



ATTN: Heads of ICCAT Delegation

Madrid, 07 November 2017

Dear Delegates,

Through this letter, the tuna ship-owner vessel association OPAGAC and WWF, the world's leading conservation organisation, would like to communicate what we consider priority objectives to be discussed at the next 2017 ICCAT Commission meeting, which will begin on November 14th in Marrakech. We would like to highlight that the petitions detailed below have their origin in a tuna fisheries improvement project (FIP) produced by a group of over 15 stakeholders (ranging from scientist, NGO and industry players to national delegates from several countries) and intended to address shortcomings identified by ICCAT and which are also in line with the Marine Stewardship Council standard. The final goal of this FIP is to assist ICCAT and other tuna-RFMOs to ensure the tropical tuna stocks they manage are sustainable in the long term, as well as reducing the impacts of purse seine fisheries on the marine ecosystem. [We might need one more sentence about the development of the East Atlantic FIP] In this context, we request ICCAT member delegations to consider the following points and, should they consider it appropriate, take the necessary actions to include them as a priority for the agenda of the next meeting of the Commission.

1. The adoption of a multiannual work plan for the development of MSE

While we recognize the recent progress of ICCAT in terms of the development of harvest control rules (HCRs) and management strategy evaluation (MSE), specially through the adoption of Recommendation 15-07, and support the SCRS and the different Working Groups offered to this recommendation, we would like to see the Commission assuming its responsibility of providing the required inputs into the process and committing to a multiannual work plan that ensures the adoption of HCRs for tropical tunas no later than 2021, as the one presented by the SCRS (reference). In doing so, we believe the following caveats should be taken into account:

- The Commission should provide the SCRS with the following inputs, as already described in Rec 15-07 and 2017 SCRS report (Appendices 12 & 13, page 450¹): a) management objectives, taking into account the requirements of Rec 11-13; b) acceptable levels of risk to maintain the stocks around target reference points and avoid breaching limit reference points, as adopted by the ICCAT Convention; c) rebuilding timeframes for overfished stocks that do not exceed 2 times its

¹ http://www.iccat.int/com2017/DocSPA/PLE_104_SPA.pdf



generation time.

- The multiannual work plan for the development of MSE and the final adoption of HCRs should take into account the stock assessment calendar as well as the best use of existing data collection programmes (like the AOTTP). Along with the multiannual work plan, the Commission should adopt a budget that takes into account not only the technical work that needs to be done, but also the importance of developing a successful stakeholder engagement process (and the need for capacity building in order to do so).

2. Improved Monitoring, Control and Surveillance

As we have already stressed in the past, we support the following actions:

- A total ban of at-sea transhipments: There is a clear correlation between the existence of transhipments and IUU episodes² and a big proportion of transhipments occur on the high seas, which are solely under the responsibility of RFMOs. ICCAT adopted a partial ban on transhipments in 2006, effective since 2007. The ban applies to all vessels except longliners. This double standard and the poor levels of observer coverage on longliners undermine the capacity of ICCAT to ensure a proper MCS of longliners. In particular, it reduces the capacity of the ICCAT to validate reports from longline fisheries, such as catches of bigeye tuna, and evaluation of the impacts of those fisheries on bycatch species and the ecosystem. On those grounds, and taking also into account that a total transhipment ban would also help coastal countries' economies, we think it is time for ICCAT to consider stepping-up the ban to cover all fleets, on so as to ensure the transparency of fishing operations from all fleets. It will also facilitate monitoring of catches and sizes for main stocks, through sampling in port, leading to more robust stock assessments and the management advice resulting from those assessments. Alternatively, the ICCAT could consider to phase-out its transhipment programme, only allowing, in the meantime, the transhipment of catches from longliners whose fishing activities have been fully covered by observers, human or electronic.
- Increased observer coverage: We urge ICCAT to consider a plan to gradually increase observer coverage from the current 5% up to 100%, over a period of a maximum of 5 years, establishing a minimum coverage of 20% of fishing operations by the end of the year 2018, as per the SCRS advice. Such plan should cover all authorized vessels and gear types and minima coverage levels and standards for human and electronic observers, as appropriate. Among other scientific and compliance benefits, this increased coverage would particularly improve the data collection system

² D.A. Kroodsma, N.A. Miller, A. Roan. The Global view of Transshipment: preliminary findings, Glob. Fish. Watch and SkyTruth, 2017. (Available online at: <http://globalfishingwatch.org>).



for target and, more importantly, bycatch and discards. We firmly believe that the successful implementation of electronic monitoring systems in different oceans and fleets leaves no room for lack of space excuses in the achievement of an improved observer coverage in ICCAT.

