

ACHIEVING TRANSPARENCY AND COMBATING IUU FISHING IN RFMOs

Reinforcing the EU's multilateral actions to promote
best practices

ANNEXES

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The Environmental Justice Foundation (EJF), Oceana, The Nature Conservancy, The Pew Charitable Trusts and WWF are working together to promote EU leadership in improving global fisheries transparency and governance to end illegal, unreported and unregulated (IUU) fishing.

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For more news, updates and documents supporting the EU to end IUU fishing, visit: www.iuuwatch.eu
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ANNEX 1: ICCAT, IOTC, GFCM and SIOFA current performance on transparency and anti-IUU measures

INDICATORS	ICCAT	Additional details	IOTC	Additional details	GFCM	Additional details	SIOFA	Additional details
IDENTIFICATION AND TRACKING OF VESSEL ACTIVITIES: POINT OF HARVEST								
Public disclosure of vessel registries and fishing authorisations								
Public vessel registry (including historical record information)		https://iccat.int/en/VesselsRecord.asp		http://www.iotc.org/vessels/current		*Fleet register and authorised vessel list provided, now including historical record information (Recommendation GFCM/44/2021/18). https://www.fao.org/gfcm/data/fleet/register		https://www.apsoi.org/mcs/authorised-vessels
Public information on the type of authorisation including target species or species group(s)		https://iccat.int/en/VesselsRecord.asp		Not enough information provided on targeted species		Some information on targeted species is provided (e.g., small pelagics, as well as turbot in the Black Sea)		No information provided on targeted species
Public information on the authorised time (start and end dates; fishing area)		https://iccat.int/en/VesselsRecord.asp		http://www.iotc.org/vessels/current , updated, as per new IOTC Resolution 19/04		Some information on fishing area is provided (e.g., some Fisheries Restricted Areas, Levant Sea, etc.)		https://www.apsoi.org/mcs/authorised-vessels
Public mandatory annual reporting of all private and public access agreements (including fishing related activities and chartering arrangements)		ICCAT Recommendation 14-07		Annual reporting of access agreements to the Secretariat is required but not published, as per IOTC Resolution 14/05		Recommendation GFCM/43/2019/7	NA	Mandate only for the high seas
Mandatory IMO numbers for all vessels above 12m		*IMO numbers required for fishing vessels ≥ 20m. ICCAT Recommendation 21-14, replacing and repealing ICCAT Recommendation 13-13		Since 1 January 2020, IMO numbers are required and must be reported for all eligible vessels (currently above 12m authorized to operate outside waters of the flag State) as per Resolution 19/04 and in line with IMO Assembly Resolution A.1117(30)		*IMO numbers required for eligible vessels ≥ 20m, as per Resolution GFCM/44/2021/6 amending GFCM/41/2017/6. Reporting of IMO numbers required for vessels only "if applicable", as per Recommendation GFCM/33/2009/6		Reporting of IMO numbers required for vessels only "if issued", as per SIOFA CMM 2019/07
Align all RFMOs with leading global standards in VMS		*Vessels exceeding 24m as well as those above 15m authorized to fish in waters beyond jurisdiction of the flag CPC must be monitored by VMS and data must be shared between flag and coastal States, as per ICCAT Recommendation 18-10. In addition, VMS data for vessels over 15m fishing for eastern Atlantic and Mediterranean Bluefin tuna must be transmitted to the ICCAT Secretariat, as per ICCAT Recommendation 07-08. Recommendation 21-16 amended ICCAT Recommendation 07-08 to require additional data to be transmitted in order to identify the vessel and flag state more easily. No