EUROPEAN
COMMISSION

Brussels, 28.11.2019
COM(2019) 619 final

ANNEXES 1 to 16

ANNEXES

to the

Proposal for a Regulation of the European Parliament and of the Council

establishing a multiannual management plan for bluefin tuna in the eastern Atlantic and the Mediterranean, amending Regulations (EU) No 2017/2107, (EU) No 2019/[NAFO], (EU) No 1936/2001, and repealing Regulation (EU) No 2016/1627

ANNEX I

Specific Conditions Applying to the Catching Vessels fishing under Article 18

(1) Each Member State shall ensure the following capacity limitations are respected:

– The maximum number of its baitboats and trolling boats authorised to fish actively bluefin tuna to the number of the vessels participating in directed fishery for bluefin tuna in 2006.

– The maximum number of its artisanal fleet authorised to fish actively bluefin tuna in the Mediterranean Sea to the number of the vessels participating in the fishery for bluefin tuna in 2008.

– The maximum number of its catching vessel authorised to fish actively bluefin tuna in the Adriatic to the number of the vessel participating in the fishery for bluefin tuna in 2008. Each Member State shall allocate individual quotas to the concerned vessels.

(2) Each Member State may allocate:

– No more than 7% of its quota for bluefin tuna among its baitboats and trolling boats. In the case of France, a max of 100 tones of Bluefin tuna weighing no less than 6.4 kg or 70 cm fork length, can be caught by vessels flying the flag of France of an overall length of less than 17 m operating in the Bay of Biscay.

– No more than 2% of its quota for bluefin tuna among its coastal artisanal fishery for fresh fish in the Mediterranean Sea.

(3) Croatia may allocate a maximum of 7% of its quota among its catching vessels in the Adriatic for farming purposes, with a tolerance level for specimens of Bluefin tuna with a minimum weight of 6.4 kg or 66 cm fork length.

(4) Member States whose baitboats, longliners, handliners and trolling boats are authorised to fish for bluefin tuna in the eastern Atlantic and Mediterranean Sea shall institute tail tag requirements as follows:

– Tail tags must be affixed on each bluefin tuna immediately upon offloading.

– Each tail tag shall have a unique identification number and be included on bluefin tuna catch documents and written legibly and indelibly on the outside of any package containing tuna.

ANNEX II

Logbook requirements

A. CATCHING VESSELS

Minimum specifications for fishing logbooks:

(1) The logbook shall be numbered by sheet.

(2) The logbook shall be completed every day (midnight) or before port arrival.

(3) The logbook shall be completed in case of at-sea inspections.

(4) One copy of the sheets shall remain attached to the logbook.

(5) Logbooks shall be kept on board to cover a period of one year of operation.

Minimum standard information for fishing logbooks:

(1) Master's name and address.

(2) Dates and ports of departure, dates and ports of arrival.

(3) Vessel's name, register number, ICCAT number, international radio call sign and IMO number (if available).

(4) Fishing gear:

(a) type FAO code;

(b) dimension (e.g. length, mesh size, number of hooks).

(5) Operations at sea with one line (minimum) per day of trip, providing:

(a) activity (e.g. fishing, steaming);

(b) position: exact daily positions (in degree and minutes), recorded for each fishing operation or at midday when no fishing has been conducted during that day;

(c) record of catches, including:

– FAO code;

– round (RWT) weight in kg per day;

– number of pieces per day.

For purse seiners those data shall be recorded by fishing operation, including nil return.

(6) Master's signature.

(7) Means of weight measure: estimation, weighing on board.

(8) The logbook shall be kept in equivalent live weight of fish and shall mention the conversion factors used in the evaluation.

Minimum information for fishing logbooks in case of landing or transhipment:

(1) Dates and port of landing/transhipment.

(2) Products:

(a) species and presentation by FAO code;

(b) number of fish or boxes and quantity in kg.

(3) Signature of the master or vessel agent.

(4) In case of transhipment: receiving vessel name, its flag and ICCAT number.

Minimum information for fishing logbooks in case of transfer into cages:

(1) Date, time and position (latitude/longitude) of transfer.

(2) Products:

(a) species identification by FAO code;

(b) number of fish and quantity in kg transferred into cages.

(3) Name of towing vessel, its flag and ICCAT number.

(4) Name of the farm of destination and its ICCAT number.

(5) In the case of a JFO, in addition to the information laid down in points 1 to 4, the masters shall record in their logbook:

(a) as regards the catching vessel transferring the fish into cages:

– amount of catches taken on board,

– amount of catches counted against its individual quota,

– the names of the other vessels involved in the JFO;

(b) as regards the other catching vessels of the same JFO not involved in the transfer of the fish:

– the name of those vessels, their international radio call signs and ICCAT numbers,

– that no catches have been taken on board or transferred into cages,

– amount of catches counted against their individual quotas,

– the name and the ICCAT number of the catching vessel referred to in point (a).

B. TOWING VESSELS

(1) The master of a towing vessel shall record in the daily logbook the date, time and position of transfer, the quantities transferred (number of fish and quantity in kg), the cage number, as well as the catching vessel's name, flag and ICCAT number, the name of the other vessel(s) involved and their ICCAT number, the farm of destination and its ICCAT number, and the ICCAT transfer declaration number.

(2) Further transfers to auxiliary vessels or to other towing vessel shall be reported, including the same information as in point 1, as well as the auxiliary or towing vessel's name, flag and ICCAT number and the ICCAT transfer declaration number.

