 – carry-forward of 20% of unfished Annual TAC**

	<b>Year One</b>	<b>Year Two</b>	<b>Year Three</b>
<b>Annual TAC</b>	1,000	1,000	1,000
<b>Annual Available catch limit</b>	1,000	1,200	1,200
<b>Actual Catch</b>	800	600	800
<b>Carry-over</b>	200	200	0 or 200t*

\* Depending on whether carry-forward would also occur between three-year quota blocks.

## Under-fishing example 2 – carry-forward of 20% of unfished Annual Available Catch Limit

	Year One	Year Two	Year Three
Annual TAC	1,000	1,000	1,000
Annual Available catch limit	1,000	1,200	1,240
Actual Catch	800	600	800
Carry-over	200	240	0 or 248t*

In this example, the member would notify the Commission towards the start of year two that the revised catch limit for that year would be 1,200t. A similar report would be made towards the start of year three.

### Circumstances under which carry-forward would not take place

Members should also consider for their fisheries the circumstances under which carry-forward would not take place. Such circumstances should include:

- when the global TAC and/or the member's allocation will decrease in the next TAC setting period; and
- if the scientific committee identifies that exceptional circumstances are in place that may necessitate additional management action by the Commission.

### Summary

Implementation of an under fishing arrangement for SBT would provide flexibility to the operation of fisheries, particularly to those subject to factors that influence the catch of SBT rather than its availability (e.g. weather and oceanographic conditions).

Concerns regarding the adoption of such a system relate to the potential for biological or systems risks. Biological risks are small when it is considered that forward projections for the stock assume all national allocations are fully caught.

Systems risks can be readily mitigated if adequate national management arrangements are in place. If these do not exist then this is an indication of an existing risk.

A summary of risks and mitigation is shown below:

Potential Risk	Comment	Mitigation
National administrative systems unable to track and carry- forward catch	National administrative systems will need to be developed to track carry-forward and account for national catches to CCSBT.	<ul style="list-style-type: none"> <li>• Restrict the use of under-fishing provisions to specific administrations</li> <li>• The CDS will provide longer-term verification of catches, and in the case of any administrative failure leading to over-catch, this would still incur a requirement to pay it back.</li> </ul>
Cumulative mis-reporting of catches	This is an existing risk.	<ul style="list-style-type: none"> <li>• CDS and continued market surveys</li> </ul>
Carry-forward between three year periods seen to create further risk	It is unclear how risk would increase in this circumstance.	<ul style="list-style-type: none"> <li>• Clear rules regarding when carry forward would/would not apply between periods</li> <li>• Annual reporting to CCSBT on use of carry-forward provisions</li> <li>• CDS</li> </ul>

### **Case study – carry-forward of under-fishing in New Zealand**

The New Zealand fisheries management system has included provision for limited carry-forward of unfished allocations since 2001; the provisions apply to all species unless they are specifically excluded.<sup>3</sup> The provisions serve a number of purposes, including:

- Making it easier for fishers to balance their catches with their annual catch entitlements;
- Making some provision for situations where fish availability (and/or the ability to catch the fish) varies for reasons outside the fisher's control e.g. oceanographic conditions; weather patterns;
- Ensuring some continuity in fishing operations where the fishing year splits the fishing season in two.
- In the case of southern bluefin tuna, fishers have reported the ability to carry-forward some of their unfished allocations makes it easier to plan for the season. Southern bluefin tuna is caught both in a target fishery earlier in the season, and as bycatch in other longline fisheries later in the season. If fishers know they can carry-forward some unfished entitlements it is easier for them to ensure they set aside enough to cover any bycatch later in the season (which might or might not be required).

Key features of the New Zealand system include:

- Four forms of catch reporting are required from the commercial fishery (catch and effort, landings, monthly harvests, and reports by receivers of fish). Reports of catch are balanced against quota on a monthly basis to improve the monitoring of catches. Significant financial penalties apply to fishers who do not cover their annual catch of SBT with quota, thereby limiting the potential for over-catch.
- Fishers' catches are assessed against their holdings of annual catch entitlements at the end of each fishing year. If a fisher has caught less than their annual catch entitlements, the unfished amount (up to a maximum of 10% of their total entitlement) is automatically credited to the fisher for the next fishing year (this occurs around the 20<sup>th</sup> of the first month of the new fishing year, following processing of final catch reports etc).
- Because independent reports of catch are received from both fishers and fish receivers, there is limited opportunity for catch mis-reporting. Other compliance and monitoring measures also create an additional deterrent (e.g. inspections etc).
- No carry-forward occurs in the case of a decrease to the total allowable catch for the following season.

---

<sup>3</sup> Southern bluefin tuna is currently excluded from these provisions i.e. no carry-forward applies at present although it has in the recent past.