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**EU Proposal for a CMM on a WCPFC Yellowfin, Bigeye and Skipjack and Swordfish Catch
Certification Scheme**

**WCPFC9-2012-DP24_rev1
21 November 2012**

**EU PROPOSAL FOR A CONSERVATION AND MANAGEMENT MEASURE ON A
WCPFC YELLOWFIN, BIGEYE AND SKIPJACK AND SWORDFISH CATCH
CERTIFICATION SCHEME**

RECOGNIZING the impact that market factors have on the fishery;

TAKING INTO ACCOUNT the conservation and management measure in the Western Central Pacific Ocean that WCPFC has adopted;

CONCERNED by the impact that illegal, unregulated and unreported (IUU) fishing has in the WCPFC Convention area;

REITERATING the responsibilities of flag States to ensure that their vessels conduct their fishing activities in a responsible manner, fully respecting WCPFC conservation and management measures;

NOTING the need for improved and strict control on all the components involved in the yellowfin, bigeye and skipjack tunas and swordfish fisheries;

MINDFUL of the rights and obligations of port States to promote the effectiveness of management measures adopted by regional fisheries management organizations;

UNDERLINING the complementary role that importing States also have in the control of the catches of yellowfin, bigeye and skipjack tunas and swordfish to ensure compliance with WCPFC conservation and management measures;

RECOGNIZING that in order to have effective control of the movements of yellowfin, bigeye and skipjack tunas and swordfish, strict tracking of the product from the point of capture throughout the whole operation to its final market has to be established;

COMMITTED to taking steps that conform with international law, notably as regards the World Trade Organization (WTO), and to ensure that yellowfin, bigeye and skipjack tunas and swordfish entering markets of Commission Members, Cooperating Non-Members and Participating Territories (CCMs) of WCPFC and non-members of WCPFC is caught in the WCPFC Convention area in a manner that does not diminish the effectiveness of WCPFC conservation and management measures;

UNDERLINING that the adoption of this measure is intended to help support the implementation of conservation and management measures as well as scientific research for WCPFC yellowfin, bigeye and skipjack tuna and swordfish stocks;

ADOPTS, in accordance with Article 10 of the WCPFC Convention, the following measure:

PART I

GENERAL PROVISIONS

1. Each Commission Member, Cooperating Non-Member and Participating Territory (hereafter referred to as CCMs) shall take the necessary steps to implement a WCPFC yellowfin, bigeye and skipjack tuna and swordfish Catch Certification Scheme for the purpose of identifying the origin of yellowfin, bigeye and skipjack tuna and swordfish to which conservation and management measures apply.

2. For the purpose of this Programme:

a) "Export" means:

Any movement of yellowfin, bigeye and skipjack tuna and swordfish in its caught or processed form caught in the WCPFC area by a fishing vessel flying the flag of a CCM to the territory of another CCM or non-Member to the WCPFC, or from the fishing grounds to the territory of a CCM which is not the flag CCM of the fishing vessel or to the territory of a non-Member to the WCPFC.

b) "Import" means:

Any introduction, including for transshipment purposes, of yellowfin, bigeye and skipjack tuna and swordfish in its caught or processed form into the territory of a CCM, which is not the CCM where the fishing vessel is flagged.

c) "Re-export" means:

Any movement of yellowfin, bigeye and skipjack tuna and swordfish in its caught or processed form from the territory of a CCM where it had been previously imported.

PART II

YELLOWFIN, BIGEYE AND SKIPJACK AND SWORDFISH - CATCH CERTIFICATES

3. Each consignment of yellowfin, bigeye and skipjack tuna and swordfish imported into or exported or re-exported from the territory of a CCM shall be accompanied by a validated yellowfin, bigeye and skipjack tuna and swordfish catch certificate (TTSCC) and, as applicable, a validated yellowfin, bigeye and skipjack tuna and swordfish re-export certificate (TTSRC). Any such import, export or re-export of yellowfin, bigeye and skipjack tuna and swordfish without a completed and validated TTSCC or TTSRC shall be prohibited.

