

**DRAFT RECOMMENDATION BY ICCAT REPLACING RECOMMENDATION 21-01
ON A MULTI-ANNUAL CONSERVATION AND MANAGEMENT PROGRAMME FOR TROPICAL TUNAS**

(Submitted by the Chair of Panel 1 following comments received to PA1-OCT-02A/i2022)

RECALLING the current multi-annual conservation and management programme for tropical tunas for which the last assessments of yellowfin tuna, bigeye tuna and the two skipjack stocks were conducted respectively in 2019, 2020 and 2021;

NOTING that the latest SCRS advice (year 2019) indicates that yellowfin stock status is not overfished and not subject to overfishing;

FURTHER NOTING that the latest SCRS advice (year 2021) indicates that bigeye stock status is overfished;

RECOGNISING that the bigeye catches in 2020 were 6% below the TAC and the SCRS projection that the bigeye stock will have a significantly better status at the end of 2021 (probability of being in the green zone > 80%) than at the end of the last year (2019) of the assessment;

ACKNOWLEDGING that the TAC for yellowfin tuna was also exceeded in 2016 by 38%, by 25% in 2017, 24% in 2018, 25% in 2019 and 42% in 2020;

[...]

FURTHER NOTING the SCRS's acknowledgement of the challenges in implementing TACs in the absence of comprehensive allocation schemes and of clear catch limits for most of the participants in the fisheries of bigeye tuna and yellowfin tuna, including some major harvesters;

FURTHER ACKNOWLEDGING that it is necessary to explore alternative and more effective systems or regimes for the management of tropical tunas;

[...]

TAKING INTO ACCOUNT the recommendations made by the Panel on the Second ICCAT Performance Review regarding the carryover of underage of catches from one year to another;

FURTHER TAKING INTO ACCOUNT the recommendations made by the first meeting of the Joint Tuna RFMO FAD Working Group and the third meeting of ICCAT's *Ad Hoc* Working Group on FADs, on FAD management objectives and the availability of FAD management measures to reduce juvenile tuna mortality and noting that Recommendation 19-02 already took comprehensive measures to reduce the impact of FADs used by the purse seine fleets;

NOTING that the SCRS has advised that increased harvests on FADs and its inherent challenges, coupled with the development of new fisheries and/or use of other gears that primarily impact juvenile fish could have negative consequences for the productivity of bigeye and yellowfin tuna fisheries;

FURTHER NOTING that support vessels contribute to the increase in efficiency and capacity of purse seiner vessels using FADs and that the number of support vessels has increased significantly over the years;

ACKNOWLEDGING the absence of clear ownership of FADs, and the inherent challenges this creates to manage FADs related activities;

[RECALLING the provisions of Resolution by ICCAT on Criteria for the Allocation of Fishing Possibilities [Res. 15-13] regarding the criteria for the allocation of fishing possibilities;]

RECALLING the significant body of international law that recognizes the rights and special requirements of developing States, including but not limited to, as applicable, Article 119 of UNCLOS and Article 25 and Part VII of UNFSA;

RECOGNISING the interests of developing coastal States to develop their fishing opportunities, and committing to achieve a more equitable distribution of fishing opportunities to developing coastal States over time;

FURTHER RECOGNIZING that fishing overcapacity is a pressing problem that threatens marine fisheries sustainability due to overfishing, any increase of fishing capacity should remain commensurate with fishing opportunities to achieve sustainable productive fisheries, while allowing developing coastal states to adapt their fishing capacity to take advantage of new fishing opportunities;

CONCERNED about the level of implementation of the catch limits adopted under Recommendation 19-02, and the importance of the CPCs strictly adhering to these catch limits for the TAC to be effective as a tool to limit fishing mortality from capture fishery;

EMPHASIZING the importance of preventing an uncontrolled increase of the fishing capacity, and in particular the necessity to prevent the transfer of capacity from other oceans to the Atlantic;

ACKNOWLEDGING the limitations of the current list of vessels engaging in fishing for tropical tunas, and the challenges this creates to efficiently manage fishing capacity;

NOTING the existence of significant challenges to effectively monitor transshipment operations at sea;

ALSO NOTING the potential benefits of ICCAT re-activating a Regional Observer Program to strengthen the Monitoring, Control and Surveillance of the fleets, and in turn to ensure the appropriate implementation of the management measures adopted by the Commission;

[MINDFUL that all CPCs shall adhere to the provisions of this Recommendation in the interest of the fisheries and for the sustainability and conservation of the stocks.]

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS (ICCAT) RECOMMENDS THAT:

**PART I
GENERAL PROVISIONS**

Multi-annual Management, Conservation, and Rebuilding Programme

1. [Without prejudice to the allocation of fishing rights and opportunities to be adopted in the future, for the years [2023, 2024, and 2025], the Contracting Parties and the Cooperating Non-Contracting Parties, Entities or Fishing Entities (hereinafter referred to as CPCs) with vessels that have been actively fishing for tropical tunas in the Atlantic will apply the following management measures with the objective of reducing current levels of fishing mortality of tropical tunas, in particular small bigeye and yellowfin, while the Commission obtains additional scientific advice to adopt a long-term multi-annual management and rebuilding programme.]
2. [CPCs whose vessels are actively fishing for tropical tunas in the Atlantic shall implement a management programme through 2034, with the goal of achieving B_{MSY} being in the green quadrant of the Kobe plot with a probability of more than 60% for each stock of tropical tunas.]

[CPCs whose vessels have been actively fishing for tropical tunas in the Atlantic shall implement a 15-year rebuilding programme for bigeye tuna starting in 2020 and continuing through 2034, with the goal of achieving BMSY with a probability of more than [>50%] [60%] [70%][80%]. CPCs shall also implement management measures with the objectives of ensuring that the stocks of yellowfin and skipjack tuna continue to be exploited sustainably.]

CPC	COMMENTS
USA	<u>Panel 1's objective at this meeting should be to adopt a comprehensive multi annual plan rather than interim measures.</u>
<u>Belize, Curaçao, El Salvador, Guatemala, Honduras, Nicaragua and Panama</u>	<u>They agree that a new management measure should be in place for at least the years 2023 to 2026. This period, associated with a realistic and gradual implementation approach would facilitate the rationalization of TAC use, granting rights to those who need and use them, and would increase the reserve to avoid excesses.</u> (From document PA1-Oct-06/22)
Canada	B _{MSY} with a probability of more than 50%.
UK	B _{MSY} [60%] [70%].
<u>Brazil</u>	<u>80%</u>

[...]

PART II CATCH LIMITS

Catch limits for bigeye tuna

3. The TAC for bigeye tuna shall be [62,500 t] [70,000 t] [75,000 t] for [2023-2025]. It shall be reviewed and amended, as necessary, based on the new stock assessment to be conducted in [2023][2024].

[The TAC for the bigeye shall be [75,000 t] The TAC shall be renewed by the commission on the basis of the SCRS advice.]

[3bis. In reviewing the TAC in [2024][2025], the Commission shall ensure that the probability of the stock being in the green zone in [2028] is at or more than [70]%. If the probability is more than [70]%, the Commission may consider increasing the TAC, provided that the increased TAC will still ensure that the probability of the stock being in the green zone in [2028][2034] is at or more than [70][60]%. If the probability is less than [70][60]%, the Commission shall reduce the TAC to ensure that the probability in [2028][2034] is at or more than [70][60]%.]

[3 ter. The Commission recognizes that 70% is exceptionally high compared to the percentages used for other ICCAT stocks and that this percentage does not set a precedent for future discussion of the Commission. The Commission may review and revise, if appropriate, [70]% in light of the degree of uncertainties involved in the new stock assessment for future use.]

CPC	COMMENTS
Canada	At the June meeting, Japan had worked on some text regarding a future change in TAC resulting from different possible trends observed in the next BET stock assessment; this text should be included in the revised draft in square brackets for consideration.
EU	The TAC for the bigeye shall be [75,000 t] The TAC shall be <u>renewed</u> by the Commission on the basis of the SCRS advice. 13 Oct - The EU also noted that based on scientific data, the TAC had not been met in recent years and that a TAC of 70,000 t would result in an 82 percent probability in the green zone which had never been done by the Commission. The EU stated that 75,000 t should be the TAC and stressed to CPCs that a TAC of 70,000 t would make allocation negotiations difficult.

Japan	<p>New stock assessment year could be [2025] as well.</p> <p>13 Oct - Japan noted that they were keeping their Harvest Control Rules (HCR) proposal (as presented at the June intersessional) opened for discussion.</p>
Korea	<p>Korea supports TAC 70,000 t for bigeye in 2023 and reiterates the need to maintain a precautionary approach. Additional TAC increase can be considered after a new stock assessment is conducted.</p>
UK	<p>Whilst these are indeed the numbers that were discussed for a TAC, we would like to emphasize that the UK's position is a TAC increase would need to be accompanied by a comprehensive package of complementary management measures. The level of TAC that the UK can agree to will be dependent on the 'contents' of that package. A lower figure – e.g., the current TAC - may need to be included in the range until that is decided.</p>
Honduras	<p>13 Oct - stressed that there was still uncertainty present and until the uncertainty could be clarified, they could not support a proposal beyond 70,000 t.</p>
General	<p>13 Oct - Several CPCs supported the 70,000 t TAC and suggested this be used for discussion.</p> <p>Several CPCs expressed support for a 60 percent B_{MSY} probability.</p> <p>The existing allocation methodology has been cumbersome in the past. The EU and SA debated on the issue of small harvesters being a contributing factor to over exploitation.</p> <p>Honduras noted the importance of small harvesters and new harvesters to be included in any future allocation key.</p>
<u>USA</u>	<p><u>The United States requests that the measure reflect the current TAC of 62,000 t as an option. While it is clear that there is broad support for a TAC increase, until we receive the updated SCRS advice and are confident that the proposal strikes the right balance relative to other important monitoring and management considerations, we believe it is important to continue to include the current TAC as the floor for our negotiations.</u></p> <p><u>The United States prefers the next bigeye assessment to take place in 2023.</u></p>
<u>Belize, Curaçao, El Salvador, Guatemala, Honduras, Nicaragua and Panama</u>	<p><u>They recall that the conservation and sustainable use of the resources should take precedence in any decision on fishing rights and, as established in the SCRS documents, a TAC of 75,000 t for bigeye is associated with a 64% probability of recovery according to Kobe plot probabilities table, which is sufficiently precautionary if, above all, it is recognized that the measure should be reviewed during its validity to update any element considered necessary, including the TAC. The increase in the TAC to be decided should directly and exclusively benefit developing CPCs. (From document PA1-Oct-06/22)</u></p>

4. The allocation for CPCs shall be expressed as a percentage of TAC for 2023 and future years in accordance with the following criteria:
- [CPCs whose average catches over the period 2014-2018 have been greater than 10,000 t, shall benefit from [40-45%] of the agreed TAC];
 - [CPCs whose average catches over the period 2014-2018 have been greater than 3,500 t and less than 10,000 t, shall benefit from [16-18%] of the TAC];
 - [CPCs whose average catches over the period 2014-2018 have been greater than 1,000 t and less than 3,500 t, and CPCs whose average catches over the period 2014-2018 have been less than 3,500 t and have authorized purse seine vessels] shall benefit from [22-25%] of the TAC];

- d) Option 1: [CPCs whose average catches over the period 2014-2018 have been less than 1,000 t, shall benefit from [10-13%] of the TAC];

Option 2: [The remaining [10-13%] of the TAC shall be set aside for CPCs referred to in paragraph 4bis;]

- e) [The agreed percentage allocations for the CPCs shall be shared on prorata of their catches for the period specified in 4a to 4d or any other criteria agreed by the CPCs in the same category;]
- f) [The agreed percentage allocations for the coastal developing CPCs should take into account the artisanal and small-scale fisher's contributions to the CPC fishery;]
- g) [Table of allocation Criteria could be added i.e., West Africa proposal.]