(3) The daily logbook shall contain the details of all transfers carried out during the fishing season. The daily logbook shall be kept on board and be accessible at any time for control purposes.

C. AUXILIARY VESSELS

(1) The master of an auxiliary vessel shall record the activities daily in the logbook, including the date, time and positions, the quantities of bluefin tuna taken on board, and the fishing vessel, farm or trap name he/she is operating in association with.

(2) The daily logbook shall contain the details of all activities carried out during the fishing season. The daily logbook shall be kept on board and be accessible at any time for control purposes.

D. PROCESSING VESSELS

(1) The master of a processing vessel shall report in the daily logbook the date, time and position of the activities and the quantities transhipped and the number and weight of bluefin tuna received from farms, traps or catching vessels, where applicable. The master shall also report the names and ICCAT numbers of those farms, traps or catching vessels.

(2) The master of a processing vessel shall maintain a daily processing logbook specifying the round weight and number of fish transferred or transhipped, the conversion factor used, and the weights and quantities by product presentation.

(3) The master of a processing vessel shall maintain a stowage plan that shows the location and the quantities of each species and presentation.

(4) The daily logbook shall contain the details of all transhipments carried out during the fishing season. The daily logbook, processing logbook, stowage plan and the originals of ICCAT transhipment declarations shall be kept on board and be accessible at any time for control purposes.

ANNEX III

Catch report form

Catch report form												
Flag	**ICCAT Number**	**Vessel name**	**Report start date**	**Report end date**	**Report duration (d)**	**Catch date**	**Location of the catch**		**Catch**			**Attributed weight in case of a joint fishing operation (kg)**
							Latitude	**Longitude**	**Weight (kg)**	**Number of pieces**	**Average weight (kg)**	

ANNEX IV

Application form for the authorisation to participate in a Joint Fishing Operation

Joint fishing operation								
Flag State	**Vessel name**	**ICCAT No**	**Duration of the operation**	**Identity of the operators**	**Vessel's individual quota**	**Allocation key per vessel**	**Fattening and farming farm destination**	
							CPC	**ICCAT No**

Date …

Validation of the flag State …

ANNEX V

ICCAT Transhipment Declaration

Document No

Carrier vessel	**Fishing Vessel**	**Final destination:**
Name of vessel and radio call sign:	Name of the vessel and radio call sign:	Port:
Flag:	Flag:	Country:
Flag State authorisation No	Flag State authorisation No.	State:
National Register No	National Register No.	
ICCAT Register No	ICCAT Register No.	
IMO No	External identification:	
	Fishing logbook sheet No	

	Day	Month	Hour	Year	|2_|0_|__|__|	F.V Master's name:	Carrier vessel Master's name:
Departure	|__|__|	|__|__|	|__|__|	From:	|_____|		
Return	|__|__|	|__|__|	|__|__|	To:	|_____|	Signature:	Signature:
Tranship.	|__|__|	|__|__|	|__|__|	|_____|			

For transhipment, 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

Port	Sea		Species	Number of unit of fish	Type of product live	Type of product whole	Type of product gutted	Type of product head off	Type of product filleted	Type of product	Further transhipments
	Lat.	Long.									Date: |_____| Place/Position: |_____|
											Authorisation CP No
											Transfer vessel Master's signature:
											Name of receiver vessel:
											Flag
											ICCAT Register No
											IMO No
											Master's signature
											Date: |_____| Place/Position: |_____|
											Authorisation CP No
											Transfer vessel Master's signature:
											Name of receiver vessel:
											Flag
											ICCAT Register No
											IMO No
											Master's signature

Obligations in case of transhipment:

1. The original of the transhipment declaration shall be provided to the recipient vessel (processing/transport).
2. The copy of the transhipment declaration shall be kept by the correspondent catching vessel or trap.
3. Further transhipping operations shall be authorised by the relevant CPC which authorised the vessel to operate.
4. The original of the transhipment declaration has to be kept by the recipient vessel which holds the fish, up to the landing place.
5. The transhipping operation shall be recorded in the logbook of any vessel involved in the operation.

ANNEX VI

ICCAT Transfer Declaration

Document No	ICCAT Transfer Declaration		
1. TRANSFER OF LIVE BFT DESTINATED FOR FARMING			
Fishing vessel name: Call sign: Flag: Flag State transfer authorisation No ICCAT Register No External identification: Fishing logbook No JFO No	Trap name: ICCAT Register No	Tug vessel name: Call sign: Flag: ICCAT Register No: External identification:	Name of destination farm: ICCAT Register No: Cage number:
2. TRANSFER INFORMATION			
Date: _ _ / _ _ / _ _ _ _	Place or position: Port: Lat: Long:		
Number of individuals:		Species:	Weight:
Type of product: Live ☐ Whole ☐ Gutted ☐ Other (Specify):			
Master of fishing vessel trap operator/farm operator name and signature:	Master of receiver vessel (tug, processing, carrier) name and signature:		Observer names, ICCAT No and signature:
3. FURTHER TRANSFERS			
Date: _ _ / _ _ / _ _ _ _	Place or position: Port: Lat: Long:		
Tug vessel name:	Call sign:	Flag:	ICCAT Register No
Farm state transfer authorisation No:	External identification:	Master of receiver vessel name and signature:	