regional centralised system for VMS		Vessels 24m or above or in case of vessels less than 24m, those operating in waters outside the EEZ of the flag State fishing for species covered by the IOTC Agreement within the IOTC area of competence, must be monitored by VMS, as per IOTC Resolution 15/03. However, there is no regional centralised system for VMS and no requirement for data sharing between flag and coastal States		*Each CPC is required to implement a satellite-based VMS for its commercial fishing vessels exceeding 15m authorised to operate in the GFCM area of application, as per Recommendation GFCM/33/2009/7, supported by Resolution GFCM/38/2014/1 and Resolution GFCM/43/2019/1. However, this requirement is not fully implemented by all CPCs. There is also currently no requirement for data sharing between flag and coastal States, though Resolution GFCM/44/2021/8 established 2 pilot projects for a centralised VMS, and a decentralised or regionalised VMS		No regional centralised VMS in place however SIOFA CMM 2019/10 states that <i>"the Meeting of the Parties shall at the latest by its ordinary meeting in 2020 develop specifications and proposed rules and procedures for the establishment of a SIOFA VMS for consideration by the Meeting of the Parties"</i>
Joint inspection schemes		Joint inspection schemes in place, as per ICCAT Recommendations 18-02, 16-05 and Resolution 19-17		No joint inspection scheme in place		Joint inspection scheme in the Strait of Sicily, as per Recommendation GFCM/42/2018/6 and new Recommendation GFCM/43/2019/5 expanded the scope of joint inspections to new areas though further expansion is needed. These include Pilot Projects in the Adriatic, Levant, and Ionian seas		SIOFA CMM 2019/14
LANDING AND TRANSPORT OF FISH PRODUCTS								
Align port state measures with FAO's Port State Measures Agreement (PSMA) Agreement		Port state measures required, as per ICCAT Recommendation 18-09		Port state measures required, as per IOTC Resolution 16/11		Port state measures required, as per Recommendation GFCM/40/2016/1		Port state measures required, as per SIOFA CMM 2020-08, though they do not explicitly provide for information exchange
Monitor and report 100% of transshipment activities or ban at sea		*New Recommendation 21-15, amending and replacing Recommendation 16-15, prohibits at-sea transshipment unless vessels are duly authorised. All carrier vessels (flagged to a CPC or NCP) must, inter alia, be included into the ICCAT Record; have on board observers; provide prior notification and obtain authorisation; transmit a transshipment declaration to ICCAT Secretariat and relevant CPCs. Although this measure brings ICCAT to the forefront of transshipment monitoring, some best practice elements are still missing, including i.a. on reporting timeliness and sharing these reports with the Secretariat		*Although Resolution 21/02 on establishing a programme for transshipment by large-scale fishing vessels was adopted, this falls short of established best practices, particularly on reporting requirements (IMO numbers, timeliness, sharing these with the Executive Secretary, quantities etc.) among other		Some rules in place but insufficient. Transshipments are monitored and regulated but only under GFCM MAPs, where transshipments are authorized in defined "designated landing ports" (with specific times/ places) and with 100% monitoring		Measures adopted for regulating transshipment, as per SIOFA CMM 2019/10. However, this should be updated to require stronger reporting protocols for all regulated species, that all document exchange occurs in near real-time, and that both fishing and carrier vessels have on board observers that issue reports on all transshipment activity within 24 hours directly to the Secretariat