Table 1. Allocation key in percentage of TAC for Atlantic bigeye tuna over the period 2023-2027.

<i>Flag name</i>	<i>Category</i>	<i>Category %</i>	<i>Allocation 2023-2027 (%)</i>	
Japan	A	44.00	17.00	
EU-all	A		16.18	
Chinese-Taipei	A		10.82	
Brazil	B	17.00	7.06	
China (P.R.)	B		5.55	
Ghana	B		4.39	
Curaçao	C	23.00	4.24	
Panama	C		2.76	
Cabo Verde	C		2.66	
Belize	C		2.64	
Senegal	C		2.99	
El Salvador	C		2.45	
Korea (Rep.)	C		2.11	
Guinea (Rep.)	C		1.57	
Guatemala	C		1.58	
United States	D		11.00	2.26
Côte d'Ivoire	D			1.44
St Vincent and the Grenadines	D	1.35		
Morocco	D	1.03		
Sao Tomé and Príncipe	D	0.86		
Philippines	D	0.79		
Namibia	D	0.72		
South Africa	D	0.65		
Canada	D	0.60		
Venezuela	D	0.52		
UK-St Helena	D	0.14		
Trinity and Tobago	D	0.12		
Liberia	D	0.12		
Guyana	D	0.08		
Grenada	D	0.07		
Barbados	D	0.07		
St Lucia	D	0.04		
Equatorial Guinea	D	0.03		
Vanuatu	D	0.02		
Mexico	D	0.01		
UK-Turks and Caicos	D	0.01		
St Kitts and Nevis	D	0.01		
Angola	D	0.01		
Mauritania	D	0.01		
United Kingdom	D	0.01		
Dominica	D	0.01		
FR-St Pierre and Miquelon	D	0.01		
UK-Bermuda	D	0.01		
Equalisation quota	*	5.00		5

gbis) [EU allocation simulation]

[Table 1A. Allocation simulation table as proposed by the EU in PA1-509.]

<i><u>Flag name</u></i>	<i><u>Category</u></i>	<i><u>TAC Simulation EU</u></i>
<u>Chinese Taipei</u>	A	8889,51
<u>EU</u>	A	14925,73
<u>Japan</u>	A	8176,60
<u>Brazil</u>	B	4525,00
<u>China</u>	B	3821,05
<u>Ghana</u>	B	3977,92
<u>Belize</u>	C	1121,34
<u>Cabo Verde</u>	C	704,52
<u>Curacao</u>	C	1524,77
<u>El Salvador</u>	C	1524,04
<u>Guatemala</u>	C	1035,59
<u>Guinea Rep.</u>	C	651,25
<u>Korea</u>	C	572,22
<u>Panama</u>	C	1618,40
<u>Senegal</u>	C	2359,73
<u>Angola</u>	D	651,25
<u>Barbados</u>	D	525,00
<u>Canada</u>	D	525,00
<u>Côte d'Ivoire</u>	D	651,25
<u>Dominica</u>	D	126,25
<u>Guinea Ecuatorial</u>	D	651,25
<u>FR-St Pierre and Miquelon</u>	D	0,00
<u>United Kingdom</u>	D	0,00
<u>Grenada</u>	D	651,25
<u>Guyana</u>	D	651,25
<u>Liberia</u>	D	651,25
<u>Mauritania</u>	D	126,25
<u>Mexico</u>	D	126,25
<u>Morocco</u>	D	703,56
<u>Namibia</u>	D	651,25
<u>Philippines</u>	D	287,06
<u>Sao Tomé & Príncipe</u>	D	651,25
<u>South Africa</u>	D	651,25
<u>St Kitts and Nevis</u>	D	0,00
<u>Sta Lucia</u>	D	651,25
<u>St. Vincent and Grenadines</u>	D	651,25
<u>Trinidad and Tobago</u>	D	525,00
<u>UK-Bermuda</u>	D	0,00

<u>Flag name</u>	<u>Category</u>	<u>TAC Simulation EU</u>
UK-Sta Helena	D	525.00
UK-Turks and Caicos	D	0.00
U.S.A.	D	787.98
Vanuatu	D	126.25
Venezuela	D	525.00
Equalisation quota	-	3750
Artisanal Quota	-	3750

- h) [There shall be a “reserve allocation” of not be less than 5% which may be allocated to developing coastal CPCs bordering the Convention Area taking into account their fishery and development plan, submitted pursuant to paragraph 24;]
- i) [The total allocations shall be adjusted yearly based on data provided by CPCs to the Secretariat and will be applied according to the adjustment year;]
- j) [In future years, the reference period for calculating average catches for allocation of TAC to CPCs should be a 5-year period. This period should end 2 years before the last stock assessment when data is published.] *E.g., An assessment for BET in 2024 will take into consideration, all catch limits for CPCs from 2018 to 2020 (provided the data is published by SCRS).*

CPC	COMMENTS
CANADA	<p>4(d) South Africa has a proposal for bigeye tuna regarding small harvesters. The USA also intends to submit a proposal for small harvesters. There seems to be a recognition gained from the most recent Panel 1 intersessional that a small harvester category is beneficial for CPCs who do not want to be held to a small level of allocation based on 4 years of catch history. We ask that the South African proposal and US proposal be included in the revised draft in brackets</p> <p>4(e) The West African proposal’s table of CPC shares should be put back in in square brackets, it is very useful to comprehend the actual shares being proposed.</p> <p>4(f) The words “reserve allocation” have been introduced. Is this the same concept as the 5% in the West African proposal as “Equalization Quota”?</p>
EU	<p>13 Oct - The EU model included the four categories from Recommendation 19-02 but considered economic status as a means of quota allocation with a five-step approach, which included a set aside similar to that for bluefin tuna for those CPCs in low areas dependent on fisheries. The EU suggested a smaller number of CPCs in the small harvester group, noting that an increase to the number of small harvesters would result in less opportunities for a potential set-aside to be utilized. The EU noted that it was working on a simulation table to demonstrate its approach. The EU stressed that under the model most CPCs would go onto the catch limit table and a set aside amount would be established to assist with the future fisheries development for developing CPCs with hopes to have more analysis to share with the panel between the October intersessional meeting and the annual meeting. The EU was requested to provide their approach in writing prior to the annual meeting.</p>
JAPAN	<p>4(a) This would be too drastic change for CPCs in this category. The change should be more gradual.</p> <p>4(d) What is Chair’s idea to handle small harvesters who requested ‘soft limit’ at the June meeting?</p>

	4(e) The agreed percentage allocations for the CPCs shall be shared on prorata of their catches for the period specified in 4a to 4d or any other criteria agreed by the CPCs in the same category.
KOREA	Korea finds it difficult to accept the allocation method presented under this para. which we believe cannot accommodate the developing coastal CPCs' aspiration of development, and is also not on any basis of discussions/agreement from the June's meeting.
UK	<p>3-4(d) We thank the chair for his attempts at resolving this. The approach here – to establish categories – may be useful in guiding discussions but our strong preference would be to conclude, and specifically set out, allocations for all of the major harvesters.</p> <p>4(d) The UK would like to seek views from the Chair on how he intends to hold discussions on this section. The UK notes that there were several alternative approaches proposed by CPCs, which have not all been included here. This would include suggested approaches to the issue of 'small harvesters' and allowing those in such a category sufficient room for expansion. Our understanding is that other CPCs will submit text on that issue, and we note one CPC has already submitted something. So, there is a question about how to cover that in the Chair's text.</p> <p>4(g) There are different options for the duration of the TAC. One option is to set a new TAC after the next stock assessment. The text we have provided here sets that out as one option for consideration.</p>
COTE D'IVOIRE	Refer to table above on allocation key which could be considered with further amendment and scrutiny as percentages through which sacrifices must be made by the large harvesters – concern of small coastal developing states.
SOUTH AFRICA	13 Oct - presented an overview of an approach for the small harvester's allocation (ICCAT Circular #5700-22). They stressed that this approach was drafted as an amendment to the West African proposal presented at the June intersessional meeting and suggested that small harvesters have a trigger limit instead of a binding catch limit.
USA	<p><u>While the United States supports this approach in principle to initiate the quota allocation discussion, our strong preference is to develop a quota table here that includes any of the CPCs that are subject to binding catch limits in Rec. 21-01. A clear quota table would avoid any potential ambiguity as to what CPCs' limits are.</u></p> <p>13 Oct - The United States presented "Draft Text for Chair's Tropical Tunas Measure Concerning Small Harvesters" (PA1-Oct-04/22). The United States proposal would not apply a catch limit to small harvester CPCs whose annual catch of bigeye tuna were less than 2,100 t but would restrict small harvesters from the use of purse seine gear. The United States further stated that although small harvesters would not have catch limits, they would endeavor to maintain their annual catch to no more than 125 percent of their historical catch level. The United States noted that if a CPC either exceeded 1,575 t or wanted to use purse seine gear they would go on the allocation table. Additionally, the United States stated if the small harvester level was exceeded by the group as a whole, the arrangement would be re-evaluated.</p>
HONDURAS	Catch limits based on best years catches prior to the pandemic could be discussed and used as FAD reference for allocation of TAC. This was also echoed by Chinese Taipei.
US, UK, EU, JAPAN, HONDURAS, SENEGAL	<p><i>General comments on TAC allocation</i></p> <p>Due to uncertainties in stock synthesis by the SCRS over recent years, the precautionary approach should always be adopted</p>
<u>Belize, Curaçao, El Salvador,</u>	<u>The key to solving ICCAT's strategic problem regarding the participation of CPCs interested in tropical tunas lies in the recognition and gradual solution of the divergences and satisfying the aspirations of coastal developing countries through a revisable TAC reserve. The recovery plan initiated in 2020 (Rec. 19-02) generated a new management system that involves all CPCs,</u>

Guatemala, Honduras, Nicaragua and Panama	<u>especially greater catchers who must make efforts to gradually reduce their real catches to facilitate the solution of the ICCAT's tropical tunas fisheries participation issues, since developing CPCs have assumed the burden of maintaining the sustainability of the resource as a result of the freezing of their expectations, which has favored CPCs covered by Rec. 16-01 that together maintain an allocation of fishing opportunities above their recent fishing levels; to this end, large catchers must ensure that catches are not increased, the limits they have are utilized and any unused catch in a given year must be considered as a contribution to conservation without utilization of underages. (From document PA1-Oct-06/22).</u>
--	--

Alternative from United States on Small harvesters for previous item 4h

[4bis. Catch limits shall not apply to those CPCs whose annual catch of bigeye tuna in the Convention area in 1999, as provided to the SCRS in 2000, is less than 2,100 t and who are not included in paragraph 4 above. However, CPCs subject to this paragraph shall:

- a) endeavor to maintain their annual catch to no more than 125% of their highest reported catch prior to 2021;
- b) not authorize the use of purse seine gear in their tropical tuna fisheries;
- c) not be subject to any quota under harvest, carryforward or payback provisions; and
- d) not be eligible to engage in transfers of fishing opportunities pursuant to *Recommendation by ICCAT regarding the temporary adjustment of quotas* (Rec. 01-12).]

