



Council of the
European Union

Brussels, 8 November 2017
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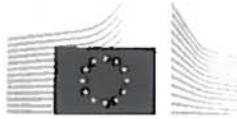
PECHE 431

NOTE

From: General Secretariat of the Council
To: Delegations

Subject: Twenty Fourth Annual meeting of the Commission for the Conservation of Southern Bluefin Tuna – CCSBT 24 (Yogyakarta, Indonesia, 12 October 2017)
- Adopted resolutions

Delegations will find attached the resolutions adopted at the Twenty Fourth Annual Meeting of the Commission for the Conservation of Southern Bluefin Tuna (CCSBT 24) held in Yogyakarta, Indonesia on 12 October 2017.



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

International Ocean Governance and Sustainable Fisheries
Regional Fisheries Management Organisations

Brussels, **08 NOV. 2017**
MARE.B2/OF/ARES(2017)

NOTE FOR THE ATTENTION OF MR. DIRK HELLWIG,

COUNCIL SECRETARIAT

Subject: Twenty Fourth Annual Meeting of the Commission for the Conservation of Southern Bluefin Tuna (CCSBT 24)

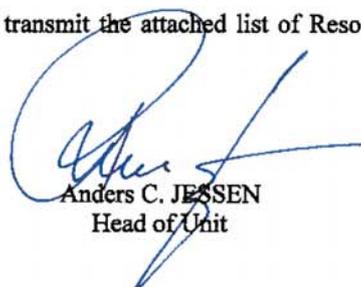
The Commission for the Conservation of Southern Bluefin Tuna at the 24th Annual Meeting, held in Yogyakarta, Indonesia, 12 October 2017, approved the following Resolutions adopted by its Extended Commission:

- Resolution on the Allocation of the Global Total Allowable Catch (already in force but text only adjusted now);
- Resolution on Limited Carry-forward of Unfished Annual Total Available Catch of Southern Bluefin Tuna (revised);
- Resolution on Establishing a Program for Transshipment by Large-Scale Fishing Vessels (revised);
- Resolution on Establishing a List of Vessels Presumed to have Carried Out Illegal, Unreported and Unregulated Fishing Activities For Southern Bluefin Tuna (SBT) (revised);
- Resolution on the CCSBT Vessel Monitoring System (VMS) (a new Resolution which amalgamates and replaces CCSBT's two previous VMS Resolutions)

The above mentioned CCSBT Resolutions are attached. CCSBT Resolutions come into effect on the day that the report of the annual meeting of the CCSBT Commission is adopted unless stated otherwise. Consequently, these Resolutions are in force since 12 October 2017.

The EU is bound to abide by conservation and management measures and all other Decisions and Resolutions adopted by CCSBT.

I would be grateful if you could officially transmit the attached list of Resolutions for their notification to Member States.



Anders C. JESSEN
Head of Unit

Enclosures: 5 Resolutions

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Resolution on the Allocation of the Global Total Allowable Catch

(updated at the Twenty-Fourth Annual Meeting – 9-12 October 2017)

The Extended Commission for the Conservation of Southern Bluefin Tuna

Seized by the need to ensure the conservation and optimum utilisation of southern bluefin tuna based on the best available scientific advice,

Recalling agreement reached on nominal catch levels at the 16th annual meeting of the Extended Commission meeting and the Resolution on the Total Allowable Catch and Future Management of Southern Bluefin Tuna adopted at that meeting,

Further to the Resolution on the Adoption of a Management Procedure adopted at the annual meeting of the Extended Commission in 2011,

Noting that the Management Procedure is the basis for setting the total allowable catch since 2012,

Taking into account the desirability of a transparent and stable process for allocating total allowable catch to Members and Cooperating Non-Members, which provides greater certainty to Members and Cooperating non-Members, in particular for their fishing industries, and facilitates the administration of national allocations,

Recalling the Extended Commission agreed at its special meeting in 2011 to principles that would apply to the distribution of any increase in the global total allowable catch under the Management Procedure,

Further recalling the changes to nominal catch proportions agreed in 2016,

In accordance with paragraph 3(a) of Article 8 of the Convention for the Conservation of Southern Bluefin Tuna, the Extended Commission decides as follows:

1. The total allowable catch (TAC) set on the basis of the Management Procedure (MP)¹ shall be allocated among Members and Cooperating Non-Members according to this Resolution.
2. Unless this Resolution provides otherwise, the TAC shall be allocated among Members and Cooperating Non-Members based on Members' nominal catch percentage levels set out in the Annex and paragraph 6 of this Resolution.
3. If there is no change to the TAC, each Member's allocation will remain unchanged.
4. If there is an increase to the TAC, the additional tonnage will be allocated amongst the Members based on the nominal catch percentage level as set out in the Annex to this Resolution.

¹The Management Procedure agreed to under the Resolution on the Adoption of a Management Procedure adopted at the annual meeting of the Extended Commission in 2011, and any subsequent revisions to that Resolution.

5. If there is a decrease to the TAC, each Member's allocation will decrease consistent with its nominal catch percentage level. However, the European Union's allocation will not decrease below 10 tonnes.
6. Each Cooperating Non-Member shall receive a fixed amount of the TAC, subject to the annual review of their status as a Cooperating Non-Member.
7. The Extended Commission may decide on an amount of the TAC to set aside for Research Mortality Allowance and for IUU catch by Non-Members. These amounts will be deducted from the TAC before allocation of the TAC to Members.
8. The allocation of the TAC may be revised with the entry of new Members and Cooperating Non-Members. The nominal catch levels will remain unchanged with the entry of new Members or Cooperating Non-Members, but the nominal catch percentage levels may change.

Annex

Members' Nominal Catch and Percentage Levels

<i>Member</i>	<i>Nominal Catch Level (tonnes)</i>	<i>Nominal Catch Percentage Level</i>
Japan	6,165.068	35.5643%
Australia	6,165.068	35.5643%
Republic of Korea	1240.631	7.1568%
Fishing Entity of Taiwan	1240.631	7.1568%
New Zealand	1,088.273	6.2779%
Indonesia	1001.705	5.7785%
South Africa	422.741	2.4387%
European Union	10.883	0.0628%

**Resolution on Establishing a List of Vessels Presumed to have Carried Out
Illegal, Unreported and Unregulated Fishing Activities For Southern Bluefin
Tuna (SBT)**

(revised at the 24th Annual Meeting, 12 October 2017)

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

Recalling that the FAO Council adopted on 23 June 2001 an International Plan of Action to prevent, to deter and eliminate illegal, unreported and unregulated fishing (IPOA-IUU). This plan stipulates that the identification of the vessels carrying out illegal, unreported and unregulated (IUU) activities should follow agreed procedures and be applied in an equitable, transparent and non-discriminatory way;

Recalling that the Extended Commission adopted the CCSBT Compliance Plan at its Eighteenth Annual Meeting in October 2011;

Concerned by the fact that Southern Bluefin Tuna (SBT) IUU fishing activities diminish the effectiveness of CCSBT conservation and management measures,

Determined to address the challenge of an increase in IUU fishing activities by way of counter-measures to be applied in respect to the vessels, without prejudice to further measures adopted in respect of flag States or entities under the relevant CCSBT instruments;

Considering the action undertaken in all other tuna regional fisheries management organisations to address this issue;

Conscious of the need to address, as a matter of priority, the issue of fishing vessels conducting IUU fishing activities,

