



## Draft Minutes

15<sup>th</sup> LDAC Working Group 1 Meeting

### ***Highly migratory stocks and relevant Regional Fisheries Organisations***

Wednesday, 15 October 2014. From 2:15 to 6:15 pm.  
Martin's Central Park Hotel. Boulevard de Charlemagne 80. Brussels

Chairman: Michel Goujon  
Vice-Chair: Julio Morón

#### **1. Reading and approval of the minutes of the fourteenth WG1 meeting held on 20 March 2014.**

The minutes of the WG1 meeting held in Brussels on 20 March 2014 are approved.

#### **2. Approval of the agenda.**

The agenda is approved with the inclusion by Mr. Goujon of an additional item under the heading AOB: public hearing before the European Parliament on the fight against IUU fishing.

### **Information and topical points**

#### **3. Conclusions of the IOTC annual meeting (June 2014).**

Mr. Goujon recalls that an important amendment was made to the resolution relating to restrictions on fishing for tropical tuna that envisaged closure periods for seine and longline fishing.

The representative of the EC, Mr. Fachada, is given the floor. Discussions held by the Scientific Committee concluded that the tropical tuna stocks are in good condition. This is due to the reduction of fishing efforts as a result of piracy.

Besides, regarding Albacore tuna, the Scientific Committee submitted a positive assessment of the stock. This fishery will be closely monitored in the months to come in order to decide whether any specific measures ought to be recommended for this stock.

LDAC Working Group 1 Meeting  
Brussels, 15 October 2014

The IOTC Plenary Session took place five months ago. In the light of the next coordination meeting to be held at the end of this year, the EC voices its concerns: scientists confirmed that some figures were a little inaccurate regarding the Indian Ocean, they also have problems with marlin and do not know how to address this issue since coastal states are usually reluctant to take measures aimed at problematic species, as it is the case of striped marlin, which is a by-catch.

In terms of compliance they see that improvements have been achieved, but generally speaking compliance level within IOTC is still very low. Ships and fleets are failing to submit data to the IOTC, for instance in the case of sharks; coastal states are failing to submit data, and the EU is practically the only one doing so.

Attention is also drawn to the lack of control, which causes a great deal of illegal fishing in the Indian Ocean. This is of great concern to the EC and shall be addressed in the future. A common strategy needs to be found to tackle these two issues, as well as an approach to be agreed by consensus in the long term.

With regard to the IOTC plenary meeting, several proposals were put on the table but only some of them were approved:

- A management and conservation measure was approved.
- The closed area was withdrawn.
- A proposal was put forward regarding dialogue and collaboration between managers and scientists.
- It was proposed that an EU non-binding recommendation be issued on the standardisation of scientific opinions.
- The statement on piracy was approved, but seven other proposals were not, three of which had to do with sharks. Other proposals that were not approved were those aiming at having regional observers recognised by all the IOTC countries; one related to the VMS -vessel monitoring system- and one regarding FADs. The EC is waiting for the Scientific Committee to issue recommendations and they may have to adopt strict



measures regarding FADs. There was a proposal regarding discards that was not approved either.

Regarding future actions, the next IOTC meeting will be held in Korea. Somalia is now a contracting party and is officially taking part in the IOTC work already. There will be a meeting to deal with the keys to distribution next year, and it is hoped that they will be able to move forward in this regard.

Regarding on-board observer coverage, it was said that what ought to be done is to work at the IOTC to try and implement it in the countries of the Indian Ocean Commission, and try and develop an observer programme to be recognised in these countries of the Indian Ocean.

Mr. Goujon understands that the efforts made with the Smartfish project in the Indian Ocean and in the Atlantic Ocean with COMHAFAT/ATLAFCO may be useful to try and approve common standards in order for observers to be recognised. In addition, he highlights the importance of discussing the adoption of a regional programme for vessel inspection.

Mr. Rodríguez declares that there is a low level of compliance in the Indian Ocean. However, he highlights that the European fleet fishing there meets all IOTC resolutions and that they have even adopted voluntary agreements on good practices proposed by the European fleet itself, that the EU has subsequently tried to approve in other forums with no success. He also points out the problem regarding capacity in the Pacific Ocean that can move on to the Indian Ocean anytime. He believes this matter should be dealt with by the EU.

- **Opinion proposal on a code of conduct for ship procedures and inclusion in the IUU vessel lists of RFOs.**

**ACTION:** After reviewing the opinion, it is formally adopted by WG1. Therefore, it will be submitted to the Executive Committee for assessment and approval, if appropriate.

