

EUROPEAN UNION

2023 Annual Report
to the Compliance Committee and the Extended Commission

(Revised at the Twenty-Eighth Annual Meeting: 13 October 2021)

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1 Summary of Monitoring, Control and Surveillance (MCS) Improvements

1.1 Improvements achieved in the current fishing season – Action taken regarding the QAR recommendations.

The targeting of SBT by EU vessels is prohibited. There is no report of any incidental by-catch by EU surface long-liners targeting swordfish, in the Southern part of the Indian, Western and Central Pacific and Atlantic Oceans since 2012. The EU quota for SBT is to be used exclusively to account for by-catch consistent with the applicable CCSBT allocation.

As indicated in the EU reports in 2022 and 2023, on 28 July 2021 the European Commission adopted a draft regulation¹ to transpose into EU law the relevant CCSBT provisions. The Regulation was formally adopted on 15 March 2023² as Regulation (EU) 2023/675 of the European Parliament and of the Council of 15 March 2023 laying down conservation and management measures for the conservation of southern bluefin tuna. This Regulation covers only the CCSBT provisions applicable to the Union, taking into consideration in particular the specificities of the Union fleet, such as no targeted fishery, exclusively accidental by-catch in the past and none since 2012 and no transshipments or landing, and the trade in southern bluefin tuna. In practice, most obligations will only be triggered if the Union fleet accidentally has by-catches of southern bluefin tuna, which has not occurred since 2012, and retains those fish on-board, something that has not been reported to date.

In addition, the EU has adopted on 22 November 2023 Regulation (EU) 2023/2842 which entered into force on 9 January 2024 (see also below, under point 2.2.4). This Regulation amends certain provisions of the IUU Regulation including the catch certification scheme. It has been notified to WTO on 10 January 2024.

The amendments to the catch certification scheme cover two main areas. First, it introduces a legal basis for the compulsory use of an IT system under the IUU catch certification scheme (application two years after entry into force of the regulation), which will harmonise the catch certification processes and related import controls, offer fully digitised and paperless workflow, facilitate the exchange of data, information and documents, allow for risk identification and management. Secondly, it introduces modifications to the content of the IUU catch certificate and related documents and procedures, as additional information will be required to better trace products along the supply chain. All these modifications will affect third countries that validate catch certificates and other documents. Two years of transitional time have been agreed for these two amendments.

It has to be recalled that, in any event, the EU as a Member of the CCSBT Extended Commission is obliged to ensure that the provisions of the Resolution in issue are effectively

¹ Proposal for a Regulation of the European Parliament and of the Council laying down conservation and management measures for the Conservation of the Southern Bluefin Tuna. COM/2021/424 final. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52021PC0424>.

² <http://data.europa.eu/eli/reg/2023/675/oj>

complied with. Pursuant to Article 216(2) of the Treaty on the Functioning of the EU, this international obligation also lies with the EU Member States.

In these circumstances, the EU Member States are bound to comply with the provisions of the CCSBT Resolutions in issue and take the necessary measures to this end, even in the absence of transposition of the said measures into EU law.

1.2 Future planned improvements

N/A.

1.3 Progress with actions taken to rectify any non-compliance

The EU remains dedicated to fulfilling its obligations towards CCSBT and to actively contributing to SBT conservation issues. The EU is doing its utmost to ensure the adequate representation at the meetings of the Extended Commission within the available resources and in view of our overlapping international commitments, and we are regularly reviewing the situation for possible updates.

While committed to the conservation of the SBT, the EU involvement in the works of CCSBT is influenced by the participation of the EU fleet in the fishery. The EU fleet does not target SBT nor has an active SBT fishery. This is also reflected in our reporting duties:

- In the past the EU provided, on a voluntary basis, a report on its tropical tuna fisheries to the ESC. However, the ESC report is, strictly speaking, only applicable to Members with SBT fisheries. The ESC report deals with the specificities of that SBT fishery and provide advice on SBT management and ecologically related species. A report on tropical tunas is of little, if any value, to the ESC.
- The EU has been compliant with the obligation to submit the annual report for the Compliance Committee and the Extended Commission. Nevertheless, as noted above, the EU does not have a SBT fishery. Consistent with this, there should be no expectation that the EU's annual report will address the parts of the report directly related to the SBT fishery.

