

INTER-AMERICAN TROPICAL TUNA COMMISSION

83RD MEETING

La Jolla, California (USA)

25-29 June 2012

PROPOSAL IATTC-83 B-1

SUBMITTED BY THE EUROPEAN UNION

IATTC RESOLUTION ON A CATCH CERTIFICATION SCHEME

EXPLANATORY MEMORANDUM

Goal: this Resolution is intended to ensure the long-term conservation and sustainable use of the fish stocks covered by IATTC by improving the availability of data on catches of tropical tunas and swordfish falling under the IATTC competence and by controlling its trade flows in order to combat illegal, unreported and unregulated (IUU) fishing.

New elements: this proposal was already submitted to the IATTC Annual Meeting in 2011. For the upcoming 2012 IATTC Annual Meeting the proposal has been updated and improved with a simplified Catch Certificate in order to take into consideration the needs of developing countries CPCs (requiring one single Catch Certificate for catches from different vessels) and a provision on processed products to better reflect the economic reality of trade in tropical tuna.

Rationale: catch documentation schemes market measures have been internationally recognized as one of the most effective tools to fight against IUU and act upon the management of stocks and catches, in addition they are also an invaluable instrument for gathering huge amount of data.

To achieve all these goals, it is necessary to establish an effective control of the movements of these catches through the traceability of the product from the net to its final market, including reprocessing in intermediate countries. The Catch Certificate foreseen in the IATTC Catch Certification Scheme will help determine whether tropical tunas taken in the Convention Area are caught in a manner consistent with IATTC's conservation measures. As mentioned, it will also improve data collection on catches and trade of tropical tunas and swordfish.

Under this Resolution Flag States have the duty to ensure that their vessels conduct their fishing activities in a responsible manner, fully respecting IATTC conservation and management measures. In addition, port States and importing States remain responsible to promote the effectiveness of management measures adopted by IATTC by ensuring compliance with IATTC Resolutions.

The current Resolution is in conformity with international law, notably as regards the World Trade Organization (WTO), and in line with the standard practice in other RFMOs.

Additional advantages: this Resolution also intends to rationalise the current catch documentation obligations, notably for the exporting CPCs. Resolution C-03-01 *concerning the IATTC Bigeye Tuna Statistical document programme* will be superseded by the adoption of this Resolution. As a result of the adoption of this Resolution, it will no longer be necessary to provide documentation related to the *Bigeye Tuna Statistical programme*. The IATTC CDS, if adopted and once recognised by the EU, will substitute, for the EU market, the need to use the EU IUU certificate.

EUROPEAN UNION DRAFT PROPOSAL FOR AN IATTC RESOLUTION ON A CATCH CERTIFICATION SCHEME

The Inter American Tropical Tuna Commission (IATTC),

RECOGNIZING the impact that market factors have on the fishery;

CONCERNED by the impact that illegal, unregulated and unreported (IUU) fishing has in the IATTC Convention Area;

REITERATING the responsibilities of flag States to ensure that their vessels conduct their fishing activities in a responsible manner, fully respecting IATTC Resolutions;

NOTING the need for improved and strict control on all the components involved in tropical tunas and swordfish fisheries;

MINDFUL of the rights and obligations of port States to promote the effectiveness of management measures adopted by regional fisheries management organizations;

UNDERLINING the complementary role that importing States also have in the control of the catches of tropical tunas and swordfish to ensure compliance with IATTC Resolutions;

RECOGNIZING that in order to have effective control of the movements of tropical tunas and swordfish, strict tracking of the product from the point of capture throughout the whole operation to its final market has to be established;

COMMITTED to taking steps that conform with international law, notably as regards the World Trade Organization (WTO), and to ensure that tropical tunas and swordfish entering markets of Commission Members, Associate members of IATTC and non-members of IATTC is caught in IATTC Convention Area in a manner that does not diminish the effectiveness of IATTC Resolutions;

UNDERLINING that the adoption of this measure is intended to help support the implementation of Resolutions as well as scientific research for tropical tunas and swordfish stocks;

ADOPTS, in accordance with the provisions of Article IX, paragraph 1, of the Convention establishing the IATTC, the following:

