



Recommendations to the 20th Special Meeting of the International Commission for the Conservation of Atlantic Tunas

14-21 November 2016, Vilamoura, Portugal

Overview

The International Commission for the Conservation of Atlantic Tunas (ICCAT) is responsible for the conservation of tunas and tuna-like species in the Atlantic Ocean and adjacent seas, as well as other species caught in fisheries targeting the tuna species. It can only do this effectively if it incorporates sound precautionary science into its decision-making process and acknowledges the ecosystemwide impacts of fishing.

The Pew Charitable Trusts is encouraged by the Commission's substantial progress made in recent years toward more sustainable management of tunas and by its improved compliance with existing management measures. However, additional actions are required if ICCAT is to achieve its mandate to sustainably manage the fish stocks and fisheries under its control. At the 20th Special Meeting of the Commission, ICCAT Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities—collectively known as the CPCs—have the opportunity to significantly enhance and expand a number of the Commission's conservation and management measures. They must utilize the precautionary approach when developing these measures to ensure the sustainability and protection of all managed species. They also must fully address the unsustainable catch of shark species, many of which continue to be overfished because of inadequate management measures, as well as the ecosystemwide impact of illegal, unreported, and unregulated (IUU) fishing.

Pew calls on all the CPCs to take the following critical actions at the 2016 annual meeting:

- Advance harvest strategies, including through adoption of a timeline for selection of harvest control rules (HCRs) for priority stocks.
- Maintain existing catch limits for Atlantic bluefin tuna.
- Extend the life of the Working Group on fish aggregating devices (FADs) and expand its mandate to explore appropriate actions to minimize the impact of FAD use.
- Amend the existing bigeye catch limit to a level that will have a high probability of rebuilding the stock.
- Ensure that all sharks are sustainably caught by adopting catch limits and prohibitions on retention of key species.
- Strengthen requirements for vessel monitoring systems (VMS).
- Fully implement the mandate to identify fishing vessels with International Maritime Organization (IMO) numbers and consider adding important information to the ICCAT Record of Vessels.

- Establish a procedure to list vessels found to be engaged in IUU fishing on ICCAT's IUU vessel list between annual meetings.
- Ban all forms of transshipment at sea until it can be assured that such efforts do not facilitate IUU fishing.
- Resolve all outstanding text for Convention amendments and agree on a process for their adoption and entry into force.

Recommendations

Advance harvest strategies, including through adoption of a timeline for selection of HCRs for priority stocks.

Traditionally, catch limits have been negotiated by fishery managers based on results of stock assessments. Recently, however, there has been a major shift among regional fisheries management organizations (RFMOs) toward adoption of harvest strategies¹—also known as management procedures or management strategies—as a more stable and effective way to manage valuable tuna stocks. Through this new approach, managers set HCRs, which outline pre-agreed actions that are automatically triggered when a stock size is too low or fishing levels are too high. To choose the most appropriate HCR for a fishery, managers must first articulate their goals for the fishery (i.e., management objectives) and their ideas for how these goals should be assessed quantitatively (i.e., performance indicators). Scientists then use a tool known as management strategy evaluation (MSE) to test the ability of potential HCRs to meet these management objectives, taking into account scientific uncertainty. When designed and tested appropriately, harvest strategies can lead to healthier stocks and more profitable fisheries in the long term, compared to traditional management methods.

In 2015, ICCAT took two important steps toward development of harvest strategies for priority stocks by adopting Recommendation 15-04² (which set management objectives to be used to develop an HCR for northern albacore) and Recommendation 15-07 (which established a five-year deadline for HCR adoption using the MSE process for eight priority stocks).³ In line with those recommendations, the 2016 Standing Committee on Research and Statistics (SCRS) Report proposes a 2017 deadline for HCR adoption for North Atlantic albacore, 2018 for Atlantic bluefin, 2019 for North Atlantic swordfish, and 2020 for tropical tunas.⁴

To ensure that ICCAT meets these commitments, **Pew urges the Commission to adopt a recommendation that codifies the timeline proposed by the SCRS for completion of HCRs for these priority stocks.**

In addition, ICCAT has positioned North Atlantic albacore as its pilot for harvest strategies development. To ensure that the SCRS can robustly test candidate HCRs for albacore in 2017 against agreed upon management objectives, **Pew urges the Commission to formally adopt the performance indicators, recommended by Panel 2 at its 2016 intersessional meeting,** and for the SCRS to complete the MSE for albacore in 2017.

