

(Proposal by Japan)

**RESOLUTION FOR A CCSBT SCHEME
FOR MINIMUM STANDARDS FOR INSPECTION IN PORT**

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

TAKING ACCOUNT of the pressing need to combat illegal, unreported and unregulated (IUU) fishing activities because they undermine the effectiveness of the conservation and management measures already adopted by the CCSBT;

RECOGNIZING that port inspection measures provide a powerful and cost-effective means of preventing, deterring and eliminating IUU fishing;

RECOGNIZING that many Members and Cooperating Non-Members of the Extended Commission (hereinafter referred to as “Members”) currently have port inspection schemes in place;

RECALLING the CCSBT Catch Documentation Scheme and the Resolution on Establishing a Program for Transshipment by Large-Scale Fishing Vessels;

ALSO RECALLING the CCSBT has established a list of fishing vessels and a list of carrier vessels which are authorized to fish for or carry southern bluefin tuna (SBT);

RECALLING the relevant international laws, including the United Nations Convention on the Law of the Sea of 10 December 1982 and;

RECOGNIZING the need for assistance to developing countries to adopt and implement port inspection measures,

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

SECTION 1. SCOPE

1. Nothing in this Resolution shall prejudice the rights, jurisdiction and duties of Members under international law. In particular, nothing in this Resolution shall be construed to affect the exercise by Members of their authority over their ports in accordance with international law, including their right to deny entry thereto as well as to adopt more stringent measures than those provided for in this Resolution.

This Resolution shall be interpreted and applied in conformity with international law, taking into account applicable international rules and standards, including those established through the

International Maritime Organization, as well as other international instruments.

Members shall fulfill in good faith the obligations assumed pursuant to this Resolution and shall exercise the rights recognized herein in a manner that would not constitute an abuse of right.

2. With a view to monitor compliance with CCSBT conservation and management measures, each Member, in its capacity as a port Member, shall apply this Resolution for an effective scheme of port inspections in respect of foreign fishing vessels carrying SBT or fish products originating from SBT that have not been previously landed or transhipped at port (hereinafter referred to as "foreign fishing vessels").
3. A Member may, in its capacity as a port Member, decide not to apply this Resolution to foreign fishing vessels chartered by its nationals operating under its authority and returning to its port. Such chartered fishing vessels shall be subject to measures by the chartering Member which are as effective as measures applied in relation to vessels entitled to fly its flag.
4. Without prejudice to specifically applicable provisions of other CCSBT conservation and management measures, and except as otherwise provided in this Resolution, this Resolution shall apply to foreign fishing vessels equal to or greater than 12 meters in length overall.
5. Each Member shall subject foreign fishing vessels below 12 meters length overall, foreign fishing vessels operating under charter as referred to under paragraph 3, and fishing vessels entitled to fly its flag to measures that are at least as effective in combating IUU fishing as measures applied to vessels referred to in paragraph 4.
6. Members shall take necessary action to inform fishing vessels entitled to fly their flag of this and other relevant CCSBT conservation and management measures.

SECTION 2. POINTS OF CONTACT

7. Each Member wishing to grant access to its ports to foreign fishing vessels shall designate a point of contact for the purposes of receiving notifications pursuant to paragraph 11 of this Resolution. Each Member shall designate a point of contact for the purpose of receiving inspection reports pursuant to paragraph 22(b) of this Resolution. It shall transmit the name and contact information for its points of contact to the CCSBT Secretariat no later than 30 days following the entry into force of this Resolution. Any subsequent changes shall be notified to the CCSBT Secretariat at least 14 days before such changes take effect. The CCSBT Secretariat shall promptly notify Members of any such change.
8. The CCSBT Secretariat shall establish and maintain a register of points of contact based on the lists submitted by the Members. The register and any subsequent changes shall be published promptly on the

CCSBT website.

SECTION 3. DESIGNATED PORTS

9. Each Member wishing to grant access to its ports to foreign fishing vessels shall:
 - a) designate its ports to which foreign fishing vessels may request entry pursuant to this Resolution;
 - b) ensure that it has sufficient capacity to conduct inspections in every designated port pursuant to this Resolution;
 - c) provide to the CCSBT Secretariat within 30 days from the date of entry into force of this Resolution a list of designated ports. Any subsequent changes to this list shall be notified to the CCSBT Secretariat at least 14 days before the change takes effect.
10. The CCSBT Secretariat shall establish and maintain a register of designated ports based on the lists submitted by the port Members. The register and any subsequent change shall be published promptly on the CCSBT website.