Noting that efforts to prevent, deter and eliminate IUU fishing must be addressed in the light of all relevant international fisheries instruments and in accordance with other relevant international obligations, including the rights and obligations established under the World Trade Organisation (WTO) Agreement;

Recalling Article 15 (4) of the Convention, which calls on Members to cooperate in taking appropriate action, consistent with international law and their respective domestic laws, to deter fishing activities for SBT by nationals, residents or vessels of any State or entity not party to the CCSBT Convention where such activity could affect adversely the attainment of the objective of the Convention;

Agrees, in accordance with paragraph 3(b) of Article 8 of the Convention for the Conservation of Southern Bluefin Tuna, that:

Definition of SBT IUU Fishing Activities and CCSBT IUU Vessel Lists

1. At each annual meeting, the Extended Commission will identify those vessels which have engaged in fishing activities for SBT in a manner which has undermined the effectiveness of the Convention and the CCSBT measures in force. The Extended Commission shall establish, and amend as necessary in subsequent years, a list of such vessels (the CCSBT IUU Vessel List), in accordance with the procedures and criteria set out in this Resolution (or subsequent revision).
2. As part of the annual process, a Draft IUU Vessel List will first be drawn up by the Executive Secretary based on information received from Members/ Cooperating non-Members (CNMs) pursuant to paragraph 4 and, with agreement from the Extended Commission pursuant to Rule 6(5) of the Rules of Procedure, any other suitably documented information at his/her disposal. The Compliance Committee (CC) will then adopt a Provisional IUU Vessel List based on the initial Draft IUU List and any information provided in relation to the vessels on this Draft List. The CC will also consider the current CCSBT IUU Vessel List and may make recommendations to remove vessels from it as appropriate. Finally, the Extended Commission will consider both the Provisional IUU List and any recommendations made by the CC to amend the current CCSBT IUU Vessel List, and then adopt a final CCSBT IUU Vessel List. CCSBT IUU Vessel List definitions are provided at **Annex I**.
3. For the purposes of this Resolution, the vessels are presumed to have carried out SBT IUU fishing activities, *inter alia*, when a Member or CNM presents suitably documented evidence that such vessels:
 - a. Harvested SBT and were not authorised by a Member or CNM to fish for SBT, or;
 - b. Did not record and/or report their SBT catches or catch-related data in accordance with CCSBT reporting requirements, or made false reports, or;
 - c. Used prohibited or non-compliant fishing gear in a way that undermines CCSBT conservation and management measures, or;
 - d. Transhipped with, or participated in joint operations such as re-supplying or re-fuelling vessels included in the CCSBT IUU Vessel List, or;
 - e. Harvested SBT in the waters under the national jurisdiction of the coastal State or entity without authorisation and/or committed a serious infringement of its laws and regulations directly related to the SBT fishery, without prejudice to the sovereign rights of the coastal State or entity to take measures against such vessels, or;
 - f. Engaged in fishing activities for SBT, including transhipping, re-supplying or re-fuelling, contrary to any other CCSBT conservation and management measures.

Information on alleged SBT IUU Fishing Activities

4. Members and CNMs shall transmit every year to the Executive Secretary at least 14 weeks before the annual meeting of the CC, a list of vessels presumed to be carrying out SBT IUU fishing activities during the current and/or previous year, accompanied by the suitably documented supporting evidence concerning the presumption of SBT IUU fishing activity. The CCSBT Reporting Form for SBT Illegal Activity (**Annex II**) shall be used.
5. This list and evidence shall be based, *inter alia*, on information collected by Members and CNMs from all relevant sources including but not limited to:
 - a) Relevant resolutions of the CCSBT, as adopted and amended from time to time;
 - b) Reports by Members and CNMs on vessel inspections;
 - c) Reports by Members and CNMs relating to CCSBT conservation and management measures in force;
 - d) Catch and trade information obtained on the basis of relevant trade statistics such as Food and Agriculture Organisation of the United Nations (FAO) data, statistical and CDS documents, and other national or international verifiable statistics; and
 - e) Any other information obtained from port States or entities and/or gathered from the fishing grounds that is suitably documented.
6. Before or at the same time as transmitting a list of presumed SBT IUU vessels to the Executive Secretary, the Member or CNM shall notify the relevant flag State or entity, either directly or through the Executive Secretary (using the Reporting Form in **Annex II**), of a vessel's inclusion on this list, and provide that flag State or entity with a copy of the pertinent suitably documented information. Where a vessel will be included on the Draft IUU list and has not been proposed by a Member or CNM, the Executive Secretary shall notify the relevant flag State or entity (using the Reporting Form in Annex II), of the vessel's inclusion on this list, and provide that flag State or entity with a copy of the pertinent suitably documented information as early as practicable.

Draft CCSBT IUU Vessel List

7. On the basis of the information received pursuant to paragraph 4, and any other suitably documented information available, the Executive Secretary shall draw up a Draft IUU Vessel List. This list shall be drawn up in conformity with **Annex III**. The Executive Secretary shall transmit it together with the current CCSBT IUU Vessel List, including any inter-sessional amendments, as well as all the supporting evidence provided, to all Members, and CNMs as well as to those Non-Cooperating Non-Members (NCNMs) whose vessels are included on these lists, at least 10 weeks before the annual CC meeting.

8. The Executive Secretary shall request the flag State or entity to notify the owner of the vessel(s) of its/their inclusion in the Draft IUU Vessel List and of the consequences that may result from its/their inclusion being confirmed in the CCSBT IUU Vessel List adopted by the Extended Commission.
9. Upon receipt of the Draft IUU Vessel List, Members and CNMs shall closely monitor the vessels included in the Draft IUU Vessel List in order to determine their activities and possible changes of name, flag and/or registered owner.
10. Members, CNMs and NCNMs with vessels included on the Draft IUU and/or current CCSBT IUU Lists will transmit any comments to the Executive Secretary at least 6 weeks before the annual CC meeting, including suitably documented information as described in paragraph 22, showing that the listed vessels have not fished for SBT in a way that undermines CCSBT conservation and management measures.
11. On the basis of the information received pursuant to paragraphs 7 and 10, the Executive Secretary shall circulate the Draft IUU Vessel list and the current CCSBT IUU Vessel List, together with all suitably documented information provided pursuant to paragraph 10 as a CC meeting document to all Members and CNMs 4 weeks in advance of the annual CC meeting.
12. All Members, CNMs, and any NCNMs concerned may at any time submit to the Executive Secretary any additional information, which might be relevant for the establishment of the CCSBT IUU Vessel list. The Executive Secretary shall circulate the information, at the latest before the annual CC meeting, together with all the evidence provided.

Provisional CCSBT IUU Vessel List

13. Each year the CC shall examine the Draft IUU Vessel List and current CCSBT IUU Vessel list, as well as the information referred to in paragraphs 7, 11 and 12.
14. The CC shall remove a vessel from the Draft IUU Vessel List if the flag State or entity demonstrates that:
 - a) The vessel did not take part in any SBT IUU fishing activities described in paragraph 3, or
 - b) Effective action has been taken in response to the SBT IUU fishing activities in question, including, *inter alia*, prosecution and/or imposition of sanctions of adequate severity. Members and CNMs will report any actions and measures taken to promote compliance by their flagged vessels with CCSBT conservation and management measures.
15. Following this examination, the CC shall:
 - a) Adopt a Provisional IUU Vessel List in conformity with **Annex III** following consideration of the Draft IUU Vessel List and information and evidence circulated under paragraphs 7, 11 and 12. The Provisional IUU Vessel List shall be submitted to the Extended Commission for approval, and

- b) Recommend to the Extended Commission which, if any, vessels should be removed from the current CCSBT IUU Vessel List, following consideration of the current List and of the information and evidence circulated under paragraphs 10 and 12.