PART I

GENERAL PROVISIONS

1. Each Contracting party and Cooperating Non-Contracting party (hereafter referred to as CPCs) shall take the necessary steps to implement an IATTC Certification Scheme for the purpose of identifying the origin of tropical tunas and swordfish to which Resolutions apply.
2. For the purpose of this Scheme:
 - a) "Export" means:
Any movement of tropical tunas and swordfish caught in the IATTC Convention Area by a fishing vessel flying the flag of a CPC to the territory of another CPC or non-Member to the IATTC, or from the fishing grounds to the territory of a CPC which is not the flag CPC of the fishing vessel or to the territory of a non-Member to the IATTC.
 - b) "Import" means:
Any introduction, including for transshipment purposes, of tropical tunas and swordfish in their caught or processed forms into the territory of a CPC, which is not the CPC where the fishing vessel is flagged.
 - c) "Re-export" means:
Any movement of tropical tunas and swordfish in their caught or processed forms from the territory of

a CPC where it had been previously imported.

d) "Tropical tunas" means:
yellowfin, bigeye and skipjack tunas species.

e) "Consignment" means:
Products of tropical tunas which are either sent simultaneously from one exporter to one consignee or covered by a single transport document covering their shipment from the exporter to the consignee.

f) "Competent authority" means:
Any public authority, public institution and/or official empowered to attest the veracity of information contained in documents required under this Resolution and to carry out verification of such documents.

PART II

TROPICAL TUNAS AND SWORDFISH CATCH CERTIFICATES

3. Each consignment of tropical tunas and swordfish imported into or exported or re-exported from the territory of a CPC shall be accompanied by a validated tropical tunas and swordfish catch certificate (TSCC) and, as applicable, a validated tropical tunas and swordfish re-export certificate (TSRC). Any such import, export or re-export of tropical tunas and swordfish without a completed and validated TSCC or TSRC shall be prohibited.
4. Each CPC shall provide TSCC forms only to fishing vessels authorized to catch tropical tunas and swordfish in the IATTC Convention Area. Such forms are not transferable to another fishing vessel. Each TSCC form shall have a unique document identification number. Document numbers shall be specific to the flag CPC and assigned to the fishing vessel.
5. Copies of TSCC shall follow each part of split consignments or processed product, using the unique document number of the original TSCC in order to track them.
6. CPCs shall keep copies of documents issued and received for at least two years.
7. Export, import and re-export of fish parts other than the meat (i.e., heads, eyes, roes, guts and tails) shall be exempted from the requirements of this Resolution.
8. The fishing vessel masters, or their authorized representative, or the authorized representative of the flag CPC shall complete the TSCC, if possible electronically, by providing the required information in appropriate sections and request its validation in accordance with paragraph 10, on each occasion that they export tropical tuna and swordfish products.
9. A validated TSCC shall include the information identified in **Annex 1** forms attached. In cases where a section of the TSCC model does not provide enough room to completely track movement of tropical tunas and swordfish from catch to trade, the needed information section may be expanded as necessary and attached as **Annex**. The competent authority of the CPC shall validate the **Annex** as soon as possible, but not later than the next movement of tropical tunas and swordfish.
10. a) The TSCC must be validated by an authorized government official, or other authorized individual or institution, of the flag CPC of the fishing vessel.

b) The flag CPC shall validate the TSCC for tropical tuna products only when all the information contained in the TSCC has been established to be accurate as a result of the verification of the consignment, and only when those products comply with all relevant provisions of the Resolutions.
11. Where tropical tuna and swordfish catches are transhipped or landed in bulk, competent authorities of the flag CPC shall make an additional validation of the catch certificate section 3 "verified weight landed", following classification of species composition.
12. Where the tropical tunas and swordfish quantities caught and landed are less than 1 metric ton or three

fish, the logbook or the sales note may be used as a temporary TSCC, pending the validation of the TSCC within seven days and prior to export.

PART IIbis – TROPICAL TUNAS AND SWORDFISH SIMPLIFIED CATCH CERTIFICATE

13. This Part shall apply to fishing vessels of CPCs
- with an overall length of less than 12 meters without towed gear; or
 - with an overall length of less than 8 meters with towed gear; or
 - without a superstructure; or
 - of less than measured 20 GT.
14. Catches by such fishing vessels which are only landed in the flag CPCs and which together constitute one consignment may be accompanied by a simplified tropical tuna and swordfish catch certificate (hereinafter referred to as “simplified TSCC” (**Annex 4**)) instead of the TSCC.

