

Resolution to Establish a CCSBT Record of Vessels over 24 meters Authorized to Fish for Southern Bluefin Tuna

Recalling that CCSBT has been taking various measures to prevent, deter and eliminate the IUU fisheries conducted by large-scale tuna fishing vessels,

Further recalling that CCSBT adopted the CCSBT southern bluefin tuna Statistical Document Programme at its 2000 meeting,

Further recognizing that CCSBT adopted the Resolution to establish the status of Co-operating Non-member of the Extended Commission and the Extended Scientific Committee,

Noting that large-scale fishing vessels are highly mobile and easily change fishing grounds from one ocean to another, and have high potential of fishing for southern bluefin tuna (SBT) without timely registration with the Commission,

Recalling that the FAO Council adopted on 23 June 2001 an International Plan of Action aiming to prevent, to deter and to eliminate illegal, unregulated and unreported fishing (IPOA), that this plan stipulates that the regional fisheries management organization should take action to strengthen and develop innovative ways, in conformity with international law, to prevent, deter and eliminate IUU fishing and in particular to establish records of vessels authorized and records of vessels engaged in IUU fishing,

Recognizing the need to take further measures to effectively eliminate the IUU large scale tuna fishing vessels;

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

1. The Extended Commission shall establish and maintain an CCSBT Record of fishing vessels larger than 24 meters in length overall (hereinafter referred to as "large scale fishing vessels" or "LSFVs") authorized to fish for SBT. For the purpose of this recommendation, LSFVs not entered into the Record are deemed not to be authorized to fish for, retain on board, tranship or land SBT.

2. 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 by 1 July 2004, the list of its LSFVs that are authorized to fish for SBT. This list shall include the following information:

- Name of vessel(s), register number(s);
- 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 and gross registered tonnage (GRT);
- Name and address of owner(s) and operator(s);
- Gear(s) used;
- Time period authorized for fishing and /or transshipping

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 by (dd. mm. yy.).

The initial CCSBT record shall consist of all the lists submitted under this paragraph.

3. 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.

4. 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.

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

- a) authorize their LSFVs 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 LSFVs comply with all the relevant CCSBT conservation and management measures;
- c) take necessary measures to ensure that their LSFVs on the CCSBT Record keep on board valid certificates of vessel registration and valid authorization 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 LSFVs on the CCSBT Record are not engaged in or associated with fishing activities for SBT conducted by LSFVs not entered into the CCSBT Record;

- f) take necessary measures to ensure, to the extent possible under domestic law, that the owners of the LSFVs 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.
6. The Members and Co-operating Non-members shall review their own internal actions and measures taken pursuant to paragraph 5, including punitive and sanction actions and in a manner consistent with domestic law as regards disclosure, report the results of the review to the Commission at its 2004 meeting and annually thereafter. In consideration of the results of such review, the Commission shall, if appropriate, request the flag Members and Co-operating Non-members of LSFVs on the CCSBT Record to take further action to enhance compliance by those vessels to CCSBT conservation and management measures.
7. 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 LSFVs which are not entered into the CCSBT Record.
- b) To ensure the effectiveness of the CCSBT conservation and management measures pertaining to SBT Statistical Document Programs:
- i) Flag Members and Co-operating Non-members shall validate statistical documents only for the LSFVs on the CCSBT Record,
 - ii) the Members and Co-operating Non-members shall require that SBT caught by LSFVs, when imported into the territory of the Members be accompanied by statistical documents validated for the vessels on the CCSBT Record and,
 - iii) the Members and Co-operating Non-members importing SBT and the flag States of vessels shall co-operate to ensure that statistical documents are not forged or do not contain misinformation.
8. Each Member and Co-operating Non-member shall notify the Executive Secretary of any factual information showing that there are reasonable grounds for suspecting LSFVs not on the CCSBT record to be engaged in fishing for and/or transshipment of SBT.
9. a) If a vessel mentioned in paragraph 8 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.
- b) If the flag of a vessel mentioned in paragraph 8 cannot be determined or is of a non-Member without cooperating status, the Executive Secretary shall compile such

information for future consideration by the Extended Commission.

10. 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 LSFVs from fishing for SBT to other fisheries.

11. Before the Extended Commission decides to implement measures specified in paragraph 7 , 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 recommendation. They shall continue to encourage non-contracting countries to become Members or Co-operating non-Members.