2 SBT Fishing and MCS

2.1 Fishing for Southern Bluefin Tuna

The EU does not operate a fishery for SBT. It does not target SBT and it has not reported any accidental by-catch of these species since 2012.

2.1.1 Catch and allocation

Table 1. Effective catch limit, carry-forward, total available catch, and attributable catch.

A	B	C	D	E
Fishing Season		Quota Carried Forward to		Attributable catch ⁵

⁵ 'A Member or CNM's attributable catch against its national allocation is the total Southern Bluefin Tuna mortality resulting from fishing activities within its jurisdiction or control including, inter alia, mortality resulting from: commercial fishing operations whether primarily targeting SBT or not; releases and/or discards; recreational fishing; customary and/or traditional fishing; and artisanal fishing.'

	Effective Catch Limit ³ (tonnes)	this Fishing Season (tonnes)	Total Available Catch ⁴ (B+C) (tonnes)	(tonnes)
2020	11	0	11	0
2021	11	0	11	0
2022	11	0	11	0
2023	11	0	11	0

2.1.2 Allowances and SBT mortality for each sector

Table 2. Allowances and SBT mortality for each sector.

Sector	Commercial fishing operations whether primarily targeting SBT or not			
	Sector 1: (please name)		Sector 2: (please name)	
Fishing season	National allowance	Mortalities (tonnes)	National allowance	Mortalities (tonnes)
2020	11	0		
2021	11	0		
2022	11	0		
2023	11	0		

Sector continued	Releases and/or discards		Recreational fishing		Customary and/or traditional fishing		Artisanal fishing	
	Sector 3:		Sector 4:		Sector 5:		Sector 6:	
Fishing season	National allowance	Mortalities (tonnes)	National allowance	Mortalities (tonnes)	National allowance	Mortalities (tonnes)	National allowance	Mortalities (tonnes)

2.1.3 SBT Catch (retained and non-retained)

Table 3. SBT catch (retained and non-retained)

Fishing Season	Retained and discarded SBT							
	Commercial sectors (all weights are in tonnes)							
	Sector 1 (please name)		Sector 2 (please name)		Sector 3: Recreational sector		Sector 4: Customary/artisanal sector	
	Retained SBT	Non-Retained SBT	Retained SBT	Non-Retained SBT	Retained SBT	Non-Retained SBT	Retained SBT	Non-Retained SBT
2020	0	0						
2021	0	0						
2022	0	0						
2023	0	0						

³ Effective catch limit is the Member's allocation plus any adjustments for agreed short term changes to the National Allocation. For example, see column 3 of Table 1 at paragraph 87 of the Report of CCSBT 24.

⁴ Total available catch means a Member's Effective Catch Limit allocation for that quota year plus any amount of unfished allocation carried forward to that quota year.

2.1.4 The number of vessels in each sector

Table 4. Vessels by Sector

Fishing season	Number of vessels			
	Commercial sectors		Sector 3: Recreational sector	Sector 4: Customary/artisanal sector
	Sector 1 (please name)	Sector 2 (please name)		
2020	0		N/A	N/A
2021	0		N/A	N/A
2022	0		N/A	N/A
2023	0		N/A	N/A

2.2 Monitoring catch of SBT

2.2.1 Daily logbooks

No reported by-catches of SBT by EU vessels since 2012.

2.2.2 Additional reporting methods (such as real time monitoring programs)

There is no specific reporting method for catches of SBT since it is not a fishery targeted by the EU. For the reporting mechanisms applicable to the EU fleet targeting swordfish please refer to the 2021 EU annual report.

2.2.3 Scientific Observers

Not applicable. Observer coverage apply to “the fishing activity of CCSBT members and cooperating non-members wherever SBT is targeted or is a significant bycatch”, which is not the case of EU vessels operating in the SBT distribution area.

