

R-06-19/WG1

LDAC Recommendations in relation to Atlantic Tuna and Tuna-Like Stocks

**ADVICE IN PREPARATION FOR 22nd ICCAT EXTRAORDINARY MEETING
Palma de Mallorca, 18-25 November 2019**

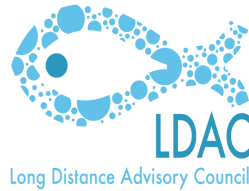
1. General remarks

The LDAC wishes to acknowledge the dialogue held with the DG MARE unit on RFMOs in their consultations with EU Member States and stakeholders through the technical meeting held on 16th October 2019. The LDAC would like to stress that stakeholders' participation is a key element of good governance and a useful instrument to assist the European Commission shaping its proposal for a mandate to negotiate on behalf of the EU in ICCAT.

Furthermore, the LDAC would like to welcome the efforts made by the EU this year to approach other CPCs to try to coordinate positions in advance to the Annual Meeting, with special mention to their informal dialogues with West African countries. We would like to encourage the EC to liaise with regional organizations such as ATLAFCO-COMHAFAT to try to align principles to proposals for management recommendations for stocks of joint interest, given the presence of the EU fleet within such countries and considering the fact that many of them are long term partners of the EU.

As a first remark, the LDAC would like to encourage the European Commission to table balanced and evidence-based proposals and recommendations based on the three pillars of sustainability (environmental, economic and social). This would translate into basing their proposals on best scientific advice available from SCRS aimed to achieve the objectives of the relevant management plans and be combined with an impact assessment on the socio-economic consequences of the measures proposed for the concerned European fleets in the short and medium term. An important part of this assessment must be the efficacy of such measures in terms of compliance and implementation by all ICCAT states to ensure the level playing field between different fleets and avoid unfair competition.

Given the scope of its activity and the priority subject discussed at the last EC Preparatory Meeting between DG MARE and stakeholders held in Brussels on 16th October, the LDAC would like to be strategic in providing advice on the following topics:



- Management measures for Tropical Tuna Stocks (BET-SKJ-YFT);
- Considerations for future management strategies on shortfin mako and blue shark (both Northern and Southern stocks);
- Naturally fins attached policy
- Measures to prevent, deter and eliminate illegal, unreported and unregulated (IUU) fishing

The LDAC does not deal in this advice neither with Albacore and Bluefin tuna nor with Mediterranean Swordfish, as these stocks fall within the competence of the South Western Waters (for the Albacore and Eastern Atlantic BFT) and the Mediterranean Advisory Councils (Mediterranean BFT and SWO), respectively.

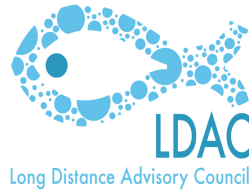
2. Analysis and recommendations on conservation and management measures to replace ICCAT Rec. 16-01 on a multi-annual conservation and management plan for Atlantic tropical tunas (SKJ, YFT, BET)

The LDAC notes the draft prepared by the Chair of Panel 1 following detailed consultation with Panel 1 CPCs. This proposal is based on the last version of the proposal PA1_506 discussed at the ICCAT plenary in November 2018.

The LDAC considers that the non-adoption of a fully-fledged conservation and management plan (CMP) for tropical tunas would be in contradiction with the objectives of the CFP to promote sustainable fishing .

It therefore encourages the Commission to make sure that such CMP is effective in the objective of restoring and maintaining stocks to levels that are:

- Sustainable in terms of conservation of biological stocks of tropical tunas at least at MSY levels and its impact on the ecosystem;
- Fair in the sense that all contracting parties should contribute to the rebuilding of the stock proportionally to their contribution to the pressure on the stock and with special regard and consideration given to the circumstances and constraints in resources of small developing states; and
- Progressive in order to allow operators and fishers to adapt to the new reality and minimize detrimental socio-economic effects.



2.1. Bigeye Tuna (BET)

2.1.1. Stock assessment

The LDAC would like to ask the EU to propose a full new stock assessment for BET for 2020, in order to monitor the situation and evolution of this stock and work with up to date data. Given the economic importance of this stocks, the SCRS should consider under its strategy plan to carry out periodic evaluations and scientific assessments, ideally every 2 years.

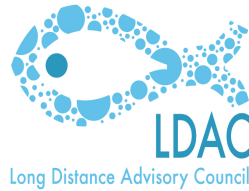
On data quality linked to access to quotas, the LDAC like also to support the final provisions of the proposal to include “no data no fish” in the regulations for credibility, while noting that this expression really means that no action taken to improve data and/or compliance should be sanctioned in an appropriate manner and that this should be understood in line with ICCAT Resolution 15-13 par 2 in the context of the special requirements of developing coastal States and subsistence and small-scale coastal tuna fishers.

The LDAC acknowledges that the stock is estimated to be overfished and that overfishing was occurring in 2018. It also states that fishing effort has considerably increased, resulting in a situation in terms of biomass with lower probability of recovery than in the last assessments in 2017 and 2015.

The LDAC concurs with the importance of tackling juvenile mortality of bigeye tuna to help rebuild the stock to sustainable levels (MSY) through measures that are effective and non-discriminatory for large scale longliners and purse seiners targeting tuna, while acknowledging the special nature and characteristics of artisanal and pole and line fleet from outermost regions such as Canaries, Azores or Madeira.

