

**– RECOMMENDATION –
REGARDING PANAMA PURSUANT
TO THE 1994 BLUEFIN TUNA ACTION PLAN RESOLUTION**

Recommendation adopted by the Commission at its Tenth Special Meeting (San Sebastian, November 1996), Report for Biennial Period, 1996-97, Part I. Entered into force: August 4, 1997.

THE INTERNATIONAL COMMISSION
FOR THE CONSERVATION OF ATLANTIC TUNAS (ICCAT)

RECOGNIZING the authority and responsibility of ICCAT to manage populations of bluefin tuna in the Atlantic Ocean and its adjacent seas, at the international level;

NOTING the need for all non-Contracting Parties fishing for bluefin tuna in the Atlantic Ocean and its adjacent seas to join ICCAT or cooperate with ICCAT's conservation and management measures;

RECALLING the Commission's past actions over many years to encourage Panama to cooperate with ICCAT conservation and management measures for Atlantic bluefin tuna;

TAKING INTO ACCOUNT the import data compiled from the ICCAT Bluefin Tuna Statistical Documents that must accompany bluefin tuna imports, and further taking into account that such data reveal significant exports of Atlantic bluefin tuna by Panama over several years;

EXPRESSING CONCERN with regard to the over-fished status of bluefin tuna in the Atlantic Ocean;

RECALLING the Commission's Action Plan, adopted in 1994, to ensure the effectiveness of the conservation measures for Atlantic bluefin tuna;

RECOGNIZING that effective management of bluefin tuna stocks cannot be achieved by Contracting Parties of ICCAT who are forced to reduce their catches of Atlantic bluefin tuna unless all non-Contracting Parties cooperate with ICCAT in connection with its conservation and management measures;

CALLING ATTENTION to the 1995 decision by the Commission identifying Panama as a country whose vessels have been fishing for Atlantic bluefin tuna in a manner which diminishes the effectiveness of the ICCAT bluefin tuna conservation measures, and recognizing that the decision was based on catch, trade and vessel sightings data;

CAREFULLY REVIEWING information regarding the efforts by the Commission to get the collaboration of Panama over the past year, including recognition of the fact that there have been several responses from Panama to the ICCAT requests and exchanges in which Panama informed the Commission that Panama adopted a resolution designed to rectify fishing by its vessels inconsistent with ICCAT bluefin tuna conservation and management measures; and

NOTING information from the Bluefin Tuna Statistical Documents through October, 1996, that shows continuing exports of bluefin tuna at significant levels from Panama to Japan;

NOTING that this recommendation does not prejudice the rights and obligations of Contracting Parties based on other international agreements;

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

- a. Contracting Parties take appropriate measures, consistent with provisions of the "*Resolution by ICCAT Concerning an Action Plan to Ensure Effectiveness of the Conservation Program for Atlantic Bluefin Tuna*", to the effect that the import of Atlantic bluefin tuna and its products in any form from Panama be prohibited, effective from 1 January 1998, unless the Commission decides, on the basis of documentary evidence, at its 1997 meeting or before, that Panama has brought its fishing practices for Atlantic bluefin tuna into consistency with ICCAT conservation and management measures.

- b. The Commission again request and work with Panama to implement effectively its expressions of intent to cooperate with ICCAT by fishing in a manner and extent consistent with ICCAT conservation and management measures and by providing catch statistics to ICCAT in accordance with ICCAT procedures.
- c. The Commission continue to encourage participation by Panama in all ICCAT meetings.
- d. Contracting Parties lift the import prohibition on Panama referred to in paragraph (a) above, upon the decision of the Commission and receipt of notification from the ICCAT Executive Secretary that fishing practices of Panama have been brought into consistency with ICCAT measures.