

Original: English

**PROPOSAL TO ESTABLISH A
WORKING GROUP ON CATCH DOCUMENT SCHEME**

(Submitted by Japan)

Background

1. Based on the discussion at the 13th meeting of the Working Group on Integrated Monitoring Measures (IMM) in Madrid, Spain on 2-4 April 2019, Japan submitted to the 2019 Annual Commission meeting an Informal Discussion paper on possible amendments to Bigeye tuna and Swordfish Statistical Document Programmes (SDP), including development of Catch Document Scheme (CDS) to facilitate further discussion.
2. The 2019 Annual Commission meeting agreed that more detailed discussion should be continued at the 2020 IMM meeting without prejudging the future course on this issue.
3. Since the 2020 IMM meeting was cancelled due to the COVID-19 pandemic, Japan submitted a paper "A proposed way forward for discussion on catch document schemes" (**Appendix 1**- IMM-05A/21,) to the 2021 IMM meeting in order to facilitate further discussion and show a possible direction. This paper included a draft resolution to establish a Working Group on CDS.
4. At the IMM meeting, Japan's proposal to establish the WG received a general support and several suggestions on its TOR. Japan circulated a revised draft resolution for comments from all CPCs (#7084/2021 dated 17 September 2021) and received comments from the US (**Annex 1**). Taking into account these comments, Japan hereby submits the proposed resolution for consideration and adoption by the Commission at the 2021 annual meeting.
5. Several years have passed since the Commission noted the possible expansion of CDS. While there has been no progress in ICCAT, the market demand on fishery product whose legality is certificated has been ever increasing. It should be noted that even if the Commission starts discussion now, it may take several years to complete all the necessary work. The Commission should be proactive and start discussion now.

**DRAFT RESOLUTION BY ICCAT ESTABLISHING
AN ICCAT WORKING GROUP ON CATCH DOCUMENT SCHEME**

(Submitted by Japan)

RECALLING that ICCAT agreed at the 2019 annual Commission meeting that detailed discussion should be continued without prejudging the future course of development of Catch Document Schemes (CDS);

RECOGNIZING the ever-increasing market demand for fishery products whose legality are verified;

NOTING the successful development and implementation of an electronic bluefin tuna catch documentation scheme in ICCAT;

RECALLING the *Recommendation by ICCAT on a Process Towards the Establishment of a Catch Certification Scheme for Tuna and Tuna-Like Species* (Rec. 12-09);

EMPHASIZING the need to implement a risk-based approach with respect to CDS;

MINDFUL of the Voluntary Guidelines for Catch Documentation Schemes adopted by FAO in 2017, which set out guidance to States, RFMOs, regional economic integration organizations, and other intergovernmental organisations when developing and implementing new CDS, or harmonizing or reviewing existing CDS;

RECOGNISING that the Convention amendment process consisted of two parts, i.e., the first part focused on the review of the Convention and the second part focused on developing specific amendments, and a similar two-step approach could be a good way to proceed with the discussion on this issue;

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

1. An ad hoc Working Group (WG) on CDS is established with the objective of considering whether to establish an electronic CDS for any additional ICCAT stocks/species.
2. In [2022 and 2023], the WG should hold a meeting at least once a year, preferably in conjunction with a intersessional meeting, particularly the IMM Working Group, so that the Meeting Participation Fund can be efficiently utilized to support the participation of developing CPCs. If the WG is held in conjunction with an IMM Working Group meeting, the total duration of these two meetings should be no more than five days.
3. The WG is open to all CPCs and accredited observers.
4. The WG will elect its own Chair.
5. Without prejudging the conclusion on possible establishment of the CDS and taking into account the factors specified in paragraph 1 of Rec. 12-09 and the provisions of the FAO Voluntary Guidelines on Catch Documentation Schemes, the WG should discuss, *inter alia*:
 - a) Which species might be covered.
 - b) What practical and technical difficulties exist with respect to the design and implementation of CDS and how they may be overcome.
 - c) Whether it is feasible and appropriate to utilize the eBCD system for other species and what modifications would be needed.

