



LDAC Advice for ICCAT 2022

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Proposal from the chair of ICCAT Panel 1

The LDAC is concerned by the difficulty to progress on the adoption of effective management of Bigeye Tuna (BET) in recent years. Noting that EU fleets have assumed a wide share of the reductions both in fishing effort and catch in the last years, the LDAC notes with satisfaction the recent advice from the Standing Committee Research and Statistics of ICCAT (henceforth, SCRS) acknowledging an improvement in the situation of the tropical tuna stocks.

Catch limits

On the issue of the TAC setting, the LDAC's members have distinct positions.

- The **fishing industry** considers that it could be increased to 75 000 t corresponding to a probability of 64% of remaining in the green quadrant of the Kobe matrix. They note that the previous year SCRS recommendation indicated that a probability higher than 50% is acceptable.
- The **NGOs** consider that current uncertainties around the assessment with respect to the joint longline index, the natural mortality of the species, and others, as highlighted by the SCRS, do not allow for such an increase. In this respect, PEW Charitable Trusts calls for caution and would not support a TAC above 65 000 t. WWF would accept a maximum of 70,000 t provided that current FADs fishing closure is maintained.

On the issue of the bigeye TAC allocation, after years of tense dialogue between CPCs around the share of the resource and how the burden of that share is going to be allocated in light of a TAC's reduction, this year chair's proposal is trying to address the difficult and crucial issue of quota allocation among CPCs. However, the proposed percentages depending on the level catches over the period 2014-2018 place the bulk of the effort on the EU fleets. The LDAC stresses the need for equity and level-playing field among EU non-EU fleets, in particular for the purse seine fleets which are supplying the same end markets.

The LDAC considers that the new catch limits should be adjusted to reflect recent catch levels and not further undermine fishing opportunities for those fleets that have taken the main bulk of the reduction since 2017, in particular the EU. There are also CPCs that receive catch limits that are well beyond their real catch levels (Japan, Korea), and such overage could be partially used for reallocation to developing countries.

Whereas the LDAC understands and sympathizes with the need of developing countries to access the resource and be in position to develop their national fisheries, this cannot be done



as proposed by the PA1 Chair: not in this time frame, not in this proportion. The LDAC recalls that the EU fleets have seen their catch reduced over the years and understands that the fleets cannot take any further reductions at this time.

The LDAC also takes good note of the 5% of the total fishing opportunities that would be placed into a reserve that “*shall be allocated to developing coastal CPCs of the Atlantic Ocean*”. The LDAC is of the opinion that the unused part of such a reserve forecast by the end of each year could be reallocated to the CPCs that implement a mechanism to monitor and report to ICCAT their catches in near-real time, with such frequency changed from monthly to weekly once that catches of BET of CPC reach 80% of their limit.

On the issue of the yellowfin TAC, the LDAC considers that an allocation scheme be agreed to ensure effective monitoring of the catches and minimize the risk of overshooting the TAC for this stock.

On skipjack (SKJ), the LDAC acknowledges the advice of the SCRS and envisages that a TAC and an allocation scheme should be discussed prior the 2023 ICCAT Commission plenary.

FAD closure

Considering the FAD’s closure, the LDAC’s members have distinct positions.

- The **fishing sector** considers the FAD closure is putting too much pressure and having severe socioeconomic impacts on the purse seine fleets¹ and advocate to reduce the closure period.
- The **environmental NGOs** think that the current FAD closure measure should be maintained as it is showing positive impacts on the state of the stock.

The LDAC recommends that the SCRS continues its analyses on the effects of the FAD closure.

Management strategy evaluation, multi-annual and multi-stocks management

LDAC supports the development of the management strategy evaluation (MSE) process and grasps this opportunity to advocate for increased exchange between scientists, managers and stakeholders in order to encourage buy-in from the fishing industry into the process.

The recent example of the development of the Bluefin tuna harvest strategy in ICCAT with inter alia a series of ambassadors’ meetings should certainly be a model that could be followed for tropical tuna stocks.