CCSBT IUU Vessel List

- 16. At its annual meeting the Extended Commission shall review the Provisional IUU Vessel List, taking into account any new suitably documented information related to vessels on the Provisional IUU Vessel List, and any recommendations to amend the current CCSBT IUU Vessel List made pursuant to paragraph 15 above. The Extended Commission will then adopt a new CCSBT IUU Vessel List.
- 17. Upon adopting the new CCSBT IUU Vessel List, Members, CNMs and NCNMs with vessels on the CCSBT IUU Vessel List are requested to:
 - a) Notify the owner of the vessel of its inclusion on the CCSBT IUU Vessel List and the consequences that result from being included on the CCSBT IUU Vessel List, as referred to in paragraph 18, and
 - b) Take all the necessary measures to eliminate these IUU fishing activities, including, if necessary, the withdrawal of the registration or the fishing licenses of these vessels, and to inform the Extended Commission of the measures taken in this respect.
- 18. Members and CNMs shall take all necessary non-discriminatory measures subject to, and in accordance with their applicable laws and regulations, international law and each Member's/ CNM's international obligations to:
 - a) Remove or withdraw any SBT fishing authorisations for the vessel or impose alternative sanctions consistent with domestic laws and regulations of the flag State;
 - b) Ensure that the fishing vessels, flying their flag do not assist in any way, engage in fishing processing operations or participate in any transshipment or joint fishing operations with vessels included on the CCSBT IUU Vessel List;
 - c) Ensure that vessels on the CCSBT IUU Vessel List are not authorised to land, tranship, re-fuel, re-supply, or engage in other commercial transactions in their ports, except in case of *force majeure*;
 - d) Ensure that foreign flagged vessels included on the CCSBT IUU Vessel List do not enter into their ports, except in case of *force majeure*, unless vessels are allowed entry into port for the exclusive purpose of inspection and/or effective enforcement action;
 - e) Ensure that a vessel included in the CCSBT IUU Vessel List is not chartered based on its license;
 - f) Ensure that foreign-flagged vessels included in the CCSBT IUU Vessel List are not granted their flag, except if the vessel has changed owner and the new owner has provided sufficient evidence demonstrating the previous owner or

operator has no further legal, beneficial or financial interest in, or control of, the vessel, or having taken into account all relevant facts, the flag Member or CNM determines that granting the vessel its flag will not result in IUU fishing;

- g) Ensure that SBT from vessels included in the CCSBT IUU Vessel List are not landed, farmed, transhipped and/or traded internationally and and/or domestically; and
 - h) Collect and exchange with other Members and CNMs any appropriate information with the aim of searching for, controlling and preventing false CDS documents and/or false import/export certificates of SBT from vessels included in the CCSBT IUU Vessel List.
19. The Executive Secretary will take any necessary measure to ensure publicity of the CCSBT IUU Vessel List adopted by CCSBT, in a manner consistent with any applicable confidentiality requirements, and through electronic means, by placing it on the CCSBT web site. Furthermore, the Executive Secretary will transmit the CCSBT IUU Vessel List to appropriate regional fisheries organisations for the purposes of enhanced co-operation between CCSBT and these organisations in order to prevent, deter and eliminate IUU fishing.

Cross-Listing

20. The Extended Commission may consider cross-listing IUU vessel lists with all other tuna Regional Fisheries Management Organisations and relevant organisations on a case by case basis as agreed by the Extended Commission.

Trade Measures/ Sanctions

21. Without prejudice to the rights of flag States or entities and coastal States or entities to take proper action consistent with international law, including applicable WTO obligations, Members and CNMs shall not take any unilateral trade measures or other sanctions against vessels provisionally included in the Draft and Provisional IUU Vessel Lists, pursuant to paragraphs 7 and 15, or which have been already removed from the CCSBT Draft, Provisional or Current IUU Vessel Lists, pursuant to paragraphs 14 or 16 or 22 - 26, on the grounds that such vessels are involved in SBT IUU fishing activities.

Deletion from the CCSBT IUU Vessel List

22. A Member, CNM or NCNM whose vessel appears on the CCSBT IUU Vessel List may request the removal of the vessel from the list through the Compliance Committee or at any time during the inter-sessional period by submitting to the Executive Secretary suitably documented information demonstrating that:
- a) It has adopted measures so that this vessel complies with all CCSBT conservation and management measures; and

- b) It is and will continue to assume effectively its responsibilities with respect to this vessel in particular as regards the monitoring and control of the SBT fishing activities executed by this vessel; and
 - c) One or more of the following:
 - i) It has taken effective action in response to the SBT IUU fishing activities that resulted in the vessel's inclusion in the CCSBT IUU Vessel List, including prosecution or the imposition of sanctions of adequate severity;
 - ii) The vessel has changed ownership and that the new owner can establish that the previous owner no longer has any legal, financial or real interests in the vessel or exercises control over it, and that the new owner has not participated in SBT IUU fishing activities;
 - iii) The case regarding the vessel that conducted SBT IUU fishing activities has been settled to the satisfaction of the Member(s)/ CNM(s) that originally submitted the vessel for listing and the flag State or entity involved.
23. On the basis of the information received in accordance with paragraph 22, the CCSBT Executive Secretary will transmit electronically the removal request, with all the supporting information to each Member within 15 days following the notification of the removal request.
24. Each Member of the Extended Commission will examine the request to remove the vessel and notify the Executive Secretary in writing of their conclusion regarding either the removal from, or the maintenance of the vessel on the CCSBT IUU Vessel List within 21 days following the notification by the Executive Secretary referred to in paragraph 23. Decisions on any inter-sessional requests to remove the vessel shall be made in accordance with Rule 6(5) of the Rules of Procedure, such that no response is considered to be support for the request.
25. The Executive Secretary shall communicate the result of the decision to all Members and CNMs and to any NCNM which requested the removal of its vessel from the CCSBT IUU Vessel List.
26. If Members agree to the removal of the vessel from the CCSBT IUU Vessel List, the Executive Secretary will take the necessary measures to remove the vessel concerned from the CCSBT IUU Vessels List, as published on the CCSBT web site. Moreover, the Executive Secretary will forward the decision of removal of the vessel to appropriate regional fisheries organisations.
27. If a Member does not agree with the request for the removal of the vessel from the CCSBT IUU Vessel List, the vessel will be referred to the Compliance Committee for further consideration and the Executive Secretary will inform the Members, CNMs as well as any NCNMs that made the removal request.

ANNEX I: CCSBT IUU Vessel List Definitions

The format of all CCSBT IUU Vessel Lists must conform to **Annex III**.

Draft CCSBT IUU Vessel List

This list is drawn up by the Executive Secretary in accordance with paragraph 7, and based on information submitted by Members and CNMs on the CCSBT Reporting Form for SBT Illegal Activity (**Annex II**), and any other suitably documented information about vessels presumed to be carrying out SBT IUU fishing activities during the current and/or previous year. This list is then examined each year by the Compliance Committee (CC).