SECTION 4. PRIOR NOTIFICATION

11. Each port Member wishing to grant access to its ports to foreign fishing vessels shall require foreign fishing vessels seeking to use its ports for the purpose of landing and/or transshipment to provide, at least 72 hours before the estimated time of arrival at the port, as a minimum standard, the information set out in Annex A

The port Member may also request other information as it may require to determine whether the vessel has engaged in IUU fishing, or related activities.

12. The port Member may prescribe a longer or shorter notification period than specified in paragraph 11, taking into account, *inter alia*, the type of fishery product, the distance between the fishing grounds and its ports. In such a case, the port Member shall inform the CCSBT Secretariat, which shall publish the information promptly on the CCSBT website.
13. After receiving the relevant information pursuant to paragraph 11, as well as such other information as it may require to determine whether the foreign fishing vessel requesting entry into its port has engaged in IUU fishing, the port Member shall decide whether to authorize or deny the entry of the vessel into its port. In case the port Member decides to authorize the entry of the vessel into its port, the following provisions on port inspection shall apply.

SECTION 5. PORT INSPECTIONS

14. Inspections shall be carried out by a competent authority of the port Member.
15. Each year Members shall inspect at least 5 % of landing and transshipment operations in their designated ports as are made by foreign fishing vessels.
16. In determining which foreign fishing vessel to inspect, the port Member shall, in accordance with its domestic law, take into account, *inter alia*:
 - a) Whether a vessel has failed to provide complete information as required in paragraph 11;
 - b) requests from other Members or relevant regional fisheries management organizations (RFMOs) that a particular vessel be inspected, particularly where such requests are supported by evidence of IUU fishing by the vessel in question;
 - c) whether clear grounds exist for suspecting that a vessel has engaged in IUU fishing, including information derived from RFMOs

SECTION 6. INSPECTION PROCEDURE

17. Each inspector shall carry a document of identity issued by the port Member. In accordance with domestic laws, port Member inspectors may examine all relevant areas, decks and rooms of the fishing vessel, catches processed or otherwise, nets or other fishing gears, equipment both technical and electronic, records of transmissions and any relevant documents, including fishing logbooks, Cargo Manifests and Mates Receipts and landing declarations in case of transshipment, which they deem necessary to ensure compliance with the CCSBT conservation and management measures. They may also question the Master, crew members, or any other person on the vessel being inspected. They may take copies of any documents considered relevant.
18. Inspections shall involve the monitoring of the landing or transshipment and include a cross-check between the quantities of SBT notified in the prior notification message in paragraph 11 above and held on board. Inspections shall be carried out in such a way that the fishing vessel suffers the minimum interference and inconvenience, and that degradation of the quality of the catch is avoided, to the extent practicable.
19. On completion of the inspection, the port Member inspector shall provide the Master of the foreign fishing vessel with the inspection report including, as a minimum standard, the information set out in Annex B. The Master shall be given the opportunity to add any comments or objection to the report and to contact the flag Member. The inspector and the Master shall sign the report and a copy of the report shall be provided to the Master. The Master's signature shall serve only as acknowledgement of the receipt of a copy of the report.
20. The port Member shall transmit a copy of the inspection report to the CCSBT Secretariat no later than 14

days following the date of completion of the inspection. If the inspection report cannot be transmitted within 14 days, the port Member should notify the CCSBT Secretariat within the 14 day time period the reasons for the delay and when the report will be submitted.

21. Flag Members shall take necessary action to ensure that Masters facilitate safe access to the fishing vessel, cooperate with the competent authorities of the port Member, facilitate the inspection and communication and not obstruct, intimidate or interfere, or cause other persons to obstruct, intimidate or interfere with port Member inspectors in the execution of their duties.

SECTION 7. PROCEDURE IN THE EVENT OF APPARENT INFRINGEMENTS

22. If the information collected during the inspection provides evidence that a foreign fishing vessel has committed an infringement of the CCSBT conservation and management measures, the inspector shall:

- a) record the infringement in the inspection report;
- b) transmit the inspection report to the port Member competent authority, which shall promptly forward a copy to the CCSBT Secretariat and to the flag Member point of contact and, as appropriate, the relevant coastal Member;
- c) to the extent practicable, ensure safekeeping of the evidence pertaining to such infringement. If the infringement is to be referred to the flag Member for further action, the port Member shall promptly provide the evidence collected to the flag Member.

