

**RECOMMENDATION BY ICCAT
TO HOLD A COMPLIANCE COMMITTEE INTERSESSIONAL MEETING IN 2009**

RECALLING that the Commission adopted the *Recommendation by ICCAT to Establish a Multi-annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 06-05] and the *Recommendation by ICCAT on Bluefin Tuna Farming* [Rec. 06-07] at its meeting in 2006,

CONCERNED that the Commission's Standing Committee on Research and Statistics (SCRS) indicated substantial estimated over-fishing of bluefin tuna in the eastern Atlantic and Mediterranean,

CONSCIOUS that SCRS recognized that precise information on fattening and/or farming operations is crucial,

AFFIRMING the urgent need that all the Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (CPCs) ensure the proper implementation of both Recommendations, 06-05 and 06-07, before the 2009 fishing season,

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS (ICCAT) RECOMMENDS THAT:

1. The Compliance Committee shall hold a four (4) day intersessional meeting at the end of March 2009 in [...] to assess CPCs' compliance with their obligations as members of ICCAT and, in particular, with Recommendations 06-05 and 06-07.
2. This exercise will apply to those Contracting Parties and Cooperating non-Contracting Parties, Entities and Fishing Entities (CPCs) involved in the fishery or farming/fattening of bluefin tuna as well as to the implementation by exporting and importing CPCs of bluefin tuna related market measures such as the bluefin tuna catch document.
3. In preparation for this meeting, the Compliance Committee will:
 - send each CPC a standard questionnaire on compliance with the various ICCAT recommendations governing conservation and management of bluefin tuna at the latest by 1 January 2009 and set a deadline at 10 February 2009 for receiving comments and answers from the concerned CPCs;
 - circulate to all CPCs the comments and answers provided by each CPC in response to the questionnaire and invite comments and possible questions from all other CPCs;
 - with the help of the secretariat of ICCAT compile CPCs' initial replies to the questionnaire and comments and questions provided by other CPCs in the form of tables that will form the basis for the compliance examination process.
4. The Chairman of the Compliance Committee, assisted by the Secretariat of ICCAT, will identify, select and transmit the significant non compliance issues to each concerned CPC and submit them for discussion in the intersessional Compliance Committee meeting.
5. All concerned CPCs shall attend the intersessional meeting which will examine their compliance status and that of other CPCs involved in the fishery, farming/caging and trading of bluefin tuna. The above mentioned documentation as well as the results of the Compliance Committee deliberations during the yearly meeting of the ICCAT Commission will form the basis for the examination process.
6. At the end of the intersessional meeting the compliance committee shall issue its opinion on the compliance status of each CPC. Non compliance with some or all of the following essential elements of ICCAT conservation and management measures will lead to a declaration of non compliance by the Compliance Committee:

- undeclared overshooting of the CPC's quota,
 - unjustified failing to provide catch and farming reports within the agreed ICCAT deadlines,
 - failing to participate in the meeting of the compliance committee where the concerned CPC's compliance status is discussed,
 - lack of meaningful monitoring, verification and enforcement measures,
 - failing to implement the bluefin tuna catch documentation on the market.
7. Failing to transmit Task I and Task II reports for the year 2007 by the date of this intersessional meeting shall lead to an interim suspension or reduction of quota for the concerned CPCs
 8. The Commission will decide by mail vote on the interim suspension or reduction of quota for the declared non compliant CPCs, depending on the extent of the established non-compliance. The situation of the concerned CPCs and the interim decisions taken by the Compliance Committee will be reviewed by the ICCAT Commission at its annual meeting.
 9. In case of non compliance with farming/fattening measures non compliant CPCs may be subject by exporting and importing CPCs to the prohibitions under Recommendation 06-05 - "market measures".