



CCSBT-CC/2310/09

Proposed Draft Revised CCSBT Authorised Vessel Resolution¹

1. Introduction

To facilitate monitoring of compliance with paragraph 3 of CCSBT's Authorised Vessel Resolution², the Seventeenth Meeting of the Compliance Committee (CC17) tasked the Secretariat with providing a draft revision of CCSBT's Authorised Vessel Resolution to collect information on whether vessels are authorised to fish outside waters under the national jurisdiction of the flag State. A proposed draft revised Resolution is provided at **Attachment A**.

2. Background

Paragraph 3 of the CCSBT's Authorised Vessel Resolution specifies which CCSBT-authorised vessels are required to have IMO numbers issued to them, with the third dot-point (below) referring to smaller vessels fishing outside areas of national jurisdiction:

3. Members and Cooperating Non-members shall ensure that the following categories of fishing vessels in the CCSBT Record of Authorised Vessels have IMO numbers issued to them:

-
-
- *effective from 1 January 2022, all motorised inboard fishing vessels of less than 100 gross tonnage down to a size limit of 12 metres in length overall (LOA) authorised to operate outside waters under the national jurisdiction of the flag State.*

Currently, Members are required to submit vessel weight and length information to the Secretariat but are not required to submit information on whether vessels are authorised to operate outside waters of national jurisdiction. Therefore, the Secretariat cannot always determine whether smaller vessels (less than 100 gross tonnage) are complying with paragraph 3 of the Resolution (IMO number requirement) without approaching relevant Members directly.

This compliance monitoring and reporting difficulty generally only applies to Australian, New Zealand, Indonesian and South African fleets which often have smaller vessels fishing for SBT within their Exclusive Economic Zones (EEZs). These smaller vessels could potentially also be authorised to operate outside areas of national jurisdiction. It would generally be expected that all distant water Members' (EU, Japan, Korea and Taiwan) vessels need to be authorised to operate outside waters under the jurisdiction of the flag State so as to operate in areas where SBT are found.

During 2022, to try to report fully on compliance with paragraph 3 (dot-point 3) of CCSBT's Authorised Vessel Resolution, the Secretariat approached non-distant water CCSBT

¹ Resolution on a CCSBT Record of Vessels Authorised to Fish for Southern Bluefin Tuna

² Which pertains to IMO numbering requirements for CCSBT-authorised vessels

Members to seek further information on *where* those Members' CCSBT-authorized vessels were authorised to operate:

- Australia advised that if its vessels are fishing for SBT they are authorised to fish on the High Seas although it is unusual for them to do so;
- Indonesia and New Zealand provided a list of CCSBT-authorized vessels authorised to operate on the High Seas; and
- South Africa did not respond to the Secretariat's queries and so compliance (or not) with the IMO requirement could not be determined for its smaller vessels.

Revising the Resolution as proposed in this paper (refer to section 3 below) would facilitate more efficient, complete, and accurate compliance monitoring and reporting by the Secretariat on paragraph 3 of the Resolution in future.

3. Draft Revised CCSBT Authorised Vessel Resolution

A draft revised CCSBT Authorised Vessel Resolution is provided at **Attachment A**. It includes proposed revisions to paragraph 4 of the Resolution to:

- Require Members to submit information on whether their flagged vessels are authorised to operate beyond areas of national jurisdiction effective for all their CCSBT-authorized vessels. It is proposed that this information be provided for any vessel which is already on CCSBT's authorised vessel list on 1 January 2024 as well as for all vessels newly authorised from 1 January 2024 onwards; and
- Delete the existing text, "where possible", given that all Members have successfully been submitting the required information electronically.

A few minor editorial revisions are also included.