PART III TROPICAL TUNAS AND SWORDFISH RE-EXPORT CERTIFICATES

15. Each CPC shall ensure that each tropical tunas and swordfish consignment which is re-exported from its territory be accompanied by a validated TSRC.
16. The operator who is responsible for the re-export shall complete the TSRC by providing the required information in its appropriate sections and request its validation for the tropical tunas and swordfish consignment to be re-exported. The completed TSRC shall be accompanied by a copy of the validated TSCC relating to the tropical tuna and swordfish products previously imported.
17. The TSRC shall be validated by an authorized government official or authority.
18. The CPC shall validate the TSRC for tropical tunas and swordfish product only when:
- g) all the information contained in the TSRC has been established to be accurate,
 - h) the validated TSCC(s) submitted in support to the TSRC had been accepted for the importation of the products declared on the TSRC,
 - i) the products to be re-exported are wholly or partly the same products on the validated TSCC(s) and
 - j) a copy of the TSCC(s) shall be attached to the validated TSRC.
19. The validated TSRC shall include the information identified in **Annex 2** forms attached.

PART IV PROCESSED PRODUCTS

20. In order to re-export products constituting one single consignment and which have been processed in that re-exporting CPC using tuna species imported from a third country other than that re-exporting CPC, the re-exporting CPC shall ensure that the TSRC shall be accompanied by a Processing Statement(s) established by the processing plant and endorsed by its competent authorities. The Processing Statement shall be in accordance with the form of Appendix 1 of Annex 2 to the TSRC.
21. When a CPC exports processed products caught by catching vessels flagged to the CPC, it is not required to submit a Processing Statement(s).

PART V COMMUNICATION AND VERIFICATION

22. Each CPC shall communicate, if possible electronically, a copy of all validated TSCCs or TSRCs within fifteen working days following the date of validation, or without delay where the expected duration of the transportation should not take more than fifteen working days, to the following:
- a) the competent authorities of the CPC where the tropical tunas and swordfish will be imported, and

b) the IATTC Secretariat.

23. The IATTC Secretariat shall extract from the validated TSCCs or communicated under paragraph 22 above the information marked with an asterisk in **Annex 1** or **Annex 2** forms and enter this information in a database on a password protected section of its website, as soon as practicable.

At its request, the Scientific Committee shall have access to the catch information contained in the database, except the vessel names.

24. Each CPC shall ensure that its competent authorities, or other authorized individual or institution, take steps to identify each consignment of tropical tunas and swordfish imported into or exported or re-exported from its territory and request and examine the validated TSCC(s) and related documentation of each consignment of tropical tunas and swordfish.

These competent authorities, or authorized individuals or institutions, may also examine the content of the consignment to verify the information contained in the TSCC and in related documents and, where necessary, shall carry out verifications at with the operators concerned.

25. If, as a result of examinations or verifications carried out pursuant to paragraph 24, a doubt arises regarding the information contained in a TSCC, the final importing CPC and the CPC whose competent authorities validated the TSCC(s) or TSRC(s) shall cooperate to resolve such doubts.
26. If a CPC involved in trade of tropical tunas and swordfish identifies a consignment with no TSCC or no valid TSCC, it shall notify the findings to the exporting CPC and, where known, the flag CPC.
27. Pending the examinations or verifications under paragraph 24 to confirm compliance of the tropical tunas and swordfish consignment with the requirements in the present Resolution and any other relevant measures adopted by IATTC, the CPC shall not grant its release for import or export.
28. Where a CPC, as a result of examination or verifications under paragraph 24 and in cooperation with the validating authorities concerned, determines that a TSCC or TSRC is invalid, the import, export or re-export of the tropical tunas and swordfish products concerned shall be prohibited.
29. The Commission shall request the non-CPCs that are involved in import, export or re-export of tropical tunas and swordfish to cooperate with the implementation of the Scheme and to provide to the Commission data obtained from such implementation.

PART V

COMMUNICATION OF DATA

30. CPCs that validate TSCCs in respect of their flag fishing vessels and/or TSRCs, shall notify to the IATTC Secretariat:
- a) the name and full address of their authorities responsible for validating and verifying TSCCs or TSRCs, and
 - b) the name, title, signature and sample impression of stamp or seal of the validating officials who are individually empowered.

This notification shall indicate the date at which this entitlement comes into force. A copy of the provisions adopted in national law for the purpose of implementing the tropical tunas and swordfish catch certification scheme shall be communicated with the initial notification. Updated details on validating authorities, officials and national provisions shall be communicated to the IATTC Secretariat in a timely fashion.

31. The information on validating authorities and officials transmitted by notifications to the IATTC Secretariat shall be placed on a password protected page of the database on validation held by the IATTC Secretariat. The list of the CPCs having notified their validating authorities, officials and the dates of entry into force of the entitlement shall be placed on a publicly accessible website held by the

IATTC Secretariat.

CPCs are encouraged to access this information to help verify the validation of TSCCs and TSRCs.