Provisional CCSBT IUU Vessel List

This list is derived from the Draft IUU Vessel List.

It is created when the CC has completed its consideration of the Draft IUU Vessel List and the associated evidence circulated, and has made any appropriate amendments to the Draft List. At this point, the appropriately amended Draft List is adopted by the CC as a Provisional IUU Vessel List.

Current CCSBT IUU Vessel List

This list is created from a combination of considering the agreed Provisional IUU Vessel List and the Current CCSBT IUU Vessel List.

The Extended Commission reviews the Provisional IUU Vessel List at its annual meeting, taking into account any new suitably documented information related to vessels on the Provisional list, as well as any recommendations to amend the current CCSBT IUU Vessel List made by the CC. This process will result in a CCSBT IUU Vessel List which is agreed and adopted by the Extended Commission as the current CCSBT IUU Vessel List.

The current CCSBT IUU Vessel List can be modified inter-sessionally according to paragraph 20 by cross-listing additions and/or removals from other RFMOs, or through requests from Members/CNMs/NCNMs according to paragraphs 22 to 27.

ANNEX II: CCSBT Reporting Form for SBT Illegal Activity

1. Details of Vessel

- a Current Name of Vessel (Previous name/s, if any);
- b Current Flag (previous flag/s, if any);
- c Date first included on CCSBT IUU Vessel List (if applicable);
- d Lloyds, IMO and UVI Number (if available);
- e Photo(s) (if any);
- f Call Sign (previous call sign, if any);
- g Owner / Beneficial Owner/s (previous owner/s, if any), and owner's place of registration (if any);
- h Operator (previous operator/s, if any);
- i Master/Fishing master name and nationality;
- j Date of alleged SBT IUU fishing activities;
- k Position (as accurately identified as possible)¹ of the alleged SBT IUU fishing activities (if available);
- l Summary of alleged SBT IUU activities (see section 2 for more detail);
- m Summary of any actions known to have been taken in respect of the alleged SBT IUU fishing activities;
- n Outcome of actions taken.

¹ Positional information may include latitudes/ longitudes, geographic location name(s) and/or CCSBT statistical area number (s), etc

2. Details of CCSBT Resolution Elements Contravened

Place a "X" next to the individual elements of paragraph 3 of this Resolution that were contravened, and provide relevant details including date, location and source of information. Additional information can be provided in an attachment if necessary, and listed under section 3.

Paragraph Reference	SBT IUU Fishing Activity	Indicate
3a	Harvested SBT and were not authorised by a Member or CNM to fish for SBT	
3b	Did not record and/or report their SBT catches or catch-related data in accordance with CCSBT reporting requirements, or made false reports	
3c	Used prohibited or non-compliant fishing gear in a way that undermines CCSBT conservation and management measures	
3d	Transhipped with, or participated in joint operations such as re-supplying or re-fuelling vessels included in the CCSBT IUU Vessel List	
3e	Harvested SBT in the waters under the national jurisdiction of the coastal State or entity without authorisation and/or committed a serious infringement of its laws and regulations directly related to the SBT fishery, without prejudice to the sovereign rights of the coastal State or entity to take measures against such vessels	
3f	Engaged in fishing activities for SBT, including transhipping, re-supplying or re-fuelling, contrary to any other CCSBT conservation and management measures	

3. Associated Documents

List here the associated documents that are appended e.g. boarding reports, court proceedings, and photographs.

ANNEX III: Information to be Included in all CCSBT IUU Vessel Lists
(Draft, Provisional and Current)

The Draft, Provisional and Current CCSBT IUU Vessel Lists shall contain the following details, where available:

- i) Name of the vessel and previous name/s, if any;
- ii) Flag of the vessel and previous flag/s, if any;
- iii) Owner of the vessel and previous owner/s, including beneficial owners, if any, and owner's place of registration (if any);
- iv) Operator of the vessel and previous operator/s, if any;
- v) Call sign of the vessel and previous call sign/s, if any;
- vi) Lloyds/IMO and UVI number, if available;
- vii) Photograph(s) of the vessel, where available;
- viii) Date vessel was first included on the CCSBT IUU Vessel List;
- ix) Summary of the activities which justify inclusion of the vessel on the List, together with references to all relevant supporting documents and evidences;
- x) Date and location of any relevant sightings of the vessel, if any;
- xi) Summary of any other related activities performed by the vessel contrary to CCSBT conservation and management measures, if any.

Resolution on Establishing a Program for Transhipment by Large-Scale Fishing Vessels
(revised at the Twenty-Fourth Annual Meeting: 12 October 2017)

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

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

EXPRESSING GRAVE CONCERN that organised tuna laundering operations have been conducted and a significant amount of catches by IUU fishing vessels have been transhipped under the names of duly licensed fishing vessels;

IN VIEW THEREFORE OF THE NEED to ensure the monitoring of the transhipment activities by large-scale longline fishing vessels, including the control of their landings;

TAKING ACCOUNT of the need to maintain the integrity of the CCSBT Catch Documentation Scheme (CDS), and recognising that transhipment operations represent an area of increased compliance risk;

TAKING ACCOUNT of the need to collect Southern Bluefin Tuna (SBT) data from such largescale long-line tuna fishing vessels to improve the scientific assessments of those SBT stocks and the tracking of SBT product in line with the Catch Documentation Scheme;

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

SECTION I. GENERAL RULE

Use of terms

1. For the purpose of this Resolution:

- (a) "LSTLV" means a tuna longline fishing vessel with Freezing Capacity;
- (b) "Carrier Vessel" means any vessel, except a container vessel, that receives SBT transhipped from a LSTLV;
- (c) "Freezing Capacity": 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"; and
- (d) "Southern Bluefin Tuna" or "SBT" means Southern Bluefin Tuna or fish products originating from SBT.

2. Except under the programme to monitor transshipments at sea for “LSTLVs”, all LSTLV transshipment operations of SBT must take place in port. If the Member/CNM authorises at-sea transshipment by its flag LSTLVs, such transshipments shall be conducted in accordance with the procedures defined in Sections 2, 3 and 5, and **Annexes I and II** of this Resolution.

3. When transshipping SBT in port, Members and Cooperating Non-Members (CNMs) shall take the necessary measures to ensure that LSTLVs flying their flag comply with the obligations set out in Sections 2, 4 and 5 and **Annex I** of this Resolution.

SECTION 2. RECORD OF VESSELS AUTHORISED TO RECEIVE TRANSHIPMENTS INVOLVING SBT

4. The Executive Secretary shall establish and maintain a CCSBT Record of Carrier Vessels authorised to receive SBT from LSTLVs at sea or in port. For the purposes of this Resolution, Carrier Vessels not entered on the record are deemed not to be authorised to receive SBT from LSTLVs in transshipment operations.

Members and CNMs shall ensure that they:

- a) do not authorise Carrier Vessels not already authorised by other RFMOs and,
- b) do not authorise Carrier Vessels included in other RFMOs’ IUU Vessel Lists.