In view of the above, the **SCRS has provided the following management recommendations (BET-6. pages 48-49 of the report):**

The Atlantic bigeye tuna stock in 2017 was estimated to be overfished and that overfishing was occurring. Maintaining the catches at 2016-2018 levels in the future (around 77,000 t and about 20% greater than the 65,000 TAC), will reduce the probability of achieving Convention objectives by 2033 ($B > B_{MSY}$, $F < F_{MSY}$) to around 1%. The Committee notes that current and previous FAD time area closures and possible future changes of the allocation of catch to different gears provide some small benefits to the stock (sections 19.2 and 19.4, SCRS 2018 report). The necessary reduction of fishing mortality on bigeye tuna required for stock recovery, however, cannot be achieved only with such measures. The Commission should urgently ensure that catches are appropriately reduced to end overfishing and allow the stock to recover following the Decision Framework adopted in paragraph 3 of Rec. 11-13.



The Commission should be aware that increased harvests on small fishes could have had negative consequences for the productivity of bigeye tuna fisheries (e.g. reduced yield at MSY and increased SSB required to produce MSY) and, therefore, should the Commission wish to increase long-term sustainable yield, the Committee continues to recommend that effective measures be found to reduce fishing mortality of small bigeye tunas.

SCRS REPORT - ATLANTIC BIGEYE TUNA SUMMARY

Maximum Sustainable Yield	76,232 t (72,664-79,700 t) ¹
Current (2018) Yield	73,366 t ²
Relative Spawning Biomass (SSB ₂₀₁₇ /SSB _{MSY})	0.59 (0.42-0.80) ¹
Relative Fishing Mortality (F ₂₀₁₇ /F _{MSY})	1.63 (1.14-2.12) ¹

Stock Status (2017) Overfished: Yes³ Overfishing: Yes³

Conservation & management measures in effect:

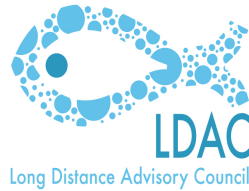
Rec. 16-01, Rec. 18-01

- Total allowable catch for 2016-2019 was set at 65,000 t for Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities.
- Be restricted to the number of their vessels notified to ICCAT in 2005 as fishing for bigeye tuna.
- Specific limits of number of longline boats; China (65), Chinese Taipei (75), Philippines (5), Korea (14), EU (269) and Japan (231).
- Specific limits of number of purse seine boats; EU (34) and Ghana (17).
- No fishing with natural or artificial floating objects during January and February in the area encompassed by the African coast, 20° W, 5°N and 4°S.
- No more than 500 FADs active at any time by vessel.
- Use of non-entangling FADs.

2.1.2. LDAC views on Bigeye Tuna

Regarding the catch limits for bigeye tuna (as described in Part II), the SCRS proposes to decrease the TAC from 65 000 t to 60 000 t for the period 2020-2022, which is in line with the 2018 and 2019 scientific advice. This TAC is only applicable to 7 CPCs to date so total F is not accounted for.

It should also be noticed that bigeye catches reported are high in 2019 although there were no changes in the fishing patterns. The precautionary approach should be applied as far as the impact of such a major reduction faces a reality in the fishing grounds that seems to indicate that the stock abundance might be increasing. A new evaluation and assessment of the bigeye stock is therefore urgently needed.



The LDAC recommends developing a 10-year Recovery Plan for bigeye tuna.

- The majority of the fishing industry would be in favor of a TAC of 65 000 t that will provide a 40% probability to achieve B_{MSY} by 2029;
- IPLNF asks for 15-year Recovery Plan and a TAC of 60 000 t in line with Recommendation 11-13;
- The NGO group ask for a TAC of 50 000 t which would result in a 77% probability to achieve B_{msy} by 2029.

The LDAC also notes that reduction of F was not achieved with the current measures as the FAD moratorium in place had little effect and quota allocation was incomplete. In this respect, the LDAC would like to support efforts to make these measures more effective and/or the introduction of additional measures targeted to reduce catches of small and juvenile BET.

The LDAC supports the reduction of the threshold to cover the majority of “minor harvesters” from the current 2 100 to 1 250 t in line with EC proposal. This is attached to the principle of ensuring a level playing field for all major actors of the fishery, while being aware of the huge sacrifice it means for the EU fleet.

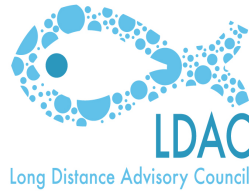
Based on catch data of 2014-2017, 8 new CPC have exceeded this threshold at least one year: Belize, Brazil, Cabo Verde, Curacao, El Salvador, Guatemala, Panama and Senegal.

In terms of the accumulative impact of the increase in number of CPC subject to the TAC regime, this change would mean that over 90% of the CPCs with catches of tuna would be subjected to TAC (see articles 3-5). This will generate an estimated decrease of the EU quota (i.e. Member States quotas) by a range between 23% and 29%, depending on the level of the TAC (between 60 000 and 62 500 t) and any penalties that might need to be applied to CPCs (for instance to Brazil as we consider that lack of action in this specific case would be seen as a very bad signal in terms of capacity of ICCAT to properly manage stocks).