4. Each CCM shall provide TTSCC forms only to fishing vessels authorized to catch yellowfin, bigeye and skipjack tuna and swordfish in the WCPFC Convention area. Such forms are not transferable to another fishing vessel. Each TTSCC form shall have a unique document identification number. Document numbers shall be specific to the flag CCM and assigned to the fishing vessel.

5. Copies of TTSCC shall follow each part of split consignments or processed product, using the unique document number of the original TTSCC in order to track them.
6. CCMs shall keep copies of documents issued or received for at least two years.
7. Export, import and re-export of fish parts other than the meat (i.e., heads, eyes, roes, guts and tails) shall be exempted from the requirements of this Resolution.
8. The fishing vessel masters, or their authorized representative, or the authorized representative of the flag CCM shall complete the TTSCC, if possible electronically, by providing the required information in appropriate sections and request its validation in accordance with paragraph 9, on each occasion that they export yellowfin, bigeye and skipjack tuna and swordfish products.
9. A validated TTSCC shall include the information identified in **Annex 1** forms attached. In cases where a section of the TTSCC model does not provide enough room to completely track movement of yellowfin, bigeye and skipjack tuna and swordfish from catch to trade, the needed information section may be expanded as necessary and attached as annex. The competent authority of the CCM shall validate the annex as soon as possible, but not later than the next movement of yellowfin, bigeye and skipjack tuna and swordfish.
10.
 - a) The TTSCC must be validated by an authorized government official, or other authorized individual or institution, of the flag CCM of the fishing vessel.
 - b) The flag CCM shall validate the TTSCC for yellowfin, bigeye and skipjack tuna and swordfish products only when all the information contained in the TTSCC has been established to be accurate as a result of the verification of the consignment, and only when those products comply with all relevant provisions of the conservation and management measures.
11. Where the yellowfin, bigeye and skipjack tuna and swordfish quantities caught and landed are less than 1 metric ton or three fish, the logbook or the sales note may be used as a temporary TTSCC, pending the validation of the TTSCC within seven days and prior to export.

PART Iibis –YELLOWFIN, BIGEYE AND SKIPJACK AND SWORDFISH – SIMPLIFIED CATCH CERTIFICATE

12. This Part shall apply to fishing vessels of CCMs
 - a. with an overall length of less than 12 meters without towed gear; or
 - b. with an overall length of less than 8 meters with towed gear; or
 - c. without a superstructure; or
 - d. of less than measured 20 GT.
13. Catches from CCM fishing vessels referred to in point 11 which are only landed in the flag CCM of the vessels and which together constitute one consignment may be

accompanied by a simplified catch certificate instead of the catch certificate referred to in Part II, points 3-10, of this measure.

14. The simplified catch certificate shall contain all the information specified in Annex IV of this measure and shall be validated by a public authority of the CCM with necessary powers to attest the accuracy of the information.
15. The validation of the simplified catch certificate shall be requested by the exporter of the consignment upon submission to the public authority of all information specified in the specimen shown in Annex IV of this measure.

PART III

YELLOWFIN, BIGEYE AND SKIPJACK - AND SWORDFISH RE-EXPORT CERTIFICATES

16. Each CCM shall ensure that each yellowfin, bigeye and skipjack tuna and swordfish consignment which is re-exported from its territory be accompanied by a validated TTSRC.
17. The operator who is responsible for the re-export shall complete the TTSRC by providing the required information in its appropriate sections and request its validation for the yellowfin, bigeye and skipjack tuna and swordfish consignment to be re-exported. The completed TTSRC shall be accompanied by a copy of the validated TTSCC relating to the yellowfin, bigeye and skipjack tuna and swordfish products previously imported.
18. The TTSRC shall be validated by an authorized government official or authority.
19. The CCM shall validate the TTSRC for yellowfin, bigeye and skipjack tuna and swordfish product only when:
 - a) all the information contained in the TTSRC has been established to be accurate,
 - b) the validated TTSCC(s) submitted in support to the TTSRC had been accepted for the importation of the products declared on the TTSRC,
 - c) the products to be re-exported are wholly or partly the same products on the validated TTSCC(s) and
 - d) a copy of the TTSCC(s) shall be attached to the validated TTSRC.
20. The validated TTSRC shall include the information identified in **Annex 2** forms attached.