5. Each Member and CNM shall submit, electronically where possible, to the CCSBT Executive Secretary the list of the Carrier Vessels that are authorised to receive transshipments from its LSTLVs without delay. Each Member shall promptly notify the Executive Secretary of any addition to, deletion from, and/or any modification to the list of Carrier Vessels at any time such changes occur without delay. This list shall include the following information:

- 1 The flag of the vessel
- 2 CCSBT Record Number (if any)
- 3 Lloyds/ IMO Number (if available)
- 4 Name of vessel, vessel registration number
- 5 Previous name (if any)
- 6 Previous flag (if any)
- 7 Previous details of deletion from other registries (if any)
- 8 International radio call sign
- 9 Type of vessels, length, gross tonnage (GT) and carrying capacity
- 10 Name and address of owner(s) and operator(s)
- 11 Time period authorised for transshipping.

6. The Executive Secretary shall maintain the CCSBT Record of Carrier Vessels and take measures to ensure publicity of the record and through electronic means, including placing it on the CCSBT website, in a manner consistent with confidentiality requirements notified by Members and CNMs for their vessels.

7. Carrier vessels authorised by Members and CNMs to conduct at-sea or in-port transshipments shall be required to have an operational Vessel Monitoring System (VMS) that is operating in accordance with all applicable CCSBT Resolutions and decisions, including the *Resolution on the CCSBT Vessel Monitoring System (2017)*, and any successor Resolution, including any future revisions thereto.

8. LSTLVs which tranship at sea or in-port shall be required to install and operate a VMS in accordance with CCSBT's *Resolution on the CCSBT Vessel Monitoring System (2017)*, and any successor Resolution, including any future revisions thereto.

SECTION 3. PROGRAM TO MONITOR TRANSHIPMENTS AT SEA INVOLVING SBT

9. The Commission hereby establishes a program to monitor transshipments at sea involving SBT which applies only to LSTLVs and to Carrier Vessels authorised to receive transshipments from these vessels at sea. The Commission shall review and, as appropriate, revise this Resolution.

10. Members and CNMs shall determine whether or not to authorise their LSTLVs to tranship at sea.

11. Transshipments by LSTLVs in waters under the jurisdiction of Members and CNMs are subject to prior authorisation from the Coastal State / Fishing Entity concerned. An original or copy of the documentation of Coastal State/ Fishing Entity prior authorisation must be retained on the LSTLV and made available to the CCSBT observer when requested.

12. Members and CNMs shall take the necessary measures to ensure that LSTLVs flying their flag comply with the conditions in paragraphs 13 to 20 below:

Flag State / Fishing Entity Authorisation

13. LSTLVs are not authorised to tranship at sea, unless they have obtained prior authorisation from their Flag State / Fishing Entity. An original or copy of the documentation of prior authorisation must be retained on the LSTLV and made available to the CCSBT observer when requested.

Notification obligations

Fishing vessel:

14. To receive the prior authorisation mentioned in paragraph 13 above, 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:

- a) the name of the LSTLV and its number in the CCSBT Authorised Vessel List,
- b) the name of the Carrier Vessel and its number in the CCSBT Record of Carrier Vessels authorised to receive transshipments at sea,
- c) the product to be transhipped,
- d) the tonnage by product to be transhipped,
- e) the date and location of transshipment,
- f) the geographic location of the SBT catches.

15. The LSTLV concerned shall complete and transmit to its Flag State / Fishing Entity, and, where applicable, the Coastal State / Fishing Entity, not later than 15 days after the transshipment, the CCSBT transshipment declaration, in accordance with the format set out in **Annex I**.

Receiving Carrier Vessel:

16. Before starting transshipment, the master of the receiving Carrier Vessel shall confirm that the LSTLV concerned is participating in the CCSBT programme to monitor transshipment at sea (which includes payment of the fee in paragraph 14 of **Annex II**), and has obtained the prior authorisation from their Flag State / Fishing Entity referred to in paragraph 13. The master of the receiving Carrier Vessel shall not start such transshipment without such confirmation.

17. The master of the receiving Carrier Vessel shall complete and transmit the CCSBT transshipment declaration to the CCSBT Secretariat and the Flag Member/ CNM of the LSTLV, along with its number in the CCSBT Record of Carrier Vessels authorised to receive transshipment at sea, within 24 hours of the completion of the transshipment. The Secretariat will forward all received Transshipment Declarations to the Flag Member/ CNM of LSTLVs on a quarterly basis, and the Flag Member / CNM will reconcile these against Transshipment Declarations they have received.

18. The master of the receiving Carrier Vessel shall, no later than 48 hours before landing, transmit a CCSBT transshipment declaration, along with its number in the CCSBT Record of Carrier Vessels authorised to receive transshipment at sea, to the competent authorities of the State / Fishing Entity where the landing takes place.

Regional Observer Program

19. Each Member and CNM shall ensure that all Carrier Vessels transshipping at sea have on board a CCSBT observer, in accordance with the CCSBT Regional Observer Program in **Annex II**. The CCSBT observer shall observe the compliance with this Resolution, and notably that the transhipped quantities of SBT are reasonably consistent with the reported catch in the CCSBT transshipment declaration and, as recorded in the fishing vessel logbook and CDS documents.

20. Vessels shall be prohibited from commencing or continuing transshipping at sea without a CCSBT regional observer on board, except in cases of 'force majeure' duly notified to the Executive Secretary.

SECTION 4. PROGRAM TO MONITOR LSTLV TRANSHIPMENTS IN PORT INVOLVING SBT

21. For effective in-port inspections, Flag States of fishing vessels shall designate foreign ports of transshipment of southern bluefin tuna for their vessels, prohibit such transshipment at other foreign ports and communicate with those designated port states to share relevant information required for effective monitoring.

22. In-port transshipments shall only be undertaken in accordance with the procedures set out in paragraphs 23 to 29 below:

Notification obligations

Fishing vessel:

23. Prior to transshipping, the Captain of the LSTLV must notify the following information to the Port State authorities, at least 48 hours in advance or as specified by Members/CNMs, or immediately after the end of fishing operations if the time to the port is less than 48 hours; for the latter, the Port State must have enough time to examine the information:

- a) the name of the LSTLV and its number in the CCSBT record of fishing vessels;
- b) the name of the Carrier Vessel and its number in the CCSBT Record of Carrier Vessels authorised to receive transshipments,
- c) the product to be transhipped;
- d) the tonnage by product to be transhipped;
- e) the date and location of transshipment;
- f) the major fishing grounds of the SBT catches.

24. The Captain of a LSTLV shall, at the time of the transshipment, inform its Flag State/ Fishing Entity of the following;

- a) the products and quantities involved;
- b) the date and place of the transshipment;
- c) the name, registration number and flag of the receiving Carrier Vessel, and its number in the CCSBT Record of Carrier Vessels authorised to receive transshipments;
- d) the geographic location of the SBT catches.

25. The Captain of the LSTLV concerned shall complete and transmit to its Flag State/ Fishing Entity the CCSBT transshipment declaration, along with its number in the CCSBT Record of Fishing Vessels, in accordance with the format set out in **Annex I** not later than 15 days after the transshipment¹.

Receiving vessel:

26. Not later than 24 hours before the beginning of the transshipment, the master of the receiving Carrier Vessel shall inform the Port State authorities of the quantities of SBT to be transhipped to the receiving Carrier Vessel.

27. Within 24 hours of the completion of the transshipment, the master of the receiving Carrier Vessel shall complete and transmit the CCSBT transshipment declaration to the Port State authorities, the Flag Member/ CNM of the LSTLV, and the CCSBT Secretariat. A copy of this transshipment declaration shall be retained on board the receiving Carrier Vessel.