Date: _ _ / _ _ / _ _ _ _	Place or position: Port: Lat: Long:		
Tug vessel name:	Call sign:	Flag:	ICCAT Register No
Farm state transfer authorisation no:	External identification:	Master of receiver vessel name and signature:	
Date: _ _ / _ _ / _ _ _ _	Place or position: Port: Lat: Long:		
Tug vessel name:	Call sign:	Flag:	ICCAT Register No
Farm state transfer authorisation No:	External identification:	Master of receiver vessel name and signature:	
4. SPLIT CAGES			
Donor cage No	Kg:	No of fish:	
Donor tug vessel name:	Call sign:	Flag:	ICCAT Register No
Receiving cage No	Kg:	No of fish:	
Receiving tug vessel name:	Call sign:	Flag:	ICCAT Register No
Receiving cage No	Kg:	No of fish:	
Receiving tug vessel name:	Call sign:	Flag:	ICCAT Register No
Receiving cage No	Kg:	No of fish:	
Receiving tug vessel name:	Call sign:	Flag:	ICCAT Register No

ANNEX VII

Minimum Information for Fishing Authorisations[1]

A. **IDENTIFICATION**

(1) ICCAT registration number

(2) Name of fishing vessel

(3) External registration number (letters and numbers)

B. **FISHING CONDITIONS**

(1) Date of issue

(2) Period of validity

(3) Conditions of fishing authorisation, including when appropriate species, zone, fishing gear and any other conditions applicable derived from this Regulation and/or from national legislation.

		From ../../.. To ../../..	From ../../.. To ../../..	From ../../.. To ../../..	From ../../.. To ../../..	From ../../.. To ../../..	From ../../.. To ../../..
Zones							
Species							
Fishing gear							
Other conditions							

[1] This is in Commission Implementing Regulation (EU) No 404/2011 of 8 April 2011.

ANNEX VIII

ICCAT Regional Observer Programme

ASSIGNMENT OF ICCAT REGIONAL OBSERVERS

(1) Each ICCAT regional observer shall have the following qualifications to accomplish their tasks:

(a) sufficient experience to identify species and fishing gear;

(b) satisfactory knowledge of the ICCAT conservation and management measures assessed by a certificate provided by the Member States and based on ICCAT training guidelines;

(c) the ability to observe and record accurately;

(d) satisfactory knowledge of the language of the flag of the vessel or farm observed.

OBLIGATIONS OF THE ICCAT REGIONAL OBSERVER

(2) The ICCAT regional observers shall:

(a) have completed the technical training required by the guidelines established by ICCAT;

(b) be nationals of one of the Member States and, to the extent possible, not of the farm or trap state or the flag State of the purse seiner. If, however, bluefin tuna is harvested from the cage and traded as fresh products, the ICCAT regional observer that observes the harvest may be a national of the Member State responsible for the farm;

(c) be capable of performing the tasks set out in point 3;

(d) be included in the list of ICCAT regional observers maintained by ICCAT;

(e) not have current financial or beneficial interests in the bluefin tuna fishery.

ICCAT REGIONAL OBSERVER TASKS

(3) The tasks of ICCAT regional observers shall be, in particular:

(a) as regards observers on purse seine vessels, to monitor the purse seine vessels' compliance with the relevant conservation and management measures adopted by ICCAT. In particular, the regional observer shall:

(1) in cases where the ICCAT regional observer observes what may constitute non-compliance with ICCAT recommendations, he/she shall submit that information without delay to the ICCAT regional observer implementing company who shall forward it without delay to the flag State authorities of the catching vessel;

(2) record and report upon the fishing activities carried out;

(3) observe and estimate catches and verify entries made in the logbook;

(4) issue a daily report of the purse seine vessels' transfer activities;

(5) sight and record vessels which may be fishing in contravention of ICCAT conservation and management measures;

(6) record and report upon the transfer activities carried out;

(7) verify the position of the vessel when engaged in transfer;

(8) observe and estimate products transferred, including through the review of video recordings;

(9) verify and record the name of the fishing vessel concerned and its ICCAT number;

(10) carry out scientific work such as collecting Task II data when required by the ICCAT Commission, based on the directives from the SCRS;

(b) as regards ICCAT regional observers in farms and traps, to monitor their compliance with the relevant conservation and management measures adopted by ICCAT. In particular, the ICCAT regional observer shall:

(1) verify the data contained in the transfer declaration and caging declaration and BCD, including through the review of video records;

(2) certify the data contained in the transfer declaration and caging declaration and BCDs;

(3) issue a daily report of the farms' and traps' transfer activities;

(4) countersign the transfer declaration and caging declaration and BCDs only when he/she agrees that the information contained within them is consistent with his/her observations including a compliant video record as per the requirements referred to in Article 41(1) and Article 42(1);

(5) carry out such scientific work, for example collecting samples, as required by the Commission, based on the directives from the SCRS;

(6) register and verify the presence of any type of tag, including natural marks, and notify any sign of recent tag removals;

(c) establish general reports compiling the information collected in accordance with this point and provide the master and farm operator with the opportunity to include therein any relevant information;

(d) submit to the Secretariat the general report referred to in point (c) within 20 days from the end of the period of observation;

(e) exercise any other functions as defined by the ICCAT Commission.

(4) The ICCAT regional observer shall treat as confidential all information with respect to the fishing and transfer operations of the purse seiners and of the farms and shall accept that requirement in writing as a condition of appointment as an ICCAT regional observer.

(5) The ICCAT regional observer shall comply with requirements established in the laws and regulations of the flag or farm state, which exercises jurisdiction over the vessel or farm to which the ICCAT regional observer is assigned.

(6) The ICCAT regional observer shall respect the hierarchy and general rules of behaviour which apply to all vessel and farm personnel, provided such rules do not interfere with the duties of the ICCAT regional observer under this programme, and with the obligations of vessel and farm personnel set out in point 7 of this Annex and Article 38.