Table 5. Observer coverage of SBT catch and effort

Fishing season	Sector 1		Sector 2	
	% effort obs.	% catch obs.	% effort obs.	% catch obs.
N/A	N/A	N/A		

2.2.4 Vessel Monitoring System (VMS)

The EU control regulation (Council Regulation (EC) No 1224/2009), supplemented by its implementing Regulation (EU) No 404/2011, was revised and the new Control Regulation 2023/2842 was published in December 2023 and entered into force on 9 January 2024. According to the new rules, the requirement for VMS concern fishing vessels (not only catching vessels) and will apply also to third country vessels authorised to operate in EU waters. For vessels above 12m, after 2 years from the entry into force of the Regulation, there will be no more derogations to the requirement to have a VMS (currently in place for many vessels between 12 and 15m). The VMS installed on board EU fishing vessels ensures the automatic transmission to the FMC of the flag Member State, at regular intervals, of data relating to the fishing vessel identification, the geographical position of the fishing vessel, the date and time

of the said position, the speed and course of the fishing vessel. According to the new rules, the national fishing monitoring centres should be equipped in a way that it can monitor fishing activities 7 days a week and 24H a day.

There were no EU vessels fishing for or reporting catches of SBT in 2023 and no incidents to report.

2.2.5 At-sea inspections

There were no inspections of SBT authorised fishing vessels as the targeting of SBT by EU vessels is forbidden and there is no active EU SBT fishery.

2.2.6 Authorised vessel requirements

Not applicable.

2.2.7 Monitoring of catch of SBT from other sectors (e.g. recreational, customary, etc)

Not applicable. No other sectors.

2.3 SBT Towing and transfer to and between farms (farms only)

Table 6. Observer coverage of towing and transfer to and between farms

Fishing season	Observer coverage of tows (%)	Observer coverage of transfers (%)
2020	N/A	
2021	N/A	
2022	N/A	
2023	N/A	

No towing, transfer or farming activity.

2.4 SBT transshipment (in port and at sea)

Table 7. SBT transshipment (in port and at sea)

Fishing season	Kilograms of SBT transhipped at sea	Percentage of the annual SBT catch transhipped at sea	Kilograms of SBT transhipped in port	Percentage of the annual SBT catch transhipped in port
2020	N/A			
2021	N/A			
2022	N/A			
2023	N/A			

Not applicable, no transhipments of SBT.

2.5 Port Inspections of Foreign Fishing Vessels/Carrier Vessels (FVs/CVs) with SBT/SBT Products on Board

Not applicable, no SBT landings/transhipments of foreign vessels carrying SBT or SBT products in EU ports.

Table 8. Port inspections of foreign FVs and CVs with SBT/SBT products on board

Calendar year	Foreign Flag	No. of Landing/ Transhipment Operations (that occurred)	No. of Landing/ Transhipment Operations Inspected	No. of Landing/ Transhipment Operations where an Infringement of CCSBT's Measures was Detected
2020	N/A	N/A	N/A	N/A
2021	N/A	N/A	N/A	N/A
2022	N/A	N/A	N/A	N/A
2023	N/A	N/A	N/A	N/A
TOTAL NUMBER				

2.6 Monitoring of trade of SBT

The trade figures for 2023 show very limited SBT imports from third countries into the EU (150 kg) and exports (451 kg) from the EU. The mismatch between the imports and the exports, and the fact that there are no catches of SBT by EU vessels strongly suggest that the trade figures need to be considered as mislabelled trade of other tuna species. This was also the conclusion of the internal analysis undertaken by the EU in the past concerning similar cases. To support this conclusion, it has to be noted that the trade concerns fresh or chilled SBT, which is practically impossible due to logistic reasons.

2.7 Coverage and Type of CDS Audit undertaken

There are no recorded catches of SBT by the EU fleet since 2012 and it is unlikely that SBT by-caught by EU longline vessels would enter the EU market. In fact, there are no records of any instance in the past where SBT by-caught by the EU fleet entered the EU market or was exported to a third country.

As per Articles 10 and 11 of Regulation (EU) 2023/675, exports or re-exports of SBT by Member States shall be accompanied by an export or re-export form, as applicable and Member States shall not validate for export or re-export any consignment of SBT that is not accompanied by the CDS documents and tags. The competent authorities of the Member State shall verify the information contained in the CDS documents.

Consistent with Article 12 of Regulation (EU) 2023/675, EU Member States shall carry out verifications, including inspections of vessels, landings and where possible markets, to the extent necessary to validate the information contained in the CDS documents.