In practice, the proposed revisions to paragraph 4 would require that:

- For any vessels newly CCSBT authorised from 1 January 2024 onwards: Members must include information on whether these vessels are authorised to operate outside areas of national jurisdiction when submitting vessel details³ to the Secretariat; and
- For existing CCSBT authorised vessels that remain authorised on 1 January 2024 or later: Members must also submit information on whether these vessels are authorised to operate outside areas of national jurisdiction to the Secretariat by 1 January 2024, either using the Secretariat's revised template (see footnote 3), or alternatively, if all vessels in a Member's fleet are authorised to operate outside areas of national jurisdiction, by providing an email to the Secretariat to advise of this by 1 January 2024; and
- Members keep information on whether their flagged vessels are authorised to operate beyond areas of national jurisdiction up-to-date from 1 January 2024 onwards by ensuring that any relevant updates are submitted promptly to the Secretariat³.

4. Action Required

The Compliance Committee is requested to consider whether to agree and recommend:

- The proposed revisions to the CCSBT's Authorised Vessel Resolution included in **Attachment A** – effective from 1 January 2024.

Prepared by the Secretariat

³ Using a revised version of CCSBT's standard authorised vessel submission which will be developed by the Secretariat and which will include a new column to collect information on whether vessels are authorised to operate outside areas of national jurisdiction

**Resolution on a CCSBT Record of Vessels Authorised to Fish for
Southern Bluefin Tuna**

(revised at the ~~Thirti~~~~ewenty-Ninth~~ Annual Meeting: ~~124~~ October 202~~32~~)

The Extended Commission for the Conservation of Southern Bluefin Tuna,

Noting that the Resolution on “Illegal, Unregulated and Unreported Fishing (IUU) and Establishment of a CCSBT Record of Vessels over 24 meters Authorised to Fish for Southern Bluefin Tuna (hereinafter referred to as “the original Resolution”) ” was adopted at its 10th annual meeting in 2003;

Further Noting that substantial amount of Southern Bluefin Tuna has been and are harvested by vessels less than 24 meters operating under flags of non-members to the CCSBT which are not covered by the original Resolution;

Considering the urgent need to take further comprehensive approach to deter IUU fishing activities; and

Taking Account that the Extended Commission adopted a “Resolution on Establishing a List of Vessels Presumed to have Carried Out Illegal, Unreported and Unregulated Fishing Activities for Southern Bluefin Tuna (SBT) in 2013;

Recognising technical difficulties for import States to establish effective inspection schemes on import of fresh tuna products.

Agrees, in accordance with paragraph 3(b) of Article 8 of the CCSBT Convention, that:

1. The Contracting Parties, Member of the Extended Commission and Cooperating Non-Members shall:

- a. ensure that all vessels under their registry do not carry out IUU fishing activities for southern bluefin tuna;
- b. take every possible action, consistent with relevant law, to prevent, deter and eliminate IUU fishing; and
- c. 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.

2. The Extended Commission shall establish and maintain a CCSBT Record of fishing vessels (hereinafter referred to as "fishing vessels" or "FVs") authorised to fish for SBT. For the purpose of this recommendation, FVs not entered into the Record are deemed not to be authorised to fish for, retain on board, tranship or land SBT regardless of their size.

3. Members and Cooperating Non-members shall ensure that the following categories of fishing vessels in the CCSBT Record of Authorised Vessels have IMO numbers issued to them:

- all fishing vessels (except wooden and fibreglass vessels) flying their flag that are authorised to catch SBT, and that are at least 100 gross tonnage in size, and
- effective from 1 January 2021, wooden and fiberglass fishing vessels flying their flag that are authorised to catch SBT, and that are at least 100 gross tonnage in size, and
- effective from 1 January 2022, all motorised inboard fishing vessels of less than 100 gross tonnage down to a size limit of 12 metres in length overall (LOA) authorised to operate outside waters under the national jurisdiction of the flag State.

4. Each Member of the Extended Commission (hereinafter referred to as "Member"), and Co-operating Non-member shall submit electronically, ~~where possible,~~ to the Executive Secretary, the list of FVs flying its flag that are authorised to fish for SBT.

~~¶~~Effective from 1 January 2024¹, this list shall include the following information:

- Lloyds/ IMO Number (if available);
- Name of vessel(s), register number(s);

¹ All the data elements listed in paragraph 4 must be provided for any vessel which is already included on CCSBT's authorised vessel list on 1 January 2024 and for all new vessel authorisations received from 1 January 2024 onwards.