To help advance work on harvest strategies for other stocks, **Pew also urges the Commission to recommend applying the albacore performance indicators to other stocks, particularly Atlantic bluefin, given it is next in line for HCR development.**

Maintain existing catch limits for Atlantic bluefin tuna.

There is no justification for renegotiating the eastern or western bluefin quotas this year. Under Recommendation 14-04, the eastern bluefin tuna quota will increase by 20 percent in 2017, representing a total increase of 72 percent since 2014. The total quota of 23,155 metric tons (mt) already sits just below the most precautionary

maximum sustainable yield (MSY) recommended by the SCRS, which means any further increase would cause the total allowable catch (TAC) to exceed the scientifically advised level. Although the western bluefin quota was to be renegotiated this year based on an overhauled stock assessment, that assessment has been postponed until 2017. It follows that the 2016 western catch limit (of 2,000 mt) should be applied to next year as well. Further, the 2016 SCRS Report calls for no changes to the 2014 scientific advice for either stock. In fact, it suggests that several indices of abundance for each stock have declined.⁵

Thus, at a minimum, **Pew urges the Commission to maintain the 2017 eastern bluefin catch limit at the already agreed upon level and to roll the current western bluefin measure over to 2017 until new stock assessment results are available.**

Extend the life of the FAD Working Group and expand its mandate to explore appropriate actions to minimize the impact of FAD use.

Owing to inadequate regulation of increased fishing pressure, at least two tropical tuna stocks in the Atlantic—bigeye and yellowfin—have experienced overfishing and/or have become overfished in recent years. Scientists have repeatedly warned managers that the increased catch of juveniles associated with FAD use is a primary driver of overfishing and depletion of some tropical tunas. Without serious FAD management reform, ICCAT managers put at risk the long-term sustainability of tropical tuna fisheries worth approximately US\$850 million, dockside, to fishermen in the region, and \$3.4 billion at the final point of sale.⁶

An extension and expansion of the mandate of ICCAT's Ad-hoc Working Group on FADs is essential for effective tropical tuna management in the Atlantic. This group held its second and final meeting in March 2016. At that time, the Working Group decided on a set of recommendations to deliver to the Commission at this annual meeting. The Working Group delivered on its mandate to examine the impact of FAD use on tropical tuna fishing in the Atlantic, but its recommendations do not sufficiently address the problematic amount of juvenile mortality of bigeye and yellowfin attributed to FAD fishing.

Given the importance of continued interaction with the SCRS to develop management recommendations, as opposed to restricting Working Group recommendations to issues of data collection and observation, **Pew urges the Commission to:**

- Extend the life of the Working Group so that it will continue to meet on an annual basis, a step supported by the SCRS.⁷
- Expand the Working Group's mandate to include exploration of appropriate management or regulatory actions that minimize the ecosystem impact of FAD fisheries, including unsustainable catch of juvenile tunas and growing problems with marine debris. These FAD management recommendations should be delivered to the Commission by 2018.

Amend the existing bigeye catch limit to a level that will have a high probability of rebuilding the stock.

The bigeye-related measures adopted by ICCAT last year are too risky for a stock that is both overfished and experiencing overfishing. Under Recommendation 15-01, the Commission set the bigeye TAC at 65,000 mt, a level estimated by ICCAT scientists to have less than a 50 percent chance of achieving the Convention objectives by 2028. This rebuilding timeline is long and arbitrary, while the decreased quota may not result in an actual reduction in catch because of exemptions for minor harvesters.

