



MINUTES
32nd meeting of LDAC Working Group 1
Highly Migratory (Tuna and Tuna-like) Stocks and its RFMOs

Tuesday 17th October 2023, 10:00-13:00h
Martins EU Hotel Berlaymont – Brussels (Belgium)

Chair : Michel Goujon
Vice-Chair : Antonia Leroy

1. Welcome by the Chair.

The Chair of WG1, Michel Goujon, opened the meeting by thanking the members and observers of Working Group 1, including EC DG MARE and Member States representatives, for their presence and participation in this meeting. He made it clear that this is not a hybrid meeting but in person, with only a handful of invited experts, MS representatives and members who have provided justified (e.g. medical or weather related) reasons for not travelling following the meeting online with limited view and language.

The list of participants as members and observers is provided in Annex I.

2. Adoption of the minutes from the last WG1 meeting – 21 March 2023.

The revised minutes of the previous WG1 meeting were approved without modifications or comments in the meeting.

3. Adoption of the agenda.

The WG1 Chair made a presentation on the contents of the agenda with introductory points for each item – presentation available here: [https://ldac.eu/en/meetings/archive/working-group-1-highly-migratory-tuna-and-tuna-like-stocks-and-its-rfmos-17-10-2023#:~:text=Presentation%20for%20the%20meeting%20\(M.Goujon\)](https://ldac.eu/en/meetings/archive/working-group-1-highly-migratory-tuna-and-tuna-like-stocks-and-its-rfmos-17-10-2023#:~:text=Presentation%20for%20the%20meeting%20(M.Goujon))

The WG1 Chair explained that the ICCAT point will only be specifically discussed in a dedicated Focus Group that will take place in the afternoon to progress with the drafting of the advice. He also noted that the order of the items on the successive DG MARE updates on the various tuna RFMOs will be modified based on availability of their representatives attending either in person or online.

DECISION: With the above understanding, the members approved the agenda with the changes in the order of the items as presented and without additional items suggested.



4. IOTC – Indian Ocean Tuna Commission.

4.1. DG MARE Report on outcomes of the IOTC 28th Annual Session (Mauritius, 8-12 May 2023) and the 5th WG on FADs (virtual, 4-6 Oct 2023).

The EC representative and negotiator of the EU before IOTC, Ms. Laura Marot, started her intervention by saying that the last IOTC annual meeting was quite constructive and calmer than that of May.

There were four main proposals from the EU tabled on the following topics:

- Conservation and Management Measures (CMM) of tropical tuna stocks.
- Management of Fish Aggregated Devices (FADs).
- IOTC body inspection.
- Improving the functioning of the Compliance Committee.

Overall, there were 20 proposals tabled and discussed, of which 9 CMM adopted (8 binding resolutions and 1 non-binding recommendation). Also, a new procedure for the functioning of the compliance committee was agreed.

As a general point for reflection, Ms. Marot said that it is hard to understand why most decisions on CMM go for voting and it seems increasingly difficult to strive for consensus.

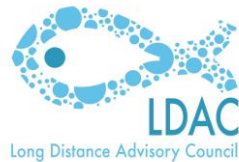
Summary of conservation and management measures on tropical tuna

- Set a TAC and catch limits for all CPCs that fish on bigeye tuna.
- Set a TAC for Yellowfin tuna.
- The EU was once again doing most of the effort on the conservation, with the biggest reduction and an 18.7% of the overall catches.
- A voluntary fishing closure was set with the possibility to make it obligatory in 2025 onwards.

For YFT, there were many countries objecting to a more stringent measure of TAC, the EU reduced substantially its level of catch in the past 5 years but these efforts in reduction were counteracted by the unilateral increase of other CPCs, so that the effect in the total catches was negligible. The problem is that many IOTC coastal countries want to increase their catch limits, but they do not give any sol or compromise, and this is difficult to revert in the foreseeable future.