[4 tris. If in any given year the catch of bigeye tuna by any CPC covered by paragraph 4bis exceeds 1,575 t or increases to an extent the Commission determines to be inconsistent with its fishery management plan referred to in paragraph 24 below, the Commission shall establish a catch limit for that CPC for the following years. In addition, any CPC subject to this paragraph that wishes to initiate a purse seine fishery for tropical tunas must be assigned a catch limit for bigeye tuna, and other tropical tunas as appropriate, by the Commission before any such fishing activity can be undertaken.]

[4 quater. If the combined total catch of all CPCs referred to in paragraph 4bis exceeds [10-13% of the bigeye TAC], the Commission shall reconsider that arrangement, including considering the need to assign catch limits.]

Alternative from South Africa on Small harvesters for previous item 4h

[4 bis. CPCs whose average annual catches over the period 2014-2018 were less than 1,000t shall be subject to the following trigger limits:

[...]

[...]

[...]

<i>Small harvesting group</i>	<i>Individual CPC trigger limit</i>	<i>Group trigger limit</i>
<u>Developing coastal States</u>	<u>1,000 t</u>	<u>8% of the TAC</u>
<u>Developed coastal States</u>	<u>1,000 t</u>	<u>3% of the TAC</u>
<u>CPCs that are not coastal States of ICCAT</u>	<u>1,000 t</u>	<u>2% of the TAC</u>

[...]

[4 tris. If a CPC breaches their individual CPC trigger limit, Panel 1 will determine a binding catch limit to apply to that CPC in future years.]

[4 quater. If the total sum of catches of all CPCs within a small harvest group exceeds that groups trigger limit, Panel 1 will review the arrangements applying to this group and may revise the arrangements that apply to the group or individual CPCs within the group.]

4 quinquies Option 1. The provisions of paragraph 4 of this Recommendation shall not prejudice the rights and obligations under international law of those developing coastal CPCs in the Convention Area whose current fishing activity for bigeye tuna is limited or non-existent, but that have a real interest in fishing for the species, that may wish to develop their own fisheries targeting bigeye tuna in the future.

[quinquies Option 2. The provisions of paragraph 4 of this Recommendation is without prejudice to the rights and obligations under international law of all CPCs in the Convention Area who have a real interest in the fishery, including developing coastal States, in accordance with Article 8 of the United Nations Fish Stocks Agreement.]

CPC	COMMENTS
UK	<p>(5) The provisions of paragraph 4 of this Recommendation shall not prejudice the rights and obligations under international law of those coastal CPCs in the Convention Area, including developing coastal CPCs and CPCs with small scale/artisanal activity conducted by coastal communities whose current fishing activity for bigeye tuna is limited or non-existent, but that have a real interest in fishing for the species, that may wish to develop their own fisheries targeting bigeye tuna in the future.</p> <p>The UK would like to draw attention again to the fact that our Overseas Territories in the ICCAT Convention Area also have an interest in – and legitimate right to – develop their fisheries for tropical tunas. The UK as a CPC does not qualify as a developing coastal State but the needs and rights of UKOTs to prosecute fisheries within their own EEZ must be taken into account.</p>

5. In addition to existing requirements. CPCs shall implement robust monitoring, control and surveillance measures, as applicable in relation to their capacity and resources.
6. Small scale artisanal fishers shall be given special consideration to their specificities and needs by the Commission.
7. [The annual quotas and catch limits described in this Recommendation do not constitute long term rights and are without prejudice to any future process of allocation.]
8. [If the total catch exceeds in any year the TAC specified in paragraph 3, the overharvest shall be paid back by the CPCs responsible for this overage in proportion to the contributions of each to these overages and according to the provisions of paragraph 11-13].

CPC	COMMENTS
EU	These provisions are linked to the overall discussion on allocation and should be discussed in relation to that.
UK in proportion to the contributions of each to these overages and according to the provisions of paragraphs 11-13]. The intent behind this wording isn't clear. It could be worth discussing with the Panel.

Underage or overage of catch of bigeye tuna

Catch underages

9. [The maximum percentage a CPC can carry over of any underage in any given year shall not exceed 15% of its annual initial catch limit].

CPC	COMMENTS
CANADA	Since this text is new, both the statement and the percentage given should be discussed by Panel 1.

EU	These provisions are linked to the overall discussion on allocation and should be discussed in relation to that.
JAPAN	While Japan reserves its position on this para, we consider this reference to Kobe plot is scientifically ambiguous. If you wish to retain this para, you need to specify the percentage of the stock being within the green zone.
KOREA	Korea notes that fishing operations often do not go as planned due to unforeseen situations, thus resulting in catch fluctuation. CPCs should be able to utilize their unused fishing possibilities in the next given opportunity which calls for the necessity of carry overs. As there has been more stringent carry over restrictions consecutively in the past two revisions (Recs. 16-01, 19-02), introducing additional carry over restrictions will be difficult to accept.
UK	These are separate conditions/requirements so it seems appropriate to separate into two paragraphs.
USA	<u>The United States is reserving its position on whether carry forwards should be allowed under this measure. Rec. 21-01 sets the carry forward at 10%. The United States cannot accept an increase to that number.</u>

Catch overages

10. Any catch overages of the annual adjusted catch limit of bigeye tuna by CPCs included in paragraph 4 shall be deducted from the annual catch limit. This deduction of overage should take place during the two consecutive calendar years adjustment period, as shown in the following table:

<i>Year of catch</i>	<i>Years of adjustment</i>
<i>2023</i>	<i>2024-2025</i>
<i>2024</i>	<i>2025-2026</i>
<i>2025</i>	<i>2026-2027</i>
<i>2026</i>	<i>2027-2028</i>
<i>2027</i>	<i>2028-2029</i>
<i>2028</i>	<i>2029-2030</i>

CPC	COMMENTS
EU	Adjusted the year of catch from 2023 – 2028.
UK	<p>Consideration should be given to ensuring the intention is clear here. We assume the intention is that the CPC concerned can spread the repayment over the two consecutive years following the year of the overage. This is an issue that has come up in other RFMOs and caused problems. If the intention is to allow payback to be spread over two years, the UK suggests for example:</p> <p>‘...shall be deducted from the annual catch limit. This deduction of overage may be spread over the two consecutive calendar years immediately following the year in which the overage took place.’</p> <p>It may be useful to consider who establishes how much is to be paid in the first and how much in the second of those years.</p>
USA	<p><u>U.S. edits to the paragraphs under this heading are for clarity and consistency with standard ICCAT practice regarding carry forwards.</u></p> <p><u>Regarding the term “adjusted catch limits”, this is an important clarification to distinguish it from the initial catch limit, which excludes previous carry overs and quota transfers.</u></p>

11. Notwithstanding paragraph 11, if any CPC exceeds its annual adjusted catch limit:
- [In one year, then the amount deducted in the adjustment year shall be 100% of the overage; and]
 - [During any two consecutive years, the Commission will recommend appropriate measures, which shall include reduction in the annual catch limit equal to 125% of the excess harvest.]
12. [For CPCs listed in the table below, underage or overage of an annual catch limit in 2023, 2024 and 2025 may be added to/or deducted from their 2022, 2023 and 2024 annual catch limit respectively, subject to 10% of annual catch limits in the table:

<u>CPC</u>	<i>Annual catch limits (t)</i>
China	5,376
European Union	16,989
Ghana	4,250
Japan	17,696
Philippines	286
Korea	1,486
Chinese Taipei	11,679]

CPC	COMMENTS
CANADA	This carry forward of 10% is a holdover from Rec. 16-01. End date of 2024 indicated. Would this CF allowance still hold true even if the stock was no longer in the green quadrant of the Kobe plot? Are statements 10 and 13 alternatives to consider?
<u>USA</u>	<u>The United States reserves its position on this provision, pending resolution of the allocation discussions, but we cannot accept an increase in carry-forwards from what is permitted in Rec. 21-01.</u>

Transfers

13. [Transfer of underage, by any CPCs should be subjected to the conditions specified in paragraph 10.]

CPC	COMMENTS
EU	The EU cannot except the transfer provisions in their current form. Any reallocation made in favour of developing coastal stated to develop their fishery should in principle not in turn be transferred to other CPCs.
JAPAN	There is no scientific rationale to put a stock-status related condition on transfer. Thus, this para should be deleted.
KOREA	Korea believes CPCs has the right on how to utilize its fishing possibilities. As transfers within a CPC's catch limit does not pose any risk of catch exceeding the TAC, Korea strongly calls for transfers to be allowed without precondition.
UK	10 and 10bis – We have suggested some amendments aimed at improving the clarity of the text here.
<u>USA</u>	<u>It is not clear how this provision would be applied. The United States agrees in principle that quota transfers should be allowed but disagrees with this blanket provision. Any transfers between CPCs should be explicitly authorized by the Commission within this Recommendation, as required by Rec. 01-12.</u>

14. [Notwithstanding paragraph 13, any CPC that wishes to transfer a part of its catch limit shall inform the Secretariat of a one-time transfer within a fishing year of its catch limit to other CPCs. Any transfer must be consistent with domestic obligations and conservation considerations. A CPC that receives a one-time catch limit transfer may not re-transfer that catch limit nor use it to cover over harvests.]

CPC	COMMENTS
CANADA	This new text should be in square brackets, along with the other alternative ways of handling transfers as given in different proposals, since many different positions were expressed in June.
EU	The EU cannot support this provision. With only an obligation to inform ICCAT in cases of transfer this would allow for transfers with little or no oversight or transparency.
JAPAN “consistent with domestic obligation and conservation considerations” Not clear what this means.
KOREA	Deleted (of up to [15-25%])
UK	We have suggested some amendments aimed at improving the clarity of the text here. “15. Notwithstanding paragraph 13, any CPC that wishes to transfer a part of its catch limit shall inform the Secretariat of a one-time transfer within a fishing year of up to [15-25%] of its catch limit to other CPCs. The receiving CPC must already have a catch limit for the stock. Any transfer must be consistent with domestic obligations and conservation considerations. A CPC that receives a one-time catch limit transfer may not re-transfer that catch limit nor use it to cover over harvests.”

Monitoring of catch

15. CPCs shall report [quarterly] to the Secretariat the amount of tropical tunas (by species) caught by vessels flying their flag.

CPC	COMMENTS
EU	It is difficult to see how “30 days of the end of the period during which the catches were made” can be considered compatible with quarterly reporting.

16. For purse seiners and large longline vessels (LOA 20m or greater), CPCs shall report on a monthly basis, increasing to weekly when 80% of their catch limits have been caught.
17. The Secretariat shall notify all CPCs once 80% of the TAC has been caught.
18. CPCs shall report to the ICCAT Secretariat the dates when their entire catch limit of bigeye tuna has been utilized. The ICCAT Secretariat shall promptly circulate this information to all CPCs.

TAC for yellowfin tuna

19. The annual TAC for 2023 and subsequent years of the Multi-annual Programme is [110,000 t] for yellowfin tuna and shall remain in place until changed based on scientific advice.

CPC	COMMENTS
USA	<u>The United States does not support any changes to the current yellowfin TAC.</u>

20. Based on the stock assessment and SCRS advice, the Commission may adopt additional conservation measures for yellowfin tuna at the 2023 annual meeting, which may include a revised TAC, closures or allocated catch limits.

CPC	COMMENTS
EU	Replaced “shall” with “may”.

21. If the total catch exceeds in any year the TAC in paragraph 19, the Commission shall consider additional management measures for yellowfin tuna. In developing additional conservation and management measures for yellowfin tuna, the Commission will appropriately consider relevant international law and the needs and rights of CPCs, including developing coastal States.