The LDAC notes that this represents already a huge effort by the EU fleets and will create catastrophic situations for vessel owners of Portugal, Spain and France both for pole-and-line fisheries targeting bigeye and purse-seine fisheries where bigeye does only represent about 5% of the catch of all tropical tuna combined.

The LDAC also supports the proposal to reintroduce rules for under quota consumption with a limitation to 5% for the report of under-utilized quotas.

The LDAC notes with concern the recent increase of fishing capacity by fleets outside any management plans and control in terms of number of tuna purse seine industrial vessels and sharp increase in catches of tropical tuna stocks by other CPCs in recent years such as Senegal, Ghana, El Salvador, China, Korea or Brazil.



There is a general lack of transparency and knowledge due to misreporting on the volume of total removals and the number of juveniles caught by these fleets.

In particular, the LDAC notes with great concern how Ghana that has been notified by ICCAT several times for non-complying with TACs and management regulations. The beneficial ownership of the Ghana fleet is mostly Asian (Chinese and Korean) and therefore, actions from those countries on their nationals should be required to make the operations from Ghana flagged purse seiners more transparent and fully accountable. In that respect, the exemption given to Ghana for the capacity limitation should be deleted.

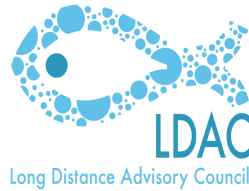
Furthermore, there is a general problem of misreporting with the Asian long line fleets, that contribute with 50% of the total catches of Atlantic bigeye catch, related to high grading practices. Since 2003, the proportion of fish below 1 meter is almost negligible, and therefore the discards of target species by the long line fleet is largely unknown. This lack of reporting of juvenile fish caught by the long line fleet but not reported, has potential detrimental effects on the abundance indexes used for bigeye and yellowfin stock assessment, basically based on long line CPUE indicators. A global and integral approach is therefore needed.

The LDAC supports the adoption of measures in relation to limitation or freeze of the fishing capacity for all fishing vessels above 20 meters LOA without exceptions. Such measures have been in place for the EU fleets for many years and ICCAT should take similar capacity management for other CPCs as overcapacity is a major threat for the fishery and will affect all CPCs. This would include having a central register including relevant information such as name of the vessel, nationality, segment, IMO number or level of quota consumption, amongst others.

The LDAC would like to see a holistic approach based on a suite of measures addressed to all fishing gears and all countries. We believe that the combined effect of all measures should help to rebuild the tropical tuna stocks.

In order to tackle this problem, the LDAC is pleased that the EU has tabled for discussion two key proposals which are in tune with proposals we have included in our advices submitted in previous years, namely:

1. A prohibition of any form of transshipments at sea to limit overfishing and high grading practices by non-EU long line fleets and to effectively monitor compliance in terms of reporting and declarations of landings. In this respect, both the EU purse seine and surface longline fleets are already obliged to land or transship all catches at ports in accordance with EU laws.
2. An increase on the observer coverage from the current 5% in Annex 7 up to a minimum of 20% on industrial tuna long line vessels, with the ultimate aim of reaching 100% in a phased approach overall several years.



All the EU flagged tuna purse seine fleets have already a 100% observer coverage (with human observers or CCTV footage).

To achieve an effective implementation of the above-mentioned proposals, the LDAC would like to endorse the implementation of a regional observer training and coordination programme at sea and a regional control scheme in ports with cooperation between Coastal States through established regional bodies. In this sense, it would like to note the work initiated by the EU funded project PESCAO or the feasibility studies published by ATLAFCO-COMHAFAT in this field for developing a national observer's programmes at sea and regional harmonized control at ports.

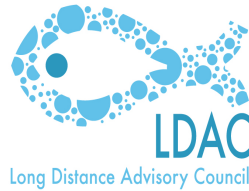
Use and management of Fish Aggregated Devices (FADs)

The LDAC acknowledges that management of FADs should be a major component of the proposed measures. A balanced and sensible approach must be followed to tackle efficiently capacity issues and be cost-effective from a perspective of efficacy of monitoring, control and surveillance activities. To increase transparency in dFAD operations, buoy owners should provide instrumental buoy position data, on a monthly basis to their national scientific institute

However, the FAD closure currently in force set for the Gulf of Guinea has proved to be ineffective to reduce fishing mortality in the area, with an increase of effort displacement from fleets operating in the edges of the area as a result, as shown at PA1 in Bilbao in April.

The new PA1 proposal maintains the moratorium on fishing with FADs with an extension to the whole Atlantic (instead of an area between 4°S and 5°N and between 20°W and the coast), together with a possible extension to 3 months (instead of the current 2 months) and a shorter period for vessels accepting a lower limitation in number of FADs (100). The LDAC would like to know what the scientific reasons are for a spatio-temporal closure on FAD activity for a duration of 3 months in the whole of the Atlantic Ocean. This measure is considered very burdensome as it has economic detrimental implications on the operations for the concerned purse seine fleets with effort displacement effects. It has also a shortage of supply for canning factories established both in the EU and third countries and the consequences.

To help rebuilding the bigeye tuna stock, some members of the LDAC (ORTHONGEL, ANABAC) might consider increasing the extension of the time period for the closure but not the geographical coverage as this would impose a disproportionate burden and constraints only on tuna purse seine vessels operations.



