

--RECOMMENDATION --

FOR A REVISED ICCAT PORT INSPECTION SCHEME

Adopted by the Commission at its Fifteenth Regular Meeting (Madrid, November 1997). Report for the Biennial Period, 1996-1997 (Part II). Entered into force on June 13, 1998.

RECOGNIZING that many parties currently have port inspection schemes in place;

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

1. Inspection shall be carried out by the appropriate authorities of the Contracting Parties, who will monitor compliance with the Commission's conservation measures for all ICCAT species, at their own ports, without discrimination. Inspectors shall produce identification as provided by the national government.
2. In the case of an apparent violation by a foreign fishing vessel, the inspector shall draw up a report of the inspection on a form standardized by the Commission, or on a form produced by the national government which collects the same quality of information. The inspector must 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, and to add his own signature. The inspector should note in the vessel's logbook that an inspection was made. Copies of the form must be sent to the flag state of the vessel and to the ICCAT Secretariat within 10 days. In the case of a violation by a domestic vessel, domestic procedures will be followed for documentation, which must also provide the same quality of information as the standard ICCAT form.
3. An inspector may examine the fish, fishing gear, fish samples, and all relevant documents, including fishing logbooks and cargo manifest (in the case of a mother ship or carrier vessel), to verify compliance with ICCAT measures. The master of the vessel is required to cooperate with the inspector. Inspections shall be carried out so that the vessel suffers the minimum interference and inconvenience and that degradation of the quality of the fish is avoided.
4. Parties shall consider and act on reports of apparent violations by foreign inspectors on a similar basis as the reports of national inspectors in accordance with their national legislation. Contracting Parties shall collaborate, in accordance with their legislation, in order to facilitate judicial or other proceedings arising from reports of inspectors acting under these arrangements.
5. For cases in which an apparent violation has occurred, the vessel's flag state shall notify ICCAT of actions taken to address the violation.
6. All parties shall inform their vessel masters who are fishing on ICCAT species of the regulations. The masters shall also be instructed to cooperate with the inspectors in national as well as foreign ports.
7. Parties whose vessels enter, land, or transship their catches in ports other than their own, can send their own inspectors to inspect their own vessels with respect to the observance of the Commission's regulations, having previously obtained an invitation from the port state in which the inspection shall be executed.

In addition, parties are encouraged to enter into bilateral agreements/arrangements that allow for an inspector exchange program designed to promote cooperation, share information, and educate each party's inspectors on strategies and operations that promote compliance with ICCAT's management measures. The countries' national report should include a description of such programs.

N.B: The commission agreed that most ICCAT recommendations can only be enforced during off-loading, and therefore this is the most fundamental and effective tool for monitoring and inspection. This recommendation would modify the existing ICCAT port inspecting scheme to require national port inspection scheme and to provide minimum standards in conducting port inspection of foreign and domestic vessels during off-loading and transshipment operations of all ICCAT species. The purpose of the port inspection scheme is to ensure individual vessel compliance as well as to facilitate overall monitoring of each party's fisheries for ICCAT species. ICCAT hopes that the parties will actually exceed these minimum standards in order to effect timely and accurate monitoring of landings and transshipments, check compliance

with ICCAT management measures, ensure quotas are not exceeded, and collect data and other information on landings and transshipments.