28. Following receipt of a transshipment including SBT, and after leaving the transshipment port, the master of the receiving Carrier Vessel shall, at least 48 hours before landing its transhipped SBT, complete and transmit a copy of the CCSBT transshipment declaration referred to in paragraph 27, to the competent authorities of the landing State/ Fishing Entity where the landing will take place.

Port and Landing State Cooperation

29. The Port State and the landing State referred to in the above paragraphs shall make an effort to take the appropriate measures to verify the accuracy of the information received and shall cooperate with the work of the Flag Member or CNM of the LSTLV to ensure that reported catches, transshipments and landings are consistent with the reported catch amounts of each vessel. This verification shall be carried out so that the vessel suffers the minimum interference and inconvenience, and so that degradation of the fish is avoided.

¹ In the case where the SBT are being transferred temporarily to bonded cold storage before being transferred to the receiving Carrier Vessel, then the LSTLV shall complete and transmit the transshipment declaration to its Flag State/ Fishing Entity, and where applicable, the Coastal State/ Fishing Entity, not later than 15 days from the date from which the SBT is transferred into the bonded cold storage facility. In such cases, the receiving Carrier Vessel agent shall sign the transshipment declaration on behalf of the Carrier Vessel master.

SECTION 5. GENERAL PROVISIONS (all transshipments)

30. To ensure the effectiveness of the CCSBT conservation and management measures pertaining to the Catch Documentation System (CDS):

- a) In validating the necessary CCSBT CDS documentation, as required by the CDS, Flag Members and CNMs of LSTLVs shall ensure that transshipments are consistent with the reported catch amount by each LSTLV.
- b) The Flag Member or CNM of LSTLVs shall validate the necessary CCSBT CDS documentation for the transhipped fish, as required by the CDS, after confirming that the transhipment was conducted in accordance with this Resolution. If transhipped at sea this confirmation shall be based on the information obtained through the CCSBT Regional Observer Program.
- c) Members and CNMs shall require that SBT caught by LSTLVs, when imported into the territory of a Member or CNM, be accompanied by the necessary CCSBT CDS documentation validated for the vessels on the CCSBT Authorised Vessel List and a copy of the CCSBT transhipment declaration.

31. The Members and CNMs shall include in their annual report 4 weeks prior to the Annual Meeting of the Commission:

- a) The quantities and percentage of SBT transhipped at sea and in port during the previous fishing season,
- b) The list of the LSTLVs registered in the CCSBT Authorised Vessel List which have transhipped at sea and in port during the previous fishing season, and
- c) A comprehensive report assessing the content and conclusions of the reports of the observers assigned to Carrier Vessels which have received at-sea transshipments from their LSTLVs during the previous fishing season.

These reports shall be made available to the Extended Commission and relevant subsidiary bodies for review and consideration.

32. All SBT landed or imported by Members and CNMs, 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.

33. Each year, the Executive Secretary shall present a report on the implementation of this Resolution to the Compliance Committee meeting which shall review compliance with this Resolution.

34. Nothing in this Resolution affects the rights of a Member or CNM to exercise its authority over ports located in areas under its jurisdiction in accordance with its domestic laws and international law.

35. These provisions shall be applicable from 1 January 2015.

36. The transshipment resolution adopted by CCSBT15 (2008) is superseded by this Resolution.

37. To avoid the duplication of the same measures, ICCAT, IOTC, or WCPFC observers who are on board vessels on the CCSBT Record of Carrier Vessels, may be deemed to be participating in the CCSBT transshipment program, provided these observers meet the standards established in this Resolution and the CCSBT Secretariat is informed. The CCSBT Secretariat shall liaise with the ICCAT, IOTC and WCPFC with respect to any information submitted to those organisations regarding SBT. The CCSBT Secretariat shall also exchange information on transshipment and observer standards with other RFMO Secretariats.

ANNEX I - CCSBT TRANSHIPMENT DECLARATION

Carrier Vessel	Fishing Vessel
Name of the Vessel and Radio Call Sign:	Name of the Vessel and Radio Call Sign:
Flag:	Flag:
Flag State / Fishing Entity license number:	Flag State / Fishing Entity license number:
National Register Number, if available:	National Register Number, if available:
CCSBT Register Number, if available:	CCSBT Register Number, if available:

Departure Day Month Hour Year Agent's name: _____ Master's name of LSTLV: _____ Master's name of Carrier: _____
 Return _____ From (Port name): _____ Signature: _____ Signature: _____ Signature: _____
 Transhipment _____ to (Port name): _____

Indicate the weight in kilograms or the unit used (e.g. box, basket) and the landed weight in kilograms of this unit: _____ kilograms

LOCATION OF TRANSHIPMENT

Species	Port	Sea	Type of product														
			RD ¹	GGO ¹ (kg)	GGT ¹ (kg)	DRO ¹ (kg)	DRT ¹ (kg)	Filleted ¹	Other ¹ (kg)								

If transhipment effected at sea, CCSBT Observer Name and Signature:

¹ The type of product should be indicated as Round (RD), Gilled and gutted – tail on (GGO), Gilled and gutted - tail off, (GGT), Dressed – tail on (DRO), Dressed – tail off (DRT), Fillet (FL), or Other (OT).
 If filling out an ICCAT, IOTC or WCPFC Transhipment Declaration (TD), record the SBT weight (kg) against the product type that most closely matches the appropriate CCSBT SBT product type (as listed above).

ANNEX II - CCSBT REGIONAL OBSERVER PROGRAM

1. Each Member and CNM shall require Carrier Vessels included in the CCSBT Record of Carrier Vessels authorised to receive transshipments at sea and which tranship at sea, to carry a CCSBT observer during each transshipment operation at sea.
2. Between approximately 15 days to 2 months before the Carrier Vessel will sail for a trip that will include a SBT transshipment, the Flag State/ Fishing Entity shall complete and transmit a CCSBT observer deployment request to the CCSBT Secretariat.
3. The Executive Secretary shall appoint the observers and shall place them on board the Carrier Vessels authorised to receive transshipments at sea from LSTLVs flying the flag of Members and Cooperating Non-Members that implement the CCSBT Regional Observer Program.

Designation of the observers

4. The designated observers shall have the following qualifications to accomplish their tasks:
 - a) sufficient experience to identify species and fishing gear;
 - b) satisfactory knowledge of the CCSBT conservation and management measures;
 - c) the ability to observe and record information accurately;
 - d) a satisfactory knowledge of the language of the flag of the vessel observed.

Obligations of the observer

5. Observers shall:
 - a) have completed the technical training required by the guidelines established by CCSBT, or the guidelines established by IOTC or ICCAT providing that the observers have also been trained in relation to paragraphs 4(a) (c);
 - b) to the extent possible, not be nationals of the Flag State / Fishing Entity of the receiving Carrier Vessel;
 - c) be capable of performing the duties set forth in point 6 below;
 - d) be included in the list of observers maintained by the Secretariat of the Commission;
 - e) not be a crew member of an LSTLV or an employee of an LSTLV company.

6. The observer tasks shall be in particular to:

- a) while on the Fishing Vessel intending to tranship to the Carrier Vessel and before the transhipment takes place:
 - i) check the validity of the fishing vessel's authorisation or licence to fish for SBT;
 - ii) check and note the total quantity of catch on board, and the quantity to be transferred to the Carrier Vessel;
 - iii) check that the VMS is functioning and examine the logbook;
 - iv) verify whether any of the catch on board resulted from transfers from other vessels, and check documentation on such transfers;
 - v) in the case of an indication that there are any violations involving the fishing vessel, immediately report the violations to the Carrier Vessel master; and
 - vi) report the results of these duties on the fishing vessel in the observer's report.