OBLIGATIONS OF THE FLAG MEMBER STATES TOWARDS ICCAT REGIONAL OBSERVERS

(7) Member States responsible for the purse seiner, farm or trap, shall ensure that ICCAT regional observers are:

(a) allowed access to the vessel, farm and trap personnel and to the gear, cages and equipment;

(b) allowed access, upon request, 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 out in point 3 of this Annex:

(1) satellite navigation equipment,

(2) radar display viewing screens when in use,

(3) electronic means of communication;

(c) provided with accommodation, including lodging, food and adequate sanitary facilities, equal to those of officers;

(d) 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.

COSTS ARISING FROM THE ICCAT REGIONAL OBSERVER PROGRAMME

(8) All costs arising from the operation of ICCAT regional observers shall be borne by each farm operator or owner of purse seiners.

ANNEX IX

ICCAT Scheme of Joint International Inspection

ICCAT agreed at its Fourth Regular Meeting (Madrid, November 1975) and at its Annual Meeting in 2008 in Marrakesh that:

Pursuant to paragraph 3 of Article IX of the Convention, the ICCAT Commission recommends the establishment of the following arrangements for international control outside the waters under national jurisdiction for the purpose of ensuring the application of the Convention and the measures in force thereunder:

I. SERIOUS VIOLATIONS

(1) For the purposes of these procedures, a serious violation means the following violations of the provisions of the ICCAT conservation and management measures adopted by the ICCAT Commission:

(a) fishing without a licence, permit or authorisation issued by the flag CPC;

(b) failure to maintain sufficient records of catch and catch-related data in accordance with the ICCAT Commission's reporting requirements or significant misreporting of such catch and/or catch-related data;

(c) fishing in a closed area;

(d) fishing during a closed season;

(e) intentional taking or retention of species in contravention of any applicable conservation and management measure adopted by ICCAT;

(f) significant violation of catch limits or quotas in force pursuant to ICCAT rules;

(g) using prohibited fishing gear;

(h) falsifying or intentionally concealing the markings, identity or registration of a fishing vessel;

(i) concealing, tampering with or disposing of evidence relating to the investigation of a violation;

(j) multiple violations which, taken together, constitute a serious disregard of measures in force pursuant to ICCAT;

(k) assault, resist, intimidate, sexually harass, interfere with, or unduly obstruct or delay an authorised inspector or observer;

(l) intentionally tampering with or disabling the VMS;

(m) such other violations as may be determined by the ICCAT, once those are included and circulated in a revised version of those procedures;

(n) fishing with the assistance of spotter planes;

(o) interference with the satellite monitoring system and/or operation of a vessel without the VMS;

(p) transfer activity without transfer declaration;

(q) transhipment at sea.

(2) In the case of any boarding and inspection of a fishing vessel during which the authorised inspector observes an activity or condition that would constitute a serious

violation, as defined in point 1, the authorities of the flag State of the inspection vessels shall immediately notify the flag State of the fishing vessel, directly as well as through the ICCAT Secretariat. In such situations, the inspector shall also inform any inspection ship of the flag State of the fishing vessel known to be in the vicinity.

(3) The ICCAT inspector shall register, in the fishing vessel's logbook, the inspections undertaken and any infringements detected.

(4) The flag Member State shall ensure that, following the inspection referred to in point 2, the fishing vessel concerned ceases all fishing activities. The flag Member State shall require the fishing vessel to proceed within 72 hours to a port designated by it, where an investigation shall be initiated.

(5) If the vessel is not called to port, the flag Member State shall provide due justification in a timely manner to the European Commission which shall forward the information to the ICCAT Secretariat, who shall make it available on request to other Contracting Parties.

II. CONDUCT OF INSPECTIONS

(6) Inspections shall be carried out by inspectors designated by the Contracting Parties. The names of the authorised government agencies and each inspector designated for that purpose by their respective governments shall be notified to the ICCAT Commission.

(7) Ships carrying out international boarding and inspection duties in accordance with this Annex shall fly a special flag or pennant approved by the ICCAT Commission and issued by the ICCAT Secretariat. The names of the ships so used shall be notified to the ICCAT Secretariat as soon as practical in advance of the commencement of inspection activities. The ICCAT Secretariat shall make information regarding designated inspection vessels available to all CPCs, including by posting on its password-protected website.

(8) Each inspector shall carry an appropriate identity document issued by the authorities of the flag State, which shall be in the form shown in point 21 of this Annex.

(9) Subject to the arrangements agreed under point 16, a vessel flagged to a Contracting Party and fishing for tuna or tuna-like fish in the Convention Area outside the waters within its national jurisdiction shall stop when given the appropriate signal in the International Code of Signals by a ship flying the ICCAT pennant described in point 7 and carrying an inspector, unless the vessel is actually carrying out fishing operations, in which case it shall stop immediately once it has finished such operations. The master of the vessel shall permit the inspection party, as specified in point 10, to board it and shall provide a boarding ladder. The master shall enable the inspection party to make such examination of equipment, catch or gear and any relevant documents as an inspector deems necessary to verify the compliance with the ICCAT Commission's recommendations in force in relation to the flag State of the vessel being inspected. Further, an inspector may ask for any explanations that are deemed necessary.

(10) The size of the inspection party shall be determined by the commanding officer of the inspection vessel, taking into account relevant circumstances. The inspection party shall be as small as possible to safely and securely accomplish the duties set out in this Annex.