¹ In 2021 compared to 2019: BET catch has reduced 40%; YFT has reduced 20% and SKJ has reduced 23% knowing that YFT and SKJ stock status is not overfished nor subject to overfishing, whereas BET stock status is overfished but not subject to overfishing. Besides, 3 purse seiners left the Atlantic for the Indian Ocean, because they were not economically viable, 2 purse seiners were sold and left the ocean and 2 that stopped for economic reasons.



The LDAC supports the adoption and implementation of harvest strategies/management procedures, with allocation keys, to set future overall TACs as well as individual CPC catch limits for tropical tuna stocks, based on science and pre-agreed decision-making processes.

For the same reasons stated above, the LDAC, recognizing the multispecies nature of tropical tuna fisheries, advocates for the adoption of multi-stock Harvest Control Rules for tropical tunas, with a view to guarantee the sustainability of tropical tuna stocks. The LDAC also recommends that fishing opportunities for European purse seiners are not compromised in the future, as it has been the case in recent years.

Last, the LDAC is also advocating for a multi-annual and multi-stocks approach for tropical tunas in order to bring stability to the management framework for both the sake of the resources' biological state and the economic viability and social visibility for the fishing industry.

LDAC Recommendations

- Considering that the European Commission wants to maintain its tropical tuna fleet activity in the Atlantic Ocean, the LDAC supports the European Commission in negotiating for an equitable system of allocation (*i.e.* the allocation should be harmonized between CPCs with active fleets similar in vessels and gears). It must be recalled the EU committed to reduce 21% the BET catch in 2022, as an interim effort and measure.
- The LDAC supports that the unused part of the 5% reserve for developing coastal states could be reallocated to other CPCs. The LDAC is of the opinion that the unused part of such reserve forecast by the end of each year could be reallocated to the CPCs that implement a mechanism to monitor and report to ICCAT their catches in real/near-real time, *i.e.* with such frequency changed from monthly to weekly once that catches of BET of CPC reach 80% of their limit.
- The LDAC considers that an allocation scheme for the YFT TAC be agreed to ensure effective monitoring of the catches and minimize the risk of overshooting the TAC for this stock.
- The LDAC envisages that a TAC and an allocation scheme should be discussed prior the 2023 Commission plenary.
- The LDAC recommends that the SCRS continues its analyses on the effects of the FAD closure for the recovery of the tropical tuna stocks, in particular BET.
- The LDAC supports the adoption and implementation of a multi-species harvest strategy/management procedure, and the setting of allocation keys, for tropical tuna stocks to set future TACs and individual CPC catch limits for tropical tuna stocks, based on science and pre-agreed decision-making processes.



Sharks: Panama's proposal to include the Blue shark (*Prionace glauca*) in CITES Annex II

Inclusion of Blue shark (*Prionace glauca*) in CITES Annex II

Fishing sector position

It is important to remind the rationale in support of such proposal. Some shark's fins from endangered species could not easily be distinguished from other fins of the same sharks' family (*Carcharhinidae*) where some species are considered as endangered. However, this is not necessary the case for the Atlantic blue shark whose North and South Atlantic stocks are considered in healthy condition and is also protected thanks to strong naturally fins-attached policies and EU catch documentation schemes applicable to EU shark longline and purse seine fleets, as acknowledged following the last SCRS advice (Quote advice here)

Furthermore, most of the sharks belonging to the *Carcharhinidae* family to be protected by the inclusion of blue shark in CITES annex II belong to coastal areas and the continental platform, where they would only interact with coastal CPC's small-scale fleets, far from the habitat of the blue shark. For sharks that share the habitat with blue shark, there is not any confusion at any stage of the transformation chain. Blue shark has a catchability which is totally different from that of the other species.