- b) monitor the Carrier Vessel's compliance with the relevant conservation and management measures adopted by the Commission. In particular the observers shall:
 - i. record and report upon the transhipment activities carried out;
 - ii. verify the position of the vessel when engaged in transshipping;
 - iii. observe and estimate products transhipped;
 - iv. verify and record the name of the LSTLV concerned and its CCSBT Authorised Vessel List number;
 - v. verify the data contained in the transhipment declaration;
 - vi. certify the data contained in the transhipment declaration;
 - vii. countersign the transhipment declaration;
- c) produce a daily report of the Carrier Vessel's transshipping activities and transmit a summary of these daily reports to the Secretariat every 5 days;
- d) establish general reports compiling the information collected in accordance with this paragraph and provide the captain the opportunity to include therein any relevant information;
- e) submit to the Secretariat the aforementioned general report within 20 days from the end of the period of observation; and
- f) exercise any other functions as defined by the Commission.

7. Observers shall treat as confidential all information with respect to the fishing operations of the LSTLVs and of the LSTLVs owners and accept this requirement in writing as a condition of appointment as an observer.

8. Observers shall comply with requirements established in the laws and regulations of the Flag State / Fishing Entity which exercises jurisdiction over the vessel to which the observer is assigned.

9. Observers shall respect the hierarchy and general rules of behavior which apply to all vessel personnel, provided such rules do not interfere with the duties of the observer under this program, and with the obligations of vessel personnel set forth in paragraph 10 of this program.

Obligations of the Flag State / Fishing Entities of Carrier Vessels

10. The responsibilities regarding observers of the Flag State / Fishing Entities of the Carrier Vessels and their captains shall include the following, notably:

- a) Observers shall be allowed access to the vessel personnel and to the gear and equipment;
- b) Upon request, observers shall also be allowed access to the following equipment, if present on the vessels to which they are assigned, in order to facilitate the carrying out of their duties set forth in paragraph 6:
 - i) satellite navigation equipment;
 - ii) radar display viewing screens when in use;
 - iii) electronic means of communication;
- c) Observers shall be provided accommodation, including lodging, food and adequate sanitary facilities, equal to those of officers;
- d) Observers shall be provided with adequate space on the bridge or pilot house for clerical work, as well as space on deck adequate for carrying out observer duties; and
- e) The Flag State / Fishing Entities shall ensure that captains, crew and vessel owners do not obstruct, intimidate, interfere with, influence, bribe or attempt to bribe an observer in the performance of his/her duties.

11. The Executive Secretary, in a manner consistent with any applicable confidentiality requirements, is requested to provide to the Flag State / Fishing Entity of the Carrier Vessel under whose jurisdiction the vessel transhipped and to the Flag Member or Cooperating Non-Member of the LSTLV, copies of all available raw data, summaries, and reports pertaining to the trip four months prior to the CCSBT Compliance Committee meeting.

Obligations of LSTLV during transhipment

12. Observers shall be allowed to visit the fishing vessel if the observer's safety can be reasonably assured given the weather and sea conditions, and access shall be granted to personnel and areas of the vessel necessary to carry out their duties set forth in paragraph 6.

13. The Executive Secretary shall submit the observer reports to the Compliance Committee and to the Scientific Committee.

Observer fees

14. The costs of implementing this program shall be financed by the flag Members and Cooperating Non-Members of LSTLVs wishing to engage in transshipment operations. The fee shall be calculated on the basis of the total costs of the program. This fee shall be paid into a special account of the CCSBT Secretariat and the CCSBT Executive Secretary shall manage the account for implementing the program.

15. No LSTLV may participate in the at-sea transshipment program unless the fees, as required under paragraph 14, have been paid.

Resolution on Limited Carry-forward of Unfished Annual Total Available Catch of Southern Bluefin Tuna

(Revised at the Twenty Fourth Annual Meeting: 12 October 2017)

The Extended Commission for the Conservation of Southern Bluefin Tuna,

Noting the “Resolution on the Adoption of a Management Procedure” was adopted at the eighteenth annual meeting in 2011;

Further noting that the above resolution adopted a management procedure that sets the global total allowable catch (TAC) for southern bluefin tuna in three year blocks;

Considering the need for Members to effectively manage their total available catch within each quota year and to allow limited carry-forward of Member’s annual total available catch;

Recognising that a provision to carry-forward undercatch can benefit the fishery by providing catch flexibility between quota years;

Informed that such a provision will not have a negative effect on the operation of the current Management Procedure and the setting of global TACs;

Mindful that this carry-forward provision may present administrative complexities for some Members, and that it should therefore be up to each Member whether it wishes to implement the provision for its vessels;

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

Section 1: Establishment of a Carry-forward Procedure

1. The Extended Commission hereby establishes a procedure for limited carry forward of Members’ un-fished annual total available catch¹.
2. Members shall decide whether or not to carry-forward un-fished total available catch. However, if a Member decides to carry-forward unfished quota, such carry-forward shall be conducted in accordance with the procedures defined in sections 2 – 4 below.

¹ Total available catch means a Member’s Effective Catch Limit allocation for that quota year plus any amount of unfished allocation carried forward to that quota year.

Section 2: Carry-Forward Procedure

3. If a Member's annual total available catch is under-caught, that Member may carry forward the unfished quota to the following quota year. However, the total quota carried forward from one year to the next shall not exceed 20% of that Member's Effective Catch Limit for the year from which the quota is being carried forward.
4. A Member's total available catch for a quota year shall not exceed the sum of its national allocation for that year plus an amount equal to 20% of its national allocation for the previous quota year.

Section 3: Notification and Reporting of Carry-Forward Procedure

5. The Secretariat shall seek confirmation from Members at the end of the quota year as to whether they intend to carry forward unfished quota to the next quota year. Members that have elected to carry forward unfished quota shall provide confirmation to the Secretariat within 90 days of receipt of the request and shall include a revised total available catch limit for the new quota year.
6. Members shall report on their use of the procedure in their annual reports to the Extended Commission, regardless of whether the procedure was in fact used by the Member during that quota year.

Section 4: Circumstances When Carry-Forward Is Not Applicable

7. If, on the basis of advice from the Extended Scientific Committee that exceptional circumstances exist that necessitate additional management action, the Extended Commission agrees to reduce the global total allowable catch within a three year quota block, the carry-forward procedures provided in this resolution shall not be applied by any Member.
8. If the Extended Commission agrees within a three year quota block to reduce the national allocation of one or more Members, that Member or those members shall not apply the carry-forward procedures provided in this resolution unless decided otherwise by the Extended Commission taking into account the circumstances of the reduction.

9. If either the Management Procedure recommends, or the Extended Commission decides on a lower Global TAC, then the carry-forward procedures provided for in this Resolution shall not be applied by any Member unless decided otherwise by the Extended Commission.
10. If a Member exceeds its national allocation for the 2017 fishing season or later without paying back its excess catch for those seasons, the carry-forward procedures provided in this resolution shall not be applied by that Member until those catches have been paid back, unless otherwise agreed by the Extended Commission.