Further, no scientific evidence has been presented to demonstrate that the additional management measures

adopted in Recommendation 15-01 to supplement the TAC reduction will contribute to ending overfishing and help this overfished stock recover in a timely manner. Those measures include expanded time area closures, limits on the number of FADs monitored at one time, and a reduction in the maximum catch of underage fish that a CPC may carry over to the following year.

In fact, the SCRS concluded at its 2016 plenary meeting that there is no evidence that the time-area closure or the FAD limit will shorten the bigeye recovery timeline or increase its likelihood of success.⁸ Further, the expanded time area closure, the most aggressive action to curtail juvenile mortality in the recommendation, was not implemented this year. The SCRS also recently confirmed that nearly 80,000 mt of Atlantic bigeye was caught in 2015,⁹ indicating that as scientists and managers were discussing paths to recovery last year, the catch remained far too high. As such, the risky decision by the Commission to set a TAC with less than a 50 percent chance of recovering the stock means that Recommendation 15-01 falls seriously short of achieving the goals of recovering the bigeye stock in as short a period as possible and of setting management measures with high probability of success.¹⁰

Given the potential for this measure to lead to further overfishing and continued decline of bigeye prior to the next stock assessment, **Pew urges the Commission to:**

- Amend the existing bigeye catch limit to a level that current science indicates will achieve rebuilding with high probability (i.e., at least 70 percent) by 2024, the approximate year when two generation times will have passed since the 2015 assessment determined the stock to be significantly overfished.

Ensure that all sharks are sustainably caught by adopting catch limits and retention prohibitions for key species.

Stronger protections are needed for vulnerable and threatened shark species, and all catch of sharks within the Convention Area must be sustainable. The Commission should adopt the global standard of landing sharks with fins naturally attached to allow for better enforcement of its prohibition on shark finning. Pew continues to urge the Commission to apply the precautionary principle in its recommendations for shark species. Population data for these species are often limited, resulting in uncertain or inconclusive assessments. As a result, management must implement measures that safeguard shark species until reliable population status can be determined.

Blue shark (*Prionace glauca*) remains a widely caught species across the Convention Area, though the last stock assessment suffered from high levels of uncertainty because of poor data. Given that uncertainty, Pew urges the Commission to implement precautionary catch limits that would safeguard this species from overfishing.

Shortfin mako (*Isurus oxyrinchus*) is one of the most vulnerable shark stocks caught in the ICCAT Convention Area, based on results of the 2012 ecological risk assessment. This species is characterized by low productivity and high susceptibility to catch.¹¹ The SCRS has recommended not to increase fishing mortality of these sharks until a more reliable estimate of stock status is available.¹² Until these assessments are conducted, implementing a precautionary catch limit can safeguard the Northern and Southern stocks.

Pew applauds the Commission's action to ensure the release of live porbeagle sharks (*Lamna nasus*), with the adoption of Recommendation 15-06 in 2015, and encourages ICCAT to implement protective measures before species are in rapid decline. Science-based catch limits must be considered for shark species in order to conserve these stocks.

Given the need for precautionary management or protection of sharks, and in order to make progress on adopting

scientifically sound conservation and management measures to protect sharks, **Pew urges the Commission to:**

- Establish concrete, precautionary catch limits for shortfin mako and blue sharks to ensure that their populations are not overfished.

Increase efforts to combat IUU fishing and ensure full transparency and accountability to existing commitments for all members.

Illegal fishing practices are still occurring in the Convention Area, despite important steps taken by ICCAT to improve compliance with its recommendations to combat IUU fishing. In order to more effectively manage its marine resources, ICCAT must require complete transparency and accountability to existing commitments for all members. ICCAT can make progress on this front by improving its VMS requirements, harmonizing its vessel records, strengthening the IUU vessel list, and banning transshipment at sea.