(11) Upon boarding the vessel, the inspector shall produce the identity documentation described in point 8. The inspector shall observe generally accepted international regulations, procedures and practices relating to the safety of the vessel being inspected and its crew, and shall minimise interference with fishing activities or stowage of product and, to the extent practicable, avoid action, which would adversely affect the quality of the catch on board.

Each inspector shall limit his/her enquiries to the ascertainment of the observance of the ICCAT Commission's recommendations in force in relation to the flag State of the vessel concerned. In making the inspection, an inspector may ask the master of the fishing vessel for any assistance that may be required. The inspector shall draw up a report of the inspection in a form approved by the ICCAT Commission. The inspector shall sign the report in the presence of the master of the vessel who shall be entitled to add or have added to the report any observations which he/she may think suitable and shall sign such observations.

(12) Copies of the report shall be given to the master of the vessel and to the government of the inspection party, which shall transmit copies to the appropriate authorities of the flag State of the inspected vessel and to the ICCAT Commission. Where any infringement of ICCAT recommendations is discovered, the inspector shall, where possible, also inform any inspection ship of the flag State of the fishing vessel known to be in the vicinity.

(13) Resistance to an inspector or failure to comply with his/her directions shall be treated by the flag State of the inspected vessel in a manner similar to such conduct committed with respect to a national inspector.

(14) The inspector shall carry out his/her duties under these arrangements in accordance with the rules set out in this Regulation, but they shall remain under the operational control of their national authorities and shall be responsible to them.

(15) Contracting Parties shall consider and act on inspection reports, sighting information sheets as per Recommendation 94-09 and statements resulting from documentary inspections of foreign inspectors under these arrangements on a similar basis in accordance with their national legislation to the reports of national inspectors. The provisions of this point shall not impose any obligation on a Contracting Party to give the report of a foreign inspector a higher evidential value than it would possess in the inspector's own country. Contracting Parties shall collaborate in order to facilitate judicial or other proceedings arising from a report of an inspector under these arrangements.

(16) (a) Contracting Parties shall inform the ICCAT Commission by 15 February each year of their provisional plans for conducting inspection activities under the recommendation implemented by this regulation in that calendar year and the ICCAT Commission may make suggestions to Contracting Parties for the coordination of national operations in this field, including the number of inspectors and ships carrying inspectors.

(b) The arrangements set out in the ICCAT Recommendation [18-02][2] and the plans for participation shall apply between Contracting Parties unless otherwise agreed between them, and such agreement shall be notified to the ICCAT Commission. However, the implementation of the scheme shall be suspended between any two

[2] https://www.iccat.int/Documents/Recs/compendiopdf-e/2018-02-e.pdf

Contracting Parties if either of them has notified the ICCAT Commission to that effect, pending completion of such an agreement.

(17) (a) The fishing gear shall be inspected in accordance with the regulations in force for the subarea in which the inspection takes place. The inspector shall state the subarea for which the inspection took place, and a description of any violations found in the inspection report.

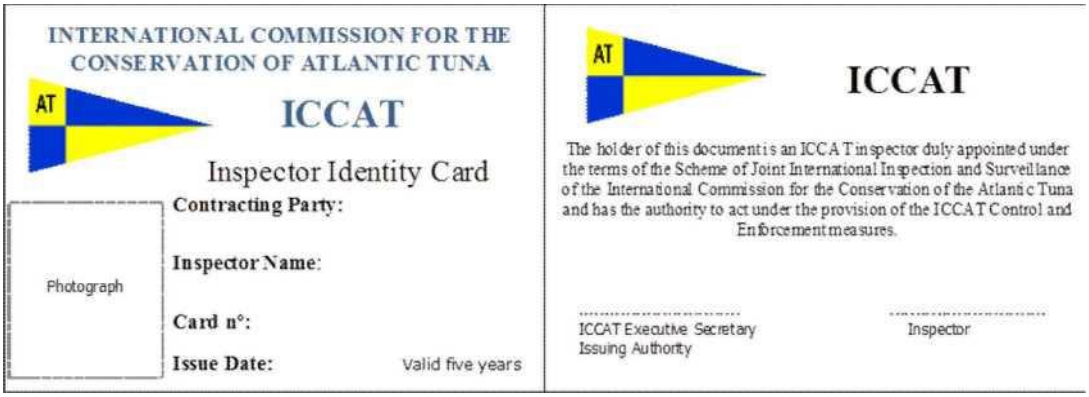
(b) The inspector shall be entitled to inspect all fishing gear in use or on board.

(18) The inspector shall affix an identification mark approved by the ICCAT Commission to any fishing gear inspected which appears to be in contravention of the ICCAT Commission recommendations in force in relation to the flag State of the vessel concerned and shall record this fact in the inspection report.

(19) The inspector may photograph the gear, equipment, documentation and any other element he/she consider necessary in such a way as to reveal those features which in his/her opinion are not in conformity with the regulation in force, in which case the subjects photographed shall be listed in the report and copies of the photographs shall be attached to the copy of the report to the flag State.

(20) The inspector shall, as necessary, inspect all catch on board to determine compliance with ICCAT recommendations.

(21) The model identity card for inspectors is as follows:



ANNEX X

Minimum standards for video recording procedures

Transfer operations

(1) The electronic storage device containing the original video record shall be provided to the ICCAT regional observer as soon as possible after the end of the transfer operation, who shall immediately initialise it to avoid any further manipulation.

(2) The original recording shall be kept on board the catching vessel or by the farm or trap operator, where appropriate, during its entire period of authorisation.