#### **4. WCPFC. LDAC strategy and perspectives for the Pacific Ocean.**

The representative of the EC, Ms. Martini, informs about the new assessment carried out on Pacific Ocean stocks according to which skipjack tuna finds itself in a favourable situation and



yellowfin tuna seems to be in good condition. However, there is a problem with bigeye tuna since, according to the new assessment model, there is overfishing and it is overexploited. Bluefin tuna is in very poor condition as well since the stock has been overexploited and its biomass is at very low levels. This will affect the debate to be carried out at the meeting to be held at the beginning of December in Samoa. The previous year conservation measures were adopted for tropical tuna as a multiannual measure to be reviewed this year. In spite of not having specific proposals regarding measures for tropical tuna, informal contacts were established and strong pressure is expected from NGOs to reduce fishing on FADs.

Regarding the Technical and Compliance Committee, she concluded that during the four-month closure of FADs there was an increase in fisheries, something quite worrying that highlights the great difficulty to control the correct application of this measure. Another subject for discussion is the disproportionate burden on SIDS and the one-day workshop, linked to the annual meeting, which will be held to analyse this issue and try to solve it.

The main debate will focus on the measure concerning tropical tuna. For this reason, the EC is planning to present two proposals: one relating to naturally attached fins and one relating to fishing access through bilateral agreements to increase the transparency of the organisation. The EU is working in close cooperation with the FFA on measures relating to attached fins, as well as on horizontal proposals regarding sharks.

Mr. Morón is given the floor and points out the importance of the LDAC being aware of the relevance of the situation in the Western Pacific since it has implications for tuna fisheries worldwide. As soon as the PNA system -the VDS- starts working, there will be a surplus fleet that will go to other oceans which are not subject to fishing quotas, mainly the Asian fleet that will move to the Indian Ocean through the coastal countries and also to the Atlantic Ocean. The current problem with tuna is that there is a lack of control over the marketing activity, causing the market to have price levels like those in 2000. He says that we should wait and find out the PNA position as well as other proposals. He encourages NGOs to be consistent and not defend the PNA countries without taking sustainability into account, since they are supporting closure measures that are not based on scientific criteria. In his opinion, the only way in which the EU may have an influence is strictly applying the regulation against IUU fishing.

Mr. Morón requests the EC analyse the results of the Compliance Committee through the IUU Regulation, since it is obvious that it is not respected and there are no sanctions for countries failing to comply, and declare that the WCPFC is failing to comply by allowing continued offences for years without taking any measures to stop this situation. Moreover, he assesses the actions performed by the EC in this regard and requests NGOs' support.

Mr. Goujon agrees on the fact that the situation in the Pacific Ocean is indirectly of concern to everyone, not only in terms of capacity but also because of the image shown by the Pacific area. In the last meeting in Abidjan, it was enquired whether the PNA model could be applied in the Atlantic Ocean. He believes this is very worrying since, as Mr. Morón has explained, it is not a good model.

The representative of the EC comments that, in terms of capacity, this matter has already been discussed at the Technical and Compliance Committee, where it was suggested that FFA be contacted, in the event it is behind this issue, in order to organise a workshop next year. The idea is to discuss this matter as it was done in Cartagena de Indias with the IATTC.

Regarding conservation measures, PNA has proposed a very conservative measure in terms of reference values for skipjack tuna, with a reference value of 0.5. This would also have a positive influence on the bigeye tuna stock.

Regarding the VDS, she agrees with Mr. Morón on the fact that it could be a suitable system. She believes that there should be increased transparency and that the system should be based not only on effort but also on capacity.

Mr. García agrees with Mr. Morón generally speaking, and points out that NGOs are working with developing coastal states but that, in this case, it seems that sustainability is not a main factor or focal point to be borne in mind. He believes that NGOs are starting to realise the importance of this issue. An NGO coalition made up by Oceana, WWF, PEW, EJP and CCFA is, in turn, informing of the efforts that the EU is making regarding issues such as sustainability and fighting against IUU fishing, and highlighting the importance of the EU being an ally for these matters.

Mr. Trujillo is also concerned about this issue and reports that his organisation is working on a campaign “*from net to plate*” which is a traceability programme where job insecurity and illegal fishing situations are checked, since in most cases there is a connection between them. Two Asian companies have already been identified and they will soon be made public. They wish to promote the positive image of the European fleet and report irregular activities, preventing illegal catches from reaching the European, Japanese and American markets.

**ACTION: WG1 members suggest that a constructive paper be drafted and submitted to the PNA regarding the situation in the Pacific area, expressing concern about existing problems in terms of displacement of fishing effort of non-European fleets and the need for an effective application of the VDS system based on transparency. In addition, said paper will state that vessels with European flag are complying with the rules. This document will be discussed at the next Working Group 1 meeting.**

#### **5. Conclusions of the IATTC Annual meeting (July 2014).**

The representative of the EC informs that the Workshop on Fishing Capacity held in Cartagena de Indias was very interesting. She will submit the matrix developed there for the information of the LDAC members.