Whereas ICCAT is responsible for the sustainable management of large migratory species such as the Blue shark, CITES is also having a clear and direct impact on the activity of the fishing industry as it requests countries to issue a form of Non Detrimental Findings in order to be able to export a species listed in Annex II. Unilateral CITES actions, such as the inclusion of blue shark in Annex II, leads to devaluing the role of RFMOs and its credibility, including ICCAT, as it prioritizes a trade or commercial measure over fisheries stock management.

To quote the recent FAO expert panel report on this proposal², "*Blue sharks (*Prionace glauca*), the most prevalent species in the shark fin trade and not classified as threatened (IUCN Red List), are identifiable at landing sites because of their body color and appearance, while traders attest to their fins having particular and differentiating qualities.*" In addition, FAO's report and CITES secretariat's provisional assessment on the proposal to amend Appendix II² state that *Prionace glauca* "*does not meet the CITES criteria to be listed in annex II*".

² <https://www.fao.org/3/cc1931en/cc1931en.pdf>



NGO position

The environmental NGOs understand the requiem proposal that CITES proposes to include blue shark not because of concerns related to the conservation status but on the basis of the “look alike” criteria, meaning it is difficult to distinguish in international trade the blue shark from other shark species which are found to be critically endangered or may become so if trade is not closely controlled. Also, distinguishing shark meat amongst species is not possible as trade of shark products is not only fins but also meat³. Further, Pew and WWF recall that future international trade of blue shark will continue to be possible of a CITES non detrimental finding can be issued for CITES appendix II species.

Compliance and coordination of scientific advice

Whereas the LDAC is concerned by the constant lack of compliance from other CPCs as regard to the application of the REC 11-15 (on data reporting), and recognizes the need to strengthen data collection and adopt additional measures necessary to mitigate by-catch and reduce post-release mortality, however it wishes to underline that the EU fleets should not bear additional constraints because of other CPC's lack of compliance or mismanagement. In addition, the LDAC reminds that ICCAT REC 06-13 allows trade measure to be taken in order to address issues of non-compliance.

For this reason, it appears of paramount importance for the LDAC to increase collaboration with CITES and encourage further interaction between shark' biology experts and RFMO's experts and avoid negative interaction between the different international organisations.

LDAC Recommendations:

- The LDAC supports strengthened collaboration between sharks' biologists and RFMO's experts and supports Member States to ease the process of releasing Non-Detrimental Finding's certificate in the case of exporting Blue shark (*Prionace glauca*) to international markets.
- In general (not particularly in the case of blue shark), the LDAC supports that CITES and RFMOs should work together in terms of ensuring a comprehensive and consistent approach for those shark species in CITES, for example ensuring best information is available for NDFs.

³ https://wwfeu.awsassets.panda.org/downloads/a4_shark_2021_low.pdf



Atlantic Shortfin Mako (*Isurus oxyrinchus*)

As for the North Atlantic shortfin mako, following SCRS advice and taking into account all mortality sources, no retention of shortfin mako will be allowed for the North Atlantic. However, the LDAC is concerned that in 2022 inaccurate reporting of discards still have a serious impact in the proper monitoring of the fishery in respect to shortfin mako's bycatches. The LDAC supports the European Commission in seeking an electronic monitoring program (EMS/ERS) and/or onboard observers at ICCAT to better understand how many specimens of shortfin mako are discarded back at sea alive or dead.

As for the South Atlantic shortfin mako, the LDAC also expresses some concern about the SCRS' advice not being followed. The LDAC supports the European Commission in seeking a science-based recovery plan for this population, nevertheless stakeholders should in any case be able to discuss the said measures

LDAC Recommendation:

- The LDAC supports the European Commission in seeking an electronic monitoring program (EMS-ERS) and/or onboard observers at ICCAT to better understand how many specimens of shortfin mako are discarded back at sea alive or dead.
- The LDAC supports the European Commission in seeking a science-based recovery plan for this population, nevertheless stakeholders should in any case be able to discuss the said measures.



