



DRAFT MINUTES

23rd meeting of LDAC Working Group 1 Highly Migratory (Tuna and Tuna-like) Stocks and its RFMOs

**Tuesday, October 23, 2018. From 9:30 to 13:30 h
Hotel NH Brussels EU Berlaymont – Boulevard de Charlemagne 11-19.
Rond Schuman. Brussels, Belgium.**

**Chair: Mr Michel Goujon
Vice Chair: Mr Julio Morón**

1. Welcome by the Chair.

The Chairman of WG1, Mr Michel Goujon, opens the meeting and thanks the representatives of the Commission, invited experts and the members of Working Group 1 for their attendance and participation.

Annexe I shows the list of participants as members and observers.

2. Approval of the minutes of the last meeting of WG1 - Brussels, 7 March 2018

The minutes of the previous meeting of WG1 are adopted without any objections or changes.

3. Approval of the agenda.

The agenda is adopted without any comments or proposals for additional points.

4. Scientific presentation on the work in progress in the management of Fish Aggregation Devices (FADs), harvest control rules (HCR) and management measures for tropical tuna stocks in the Regional Fisheries Organizations - Dr Josu Santiago (AZTI-SECOFAD).

Dr Santiago summarizes the content of his presentation that is structured around three axes:

1. Status of resources (MSY, precautionary approach and Kobe plot) and management measures in place for tropical tuna stocks by fisheries; 80% of the global catches of tropical tunas are made on stocks that enjoy a good biological status, with worrisome exceptions such as the Pacific YFT (yellowfin tuna) and Atlantic BET (Bigeye).
2. Harvest control rules (HCRs) in the RFMOs (BRPs and limits).
3. Other issues: RFMO Working groups on FADs to obtain more information on abundance indicators (CPUE) by means of catches, effort and impact of the activities of tuna purse-seine vessels in the marine ecosystem. To this purpose, technologies such as buoys with echo sounders for electronic tracking of FADs, etc. are used.



Questions from the participants:

Mr Morón, OPAGAC, makes a general reflection on the aim of the Joint-RFMO Working Group on FADs and discusses the management of tropical tunas. He regrets that the purse-seine fishery with FADs is approached as “harmful gear” and blamed for the poor situation of some resources, when the fundamental information available consists of the abundance indexes (CPUE) from the Asian longline fleet, which performs transshipments on the high seas, does not reach 5% observer coverage, and performs high grading practices and changes in catch distributions as demanded by the Japanese market (tunas must be larger than 1 metre long), leading to an underestimation of the catches of undeclared juveniles.

He argues that more resources should be devoted to scientific research and more reliable monitoring of longline CPUEs, which account for around 40-50% of the global catch level for species such as bigeye in the Atlantic. To do this, collaboration is necessary with the fishing fleet involved and the Flag States both internally and in agreements with the RFMOs.

Edelmiro Ulloa, from ANAPA, supports the mandatory nature of port transshipments in ICCAT, the same as for the European surface longline fleet which is bound by Community regulations.

Raúl García, from WWF, asks what could be done to advance in setting harvest control rules (HCR) for all tuna fisheries, starting with CSBT, then moving on to IAATC-CIAT and more recently to ICCAT and IOTC. Regarding bigeye, he recalls that studies have been carried out for more than a decade on how to mitigate juvenile catches from fishing with FADs, as well as time-area closure measures to improve selectivity.

Replies from the presenter

Dr Santiago points out that, in the EU, there has been progress in the development of the HCR proposal in the tuna RFMOs, and investments have been made to support science through research projects financed by Community funds, such as the case of CECOFAD-1 and CECOFAD-2, led by the IRD, IEO and AZTI and with the collaboration of the industry.

Regarding the mitigation of catches of bigeye or yellowfin tuna juveniles, he states that the work continues but no significant progress has been made. However, in some regions such as the Pacific, it has been possible to identify time-area patterns and “hotspots” or areas where juveniles concentrate.

