

**RECOMMENDATION BY ICCAT TO ESTABLISH MINIMUM
STANDARDS FOR FISHING VESSEL SCIENTIFIC OBSERVER PROGRAMS**

RECALLING that Article IX of the Convention requires Contracting Parties to furnish, on the request of the Commission, any available statistical, biological and other scientific information needed for the purposes of the Convention;

FURTHER RECALLING the 2001 *Resolution by ICCAT on the Deadlines and Procedures for Data Submission* [Res. 01-16], in which the Commission established clear guidelines for the submission of Task I and Task II data;

TAKING ACCOUNT OF the observations in the report of the Independent Review Panel on the performance of ICCAT about the completeness and reliability of data for many ICCAT fisheries and its recommendation that Commission members and cooperating non-members collect and transmit to the Secretariat in a timely way accurate Task I and Task II data;

ACKNOWLEDGING that poor quality data impacts the ability of the SCRS to complete robust stock assessments and provide management advice as well as the ability of the Commission to adopt effective conservation and management measures;

DETERMINED to ensure the collection of data accounting for all sources of mortality in ICCAT fisheries, for both target species and by-catch, to improve the certainty of future scientific advice while taking into account ecosystem considerations;

ACKNOWLEDGING the discussion and recommendations of the Working Group on the Future of ICCAT concerning the importance of observer programs in developing and implementing an ecosystem approach to management;

WELCOMING the planned future work of the SCRS Sub-Committee on Ecosystems and the Sharks Species Group to advise on minimum observer coverage levels needed to ensure sufficient data and information are available to support robust species estimates, particularly of by-catch species;

RECOGNIZING that observer programs are used successfully at both the national and Regional Fisheries Management Organization (RFMO) level for the purposes of collecting scientific data;

TAKING INTO ACCOUNT the needs of developing States with regard to capacity building;

RECOGNIZING the United Nations General Assembly Sustainable Fisheries Resolution 63/112, that encourages the development of observer programs by regional fisheries management organizations and arrangements to improve data collection;

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

1. Notwithstanding additional observer program requirements that may be in place or adopted by ICCAT in the future for specific fisheries for the collection of scientific information, each Contracting Party and Cooperating non-Contracting Party, Entity, or Fishing Entity (CPC) shall ensure the following with respect to its domestic observer programs:
 - a) A minimum of 5% observer coverage of fishing effort in each of the pelagic longline, purse seine, and, as defined in the ICCAT glossary, baitboat fisheries, as measured in number of sets or trips for purse seine fisheries; fishing days, number of sets, or trips for pelagic longline fisheries; or in fishing days in baitboat fisheries;
 - b) Notwithstanding paragraph 1a), for vessels less than 15 meters, where an extraordinary safety concern may exist that precludes deployment of an onboard observer, a CPC may employ an alternative scientific monitoring approach that will collect data equivalent to that specified in this recommendation in a manner that ensures comparable coverage. In any such cases, the CPC wishing to avail itself of an alternative approach must present the details of the approach to the SCRS for evaluation. The SCRS will advise the Commission on the suitability of the alternative approach for carrying out the data collection obligations set forth in this Recommendation. Alternative approaches implemented pursuant

to this provision shall be subject to the approval of the Commission at the annual meeting prior to implementation, except in the case of the 2011 fishing season. For the 2011 fishing season, alternative plans must be submitted to the SCRS prior to the commencement of the fishing season and shall be subject to the approval of the Commission at the 2011 annual meeting.

- c) Representative temporal and spatial coverage of the operation of the fleet to ensure the collection of adequate and appropriate data as required under this recommendation and any additional domestic CPC observer program requirements, taking into account characteristics of the fleets and fisheries;
 - d) Data collection on all aspects of the fishing operation, including catch, as specified in paragraph 2 below.
2. In particular, CPCs shall require observers to:
- a) record and report upon the fishing activity, which shall include at least the following:
 - i) data collection that includes quantifying total target catch and by-catch (including sharks, sea turtles, marine mammals, and seabirds), size composition, disposition status (i.e., retained, discarded dead, released alive), and the collection of biological samples for life history studies (e.g., gonads, otoliths, spines, scales);
 - ii) fishing operation information, including:
 - area of catch by latitude and longitude;
 - fishing effort information (e.g., number of sets, number of hooks, etc.);
 - date of each fishing operation, including, as appropriate, the start and stop times of the fishing activity;
 - iii) other scientific work as recommended by SCRS and agreed by the Commission.
 - b) observe and record the use of by-catch mitigation measures and other relevant information;
 - c) present to their CPC, as feasible and appropriate, any proposals the observer considers appropriate to improve the efficiency of conservation measures and scientific monitoring.
3. In implementing these observer requirements, CPCs shall ensure use of robust data collection protocols, including, as necessary and appropriate, the use of photography, and that observers are properly trained and approved before deployment. Toward that end, CPCs shall ensure that their observers have the following qualifications to accomplish their responsibilities:
- a) sufficient knowledge and experience to identify species and collect information on different fishing gear configurations;
 - b) satisfactory knowledge of the ICCAT conservation and management measures;
 - c) the ability to observe and record accurately data to be collected under the program;
 - d) the ability to collect biological samples;
 - e) not be a crew member of the fishing vessel being observed; and
 - f) not be an employee of a fishing vessel company involved in the observed fishery.

In addition, CPCs shall ensure their observed flag vessels permit appropriate access to the vessel and its operations to allow the observer to carry out its responsibilities effectively.

4. Each year, CPCs shall report information collected under domestic observer programs to the SCRS for stock assessment and other scientific purposes in line with procedures in place for other data reporting requirements and consistent with domestic confidentiality requirements, including, *inter alia*, catch rates, the coverage level achieved within their respective fisheries, and details on how coverage levels were calculated.
5. CPCs shall also provide a preliminary report to SCRS by 31 July 2011 on the structure and design of their domestic observer programs to be followed by an updated report on 31 July 2012. These reports shall include, *inter alia*, the following information:
 - a) target level of observer coverage by fishery and how measured,
 - b) data required to be collected,
 - c) data protocols in place,
 - d) information on how vessels are selected for coverage to achieve the CPC's target level of observer coverage,

- e) observer training requirements, including any training materials, such as a training manual,
- f) observer qualification requirements.

Following the submission of the reports referred to in this paragraph, any changes to CPC observer programs shall be reported to the SCRS through CPC Annual Reports.

6. Beginning in 2012 and every three years thereafter SCRS shall:
 - a) report to the Commission on the coverage level achieved by each CPC by fishery;
 - b) provide the Commission with a summary of the data and information collected and reported pursuant to this Recommendation and any relevant findings associated with that data and information;
 - c) review the minimum standards established for CPC observer programs as set out in this recommendation; and
 - d) make recommendations as necessary and appropriate on how to improve the effectiveness of observer programs in order to meet the data needs of the Commission, including possible revisions to this Recommendation and/or with respect to implementation of these minimum standards by CPCs.
7. The Commission shall take due regard of the special requirements of developing States in the implementation of the provisions of this Recommendation.
8. The Commission shall review this Recommendation no later than its 2012 annual meeting and every three years thereafter, and consider revising it in light of information on CPC observer programs received pursuant to paragraphs 4 and 5 and SCRS advice pursuant to paragraph 6.
9. The ICCAT Secretariat shall facilitate the required exchange of information between each CPC concerned and the SCRS and the implementation of any other aspects of this Recommendation as necessary and appropriate.