- Previous name(s) (if any);
- Previous flag(s) (if any);
- Previous details of deletion from other registries (if any);
- International radio call sign(s) (if any);
- Type of vessel(s), length overall and gross registered tonnage (GRT);
- Name and address of owner(s);
- Name and address of operator(s);
- Gear(s) used;
- Time period authorised for fishing and /or transshipping; and
- Freezing capacity² on board (yes or no); and
- Vessel is authorised to operate outside waters of national jurisdiction (yes or no).

The Members and Co-operating Non-members shall indicate, when initially submitting their list of vessels according to this paragraph, which vessels are newly added or meant to replace vessels currently on their list submitted to the Executive Secretary. The initial CCSBT record shall consist of all the lists submitted under this paragraph.

5. Each Member and Co-operating Non-member shall promptly notify, after the establishment of the initial CCSBT Record, the Executive Secretary of any addition to, any deletion from and/or any modification of the CCSBT Record at any time such changes occur.

6. The Executive Secretary shall maintain the CCSBT Record, and take any measure to ensure publicity of the Record and through electronic means, including placing it on the CCSBT website, in a manner consistent with confidentiality requirements noted by the Members and Co-operating Non-members.

7. The Flag Members and Co-operating Non-members of the vessels on the record shall:

- a) authorise their FVs to fish for SBT only if they are able to fulfill in respect of these vessels the requirements and responsibilities under the CCSBT Convention and its conservation and management measures;
- b) take necessary measures to ensure that their FVs comply with all the relevant CCSBT conservation and management measures;
- c) take necessary measures to ensure that their FVs on the CCSBT Record keep on

² A vessel is deemed to have Freezing Capacity if it has a freezer which is capable of storing more than 500 kilograms of SBT at -30°C or below.

board valid certificates of vessel registration and valid authorisation to fish and/or tranship;

- d) 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;
- e) 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;
- f) take necessary measures to ensure, to the extent possible 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.

8. The Members and Co-operating Non-members shall review their own internal actions and measures taken pursuant to paragraph 7, including punitive and sanction actions and in a manner consistent with domestic law as regards disclosure, report the results of the review to each meeting of the Compliance Committee. In consideration of the results of such review, the Compliance Committee shall, if appropriate, request the flag Members and Co-operating Non-members of FVs on the CCSBT Record to take further action to enhance compliance by those vessels to CCSBT conservation and management measures.

9. a) The Members and Co-operating Non-members shall take measures, under their applicable legislation, to 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.

b) To ensure the effectiveness of the CCSBT conservation and management measures pertaining to CCSBT Catch Documentation Scheme:

- i) flag Members and Co-operating Non-members shall validate CDS documents only for the FVs on the CCSBT Record,
- ii) the Members and Co-operating Non-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,
- iii) the Members and Co-operating Non-members shall co-operate to ensure that CDS documents are not forged or do not contain misinformation.

10. Each Member and Co-operating Non-member 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.

11. If a vessel mentioned in paragraph 9 is flying the flag of a Member and Co-operating Non-member, the Executive Secretary shall request that Member and Co-operating Non-member to take measures necessary to prevent the vessel from fishing for SBT.

12. The Extended Commission and the Members and Co-operating Non-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 pressure resulting from a shift of the IUU FVs from fishing for SBT to other fisheries.

13. Before the Extended Commission decides to implement measures specified in paragraph 9, the Extended Commission and the Members shall contact all the relevant countries to inform of this resolution and consult with them, and give them sufficient time to adopt themselves to this resolution. They shall continue to encourage non-Contracting Parties to become Members or Co-operating Non-members.

14. This Resolution supersedes the Resolution on “Illegal, Unregulated and Unreported Fishing (IUU) and Establishment of a CCSBT Record of Vessels over 24 meters Authorised to Fish for Southern Bluefin Tuna” and any previous versions of the “Resolution on a CCSBT Record of Vessels Authorised to Fish for Southern Bluefin Tuna”.