FADs

There was an ambitious proposal from the EU to replace the existing Resolution 23-02, but the process was again very difficult, and a final agreement could not be reached. A proposal for amendment of the terms of reference for the FAD Working Group was adopted.



Other resolutions adopted

- Two on by-catch species: one amended on cetaceans and one on seabirds for longliners.
- The EU proposal to improve the IOTC compliance process was finally adopted. The EU will try a new formula next year, which should be able to focus on follow up action on compliance issue rather than the compliance issue itself.
- Adopted standards for electronic monitoring: this is an important milestone as IOTC is the first RFMO in doing that. This is also very good news because the current minimum observer coverage is not being respected, with only 5% for all vessels (PS, LL, etc.). There is a hope that with EMS this coverage will be higher up and progressively increase closer to the advice of the Scientific Council, which has recommended as target 20%.
- Another good news was the adoption of the creation of an IOTC Working Party on Socio-Economics. Better understanding on economic impacts will contribute to inform future discussions on allocation issues on more objective and factual grounds. The first meeting of this group is expected to start in 2024.

EU proposals not adopted:

- IOTC did not manage to pass the EU proposal on boarding and inspection, as China blocked it in the grounds that they are not party of the FAO PMSA. The EU proposed to give a temporary exemption to China until IOTC is amended but it was rejected by other CPCs.
- Against the EU will, an extension was awarded to the pilot project from Indonesia on transshipments at sea. The EU believes that it is a non-justified exemption for Indonesia to carry transshipments at sea uncontrolled and uninspected.

Regarding way forward, it is a bit early to comment on the EU priorities for 2024. We will wait until the SC for December and to get the scientific advice on FAD closure.

4.2. Questions and comments from LDAC members

Michel Goujon (ORTHONGEL) and Anertz Muniategui (ANABAC) casted doubts on the effectiveness of the WG on FADs, which should be based on science as it is dependent on the Scientific Committee. However, the content was quite political, with many biased opinions and a sketchy participation from the EU, with no scientists from DG MARE.

Julio Morón (OPAGAC) agreed with the view of Michel and Anertz on the political nature of this meeting, and asked IOTC to guarantee the quality and robustness of the proposals presented to avoid losing credibility in the whole process. There was a strong campaign supported by some IOTC coastal states against the EU purse seine fleet spurred by one organisation which is also member of the LDAC (IPLNF).



In his view, the political bias of the FADs WGs is not helping for holding a credible debate and this Dynamic must stop, more considering that more than half of the total tropical tuna catch in the Indian Ocean not attributed to the EU purse seine fleet have severe information gaps and however all conservation and management measures seem to be addressed only to PS fleets and FADs.

Michel Goujon (ORTHONGEL) mentioned that it was the first time that he remembers that a presentation on FADs was given by a non-scientist. He reminded that in previous years WGs on FADs were co-chaired by the EU and the IOTC Secretariat and worked well, hope this happens in December.

Raúl García (WWF) invited to reflect on the recent malfunctioning of the Scientific Committee of the IOTC and mentioned that there were problems from several IOTC contracting parties in providing the required data. It advocates to counteract the political influence within the Scientific Councils, which is not a new thing across RFMOs. Finally, he regretted the fact that the EU proposal on FADs was dismissed, and we should improve our dialogue and pedagogy with those coastal states which the EU collaborates with through SFPAs and projects.

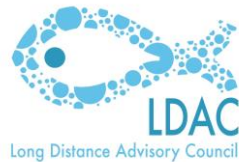
The representatives from ANABAC, OPAGAC, ORTHONGEL and WWF made it clear to the EC that IPLNF should not be considered as an NGO as it is an organization with clear economic interests associated to the pole and line fleets in third non-EU countries. They also asked the Commission to ensure that EU scientists participate in future meetings of the FAD WGs presential and limit the time of interventions from representatives from partisan organizations.