A minority part of the LDAC members (OPAGAC) would like to propose the application of total closures commensurate with the reduction of catch required, following the models presented at SCRS, as a way of replacing the TAC for purse seiners and more effective control compliance by industrial purse seiners.

Considering the limitation of the number of sets on floating objects based on 2015 (or the first year of activity for new vessels), the fleets are opposed to such a limitation in addition to other measures that will create planning problems for the vessel-owners, because it will jeopardize the fleet capacity to fish for yellowfin on free school, where nil sets are very common and unpredictable, and its difficulty to monitor. The LDAC notes that there is no scientific basis or evidence to date to fix a specific number although there is objective justification for both a freezing of the fleet capacity and a limitation of FAD-related fishing effort.

Concerning the limitation of operational buoys associated to floating objects, the fishing industry of the LDAC would advise that it would be no lower than 400 FADs per vessel; the NGO group would be in favor of reducing it to a maximum of 300 FADs with additional reductions in the following years in combination with other effort/technical measures as explained in advice.

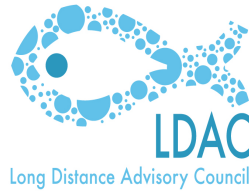
As far as introducing a limitation in the number of ancillary supply vessels, such limitations have already been decided in other RFMOs. SCRS should be requested to advise on permitted levels of support capacity. Any recommended reduction should be implemented progressively. Meanwhile, as a precautionary measure, number of supply vessels shall not increase.

The LDAC clearly supports the measures described in articles 27, 28 and 29, as these measures are already being implemented by the EU fleets.

Finally, considering the rules for the deployment of eco-friendly FADs in annex 5, the LDAC is also in favor of an obligation to the use of non-entangling FADs from January 2020 (while the EU PS fleet already complies with) with a view of adopting progressively biodegradable FADs, elements by elements once the durability of materials has been properly assessed.

The WG1 of the LDAC takes note of the request by OPAGAC for study on effort-based regime to PA1 (see Annex 1)

The WG1 of the LDAC takes note of the request by IPLNF to reflect a minority position to improve management of bigeye tuna (see Annex 2)



2.1. Yellowfin Tuna (YFT)

2.2.1. Stock assessment

SCRS Management recommendations

The Group expressed strong concern that catches above 120,000 t are expected to further degrade the condition of the yellowfin stock if they continue. Furthermore, given that significant overages are frequent, existing conservation and management measures appear to be insufficient, and the Committee recommends that the Commission strengthen such measures.

The Commission should also be aware that increased harvests on small yellowfin tuna has had negative consequences to both long-term sustainable yield and stock status (YFT-Figure 13), and that continued increases in the harvest of small yellowfin tuna will continue to reduce the long-term sustainable yield the stock can produce. Should the Commission wish to increase long-term sustainable yield, the Committee continues to recommend that effective measures be found to reduce fishing mortality on small yellowfin tuna (e.g. FOB-related and other fishing mortality of small yellowfin tuna).

ATLANTIC YELLOWFIN TUNA SUMMARY

Estimates Mean (90% confidence intervals)

Maximum Sustainable Yield (MSY) 121,298 t (90,428 - 267,350 t)

2018 Yield: 135,689t

Relative Biomass: B2018/ BMSY 1.17 (0.75 - 1.62)

Relative Fishing Mortality: F2018/FMSY 0.96 (0.56 - 1.50)

2018 Total Biomass: 729,436 t

Stock Status (2018) - Overfished: No; Overfishing: No

[Rec. 16-01]

- No fishing with natural or artificial floating objects during January and February in the area encompassed by the African coast, 20° W, 5°N and 4°S.

- TAC of 110,000 t (since Rec. 11-01).

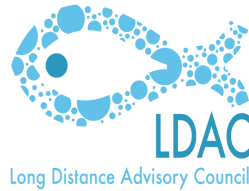
- Specific authorization to fish for tropical tunas for vessels 20 meters or greater - Specific limits of number of longline and/or purse seine boats for a number of fleets - Specific limits on FADs, non-entangling FADs required

1) Minimum and maximum values of 90%LCI and 90%UCI among all runs by the Stock Synthesis, JABBA, and MPB

2) SSB (Stock Synthesis) or exploited biomass (production models)

3) Mean of the central estimates of the SS, JABBA and MPB models

4) (24% probability of overfished status) 5) (43% probability of overfishing taking place)



2.2.2. LDAC views

Considering that the proposal for the multi-annual conservation and management programme for tropical tunas maintain the TAC fixed by ICCAT for Yellowfin tuna at 110 000 t and contains measures to limit the capacity, the LDAC recommends to follow scientific advice and supports that the Yellowfin TAC is kept at 110 000 t and that ICCAT take measures to guarantee that this TAC is respected, including a sanction mechanism for CPC that catch a significant proportion of the global catch and do not make any effort to respect the TAC.

