



LDRAC RECOMMENDATION ON THE STRATEGY AND PRIORITIES IN THE TUNA AND TUNA-LIKE SPECIES RFMOS

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The LDRAC is aware of the difficulties to be addressed in the management of tuna fisheries at global level, and therefore would like to raise the main aspects to work on:

FAD management plans

Following the EU proposal, IOTC and IATTC have approved Resolutions for the adoption of FAD management plans. The aim is for the EU to submit the same proposals at the ICCAT and WCPFC meetings of this year.

Capacity management

As FADs are not the only parameter for assessing vessel capacity, in general, the EU should support the adoption of capacity management programs by tuna RFMOs based on reliable and accurate capacity assessments of major vessel and gear characteristics such as those defined by the FAO.¹ Such an inventory of existing and active capacity should comprise all fleet segments and include all vessel types, sizes, gears and flags.

Transparency on Fisheries Agreements

Following what has been approved at ICCAT and IOTC, the EU should promote the same initiative in the Pacific RFMOs, in order to facilitate efforts to combat IUU fishing, as well as the importance of respecting RFMOs reporting obligations. In a spirit of cooperation, the EU should continue to encourage the publication by RFMOs of the information on vessels licensed to fish in the EEZ of their Contracting Parties and Cooperating Non-Contracting Parties for species managed by RFMOs.

In all RFMOs where such resolution is adopted, there should be a real follow up by the Compliance Committee to ensure the strict application of that measure.

Chartering/access transparency

The LDRAC highlights the lack of legal framework for chartering arrangements and responsibilities of the chartering country (recognizing that ICCAT has adopted some measures²) and encourages the EU to propose the development of international rules to ensure that chartering arrangements:

- 1) are based on the primary responsibility of the flag State as defined in international law

¹<ftp://ftp.fao.org/docrep/fao/007/x4874e/x4874e00.pdf>

² ICCAT Recommendation 02-21 on vessel chartering



- 2) comply with all relevant conservation measures including MCSE requirements ,
- 3) ensure full transparency and traceability
- 4) do not undermine the fight against IUU fishing

Observer coverage

That is a pending question in many RFMOs, that could be revisited taking into consideration the recent improvement of observation schemes. Therefore:

- a) The development/improvement of any observer programs should be concentrated on WCPFC regional observer program for purse seiners, because there is a clear lack of good performance by the observer in this region.
- b) Whereas some longline fleets (such as the EU fleet) have done some effort to increase their observer coverage, other longline fleets have very poor observer coverage. For these fleets, encourage RFMOs contracting parties in coordination with their Scientific Institutes, to commit enough funds to make effective the observer coverage of their fleets as an adequate tool to learn the real effect of the longline fleets on the ecosystem, mostly related to shark bycatch.
- c) The full coverage of purse seine fleets under the existing schemes should guarantee all the transparency demanded by coastal countries at the time of catch reporting.

In order to be efficient, any observer programme, must be part of a comprehensive monitoring and control system which ensures that the data collected are transmitted in a timely manner, to the flag State, coastal State and the RFMO secretariat and analysed speedily to allow detection and take measures in case of infractions.

Transshipment at sea

This is another loophole which supports illegal activities and has been badly regulated by RFMOs so far. The EU should continue³ to promote the total ban of tuna transshipments at sea, as that already applied to purse seiners, and should approach coastal countries which prohibit transshipments at sea in their waters and for vessels licensed to fish in their EEZ with the view to co-sponsor proposals in relevant RFMOs.

Improve compliance, at all levels

The LDRAC supports the strengthening of market and other measures such as port State measures as well as regional MCSE systems. The EU IUU regulation has a key role to play in that field to promote compliance and its provisions should to be transposed at RFMO level. Such measures should concern all fleets and all species covered by the RFMOs.

³ See LDRAC advice on transshipments at sea, July 2008
<http://www.ldrac.eu/upload/Transshipments%20advice%20fr%2006022008.pdf>



Several incidents have recently happened stressing what the LDRAC considers as inadequate answers to involuntary infraction: disproportionate sanctions, qualification of the vessels as IUU and inscription on an IUU list, crew taken in custody, captain forced under the threat of weapon to sign inspection report without the possibility of writing a contradictory report, ...

Sanctions must be applied in cases where an EU vessel commits (in a voluntary or involuntary manner) an infraction but the control at sea should respect international inspection rules⁴ and human rights and the sanctions must be proportionate. RFMOs must adopt transparent and fair rules, respecting the principles of contradiction and the presumption of innocence. The term IUU fishing is clearly defined in the FAO IPOA on IUU fishing as well as in the EU IUU Regulation. EU should work with other CPCs to ensure that that definition is adopted at RFMO level as well as a list of serious infractions⁵ and level of sanctions according to the gravity and/or repetition of infractions.

Management of shark fisheries

Sharks, in particular blue sharks and shortfin makos, are target species in the RFMO fisheries, which remain unmanaged. The EU should encourage the RMFOs to implement appropriate measures to ensure that these commercially fished sharks are exploited in a sustainable manner.

⁴ such as provided by the UN Fish Stocks Agreement Art 21 and 22

⁵ See UNFSA art 21.11