

[02-27]

**RESOLUTION BY ICCAT REGARDING PROCESS AND CRITERIA
FOR ICCAT IUU TRADE RESTRICTIVE MEASURES**

CONSIDERING the desirability of continuing to implement the Food & Agriculture Organization International Plan of Action on Illegal, Unreported and Unregulated (IPOA-IUU) Fishing in ICCAT;

RECOGNIZING that ICCAT has developed a number of valuable tools for preventing, eliminating and deterring IUU fishing;

FURTHER RECOGNIZING that ICCAT should continue to strive to ensure fairness, transparency and consistency in these measures and their application;

STRESSING that any measures implemented by ICCAT need to be consistent with international law, including World Trade Organization (WTO) requirements;

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS RESOLVES THAT:

1. A Working Group meeting of Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities should be convened in 2003, preferably in conjunction with another inter-sessional meeting, to develop criteria and a process for the fair, transparent and consistent application of ICCAT measures, including trade restrictive measures, to prevent, deter and eliminate IUU fishing.
2. In carrying out its task, the Working Group should:
 - a) review the processes for the imposition or removal of trade restrictive measures under existing ICCAT instruments;
 - b) further develop and elaborate criteria and consistent procedures allowing for the imposition or removal of trade restrictive measures in a fair, transparent and nondiscriminatory manner and in accordance with international law, including principles, rights and obligations laid down in WTO Agreements;
 - c) consider all relevant factors, including possible differences between Contracting Parties and non-Contracting Parties;
 - d) develop and elaborate, as appropriate, additional measures for the listing or de-listing of IUU fishing vessels to other types of IUU fishing activities that are not yet covered by existing ICCAT instruments; and
 - e) report to the Commission at its annual meeting in 2003.
3. As a minimum, the Working Group should consider, *inter alia*:
 - Appendix 4.6 of the Report of the ICCAT Ad Hoc Working Group on Measures to Combat IUU Fishing (Tokyo, Japan, May 27-30, 2002): Canada's Criteria for the Imposition and Removal of Trade Restrictive Measures for Consideration at the ICCAT Working Group Meeting on IUU;
 - Appendix 4.7 of the same Report: EC's Explanatory Memorandum;
 - Draft Resolution for a Bluefin Tuna, Swordfish and Bigeye Tuna Action Plan*;
 - Draft Resolution Concerning Compliance in the Fisheries of Bluefin Tuna, Swordfish and Bigeye Tuna*;
and
 - Draft Resolution on the Introduction of Supplementary Procedure on ICCAT Trade-Related Schemes and the Explanatory Memorandum of same*.

* Note from Secretariat: Copies of these documents can be obtained from the Secretariat, and will appear as an Annex of the 2002 Commission Meeting Report.