2.3. Conservation and management measures for Sharks

2.3.1. General remarks for all shark species / naturally attached fins policy

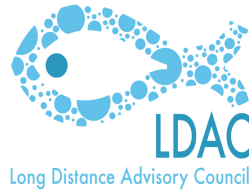
- Management recommendations by SCRS for 2019

SHK-6. Precautionary management measures should be considered particularly for stocks where there is the greatest biological vulnerability and conservation concern, and for which there are very few data and/or great uncertainty in assessment results. Management measures should ideally be species-specific whenever possible. 2019 SCRS REPORT 229 Considering the need to improve stock assessments of pelagic shark species impacted by ICCAT fisheries and bearing in mind Rec. 12-05 as well as the various previous recommendations which made the submission of shark data mandatory, the Committee strongly urges the CPCs to provide the corresponding statistics, including discards (dead and alive), of all ICCAT fisheries, including recreational and artisanal fisheries, and to the extent possible non-ICCAT fisheries capturing these species. The Committee considers that a basic premise for correctly evaluating the status of any stock is to have a solid basis to estimate total removals. The Committee reiterates that the CPCs provide estimates of shark catches in both ICCAT and non-ICCAT fisheries for species that are oceanic, pelagic, and highly migratory within the ICCAT Convention area. The magnitude of shark entanglements in FADs should be investigated. Methods for mitigating shark by-catch in fisheries also need to be investigated and applied.

- LDAC Views

The LDAC reiterates to the Commission the importance of amending ICCAT Convention to cover shark species within its scope so all targeted and by-catch fisheries can be regulated through effective management measures and enforced to all CPCs together with enhancing data provision.

The LDAC notes that measures must be adopted and enforced both for the Northern and Southern stocks of blue shark and shortfin mako species, in order to allow a responsible joint management of both stocks.



The establishment of measures in the South Atlantic should be a condition sine qua non prior to the adoption of additional measures to the northern stock.

The LDAC acknowledges the ongoing efforts made by the European Union in tabling proposals and the growing number of CPCs adhering to it; and reiterates its support to the adoption of the naturally attached policy in ICCAT, similarly as it has been the case in other RFMOs such as GFCM, NAFO or NEAFC (demersal) and IOTC for the case of tuna RFMOs.

Therefore, the LDAC strongly encourages the EU to continue to champion the fins naturally attached method as a cornerstone to sound fisheries management.

The LDAC reminds that the EU longline fleet is already bound by Council Regulation (EC) No 1185/2003 on the removal of fins of sharks on board vessels, as amended by Regulation (EU) No 605/2013, and on the international developments on this field. The implementation of this Regulation has proven to be effective with no findings of shark finning taking place according to the Report published by the European Commission in 2016¹. To date, the EU fleet is the only one in the world that applies consistently this measure, which has additional exploitation and operational costs and creates a situation of unfair competition with other non-EU longline fleets.

2.3.2. Shortfin mako (*Isurus oxyrinchus*)

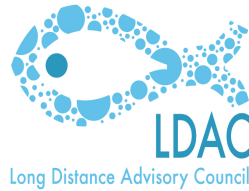
- Management recommendations by SCRS for 2019

SHK-6.2 Shortfin mako

The Committee conducted new projections using two Stock Synthesis model scenarios that incorporated important aspects of shortfin mako biology. This was a feature that was not possible with the production model projections developed in the 2017 assessment (Anon. 2008a) and, therefore, the Committee considers the new projections as a better representation of the stock dynamics. The stock synthesis projections indicated that: i) a zero TAC will allow the stock to be rebuilt and without overfishing (in the green quadrant of the Kobe plot) by 2045 with a 53% probability; ii) regardless of the TAC (including a TAC of 0 t), the stock will continue to decline until 2035 before any biomass increases can occur; iii) a TAC of 500 t, including dead discards has only a 52% probability of rebuilding the stock to the green quadrant in 2070; iv) to be in the green quadrant of the Kobe plot with at least 60% probability by 2070, the realized TAC has to be 300 t or less;

¹ COM/2016/0207 final

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2016:207:FIN>



v) lower TACs achieve rebuilding in shorter time frames; and vi) a TAC of 700 t would end overfishing immediately with a 57% probability, but this TAC would only have a 41% probability of rebuilding the stock by 2070. The Committee agreed that the projections that addressed the exceptions in Rec. 17-08 indicated that any retention of shortfin makos will not permit the recovery of the stock by year 2070. A range of TAC options with a range of time frames and associated probabilities of rebuilding are included in SHK Table 3.

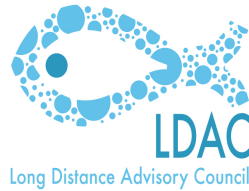
Given the vulnerable biological characteristics of this stock and the pessimistic projections, to accelerate the rate of recovery and to increase the probability of success the Committee recommends that the Commission adopt a non-retention policy without exception in the North Atlantic as it has already done with other shark species caught as bycatch in ICCAT fisheries.

Given that fishery development in the South predictably follows that in the North and that the biological characteristics of the stock are similar, there is a significant risk that this stock could follow a similar history to that of the North stock. If the stock declines it will, like the North stock, require a long time for rebuilding even after significant catch reductions. To avoid this situation and considering the uncertainty in the stock status, the Committee recommends that, at a minimum catches should not exceed the minimum catch in the last five years of the assessment (2011-2015; 2,001 t with catch scenario C1 [Task I catches]).