PART IV

COMMUNICATION AND VERIFICATION

21. Each CCM shall communicate, if possible electronically, a copy of all validated TTSCCs or TTSRCs within five working days following the date of validation, or without delay where the expected duration of the transportation should not take more than fifteen working days, to the following:
- a) the competent authorities of the CCM where the yellowfin, bigeye and skipjack tunas and swordfish will be imported, and
 - b) the WCPFC Secretariat.

22. The WCPFC Secretariat shall extract from the validated TTSCCs or communicated under paragraph 21 above the information marked with an asterisk in **Annex 1** or **Annex 2** forms and enter this information in a database on a password protected section of its website, as soon as practicable.

At its request, the Scientific Committee shall have access to the catch information contained in the database, except the vessel names.

23. Each CCM shall ensure that its competent authorities, or other authorized individual or institution, take steps to identify each consignment of yellowfin, bigeye and skipjack tuna and swordfish imported into or exported or re-exported from its territory and request and examine the validated TTSCC(s) and related documentation of each consignment of yellowfin, bigeye and skipjack tuna and swordfish.

These competent authorities, or authorized individuals or institutions, may also examine the content of the consignment to verify the information contained in the TTSCC and in related documents and, where necessary, shall carry out verifications at with the operators concerned.

24. If, as a result of examinations or verifications carried out pursuant to paragraph 23, a doubt arises regarding the information contained in a TTSCC, the final importing CCM and the CCM whose competent authorities validated the TTSCC(s) or TTSRC (s) shall cooperate to resolve such doubts.

25. If a CCM involved in trade of yellowfin, bigeye and skipjack tuna and swordfish identifies a consignment with no TTSCC or no valid TTSCC, it shall notify the findings to the exporting CCM and, where known, the flag CCM.

26. Pending the examinations or verifications under paragraph 23 to confirm compliance of the yellowfin, bigeye and skipjack tuna and swordfish consignment with the requirements in the present measure and any other relevant measures adopted by WCPFC, the CCM shall not grant its release for import or export.

27. Where a CCM, as a result of examination or verifications under paragraph 23 and in cooperation with the validating authorities concerned, determines that a TTSCC or TTSRC is invalid, the import, export or re-export of the yellowfin, bigeye and skipjack tuna and swordfish products concerned shall be prohibited.

28. The Commission shall request the non-CCMs that are involved in import, export or re-export of yellowfin, bigeye and skipjack tuna and swordfish to cooperate with the implementation of the Catch Certification Scheme and to provide to the Commission data obtained from such implementation.

PART V

COMMUNICATION OF DATA

29. CCMs that validate TTSCCs in respect of their flag fishing vessels and/or TTSRCs, shall notify to the WCPFC Secretariat:
- (a) the name and full address of their authorities responsible for validating and verifying TTSCCs or TTSRCs, and
 - (b) the name, title, signature and sample impression of the stamp or the seal of the validating officials who are individually empowered.

This notification shall indicate the date at which this entitlement comes into force. A copy of the provisions adopted in national law for the purpose of implementing the yellowfin, bigeye and skipjack tuna and swordfish Catch Certification Scheme shall be communicated with the initial notification. Updated details on validating authorities, officials and national provisions shall be communicated to the WCPFC Secretariat in a timely fashion.

30. The information on validating authorities and officials transmitted by notifications to the WCPFC Secretariat shall be placed on a password protected page of the database on validation held by the WCPFC Secretariat. The list of the CCMs having notified their validating authorities, officials and the dates of entry into force of the entitlement shall be placed on a publicly accessible website held by the WCPFC Secretariat.

CCMs are encouraged to access this information to help verify the validation of TTSCCs and TTSRCs.

31. Each CCM shall notify to the WCPFC Secretariat the points of contact (name and full address of the authorities) that should be informed when there are questions related to TTSCCs or TTSRCs.
32. Notification pursuant to paragraphs 29, 30 and 31 shall be sent by CCMs to the WCPFC Secretariat, by electronic means, whenever possible.
33. CCMs shall provide to the WCPFC Secretariat a report each year by October 1 for the period from July 1 of the preceding year to June 30 of the current year to provide the information described in **Annex 3**.