Julien Daudu (EJF) made an intervention on transshipments. EJF has identified new Indonesian PS vessels that fish without authorization of its flag state nor they are in the registry of vessels of IOTC and are engaged with transshipments. He requests that they should be in the IUU list. He also pointed out the reply from Chinese authorities re problems with forced labour and their refusal to support the CMM on sharks and observers on board. There was a recent circular of IOTC on information of documented cases of forced labour onboard Chinese flagged vessels.

Alexandre Rodríguez (Executive Secretary) congratulated the EU for the success in finally setting up a WG on Socio-Economics. He reminded that this was the end of a long process and that the LDAC submitted a letter to MARE in 2018 asking for the creation of a IOTC Working Group on Socioeconomics – this letter is available here:

https://ldac.eu/images/documents/publications/LDAC_Recommendation_on_ToR_for_IOTC_WG_on_SocioEconomics_and_Labour_aspects_of_fisheries.pdf

He asked questions regarding the terms of reference of the group and its future composition, mandate, topics covered and if stakeholders will be invited to take part.



The EC representative, Laura Marot, took note of all comments received and mentioned that they will keep the LDAC updated on future developments on the work of IOTC. Regarding the questions on socio-economics WP, she made the following remarks: the socio-economics WP is a subsidiary body of SC. There is a need to discuss internally at the SC in December the terms of reference including the composition before having a more detailed discussion. The labour aspects are not initially included in the scope of work of this group. The EU delegation will send some scientist to the SC in December and participate actively in this discussion. Although it is premature to announce designated representatives, the idea is to include a balanced representation of social scientists, economists, fishery experts and other experts. No limited attendance so far. Probably that would be the case.

ACTION: The LDAC will identify relevant experts and specialists within its member organisations and inform the DG MARE on potential candidates who could represent the EU at the IOTC Socio-Economic Working Group.

5. Inter-American Tropical Tuna Commission.

5.1. DG MARE report on outcomes of the 101st Meeting of the IATTC (August 2023)

The EC representative from B4 unit and Head of Delegation of the EU before IATTC, Marco Valletta, joined virtually the meeting. He made a summary on the IATTC Annual Meeting which took place from 7-11 August 2023. He noted it was a quite successful meeting. Despite the EU delegation being one of the smallest in number, they proved leadership with formulation of proposals on management and control of FADs, conservation and management of sharks and compliance issues, which were the three main objectives of its mandate for this year.

Regarding FADs, the EU proposal run smoothly contrary to what was expected initially. It moved swiftly and were adopted with minor changes there was a commitment to move to full biodegradability of FADs by 2031 and probably will move to Category 1 by then. The EU led this process, and they are hopeful that, after this agreement, it will become the basis for introducing biodegradable FADs in all RFMOs. In fact, there is ongoing work already to make a similar proposal for the next ICCAT meeting.

Regarding sharks, the text of the resolution was much more difficult to negotiate, as there was strong resistance by Japan and Asian fleets targeting sharks. It was agreed that alternative methods to the EU naturally attached fins policy will remain valid until 2026, and then discussion will be reapproached.

It was also the first time that IATTC started a new compliance process because of an EU proposal made in 2022, led by the Chair of Compliance Committee, Luis Molledo.



IATTC has been criticized often in the past for not taking compliance files seriously, but now there is a clear procedure in place for pursuing serious compliance breaches.

Regarding tropical tuna, there will be a new stock assessment for tropical tuna stocks next year. Preliminary analysis of available data indicates that the state of the stocks is not optimal and it might request additional sacrifices from the fleets and hence maybe the focus will be more on reopening discussions to revise the measures on tropical tuna in 2024.

Regarding observer coverage, several Asian countries rejected to increase the percentage of observer coverage for LL beyond than the current 5%. For the EU, this is not acceptable and shows an unbalanced situation (art 22) with respect to other fleets and gears with higher observer coverage. The EU will be seeking to increase the level of observer coverage for LL as a priority goal in future meetings.