32. Each CPC shall notify to the IATTC Secretariat the points of contact (name and full address of the authorities) that should be informed when there are questions related to TSCCs or TSRCs.
33. Notification pursuant to paragraphs 30, 31 and 32 shall be sent by CPCs to the IATTC Secretariat, by electronic means, whenever possible.
34. CPCs shall provide to the IATTC Secretariat a report each year by October 1 for the period from July 1 of the preceding year to June 30 of the current year to provide the information described in **Annex 3**.
The IATTC Secretariat shall post these reports on a password protected section of the IATTC website, as soon as practicable. At its request, the Scientific Committee shall have access to the reports received by the IATTC Secretariat.
35. This Resolution will be revised during the IATTC 2013 Annual Meeting, with the view of expanding the scope of application of the IATTC Catch Certification Scheme to all tuna and tuna like species falling under the IATTC competence as well as any other elements deemed to be revised.
36. CPCs will also consider the implementation of an integrated electronic catch certification scheme in a view to progressively and completely replace the paper-based one.
37. The provisions of this resolution enter into force on 1st January 2013
38. IATTC Resolution C-03-01 concerning the IATTC Bigeye tuna statistical document programme is superseded by this Resolution.

Annex 1

IATTC tropical tunas (yellowfin, bigeye and skipjack) and swordfish catch certificate

IATTC CATCH CERTIFICATE		
Document number*		
1. Validating Authority		
Name		
Address		
Tel.::	e-mail:	
Fax:		
2. Fishing Vessel		
Fishing Vessel Name *		
Flag* - Home Port and Registration Number		
Call Sign	IMO/Lloyd's Number (if issued)	
Fishing licence No.	Valid until	Inmarsat No. Telefax No. Telephone No. E-mail address (if issued)
3. Description of Product (See next page)		
4. Applicable Resolutions		
References of applicable Resolutions		
5. Master of fishing vessel		
Name of master of fishing vessel	Signature	Seal

IATTC CATCH CERTIFICATE						
3. Description of Product						
Species *	Product code	Catch area(s) and dates*	Estimated live weight (kg)*	Estimated weight to be landed (kg)	Verified Weight Landed (kg) where appropriate	Type of processing authorised on board

IATTC CATCH CERTIFICATE

6. Declaration of Transhipment at Sea

Name of Master of Fishing vessel		Signature	Date
Transhipment Date	Transhipment Area	Transhipment Position	Estimated weight (kg)
Master of Receiving Vessel		Signature	
Vessel Name		Call Sign	IMO/Lloyds Number (if issued)

7. Transhipment authorisation within a port area

Name	Authority	Signature
Address	Tél.	
Port of Landing	Date of Landing	Seal

8. Exporter

Name and address of Exporter		
Signature	Date	Seal

9. Flag State Authority Validation

Name/Title		
Signature	Date	Seal

10. Transport details : See Appendix I

IATTC CATCH CERTIFICATE

APPENDIX I. TRANSPORT DETAILS

<p>1. Exporting country*</p> <p>Country of exportation Port/airport/other place of departure</p>	<p>2. Exporter Signature</p>	
<p>Name</p>	<p>Address</p>	<p>Signature</p>
<p>Vessel name and flag</p>	<p>Container number(s)</p>	
<p>Flight number/airway bill number</p>		
<p>Truck nationality and registration number</p>		
<p>Railway bill number</p>		
<p>Other transport document</p>		

Annex 2

IATTC tropical tunas and swordfish species re-export certificate

IATTC RE-EXPORT CERTIFICATE					
Document Number* :					
RE-EXPORT SECTION					
1. RE-EXPORTING COUNTRY/ENTITY/FISHING ENTITY					
2. POINT OF RE-EXPORT*					
3. DESCRIPTION OF IMPORTED TROPICAL TUNAS AND SWORDFISH					
Product Type		Net weight (kg)*	Flag CPC	Date of import *	TSCC No*
F/FR	RD/GG/DR/FL/OT				
4. DESCRIPTION OF TROPICAL TUNAS AND SWORDFISH FOR RE-EXPORT					
Product Type*		Net weight (kg)*	Corresponding TSCC number from section 3.		
F/FR	RD/GG/DR/FL/OT				
F= Fresh, FR=Frozen, RD= Round, GG= Gilled & Guttled, DR=Dressed, FL=Filet, OT=Others (Describe the type of the product):					
STATE OF DESTINATION*:					
5. RE-EXPORTER STATEMENT:					
I certify that the above information is complete, true and correct to the best of my knowledge and belief.					
Name	Address	Signature	Date		
6. GOVERNMENT VALIDATION					
I validate that the above information is complete, true and correct to the best of my knowledge and belief.					
Name & Title	Signature	Date	Government Seal		
IMPORT SECTION					
7. IMPORTER STATEMENT:					
I certify that the above information is complete, true and correct to the best of my knowledge and belief.					
Importer Certification					
Name	Address	Signature	Date		
Final point of import *: City		State/Province	CPC		
NOTE: if a language other than English is used in completing this form, please attach the English translation to this form.					
NOTE: Valid transport documents and copies of TSCC shall be attached.					