- d) What enhancements to the capacity of developing CPCs may be needed to support their CDS implementation and how to meet them.
 - e) How to avoid duplication with existing schemes while possibly also reducing the workload of exporting CPCs.
 - f) How to ensure compatibility between CDS being developed or implemented in other tuna RFMOs.
6. The Chair of the WG should report on the progress of its work to the PWG during the annual meetings of the Commission in [2022 and 2023]. In [2023], or as soon as possible thereafter, the Commission should decide on whether to start work on expansion of CDS to one or more ICCAT stocks/species.

A PROPOSED WAY FORWARD FOR DISCUSSION ON CATCH DOCUMENT SCHEMES

(Submitted by Japan)

1. Background

1. Based on the discussion at the 13th meeting of the Working Group On Integrated Monitoring Measures (IMM) in Madrid, Spain on 2-4 April 2019, Japan submitted to the 2019 Annual Commission meeting *Informal Discussion paper on possible amendments to Bigeye tuna and Swordfish Statistical Document Programmes (SDP), including development of Catch Document Scheme (CDS)* to facilitate further discussion.
2. The 2019 Annual Commission meeting agreed that more detailed discussion should be continued at the 2020 IMM meeting without prejudging the future course on this issue.
3. Since the 2020 IMM meeting was cancelled due to the COVID-19 pandemic, Japan submits this paper to the 2021 IMM meeting in order to facilitate further discussion and show a possible direction.
4. Several years have passed since the Commission noted the possible expansion of CDS. While there has been no progress in ICCAT, the market demand for fishery products whose legality are certified has been ever increasing. Japan, as one of the biggest markets for fish and fishery products, has been exposed to great external pressure. In 2020, Japan decided to take its own action by enacting a new domestic law (see **Appendix**). Japan still believes that a multilateral approach should be explored since it would be more comprehensive than individual national actions. More importantly, exporting countries are more and more likely to face a request from importing countries to export only certified products. It should be noted that even if the Commission starts discussion now, it may take several years to complete all the necessary work. The Commission should be proactive and start discussion now.

2. Whether the current CDS should be expanded to cover other species?

1. Japan considers that the following criteria should be applied to judge whether a certain species should be subject to a CDS:
 - a) the species is overfished and/or subject to overfishing
 - b) the catch of the species involves the risk of IUU fishing
 - c) the species is subject to international trade
2. The stock status of ICCAT major species other than BFT is:

Bigeye	Atlantic wide	
Yellowfin	Atlantic wide	
Swordfish	North Atlantic	
	South Atlantic	Overfished
	Mediterranean	Overfished
Albacore	North Atlantic	
	South Atlantic	
	Mediterranean	
Skipjack	East Atlantic	
	West Atlantic	

This table indicates that bigeye and swordfish are candidates for CDS. It should be noted that purse seiners catch skipjack, bigeye and yellowfin simultaneously.

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3. Risk of IUU fishing

- a) For tropical tunas (bigeye, yellowfin and skipjack), the 2019 SCRS Report says, *“The unreported catches of some purse seiners were estimated by comparing the monitored landings in West African ports and cannery data to the catches reported to ICCAT. Estimates of the unreported catches of these purse seiners have increased since 2006 and may have exceeded 20,000 t for the three main species of tropical tunas. The Committee expressed the need for the countries and the industry concerned in the region to cooperate to estimate and report these catches accurately to ICCAT. Recent progress in the transmission and review of data submitted to the ICCAT Secretariat has enabled the Committee to partially include these catches and the associated sizes in the skipjack assessment. The magnitudes of these estimates of IUU catch, however, are likely to influence the assessments and the perception of stock status.”*
- b) In addition, the following statements are found for respective species:

Bigeye	2018 Bigeye Data Preparatory Meeting says, <i>“The Group reiterated its past observations that the BET-SDP information, with its current aggregation level (biannual reports on trade), cannot be used to validate Task 1 catch series. This is due to the impossibility of obtaining accurate fishing dates (with time lags varying from a few months to more than one year). In addition, the level of SDP coverage is unknown given that not all the bigeye trade among countries is reported under the ICCAT SDP.”</i>
Yellowfin	2019 SCRS Report says, <i>“catch reports for 2018 were incomplete at the time of the stock assessment meeting, with 42% of the total catch being estimated using the average of the previous three years, by CPC and gear type.”</i>
Swordfish	2019 SCRS Report says, <i>“The total Atlantic estimated catch (landings plus dead discards) of swordfish (North and South, including reported dead discards) in 2018 (19,262 t) was 7.1% lower than the reported catch of 2017 (20,726 t). As a small number of countries have not yet reported their 2018 catches and because of unknown unreported catches, this value should be considered provisional and subject to further revision.”</i>
Mediterranean Albacore	2017 Albacore Species Group Intersessional Meeting Report says, <i>“Since the last ALB-M stock assessment (Anon, 2012) no major improvements were made to T1NC estimations, neither in terms of data recovery of historical catch series, nor in terms of corrections required to the existing data. The T1NC catches still have several of the same problems found in the past particularly for the older time series (incomplete series, poor gear discrimination, etc.)”</i> 2020 Albacore Stock Assessment Meeting Report says, <i>“The Group recommends that, the Secretariat work together with the Statistical Correspondents of ICCAT CPCs having gaps or incomplete Task 1 and Task 2 datasets identified in the three albacore SCRS catalogues (respectively stocks: ALB-N, ALB-S, ALB-M in Tables 3, 4, and 5), to recover and report those missing datasets to ICCAT, foreseeing the 2021 ALB intersessional meeting.”</i>

- c) The above information indicates that each species has unreported catches and there is a room for a CDS to assist collection of such missing information. There is a possibility that another element of IUU, namely, illegal fishing exists.

4. Degree of international trade

	Catch (MT)	Trade (MT)	% of Trade
Bigeye	424,644	153,399	36%
Yellowfin	1,562,192	556,179	36%
Swordfish	116,638	87,892	75%
Albacore	234,228	143,131	61%
Skipjack	3,242,856	1,714,584	53%

Note: 1. The data are for 2018 (FAO Fishstatj); 2. As it is difficult to calculate % of trade for the ICCAT Convention area, the figures are for the entire world.

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All the species are subject to international trade with a varying degree.

5. Additional consideration

a) Regarding the voluntary Guidelines for Catch Documentation Schemes adopted by FAO in 2017, Japan believes that the very establishment of the guidelines demonstrates the needs for FAO to respond to an increasing interest of the world society in more legal and sustainable seafood, while taking into account various points to be considered including practical difficulties.

b) Recommendation of 2nd ICCAT Performance Review in 2016

The Review Panel recommended “73. Works towards replacing all SDPs with electronic CDPs that are harmonized among tuna RFMOs where appropriate - in particular for bigeye tuna - while taking account of the envisaged FAO Voluntary Guidelines on Catch Documentation Schemes.”

c) Market demand

It is well-known that ecolabelling certifies not only legality but also sustainability. The Marine Stewardship Council (MSC), which is one of the most famous ecolabelling schemes, has already certified 409 fisheries and more than 18,735 products as of 31 March 2020. This also demonstrates that consumers are demanding more and more fishery products whose legality and sustainability are confirmed. A CDS could be a good basis for certifying a product as legal and sustainable.

d) Completion of the electronic bluefin tuna catch documentation (eBCD)

Japan recalls that when the IMM discussed the same topic back in 2013, several delegations stated that any future CDS should be electronic and the Commission should wait for completion of the eBCD. Now that the eBCD is in full operation, the Commission is in a better position to consider possible expansion of the eBCD for other species.

6. On account of the reasons in paragraphs 4 to 8, Japan considers that all the five species, i.e., bigeye, yellowfin, skipjack, albacore and swordfish, should be subject to a CDS. Japan understands, however, that not all CPCs were positive on this issue in the past discussions for various reasons. Accordingly, Japan suggests a way forward which is similar to the process for the Convention amendments.

7. The Convention amendment process consisted of two parts. In 2006, the Commission established the Working Group on the Future of ICCAT to review the Convention. The WG was held in 2008, 2011 and 2012 to review the Convention. Based on the discussion at these three WG meetings, the 2012 Commission annual meeting decided to establish the Working Group to Develop Amendments to the ICCAT Convention.

8. Japan considers that this two-step approach was very productive and greatly contributed to completion of the Convention amendment process. Accordingly, Japan suggests that a working group be established to deepen discussion on CDS with the terms of reference in **Attachment**. Whether the Commission wishes to start the second phase, i.e., establishment of a CDS, will depend on the outcome of the WG.