Fishing, Capacity and Control Plans

22. By 31 January each year, each CPC [with a TAC of more than [XXX t] [subject to catch limits under paragraph 4] intending to authorize vessels to fish for tropical tunas shall submit to the Secretariat:
- i. An annual fishing and capacity plan which shall outline how the CPC will describe how it will implement this Recommendation, including any necessary catch reductions, to ensure compliance with its provisions and other relevant ICCAT instruments and ensure that its overall baitboat, longline and purse seine fleet capacity is commensurate with the allocated quota drawn up, including new fishing opportunities where appropriate, to include the information set out in paragraph 3.
 - ii. A monitoring, control and inspection plan with a view to ensuring compliance with the provisions of this Recommendation.

22 bis. Prior to 1 March of each year, the Commission shall convene an intersessional meeting of Panel 1 to analyze and, as appropriate, endorse the plans referred to under paragraph 22. If the Commission finds a serious fault in the plans submitted and cannot endorse these plans, the Commission shall decide on the automatic suspension of tropical tuna fishing in that year by that CPC. Non-submission of the plans referred to above shall automatically lead to suspension of tropical tuna fishing in that year for the CPC concerned.

23. Any CPC subject to paragraph 4bis intending to initiate or further develop its tropical tuna fishery shall submit a fishery management plan by [30 January] each year describing, inter alia, its development intentions, including details of proposed or potential fleet additions, to include vessel size and gear type. It shall also describe existing or proposed management, monitoring, and control measures for the fishery, including those required by this recommendation and other ICCAT instruments. The plans shall be submitted to the ICCAT Secretariat and be made available to all CPCs for consideration at the intersessional Panel 1 meeting specified in paragraph 22 bis.

CPC	COMMENTS
UK	Noting that there are concerns from some parties about rapidly expanding capacity for these stocks, we have given some initial thought to whether to further develop the approach to tropical tuna fishing plans to give ICCAT/Panel members a greater degree of oversight of each CPCs fishing and future intentions.
Korea	Korea's view is that 'catch limits' should also be a criteria for imposing an obligation to produce a capacity/fishing plan.

**PART III
CAPACITY MANAGEMENT MEASURES**

Capacity limitation for tropical tunas

24. A capacity limitation shall be applied for the duration of the Multi-annual Programme, in accordance with the following provisions:
- a) [When submitting their 2023 fishing, capacity and control plans to ICCAT, CPCs shall limit the numbers of their purse seiners and large scale longliners (LOA>20m) to the numbers authorized in any given year [2015 or 2019], and shall provide the chosen year of reference to the Secretariat by 31 January 2023.
 - b) CPCs shall only be allowed to increase their number of catching vessels in a way commensurate with possible increases of their catch limits.
 - c) New catching vessels shall only be authorized to replace vessels already authorized with the same gear and, at a minimum, the same length overall.

- d) CPCs shall only authorize purse seiners already authorized in fishing in the ICCAT convention area in the previous year.
- e) The Compliance Committee shall annually review CPCs' compliance with capacity management measures.

CPC	COMMENTS
EU	<p>24. When submitting their 2023 fishing, capacity and control plans to ICCAT, CPCs shall limit the numbers of their purse seiners and large scale longliners (LOA>20m) to the numbers authorized in any given year [2015 or 2019], and shall provide the chosen year of reference to the Secretariat by 31 January 2023.</p> <p>a) By 31 January each year, each CPC fishing with recent average catches of more than 1,000 t for tropical tuna shall produce an annual capacity/fishing plan that outlines how that CPC will ensure that its overall longline and purse seine fleet capacity will be managed to ensure that the CPC can meet its obligation to limit the catch of bigeye, and its yellowfin and skipjack catches, consistent with the catch limit established under paragraph 43.</p> <p>24bis. Any CPCs with recent average catches of less than 1,000 t and those yet to start the fishery shall declare their intention and planned expansion of capacity by 31 January each year.</p> <p>24ter. CPCs shall only be allowed to increase their number of catching vessels in a way commensurate with possible increases of their catch limits.</p> <p>24quater. New catching vessels shall only be authorized to replace vessels already authorized with the same gear and, at a minimum, the same length overall.</p> <p>24quinquies CPCs shall only authorize purse seiners already authorized in fishing in the ICCAT convention area in the previous year.</p> <p>25sexies. The Compliance Committee shall annually review CPCs' compliance with capacity management measures.</p>
KOREA	25 (a & b) 'catch limits' should also be a criteria for imposing an obligation to produce a capacity/fishing plan.

25. Any CPC having vessels that operate, part-time or full-time, in support of purse seiners shall report the names and characteristics of all their vessels to the ICCAT Secretariat, including those vessels which were active in 2019[-2022] in the ICCAT Convention area, and the names of the purse seiner(s) that received the support of each support vessel. This information shall be reported no later than 31 January 2023[2022].

CPC	COMMENTS
USA	<u>Before considering changes to the dates in these provisions from Rec. 21-01, the United States looks forward to discussing appropriate MCS measures, based on the information reported by the Secretariat, consistent with the relevant provision of Rec. 21-01.</u>

26. The Secretariat shall prepare a report for the Commission to be able to consider the type of limitation that support vessels shall be subject to in the future, including a phasing-out plan, where required.
27. [CPCs shall not increase the number of support vessels from the numbers registered in 2019. This limit shall be revised based on the SCRS assessment of impacts and recommendation.]

CPC	COMMENTS
USA	<u>The United States supports this provision, noting it is consistent with what was adopted in 2019.</u>

28. For the purposes of this measure, a support vessel is defined as any vessel that carries out activities in support of purse seine vessels that increases the efficiency of their operations including, but not limited to deploying, servicing and retrieving FADs.

[28 bis. The Commission shall consider comprehensive, binding capacity limits in 2023.]

CPC	COMMENTS
USA	<u>Comprehensive capacity limits have been a priority for the United States for many years. Given the many issues Panel 1 must resolve this year, as well as our proposal to strike paragraph 48 in this measure, we suggest deferring this issue until next year.</u>

PART IV MANAGEMENT OF FADs

FAD management objectives

29. The general objectives for management of FADs and support vessels in the Convention area are defined as follows:

- a) To minimize potential impacts that high FAD density may have on purse seine fishing efficiency, while minimizing disproportionate impacts to the fishing opportunities of fleets that use other gear or other fishing strategies while also targeting tropical tunas;
- b) To minimize the impact of FAD fishing on the productivity of bigeye and yellowfin stocks that result from the capture of high numbers of juveniles that aggregate with skipjack on FADs;
- c) To minimize the impact of FAD fishing on non-target species, where appropriate, including entanglement of marine species, particularly those raising conservation concern;
- d) To minimize the impact of FADs and fishing on FADs on pelagic and coastal ecosystems, including by preventing the beaching, stranding or grounding of FADs in sensitive habitats or the alteration of pelagic habitat.

CPC	COMMENTS
UK	The UK understands that at the recent SCRS meeting a paper was presented on purse seine fishing effort which showed an increase in FOB fishing from 2020 to 2021. At present it is unclear whether FOBs are covered by and restricted by limitations such as the closure period. The UK would welcome views as to whether there is a need to update this section of the measure to also include FOBs. More generally the UK would like to see the current FAD measures at the very least be maintained, but preferably strengthened.

[...]

30. For the purpose of this Recommendation, the following definitions shall apply:

- a) Floating object (FOB): Any natural or artificial floating (i.e., surface or subsurface) object with no capability of moving on its own. FADs are those FOBs that are man-made and intentionally deployed and/or tracked. Logs are those FOBs that are accidentally lost from anthropic and natural sources.
- b) Fish-Aggregating device (FAD): Permanent, semi-permanent or temporary object, structure or device of any material, man-made or natural, which is deployed and/or tracked, and used to aggregate fish for subsequent capture. FADs can either be anchored (aFADs) or drifting (dFADs).
- c) [FAD set: Setting a fishing gear around a tuna school associated with a FAD.]
- d) Operational buoy: Any instrumented buoy, previously activated, switched on and deployed at sea, which transmits position and any other available information such as eco-sounder estimates.
- e) Activation: The act of enabling satellite communication services by the buoy supplier company at the request of the buoy owner. The owner then starts paying fees for communication services. The buoy can be transmitting or not, depending if it has been manually switched on.

CPC	COMMENTS
EU	Deleted 31(c)

FAD closure

31. [In order to reduce the fishing mortality of juvenile bigeye and yellowfin tunas, purse seine and baitboat vessels fishing for, or vessels supporting activities to fish for, bigeye, yellowfin and skipjack tunas in association with FADs in the high seas or EEZs shall be prohibited from fishing on FADs during a [seventy-two-day period, from 1 January to 13 March] [three month period from 1 January to 21 March] each year, starting in 2023, throughout the Convention area, [and for an additional period of 30 consecutive days, at the choice of each CPC, which must notify to the Commission in its fishing, inspection, and capacity management plan specified in paragraph 23. This information will be published on the ICCAT website by the ICCAT Secretariat before 1 March each year.] This should be reviewed and, if necessary, revised based on SCRS advice, taking into account monthly trends in free school and FAD-associated catches and the monthly variability in the proportion of juvenile tuna in catches].

CPC	COMMENTS
UK	it is unclear what exactly is being prohibited – all fishing? Fishing on FADs only? Fishing for only these species or all species (with FADs)? Our suggested text aims to improve clarity, but we are open to other suggestions.
JAPAN	If TAC would be increased to more than 70,000, FADs closure should be reverted to 3months at the shortest.
HONDURAS	The possibility of having 2 periods for the closure; 1-month during the designated period (Jan-Mar) and another 1-month out of the period. This could be discussed and a criteria for monitoring developed.
<u>USA</u>	<u>The United States cannot accept any reduction in time of the current closure and continues to believe it needs to be expanded. In that regard, we propose extending the closure to the original three-month period, as well as an additional one-month closure as proposed in June in document PA1-21/i22.</u>

32. In addition, each CPC shall ensure its vessels do not deploy drifting FADs during a period of 15 days prior to the start date of the closure period.

FAD limitations

33. CPCs shall ensure that, for vessels flying their flag, the following limits shall apply on the number of FADs with operational buoys at any one time according to definitions given in paragraph 31:
- 300 FADs per vessel subject to review after the next bigeye stock assessment.

The buoy shall be activated exclusively on board the vessel. The number of FADs with operational buoys will be verified through telecommunication bills. Such verifications shall be conducted by the competent authorities of the CPCs:

[...]

CPC	COMMENTS
CANADA	Number of FADS per vessel was 300 in 2022. If the intent of this paragraph is to agree on a gradual decrease of FADs per vessel, this should be clearly indicated.
EU	Deleted 250
JAPAN	Proposes that For implementation, the graduating period should be specified more.
<u>USA</u>	<u>We suggest moving this making a small adjustment (striking "the verification of") for clarity.</u>

34. With a view to establishing FAD set limits to keep the catches of juvenile tropical tunas at sustainable levels, in 2023 SCRS should provide advice to the Commission about the definition of a FAD set, the maximum number of FAD sets which should be established per vessel, category of vessel or per CPC. To support this analysis, CPCs with purse seine vessels shall urgently undertake to report to the SCRS by 31 July 2022 the required historical FAD set data. CPCs that do not report these data in accordance with this paragraph shall be prohibited from setting on FADs until such data have been received by the SCRS.

[33bis: The CoC shall provide advice to the Commission in 2023 regarding any monitoring and control aspects issues that need to be taken into account for the implementation of FAD set limits.]