APPENDIX I. STATEMENT BY THE PROCESSING PLANT

I confirm that the processed fishery products: (product description and Combined Nomenclature code) have been obtained from catches imported under the following catch certificate(s):

Catch certificate number	Vessel flag(s)	Validation date(s)	Catch description	Total landed weight (kg)	Catch processed (kg)	Processed fishery product (kg)

Name and address of the processing plant

Name and address of the exporter (if different from the processing plant)

Approval number of the processing plant

Health certificate number and date:

Responsible person of the processing plant:	Signature and seal	Date:	Place:
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Endorsement by the competent authority:

Official	Signature and seal	Date:	Place:
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Annex 3

Report on the Implementation of the IATTC tropical tunas and swordfish Catch Certification Scheme

Reporting CPC:

Period of reference: July 1 [2XXX] to June 30 [2XXX]

1. Information extracted from TSCCs
 - number of TSCCs validated;
 - number of validated TSCCs received;
 - total amount of tropical tuna and swordfish products imported, exported, re-exported with breakdown by CPC of origin, re-export or destination, fishing areas and fishing gears;
 - number of verifications of TSCCs requested to other CPCs and summary results;
 - number of requests for verifications of TSCCs received from other CPCs and summary results;
 - total amount of tropical tunas and swordfish consignments subject to a prohibition decision with breakdown by products, nature of operation (import, export, re-export), reasons for prohibition and CPCs and/or non-Members of origin or destination.

2. Information on cases under Part IV paragraph 20
 - number of cases
 - total amount of tropical tunas and swordfish with breakdown by products, nature of operation (import, export, re-export), CPCs or other countries referred to in Part IV paragraph 20 above.

Annex 4

IATTC simplified catch certificate

IATTC SIMPLIFIED CATCH CERTIFICATE				
4. LIST OF VESSELS				
List no:.....			Page: (..... /)	
Catch Certificate no:				
Exporter:				
2. DESCRIPTION OF PRODUCT				
No.	Name of the vessel	Registration number	Product	Quantity (kg)
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
Total				
Signature and seal/stamp of the exporter:				
Flag State Validating Authority				
Name/title	Date and Signature	Seal/stamp		

APPENDIX I. TRANSPORT DETAILS

1. Exporting country:		Port/airport/other place of departure	
2. Exporter Signature			
Name	Address	Signature	
Vessel name and flag		Container number(s)	
Flight number/airway bill number			
Truck nationality and registration number			
Railway bill number			
Other transport document			

Document Number:					
RE-EXPORT SECTION					
1. RE-EXPORTING COUNTRY/ENTITY/FISHING ENTITY:					
2. POINT OF RE-EXPORT					
3. DESCRIPTION OF IMPORTED TROPICAL TUNAS AND SWORDFISH					
Product Type		Net weight (kg)	Flag CPC	Date of import	TSCC No*
F/FR	RD/GG/DR/FL/OT				
4. DESCRIPTION OF PRODUCTS FOR RE-EXPORT					
Product Type		Net weight (kg)	Corresponding TSCC number from section 3.		
F/FR	RD/GG/DR/FL/OT				
F= Fresh, FR=Frozen, RD= Round, GG= Gilled & Gutted, DR=Dressed, FL=Filet, OT=Others (Describe the type of the product):					
* STATE OF DESTINATION:					
5. RE-EXPORTER STATEMENT: I certify that the above information is complete, true and correct to the best of my knowledge and belief.					
Name	Address	Signature	Date		
6. GOVERNMENT VALIDATION I validate that the above information is complete, true and correct to the best of my knowledge and belief.					
Name & Title	Signature	Date	Government Seal		
IMPORT SECTION					
7. IMPORTER STATEMENT: I certify that the above information is complete, true and correct to the best of my knowledge and belief.					
Importer Certification					
Name	Address	Signature	Date		
Final point of import: City	State/Province	CPC			

NOTE: if a language other than English is used in completing this form, please attach the English translation.
NOTE: Valid transport documents and copies of TSCC shall be attached.