The Committee emphasized that reporting all sources of mortality is an essential element to decrease the uncertainty in stock assessment results, and particularly the report of estimated dead discards for all fisheries. Although the reporting of dead discards is already part of the ICCAT data reporting obligations (Rec. 17-08), the requirement has been ignored by many CPCs. The reporting of dead discards and live releases is of the utmost importance.

The Committee indicated that additional measures can potentially further reduce incidental mortality, including safe handling and best practices for the release of live specimens (since post release survival can reach 77%). These and other measures are documented in papers published on the WCPFC's Bycatch Management Information System website. Gear restrictions/modification and time area closures also have the potential to reduce mortality. However, gear restriction/modification would require dedicated field work (e.g. the deployment of hook timers to measure the time that sharks are on the line), while the level of catch and effort data currently submitted to the Secretariat makes it difficult to evaluate time/area closures.

The Committee emphasized that the Kobe II Strategy Matrix (K2SM) does not capture all the uncertainties associated with the fishery and the biology of the species. In addition, the length of the projection period (50 years) requested by the Commission implies that estimates at the end of the projection period are highly uncertain.



Therefore, the Committee advised that the results of the K2SM should be interpreted with caution. In particular, if the decrease in mature females is related not only to the catch of immature females, but to other, unknown causes, the management measures above may not lead to the recovery of the stock.

The Committee emphasizes that there will be a need for CPCs to strengthen their monitoring and data collection efforts by species to monitor the future status of the stocks, including but not limited to total estimated dead discards and the estimation of CPUEs using observer data.

- LDAC views

Management recommendations

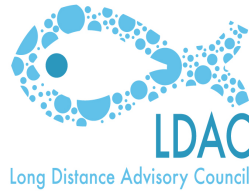
The LDAC notes with concern the dire outcome of the stock assessment described above, as a result of the update on projections based on the SCRS advice for 2017, with low signs of recovery extending over a very long period in time. The LDAC acknowledges the high vulnerability of Shortfin Mako to overexploitation and looks with concern the latest SCRS advice as a result of the October meeting, declaring the earlier possibility of recovery for this species for 2045.

The LDAC acknowledges that the EU must take action and leadership on the adoption of proposals to rebuild this by-catch fishery, given that 60% of the catches are caught by the EU fleet.

However, the fishing industry of the LDAC does not agree with the SCRS recommendation on a total prohibition of retention as this would mean in practice an and immediate closing of a fishery with a high socio economic impact for Spanish and Portuguese longline fleets. Such a measure would also imply the loss of valuable catch data for improving the knowledge of this fishery.

The NGO group of the LDAC demand a ban of retention in line with SCRS recommendation given that even with such a measure in place, by-catch will still occur undermining recovery of this species.

The LDAC notes that, since adoption of the measures in 2017, there has been a significant reduction in catches close to 40% by the Spanish surface longline fleets which have gone through considerable efforts to achieve this reduction and assess the impact, including implementing electronic monitoring observers on board certain vessels due to its limited size not allowing embarkment of human observers.



The LDAC ask the Commission to request which other States (inside and outside the EU) have reported on the active measures taken by their flag vessels to reduce the catch levels for their concerned fleets.

The Spanish surface longline organisations have been proactive and made considerable efforts in 2018 and 2019 to reduce their catches of mako. As a result, they have adopted a number of voluntary initiatives and measures such as:

- Self-establishment of a limit the number of dead individuals of mako by vessels and fishing trip.
- Release of all alive specimens back to the sea and reporting in the logbooks in line with the measures established on safe handling practices.
- Increase of observer coverage to improve data collection to be submitted to SCRS.
- Adoption of an action plan by producers, processors and traders of shark species through the Fisheries Improvement Project (FIP) BLUES.

The LDAC advises to look at the implementation status of the ICCAT Rec. 17-08 to assess progress achieved in terms of reporting by CPCs for the recovery of these species based on high survivability (which is estimated to be as high as 75%) as a result of safe handling practices to release alive specimens.

The LDAC also recommends to review the Rec. to establish a comprehensive suite of additional technical measures such as:

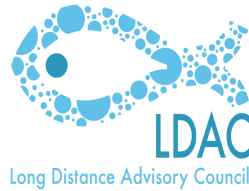
- Time and seasonal closed areas to avoid hotspots and nursery grounds. A closure in the African Coast between Agadir and Liberia, at depths between 50 and 500 meters in the months of May, June and July could help to avoid aggregations and reduce catches in the area.
- Stricter implementation of safe handling to release alive specimens, amongst others.

Regarding no retention policy:

- Fishing Industry position: Retention on board of death specimens only with the presence of scientific human and/or electronic observers.
- NGO position: Prohibition of retention of both death and alive specimens.

Amendment of ICCAT Convention

Furthermore, the LDAC encourages CPCs to adopt the Amendment of the ICCAT Convention so it can include shark species to put in place consistent management measures which also help to comply with trade provisions as a result of the inclusion this year of shortfin mako within Appendix 2 of CITES., establishing binding obligations to issue a trade document to all ICCAT CPCs ensuring that any mako caught are sourced from legal and sustainable fisheries with *no detrimental findings*.



Issues with scientific stock assessment

The LDAC considers it very important to fine tune the assessment in 2020 and perform a full new one as the present is not coherent with advices previous to 2007 in terms of perception of the stock plus the data and methodology used in the previous SCRS advice are not considered to be accurate and reliable due to bias in relation to analysis of CPUE from Chinese Taipei fleet.