INDICATORS	ICCAT	Additional details	IOTC	Additional details	GFCM	Additional details	SIOFA	Additional details
TRACEABILITY ALONG THE VALUE CHAIN: THE TRADE OF FISH PRODUCTS								
Use of e-CDS (included for all overfished species)		*Appropriate e-CDS in place but limited to Atlantic Bluefin tuna, as per ICCAT Recommendation 18-13. New Resolution 21-21 establishes a Working Group with the objective of considering the establishment of e-CDS for other species		While IOTC's statistical programme for bigeye tuna incorporates elements of a CDS, it does not qualify as one		*Pilot CDS was adopted for turbot in the Black Sea, as per Recommendation GFCM/43/2019/3, and amended by Recommendation GFCM/44/2021/17; and Mediterranean red coral, as per Recommendation GFCM/43/2019/4 but are paper-based		No CDS in place
DETERRENT SANCTIONS AND IUU VESSEL LISTS								
Stop vessels and nationals engaged in IUU fishing								
Full accountability for vessels and nationals (including effective beneficiaries) engaging in or supporting IUU fishing		Although ICCAT Recommendation 06-14 requires CPCs to investigate and take action in response to the engagement of their nationals in IUU fishing, the scope of this requirement does not explicitly extend to nationals responsible for, supporting or benefiting from these activities		Although IOTC Resolution 17/01 requires CPCs to investigate and take action in response to the engagement of their nationals in IUU fishing, the scope of this requirement does not explicitly extend to nationals responsible for, supporting or benefiting from these activities		*Recommendation GFCM/44/2021/19 (repealed Recommendation GFCM/43/2019/8)		SIOFA CMM 2018/06
Transparent follow-up action on IUU vessel lists		No public information provided		No public information provided		Follow-up actions on IUU vessels are included in the Compliance Committee report		Some information is contained in the Compliance Committee report
Cross-listing (preferably automatic) of IUU vessel lists		ICCAT incorporates nine IUU vessel lists, including CCAMLR, CCSBT, GFCM, IOTC, IATTC, NAFO, NEAFC, SEAFO and WCPFC, as per ICCAT Recommendation 18-08		IOTC incorporates seven of the IUU vessel lists, including CCAMLR, CCSBT, ICCAT, SEAFO, SIOFA, SPRFMO and WCPFC, as per IOTC Resolution 18/03		GFCM incorporates most IUU vessel lists, as per Recommendation GFCM/33/2009/8		SIOFA incorporates twelve IUU vessel lists including CCAMLR, CCSBT, ICCAT, IOTC, IATTC, GFCM, NAFO, NEAFC, NPFC, SEAFO, SPRFMO and WCPFC, as per SIOFA CMM 2018/06
TRANSPARENT PROCEDURES								
Decision-making process								
Transparent objection procedures		*The revised ICCAT Convention text, which includes an improved decision-making process, was adopted in 2019 but has yet to enter into force pending ratification.		No transparent objection procedures		The objection needs to be public, but there is no need to respect any criteria for objecting as per the Agreement for the Establishment of the General Fisheries Commission for the Mediterranean		No transparent objection procedures
Timely resolution mechanism		*The revised ICCAT Convention text, which includes an improved decision-making process, was adopted in 2019 but has yet to enter into force pending ratification.		No timely resolution mechanism		No timely resolution mechanism		No timely resolution mechanism
Open data policies and stakeholder inclusivity								
Participation of NGOs as observers in all meetings		NGOs permitted to attend all meetings		NGOs permitted to attend all meetings		NGOs permitted to attend all meetings		NGOs permitted to attend all meetings
Publication of the compliance report		While ICCAT does publish its compliance reports, this takes place with significant delay, often many months after the relevant meetings. The reports are then available online		Publication of the compliance report typically occurs within a month after the relevant meeting		Publication of the compliance report typically occurs within a month after the relevant meeting		Publication of the compliance report typically occurs within a month after the relevant meeting
Fully transparent reporting and cataloguing of operational incidents at sea and people involved		*ICCAT Recommendation 19-10 improves provisions on protecting the health and safety of observers, however it does not provide for transparent reporting of operational incidents at sea and for the crew members involved		No reporting of operational incidents at sea		No reporting of operational incidents at sea		No reporting of operational incidents at sea
Compliance								
Ranking of non-compliance and reporting on actions taken by CPs		CPs report on actions taken in cases of non-compliance but follow-up and assessment by the Compliance Committee should be improved		CPs report on actions taken in cases of non-compliance but follow-up and assessment by the Compliance Committee is very poor		Recommendation GFCM/38/2014/2 and revised by GFCM/43/2019/5 that creates Compliance Assessment Scheme. *Resolution GFCM/44/2021/10 calls on CPCs to carry out flag state performance self-assessments, and report to the CoC. Resolution GFCM/44/2021/13 calls for the development of a compliance scoreboard.		CPs report on actions taken in cases of non-compliance but follow-up and assessment by the Compliance Committee is very poor
Provisions on sanctions		ICCAT Recommendation 06-13 provides for prohibiting retention of catch when reporting obligations are not fulfilled. In addition, the history of corrective actions taken are publicly available and invoking trade measures is an option in instances of repeated non-compliance		IOTC Resolution 18/07 provides for prohibiting retention of catch when reporting obligations are not fulfilled. However, CPs are not required to report on corrective actions taken nor to invoke trade measures in instances of repeated non-compliance		*Recommendation GFCM/38/2014/2 set up a general non-compliance mechanism, but it remains insufficient. Resolution GFCM/44/2021/13 paves the way towards clarifying which measure must be taken depending on the category and gravity of non-compliance		SIOFA CMM 2018/11 sets out corrective actions in cases of critical non-compliance, but fails in providing an extended list of deterrent sanctions such as trade measures