CPC	COMMENTS
USA	<p><u>The United States fully supports the gradual advancement toward FAD set limits based on scientific advice. In that regard, we reserve our position on this paragraph until we can review the SCRS's forthcoming advice on this matter and update this provision accordingly.</u></p> <p><u>The United States believes changes to the dates in this provision are premature, until we can review the 2022 advice from the SCRS related to this question asked in Rec. 21-01.</u></p>

35. In addition, each CPC with purse seine fishing vessels shall not increase its total fishing effort on FADs from its 2018 level. CPCs shall report the difference between the 2018 level and the [2022][2020] level to the [2023][2021] Commission meeting.

CPC	COMMENTS
USA	<p><u>At the June intersessional meeting, the SCRS Chair clearly noted that that small fish harvests should not increase even in the face of an increasing TAC.</u></p> <p><u>We look forward to reviewing this reported information before considering amending the reference years.</u></p>

36. Starting in 2023, a Working Group shall be established to provide recommendations to the Commission on how to establish a FAD registry in ICCAT, in accordance with **Annex X**.
37. CPCs may, consistent with the terms of paragraphs 34 and 36, authorize their purse seine vessels to set on floating objects provided that the fishing vessel has either an observer or a functioning electronic monitoring system (EMS) on board which is capable of verifying set type, species composition, and is providing information on its FAD fishing activities gathered through these means to the SCRS and COC.
38. Further analysis shall be conducted by the SCRS on the impact of support vessels on the catches of juvenile yellowfin and bigeye tuna to be considered in 2023.

FAD Management Plans

39. CPCs with purse seine and/or baitboat vessels fishing for bigeye, yellowfin and skipjack tunas in association with FADs, shall submit to the Executive Secretary Management Plans for the use of FADs by vessels flying their flag by 31 January each year.
40. The objective of the FAD Management Plans shall be the following:
- improve the knowledge about FAD characteristics, buoy characteristics, FAD fishing, including fishing effort of purse seiners and associated support vessels, and related impacts on target and non-target species;
 - effectively manage the deployment and recovery of FADs, the activation of buoys and their potential loss;
 - reduce and limit the impacts of FADs and FAD fishing on the ecosystem, including, where appropriate, by acting on the different components of the fishing mortality (e.g. number of deployed FADs, including number of FADs set by purse seiners, fishing capacity, number of support vessels).

41. The Plans shall be drawn up by following the Guidelines for Preparation of FAD Management Plans as provided in **Annex 1**.

FAD logbook and list of deployed FADs

42. CPCs shall ensure that all purse seine and baitboat fishing vessels and all support vessels (including supply vessels) flying their flag, and/or authorized by CPCs to fish in areas under their jurisdiction, when fishing in association with or deploying FADs, collect and report, for each deployment of a FAD, each visit on a FAD, whether followed or not by a set, or each loss of a FAD, the information and data contained in **Annex XX**.

[...]

[...]

[...]

For the purpose of the collection and reporting of the information referred to above and where paper or electronic logbooks already in place do not allow it, CPCs shall either update their reporting system or establish FAD logbooks. In establishing FAD logbooks, CPCs should consider using the template laid down in **Annex 2** as reporting format. When using paper logbooks, CPCs may seek, with the support of the Executive Secretary, harmonized formats. In both cases, CPCs shall use the minimum standards recommended by SCRS in **Annex 3**.

43. CPCs shall also ensure that all vessels referred to in paragraph 32 keep updated on a monthly basis and per 1°x1° statistical rectangles a list of deployed FADs and buoys, containing at least the information as laid down in **Annex 4**.

Reporting obligations on FADs and on support vessels

44. CPCs shall ensure that the following information is submitted every year to the Executive Secretary by 31 January every year in a format provided by the ICCAT Secretariat. This information shall be made available to the SCRS and to the Ad Hoc Working Group on FADs in a database developed by the ICCAT Secretariat:
- a) the number of FADs actually deployed on a monthly basis per 1°x1° statistical rectangles, by FAD type, indicating the presence or absence of a beacon/buoy or of an echo-sounder associated to the FAD and specifying the number of FADs deployed by associated support vessels, irrespective of their flag;
 - b) the number and type of beacons/buoys (e.g., radio, sonar only, sonar with echo-sounder) deployed on a monthly basis per 1°x1° statistical rectangles;
 - c) the average numbers of beacons/buoys activated and deactivated on a monthly basis that have been followed by each vessel;
 - d) average numbers of lost FADs with active buoys on a monthly basis;
 - e) for each support vessel, the number of days spent at sea, per 1° grid area, month and flag State;
 - f) purse seine and baitboat catches, efforts and number of sets (for purse seines) by fishing mode (floating-object associated schools and free school fisheries) in line with Task 2 data requirements (i.e. per 1°x1° statistical rectangles and per month);
 - g) when the activities of purse seine are carried out in association with baitboat, report catches and effort in line with Task 2 and Task 2 requirements as “purse seine associated to baitboats” (PS+BB).

Non-entangling and biodegradable FADs

45. In order to minimize the ecological impact of FADs, in particular the entanglement of sharks, turtles and other non-targeted species, and the release of synthetic persistent marine debris, CPCs shall:
- Ensure that all FADs deployed are non-entangling in line with the guidelines under **Annex 5** of this Recommendation, in accordance with previous ICCAT Recommendations;
 - Ensure that all FADs deployed are constructed from biodegradable materials, including non-plastics, with the exception of materials used in the construction of FAD tracking buoys;
 - Report on an annual basis on the steps undertaken to comply with these provisions in their FADs Management Plans.

CPC	COMMENTS
<u>USA</u>	<u>The United States supports the updating of this provision as previously proposed in June in PA1-21/i2022.</u>

**PART V
CONTROL MEASURES**

Specific authorization to fish for tropical tunas

46. CPCs shall issue specific authorizations to vessels 20 meters LOA or greater flying their flag allowed to fish bigeye and/or yellowfin and/or skipjack tunas in the Convention area, and to vessels flying their flag used for any kind of support of this fishing activity (hereafter referred to as "authorized vessels").

ICCAT Record of authorized tropical tuna vessels

47. The Commission shall establish and maintain an ICCAT record of authorized tropical tuna vessels, including support vessels. Fishing vessels 20 meters LOA or greater not entered into this record are deemed not to be authorized to fish, retain on board, tranship, transport, transfer, process or land bigeye and/or yellowfin and/or skipjack tunas from the Convention area or to carry out any kind of support to those activities, including deploying and retrieving FADs and/or buoys.
48. [A CPC may allow by-catch of tropical tunas by vessels not authorized to fish for tropical tunas pursuant to paragraph 41 and 42, if this CPC establishes a maximum onboard by-catch limit for such vessels and the by-catch in question is accounted for within the CPC's quota or catch limit. Each CPC shall provide in its Annual Report the maximum by-catch limit it allows for such vessels and information about how the CPC ensures compliance with the limit. That information shall be compiled by the ICCAT Secretariat and made available to CPCs.]

CPC	COMMENTS
<u>USA</u>	<u>As the United States has noted previously, this provision creates a concerning loophole that makes it more difficult to ensure the legality of catch at the time of offloading or when a vessel is sighted at sea. We propose striking this provision to ensure enforcement authorities can immediately verify whether a vessel is allowed to land tropical tuna at the time the vessel is encountered. See also PWG-418/2022.</u>

49. CPCs shall notify, at the latest 15 days before the date of the start of the fishing activity, the record of its catching vessels referred to in paragraph 46 to the Executive Secretary in an electronic form and in accordance with the format set in the Guidelines for Submitting Data and Information Required by ICCAT.
50. CPCs shall, without delay, notify the Executive Secretary of any addition to, deletion from and/or modifications of the initial list. Periods of authorization for modifications or additions to the list shall not include dates more than 45 days prior to the date of submission of the changes to the ICCAT Secretariat. The ICCAT Secretariat shall remove from the ICCAT Record of Vessels any vessel for which the periods of authorization have expired.

51. The Executive Secretary shall, without delay, post the record of authorized vessels on the ICCAT website, including any additions, deletions and/or modifications so notified by CPCs.
52. Conditions and procedures referred to in the Recommendation by ICCAT amending Recommendation 13-13 concerning the establishment of an ICCAT record of vessels 20 meters in length overall or greater authorized to operate in the Convention area (Rec. 21-14) shall apply mutatis mutandis to the ICCAT record of authorized tropical tuna vessels.

Vessels actively fishing tropical tunas in a given year

53. Each CPC shall, by 31 July each year, notify to the Executive Secretary the list of authorized vessels flying their flag which have fished bigeye and/or yellowfin and/or skipjack tunas in the Convention area or have offered any kind of support to the fishing activity (support vessels) in the previous calendar year. For purse seines this list shall also include the support vessels that have supported the fishing activity, irrespective of their flag.

The Executive Secretary shall report each year these lists of vessels to the Compliance Committee and to the SCRS.

54. The provisions of paragraphs 47 to 53 do not apply to recreational vessels.

Transshipments

54bis. Starting in 2023, CPCs whose Large Scale Pelagic Longline Vessels (LSPLVs) are transshipping tuna and tuna-like species in the Convention area shall ensure that a minimum of [20]% of these transshipments take place in ports. LSPLVs shall be allowed to transship at sea only in the presence of a Regional Observer onboard, consistent with paragraph 65.

Recording of catch and fishing activities

55. Each CPC shall ensure that its vessels 20 meters LOA or greater fishing bigeye and/or yellowfin and/or skipjack tunas in the Convention area record their catch in accordance with the requirements set out in **Annex 6** and in the *Recommendation by ICCAT Concerning the Recording of Catch by Fishing Vessels in the ICCAT Convention Area* (Rec. 03-13).

Identification of IUU activity

56. The Executive Secretary shall, without delay, verify that any vessel identified or reported in the context of this Multi-annual Programme is on the ICCAT record of authorized vessels. If a possible violation is detected, the Executive Secretary shall, without delay, notify the flag CPC. The flag CPC shall immediately investigate the situation and, if the vessel is fishing in relation to objects that could affect fish aggregation, including FADs, during the period of closure request the vessel to stop fishing and, if necessary, leave the area. The flag CPC shall, without delay, report to the Executive Secretary the results of its investigation and the corresponding measures taken.
57. The Executive Secretary shall report to the Compliance Committee at each annual meeting of the Commission on any issue related to identification of unauthorized vessels, the implementation of the VMS, the observer provisions, and the results of the relevant investigation made as well as any relevant measures taken by the flag CPCs concerned.
58. The Executive Secretary shall propose to include any vessels identified in accordance with paragraph 52, or vessels for which the flag CPC has not carried out the required investigation and taken, if necessary, adequate measures in accordance with paragraph 51, on the provisional IUU list.

Observers

59. For observers on board vessels targeting bigeye, yellowfin and/or skipjack tunas in the area east of meridian 20°/West longitude and North of parallel 28°/ South latitude, the following shall apply:
- Observers shall automatically be recognized by all CPCs. Such recognition shall allow the scientific observer to continue the collection of information throughout the EEZ visited by the vessel observed. The coastal CPCs concerned shall receive from the flag CPC which mandated the observer the information collected by the observer and related to fishing activities on ICCAT species in their EEZ.
60. For longline vessels flying their flag 20 meters length overall (LOA) or greater targeting bigeye, yellowfin and/or skipjack in the Convention area, CPCs shall ensure a minimum of 10% observer coverage of fishing effort by 2024, through the presence of a human observer on board in accordance with Annex 7 and/or an electronic monitoring system. For this purpose, the Working Group on Integrated Monitoring Measures (IMM WG), in cooperation with the SCRS, shall make a recommendation to the Commission for endorsement at its 2023 Annual meeting on the following:
- a) Minimum standards for an electronic monitoring system such as:
 - i) the minimum specifications of the recording equipment (e.g., resolution, recording time capacity), data storage type, data protection;
 - ii) the number of cameras to be installed at which points on board
 - b) What shall be recorded
 - c) Data analysis standards, e.g., converting video footage into actionable data using of artificial intelligence
 - d) Data to be analyzed, e.g., species, length, estimated weight, fishing operation details
 - e) Reporting format to the ICCAT Secretariat

CPCs are encouraged to conduct trials on electronic monitoring and report the results back to the Commission's Working Group on Electronic Monitoring Systems (WG-EMS) and the SCRS for their review.