Regarding Pacific BFT, that was a deceiving discussion. The EU made several proposals but there was opposition by US, Mexico, and Japan. Stock is recovering and this is partly related to the new monitoring and control measures on this stock. There is an aspiration to discuss this at the Joint Committee when it comes to long term management of this stock.

5.2. Open discussion and questions from the floor: way forward.

Julio Morón (OPAGAC) congratulated Marco by the outcomes of the meeting, supporting the resolution on bioFADs and looking forward that this is mirrored by other tuna RFMOs. He highlighted the persistent opposition of the Asian longline fleets to the proposal of increasing observer coverage onboard their vessels.

Anertz Muniategui (ANABAC) also congratulated the EU and mentioned that the FAD resolution on IATTC sets a route map and provides a specific timetable for achieving 100% biodegradable FADs. He agrees that this should be followed by all the tuna RFMOs.

The representative of the EC, Marco Valleta, thanked the speakers for their kind words, and reassured that they will keep pushing with pending issues by diplomatic ways.

6. WCPFC- Western and Central Pacific Fisheries Commission.

6.1. DG MARE report on process and main priorities for the Regular Session of WCPFC (Rarotonga, Cook Islands, 4-8 Dec 2023).

6.2. Questions and comments from members.

The EC representative from MARE B4 and Head of Delegation of the EU before WPFC, Stamatios Varsamios, joined the meeting virtually and made a summary of the many WPFC meetings that have paved the way thorough 2023 towards the forthcoming annual meeting in December. The full content of the presentation from Mr. Varsamios is available on the LDAC website: https://ldac.eu/images/Presentation_EC- WCPFC20.pdf



Key outcomes of SC19 – Scientific Committee

General overview - WCPFC 2022 estimates: key figures

- provisional total tuna catches: 2 702 099 mt;
- Represents 80% of the total Pacific Ocean tuna catch and 54% of the total global tuna catch;
- Over 85% of the WCPFC tuna catch occurs in the EEZ of coastal states;
- The total value of these fisheries is around 6 billion Dollars in 2022 (increase of 17% from previous year);
- For PS: 3.3 billion of value, increased by 21% from 2021 (55% of the total value);
- For LL: 1.5 billion dollars;
- Number of vessels: Less than 2000 LL, with P/L decreasing over recent times;

Stock status

Bigeye Tuna (BET)

The gear index proportion of total catch, for BET is equally distributed between PS and LL and other fleets. Stock stabilizing around interim management objective adopted by CMM 2021-01, with the peculiarity that they do not refer to Fmsy but a depletion index average. Stock is far above MSY so in very good conservation status.

Yellowfin tuna (YFT)

Some countries such as Philippines or Indonesia have increased considerably their catch levels in recent years in proportion to others (maybe misreporting before?).

TRP = the management objective is a depletion level at 0.44.

Stock is in a very good conservation status around MSY level.

Skipjack Tuna (SKJ)

PS is the main gear contributing to the catch, TRP calculated at a depletion rate of 0.50, stock in good health and stabilized around MSY.

SC19 discussions on FADs

- FAD materials: limited information on materials during COVID to gauge transition to non-entangling FADs by 2024: additional data fields required.
- Work on research on biodegradable FADs was extended to 2025.
- Timelines for transition to bio-FADs were reviewed, with consideration to the IATTC transition plan.
- FAD limits: no vessel reached the limit of 350 monitored buoys/day, and more than 90% provide less than 130 monitored buoys per day limit.



