JOINT IATTC AND WCPFC-NC WORKING GROUP SIXTH CATCH DOCUMENTATION SCHEME TECHNICAL MEETING (CDS-06)

9 July 2025

Toyama, Japan

Working Draft CMM Resolution for Pacific Bluefin Tuna CDS

IATTC-NC-CDS06-2025/02

Small Working Group under the CDS Technical Meeting

Background

In 2019 and 2020, the virtual working group established under the CDS Technical Meeting discussed a draft CMM/Resolution for Pacific bluefin tuna Catch Documentation Scheme. The draft CMM/Resolution received many comments and suggestions from the members of the virtual working group. In June 2022, Japan, as the lead, circulated the 3rd draft of the CMM/Resolution among members of virtual working group, with all comments and suggestions tentatively incorporated. However, since the text became quite busy with those comments and suggestions, including provisions related to traceability and monitoring, controlling and surveillance measures, some of which were considered to be beyond the scope of the CDS, the 3rd draft was not directly discussed at the 3rd CDS Technical meeting.

The 3rd CDS Technical meeting in July, 2022 agreed that "the scope and functions of the draft CMM for the development of CDS would: i) not include seafood traceability and not go beyond the scope of the bluefin tuna CDSs utilized by the CCSBT and ICCAT, and ii) not include specific monitoring, controlling and surveillance measures."

The 4th CDS Technical meeting in July 2023 tentatively agreed to use resources from the CCSBT e-CDS as the platform for the system development of ePBCD. This choice has some implication to the Draft CMM/Resolution. On the other hand, there were several pending issues that need further discussion, such as demarcation between IATTC and WCPFC.

In July 2024, the small working group submitted a working draft CMM/Resolution to the 5th CDS Technical meeting. This draft was developed based on the 3rd draft and by simplifying some of the text to reflect the agreement in 2022 to narrow the scope and functions of the draft CMM/Resolution. The 5th CDS Technical meeting tentatively agreed to take a stepwise approach to determine the scope of application and to initially set the scope as covering international transactions. The 5th CDS Technical meeting also agreed to task the small working group to produce an amended draft CMM and to present it at the next CDS Technical meeting.

Furthermore, at the 102nd meeting of the IATTC in September 2024 and the 21st regular session of the WCPFC in December 2024, the CPCs/CCMs agreed to consider the establishment of a CDS for Pacific bluefin tuna fisheries in the EPO/WCPO by 31 December 2026.

In light of these progress, the small working group wishes to submit the amended working draft CMM/Resolution as attached. This working draft has not received any authorization from the virtual working group or small working group established under the CDS Technical meeting. Rather, this document was created for the purpose of having a basis for further discussion at the 6th CDS Technical meeting and thereafter.

Part I: General Provisions and Application

- 1. The objective of the Pacific bluefin tuna Catch Documentation (PBCD) program is to identify the origin and movement of Pacific bluefin tuna (PBF) in order to support the implementation of Conservation and Management Measure (CMM)/Resolution for PBF, including by providing a tool to assist in combating IUU fishing.
- 2. This CMM/Resolution applies to PBF, except for those captured in sport and recreational fisheries when their sales are prohibited.
- 3. For the purpose of this CMM/Resolution:
 - (1) "Catch" means:
 Commercial wild capture of PBF, except when the captured PBF is released [or discarded]¹.
 - (2) "Caging" means: The relocation of live PBF from a fishing vessel, trap or transport cage to a farming cage, including a fattening cage.
 - (3) "Export" means:

Any movement of PBF from the territory of the Commission Member, Cooperating Nonmember and participating Territory (hereinafter referred to as CCM)/Member and Cooperating Non-Member (hereinafter referred to as CPC) where the fishing vessel is flagged (hereinafter referred to as flag CCM/CPC) or where the trap or farm is established (hereinafter referred to as trap CCM/CPC or farm CCM/CPC, respectively) to the territory of another CCM/CPC or non-CCM/non-CPC of the Commission, or from the fishing grounds to the territory of a CCM/CPC which is not the flag CCM/CPC or to the territory of a non-CCM/non-CPC of the Commission.