The WCPFC Secretariat shall post these reports on a password protected section of the WCPFC website, as soon as practicable. At its request, the Scientific Committee shall have access to the reports received by the WCPFC Secretariat.

34. This measure will be revised during the WCPFC 2012 Annual Meeting, with the view of expanding the scope of application of the WCPFC Catch Certification Scheme to all tuna and tuna like species falling under the WCPFC competence as well as any other elements deemed to be revised.

Annex 1

WCPFC yellowfin, bigeye and skipjack and swordfish catch certificate

WCPFC CATCH CERTIFICATE

DOCUMENT NUMBER*

1. VALIDATING AUTHORITY

Name

Address

Tel.:

e-mail:

Fax:

2. FISHING VESSEL

Fishing Vessel Name*

Flag* - Home Port and Registration Number

Call Sign

IMO/Lloyd's Number (if issued)

Fishing licence No.

Valid until

Inmarsat No. Telefax No. Telephone No. E-mail address (if issued)

3. DESCRIPTION OF PRODUCT(See next page)

4. APPLICABLE CONSERVATION AND MANAGEMENT MEASURES

References of applicable conservation and management measures

MASTER OF FISHING VESSEL

Name of master of fishing vessel

Signature

Seal

WCPFC CATCH CERTIFICATE

3. DESCRIPCIÓN DE PRODUCT

Species*	Product code	Catch area(s) and dates*	Estimated live weight (kg)*	Estimated weight to be landed (kg)	Verified Weight Landed (kg) where appropriate	Type of processing authorised on board

WCPFC CATCH CERTIFICATE

6. DECLARATION OF TRANSHIPMENT AT SEA

Name of Master of Fishing vessel		Signature	Date
Transhipment Date	Transhipment Area	Transhipment Position	Estimated weight (kg)
Master of Receiving Vessel		Signature	
Vessel Name	Call Sign	IMO/Lloyds Number (if issued)	

7. TRANSHIPMENT AUTORISATION WITHIN A PORT AREA

Name	Authority	Signature
Address	Tél.	
Port of Landing	Date of Landing	Seal

8. EXPORTER

Name and address of Exporter		
Signature	Date	Seal

9. FLAG STATE AUTHORITY VALIDATION

Name/Title		
Signature	Date	Seal

10. TRANSPORT DETAILS(See Appendix I)

WCPFC CATCH CERTIFICATE

APPENDIX I. TRANSPORT DETAILS

1. Exporting country*		2. Exporter Signature	
Port/airport/other place of departure			
Name	Address	Signature	
Vessel name and flag		Container number(s)	
Flight number/airway bill number			
Truck nationality and registration number			
Railway bill number			
Other transport document			

Annex 2

WCPFC yellowfin, bigeye, skipjack and swordfish re-export certificate

WCPFC yeollowfin, bigeye and skipjack species and swordfish re-export certificate					
Document Number*:					
RE-EXPORT SECTION					
1. RE-EXPORTING COUNTRY/ENTITY/FISHING ENTITY:					
2. POINT OF RE-EXPORT*					
3. DESCRIPTION OF IMPORTED TUNA AND SWORDFISH					
Product Type		Net weight (kg)*	Flag CPC*	Date of import*	TTSCC No*
F/FR	RD/GG/DR/FL/OT				
4. DESCRIPTION OF TUNAS AND SWORDFISH FOR RE-EXPORT					
Product Type*		Net weight (kg)*	Corresponding TTSCC number from section 3.		
F/FR	RD/GG/DR/FL/OT				
F= Fresh, FR= Frozen, RD= Round, GG= Gilled & Gutted, DR= Dressed, FL=Filet, OT= Others (Describe the type of the product):					
STATE OF DESTINATION*:					
5. RE-EXPORTER STATEMENT:					
I certify that the above information is complete, true and correct to the best of my knowledge and belief.					
Name	Address	Signature	Date		
6. GOVERNMENT VALIDATION					
I validate that the above information is complete, true and correct to the best of my knowledge and belief.					
Name & Title	Signature	Date	Government Seal		
IMPORT SECTION					
7. IMPORTER STATEMENT:					
I certify that the above information is complete, true and correct to the best of my knowledge and belief.					
Importer Certification					
Name	Adress	Signature	Date		
Final point of import*: City		State/Province	CCM		

NOTE: if a language other than English is used in completing this form, please attach the English translation to this form.