23. If the infringement falls within the legal jurisdiction of the port Member, the port Member may take action in accordance with its domestic laws. The port Member shall promptly notify the action taken to the flag Member, the relevant coastal Member, as applicable, and the CCSBT Secretariat.

24. Infringements that do not fall within the jurisdiction of the port Member, and infringements referred to in paragraph 23 for which the port Member has not taken action, shall be referred to the flag Member and, as appropriate, the relevant coastal Member. Upon receiving the copy of the inspection report and evidence, the flag Member shall promptly investigate the infringement and notify the CCSBT Secretariat of the status of the investigation and of any enforcement action that may have been taken within 6 months of such receipt. If the flag Member cannot notify the CCSBT Secretariat this status report within 6 months of such receipt, the flag Member should notify the CCSBT Secretariat within the 6 month time period the reasons for the delay and when the status report will be submitted.

25. Should the inspection provide evidence that the inspected vessel has engaged in IUU activities of fishing SBT, the port Member shall promptly report the case to the flag Member, and the relevant coastal Members, as applicable, and notify as soon as possible the CCSBT Secretariat, along with its

supporting evidence, for the purpose of inclusion of the vessel in the draft IUU list.

SECTION 8. REQUIREMENTS OF DEVELOPING MEMBERS

26. Members are encouraged to assess the special requirements of developing Members concerning the implementation of this Resolution.

SECTION 9. GENERAL PROVISIONS

27. Members are encouraged to enter into bilateral agreements/arrangements that allow for an inspector exchange program designed to promote cooperation, share information, and educate each Member's inspectors on inspection strategies and methodologies which promote compliance with CCSBT conservation and management measures.

28. Without prejudice to domestic laws of the port Member, the flag Member may, in the case of appropriate bilateral agreements or arrangements with the port Member or at the invitation of that Member, send its own officials to accompany the inspectors of the port Member and observe or take part in the inspection of its vessel.

29. Flag Members shall consider and act on reports of infringements from inspectors of a port Member on a similar basis as the reports from their own inspectors, in accordance with their domestic laws. Members shall cooperate, in accordance with their domestic laws, in order to facilitate judicial or other proceedings arising from inspection reports as set out in this Resolution.

30. The Executive Secretary shall compile the inspection information into an electronic database. The Executive Secretary shall ensure the confidentiality of the raw data in its database. If a Member requests information relating to another Member's inspection records, the Executive Secretary may release that information only with the latter's consent.

31. The Commission shall review this Resolution no later than its 2018 Annual Meeting and consider revisions to improve its effectiveness.

32. This Resolution shall enter into force on January 1, 2017.

Information to be provided in advance by vessels requesting port entry

入港を要請する船舶により事前に提供されるべき情報

1. Intended port of call 寄港しようとする港					
2. Port State 寄港国					
3. Estimated date and time of arrival 到着予定日時					
4. Purpose(s) 目的					
5. Port and date of last port call 最終寄港地及び寄港日					
6. Name of the vessel 船名					
7. Flag State 船籍国					
8. Type of vessel 船舶の種類					
9. International Radio Call Sign 国際無線呼出符号					
10. Vessel contact information 船舶の連絡先					
11. Vessel owner(s) 船主					
12. Certificate of registry ID 登録番号					
13. Lloyd's / IMO ship ID, if available 船舶識別番号、もしあれば					
14. External ID, if available¹ 外部識別番号、もしあれば					
15. RFMO ID RFMO識別番号					
16. VMS² 船舶監視システム	No 無	Yes:National 有:国	Yes:RFMO(s) 有:RFMO(s)	Type ² :種類	
17. Vessel dimensions 船舶の寸法	Length Overall and Beam 長さ と 幅			Draft 高さ	
18. Vessel master name and nationality 船長の名前及び国籍					
19. Relevant fishing authorization(s) 関連する漁業許可					
<i>Identifier³</i> (確認者)	<i>Issued by⁴</i> (発行者)	<i>Validity⁴</i> (効力)	<i>Fishing area(s)</i> (操業海域)	<i>Species</i> (FAO 3-Alpha code) (魚種)	<i>Gear</i> (漁具)
				SBT(SBF)	
				SBT(SBF)	
20. Relevant transshipment authorization(s)/transshipment declaration(s) 関連する転載許可					
<i>Identifier⁵</i> 確認者		<i>Issued by</i> 発行者		<i>Validity⁶</i> 効力	
<i>Identifier⁵</i> 確認者		<i>Issued by</i> 発行者		<i>Validity⁶</i> 効力	

¹ Provide details of any external vessel markings e.g. registration and identification numbers, that are additional to the information already provided on this form.