Key outcomes of TTC19 (20-26 September 2023) on Technical Compliance Committee

Compliance monitoring scheme (CMS)

- Compliance monitoring report (CMR) review for fishing seasons 2021 and 2022: the main focus was on monitoring, with an increased scrutiny: now every flag state must prove how they monitor their fleet as a requisite for their implementation.
- Audit points: there are several sources of information used both for scientific and compliance purposes to feed the CCFS. For the latter, two biggest sources of information are the 1) scientific and compliance observers report (mainstream) to verify alleged infringements; 2) the high sea boarding inspections, aerial surveys, port inspections, will feed into the CCFS. Allows to identify systemic issues for non-compliance and how compliant MS apply so.
- Intersessional work:
 - o Transshipment IWG
 - o Regional observer programme (RoP) IWG
 - o EM & ER (electronic reporting) IWG
 - o Labour standards IWG
 - o CMS IWG (audit points, aggregated tables)

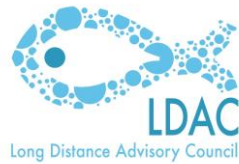
Julio Morón (OPAGAC) asked what the situation of compliance and observer coverage of the LL fleets is in comparison to the PS fleets.

Mr. Varsamios replied that while PS fleets have 100% observer Coverage, the LL fleets have only 5%. Most LL fleets were fulfilling this 5% including EU fleets pre-COVID (during COVID outbreak of pandemic was not monitored). We expect this revision to take place at the next compliance monitoring review to check if the situation is back to normal pre-pandemic times. Even though most CPCs members are meeting the 5pc coverage for LL, FFA members consider there is an imbalance on what is observed and how is used the info on PS vis-à-vis LL. Discussion around increasing observer coverage is taking place but for the moment it does not seem that the Asian fleets are in favour of increasing the coverage of human observation. Implementation of e-monitoring schemes is not available yet.

Key outcomes of TTWS04 (29-30 September 2023) - Tropical Tuna Working Strategy

Key topics discussed:

- SC outcomes and SPC additional analysis for revision of the tropical tuna measures
- Management objectives
- Allocation framework for HS PS effort
- Other proposed revision to the TTM
- Hard limit for HS PS effort and allocation framework:
 - o CMM 2021-01 approx. 2 000 days
 - o Current levels of effort in recent years: approx. 7 000 days
 - o Proposals on the table based on the interpretation of the MP
 - o Info missing



- FADs management
 - o Biodegradable FADs: IATTC vs PNA (4PIA); plastic ropes; definition.
 - o FADs ownership (incl. marking, etc.)
 - o Number of FADs
 - o No deactivation of any FADs
 - o Reporting and monitoring (daily, raw data from satellite provider)
 - o Retrieval programs
 - o FADs closures (FFA reciprocal approach for any increase in LL catch)

Questions posed by the EC:

The representative of the EU ended his intervention posing a number the questions for the LDAC members, namely:

- *High seas: how many days are needed in the WCPO HS for the viability of the EU fleet?*
- *Is a PS Olympic fishery in the HS manageable/desirable?*
- *State of play of implementation or ongoing work on bio-FADs in the PS fleet in the Pacific by the EU fleet: are they doing already, if not when it will be the period, are you finding any difficulties?*
- *Number of FADs needed for the EU PS in the Pacific?*
- *Views on PNA proposed arrangements for “no deactivation”, ownership, reporting, real time monitoring?*

Replies and comments from members to questions of DG MARE

Julio Morón (OPAGAC) expressed its wish to reflect on the questions and provide precise replies to DG MARE questions in writing, and later have a conversation on those elements. However, LDAC would need clarification on timing and how to contribute.

As a first reaction, LDAC would like to get as much as possible on access of days to HS, as PNA have pretty open access to resource. Regarding the notion of olympic fishery, he advised to make the questions to those who are mainly using these numbers. The EU has barely 400 days when there is near 7 000 days for others. For the FADs, he is happy with following the IATTC roadmap on biodegradability, although the number of FADs should be commensurate to the size of the region (the Western Pacific being a huge area where you can have long distances to travel). Last, he announced that he was also planning to attend WPFCE Annual meeting in December.

The EC representative, Mr. Varsamios, took note regarding comments number of days. Regarding the claim that they would like “as many days as possible”, he noted that the EC will look at historical trend when making a proposal, reference period can be different for any CCM, but in general would be the basis for these discussions. Unfortunately, looking at numbers, the EU has not been using fully its limit of 400 days, not even half of it.