- (4) "Harvest" means: Taking of PBF from farming cages for consumption, processing, export or other purposes that result in the death of the animal.
- (5) "Import" means: Any introduction of PBF into the territory of a CCM/CPC, which is not the flag CCM/CPC, trap CCM/CPC or farm CCM/CPC.
- (6) "Re-export" means: Any movement of PBF from the territory of a CCM/CPC where it was previously imported to the territory of another CCM/CPC or non-CCM/non-CPC.
- (7) "Transshipment" means: The unloading of all or any of PBF on board a fishing vessel to another fishing vessel either at sea or in port.
- 4. Export, import or re-export of PBF without a completed and validated electronic Pacific bluefin tuna Catch Documentation (ePBCD) or electronic Pacific bluefin tuna Re-export Certificate (ePBRC) shall be prohibited. Export, import or re-export of fish parts other than the meat or collars (i.e., heads, eyes, roes, guts and tails) shall be exempted from the requirement of this CMM/Resolution.
- 5. Development and implementation of ePBCD and ePBRC
 - (1) For the implementation of this CMM/Resolution, an interoperable ePBCD system will be developed. This system will also be made available for ePBRC. WCPFC and IATTC Secretariats should formulate the Terms of Reference for an open tender for the system development before the end of 20XX, or as soon as possible thereafter. Such Terms of Reference shall be

¹ By the Chinese Taipei

approved by both WCPFC and IATTC. The Secretariat shall report to the Commission the result of tenders and progress on the system development thereafter.

- (2) A pilot testing phase will be undertaken at least for X years to implement ePBCD and ePBRC. The pilot testing will involve CCMs/CPCs on a voluntary basis and cover range of actions required in this CMM/Resolution.
- (3) Use of the ePBCD system is mandatory of all CCMs/CPCs once ePBCD system is implemented after the pilot testing phase.
- (4) Notwithstanding [paragraph 4 and]² subparagraph (3), paper PBCDs and PBRCs, whose formats are attached as Annex A and B, respectively, or printed ePBCDs and ePBRCs may be used in cases falling under the exceptional circumstances specified in paragraph 26. The provisions of paragraph 4 and Parts II through VII shall apply *mutatis mutandis* to paper PBCDs and PBRCs or printed ePBCDs and ePBRCs.
- (5) The ePBCD system will include a function that automatically detects any inconsistencies in the input data and notifies the relevant CCMs/CPCs of these inconsistencies. Such inconsistencies shall include the following:
 - a. The accumulated catch attributed to a CCM/CPC recorded in the ePBCD system exceeds that CCM/CPC's catch quota or catch limit for the relevant management year (notification will be sent to the CCM/CPC).
 - b. The amount of exported Pacific bluefin tuna recorded in the ePBCD system originating from a single vessel or trap on a single day exceeds the recorded amount of PBF caught by that vessel or trap on that day (notification will be sent to the exporting CCM/CPC).

Part II: Documents and Information Required

- 6. The following information shall be recorded in the ePBCD. Each item shall be in accordance with the specifications in Annex C.
 - (1) Information on catch
 - (2) Information on transshipment
 - (3) Information on harvest
 - (4) Information on first sale after catch
 - (5) Information on export and import
- 7. The following information shall be recorded in the ePBRC. Each item shall be in accordance with the specifications in Annex D.
 - (1) Information on imported PBF, including information on related ePBCD(s)
 - (2) Information on re-export and import

Part III: Validation

- 8. Record in ePBCD and ePB<u>RC</u>CR
 - (1) The master or operator of a vessel, the trap or farm operator, the exporter, their authorized representative, or the authorized representative of the flag CCM/CPC, trap CCM/CPC, farm CCM/CPC or the CCM/CPC where PBF is exported from (hereinafter referred to as export CCM/CPC) shall record the information specified in paragraph 6 in the appropriate section of the ePBCD on each occasion it catches, transships, harvests, first sells, or exports PBF.
 - (2) Notwithstanding subparagraph (1), following the recording of catch and transshipment information in the ePBCD, the recording of information afterwards in the ePBCD is not required for PBF that is not exported.