(3) Two identical copies of the video record shall be produced. One copy shall be transmitted to the ICCAT regional observer on board the purse seiner and one to the national observer on board the towing vessel, the latter of which shall accompany the transfer declaration and the associated catches to which it relates. That procedure shall only apply to national observers in the case of transfers between towing vessels.

(4) At the beginning and/or the end of each video, the ICCAT transfer authorisation number shall be displayed.

(5) The time and the date of the video shall be continuously displayed throughout each video record.

(6) Before the start of the transfer, the video shall include the opening and closing of the net/door and footage showing whether the receiving and donor cages already contain bluefin tuna.

(7) The video recording shall be continuous without any interruptions and cuts and cover the entire transfer operation.

(8) The video record shall be of sufficient quality to estimate the number of bluefin tuna being transferred.

(9) If the video record is of insufficient quality to estimate the number of bluefin tuna being transferred, then a new transfer shall be requested by the control authorities. The new transfer shall include all the bluefin tuna in the receiving cage into another cage which must be empty.

Caging operations

(1) The electronic storage device containing the original video record shall be provided to the ICCAT regional observer as soon as possible after the end of the caging operation, who shall immediately initialise it to avoid any further manipulation.

(2) The original recording shall be kept by the farm, where applicable, during their entire period of authorisation.

(3) Two identical copies of the video record shall be produced. One copy shall be transmitted to the ICCAT regional observer deployed on the farm.

(4) At the beginning and/or the end of each video, the ICCAT caging authorisation number shall be displayed.

(5) The time and the date of the video shall be continuously displayed throughout each video record.

(6) Before the start of the caging, the video shall include the opening and closing of the net/door and whether the receiving and donor cages already contain bluefin tuna.

(7) The video recording shall be continuous without any interruptions and cuts and cover the entire caging operation.

(8) The video record shall be of sufficient quality to estimate the number of bluefin tuna being transferred.

(9) If the video record is of insufficient quality to estimate the number of bluefin tuna being transferred, then a new caging operation shall be requested by the control authorities. The new caging operation shall include all the bluefin tuna in the receiving farm cage into another farm cage which shall be empty.

ANNEX XI

Standards and procedures for stereoscopical cameras systems in the context of caging operations

A. Use of stereoscopical cameras systems

The use of stereoscopic cameras systems in the context of caging operations, as required by Article 50 of this Regulation shall be conducted in accordance with the following:

(1) The sampling intensity of live fish shall not be below 20 % of the amount of fish being caged. When technically possible, the sampling of live fish shall be sequential, one in every five specimens being measured; such a sample shall be made up of fish measured at a distance between 2 and 8 metres from the camera.

(2) The dimensions of the transfer gate connecting the donor cage and the receiving cage shall be set at a maximum width of 10 metres and a maximum height of 10 metres.

(3) When the length measurements of the fish present a multi-modal distribution (two or more cohorts of distinct sizes), it shall be possible to use more than one conversion algorithm for the same caging operation; the most up- to-date algorithm(s) established by SCRS shall be used to convert fork lengths into total weights, according to the size category of the fish measured during the caging operation.

(4) Validation of the stereoscopical length measurements shall be undertaken prior to each caging operation using a scale bar at a distance of between 2 and 8 metres.

(5) When the results of the stereoscopical programme are communicated, the information shall indicate the margin of error inherent to the technical specifications of the stereoscopic camera system, which shall not exceed a range of +/- 5 %.

(6) The report on the results of the stereoscopical programme shall include details on all the technical specifications above, including the sampling intensity, the way of sampling methodology, the distance from the camera, the dimensions of the transfer gate, and the algorithms (length-weight relationship). SCRS shall review those specifications and, if necessary, provide recommendations to modify them.

(7) In cases where the stereoscopic camera footage is of insufficient quality to estimate the weight of bluefin tuna being caged, a new caging operation shall be ordered by the Member State authorities responsible for the catching vessel, trap or farm.

B. Presentation and use of the results of the programmes

(1) Decisions regarding differences between the catch report and the results from the stereoscopical system programme shall be taken at the level of the JFO or total trap catches, for JFOs and trap catches destined to a farm facility involving a single CPC and/or Member State. The decision regarding differences between the catch report and the results from the stereoscopical system programme shall be taken at the level of the caging operations for JFOs involving more than one CPC and/or Member State, unless otherwise agreed by all the flag CPC and/or Member State authorities of the catching vessels involved in the JFO.

(2) The Member State responsible for the farm shall provide a report to the Member State or CPC responsible for the catching vessel or trap and to the Commission, including the following documents:

(a) technical stereoscopical system report including:

– general information: species, site, cage, date, algorithm,

– sizing statistical information: average weight and length, minimum weight and length, maximum weight and length, number of fish sampled, weight distribution, size distribution;

(b) detailed results of the programme, with the size and weight of every fish that was sampled;

(c) caging report including:

– general information on the operation: number of the caging operation, name of the farm, cage number, BCD number, ITD number, name and flag of the catching vessel or trap, name and flag of the towing vessel, date of the stereoscopical system operation and footage file name,

– algorithm used to convert length into weight,

– comparison between the amounts declared in the BCD and the amounts found with the stereoscopical system, in number of fish, average weight and total weight (the formula used to calculate the difference shall be: (stereoscopical system-BCD)/stereoscopical system * 100),

– margin of error of the system,

– for those caging reports relating to JFOs/traps, the last caging report shall also include a summary of all information in previous caging reports.