This puts the EU in a difficult situation on any request for increase so would appreciate further justification and technical arguments.

Michel Goujon (ORTHONGEL) declared that his organization is only an observer in the Pacific without activity. He made a point on the electronic observer (EMS). The history tells us that discussions on new issues at WPFCA are later replicated in other RFMOs (e.g. case of bio-FADs). He asks for the possible confusion of scientific and control observer roles, stressing that data should be collected by scientists in cooperation with the vessel's crews. It is important to know what we are talking about and not mix both. SC have also advised that scientific data should not be used for compliance.

Mr. Varsamos replied on the role of scientific observers vs. compliance observers, that WCPFC has chosen the path of having the observers with this dual role (double hat) and this is not contradictory per se. In fact, they system works quite efficiently. As an example, to check if a FAD is set or not, if they (observers) tick the box and if is deployed during the FAD closure, it becomes an infringement. That might be an extremely useful source of information for both purposes (scientific and control).

Juan Manuel Trujillo (ETF) highlight the important role of the fisheries observer and reflects his concern for their welfare and labour conditions. It is important that they feel protected due to the special circumstances they do their work and that they are treated in the same conditions than the rest of the crew.

Mr. Varsamos replies that the issue of safety of inspectors is a valid one as there are currently little guarantees for their adequate protection. Observers can be embarked in vessels flagged to countries with bad reputation on treating their crew and/or observers so there is merit of putting this discussion on the table although it has not been the case in other tuna RFMOs. There are minimum standards for their safety under certain CMM so that their duties and obligations are clear at board. This is also indicated when filling their observer reports. Furthermore, there are cases of obstruction to alleged infringements, in general raised at the end of the trip, or something else. These situations are explained to the captain so he/she could make a statement (reply). The Flag State is then obliged to look at both arguments, consider this claim and document if there is any infringement or investigation did not provide sufficient evidence.

Key priorities for annual meeting for WCPFC Annual Meeting (4-8 December 2023)

Next steps:

- Discussion at CWP
- Registration for the Annual Meeting (possibility to attend in person or online)
- Send to respective national authorities list of participants (present and online)

Timing of LDAC draft Advice on WPFCA

It would be great if you could send it asap and before the end of month (2 weeks).



7. AOB / Closing

The Chair of WG1, Michel Goujon, closed the meeting recalling that the next WG1 meeting will be held in March 2024.

--END--



ANNEX I. ATTENDANCE LIST

LDAC Working Group 1 17 October 2023, 10:00 a 13:00h

WG1 MEMBERS

1. Michel Goujon. ORTHONGEL
2. Julio Morón. OPAGAC/AGAC
3. Anertz Muniategui. ANABAC
4. Xavier Leduc. UAPF
5. Iván López. AGARBA/CEPESCA
6. Julien Daudu. EJF
7. Béatrice Gorez. CFFA-CAPE
8. Javier Garat. CEPESCA
9. Marc Ghiglia. UAPF
10. Daniel Voces. Européche
11. Rosalie Tukker. Européche
12. Rob Banning. Dutch PFA
13. Héctor Fernández. Bolton Food
14. José Beltrán. OPP-Burela
15. Juana Parada. ORPAGU
16. Raúl García. WWF Spain
17. Louis Lambrechts. WWF EU
18. Despina Symons. EBCD
19. Alexandra Philippe. EBCD
20. Ignacio Fresco. OCEANA
21. Juan Manuel Trujillo. ETF
22. Christine Xu. Aquatic Life Institute

OBSERVADORES

23. Marco Valletta. DG MARE (IATTC) – Online
24. Laura Marot. DG MARE (IOTC) – In person
25. Stamatios Varsamos. DG MARE (WCPFC) - Online
26. Alexandre Rodríguez. LDAC – In person
27. Manuela Iglesias. LDAC – In person