NOTE: Valid transport documents and copies of TTSCC shall be attached.

APPENDIX I. STATEMENT BY THE PROCESSING PLANT.

I confirm that the processed fishery products: (product description and Combined Nomenclature code) have been obtained from catches imported under the following catch certificate(s):

Catch certificate number	Vessel name(s) and flag(s)	Validation date(s)	Catch description	Total landed weight (kg)	Catch processed (kg)	Processed fishery product (kg)

Name and address of the processing plant:

.....
.....

Name and address of the exporter (if different from the processing plant):

.....
.....

Approval number of the processing plant:

.....

Health certificate number and date:

.....

Responsible person of the processing plant:	Signature:	Date:	Place:
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Endorsement by the competent authority:

.....

Official	Signature and seal	Date:	Place:
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Annex 3

Report on the Implementation of the WCPFC Yellowfin, bigeye and skipjack and swordfish - Catch Certification Scheme

Reporting CCM:

Period of reference: July 1 [2XXX] to June 30 [2XXX]

1. Information extracted from TTSCCs

- number of TTSCCs validated;
- number of validated TTSCCs received;
- total amount of yellowfin, bigeye and skipjack tuna and swordfish products imported, exported, re-exported with breakdown by CCM of origin, re-export or destination, fishing areas and fishing gears;
- number of verifications of TTSCCs requested to other CCMs and summary results;
- number of requests for verifications of TTSCCs received from other CCMs and summary results;
- total amount of yellowfin, bigeye and skipjack tuna and swordfish consignments subject to a prohibition decision with breakdown by products, nature of operation (import, export, re-export), reasons for prohibition and CCMs and/or non-Members of origin or destination.

2. Information on cases under Part IV paragraph 23

- number of cases
- total amount of yellowfin, bigeye and skipjack tuna and swordfish with breakdown by products, nature of operation (import, export, re-export), CCMs or other countries referred to in Part IV paragraph 23 above.

Annex 4

WCPFC simplified catch certificate

WCPFC SIMPLIFIED CATCH CERTIFICATE

Document number	
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1. VALIDATING AUTHORITY

Name

Address

Tel.:	e-mail:
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Fax:	
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2. DESCRIPTION OF PRODUCT

Species	Product code	Verified Weight Landed (kg) where appropriate

3. APPLICABLE CONSERVATION AND MANAGEMENT MEASURES

References of applicable conservation and management measures

4. LIST OF VESSELS THAT HAVE PROVIDED CATCHES AND THE QUANTITIES BY EACH VESSEL (See next page)

5. EXPORTER

Name, address, tel. and fax of Exporter

Signature	Date	Stamp/seal
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6. FLAG STATE AUTHORITY VALIDATION

Name/Title

Signature	Date	Stamp/seal
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7 TRANSPORT DETAILS: see appendix I

8. IMPORTER DECLARATION

Name and address of Importer

Signature	Date	Stamp/seal	Product CN Code
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9. IMPORT CONTROL AUTHORITY

Name/Title/Place	Status of importation (<i>mark as appropriate</i>)	Verification requested - date
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Customs declaration (if issued)	Number	Date	Place
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WCPFC SIMPLIFIED CATCH CERTIFICATE

4. LIST OF VESSELS

List no:.....