She highlights that in two weeks time there will be another meeting since the annual one was inconclusive and many matters were not discussed, so an extraordinary meeting will have to be held.

Regarding the overcapacity problem, a series of applications for increased capacity have been submitted since USA and Mexico are not using theirs in full.

Attention was drawn to the approval of the US proposal according to which all vessels with over 100GT in the WCPFC are required to have an IMO number.

Regarding bluefin tuna, proposals had been submitted by Japan and USA in line with scientific opinions, but Mexico vetoed them.

Concerning the measure relating to attached fins, there was a veto from Korea, China and Japan.



With regard to the election of the director, no agreement was reached; so this matter will be subject to discussion again at the next meeting.

Mr. Morón declares that the Community position regarding IATTC is exemplary, especially in terms of capacity. He requests the EC be supported in this matter, highlighting that the industry supports its proposals there, but they also need the backing of the rest of actors involved such as that of NGOs. He suggests that the members of the LDAC raise awareness among their colleagues from other countries for this situation to come to an end and support the consistency of tuna fisheries management worldwide.

#### **6. Conclusions of the ICCAT SCRS & preparation for the ICCAT plenary next November.**

Mr. Goujon expresses his disappointment at the fact that no representative of the EC attended to inform about ICCAT. In addition, he points out that he does not understand why Advisory Councils are not called to attend certain consultation meetings with the EC.

Then, Mr. Goujon presents the results of stocks by species with great detail.

Mr. Ulloa expresses his dissatisfaction with the fact that no representative of the EC attended that meeting. The idea is shared by all the members of the Working Group.

For its part, the European Commission stated that no representative could attend that meeting since there was a technical meeting at the same time. In addition, they said that another meeting with the stakeholders would be held right after the LDAC Working Group one, to which all ACs had been invited.

#### **Strategic points:**

#### **7. Organising a potential seminar with Member States on the main aspects of the external dimension of the CFP**

Mr. Goujon declares that the idea is that the Chairs and Vice-chairs of the working groups identify the main points they wish to address at the seminar, so that they can be subsequently discussed at the next Executive Committee and the presentations can be

prepared and be ready for March, when the working group meetings will be held, in order for the seminar to be held in April or May 2015.

He stands out three important points to be included in the programme: governance in the external dimension of the new CFP, fighting against IUU fishing and establishing a level playing field in terms of sustainable fisheries regulations.

Ms. Gorez suggests that the general framework shall have the reformed CFP as a starting point, including cooperation agreements, and that the level playing field ought to include the market aspect as well in order to avoid unfair competition.

**ACTION: An Organising Committee made up of the WG Chairs and Vice-Chairs, the Secretariat and those LDAC members interested will be established to draft a detailed proposal of the programme and terms of reference to hold a High Level Seminar on the External Dimension of the CFP. Both documents will be presented before the Executive Committee for assessment and approval, if appropriate.**

#### **8. Smartfish Project (Indian Ocean).**

Mr. Goujon recalls that a letter was sent by the LDAC on 7 May regarding a Smartfish workshop to be held in the Indian Ocean. The EC declared that they would send us the minutes of the workshop but we still have not received them.

Ms. Gorez suggests that representatives of the DG DEVCO be invited to all WG1 meetings.

**ACTION: Due to the importance of this issue, the minutes of the workshop will be requested again and a joint informal meeting between the LDAC and the DG MARE or DG DEVCO will be proposed to discuss this matter.**

#### **9. MoU COMHAFAT/ATLAFCO – LDAC.**



Mr. Goujon reports that the LDAC took part in a side event held in the framework of the FAO meeting where a presentation was made of COMHAFAT/ATLAFCO (MOU) and the TTI.

Moreover, he informs that COMHAFAT/ATLAFCO chose Côte d'Ivoire to hold its presidency as a replacement for Ghana. In addition, he reports that within the ICCAT plenary meeting, a side event will be held in collaboration with the ISSF and the DG MARE on how to replicate in the Atlantic Ocean the scheme implemented in the Indian Ocean through the Smartfish programme.

Besides, he supports Mr. Morón's proposal to request a meeting with the DG MARE and DG DEVCO.

With regard to the creation of a task force, the convenience of requesting an independent expert to determine how to work in this regard is enquired, and it could be developed together with the COMHAFAT/ATLAFCO secretariat to progress in this matter.

Ms. Gorez declares that she believes it would be more convenient to have a meeting with the general directorates before contacting COMHAFAT/ATLAFCO.

**ACTION:**

- **Holding a side event within ICCAT and**
- **Requesting a meeting with the DG MARE and the DG DEVCO to subsequently implement the recommendations made at the meeting at the European Parliament.**

**Other points:**

**10. AOB.**

- a. Situation of surface longliners as a result of the attached fins policy.