Section 5: General Provisions

11. The procedures in this Resolution shall take effect immediately upon adoption.
12. Following the adoption of a new Management Procedure the Extended Commission shall review and amend, if necessary, this Resolution taking into account the advice of the Extended Scientific Committee.
13. This resolution replaces and supersedes the “Resolution on Limited Carry-forward of Unfished Annual Total Allowable Catch of Southern Bluefin Tuna” that was adopted at the Twenty-First Annual Meeting.

Resolution on the CCSBT Vessel Monitoring System (VMS)

(adopted at the Twenty-Fourth Annual Meeting, 12 October 2017)

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

Recalling that, at its thirteenth annual meeting, the Extended Commission Members and Cooperating Non-Members (CNMs) agreed the “Resolution on the development and implementation of a Vessel Monitoring System” (2006), and at its fifteenth annual meeting also agreed the “Resolution on establishing the CCSBT Vessel Monitoring System” (2008);

Recognising the need for monitoring, control and surveillance measures to apply to all sectors of the global Southern Bluefin Tuna (SBT) fishery;

Recognising the importance of these Vessel Monitoring Systems as an integral part of an effective monitoring, control and surveillance regime for the southern bluefin tuna fishery, in particular to ensure the long-term sustainability of the stock;

Mindful that a Vessel Monitoring System was identified as one of the important monitoring, control and surveillance measures to deter illegal, unreported and unregulated fishing in the Course of Actions adopted at the Kobe Joint Meeting of Tuna Regional Fisheries Management Organisations (tRFMOs) in January 2007;

Recognising the need to stipulate minimum standards for the Vessel Monitoring Systems;

Agrees, in accordance with paragraph 3(b) of Article 8 of the Convention for the Conservation of Southern Bluefin Tuna, that:

- I. The Members and Cooperating Non-Members (CNMs) of the Extended Commission shall adopt and implement satellite-linked Vessel Monitoring Systems (VMS) for vessels flying their flag fishing¹ for or taking SBT on the following basis:
 - a. for such vessels fishing in the IOTC Convention Area, in accordance with IOTC, “Resolution 15/03 on the Vessel Monitoring System (VMS) Programme” (including Annex 1 to that Resolution);
 - b. for such vessels fishing in the WCPFC Convention Area, in accordance with WCPFC Conservation and Management Measure 2014-02, “Commission Vessel Monitoring System” (including Annex 1 to that Measure);

¹ As described in Article 2(b) of the CCSBT Convention, “fishing” means:
 (i) the catching, taking or harvesting of fish, or any other activity which can reasonably be expected to result in the catching, taking or harvesting of fish; or
 (ii) any operation at sea in preparation for or in direct support of any activity described in sub-paragraph (i) above.

- c. for such vessels fishing in the CCAMLR Convention Area, in accordance with CCAMLR Conservation Measure 10-04 (2015), “Automated Satellite-Linked Vessel Monitoring System (VMS)” (including Annexes 10-04/A, 10-04/B and 10-04/C to that Measure);
 - d. for such vessels fishing in the ICCAT Convention Area, in accordance with ICCAT Recommendation 14-09, “Recommendation by ICCAT concerning Minimum Standards for the Establishment of a Vessel Monitoring System in the ICCAT Convention Area”; and
 - e. for such vessels fishing in any other high seas area outside the IOTC, WCPFC, CCAMLR, and ICCAT Convention Areas, in accordance with IOTC, “Resolution 15/03 on the Vessel Monitoring System (VMS) Programme” (including Annex 1 to that Resolution).
2. The application of the VMS provided for in paragraph 1(a-e) shall be consistent with any modifications to those VMS requirements that may be adopted by those respective Commissions.
 3. Members and Cooperating Non-Members shall implement a mandatory Vessel Monitoring System for vessels fishing for or taking SBT inside any Exclusive Economic Zones not included in paragraph 1 in accordance with each Member’s/CNM’s respective legislation.
 4. The Vessel Monitoring Systems shall include at least the following elements:
 - a. Flag States/fishing entities shall monitor and manage their vessels equipped with vessel monitoring devices.
 - b. The data specified in paragraph 4d shall be transmitted to the relevant national and regional authorities at least once every 4 hours.
 - c. The flag State/Fishing Entity may only authorise the Automatic Location Communicator (ALC) to be switched off when the vessel is in port and when the Port State has been notified.
 - d. The data to be collected and transmitted shall include: the vessel identification; its geographical position; and the date and time.
 - e. 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.
 - f. 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.

5.
 - a. The Members and CNMs of the Extended Commission shall provide VMS summary reports annually in advance of the Compliance Committee meeting and in the format approved by the Commission.²
 - b. In relation to incidents concerning specific vessel(s) when the vessel(s) are suspected to have operated in contravention of CCSBT conservation and management measures, Members and CNMs of the Extended Commission may request another Member and CNM of the Extended Commission which is the flag State/fishing entity of the vessel(s) to provide VMS data on the vessel(s) on a case by case basis. The Member and CNM which receives such a request shall:
 - (i) investigate the incidents and provide details of the investigation to the Member or CNM which requested VMS data; or
 - (ii) provide VMS data on the vessel(s) to the requesting Member or CNM, which will inform the results of its investigation to the Members or CNM which is the flag State/fishing entity of the vessel(s).
6. The Extended Commission agrees to adopt the confidentiality and security provisions attached in Annex I in relation to the information provided pursuant to paragraph 5(b).
7. With the assistance of the Secretariat, the Compliance Committee shall review and report to the Compliance Committee in 2018 or 2019 on the implementation of this Resolution and any possible measures to improve its effectiveness as a component of the monitoring, control and surveillance regime for the SBT fishery. Such a review shall take account of any developments by other RFMOs, including development of a harmonised VMS across tuna RFMOs.
8. The VMS shall not derogate from the rights and responsibilities of flag States/fishing entities.
9. This Resolution replaces and supersedes the two CCSBT Resolutions, the “Resolution on the development and implementation of a Vessel Monitoring System” (2006), and the “Resolution on establishing the CCSBT Vessel Monitoring System” (2008).

² These summary reports should be provided in accordance with the [Template for the Annual Report to the Compliance Committee and Extended Commission](#).

Annex I – Confidentiality, Use and Security of VMS Data

Confidentiality and use of VMS Data

1. VMS data shall be confidential and may only be provided or used as permitted by this Resolution.
2. Members and CNMs of the Extended Commission which receive VMS data from another Member or CNM of the Extended Commission shall maintain the confidentiality of those data and shall not use the data except as specified in the Resolution. In particular, Members and CNMs of the Extended Commission which receive VMS data may only provide those data to representatives and officials of the Member or CNM for the purposes outlined in paragraph 3 of this Annex.
3. Members and CNMs of the Extended Commission may only use those VMS data to monitor compliance with CCSBT conservation and management measures.

Information technology security

4. Members and CNMs of the Extended Commission which receive VMS data shall adopt secure information technology systems to ensure that the confidentiality of VMS data is maintained.

VMS Data Confidentiality Policies

5. Members and CNMs of the Extended Commission which propose to request VMS data shall prepare a VMS Data Confidentiality Policy and provide that Policy to the Secretariat and all other Members and CNMs of the Extended Commission. The VMS Data Confidentiality Policy shall outline all measures which the Member and CNMs of the Extended Commission proposes to implement to ensure it complies with the requirements in Annex I of this Resolution.