CPCs shall report the information collected by the observers or the electronic monitoring system from the previous year by 30 April to the ICCAT Secretariat and to SCRS taking into account CPC confidentiality requirements.

61. CPCs shall submit all relevant data and administer scientific observer programs for tropical tunas in accordance with Recommendation by ICCAT to Establish Minimum Standards for Fishing Vessel Scientific Observers (Rec. 16-14). In 2023, the SCRS shall provide advice on the improvements to observer programs including how coverage should be stratified across vessels, seasons and areas to achieve maximum effectiveness.
62. CPCs shall endeavour to further increase observer coverage rates for longline vessels, including through trials and implementation of electronic monitoring to supplement human observers. CPCs that trial electronic monitoring shall share technical specifications and standards with the Commission towards the development of agreed ICCAT standards.
63. For purse seine vessels flying their flag and targeting bigeye, yellowfin and/or skipjack in the Convention area, CPCs shall ensure 100% observer coverage of fishing effort, through the presence of an observer on board in accordance with Annex 7 or through an electronic monitoring system whose specifications have been approved by ICCAT. CPCs shall report the information collected by the observers from the previous year by 30 April to the ICCAT Secretariat and to SCRS.

64. Each year, the ICCAT Secretariat shall compile the information collected under observer programs, including on the observer coverage for each tropical tuna fishery, and make it available to the Commission before the annual meeting for further deliberation, taking into account CPC confidentiality requirements.
65. [In 2020, IMM shall explore the possible scope and benefits of ICCAT adopting a regional Observer Program for tropical tuna fisheries taking into account the need for harmonization and coordination of national observer programs for tropical tuna fisheries.]

65alt. [Starting in 2023, an ICCAT Regional Observer Program shall be implemented in accordance with **Annex 10**, to ensure compliance with the conservation and management measures adopted by ICCAT and to carry out the scientific data collection and tasks required by the SCRS. Under this program, CPCs shall ensure 100% observer coverage of the activities by [purse seiners, supply/support vessels] carrying their flag, and by surface fishing vessels 35 meters LOA engaging in transshipment operations at sea]. The presence of an ICCAT Regional Observer onboard shall waive the requirements for the observers' coverage described under paragraphs 36, 56, and 58 to 64.]

[65bis. In 2023, on the basis of the advice from IMM, the Commission shall consider how to use existing schemes of regional observers, deployed onboard vessels authorized to fish for tropical tunas in ICCAT, for CPCs to meet the obligations set within the scope of the ICCAT Regional Observer Program as set out in paragraph 65. For this purpose, the CPCs involved in already existing regional observers' programs should provide details about these schemes to the Secretariat by 31 March 2023, including the copy of the agreement concluded between the Flag State and the CPC of the observers.]

[65ter. In order for an existing observer program, as referred to in paragraph 65bis, to be accepted as a substitute to the ICCAT Regional Observer Program, and to be sufficient to waive the requirements for the observers' coverage described under paragraphs 36, 56, and 58 to 64, it shall satisfy the following conditions:

- i. the Flag State of the vessel shall comply with the obligations specified in paragraph 11 of **Annex 10**;
- ii the observer on board shall meet the requirements in **Annex 10** in terms of qualifications and shall comply with the obligations and tasks specified in paragraphs 5 to 11 of **Annex 10**.]

CPC	COMMENTS
USA	<u>The United States supports the adoption of a ROP for purse seine vessels, and in that regard supports the inclusion of the relevant portions of the EU's proposal (PA1-22/i2022) from the June meeting here as a basis for further negotiations.</u>

Port Sampling Programme

66. The port sampling programme developed by the SCRS in 2012 shall be continued for landing or transshipment ports [and CPCs shall include information on their implementation of this requirement in their fishery plans submitted pursuant to paragraphs 22 or 23]. Data and information collected from a CPC's sampling programme shall be reported to ICCAT each year for use by the SCRS, describing, at a minimum, the following by country of landing and quarter: species composition, landings by species, length composition, and weights. Biological samples suitable for determining life history should be collected as practicable.

PART VI MANAGEMENT PROCEDURES/MANAGEMENT STRATEGY EVALUATION

Management Strategy Evaluation (MSE) and Candidate Harvest Control Rules

67. The SCRS shall refine the MSE process in line with the SCRS roadmap and continue testing the candidate management procedures. On this basis, the Commission shall review the candidate management procedures, including pre-agreed management actions to be taken under various stock conditions. These shall take into account the differential impacts of fishing operations (e.g., purse seine, longline and baitboat) on juvenile mortality and the yield at MSY.

**PART VII
FINAL PROVISIONS**

Availability of data to SCRS and to national scientists

68. CPCs shall ensure that:
- a) Both paper and electronic fishing logbooks and the FAD-logbooks referred to in paragraph 37, where applicable, are promptly collected and made available to national scientists;
 - b) The Task 2 data include the information collected from the fishing or FAD logbooks, where applicable, and is submitted every year to the ICCAT Executive Secretary, to be made available to the SCRS.
69. CPCs should encourage their national scientists to undertake collaborative work with their national industry to analyse data related to FADs (e.g., logbooks, buoy data) and to present the outcomes of that analysis to the SCRS. CPCs should take steps to facilitate making the data available for such collaborative work, subject to relevant confidentiality constraints.

Confidentiality

70. All data submitted in accordance with this Recommendation shall be treated in a manner consistent with ICCAT's data confidentiality guidelines and solely for the purposes of this Recommendation and in accordance with the requirements and procedures developed by the Commission.
71. Actions required from the SCRS and the Secretariat:
- a) The SCRS shall the efficacy that full fishery closures along the lines of those proposed in PA1-505A/2019¹ might have to reduce the catches of tropical tunas to the agreed levels; and the potential of such scheme to reduce the catches of juvenile bigeye and yellowfin tunas, in line with recommendations from the SCRS;
 - b) The SCRS shall endeavor to establish a definition for FAD sets;
 - c) The ICCAT Secretariat shall work with the SCRS in preparing an estimate of capacity in the Convention area, to include at least all the fishing units that are large-scale or operate outside the EEZ of the CPC they are registered in. All CPCs shall cooperate with this work, providing estimates of the number of fishing units fishing for tuna and tuna-like species under their flag, and the species or species groups each fishing unit targets (e.g., tropical tunas, temperate tunas, swordfish, other billfish, small tunas, sharks, etc.); this work shall be presented to the next meeting of the SCRS in 2020 and forwarded to the Commission for consideration;
 - d) The ICCAT Secretariat shall identify a Consultant to carry out an evaluation of the monitoring, control and surveillance mechanisms in place in ICCAT CPCs. This work shall primarily focus on the evaluation of data collection and processing systems in each CPC, and the ability to produce estimates of catch and effort, and length frequency for all stocks under ICCAT management, with a focus on stocks for which input and/or output measures are in place; in preparing this work the Consultant shall evaluate how efficient the catch monitoring systems that each CPC has implemented are to achieve robust estimates of catches for the stocks subject to a TAC; the ICCAT Secretariat shall work with SCRS scientists to prepare a TOR for this work as soon as possible.
72. [An intersessional meeting of Panel 1 will be held in 2023 to review existing measures and inter alia develop catch limits and associated catch verification mechanisms for 2024.]

CPC	COMMENTS
USA	<u>The United States hopes to move away from interim measures and adopt a comprehensive, long-term rebuilding plan this year.</u>

¹ Available upon request from the ICCAT Secretariat or on the 2019 Commission meeting documents webpage (<https://www.iccat.int/com2019/index.htm#en>).

73. This Recommendation replaces Rec. 21-01.

[...]

CPC	COMMENTS
Canada, EU, Japan, El Salvador, Côte d'Ivoire, South Africa	<p>– Recognition was made of the fact that Rec. 21-01 was not perfect and that an in depth review of current measures should be made with emphasis on TAC Allocation for fishing possibilities for developing countries and capacity measures.</p> <p>– Uncertainties in stock indices should be taken with caution.</p>
SCRS	An update of assessment measures should be improved for easy interpretation of probability levels associated to TAC and relative biomass.
Canada	Need for a revised long line index should be incorporated in future assessment and projections.
Gabon, EU, El Salvador	Expressed caution in the interpretation of SCRS recommendation regarding the level of risk associated with each TAC Figure.
Japan	<p>Japan presented Bigeye Tuna Allocation [PA1-20/2022i] criteria containing a variable allocation key, depending on whether the TAC level is fixed at 70,000 t or 75,000, and involves allocation of a supplement which is added to the current TAC (difference between the fixed TAC and the current TAC) and would be allocated according to its level to developing coastal countries and other CPCs.</p> <p>Japan presented Proposed Principles for Bigeye Tuna Allocation [PA1_20/i2022] whose nature it claims is relatively different from with the other proposals. It contains a variable allocation key, depending on whether the TAC level is fixed at 70,000 t or 75,000, and involves allocation of a supplement which is added to the current TAC (difference between the fixed TAC and the current TAC) and would be allocated according to its level to developing coastal countries and other CPCs. The proposal rests on two levers TAC increase and reduction of catches of juvenile bigeye tuna.</p>
El Salvador + CPCs from Latin America	<p>Proposed Replacing Recommendation 21-01 highlighting on the need for developing coastal countries and newcomers to have larger share in the TACs [PA1-21/2022i].</p> <p>Other prohibition/limitation measures on carryovers and transfers, a 2-month FAD fishery closure one month of which can be chosen by each CPC are provided for.</p> <p>El Salvador presented a “Draft Recommendation by ICCAT Replacing Recommendation 21-01 on a multi-annual conservation and management programme for tropical tunas” [PA1_21/2022i], submitted by CPCs from Latin America who consider that they have had to make large sacrifices with the adoption of Rec. 19-02 and that this proposal enshrines the recognition of the rights of developing CPCs and the artisanal fisheries, the essential points of which are as follows. For bigeye tuna, a TAC of 77,500 t with an associated probability of 50% in accordance with scientific advice is proposed taking into account acceptable margins of risk, a new allocation for a new reference period 2016-2019 for a duration of three years (2023-2025), the freeze on catches at existing levels in Rec. 21-01 for CPCs that were subject to catch limits in Rec. 16-01. Suppression of the fishing restrictions is also provided for newcomers to the bigeye tuna fishery or for countries whose catches are less than 1,000 t and incentives for CPCs with the lowest catches (1.000-3.500 t). Other prohibition/limitation measures on carryovers and transfers, a 2-month FAD fishery closure one month of which can</p>