The LDAC would also like to request to be informed once the data of the reports from the Shark Species Group intersessional meeting becomes publicly available. This meeting was held in Madrid, Spain with the objective to prepare the update of the shortfin mako stock assessment in 2020.

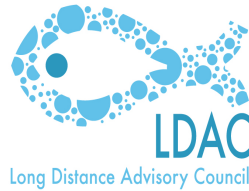
As such, the Group reviewed the activities and progress of the Shark Research and Data Collection Programme (SRDCP), namely as regards spatiotemporal distribution and biology (age and growth, reproduction, maturity) of this stock.

The Group also updated statistical data available at the Secretariat and reviewed new data received from national scientists and new indices of abundance. The 2017 stock assessment was revisited and the application of an alternative projection approach for Stock Synthesis to evaluate the probability of success of the measures contemplated in ICCAT Rec. 17-08 was explored.

Finally, the Group reviewed the effectiveness of potential mitigation measures to reduce by-catch and mortality of shortfin mako, draft a number of responses and recommendations to the Commission, as well as the work plan for 2019.

All the above-mentioned work in progress and actions developed by this Group are crucial to improve knowledge of the state of the stock and the success of the recovery measures. The relevant fleet representatives that are members of the LDAC will be happy to provide feedback on this area.

Regarding Southern shortfin mako, similar regulatory and management measures should be applied for the sake of coherence with regard to the northern stock. In this respect, it must be reminded that the EU already proposed in ICCAT Annual Meeting in 2008 in Marrakech a management measures to regulate this fishery by effort by request of the EU Longline fleet.



2.3.3. Blue shark (*Prionace glauca*),

- SCRS Management recommendations SHK-6.1 Blue shark

SHK-6.1 Blue shark *Considering the uncertainty in stock status results for the South Atlantic stock, the Committee strongly recommends that the Commission considers a precautionary approach for this stock. If the Commission chose to use the same approach taken for the North Atlantic stock, the average catch of the final five years used in the assessment model (28,923 t for 2009-2013) could be used as an upper limit. For the North Atlantic stock, while all model formulations explored predicted that the stock was not overfished and that overfishing was not occurring, the level of uncertainty in the data inputs and model structural assumptions was high enough to prevent the Committee from reaching a consensus on a specific management recommendation.*

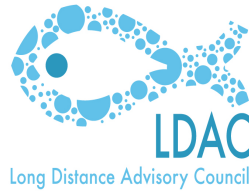
- LDAC Views

The LDAC notes that the northern stock of blue shark is not overfished and that overfishing is not occurring, even if there is a high uncertainty on the assessment. It also highlights that average level of catches have remained relatively stable over the course of the final 5 years used in the assessment model and are currently are below the upper limit recommended by the SCRS (28,923t).

ICCAT Rec 16-12 sets a threshold limiting the amount of catches for North Atlantic stock of a maximum of 39,000t. This threshold has to be respected and not overshoot for a period of 2 consecutive years (i.e. 2017 and 2018). In 2017, reporting on catch data showed a steady reduction of catches from 44,068t to 39,664t with respect to 2016. According to reporting of catch data from 2018 (33,653t) this trend is confirmed.

The LDAC wants to remind that the Spanish longline fleet representatives asked already to the EU since 2008 to promote a regulation of the effort for both northern and southern blue shark stocks. This is also aligned with one of the objectives set in the management strategies of the FIP BLUES Action Plan.

The LDAC believes that, if effectively managed, BSH represents a sustainable fishing activity. However, it remains at risk of overexploitation due to lack of control particularly and more stringent MCS measures are required for those non-EU fleets which have recently increased their level of catches.



The present regulation system for the northern stock is a threshold or upper limit of catches. In order to improve compliance and sound management of this fishery, the LDAC is in favour of moving from this voluntary threshold towards the possibility to allocate catch limits in the shape of a compulsory TAC for northern stock of blue shark based between main CPCs according to average historical record of catches declared by CPCs.

The LDAC would like to see that consistent management and regulatory measures are applied alike to the southern stock, so the fishery can be controlled and significant increase on catches prevented due to lack of measures.

The LDAC would like that the European Union requests to the SCRS to provide advice on the delimitation and identification of closed areas for the adoption of spatio-temporal measures for protecting spawning aggregations of blue shark and mako stocks.

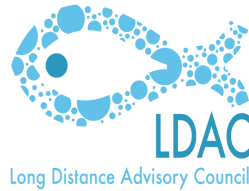
2.3.4. White and Blue marlins (*Makaira nigricans*)

The LDAC notes that SCRS advises to reduce the current TAC by catches to lowest level, from 2,000t to 1,750t for the case of blue marlin and 400t for white marlin – and proposes to follow this advice including the introduction of additional measures consisting in the compulsory release of live marlins and the requirement of compliance by all LL fleets with the observer coverage of 5% with a consideration to increase observers' coverage onboard of longline fleets; and introducing EMS on a minimum percentage of LL fleets.

The industrial longline fleets represented in the LDAC declared that they only have limited seasonal and accidental catches of this species and they are all released and brought back to the sea as they have no economic interest for them. This measure should be therefore mainly addressed and concern to the artisanal fleets of developing countries which do not have an adequate control of their catches and eventually may target this species.