(3) When receiving the caging report, the Member State authorities of the catching vessel or trap shall take all the necessary measures according to the following situations:

(a) the total weight declared by the catching vessel or trap in the BCD is within the range of the stereoscopical system results:

– no release shall be ordered,

– the BCD shall be modified both in number (using the number of fish resulting from the use of the control cameras or alternative techniques) and average weight, while the total weight shall not be modified;

(b) the total weight declared by the catching vessel or trap in the BCD is below the lowest figure of the range of the stereoscopical system results:

– a release shall be ordered using the lowest figure in the range of the stereoscopical system results,

– the release operations shall be carried out in accordance with the procedure laid down in Article 40(2) and Annex XII,

– after the release operations took place, the BCD shall be modified both in number (using the number of fish resulting from the use of the control cameras, minus the number of fish released) and average weight, while the total weight shall not be modified;

(c) the total weight declared by the catching vessel or trap in the BCD exceeds the highest figure of the range of the stereoscopical system results:

– no release shall be ordered,

– the BCD shall be modified for the total weight (using the highest figure in the range of the stereoscopical system results), for the number of fish (using the results from the control cameras) and average weight accordingly.

(4) For any relevant modification of the BCD, the values (number and weight) entered in Section 2 shall be consistent with those in Section 6 and the values in Sections 3, 4 and 6, shall be not higher those in Section 2.

(5) In case of compensation of differences found in individual caging reports across all cagings from a JFO/trap, whether or not a release operation is required, all relevant BCDs shall be modified on the basis of the lowest range of the stereoscopical system results. The BCDs related to the quantities of bluefin tuna released shall also be modified to reflect the weight/number released. The BCDs related to bluefin tuna not released but for which the results from the stereoscopical systems or alternative techniques differ from those reported caught and transferred shall also be amended to reflect those differences.

The BCDs relating to the catches from where the release operation took place shall also be modified to reflect the weight/number released.

ANNEX XII

Release Protocol

(1) The release of bluefin tuna from farming cages into the sea shall be recorded by video camera and observed by an ICCAT regional observer, who shall draft and submit a report together with the video records to the ICCAT Secretariat.

(2) When a release order has been issued, the farm operator shall request the deployment of an ICCAT regional observer.

(3) The release of bluefin tuna from transport cages or traps into the sea shall be observed by a national observer of the Member State responsible for the towing vessel or trap, who shall draft and submit a report to the responsible Member State control authorities.

(4) Before a release operation takes place, Member State control authorities might order a control transfer using standard and/or stereoscopic cameras to estimate the number and weight of the fish that need to be released.

(5) Member State authorities may implement any additional measures they consider necessary to guarantee that the release operations take place at the most appropriate time and place in order to increase the probability of the fish going back to the stock. The operator shall be responsible for the fish survival until the release operation has taken place. Those release operations shall take place within three weeks of the completion of the caging operations.

(6) Following completion of harvesting operations, fish remaining in a farm and not covered by the BCD shall be released in accordance with the procedures laid down in Article 40(2) and this Annex.

ANNEX XIII

Treatment of dead fish

During fishing operations by purse seiners, the quantities of fish found dead in the seine shall be recorded in the fishing vessel logbook and shall be deducted from the Member State quota accordingly.

Recording/treating of dead fish during the first transfer:

(1) The BCD shall be provided to the operator of the towing vessel with Section 2 (Total catch), Section 3 (Live fish trade) and Section 4 (Transfer including 'dead' fish) completed.

The total quantities reported in Sections 3 and 4 shall be equal to the quantities reported in Section 2. The BCD shall be accompanied by the original ICCAT Transfer Declaration (ITD) in accordance with the provisions of this Regulation. The quantities reported in the ITD (transferred live), shall be equal to the quantities reported in Section 3 in the associated BCD.

(2) A split of the BCD with Section 8 (Trade information) shall be completed and given to the operator of the auxiliary vessel which transports the dead bluefin tuna to shore (or retained on the catching vessel if landed directly to shore). The dead fish and split BCD shall be accompanied by a copy of the ITD.

(3) The quantities of dead fish shall be recorded in the BCD of the catching vessel which made the catch or, in the case of JFOs, in the BCD of the catching vessels or of a vessel flying another flag participating in the JFO.

ANNEX XIV

ICCAT Declaration on caging[3]

Vessel name	Flag	Registration Number Identifiable cage number	Date of catch	Place of catch Longitude Latitude	Bluefin Tuna Statistical Document validation number	Bluefin Tuna Statistical Document date	Date of caging	Quantity placed in cage (t)	Number of fish placed in cage for fattening	Size composition	Fattening facility *

*Facility authorized to operate for fattening of bluefin tuna caught in the Convention area.

[3] This is the Declaration on caging laid down in ICCAT Recommendation 06-07.

ANNEX XV

Minimum Standards for the establishment of a Vessel Monitoring System in the ICCAT Convention Area[4]

(1) Notwithstanding stricter requirements that may apply in specific ICCAT fisheries, each flag Member State shall implement a Vessel Monitoring System (hereinafter referred to as VMS) for its fishing vessels above 15 meters LOA authorised to fish in waters beyond jurisdiction of the flag Member State and:

(a) Require its fishing vessels to be equipped with an autonomous, tamper-evident system that continuously, automatically, and independent of any intervention by the vessel, transmits messages to the fishing monitoring centre ('FMC') of the flag Member State to track the position, course, and speed of a fishing vessel by the flag MS of that vessel.