VMS is a powerful and commonly used tool to track authorized fishing vessels and to determine whether their activities are in compliance with requirements, such as fishing authorizations and time-area closures. Unfortunately, ICCAT's monitoring system has significant gaps, as it is applied only to certain fishing activities in the Convention Area. In addition, VMS data are not effectively used for compliance or scientific purposes. ICCAT would benefit from expanding VMS requirements across all managed species to better align with the procedures already in place for eastern Atlantic and Mediterranean bluefin tuna. In 2014, the Commission required that flag States increase the polling rate from every six to every four hours and that they ensure the sharing of VMS data with coastal states when their vessels are in foreign exclusive economic zones, two signs of progress. However, as recommended by the SCRS, the Commission should take further steps. Among those should be increasing the frequency of VMS data polling to every hour or less, and ensuring that vessels transmit VMS data to other concerned States and ICCAT bodies.

On 1 January 2016, Recommendation 2013-13 entered into force, requiring that vessels 20 meters in length overall or greater and all vessels fishing for eastern Atlantic and Mediterranean bluefin tuna have IMO numbers. The Secretariat has continued to improve the quality of its Record of Vessels by clearly identifying active vessels. In addition, the CPCs have made great progress in providing IMO numbers for most active vessels at least 20 meters long, although substantial gaps remain.

The CPCs are therefore encouraged to ensure that none of their vessels required to have IMO numbers are fishing without this identification and that a vessel's IMO number is checked and clearly marked in its records. The ICCAT Record of Vessels is an essential tool to ensure adequate monitoring of fishing activities. As such, it should incorporate other information that can assist national authorities in control and enforcement actions, including risk analyses. In this regard, all the CPCs should be required to contribute information on any enforcement action taken against an authorized vessel, such as fines, detentions, or catch confiscations, and such information should be reflected in the record as soon as it is available.

Placing a vessel on ICCAT's IUU vessel list is an essential step in deterring unacceptable practices in the Convention Area. However, because current rules only allow IUU vessels to be added to the list once a year, the list's effectiveness is diminished. This process allows some IUU vessels to operate unhindered until action is taken by the Commission at its annual meeting. ICCAT already has procedures that permit delisting of vessels between annual meetings; it should amend its rules to allow vessels also to be listed on an intersessional basis. Furthermore, ICCAT should act to ensure that the IUU vessel list is updated whenever a vessel changes name, flag, or other identifying feature.

Finally, transshipment at sea continues to provide opportunities to avoid proper catch reporting and to launder illegally caught fish. ICCAT should ban all forms of transshipment at sea until it can verify that these operations do not contribute to IUU fishing. Such a measure would require comprehensive oversight of all transshipment operations in the Convention Area. Such oversight should include a robust monitoring system to guarantee full transparency and observers aboard all offloading and receiving vessels.

In order to better combat IUU fishing and ensure full transparency and accountability to existing commitments for all members, **Pew urges the Commission to:**

- Require all authorized fishing vessels to have fully operative, tamper-proof VMS.
- Create a centralized system for transmitting required VMS data to the Secretariat, which would make all data available to relevant concerned States and ICCAT bodies.
- Ensure that all the CPCs are in compliance with Recommendation 2013-13, which mandates IMO numbers for certain vessels.
- Consider adding other information to the Record of Vessels that can be useful for control and enforcement purposes, such as the details on any enforcement action taken on a vessel.
- Establish a procedure that permits the listing of IUU vessels between annual meetings, and take action to ensure that the list is updated whenever a vessel changes name, flag, or any other identifying element.
- Ban all forms of transshipment at sea until the Commission can be assured, through proper and effective monitoring, that transshipment operations cannot facilitate IUU fishing.

Modernize the ICCAT Convention text.

During the first Performance Review for ICCAT in 2008, the review panel observed that the ICCAT Convention required revisions and modifications to reflect modern principles of fisheries management. Significant progress has been made in the Future of ICCAT Working Group meetings, and since the Working Group on Convention Amendment was established in 2012 with adoption of Recommendation 12-10.