Page: (..... /)

Catch Certificate no:

Exporter:

Vessels list

No.	Name of the vessel	Registration number	Product	Quantity (kg)
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
			Total:	

Signature and seal/stamp of the exporter:

Flag State Validating Authority

Name/title	Date and Signature	Seal/stamp

WCPFC SIMPLIFIED CATCH CERTIFICATE

APPENDIX I. TRANSPORT DETAILS

1. Exporting country:	Port/airport/other place of departure
2. Exporter Signature	
Name	Address
	Signature
Vessel name and flag	Container number(s)
Flight number/airway bill number	
Truck nationality and registration number	
Railway bill number	
Other transport document	

WCPFC SIMPLIFIED CATCH CERTIFICATE

WCPFC simplified re-export certificate

WCPFC re-export certificate					
Document Number:					
RE-EXPORT SECTION					
1. RE-EXPORTING COUNTRY/ENTITY/FISHING ENTITY:					
POINT OF RE-EXPORT					
3. DESCRIPTION OF IMPORTED PRODUCT					
Product Type		Net weight (kg)	Flag CPC	Date of import	TTSCC No*
F/FR	RD/GG/DR/FL/OT				
4. DESCRIPTION OF PRODUCTS FOR RE-EXPORT					
Product Type		Net weight (kg)	Corresponding TTSCC number from section 3.		
F/FR	RD/GG/DR/FL/OT				
F= Fresh, FR= Frozen, RD= Round, GG= Gilled & Gutted, DR= Dressed, FL=Filet, OT= Others (Describe the type of the product):					
* STATE OF DESTINATION:					
5. RE-EXPORTER STATEMENT:					
I certify that the above information is complete, true and correct to the best of my knowledge and belief.					
Name	Address	Signature	Date		
6. GOVERNMENT VALIDATION					
I validate that the above information is complete, true and correct to the best of my knowledge and belief.					
Name & Title	Signature	Date	Government Stamp/seal		
IMPORT SECTION					
7. IMPORTER STATEMENT:					
I certify that the above information is complete, true and correct to the best of my knowledge and belief.					
Importer Certification					
Name	Address	Signature	Date		
Final point of import: City		State/Province	CCM		

NOTE: if a language other than English is used in completing this form, please attach the English translation to this form.

NOTE: Valid transport documents and copies of TTSCC shall be attached.

WCPFC SIMPLIFIED CATCH CERTIFICATE

Explanatory Memorandum

**EUROPEAN UNION PROPOSAL FOR A
CONSERVATION AND MANAGEMENT MEASURE ON A WCPFC YELLOWFIN,
BIGEYE AND SKIPJACK TUNAS AND SWORDFISH CATCH CERTIFICATION
SCHEME**

Goal: this proposed CMM is intended to ensure the long-term conservation and sustainable use of the fish stocks covered by WCPFC by improving the availability of data on catches of tropical tunas and swordfish falling under the WCPFC competence and by controlling its trade flows in order to combat illegal, unreported and unregulated (IUU) fishing. It is intended to serve as an input for the work of the future WCPFC Catch Documentation Scheme Working Group from the EU perspective.

New elements: the proposal has been updated and improved with a simplified Catch Certificate in order to take into consideration the needs of small island developing countries CCMs (requiring one single Catch Certificate for catches from different vessels) and a provision on processed products to better reflect the economic reality.

Rationale: catch documentation schemes as market measures have been internationally recognized as one of the most effective tools to fight against IUU and act upon the management of stocks and catches, in addition they are also an invaluable instrument for gathering huge amount of data.

To achieve all these goals, it is necessary to establish an effective control of the movements of these catches through the traceability of the product from the net to its final market, including reprocessing in intermediate countries. The Catch Certificate foreseen in the WCPFC Catch Certification Scheme will help determine whether tropical tunas and swordfish taken in the Convention Area are caught in a manner consistent with WCPFC conservation measures. As mentioned, it will also improve data collection on catches and trade of tropical tunas and swordfish.

Under this CMM Flag States would have the duty to ensure that their vessels conduct their fishing activities in a responsible manner, fully respecting WCPFC conservation and management measures. In addition, port States and importing States remain responsible to promote the effectiveness of management measures adopted by WCPFC by ensuring compliance with WCPFC CMMs.

The current Resolution is in conformity with international law, notably as regards the World Trade Organization (WTO), and in line with the standard practice in other RFMOs.