	be chosen by each CPC are provided for. For yellowfin tuna, the TAC is kept at its current level of 120,000 t.
Gabon	Questioned how the two-month area/time closure, one month of which is to be chosen by each CPC, will be implemented, and the difficulties in managing the data that the Secretariat would receive from CPCs.
EU	<p>The European Union presented the “Draft Recommendation by ICCAT to amend Recommendation 19-02 to replace Recommendation 16-01 on a multi-annual conservation and management programme for tropical tunas” [PA1_22/2022i] (formerly PA1_512/2019) the key principles of which are as follows: to provide stability for the stock, the Commission and industry, which is possible with the progress of CPC convergence on growth in TAC which would afford fishing opportunities in the short and long-term and would respond to the legitimate requests of developing coastal countries.</p> <p>13 Oct. Further, the EU proposed an allocation criteria recognizing catch limits, adjustments (redistribution) in fishing capacity of distant water fishing nations and stimulations with other CPC s proposals on modalities to firm out the equitable distribution of any TAC. (Work ongoing).</p> <p>Reiterated the fact that consideration should be taken on other fleets not only the purse seine fisheries which have also negative impact on juvenile BET.</p>
West Africa	<p>Côte d’Ivoire presented a "Proposal to amend the preamble and Parts I, II and III of the Recommendation 21-0, [PA1_23/2022i], considering fishing opportunities for all nations allocating TAC according to categories of catch limits from all CPCs.</p> <p>The West Africa allocation key was proposed by all to be incorporated in any further discussion of the allocation criteria.</p>
South Africa	Proposed a criteria for small harvesters and a mechanism for the allocation key should be based on real numbers and emphasized the need for small scale fishers to be considered in the allocation in conformity with international law. Rec. 15-13.
All CPCs	<p>On the issue of underage, overage, transfers, fad numbers, fad sets and observer programs, it was generally agreed that additional steps should be taken to consolidate all efforts.</p> <p>CPCs after discussions generally converged towards two figures - 70,000 t and 75,000 t - subject to adequate management measures to be adopted.</p> <p>CPCs are encouraged to read through SCRS reports and previous PA1 recommendations in areas of FAD management, regional observers, transshipment at sea for large scale vessels and voluntary closures.</p>
<u>Chair</u>	<p><i>Additional comments from the 13 Oct meeting may be added</i></p> <p>[.....]</p> <p>[.....]</p> <p><i>Next Steps</i></p> <ul style="list-style-type: none"> – Agree to a TAC before the next assessment year; – Provide adequate management measures inconformity to the said TAC; – Develop allocation key merging proposals from the 4 proponents with Côte d’Ivoire as a springboard. Taking into consideration the rights of coastal states to be given more shares/percentages/numbers/quotas; – Come up with a finalized version of Rec. 22-01 which may be totally new considering all comments, recommendations, updates, amendments, repealing and savings if necessary portions of the old Recommendations 16-01.

Working group on FADs registry

1. The Working Group shall provide recommendations to the Commission on how to establish an ICCAT FADs registry for the purpose of establishing FADs' ownership and improving control measures of fishing activities on FADs.
2. The Working Group shall in particular:
 - a) Explore and report on how a FAD registry could contribute to solving the issue of lack of ownership of FADs, contribute to improving the recovery of FADs and reducing beaching events, and provide a scope for improving MSC measures in relation to fishing activities on FADs.
 - b) Identify the feasibility and most effective approach(es) to establish a FAD registry in ICCAT, including by identifying the responsibilities of the CPCs, their operators and the Secretariat, and providing estimates of possible costs.
 - c) Report to, and as appropriate, submit recommendations to the Commission.
3. The Working Group shall be assisted by the ICCAT Secretariat in its works. It shall appoint a Chair and Vice-Chair and establish a calendar for its discussions. Starting in 2023, the Working Group shall hold at least one meeting per year back to back with the inter-sessional meeting of Panel 1, before the ICCAT Annual Commission meeting in November.
4. The interested CPCs shall notify the ICCAT Secretariat of their interest to participate in the Working Group by 20 December 2022 at the latest, and designate participants to the Working Group.

Guidelines for Preparation of FAD Management Plans

The FAD Management Plan for a CPC purse seine and baitboat fleets must include the following:

1. Description
 - a) FAD types: AFAD = anchored; DFAD = drifting
 - b) Type of beacon/buoy
 - c) Maximum number of FAD to be deployed per purse seine and per FAD type and active at any one time per vessel
 - d) Minimum distance between AFADs
 - e) Incidental by-catch reduction and utilization policy
 - f) Consideration of interaction with other gear types
 - g) Statement or policy on "FAD ownership"
 - h) Use of support vessels, including from other flag CPCs
2. Institutional arrangements
 - a) Institutional responsibilities for the FAD Management plan
 - b) Application processes for FAD deployment approval
 - c) Obligations of vessel owners and masters in respect of FAD deployment and use
 - d) FAD replacement policy
 - e) Additional reporting obligations beyond this Recommendation
 - f) Conflict resolution policy in respect of FADs
 - g) Details of any closed areas or periods e.g. territorial waters, shipping lanes, proximity to artisanal fisheries, etc.
3. FAD construction specifications and requirements
 - a) FAD design characteristics (a description)
 - b) Lighting requirements
 - c) Radar reflectors
 - d) Visible distance
 - e) FAD markings and identifier
 - f) Radio buoys markings and identifier (requirement for serial numbers)
 - g) Echo-sounder buoys markings and identifier (requirement for serial numbers)
 - h) Satellite transceivers
 - i) Research undertaken on biodegradable FADs
 - j) Prevention of loss or abandonment of FADs
 - k) Management of FADs recovery.
4. Applicable period for the FAD Management Plan
5. Means for monitoring and reviewing the implementation of the FAD Management Plan

Annex XX**FAD information for each deployment or visit**

- a) Deployment of any FAD
- Position
 - Date
 - FAD type (anchored FAD, drifting artificial FAD)
 - FAD identifier (i.e., FAD marking and buoy ID, type of buoy – e.g., simple buoy or associated with echo-sounder)
 - FAD design characteristics (material of the floating part and of the underwater hanging structure and the entangling or non-entangling feature of the underwater hanging structure)
- b) Visit on any FAD
- Type of the visit (deployment of a FAD and/or buoy, retrieving FAD and/or buoy, strengthening/consolidation of FAD, intervention on electronic equipment, random encounter (without fishing) of a log or a FAD belonging to another vessel, visit (without fishing) of a FAD belonging to the vessel, fishing set on a FAD)
 - Position
 - Date
 - FAD type (anchored FAD, drifting natural FAD, drifting artificial FAD)
 - Log description or FAD identifier (i.e., FAD Marking and buoy ID or any information allowing to identify the owner)
 - Buoy ID
 - If the visit is followed by a set, the results of the set in terms of catch and by-catch, whether retained or discarded dead or alive. If the visit is not followed by a set, note the reason (e.g., not enough fish, fish too small, etc.)
- c) Loss of any FAD
- Last registered position
 - Date of the last registered position
 - FAD identifier (i.e., FAD Marking and buoy ID)

FAD logbook

<i>FAD marking</i>	<i>Buoys ID</i>	<i>FAD type</i>	<i>Type of visit</i>	<i>Date</i>	<i>Time</i>	<i>Position</i>		<i>Estimated catches</i>			<i>By-catch</i>			<i>Observations</i>	
						<i>Latitude</i>	<i>Longitude</i>	<i>SKJ</i>	<i>YFT</i>	<i>BET</i>	<i>Taxonomic group</i>	<i>Estimated catches</i>	<i>Unit</i>		<i>Specimen released alive</i>
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(7)	(8)	(8)	(8)	(9)	(10)	(11)	(12)	(13)
...
...

- (1,2) If FAD marking and associated beacon/buoy ID are absent or unreadable, report it in this section. However, if FAD marking and associated beacon/buoy ID are absent or unreadable, the FAD shall not be deployed.
- (3) Anchored FAD, drifting natural FAD or drifting artificial FAD.
- (4) i.e., deployment, hauling, strengthening/consolidation, removing/retrieving, changing the beacon, loss and mention if the visit has been followed by a set.
- (5) dd/mm/yy
- (6) hh:mm
- (7) N/S/(in degrees and minutes) or E/W/(in degrees and minutes).
- (8) Estimated catches expressed in metric tons.
- (9) Use a line per taxonomic group.
- (10) Estimated catches expressed in weight or in number.
- (11) Unit used.
- (12) Expressed as number of specimen.
- (13) If no FAD marking or associated beacon ID is available, report all available information in this section which may help to describe the FAD and to identify the owner of the FAD.

Table 1. Codes, names and examples of different types of floating object that should be collected in the fishing logbook as a minimum data requirement. Table from 2016 SCRS report (section 18.2, Table 7).

<i>Code</i>	<i>Name</i>	<i>Example</i>
DFAD	Drifting FAD	Bamboo or metal raft
AFAD	Anchored FAD	Very large buoy
FALOG	Artificial log resulting from human activity (and related to fishing activities)	Nets, wreck, ropes
HALOG	Artificial log resulting from human activity (not related to fishing activities)	Washing machine, oil tank
ANLOG	Natural log of animal origin	Carcasses, whale shark
VNLOG	Natural log of plant origin	Branches, trunk, palm leaf

Table 2. Names and description of the activities related to floating objects and buoys that should be collected in the fishing logbook as a minimum data requirement (codes are not listed here). Table from 2016 SCRS report (section 18.2, Table 8).

	<i>Name</i>	<i>Description</i>
FOB	Encounter	Random encounter (without fishing) of a log or a FAD belonging to another vessel (unknown position)
	Visit	Visit (without fishing) of a FOB (known position)
	Deployment	FAD deployed at sea
	Strengthening	Consolidation of a FOB
	Remove FAD	FAD retrieval
	Fishing	Fishing set on a FOB ¹
Buoy	Tagging	Deployment of a buoy on FOB ²
	Remove BUOY	Retrieval of the buoy equipping the FOB
	Loss	Loss of the buoy/End of transmission of the buoy

¹ A fishing set on a Fishing Object (FOB) includes two aspects: fishing after a visit to a vessel's own FOB (targeted) or fishing after a random encounter of a FOB (opportunistic).

² Deploying a buoy on a FOB includes three aspects: deploying a buoy on a foreign FOB, transferring a buoy (which changes the FOB owner) and changing the buoy on the same FOB (which does not change the FOB owner).

List of deployed FADs and buoys on a monthly basis

Month:

<i>FAD Identifier</i>		<i>FAD & electronic equipment types</i>		<i>FAD</i>				<i>Observation</i>
<i>FAD Marking</i>	<i>Associated buoy ID</i>	<i>FAD Type</i>	<i>Type of the associated buoy and /or electronic devices</i>	<i>FAD floating part</i>	<i>FAD underwater hanging structure</i>			
(1)	(1)	(2)	(3)	(4)	(5)			(6)
...
...

- (1) If FAD marking and associated beacon/buoy ID are absent or unreadable, the FAD shall not be deployed.
- (2) Anchored FAD, drifting natural FAD or drifting artificial FAD.
- (3) E.g. GPS, sounder, etc. If no electronic device is associated to the FAD, note this absence of equipment.
- (4) Mention the material of the structure and of the cover and if biodegradable.
- (5) E.g. nets, ropes, palms, etc., and mention the entangling and/or biodegradable features of the material.
- (6) Lighting specifications, radar reflectors and visible distances shall be reported in this section.

Guidelines for reducing the ecological impact of FADs in ICCAT fisheries

1. The surface structure of the FAD shall not be covered or only covered with material implying minimum risk of entangling by-catch species.
2. The sub-surface components shall be exclusively composed of non-entangling material (e.g., ropes or canvas).
3. When designing FADs the use of biodegradable materials shall be prioritized.