Mr. Goujon declares that this is a very important issue since it jeopardises the competitiveness of the longline fleet.

Ms. Parada points out that the purpose of the regulation was to abolish finning practices, but this goal has not been achieved. In addition, Community fleets are the only ones suffering the

consequences since negative effects have been produced in the economy, derived from increased costs owing to the complexity of onboard operations; even some vessels have been moored or scrapped because their activity is not feasible any more.

Thus, she requests the EC be notified that this finning ban is to be applied in all RFOs and also in the agreements with third countries.

Mr. Ulloa expands what Ms. Parada was saying, and declares that the Spanish and Portuguese surface longline sector is seriously suffering the consequences of a regulation which at the time was said to be first applied within the EU to subsequently be applied in all RFOs. However, the EC has not fulfilled the last part. He highlights the fact that the EC should insist that RFOs implement this measure relating to the attached fins obligation. In his opinion, what is clear is the terrible economic situation of the longline fleet, in addition to the accidents that are taking place on board owing to the application of this regulation. He regrets that the EC does not take any of this into account and does not defend this proposal in a coherent way before the RFOs. He also requests the support of NGOs in this matter.

Mr. Goujon asks the NGOs whether they consider that the aim of fighting against finning has had a beneficial result within the EU and whether they support the idea of submitting this concern to the EC as an LDAC opinion.

Ms. Vulperhorst says that OCEANA has made great efforts in favour of this finning ban policy and, in fact, they wish it be also applied in the RFOs.

Mr. García insists on the importance of the sector providing economic data as evidence of the information mentioned. He also declares that the external dimension of the CFP establishes clear guidelines and that a lack of negotiating strategy by the EC is observed in order to promote measures led by the EU beyond EU waters. These strategies should be linked to international agreements and negotiations with RFOs.

Ms. Gorez believes that the message to be conveyed to the EU should be the wish to discuss with them a strategy to implement this ban in the external dimension as well as to reflect upon the EU approach in its negotiations.

Mr. Trujillo highlights the importance of occupational risk prevention in the finning regulation, since it cannot jeopardise the safety of seafarers on board.

**ACTION: After discussion among the members of the working group, it is agreed that a LDAC drafting team made up of the main interested members prepare a draft opinion on this matter to be presented at the Executive Committee to be held in November.**

For its part, the EC insists that they have tried to get RFOs to apply this regulation as well, and they point out that it was adopted by NEAFC in November.



- b. Brief report on the African Tuna Conference held in Abidjan (25 and 26 September).

Mr. Goujon informs that the situation of tuna stocks was presented, as well as related data and the need for FAD management. A speech was given about fighting against IUU fishing in African waters. Another presentation was made on the tuna catches documentation plan, and a workshop was held focusing on cooperation in African countries. Regarding the markets, a presentation was made by the processing industry in the Indian and Atlantic Oceans and their relationship with Africa. Finally, another presentation was given on eco-labelling and sustainable marketing.

- c. Hearing before the European Parliament on the fight against IUU fishing.

Mr. Goujon reports that at this event organised by the European Parliament he made a presentation on the participation of the EU tropical tuna fleet in the fight against IUU fishing. He explained why the European fleet was involved in this fight and how this involvement translated into the proactive adoption of European regulations.

#### **11. Date and place of the next meeting.**

The next meeting is planned for March in Brussels (exact date to be confirmed by the Secretariat).

The meeting is closed at 6:15 pm.



## ANNEX I. PARTICIPANTS LIST

### WORKING GROUP MEMBERS

1. Michel Goujon. ORTHONGEL
2. Julio Morón. OPAGAC
3. Beatrice Gorez. CFFA-CAPE
4. Mercedes Rodríguez. OPP-Lugo
5. Marc Ghiglia. UAPF
6. Yvon Riva. ORTHONGEL
7. Vanya Vulperhorst. OCEANA
8. Pablo Lourenzo. AIPCE
9. Juan Pablo Rodríguez. ANABAC
10. Juan Manuel Trujillo. ETF
11. Juan Manuel Liria. FEOPE/CEPESCA
12. Raúl García. WWF
13. Javier Garat. FEOPE/CEPESCA
14. Björn Stockhausen. Seas at Risk
15. Juana Parada. ORPAGU
16. Edelmiro Ulloa. Anapa, Anamer, Agarba y Anasol

### OBSERVERS

1. Orlando Fachada. CE
2. Angela Martini. CE
3. Irene Vidal. EJF
4. Konstantinos Kalamantis. EP
5. Alexandre Rodríguez. NWWAC
6. Manuela Iglesias. LDAC
7. Marta de Lucas. LDAC