² By the Chinese Taipei

- (3) Information on catch shall be recorded within [] days of the landing. However, if the landing of PBF by one vessel or one trap at a time is less than [1] metric ton, the information may be recorded within [] days. When PBF is caged, information on catch shall be recorded within []. Any transfer of the caged PBF shall be prohibited until the information on catch is recorded.
- (4) The re-exporter, its authorized representative, or the authorized representative of the CCM/CPC where the PBF is re-exported from (hereinafter referred to as re-export CCM/CPC) shall record the information specified in paragraph 7 in the appropriate section of the ePBRC on each occasion they re-exports PBF.
- 9. Validation of ePBCD and ePBRC
 - (1) The ePBCD and ePBRC must be validated by an authorized government official, or other authorized individual or institution, of the flag CCM/CPC, trap CCM/CPC, farm CCM/CPC, export CCM/CPC or re-export CCM/CPC that caught, harvested, exported or re-exported PBF.
 - (2) The ePBCD shall be validated only when:
 - a. All the information provided in the ePBCD has been established to be accurate;
 - b. The accumulated catch attributed to a CCM/CPC is within that CCM/CPC's catch quota or catch limit for the relevant management year; and,
 - c. The PBF in the ePBCD was caught, transshipped, harvested or sold in compliance with other applicable provisions of CMMs/Resolutions.
 - (3) The ePBRC shall be validated only when:
 - a. All the information provided in the ePBRC has been established to be accurate;
 - b. All the ePBCD numbers relating to the previously imported PBF products are included.
 - c. Each related ePBCD had been validated and accepted for the importation of the products declared on the ePBRC; and,
 - d. The products to be re-exported are wholly or partly the same product on the validated ePBCD(s).

Part IV: Tag

- 10. Notwithstanding paragraph 9, validation of ePBCD shall not be required when PBF is tagged by the flag CCM/CPC or trap CCM/CPC in accordance with the following criteria:
 - (1) All PBF in the ePBCD concerned are individually tagged;
 - (2) The minimum information associated with the tag includes:
 - a. Identifying information on the vessel or trap that caught PBF;
 - b. The date of catch or landing;
 - c. The area of catch of the PBF;
 - d. The type of product and weight of the PBF;
 - e. Information on the exporter and importer (where applicable);
 - f. The point of export (where applicable).
 - (3) Information on tagged fish is compiled by the responsible CCM/CPC and made available to the Secretariat upon its request.
- 11. CCMs/CPCs may require their vessels or traps to affix a tag to each <u>PBFBFT</u> preferably at the timing of kill, but no later than the time of landing. The tags shall have unique country-specific numbers and be tamper proof. The tag numbers shall be linked to the ePBCD.
- 12. Such tags shall only be used when the accumulated catch attributed to a CCM/CPC is within that CCM/CPC's catch quota or catch limit for the relevant management year, including where appropriate individual quotas allocated to vessels or traps.

Part V: Verification for PBF trade

- 13. Each CCM/CPC shall ensure that its competent authorities, or other authorized individuals or institutions take steps to identify each consignment of PBF imported into or exported or re-exported from its territory and request and examine the validated ePBCD(s) and ePBRC(s) as well as other related documentation for each consignment of PBF when it is exported, imported or re-exported. These authorities, individuals or institutions may also examine the contents of the consignment to verify the information contained in the ePBCD and in related documents and, where necessary, shall carry out verifications with the operators concerned.
- 14. If as a result of examinations or verifications carried out pursuant to paragraph 13, [a doubt arises] [question arise]³ regarding the information contained in an ePBCD or ePBRC, the final importing CCM/CPC and the CCM/CPC whose competent authorities validated the ePBCD(s) or ePBRC(s) shall cooperate to resolve such doubts.
- 15. If a CCM/CPC involved in export, import or re-export of PBF identifies a consignment in violation of paragraph 4, it shall notify the findings to the [Secretariat]⁴, the export CCM/CPC, re-export CCM/CPC and, where known, the flag CCM/CPC.
- 16. Pending the examinations or verifications under paragraph 13 to confirm compliance of PBF consignment with the requirements in this CMM/Resolution and any other relevant CCMs/Resolutions, the CCMs/CPCs shall not grant its release for export, import and re-export.
- 17. Where a CCM/CPC, as a result of examinations or verifications under paragraph 13 and in cooperation with the validating authorities concerned, determines that an ePBCD or ePBRC is invalid, import, export and re-export of the PBF consignment shall be prohibited.