Over the course of four Working Group meetings, Contracting Parties have been negotiating text for draft amendments to the ICCAT Convention. Among those are proposals to expand the scope to include management of elasmobranchs, to incorporate the concepts of the precautionary approach and ecosystem-based management, and to aim to restore stocks to levels above MSY. Still, despite resolving a number of procedural and management issues in the text, the Working Group did not meet its obligation to complete the amendment process by 2015, as outlined in its Terms of Reference. At the conclusion of the most recent Convention Amendment Working Group meeting, there was still outstanding text related to dispute resolution (i.e., compulsory vs. non-compulsory arbitration), as well as non-party participation (and the Convention depositary).

Delays in adopting key aspects of already agreed upon text will impede Commission progress. In particular, ICCAT will continue to inadequately manage sharks caught in the Convention Area until it has a formal mandate to do so. Before the amendments are formally adopted, sharks and other elasmobranchs are managed as species caught in association with ICCAT fisheries, not as directly managed ICCAT species. As such, member countries can avoid taking precautionary steps to manage directed or non-target shark fisheries in the Convention Area.

To better address conservation and management needs in the ICCAT Convention Area, **Pew urges the Commission to resolve all outstanding text issues and agree to a process for adoption and entry into force of amendments at the 2016 annual meeting that would:**

- Consider all elasmobranchs that are oceanic, pelagic, and highly migratory as official species managed under ICCAT.
- Incorporate the concepts of ecosystem-based management and the precautionary approach into a new Convention article on General Principles.
- Provide the Commission with the authority to make recommendations aimed at maintaining or restoring the abundance of ICCAT species above levels capable of producing MSY.
- Allow consensus as a general rule in Commission decision-making and, in cases where consensus is not possible, require two-thirds of the Contracting Parties present to adopt a measure.
- Require objecting parties to provide an explanation for the objection based on a) inconsistency with the ICCAT Convention or other international laws or b) discrimination against the objecting party.

Endnotes

- 1 The Pew Charitable Trusts, "Harvest Strategies," www.pewtrusts.org/harveststrategies.
- 2 International Commission for the Conservation of Atlantic Tunas, "Recommendation by ICCAT to Establish Harvest Control Rules for the North Atlantic Albacore Stock," <https://www.iccat.int/Documents/Recs/compendiopdf-e/2015-04-e.pdf>.
- 3 International Commission for the Conservation of Atlantic Tunas, "Recommendation by ICCAT on the Development of Harvest Control Rules and of Management Strategy Evaluation," <https://www.iccat.int/Documents/Recs/compendiopdf-e/2015-07-e.pdf>.
- 4 International Commission for the Conservation of Atlantic Tunas, *Report of the Standing Committee on Research and Statistics* (2016), https://www.iccat.int/Documents/Meetings/Docs/2016_SCRS_ENG.pdf.
- 5 Ibid.
- 6 Grantly Galland et al., "Netting Billions: A Global Valuation of Tuna," The Pew Charitable Trusts (2016), http://www.pewtrusts.org/-/media/assets/2016/05/netting_billions.pdf.
- 7 International Commission for the Conservation of Atlantic Tunas, *Report of the Standing Committee on Research and Statistics*.
- 8 Ibid.
- 9 Ibid.
- 10 Ibid.
- 11 International Commission for the Conservation of Atlantic Tunas, "Expanded Ecological Risk Assessment of Pelagic Sharks Caught in Atlantic Pelagic Longline Fisheries" (2012), https://www.iccat.int/Documents/CVSP/CV071_2015/n_6/CV071062637.pdf.
- 12 International Commission for the Conservation of Atlantic Tunas, *Report of the Standing Committee on Research and Statistics*.

For further information, please visit:

pewtrusts.org/ip

Contact: Paulus Tak, senior officer, international ocean policy

Email: ptak@pewtrusts.org

Project website: pewtrusts.org/ip

The Pew Charitable Trusts is driven by the power of knowledge to solve today's most challenging problems. Pew applies a rigorous, analytical approach to improve public policy, inform the public, and invigorate civic life.