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# Call for the ICCAT to support stronger transparency and anti-IUU measures

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June 2022

**The Environmental Justice Foundation (EJF), Oceana, The Pew Charitable Trusts and WWF are working together in a coalition of non-governmental organisations to ensure that the EU's engagement with Regional Fisheries Management Organisations (RFMOs) and key partners leads to strong transparency and measures against illegal, unreported and unregulated (IUU) fishing worldwide.**

In a coalition report titled "**Achieving transparency and combating IUU fishing in RFMOs**", we outline the minimum transparency and anti-IUU fishing measures that we consider essential for RFMO Contracting Parties, Cooperating non-Contracting Parties (CPCs) and fishing entities to adopt and implement in order to end IUU fishing. The report's annexes are **updated annually** to reflect the progress achieved in RFMOs in adopting these key measures.

In 2021, the International Commission for the Conservation of Atlantic Tunas (ICCAT) adopted several new or updated measures intended to combat IUU, and the Coalition welcomes these developments. We urge all ICCAT CPCs to actively participate in the new ad hoc working groups on catch documentation systems, labour systems, and the development of minimum standards for electronic monitoring, and we encourage all CPCs to fully comply with the additional new measures adopted last year. In addition to these recommendations, this document details vital measures for discussion and adoption at the next meeting of ICCAT.

**To promote transparency and tackle IUU fishing, we ask ICCAT CPCs to prioritise the following actions:**

- 1. Amend Recommendation 06-14 by ICCAT and strengthen the implementation of Recommendation 21-13, in order to prevent CPC nationals from deriving benefits from or supporting IUU fishing**

Recommendation 06-14 promotes compliance by nationals of CPCs with ICCAT conservation and management measures. Currently, its applicability is limited to any natural or legal persons subject to their jurisdiction (nationals) that are found to be engaging in IUU fishing activities. Other RFMOs, including the Convention for the Conservation of Antarctic Marine Living Resources (CCAMLR), the South Pacific Regional Fisheries Management Organisation (SPRFMO), the Southern Indian Ocean Fisheries Agreement (SIOFA) and the General Fisheries Commission for the Mediterranean (GFCM) have recently adopted measures that explicitly extend the mandate of their CPCs to verify and take appropriate action when nationals are found to be otherwise benefiting from or supporting the activities of IUU vessels through for example, the provision of services.

As RFMO IUU vessel lists are publicly accessible and widely available, avoiding business contracts with IUU vessels and denying them access to services is fully achievable and has the potential to significantly impede the activities of IUU fishing vessel operators.

**We urge ICCAT CPCs to amend Paragraph 1 of Recommendation 06-14 by explicitly stating that CPCs must investigate and take appropriate action if any natural or legal persons subject to their jurisdiction are not only engaged in but also responsible for, benefiting from or supporting IUU fishing activities (e.g. as operators, effective beneficiaries, owners, logistics and service providers, including insurance providers and other financial service providers).**

We also encourage ICCAT to increase the accuracy, completeness, and transparency, wherever possible, of information relating to vessels on ICCAT's IUU vessel list, as required by Recommendation 21-13, including beneficial ownership. This information would assist due diligence processes carried out by any relevant entity to identify and avoid contracts that support IUU fishing activity.

- 2. Adopt a comprehensive workplan and timeline for the development and implementation of an electronic monitoring program**

Recommendation 19-02 directs the SCRS and IMM to develop and recommend Electronic Monitoring (EM) standards, which were presented at the 2021 annual meeting. To ensure the successful advancement of these standards, CPC's must now adopt a detailed framework and timeline for the development and implementation of an ICCAT EM Program. Technical standards are an integral part of an EM program that will be informed by clear objectives and workplans.

At the 2022 annual meeting, the EM Working Group should provide an update on the progress toward an EM program, including an adopted workplan and draft minimum technical standards. This work should include input from the SCRS EM working group.

### 3. Expand the coverage of electronic Catch Documentation Schemes (eCDS) to cover all ICCAT stocks/species

Well-designed CDS improve seafood traceability and help verify the legality of fish catches through what often are complex and international supply chains. As explained in **this report** by the EU IUU Fishing Coalition, aligning RFMO CDS is also key to combat IUU fishing.

Expanding CDS to additional ICCAT species while ensuring alignment and following best practices for the coverage and design of new CDS is also crucial to meet the increasing market demand for traceability of fishery products. Resolution 21-21 established an *ad hoc* working group on CDS, mandated to discuss the species coverage; solutions to possible practical and technical difficulties; capacity concerns; and compatibility with other CDS schemes; *inter alia*.