(b) Ensure that the satellite tracking device fitted on board the fishing vessel collects and transmits continuously to the FMC of the flag Member State the following data:

– the vessel's identification;

– the geographical position of the vessel (longitude, latitude) with a margin of error lower than 500 meters, with a confidence interval of 99%; and

– the date and time.

(c) Ensure that the FMC of the flag Member State receives an automatic notification if communication between the FMC and the satellite tracking device is interrupted.

(d) Ensure, in cooperation with the coastal State, that the position messages transmitted by its vessels while operating in waters under the jurisdiction of that coastal State are also transmitted automatically and in real time to the FMC of the coastal State that has authorised the activity. In implementing this provision, due consideration shall be been given to minimizing the operational costs, technical difficulties, and administrative burden associated with transmission of these messages.

(e) In order to facilitate the transmission and receipt of position messages, as described in subparagraph 1(d), the FMC of the flag Member State or CPC, and the FMC of the coastal State shall exchange their contact information and notify each other without delay of any changes to this information. The FMC of the coastal State shall notify the flag Member State or CPC FMC of any interruption in the reception of consecutive position messages. The transmission of position messages between the FMC of the flag Member State or CPC, and that of the coastal State shall be carried out electronically using a secure communication system.

(2) Each Member State shall take appropriate measures to ensure that the VMS messages are transmitted and received, as specified in paragraph 1, and use this information to continuously track the position of its vessels.

(3) Each Member State shall ensure that the masters of fishing vessels flying its flag ensure that the satellite tracking devices are permanently and continuously

[4] This is in the ICCAT Recommendation Concerning Minimum Standards for Vessel Monitoring Systems in the ICCAT Convention Area 18-10.

operational and that the information identified in paragraph 1b) is collected and transmitted1 at least once every hour for purse seine vessels and at least once every two hours for all other vessels. In addition, Member States shall require that their vessel operators ensure that:

(a) the satellite tracking device is not tampered with in any way;

(b) VMS data are not altered in any way;

(c) the antennae connected to the satellite tracking device is not obstructed in any way;

(d) the satellite tracking device is hardwired into the fishing vessel and the power supply is not intentionally interrupted in any way; and

(e) the satellite tracking device is not removed from the vessel except for the purposes of repair or replacement.

(4) In the event of a technical failure or non-operation of the satellite tracking device fitted on board a fishing vessel, the device shall be repaired or replaced within one month from the time of the event, unless the vessel has been removed from the list of authorised LSFVs, where applicable, or for vessels not required to be included on ICCAT's authorised vessel list, the authorisation to fish in areas beyond the jurisdiction of the flag CPC no longer applies. The vessel shall not be authorised to commence a fishing trip with a defective satellite tracking device. Furthermore, when a device stops functioning or has a technical failure during a fishing trip, the repair or the replacement shall take place as soon as the vessel enters a port; the fishing vessel shall not be authorised to commence a fishing trip without the satellite tracking device having been repaired or replaced.

(5) Each Member State or CPC shall ensure that a fishing vessel with a defective satellite tracking device shall communicate to the FMC, at least daily, reports containing the information in paragraph 1b) by other means of communication (radio, web-based reporting, electronic mail, telefax or telex).

(6) Member States or CPC may allow a vessel to power down its satellite tracking device only if the vessel will not be fishing for an extended period of time (e.g., in dry dock for repairs), and it notifies the competent authorities of its flag Member State or CPC in advance. The satellite tracking device must be re-activated, and collect and transmit at least one report, prior to the vessel leaving port.

ANNEX XVI

Correlation table between Regulation (EU) No 2016/1627 and this Regulation

Regulation (EU) No 2016/1627	This Regulation
Article 1	Article 1
Article 2	Article 1
Article 3	Article 5
Article 4	-
Article 5	Article 6
Article 6	Article 10
Article 7	Article 11
Article 8	Article 12
Article 9	Article 13
Article 10	Article 15
Article 11	Article 16 + Annex I
Article 12	Article 16 + Annex I
Article 13	Article 17
Article 14	Article 18
Article 15	Article 19
Article 16	Article 20
Article 17	Article 24
Article 18	Article 21
Article 19	Article 22
Article 20	Article 25
Article 21	Article 4
Article 22	Article 26
Article 23	Article 27

Article 24	Article 29
Article 25	Article 30
Article 26	Article 31
Article 27	Article 35
Article 28	Article 36
Article 29	Article 28
Article 30	Article 32
Article 31	Article 33
Article 32	Article 34
Article 33	Article 39
Article 34	Article 40
Article 35	Article 42
Article 36	Article 43
Article 37	Article 50
Article 38	Article 41
Article 39	Article 44
Article 40	Article 45
Article 41	Article 45
Article 42	Article 46
Article 43	Article 47
Article 44	Article 48
Article 45	Article 49
Article 46	Article 50
Article 47	Article 54
Article 48	Article 55
Article 49	Article 56

Article 50	Article 37
Article 51	Article 38
Article 52	Article 57
Article 53	Article 14
Article 54	Article 58
Article 55	Article 59
Article 56	Article 61
Article 57	Article 62
Article 58	Article 63
Article 59	Article 67
Article 60	Article 69
Article 61	Article 70
Annex I	Annex I
Annex II	Annex II
Annex III	Annex V
Annex IV	Annex VI
Annex V	Annex III
Annex VI	Annex IV
Annex VII	Annex VIII
Annex VIII	Annex IX
Annex IX	Annex X
Annex X	Annex XI
Annex XI	Annex XII
Annex XII	Annex XIII