3 Changes to sections in Annex 1

The main change is the adoption of Regulation (EU) 2023/675 as indicated in point 1.1 above.

Annex 1. Standing items: details of MCS arrangements used to monitor SBT catch in the fishery

1 Monitoring catch of SBT

Describe the system used for controlling the level of SBT catch. For ITQ and IQ systems, this should include details on how the catch is allocated to individual companies and/or vessels. For competitive catch systems this should include details of the process for authorising vessels to catch SBT and how the fishery is monitored for determining when to close the fishery. The description provided here should include any operational constraints on effort (both regulatory and voluntary).

Complete the table below to provide details of methods used to monitor catching in the fishery.

Details should also be provided of monitoring conducted of fishing vessels when steaming away from the fishing grounds (this does not include towing vessels that are reported in Section 1.1 of this Annex).

Monitoring Methods	Description
<i>Daily log book</i>	<p><i>Specify:</i></p> <ul style="list-style-type: none"> <i>i. Whether this was mandatory.</i> <i>ii. The level of detail recorded (shot by shot, daily aggregate etc):-</i> <i>iii. What information on ERS is recorded in logbooks:-</i> <i>iv. Who are the logbooks submitted to⁶:-</i> <i>v. What is the timeframe and method⁷ for submission:-</i> <i>vi. The type of checking and verification that is routinely conducted for this information:-</i> <i>vii. Reference to applicable legislation and penalties:-</i> <i>viii. Other relevant information⁸:-</i>

⁶ If the reports are not to be submitted to the Member's or CNM's government fisheries authority, then also specify whether the information will later be sent to the fisheries authority, including how and when that occurs.

⁷ In particular, whether the information is submitted electronically from the vessel.

⁸ Including information on ERS, and comments on the effectiveness of the controls or monitoring tools and any plans for further improvement.

<p><i>Additional reporting methods (such as real time monitoring programs)</i></p>	<p><i>If multiple reporting methods exists (e.g. daily, weekly and/or month SBT catch reporting, reporting of tags and SBT measurements, reporting of ERS interactions etc), create a separate row of in this table for each method. Then, for each method, specify:</i></p> <ul style="list-style-type: none"> <i>i. Whether this is mandatory.</i> <i>ii. The information that is recorded (including whether it relates to SBT or ERS):-</i> <i>iii. Who the reports are submitted to and by whom (e.g. Vessel Master, the Fishing Company etc)⁵:-</i> <i>iv. What is the timeframe and method⁶ for submission:-</i> <i>v. The type of checking and verification that is routinely conducted for this information:-</i> <i>vi. Reference to applicable legislation and penalties:-</i> <i>vii. Other relevant information⁷:-</i>
<p><i>Scientific Observers</i></p>	<p><i>Specify:</i></p> <ul style="list-style-type: none"> <i>i. The system used for comparisons between observer data and other catch monitoring data in order to verify the catch data:-</i> <i>ii. What information on ERS is recorded by observers:-</i> <i>iii. Who are the observer reports submitted to:-</i> <i>iv. Timeframe for submission of observer reports:-</i> <i>v. Other relevant information (including plans for further improvement – in particular to reach coverage of 10% of the effort):-</i>
<p><i>VMS</i></p>	<ul style="list-style-type: none"> <i>i. For Member-flagged authorised carrier vessels and fishing vessels fishing for or taking SBT provide references to applicable legislation and penalties:-</i>
<p><i>Other (for example, use of electronic monitoring etc.)</i></p>	

1.1 SBT Towing and transfer to and between farms (farms only)

(a) Describe the system used for controlling and monitoring towing of SBT from the fishing ground to the farming area. This should include details of:

- i. Observation required for towing of SBT*
- ii. Monitoring systems for recording losses of SBT (in particular, SBT mortality).*

(b) Describe the system used for controlling and monitoring transferring of SBT from tow cages into farms. This should include details of:

- i. Inspection/Observation required for transfer of SBT*
- ii. Monitoring system used for recording the quantity of SBT transferred:-*

(c) For “a” and “b” above, describe the process used for completing, validating⁹ and collecting the relevant CCSBT CDS documents (Farm Stocking Form, Farm Transfer Form):-