Draft recommendation by ICCAT on the by-catch of sea turtles caught in association with ICCAT fisheries

The LDAC is supportive of the intention to propose measures to reduce by-catch of sea turtles caught in association with ICCAT fisheries, nevertheless stakeholders should in any case be able to discuss the said measures.

It acknowledges that the Spanish surface longline fleet is currently involved in a FIP which inter alia includes data collection effort in these particular interactions as well as handling measures in case of interaction that include but are not limited to deployment of handling protocols and crew training. More information can be found here: <https://fipblues.com/en/fip-blues>

LDAC Recommendation:

- The LDAC is supportive of the intention to propose measures to reduce by-catch of sea turtles caught in association with ICCAT fisheries, nevertheless stakeholders should in any case be able to discuss the said measures.



North and South Atlantic Swordfish (*Xiphias gladius*)

The LDAC takes good note of the SCRS advice on Swordfish (SWO) and supports the following:

For North Atlantic SWO, a “roll-over” of the fishing opportunities through a renewal of the current proposal considering that the stock could support the current fishing pressure. It also supports the development of a MSE and the adoption of a harvest strategy or harvest control rule (HCR) for this species in 2023. Such an objective has been agreed and shared between the members of the LDAC including NGOs, the fishing and processing sector as illustrated in numerous FIP. The LDAC notices that MSE and HCR would give better visibility to the sector in stabilizing fishing opportunities.

For South Atlantic SWO, the LDAC acknowledges that considering the current state of the stock (Overfished and subject to overfishing), catches equal to the current TAC would not allow to reach environmental objectives.

As stated by SCRS in its advice for 2023: *“The current TAC of 14,000 t (Rec. 21-03) is unlikely (3% probability) to result in the stock being in the green quadrant of the Kobe plot by 2033.”* However, *“the reported catch for 2021 was 9,454 t. Catch levels less than 10,000 t will accelerate rebuilding.”*

However, it should be noted that catches from 2007 up to now, have remained under the TAC of 14 000 t and even around 10 000 t from 2011 up to 2022, including for 2021 that were below 10 000 t.

Taking into account that the current level of catches would “accelerate rebuilding” of the stock, the LDAC is supportive of maintaining the current level of catches.

The LDAC would also support the development of the MSE and adoption of a harvest strategy for this species in 2023.

LDAC Recommendation:

- Taking into account the SCRS advice, the LDAC supports a “roll-over” of the fishing opportunities for the North Atlantic Swordfish stock.
- The LDAC supports maintaining the current level of catches to below 10 000 t which would allow the recovery of the South Atlantic SWO as mentioned in the SCRS advice.
- The LDAC supports the adoption and implementation of harvest strategies/management procedures for both North and South Atlantic swordfish stocks, in order to be based on a scientifically sound process and to provide more stability to fishing operations.



Fight against Illegal, Unregulated and Unreported (IUU) fishing

LDAC Recommendation:

The LDAC maintains its support to enact new and strengthens recommendations aimed at preventing, deterring and eliminating IUU fishing which should inter alia include:

- Amending ICCAT Recommendation 06-14 and strengthen the implementation of Recommendation 21-13, in order to prevent CPC nationals from deriving benefits from or supporting IUU fishing.
- Adopting a comprehensive workplan and timeline for the development and implementation of electronic monitoring systems. The LDAC notices that this program could be used for both compliance and science and highlights again how such a program (along with increased human observer coverage) should help to address some of the issues on sharks, sea turtles and other species identified above.
- The LDAC supports the increase in observer coverage for all vessels over 20m in length or operating outside their EEZ and, in particular, the increase in longline observer coverage to 100%, for better control of bycatch and discards (including on the possible high grading of target catch).
- Expanding the coverage of electronic Catch Documentation Schemes (eCDS) to cover all ICCAT stocks/species
- Revising resolution 18-09 on port State measures to prevent, deter and eliminate IUU fishing.
- Further expanding IMO number reporting requirements to include all eligible vessels.
- Increasing transparency about vessels' identities and beneficial ownership.