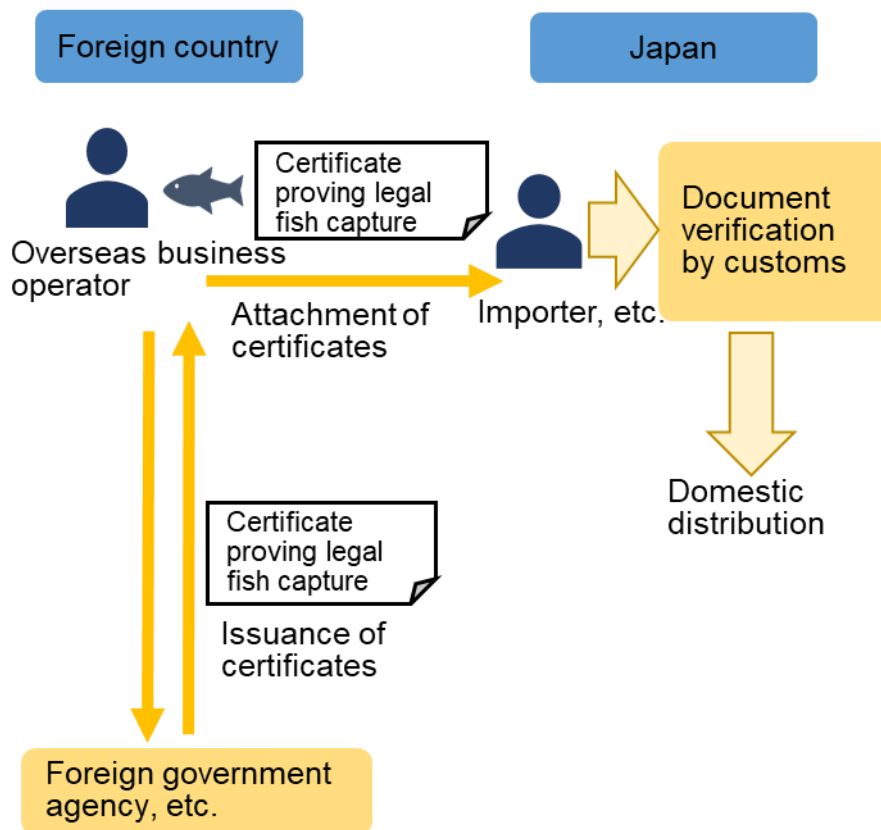
Draft Terms of Reference for Discussion on CDS

1. An ad-hoc Working Group (WG) on CDS is established with the following objectives and rules.
2. The objective of the WG is to consider whether to establish an electronic CDS for major ICCAT species.
3. In 2022 and 2023, the WG shall be held at least once a year, preferably in conjunction with another meeting, particularly an IMM meeting so that the meeting participation fund can be efficiently utilized for participation of developing CPCs. If the WG is held in conjunction with an IMM meeting, the total duration of these two meetings shall be five days at maximum.
4. The WG is open to all CPCs and accredited observers.
5. The Chair of the WG shall be selected by the Commission.
6. The WG shall discuss without prejudging the conclusion on possible expansion of the CDS:
 - a) Which species should be and could be covered with special attention given to the multi-species nature of tropical tuna fisheries
 - b) What technical difficulties should be dealt with and how to overcome them
 - c) Whether the eBCD could be utilized for other species without too many modifications
 - d) How to enhance capacity of developing CPCs
 - e) How to avoid duplication with existing schemes, and possibly reduce the workload of exporting CPCs
7. The Chair of the WG shall report its work to the PWG during the annual meetings of the Commission in 2022 and 2023. In 2023, the Commission shall decide on whether to start work on expansion of the CDS.

Outline of import regulations to prevent IUU fish catches from entering Japan

Given the international community’s calling for ending IUU fishing, it was considered necessary for Japan, one of the world’s largest importers of fishery products (ranking only after the United States and Europe, which have already adopted the necessary measures), to implement measures to prevent the inflow of illegal fish catches from overseas.

Under the new Act, for fish species that are likely to be internationally targeted for IUU fishing, it is mandatory to attach certificates or other documents issued by foreign government agencies, etc. at the time of import.



The new Act will be enforced within a period not exceeding two years from the day of promulgation (i.e. 11 December 2020).

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Explanatory Note

Japan submitted a proposal on a way forward for discussion on catch document schemes (IMM-05) for the first round of correspondence and it received no comments. Japan now submits a draft resolution to establish a working group as indicated in IMM-05, for consideration by the IMM.

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