**The EU IUU Fishing Coalition calls on all CPCs to actively participate in the CDS Working Group to provide a concrete and actionable way forward in expanding eCDS to additional, and ultimately all, ICCAT stocks/species. Clear guidance on the format, use, and key data elements to be included in e-CDS are detailed in this report “Aligning RFMO Catch Documentation Schemes”, and should inform the work of the CDS Working Group.**

### 4. Revise resolution 18-09 on port State measures to prevent, deter and eliminate IUU fishing

Adopting effective Port State Measures (PSMs) minimises the risk of illegally caught fish entering international markets. For ICCAT’s Resolution on PSMs to better align with the Port State Measures Agreement and bridge any gaps in effectiveness of implementation, national coordination with other port controls or counter-IUU fishing measures, and exchange of information, both among national agencies involved in the application of the Resolution and with other relevant States and bodies, should be included within the resolution.

**The development of an ICCAT-managed electronic information exchange system that includes information on denials of port access and inspection results, at a minimum, would be a useful tool to embed these critical measures and facilitate risk assessment in port.**

### 5. Further expand IMO number reporting requirements to include all eligible vessels

The recently adopted Recommendation 21-14, replacing Recommendation 13-13, introduced the obligation to include the IMO or LR number in the ICCAT record of fishing vessels, for all fishing vessels of 20 metres in length overall or greater authorised to fish for tuna and tuna-like species in the Convention area, unless justified under paragraph 7.

Although Rec. 21-14 was a step in the right direction, ICCAT is still not aligned with the IMO criteria. As acknowledged by the ICCAT’s Compliance Committee in its 2018 annual report,<sup>1</sup> the International Maritime Organization Assembly Resolution A.1117(30), from December 2017, request to expand the IMO number eligibility criteria to all motorised inboard fishing vessels, including wooden ones, down to a size limit of 12 metres authorised to operate outside waters under the national jurisdiction of the flag State.

**The EU IUU Fishing Coalition welcomes the progress achieved through the adoption of Recommendation 21-14, but calls on ICCAT CPCs to explore further expanding the application of IMO numbers to all eligible fishing vessels above 12 metres, in line with IMO Resolution A.1117(30).**

In addition, we would like to draw CPCs’ attention to the *mutatis mutandis* clauses in Recommendations 16-05 and 18-02 which establish authorised vessel lists for swordfish, albacore and bluefin tuna operations respectively. These clauses extend the IMO number requirements established in Recommendation 13-13 (replaced by Rec. 21-14) to Recommendations 16-05 and 18-02. Specifically, authorised vessels relevant to all three of these Recommendations that are eligible to obtain an IMO number must do so, as per Article 5bis. Thus, in addition to all fishing vessels of 20 metres LOA or greater, vessels down to 12 metres LOA that target bluefin tuna, albacore and swordfish and that are authorised to operate outside waters under national jurisdiction of the flag State, are required to obtain an IMO number.

### 6. Increase transparency about vessels’ identities and beneficial ownership

Recommendation 21-14, replacing Recommendation 13-13, requires CPCs to submit to the ICCAT Executive Secretary the list of their fishing vessels of 20 metres in length overall or greater that are authorised to operate in the ICCAT Convention area, together with the “*name and address of owner(s) and operator(s)*”.

A number of RFMOs, such as the CCAMLR and IOTC, have amended their conservation and management measures to increase transparency about beneficial ownership of vessels, ensuring that beneficial owners can be identified and effectively held to account in case of IUU fishing activities. **We call on CPCs to explore amending the new Recommendation in line with international best practices to include a definition of beneficial ownership and add “Name and address of beneficial owner(s), if different from vessel owner(s) and operator(s)” amongst the data fields for which information needs to be submitted.**

Similarly, we call on CPCs to introduce in Recommendation 21-14 a progressive requirement for colour photographs of vessels authorised to operate in the ICCAT Convention area to be submitted to the ICCAT Record of Vessels.

<sup>1</sup> International Committee for the Conservation of Atlantic Tunas, Report for biennial period, 2018-2019, Part I (2018) - Vol. 1, [https://www.iccat.int/Documents/BienRep/REP\\_EN\\_18-19\\_I-1.pdf](https://www.iccat.int/Documents/BienRep/REP_EN_18-19_I-1.pdf)