

INTER-AMERICAN TROPICAL TUNA COMMISSION

81ST MEETING

ANTIGUA (GUATEMALA)
27 SEPTEMBER – 1 OCTOBER 2010

PROPOSAL C-1

SUBMITTED BY THE EUROPEAN UNION

**RESOLUTION ON A TROPICAL TUNAS AND SWORDFISH CATCH
CERTIFICATION SCHEME**

EXPLANATORY MEMORANDUM

This Resolution is intended to help support the implementation of conservation and management measures, improve control and data gathering as well as scientific research, for tropical tunas – yellowfin, bigeye and skipjack - and swordfish falling under the IATTC competence, considering the pressure on these stocks in the Eastern Pacific Ocean (EPO), the impact which market factors have on these resources and fisheries, and the need to control trade flows in order to combat illegal, unreported and unregulated fishing.

This Resolution also intends to rationalise the current catch documentation obligations, notably for the exporting CPCs. On one hand, the Resolution C-03-01 *concerning the IATTC Bigeye Tuna Statistical document programme* will be superseded by the adoption of this Resolution and, on the other hand, the new catch certification required can be used in the framework of the new European Union IUU Regulation. As a result of the adoption of this Resolution, it will no longer be necessary to provide documentation related to the above referred scheme.

IATTC has adopted or is in progress of doing so some conservation and management measures for the main targeted species falling under its competence. These measures aim at preserving the stocks while exploiting these in a responsible way by freezing the fishing capacity of the fleets targeting these stocks as well as minimizing the impact of illegal, unregulated and unreported (IUU) fishing in the EPO area. (Note: this sentence is not clear. Above is just a suggestion)

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, there is a need for improvement and strict control on all the components involved in tuna and tuna like species fisheries. Port States remain responsible to promote the effectiveness of management measures adopted by regional fisheries management organizations.

Moreover, there is a complementary role of importing States that also have the control of the catches caught in the IATTC area of competence to ensure compliance with IATTC Resolutions. An effective control of the movements of these catches, tracking of the product from the point of capture throughout the whole operation to its final market, has to be established.

In conformity with international law, notably as regards the World Trade Organization (WTO), and to ensure that all catches entering markets of CPCs of the Agreement establishing the IATTC area are caught in a manner that does not diminish the effectiveness of IATTC Resolutions.

In order to be consistent, notably with the management measures taken in other RFMO, and to improve the results of the IATTC conservation and management measures for the species falling under its competence, it is recommended to implement a new catch certification scheme contributing to a better management of these stocks.

RESOLUTION ON A TROPICAL TUNAS AND SWORDFISH 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.

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 (TTCC) and, as applicable, a validated tropical tunas and swordfish re-export certificate (TTRC). Any such import, export or re-export of tropical tunas and swordfish without a completed and validated TTCC or TTRC shall be prohibited.

4. Each CPC shall provide TTCC 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 TTCC 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 TTCC shall follow each part of split consignments or processed product, using the unique document number of the original TTCC 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 TTCC, 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 TTCC shall include the information identified in **Annex 1** forms attached. In cases where a section of the TTCC 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 TTCC 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 TTCC for tropical tuna products only when all the information contained in the TTCC 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 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 TTCC, pending the validation of the TTCC within seven days and prior to export.

PART Ibis – TROPICAL TUNAS AND SWORDFISH SIMPLIFIED CATCH CERTIFICATE

12. This Part shall apply to fishing vessels of CPCs
 - a. with an overall length of less than 12 meters without towed gear; or
 - b. with an overall length of less than 8 meters with towed gear; or
 - c. without a superstructure; or
 - d. of less than measured 20 GT.
13. Catches from CPC fishing vessels referred to in point 12 which are only landed in the flag CPC of the vessels and which together constitute one consignment may be accompanied by a simplified catch certificate instead of the catch certificate referred to in Part II, points 3-11, of this resolution.
14. The simplified catch certificate shall contain all the information specified in Annex IV of this resolution and shall be validated by a public authority of the CPC with necessary powers to attest the accuracy of the information.

15. The validation of the simplified catch certificate shall be requested by the exporter of the consignment upon submission to the public authority of all information specified in the specimen shown in Annex IV of this resolution.

PART III

TROPICAL TUNAS AND SWORDFISH RE-EXPORT CERTIFICATES

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

PART IV

COMMUNICATION AND VERIFICATION

21. Each CPC shall communicate, if possible electronically, a copy of all validated TTCCs or TTRCs 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.

