

**-- RECOMMENDATION --
CONCERNING THE BAN ON LANDINGS AND TRANSHIPMENTS
OF VESSELS FROM NON CONTRACTING PARTIES IDENTIFIED
AS HAVING COMMITTED A SERIOUS INFRINGEMENT**

Recommendation adopted by the Commission at its 11th Special Meeting (Santiago de Compostela, Spain-November, 1998). Report for Biennial Period, 1998-99, Part I. Entered into force: June 21, 1999.

RECOGNIZING the importance of ensuring compliance of vessels from non-contracting parties, entities or fishing entities with ICCAT rules;

CONSIDERING that ICCAT adopted in November 1997 a Recommendation concerning the transshipments and vessel sightings and that, therefore, Contracting Parties of ICCAT have an obligation to report immediately the sightings of vessels from non-contracting parties, entities or fishing entities fishing in contravention to ICCAT rules;

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

- 1 A vessel flying the flag of a non-contracting party, entity or fishing entity, which has been sighted in the ICCAT Convention Area, in conformity with the conditions of paragraph 4 of the "*Recommendation by ICCAT on Transshipment and Vessel Sightings*", adopted in November 1997, is presumed to be undermining ICCAT conservation measures.
- 2 When a vessel of a non-contracting party, entity or fishing entity referred to in paragraph 1 enters voluntarily a port of any Contracting Party, it shall be inspected by authorized Contracting Party officials knowledgeable of ICCAT measures and shall not be allowed to land or tranship any fish until this inspection has taken place. Such inspections shall include the vessel's documents, logbooks, fishing gear, catch on board and any other matter relating to the vessel's activities in the Convention Area.
- 3 Landings and transshipments of all fish from vessels of a non-contracting party, entity or fishing entity which have been inspected pursuant to paragraph 2, shall be prohibited in all Contracting Party ports if such inspection reveals that the vessel has onboard species subject to ICCAT conservation measures, unless the vessel establishes that the fish were caught outside the Convention Area or in compliance with the relevant ICCAT conservation measures and requirements under the Convention.
- 4 Information on the results of all inspections of vessels of non-contracting parties, entities or fishing entities, conducted in the ports of Contracting Parties, and any subsequent action, shall be transmitted immediately to the Commission. The Secretariat shall transmit this information to all Contracting Parties and to the relevant flag State(s).