<u>CPC</u>	<u>COMMENTS</u>
<u>USA</u>	<u>The United States proposes the following changes to this Annex to make it abundantly clear that these provisions are binding (as they have been since 2016).</u>

Requirements for Catch Recording Minimum specification for paper or electronic logbooks:

1. The logbook must be numbered by sheets
2. The logbook must be filled in every day (midnight) and before port arrival
3. One copy of the sheets must remain attached to the logbook
4. Logbooks must be kept on board to cover a period of one-trip operation

Minimum standard information for logbooks:

1. Master name and address
2. Dates and ports of departure, Dates and ports of arrival
3. Vessel name, registry number, ICCAT number and IMO number (if available)
4. Fishing gear:
 - a) Type FAO code
 - b) Dimension (length, mesh size, number of hooks...)
5. Operations at sea with one line (minimum) per day of trip, providing:
 - a) Activity (fishing, steaming...)
 - b) Position: Exact daily positions (in degree and minutes), recorded for each fishing operation or at noon when no fishing has been conducted during this day
 - c) Record of catches
6. Species identification:
 - a) By FAO code
 - b) Round (RWT) weight in t per set
 - c) Fishing mode (FAD, free school, etc.)
7. Master signature
8. Observer signature, if applicable
9. Means of weight measure: estimation, weighing on board and counting
10. The logbook is kept in equivalent live weight of fish and mentions the conversion factors used in the evaluation.

Minimum information in case of landing, transshipments:

1. Dates and port of landing/transshipments
2. Products: number of fish and quantity in kg
3. Signature of the Master or Vessel Agent

Observer Programme

1. The observers referred to in paragraph 60-66 of this Recommendation shall have the following qualifications to accomplish their tasks:
 - Sufficient experience to identify species and fishing gear;
 - Satisfactory knowledge of the ICCAT conservation and management measures assessed by a certificate provided by the CPCs and based on ICCAT training guidelines;
 - The ability to observe and record accurately;
 - The ability to collect biological samples;
 - A satisfactory knowledge of the language of the flag of the vessel observed.
2. The observers shall not be a crew member of the fishing vessel being observer and shall:
 - a) Be nationals of one of the CPCs;
 - b) Be capable of performing the duties set forth in point 3 below;
 - c) Not have current financial or beneficial interests in the tropical tuna fisheries.
3. The observer tasks shall be in particular:
 - a) To monitor the fishing vessels' compliance with the relevant conservation and management measures adopted by the Commission.

In particular the observers shall:

- i. Record and report upon the fishing activities carried out;
 - ii. Observe and estimate catches and verify entries made in the logbook;
 - iii. Sight and record vessels which may be fishing in contravention to ICCAT conservation and management measures;
 - iv. Verify the position of the vessel when engaged in catching activity;
 - v. Verify the number of instrumental buoys active at any one time;
 - vi. Carry out scientific work such as collecting Task 2 data when required by the Commission, based on the directives from the SCRS, observing and recording data on FAD properties in accordance with **Table 1** below.
- b) Establish general reports compiling the information collected in accordance with this paragraph and provide the master the opportunity to include therein any relevant information.

Obligations of the observer

4. Observers shall treat as confidential all information with respect to the fishing and transshipment operations of the fishing vessels and accept this requirement in writing as a condition of appointment as an observer.
5. Observers shall comply with requirements established in the laws and regulations of the flag State which exercises jurisdiction over the vessel to which the observer is assigned.
6. Observers shall respect the hierarchy and general rules of behaviour which apply to all vessel personnel, provided such rules do not interfere with the duties of the observer under this programme, and with the obligations of vessel personnel set forth in point 7 of this Annex.

Obligations of the flag States of fishing vessels

7. The responsibilities regarding observers of the flag States of the fishing vessels and their masters shall include the following, notably:
 - a) Observers shall be allowed to access to the vessel personnel and to the gear and equipment;
 - b) Upon request, observers shall also be allowed access to the following equipment, if present on the vessels to which they are assigned, in order to facilitate the carrying out of their duties set forth in point 3 of this Annex:
 - i) satellite navigation equipment;
 - ii) radar display viewing screens when in use;
 - iii) electronic means of communication, including FAD/buoys signals.
 - c) Observers shall be provided accommodations, including lodging, food and adequate sanitary facilities, equal to those of officers;
 - d) Observers shall be provided with adequate space on the bridge or pilot house for clerical work, as well as space on deck adequate for carrying out observer duties; and
 - e) The flag States shall ensure that masters, crew and vessel owners do not obstruct, intimidate, interfere with, influence, bribe or attempt to bribe an observer in the performance of his/her duties.

Table 1. FOB/FAD information added to observer onboard form to comply with RFMOs recommendations. Table from 2016 SCRS report (section 18.2, Table 9).

<i>Properties</i>	<i>DFAD</i>	<i>AFAD</i>	<i>HALOG</i>	<i>FALOG</i>	<i>ANLOG</i>	<i>VNLOG</i>
FOB built using biodegradable materials (true/false/undefined)	X	X	X	X		
FOB is non-entangling (true/false/undefined)	X	X	X	X		
Meshed material (true/false/undefined) in FOB	X	X		X		
Size of largest mesh (in millimeters)	X	X		X		
Distance between the surface and the deepest part of the FOB (in meters)	X	X	X	X		
Approximate surface area of the FOB	X	X	X	X		
Specifies the FOB's ID whenever present	X	X	X	X		
Fleet owning the tracking device/echo sounder buoy	X	X	X	X	X	X
Vessel owning the tracking device/echosounder buoy	X	X	X	X	X	X
Anchorage type used for mooring (AFAD registry)		X				
Radar reflectors (presence or not) (AFAD registry)		X				
Lighting (presence or not) (AFAD registry)		X				
Visual range (in nautical miles) (AFAD registry)		X				
Materials used for the floating part of the FOB (list to be defined)	X	X	X	X		
Materials making up the FOB underwater structure (list to be defined)	X	X	X	X		
Tracking device TYPE+ID if possible, otherwise no or undefined.	X	X	X	X	X	X

ICCAT Regional Observer Program

1. Each CPC shall require its purse seiners, support/supply vessels, [and surface fishing vessels 35 meters LOA engaging in transshipment operations at sea], involved in tropical tunas fisheries to carry an ICCAT regional observer.
2. By 1 November each year, CPCs shall notify to the ICCAT Executive Secretariat a list of its observers.
3. The Secretariat of the Commission shall appoint the observers before 15 November each year and shall place them on board the fishing vessels flying the flag of Contracting Parties and of non-Contracting Cooperating Parties, Entities or Fishing Entities that implement the ICCAT observer program. An ICCAT observer card shall be issued for each observer.
4. The Secretariat shall issue a contract listing the rights and duties of the observer and the master of the vessel. This contract shall be signed by both parties involved.

Designation of the observers

5. The designated observers shall have the following qualifications to accomplish their tasks:
 - Sufficient experience to identify species and check compliance of the fishing gear with the established technical specifications;
 - Satisfactory knowledge of the ICCAT conservation and management measures assessed by a certificate provided by the CPCs and based on ICCAT training guidelines;
 - The ability to evaluate and verify the data and records reported by the master and write reports in accordance with the established requirements;
 - A satisfactory knowledge of the language of the flag of the vessel observed.

Obligations of the observer

6. Observers shall:
 - a) Have completed the technical training required by the guidelines established by ICCAT;
 - b) To the extent possible, not be a nationals of the flag State of the fishing vessel;
 - c) Be capable of performing the duties set forth in point 7 below;
 - d) Be included in the list of observers maintained by the Secretariat of the Commission;
 - e) Not have current financial or beneficial interests in the tropical tuna fisheries or direct relation with any operator operating in the fishery. An affidavit shall be required to ensure the absence of conflict of interest.

Observer tasks

7. The observer tasks shall be to:
 - a) Monitor the fishing vessels' compliance with the relevant conservation and management measures adopted by the Commission.

In particular the observers shall:

 - i. Record and report upon the fishing activities carried out;
 - ii. Observe and estimate catches and verify entries made in the logbook or any other document required by ICCAT;
 - iii. Sight and record vessels which may be fishing in contravention to ICCAT conservation and management measures;
 - iv. Verify the position of the vessel when engaged in catching or transshipping activities;
 - v. Carry out scientific work such as collecting Task 2 data when required by the Commission, based on the directives from the SCRS.

In cases where the observer detect what may constitute non-compliance with ICCAT Recommendations, he/she shall submit this information without delay to the observer implementing company/flag CPC authorities of the catching vessel.

In addition, when deployed on a purse seine or supply/support vessels, the observers shall record:

- i. the number of operations related to the deployment, retrieval, or maintenance of FADs,
- ii. the number and characteristics of fishing sets, on FOBs, and on free school,
- iii. for each fishing set, the estimated quantities caught per species and the average length per species, including for non-target species, and the quantities and/or number released alive or discarded dead,
- iv. possible fishing sets on marine mammals or large sharks/rays species, as well as natural logs,
- v. the fixing of satellite buoys on logs,
- vi. the activation and de-activation events of buoys on FADs,
- vii. the number of FADs being monitored by the vessel.

When deployed on longline vessels, the observers shall:

- i. record, for each fishing set, the quantities of both target and non-target species caught, the average length per species, and the quantities and/or number released alive or discarded dead.
 - ii. record possible transshipment operations.
- b) Report without delay, with due regard to the safety of the observer, any fishing activity associated with FOBs made by the vessel during the period referred to in paragraph 31 of this Recommendation.
 - c) Obtain, as much as possible, evidence (i.e., photos or videos) of possible non-compliance detected and attach them to his/her report.
 - d) Establish general reports compiling the information collected in accordance with this paragraph and provide the master the opportunity to include therein any relevant information.
 - e) Submit to the Secretariat the aforementioned general report within 20 days from the end of the period of observation.
 - f) Exercise any other functions as defined by the Commission.
8. Observers shall treat as confidential all information with respect to the fishing and transshipment operations of the fishing vessels and accept this requirement in writing as a condition of appointment as an observer;
9. Observers shall comply with requirements established in the laws and regulations of the flag State which exercises jurisdiction over the vessel to which the observer is assigned.
10. Observers shall respect the hierarchy and general rules of behaviour which apply to all vessel personnel, provided such rules do not interfere with the duties of the observer under this program, and with the obligations of vessel personnel set forth in paragraph 11 of this program.

Obligations of the flag States of fishing vessels

11. The responsibilities regarding observers of the flag States of the fishing vessels and their masters shall include the following, notably:
- a) Observers shall be allowed to access to the vessel personnel and to the gear and equipment;
 - b) Upon request, observers shall also be allowed access to the following equipment, if present on the vessels to which they are assigned, in order to facilitate the carrying out of their duties set forth in paragraph 7 of this program:
 - i. satellite navigation equipment;
 - ii. radar display viewing screens when in use;

iii. electronic means of communication;

iv. data recorded by the master in the logbook or any other document required by ICCAT.

c) Observers shall be provided accommodations, including lodging, food and adequate sanitary facilities, equal to those of officers;

d) Observers shall be provided with adequate space on the bridge or pilot house for clerical work, as well as space on deck adequate for carrying out observer duties; and

i. The flag States shall ensure that masters, crew and vessel owners do not obstruct, intimidate, interfere with, influence, bribe or attempt to bribe an observer in the performance of his/her duties.

ii. Cases involving vessels eligible to embark an observer on-board, but who fail to do so, should be assessed by the Compliance Committee.

The Secretariat, in a manner consistent with any applicable confidentiality requirements, is requested to provide to the flag State of the fishing vessel, copies of all raw data, summaries, and reports pertaining to the trip. The Secretariat shall submit the observer reports to the Compliance Committee and to the SCRS.

Costs of the program

12. The costs of implementing this Program shall be evaluated by the ICCAT Secretariat in 2023 and presented to IMM WG meeting in 2023. The Commission shall adopt a framework for the financing of this program during its annual meeting in 2023.