22. The IATTC Secretariat shall extract from the validated TTCCs or communicated under paragraph 17 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.

23. 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 TTCC(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 TTCC and in related documents and, where necessary, shall carry out verifications at with the operators concerned.

24. If, as a result of examinations or verifications carried out pursuant to paragraph 23, a doubt arises regarding the information contained in a TTCC, the final importing CPC and the CPC whose competent authorities validated the TTCC(s) or TTRC(s) shall cooperate to resolve such doubts.
25. If a CPC involved in trade of tropical tunas and swordfish identifies a consignment with no TTCC or no valid TTCC, it shall notify the findings to the exporting CPC and, where known, the flag CPC.
26. Pending the examinations or verifications under paragraph 23 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.
27. Where a CPC, as a result of examination or verifications under paragraph 23 and in cooperation with the validating authorities concerned, determines that a TTCC or TSRC is invalid, the import, export or re-export of the tropical tunas and swordfish products concerned shall be prohibited.
28. 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

29. CPCs that validate TTCCs in respect of their flag fishing vessels and/or TTRCs, shall notify to the IATTC Secretariat:
- (a) the name and full address of their authorities responsible for validating and verifying TTCCs or TTRCs, 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.

30. 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 TTCCs and TTRCs.

31. 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 TTCCs or TTRCs.
32. Notification pursuant to paragraphs 25, 26 and 27 shall be sent by CPCs to the IATTC Secretariat, by electronic means, whenever possible.
33. 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.

34. This Resolution will be revised during the IATTC 2012 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.
35. 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.
36. The provisions of this recommendation enter into force on 1st January 2011
37. 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

6. Declaration of Transshipment at Sea

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

7. Transshipment 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

1. Exporting country* Country of exportation 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		

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*	TTCC No*
F/FR	RD/GG/DR/FL/OT				

4. DESCRIPTION OF TROPICAL TUNAS AND SWORDFISH FOR RE-EXPORT

Product Type*		Net weight (kg)*	Corresponding TTCC 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 Adress 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 TTCC 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 name(s) and 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:

Endorsement by the competent authority:

Official	Signature and seal	Date:	Place:

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 TTCCs

- number of TTCCs validated;
- number of validated TTCCs 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 TTCCs requested to other CPCs and summary results;
- number of requests for verifications of TTCCs 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 19

- 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 19 above.

Annex 4

IATTC simplified catch certificate

IATTC SIMPLIFIED CATCH CERTIFICATE

Document number	
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1. VALIDATING AUTHORITY

Name	
Address	
Tel.:	e-mail:
Fax:	

2. DESCRIPTION OF PRODUCT

Species	Product code	Verified Weight Landed (kg) where appropriate

3. APPLICABLE RESOLUTIONS

References of applicable Resolutions

4. LIST OF VESSELS THAT HAVE PROVIDED CATCHES AND THE QUANTITIES BY EACH VESSEL (See next page)

5. EXPORTER

Name, address, tel. and fax of Exporter		
Signature	Date	Stamp/seal

6. FLAG STATE AUTHORITY VALIDATION

Name/Title		
Signature	Date	Stamp/seal

7 TRANSPORT DETAILS: see appendix I

8. IMPORTER DECLARATION

Name and address of Importer			
Signature	Date	Stamp/seal	Product CN Code

9. IMPORT CONTROL AUTHORITY

Name/Title/Place	Status of importation (<i>mark as appropriate</i>) Authorised / Suspended	Verification requested - date
Customs declaration (if issued)	Number	Date
		Place

IATTC SIMPLIFIED CATCH CERTIFICATE

4. LIST OF VESSELS

List no:.....

Page: (..... /)

Catch Certificate no:
Exporter:

Vessels list

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
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IATTC SIMPLIFIED RE-EXPORT CERTIFICATE

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:					
POINT OF RE-EXPORT					
3. DESCRIPTION OF IMPORTED PRODUCT					
Product Type		Net weight (kg)	Flag CPC	Date of import	TTCC No*
F/FR	RD/GG/DR/FL/OT				
4. DESCRIPTION OF PRODUCTS FOR RE-EXPORT					
Product Type		Net weight (kg)	Corresponding TTCC 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 Stamp/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 TTCC shall be attached.