

Resolution on establishing the CCSBT Vessel Monitoring System

(adopted at the Fifteenth Annual Meeting – 14-17 October 2008)

The Extended Commission for the Conservation of Southern Bluefin Tuna (CCSBT),

Recalling that, at its thirteenth annual meeting, the Extended Commission Members and Cooperating Non-Members agreed to develop and implement their Vessel Monitoring Systems (the 2006 VMS resolution);

Recognising the need for monitoring, control and surveillance measures to apply to all sectors of the global southern bluefin tuna fishery;

Recognising the importance of these Vessel Monitoring Systems as an integral part of an effective monitoring, control and surveillance regime for the southern bluefin tuna fishery, in particular to ensure the long-term sustainability of the stock;

Mindful that a vessel monitoring system was identified as one of the important monitoring, control and surveillance measures to deter illegal, unreported and unregulated fishing in the Course of Actions adopted at the Kobe Joint Meeting of Tuna Regional Fisheries Management Organisations from 22 – 26 January 2007;

Recognising the need to stipulate minimum standards for the Vessel Monitoring Systems;

Aware that some Members and other regional fisheries management organizations have established Vessel Monitoring Systems and that the experiences of such Members and organizations may be useful in developing and implementing a Commission for the Conservation of Southern Bluefin Tuna Vessel Monitoring System;

Agrees, in accordance with paragraph 3(b) of Article 8 of the Convention for the Conservation of Southern Bluefin Tuna, that:

1. The Members and Cooperating Non-Members of the Extended Commission shall adopt and implement satellite-linked Vessel Monitoring Systems (VMS) for vessels fishing for Southern Bluefin Tuna on the following basis:
 - a. for such vessels fishing in the IOTC Area, in accordance with IOTC Resolution 06/03 On Establishing a Vessel Monitoring System Programme (including Annex 1 to that Resolution);
 - b. for such vessels fishing in the WCPFC Area, in accordance with WCPFC Conservation and Management Measure 2006-06 “Commission Vessel Monitoring System” (including Annex 1 to that Measure);
 - c. for such vessels fishing in the CCAMLR Area, in accordance with CCAMLR Conservation Measure 10-04 (2006) “Automated Satellite-Linked Vessel Monitoring System (VMS)” (including Annex 10-04/A and Annex 10-04/B to that Measure);

- d. for such vessels fishing in the ICCAT Area, in accordance with ICCAT Recommendation 03-14 “Recommendation by ICCAT concerning Minimum Standards for the Establishment of a Vessel Monitoring System in the ICCAT Convention Area”; and
 - e. for such vessels fishing in any other high seas area where there is no VMS, in accordance with IOTC Resolution 06/03 On Establishing a Vessel Monitoring System Programme (including Annex 1 to that Resolution).
2. The application of the VMS provided for in paragraph 1(a-e) shall be consistent with any modifications to those VMS that may be adopted by those respective Commissions from time to time.
3.
 - a. The Members and Cooperating Non-Members of the Extended Commission shall provide VMS summary reports annually in advance of the Compliance Committee meeting and in the format approved by the Commission.
 - b. In relation to incidents concerning specific vessel(s) when the vessel(s) are suspected to have operated in contravention of CCSBT conservation and management measures, Members and Cooperating Non-Members of the Extended Commission may request another Member and Cooperating Non-Member of the Extended Commission which is the flag state/fishing entity of the vessel(s) to provide VMS data on the vessel(s) on a case by case basis. The Member and Cooperating Non-Member which receives such request shall:
 - (i) investigate the incidents and provide details of the investigation to the Member or Cooperating Non-Member which requested VMS data; or
 - (ii) provide VMS data on the vessel(s) to the requesting Member or Cooperating Non-Member, which will inform the results of its investigation to the Members or Cooperating Non-Member which is the flag state/fishing entity of the vessel(s).
4. The Extended Commission agrees to adopt the confidentiality and security provisions attached in Annex I in relation to the information provided pursuant to paragraph 3(b).
5. With the assistance of the Secretariat the Compliance Committee shall review and report to the Compliance Committee in 2009 on the implementation of this resolution and any possible measures to improve its effectiveness as a component of the monitoring, control and surveillance regime for the SBT fishery. Such review shall take account of any developments by other RFMOs, including development of a harmonised VMS across tuna RFMOs
6. This resolution does not supersede the 2006 VMS resolution adopted at CCSBT 13.

Annex I – Confidentiality, Use and Security of VMS Data

Confidentiality and use of VMS Data

1. VMS data shall be confidential and may only be provided or used as permitted by this resolution.
2. Members and Cooperating Non-Members of the Extended Commission which receive VMS data from another Member or Cooperating Non-Member of the Extended Commission shall maintain the confidentiality of those data and shall not use the data except as specified in the resolution. In particular, Members and Cooperating Non-Members of the Extended Commission which receive VMS data may only provide those data to representatives and officials of the Member or Cooperating Non-Member for the purposes outlined in paragraph 3 of this Annex.
3. Members and Cooperating Non-Members of the Extended Commission may only use those VMS data to monitor compliance with CCSBT conservation and management measures.

Information technology security

4. Members and Cooperating Non-Members of the Extended Commission which receive VMS data shall adopt secure information technology systems to ensure that the confidentiality of VMS data is maintained.

VMS Data Confidentiality Policies

5. Members and Cooperating Non-Members of the Extended Commission which propose to request VMS data shall prepare a VMS Data Confidentiality Policy and provide that Policy to the Secretariat and all other Members and Cooperating Non-Members of the Extended Commission. The VMS Data Confidentiality Policy shall outline all measures which the Member and Cooperating Non-Members of the Extended Commission proposes to implement to ensure it complies with the requirements in Annex I of this resolution.