² Circle the correct option(s) to indicate what type of VMS is on board the vessel: Circle 'No' if no VMS unit on board, 'Yes: National' if the vessel has a VMS that transmits to a Flag State, and/or 'Yes: RFMO(s)' if the vessel has a VMS that transmits to RFMO(s); for 'Type': Provide the type and model of any VMS unit(s) on board.

³ Provide the Flag State CCSBT fishing authorisation reference number(s), e.g. fishing licence number, and the CCSBT Registration Number for this vessel (if applicable).

⁴ Provide the dates for which the CCSBT fishing authorisation(s) is/are valid (if applicable)

⁵ For transshipment authorisations record "Authorisation" and the authorization reference number(s) if available; for transshipment declarations record "TD".

⁶ For transshipment authorisations, provide the dates for which the CCSBT authorisation(s) is/are valid (if applicable); for transshipment declarations, record the transshipment date.

21. Transshipment information concerning donor vessels 提供船舶に関する転載情報								
Date 日時	Location 位置	Name 船名	Flag State 船籍国	ID num- ID 番号	Species (FAO 3-Alpha code) 魚種	Type of Product 製品	Catch area 漁獲海域	Quantity (in Kg) 数量
					SBT(SBF)			
					SBT(SBF)			
22. Total southern Bluefin tuna on board 漁獲総積載量						23. SBT(SBF) to be off Loaded 漁獲荷下ろし量		
Species (FAO 3-Alpha code) 魚種	Type of Product 製品形態	Catch area 漁獲海域	Quantity (in Kg) 数量	Quantity (in Kg) 数量				
SBT(SBF)								
SBT(SBF)								

Report of the results of the inspection

Where applicable, verify to the extent possible, that the details noted during the inspection, e.g. vessel identifiers/other vessel details, authorisations and SBT quantities are true, complete, correct and consistent with the information provided in accordance with the port entry request form (Annex A).

1. Inspection report no ⁷ 検査報告番号				2. Port State 寄港国			
3. Inspecting authority 検査当局							
4. Name of principal inspector 主任検査官の名前			ID 身分証明書				
5. Port of inspection 検査港							
6. Commencement of inspection 検査の開始日時		YYYY 年	MM 月	DD 日	HH 時		
7. Completion of inspection 検査の終了日時		YYYY 年	MM 月	DD 日	HH 時		
8. Advanced notification received 事前通報の受領			Yes 有		No 無		
9. Purpose(s) ⁸ 目的		LAN 陸揚げ	TRX 転載	PRO 加工	OTH (specify) その他 (特定)		
10. Port and State and date of last port call 最終寄港地、国及び日付		YYYY 年	MM 月	DD 日			
11. Vessel name 船名							
12. Flag State 船籍国							
13. Type of vessel 船舶の種類							
14. International Radio Call Sign 国際無線呼出符号							
15. Certificate of registry ID 登録番号							
16. Lloyd's IMO ship ID, if available IMO船舶番号 あれば							
17. External ID, if available ⁹ IMO船舶番号 あれば							
18. Port of registry 登録港							
19. Vessel owner(s) 船主							
20. Vessel beneficial owner(s), if known and different from vessel owner 船舶受益者 (船主と異なり、わかる場合)							
21. Vessel operator(s), if different from vessel owner 船舶の運航者 (船主と異なる場合)							
22. Vessel master name and nationality 船長の名前及び国籍							
23. Fishing master name and nationality 漁労長の名前及び国籍							
24. Vessel agent 船舶の代理人							
25. VMS ¹⁰ 船舶監視システム		No 無	Yes: National 有: 国		Yes: RFMO s		Type: 種類

⁷ Provide a unique reference number for this inspection report.