Part VI: Communication

- 18. Each CCM/CPC shall notify the Secretariat of the name, title, organization and address of the government officials or other authorized individuals specified in paragraph 9(1), and the name and address of the other authorized institutions specified in the same paragraph and, where appropriate, the name and title of the officials who are individually empowered within those institutions. This notification shall indicate the date at which the authorization comes into force. Any changes to the content of the notification under this paragraph shall be promptly notified to the Secretariat.
- 19. Each CCM/CPC shall notify the Secretariat of the name, address and contact details of the organization that will serve as the point of contact for questions related to ePBCDs or ePBRCs concerning the CCM/CPC. Any changes to the content of the notification under this paragraph shall be promptly notified to the Secretariat.
- 20. All CCMs/CPCs concerned shall, as soon as possible for the ePBCD system implementation, submit to the Secretariat the data necessary to ensure the registration of their users in the ePBCD system. Access to and use of the system cannot be ensured for those who fail to provide and maintain the data required by the ePBCD system.

³ By the United States

⁴ By the Chinese Taipei

- 21. The Commission shall request the non-CCMs/non-CPCs that are involved in export, import or reexport of PBF to cooperate with the implementation of the program and to provide to the Commission data obtained from such implementation.
- 22. Access to the ePBCD system shall be granted to non-CCMs/non-CPCs to facilitate trade of PBF. Until such time as the functionality is developed that allows non-CCMs/non-CPCs access to the system, this shall be accomplished through completion by the non-CCMs/non-CPCs of paper PBCD and PBRC consistent with the terms of paragraph 5(4) and submission to the Secretariat for entry into the ePBCD system. The Secretariat shall communicate without delay to those non-CCMs/non-CPCs known to import, export or re-export PBF to make them aware of the ePBCD system and the applicable provisions of this CMM/Resolution.

Part VII: Data Sharing and Confidentiality

- 23. The information notified under paragraph 18 shall be handled as non-public domain data and the Secretariat shall facilitate access to this information by authorized CCM/CPC users through the secure pages of the Commission website.
- 24. The Secretariat shall facilitate access to the information notified under paragraph 19 through the public pages of the Commission website.
- 25. All the data in ePBCD shall be processed in accordance with the Rules of Procedures for the Protection, Access to, and Dissemination of Data Compiled by the Commission/Resolution on Confidentiality.

Part VIII: Exceptional Arrangements

- 26. Paper PBCDs and PBRCs, whose formats are attached as Annex A and B, respectively, or printed ePBCDs and ePBRCs may be used in accordance with paragraph 5(4), if any of the following circumstances apply:
 - (1) The landing or caging of PBF by one vessel or one trap at a time is less than [1] metric ton. In this case, the logbook or the sales note may be used as a temporary PBCD. Such paper PBCDs, printed ePBCDs or temporary PBCDs shall be converted to ePBCDs within a period of
 [] days or prior to the export, whichever is first;
 - (2) PBF is caught prior to the full implementation of the ePBCD system as specified in paragraph 5(3);
 - (3) Technical difficulties arise with the ePBCD system that preclude a CCM/CPC from using the system. In this case, the CCM/CPC shall follow the procedures set forth in Annex E. Delays by CCMs/CPCs in taking necessary actions, such as providing the data necessary to ensure the registration of users in the ePBCD system or other avoidable situations, do not constitute technical difficulties in this subparagraph.
 - (4) In the case of trade between CCMs/CPCs and non-CCMs/non-CPCs, where access to the ePBCD system by non-CCMs/non-CPCs through the Secretariat in accordance with paragraph 22 is not possible or is not timely enough to ensure that trade is not unduly delayed or disrupted.
- 27. When a paper PBCD or PBRC, or a printed ePBCD or ePBRC is used in accordance with paragraphs 5(4) and 26, importing CCMs/CPCs, solely on the basis of the use of such paper or printed PBCD and PBRC, shall not be cited as a reason to delay or deny import of PBF.

28. Where requested by a CCM/CPC, the Secretariat shall facilitate the conversion of paper PBCDs or PBRCs, or printed ePBCDs or ePBRCs to ePBCDs or ePBRCs.

Annex A: Format of Paper PBCD

Need to be considered based on the discussion in the main text.

Annex B: Format of Paper PBRC

Need to be considered based on the discussion in the main text.

Annex C: Information to be Recorded in ePBCD

Need to be considered based on the discussion in the main text.

Annex D: Information to be Recorded in ePBRC

Need to be considered based on the discussion in the main text.

Annex E: Procedures for Technical Difficulties with the ePBCD system

Need to be considered based on the discussion in the main text.

Annex F: Artificial Fry

Need to be considered based on the discussion in the main text.