- Implementation of Regional VMS, observer and port state programmes: Through the years, ICCAT has identified a number of monitoring and compliance issues. We believe that the implementation of Regional Schemes, under the responsibility of the Secretariat or, alternatively, an independent body, may assist the harmonization of MCS and improved compliance at the ICCAT. For this reason, we would like to request the ICCAT to consider design and implement regional VMS, observer, and port inspection schemes.

3. Reduce data gaps for Western and Eastern skipjack

For Western and Eastern skipjack in the Atlantic, data limitations are significant enough to compromise the quality of stock assessments and management advice resulting from those assessments. Although there is adequate information on the fleets, information on stock structure and productivity seems to be a limiting factor for this stock. While Ghana has improved the sampling of the species through designated staff and correlated efforts from the canneries, it seems that better fleet catch composition should still be provided. In addition, the Tropical Tuna Working Group reiterated the need for scientists from EU and Ghana to collaborate to adapt the catch reporting software and engage in capacity building to facilitate its use. Finally, stock structure and productivity could benefit very much from the AOTTP program if supplementary genetic analyses or otolith microchemistry could be used along with the program. It would also be important to fill clear data gaps in the AOTTP in the NW Atlantic, where implementation of the AOTTP is being less successful.

4. Improved FAD Management and Reporting

We acknowledge the progress that ICCAT has achieved in recent years in the area of FAD management, through the adoption of data reporting standards and other measures on FADs. However, we note that ICCAT is yet to incorporate some of the recommendations of both the SCRS-FAD and joint-RFMO FAD working groups into its management. For this reason, we urge ICCAT to provide guidelines for FAD Management Plans based that incorporate those recommendations and request that all ICCAT CPC update their FAD Management Plans and share them with the ICCAT. CPC should also report all the FAD data required, including all available historical records, to the Secretariat. In addition, we would like to recall that the SCRS has identified some issues regarding FAD data reporting standards, as adopted by the ICCAT, urging the Commission to clarify or amend, where necessary, those standards. We encourage also



the ICCAT to adopt work plans for the evaluation of impacts of the FAD fishery on the stocks of tropical tunas and the ecosystem, as data on FADs is made available.

We call on CPCs to ensure compliance with Recommendation 17-01 requirement to use non-entangling FADs, and support research regarding biodegradable FADs, while promoting global best practice to reduce FAD-related impacts.

5. Improved dispute resolution within ICCAT Convention

Since ICCAT has no formal dispute resolution procedure within the Convention, objections can be lodged against recommendations allowing any party to "opt out" and preventing recommendations from being fully implemented. This has been witnessed in the case of Turkey's unilateral decision to exceed catch limits agreed upon bluefin tuna in 2015. Although, at least in theory, disputes could be resolved through the International Court of Justice or through the International Tribunal for the Law of the Sea, it is questioned how effective this option would be. Some RFMOs, among them NAFO, CCAMLR or the WCPFC, include in their decision-making procedures a provision whereby a member which does not agree with a decision may seek a review of its terms by an independent panel, which could be considered as best practice. In line with the recommendations made by the Second Independent Performance Review in 2016, we sincerely believe that revising the opt-out procedures included in Res 12-11 and providing formal dispute settlement procedures, including the possible use of an expert panel, could significantly improve decision making within ICCAT.

We will be very grateful if you take in consideration the suggestions developed in this letter and we remain at your disposal for anything you may require.

Sincerely,

Julio Morón, OPAGAC Managing Director

José Luis García Varas, Marine Programme Director WWF Spain