⁸ Record the purpose of entry into Port by circling the relevant option(s): LAN – landing, TRX – transshipment, PRO – processing, OTH - other. For 'OTH', specify what this signifies, for example re-fuelling, re-supplying, maintenance, and/or dry-docking, etc.

⁹ Record details of any external vessel markings e.g. registration and identification numbers that are additional to the information already provided on this form.

¹⁰ Circle the correct option(s) to indicate what type of VMS is on board the vessel: Circle 'No' if no VMS unit on board, 'Yes: National' if the vessel has a VMS that transmits to a Flag State, and/or 'Yes: RFMO(s)' if the vessel has a VMS that transmits to RFMO(s); for 'Type': Provide the type and model of any VMS unit(s) on board.

26. CCSBT Authorised Vessel list						
CCSBT Registration Number:						
27. Relevant fishing authorization(s) 関係する漁業の当局						
Identifier ¹¹ 確認者	Issued by 発行者	Validity ¹² 効力	Fishing area(s) 漁業海域	Species (FAO 3-Alpha code) 魚種	Gear 漁具	
				SBT(SBF)		
28. Relevant transshipment authorization(s)/Transshipment declaration(s) 関係する転載の当局						
Identifier ¹³ 確認者		Issued by 発行者		Validity ¹⁴ 効力		
Identifier ¹³ 確認者		Issued by 発行者		Validity ¹⁴ 効力		
29. Transshipment information concerning donor vessels 提供船舶に関する転載情報						
Name 船名	Flag State 旗国	ID no 登録番号	Species (FAO 3-Alpha code) 魚種	Type of Product 製品形態	Catch area(s) 漁獲海域	Quantity (in kg) 数量
			SBT(SBF)			
			SBT(SBF)			
30. Evaluation of offloaded catch (quantity) 荷卸された漁獲物の推定 (数量)						
Species (FAO 3-Alpha code) 魚種	Type of Product 製品形態	Catch area(s) 漁獲海域	Quantity declared (in kg) 申告数量	Quantity retained(in kg) 荷下ろし数量	Difference between quantity declared and quantity determined, if any(in kg) 申告数量と確定数量の差 (もし、 あれば)	
SBT(SBF)						
31. Catch retained onboard (quantity) 船上保持漁獲物 (数量)						
Species(FAO 3-Alpha code) 魚種	Type of Product 製品形態	Catch area(s) 漁獲海域	Quantity declared(in kg) 申告数量	Quantity retained(in kg) 保持数量	Difference between quantity declared and quantity determined, if any(in kg) 申告数量と確定数量の差 (もし、 あれば)	
SBT(SBF)						
32. Examination of logbook(s) and other documentation 操業日誌及びその他の文書の点検				Ye 有	No 無	Comments コメント
33. Compliance with applicable catch documentation scheme(s) 漁獲証明制度の遵守				Ye 有	No 無	Comments コメント
34. Type of gear used		使用された漁具の種類				
35. Gear examined in accordance with paragraph g) of Annex B 点検された漁具				Ye 有	No 無	Comments コメント
36. Findings by inspector(s) ¹⁵ 検査による所見						

¹¹ Note the Flag State CCSBT fishing authorization reference number(s), e.g. fishing licence number, and the CCSBT Registration Number for this vessel (if applicable).

¹² Record the dates for which the CCSBT fishing authorisation(s) is/are valid (if applicable)

¹³ For transshipment authorisations record "Authorisation" and the authorisation reference number(s) if available; for transshipment declarations record "TD"

¹⁴ For transshipment authorisations, provide the dates for which the CCSBT authorisation(s) is/are valid (if applicable); for transshipment declarations, record the transshipment date.

¹⁵ Record whether there is any evidence to indicate that this vessel is/was involved in any SBT IUU fishing and/or fishing-related activities.

37. Apparent infringement(s) noted including reference to relevant legal instrument(s) 関連する法律文書に明記されている明白な違反
38. Comments by the master 船長のコメント
39. Action taken¹⁶ とられた措置
40. Master signature 船長の署名
41. Inspector signature 検査官の署名

¹⁶ Record any evidence collected and/or seized in relation to suspected SBT IUU fishing or fishing-related activities, for example any photos or samples taken, and any seizure of gear, materials or documents. In addition, record measures that could potentially be taken to address any apparent infringements detected, as well as any relevant authorities/officials contacted.