Scoring	
Yes	
Needs improvements or not fully implemented	
No	

* Improvement due to a measure adopted in 2021

ANNEX 2: Amended or adopted transparency and anti-IUU conservation and management measures in the 2021 RFMO Commission meetings

The COVID-19 pandemic had a significant, detrimental impact on the functioning of RFMOs. Meetings have been postponed and/or held remotely, agendas were limited to the most urgent matters, and the online set-up often slowed down meaningful progress. This severely undermined the adoption of transparency and anti-IUU measures, at a time when the risks of IUU fishing increased, due to the impact of the pandemic on monitoring, control and surveillance efforts worldwide.

Still, the EU IUU fishing Coalition welcomes the efforts made in several RFMOs to adopt important measures despite the challenging circumstances. While meetings will hopefully be held in person again soon, we call on all RFMOs to continue to strive towards ensuring fruitful negotiations regardless of the set-up.

The General Fisheries Commission for the Mediterranean (GFCM) – November 2021:

Key improvements:

- Resolution GFCM/44/2021/6 on the application of an International Maritime Organization number, amending Resolution GFCM/41/2017/6
- Resolution GFCM/44/2021/8 on the implementation of a vessel monitoring system
- Resolution GFCM/44/2021/9 on the implementation of an electronic logbook
- Recommendation GFCM/44/2021/18 on the establishment of a GFCM record of authorized vessels over 15 metres in the GFCM area of application, amending Recommendation GFCM/33/2009/6
- Recommendation GFCM/44/2021/19 on the establishment of a list of vessels presumed to have carried out illegal, unreported and unregulated fishing, repealing Recommendation GFCM/33/2009/8
- Resolution GFCM/44/2021/13 on appropriate measures to deter non-compliance

Other important improvements:

- Resolution GFCM/44/2021/7 on the implementation of a winch sensor system for demersal fisheries in the Adriatic Sea (geographical subareas 17 and 18)
- Resolution GFCM/44/2021/10 on flag state performance
- Recommendation GFCM/44/2021/17 on a catch certificate scheme for turbot in the Black Sea (geographical subarea 29)
- Recommendation GFCM/44/2021/21 on vessel sightings

The EU IUU Coalition also welcomes the adoption of the 'GFCM 2030 Strategy for sustainable fisheries and aquaculture in the Mediterranean and the Black Sea' which aims to reinforce, inter alia, 'Compliance and enforcement: A level playing field to eradicate illegal, unreported and unregulated fishing' (Target 2), by achieving the following objectives:

- 2.1** Full compliance with GFCM recommendations achieved
- 2.2** Common system of enforcement consolidated
- 2.3** Monitoring, control and surveillance centralized at the regional level
- 2.4** Coordination to address illegal practices in the fishery sector bolstered

Each objective contains a series of actions, which would greatly improve transparency and support the fight against IUU fishing in the GFCM area of application, while providing guidance and incentives for other RFMOs to follow suit.

The International Commission for the Conservation of Atlantic Tunas (ICCAT) – November 2021:

Key improvements:

- Res. 21-22: Resolution by ICCAT for the establishment of an ICCAT working group on the use of electronic monitoring systems (EMS)
- Rec. 21-15: Recommendation by ICCAT on transshipment
- Rec. 21-14: Recommendation amending Recommendation 13-13 by ICCAT concerning the establishment of an ICCAT record of vessels 20 metres in length overall or greater authorized to operate in the Convention area

Other important improvements:

- Rec. 21-13: Recommendation by ICCAT amending Recommendation 18-08 on establishing a list of vessels presumed to have carried out Illegal, Unreported and Unregulated fishing activities
- Res. 21-21: Resolution by ICCAT establishing an ICCAT Working Group on Catch Document Scheme
- Res. 21-23: Resolution by ICCAT establishing a process to address labor standards in ICCAT fisheries
- Rec. 21-18: Recommendation by ICCAT amending Recommendation 20-08 on the application of the eBCD System
- Rec. 21-19: Recommendation by ICCAT amending Recommendation 18-13 replacing Recommendation 11-20 on an ICCAT bluefin tuna catch documentation program
- Res. 21-17: Resolution by ICCAT Establishing a Pilot Project for the Implementation of Remote Electronic Monitoring (REM) on Bluefin Tuna Processing Vessels

The Indian Ocean Tuna Commission (IOTC) – June 2021:

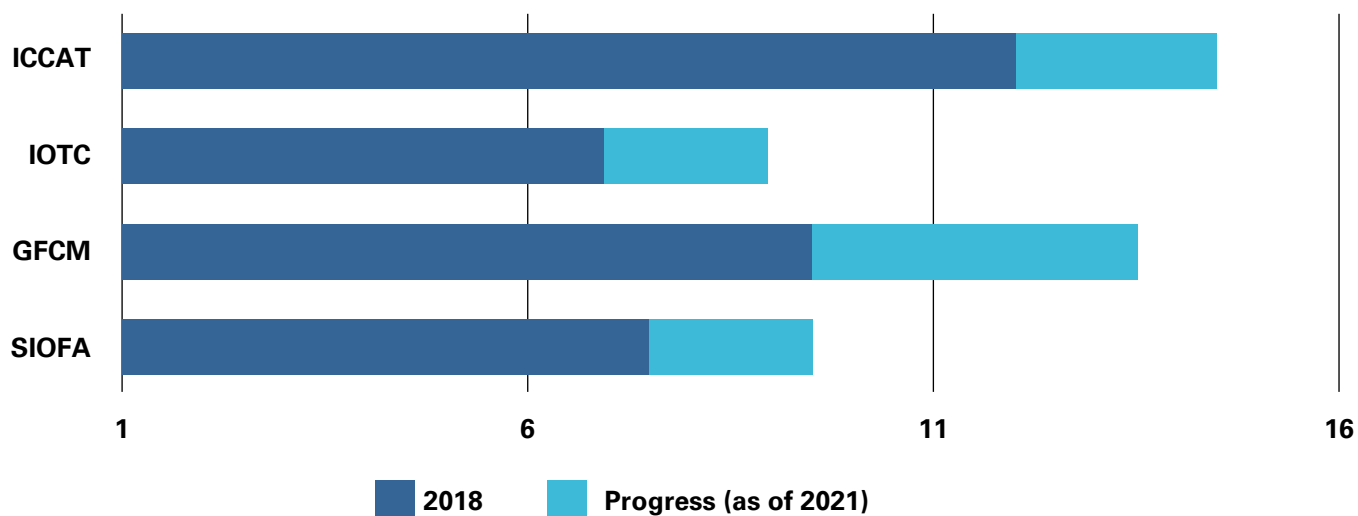
The adoption of Resolution 21/02 on establishing a programme for transshipment by large-scale fishing vessels is a welcome key development. Although no other anti-IUU or transparency measure could be agreed upon this year, the Coalition welcomes CPCs continued work, in Working Groups notably, towards more compliance and transparency. This for instance includes the ongoing work on VMS and CDS.

The Southern Indian Ocean Fisheries Agreement (SIOFA) – July 2021:

Although no key improvement can be reported this year, the EU IUU fishing Coalition welcomes the continuing discussion around the European Union proposal in MoP-08-16Rev1 for a Conservation and Management Measure for the establishment of a Vessel Monitoring System in the SIOFA Area, as well as the adoption of CMM 2021/141 for High Seas Boarding and Inspection Procedures for the Southern Indian Ocean Fisheries Agreement (High Seas Boarding and Inspection Procedures), introducing standardized questionnaires to facilitate communication between the Authorized Inspectors and the master of the fishing vessel during boarding and inspection.

ANNEX 3: Progress towards the adoption of strong transparency and anti-IUU measures between 2018 and 2021

Improvements from 2018 to 2021



	2018	2021	Progress
ICCAT	12	14.5	+2.5
IOTC	7	9	+2
GFCM	9.5	13.5	+4
SIOFA	9.5	9.5	+2