(d) Other relevant information⁷

1.2 SBT Transshipment (in port and at sea)

(a) Describe the system used for controlling and monitoring transshipments in port. This should include details of:

- i. Flag State rules for and names of:
- designated foreign ports where SBT may be transhipped, and
- foreign ports where in-port transshipments of SBT are prohibited:-*
- ii. Flag State inspection requirements for in-port transshipments of SBT (include % coverage):-*
- iii. Information sharing with designated Port States:-*
- iv. Monitoring systems for recording the quantity of SBT transhipped:-*
- v. Process for validating⁸ and collecting the relevant CCSBT CDS documents (Catch Monitoring Form, Catch Tagging Form):-*
- vi. Reference to applicable legislation and penalties:-*
- vii. Other relevant information⁷:-*

(b) Describe the system used for controlling and monitoring transshipments at sea. This should include details of:

- i. The rules and processes for authorising transshipments of SBT at sea and methods (in addition to the presence of CCSBT transshipment observers) for checking and verifying the quantities of SBT transhipped:-*
- ii. Monitoring systems for recording the quantity of SBT transhipped:-*
- iii. Process for collecting the relevant CCSBT CDS documents (Catch Monitoring Form, Catch Tagging Form):-*
- iv. Reference to applicable legislation and penalties:-*

⁹ Including the class of person who conducts this work (e.g. government official, authorised third party)

v. *Other relevant information*⁷:-

1.3 Port Inspections of Foreign FVs/CVs with SBT/SBT Products on Board

This section provides for reporting with respect to the CCSBT's Scheme for Minimum Standards for Inspection in Port. It should be filled out by Port State Members that have authorised foreign Fishing Vessels/Carrier Vessels carrying SBT or SBT products to enter their designated ports for the purpose of landing and/or transshipment. Only information for landings/transshipments of SBT or SBT products that have NOT been previously landed or transhipped at port should be included in the table below.

- (a) *Provide a list of designated ports into which foreign FVs/ CVs carrying SBT or SBT product may request entry:-*
- (b) *Provide the minimum number of hours of notice required for foreign FVs/CVs carrying SBT or SBT product to request authorisation to enter these designated ports:-*

1.4 Landings of Domestic Product (from both fishing vessels and farms)

Describe the system used for controlling and monitoring domestic landings of SBT. This should include details of:

- (a) *Rules for designated ports of landing of SBT:-*
- (b) *Inspections required for landings of SBT.*
- (c) *Details of genetic testing conducted and any other techniques that are used to verify that SBT are not being landed as a different species:-*
- (d) *Monitoring systems for recording the quantity of SBT landed:-*
- (e) *Process for validating⁸ and collecting the relevant CCSBT CDS documents (Catch Monitoring Form, and depending on circumstances, Catch Tagging Form):-*
- (f) *Reference to applicable legislation and penalties:-*
- (g) *Other relevant information*⁷:-

1.5 Monitoring of trade of SBT

1.5.1 SBT Exports

Describe the system used for controlling and monitoring exports of SBT (including of landings directly from the vessel to the foreign importing port). This should include details of:

- (a) *Inspections required for export of SBT -*
- (b) *Details of genetic testing conducted and any other techniques that are used to verify that SBT are not being exported as a different species:-*
- (c) *Monitoring systems for recording the quantity of SBT exported:-*
- (d) *Process for validating⁸ and collecting the relevant CCSBT CDS documents (Catch Monitoring Form and depending on circumstances, Catch Tagging Form or Re-export/Export after landing of domestic product Form):-*
- (e) *Reference to applicable legislation and penalties:-*

(f) *Other relevant information*⁷:-

1.5.2 SBT Imports

Describe the system used for controlling and monitoring imports of SBT. This should include details of:

- (a) *Rules for designating specific ports for the import of SBT:-*
- (b) *Inspections required for imports of SBT*
- (c) *Details of genetic testing conducted and any other techniques that are used to verify that SBT are not being imported as a different species:-*
- (d) *Process for checking and collecting CCSBT CDS documents (Catch Monitoring Form and depending on circumstances, Re-export/Export after landing of domestic product Form):-*
- (e) *Reference to applicable legislation and penalties:-*
- (f) *Other relevant information*⁷:-

1.5.3 SBT Markets

- (a) *Describe any activities targeted at points in the supply chain between landing and the market:-*
- (b) *Describe the system used for controlling and monitoring of SBT at markets (e.g. voluntary or mandatory requirements for certain documentation and/or presence of tags, and monitoring or audit of compliance with such requirements):-*
- (c) *Other relevant information*⁷

1.6 Other

Description of any other MCS systems of relevance.