The industrial longline fleets are worried on the continuous modification and change of recommendations year after year, when there is a recovery plan that has just come into force which already amended two previous ones adopted in 2017 and 206, respectively. There is no time to assess the effectiveness of these measures.

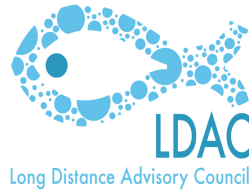
The LDAC is concerned on the impact of artisanal and recreational fishing from countries such as the US, which have more than 100,000 vessels, in the exploitation of this stock. We fear that any measures adopted could be cosmetic and do not have a real effect on the recovery of the stocks becoming “*paper fish*” if such reality is not accounted for.



3. Measures to prevent, deter and eliminate illegal, unreported and unregulated fishing

The LDAC would like to support the position of the EU IUU NGO Coalition on its Policy Paper of October 2019 and urge the EU and the ICCAT Contracting Parties to:

- Amend Recommendation 06-14 by ICCAT to Promote Compliance by Nationals of Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities with ICCAT Conservation and Management Measures; and strengthen the implementation of Recommendation 18-08 by ICCAT on Establishing a List of Vessels Presumed to Have Carried Out Illegal, Unreported and Unregulated Fishing Activities, in order to prevent nationals from further deriving benefits from or supporting IUU fishing;
- Amend Recommendation 13-13 by ICCAT Concerning the Establishment of an ICCAT Record of Vessels 20 Metres in Length Overall or Greater Authorized to Operate in the Convention Area to expand IMO numbering requirements to all eligible vessels.
- Adopt the recommended ICCAT Convention text.
For more than six years, ICCAT has been developing a set of amendments meant to modernise the Convention text. The recommended text includes several improvements, among others, on the decision making process, providing a more transparent objection procedure and an option for a dispute resolution mechanism. Robust, flexible and enabling decision-making arrangements can facilitate an organisation's functioning and delivery of its core mission by providing CPCs with the tools to overcome instances of impasse. Taking the above into consideration and in recognition of the improvements included, we urge ICCAT to adopt the final recommended Convention Amendment without delay.

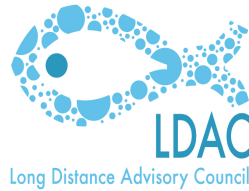


ANNEX I. OPAGAC POSITION ON BIGEYE TUNA

The organization member OPAGAC (Spanish tuna purse seiners) wants to state that TAC systems applied to tropical tunas have not been efficient for the last five years in curbing the overfishing of Atlantic bigeye tuna. Continuing with a TAC based management system will continue bringing further reduction to the EU TAC and will put at high risk the economic viability of many EU fleets, mostly pole and line and purse seine.

OPAGAC considers that ICCAT should take an alternative effort-based management system to focus mostly on industrial purse seine and long line fleets, that are the major source of bigeye catch. Effort-based approach will be easier to monitor and control than TAC compliance, and will address not only the overfishing of bigeye, but also the concerns expressed by the SCRS on yellowfin and skipjack Atlantic populations.

In view of the above, OPAGAC would like to propose the European Commission to make a formal request to ICCAT PA1 to launch a study on the feasibility of adopting an effort-based management system in the future based on a proposal with a limitation of active vessels and freezing of fishing capacity for tuna vessels. The idea would consist in transforming the current TAC regime on a days at sea regime based on limitation of effort, and the setup and managing a list of registered active purse seine vessels.



ANNEX II. IPLNF POSITION ON BIGEYE TUNA

Proposed measures should duly consider relevant international agreements and instruments, such as UNCLOS (article 119), UNFSA (article 24, 25), and the SDGs, which strive towards a holistic approach to sustainability.

IPNLF does not agree that Conservation and Management Measures should equally apply to all fishing gears, as equal is often not equitable. Subsistence and small-scale coastal fishers should not carry the conservation burden to ensure bigeye tuna rebuilding.

With regards to the Recovery Plan for bigeye tuna, IPNLF is of the view that Recommendation 11-13 should be duly taken into consideration, which states: *"For stocks that are overfished and subject to overfishing (i.e., stocks in the red quadrant of the Kobe plot), the Commission shall immediately adopt management measures, taking into account, inter alia, the biology of the stock and SCRS advice, designed to result in a high probability of ending overfishing in as short a period as possible. In addition, the Commission shall adopt a plan to rebuild these stocks taking into account, inter alia, the biology of the stock and SCRS advice."* At least a 60% probability would be in line with achieving the necessary "high probability" and given the reductions necessary to achieve this, a 15-year timeframe would be the most practical timeframe for meeting the objective.

To ensure compliance with FAD limits can be meaningful verified, "FADs" should be referred to as "operational buoys". Activation of operational buoys should always occur before they are deployed and activation after deployment shall not be allowed to avoid "ghost" or "unregistered" buoys undermining the intent of operational buoy limits. To increase transparency in dFAD operations, buoy owners should provide instrumental buoy data, on a weekly basis, in compliance with the minimum best-practice standards of daily reporting, to an independent service provider contracted by the ICCAT Secretariat.

Issues around reflagging and beneficial ownership should apply to all nationals, including from the European Union.