2 Additional Reporting Requirements Ecologically Related Species

(a) *Reporting requirements in relation to implementation of the 2008 ERS Recommendation:*

- i. *Specify whether each of the following plans/guidelines have been implemented, and if not, specify the action that has been taken towards implementing each of these plans/guidelines:-*
 - *International Plan of Action for Reducing Incidental Catches of Seabirds in Longline Fisheries:*
 - *International Plan of Action for the Conservation and Management of Sharks:*
 - *FAO Guidelines to reduce sea turtle mortality in fishing operations:*
- ii. *Specify whether all current binding and recommendatory measures¹⁰ aimed at the protection of ecologically related species¹¹ from fishing of the following tuna RFMOs are being complied with. If not, specify which measures are not being complied with and the progress that is being made towards compliance:-*
 - *IOTC, when fishing within IOTC's Convention Area:*
 - *WCPFC, when fishing within WCPFC's Convention Area:*

¹⁰ Relevant measures of these RFMOs can be found at: <https://www.ccsbt.org/en/content/bycatch-mitigation>.

¹¹ Including seabirds, sea turtles and sharks.

- *ICCAT, when fishing within ICCAT's Convention Area:*
- iii. *Specify whether data is being collected and reported on ecologically related species in accordance with the requirements of the following tuna RFMOs. If data are not being collected and reported in accordance with these requirements, specify which measures are not being complied with and the progress that is being made towards compliance:-*
- *CCSBT¹²:*
 - *IOTC, for fishing within IOTC's Convention Area:*
 - *WCPFC, for fishing within WCPFC's Convention Area:*
 - *ICCAT, for fishing within ICCAT's Convention Area:*

(b) Mitigation – describe the current mitigation requirements:

(c) Monitoring usage of bycatch mitigation measures:

- i. *Describe the methods being used to monitor compliance with bycatch mitigation measures (e.g. types of port inspections conducted and other monitoring and surveillance programs used to monitor compliance). Include details of the level of coverage (e.g. proportion of vessels inspected each year):*
- ii. *Describe the type of information that is collected on mitigation measures as part of compliance programmes for SBT vessels:*

Not applicable as there are no EU vessels targeting SBT and fishing in the area of competence of the RFMOs mentioned above. Otherwise, EU vessels fishing for tuna and tuna like species in those organizations are fully compliant with the provisions mentions in the 2008 ERS Recommendation.

¹² *Current CCSBT requirements are those in the Scientific Observer Program Standards and those necessary for completing the template for the annual report to the ERSWG.*

Appendix 1. CCSBT Authorised Vessel Resolution

The flag Members and Co-operating Non-members of the vessels on the record shall:

- a) authorize their FVs to fish for SBT only if they are able to fulfil in respect of these vessels the requirements and responsibilities under the CCSBT Convention and its conservation and management measures;
- b) take necessary measures to ensure that their FVs comply with all the relevant CCSBT conservation and management measures;
- c) take necessary measures to ensure that their FVs on the CCSBT Record keep on board valid certificates of vessel registration and valid authorization to fish and/or tranship;
- d) affirm that if those vessels have record of IUU fishing activities, the owners have provided sufficient evidence demonstrating that they will not conduct such activities anymore;
- e) ensure, to the extent possible under domestic law, that the owners and operators of their FVs on the CCSBT Record are not engaged in or associated with fishing activities for SBT conducted by FVs not entered into the CCSBT Record;
- f) take necessary measures to ensure, to the extent possible under domestic law, that the owners of the FVs on the CCSBT Record are citizens or legal entities within the flag Members and Co-operating Non-members so that any control or punitive actions can be effectively taken against them.