Another line under development is the acoustic discrimination of species through multi-frequency probes. In this regard, the discrimination process is ready for bigeye and skipjack, and currently being worked on for yellowfin.



Doctor Santiago's full presentation is available at the meetings' website at the following link:

<http://ldac.ldac.eu/attachment/a07f4243-64e3-40c3-b652-e888c19a72d3>

ACTIONS

- **The Commission will be requested, through a formal written document, to review the calculation methods and increase the observer coverage to estimate the abundance indexes (CPUE) of the Asian longline fleet directed to tropical tunas in the ICCAT regulatory area. In addition, the request to ban unsupervised transshipments on the high seas for such fleets will be reiterated; as well as the increase in the percentage of observer coverage from 5% to 20%; and the adoption of the policy of naturally attached fins in ICCAT; and the “no data, no fish” criterion.**
- **The Commission will be asked to require tuna RFMOs to develop objective compliance indicators that are accessible to the public.**

5. Presentation of the results of the FAD WATCH project (AZTI-OPAGAC)

A presentation by Dr Josu Santiago of this collaborative project between the Spanish fleet of OPAGAC, the scientific agency AZTI and a local NGO of Seychelles for the location and capture of abandoned, lost or stolen FADs to avoid damage to the marine environment and strandings on coral reefs or beaches in the Seychelles EEZ. This project is part of the Fisheries Improvement Project (FIP) that OPAGAC has been developing since 2016. The main result is that less than 1% of the total buoys deployed in the archipelagic EEZ of Seychelles end up stranded. As for FADS, a total of 335 have been intercepted, out of which 74% do not show instances of entanglement. Regarding turtles, a total of 5 have been found entangled, 2 of them alive.

The results of this project are available at the following link:

<http://ldac.ldac.eu/attachment/d5edb7eb-6601-4008-a42d-06062b6da6f8>

- The specific document entitled “*FAD Watch: a collaborative initiative to minimize the impact of FADs in coastal ecosystems*” may be found at the following link:

<http://ldac.ldac.eu/attachment/dd288cfa-8f2f-48f2-9a1e-42de74261edf>

Mr Michel Goujon stated that ORTHONGEL is also developing a FIP for the tuna purse-seine fleet in the Indian Ocean as well as for handling and processing plants. He proposes to extend this project to the French fleet.

ACTIONS:



- The Secretariat will make available to members and stakeholders at the LDAC website the presentations on harvest control (HCR) and management measures for tropical tunas in the RFMOs (including FADs) as well as a presentation of the FADWATCH project by AZTI and OPAGAC on behalf of Dr Josu Santiago (AZTI).

- An item will be included in the agenda of the next WG1 meeting to study the possibility of requesting the EU to extend the scope of the Fad Watch project to other European and non-European purse-seine fleets in the Indian Ocean. Likewise, it will be sought to introduce this recommendation in IOTC through the Working Group on Ecosystems. To this end, a draft proposal prepared by a working group comprising Julio Morón, Michel Goujon and Josu Santiago will be submitted with the assistance of the Secretariat.

6. Next steps to develop a set of best practices in the use and management of Fish Aggregating Devices (FADs) for tropical tuna purse-seine fisheries.

Mr Alexandre Rodríguez, Executive Secretary, reports that in the last weeks, many comments and contributions to the draft document on FADs have been received at the Secretariat, which require further analysis and an in-depth review.

ACTION:

The document containing a guide of good practices for the use and management of FADs will be reviewed, modifying its structure and focus. The group of technical experts or task force, comprising Michel Goujon, Julio Morón, Anertz Muniategui and Josu Santiago, will meet and aim to submit a draft that the Secretariat will distribute prior to the next meeting of the WG1 for discussion.

7. Development of the Kobe Process for the tuna RFMOs.

Mr Stefaan Depypere, Chairman of the RFMO Kobe Process, reports that several RFMO managers are working in this direction, although progress is slow as they are trying to get all of them working together through different methods and via teleconference as there are many members in the Governing Council when all the Chairs and Secretaries or Executive Directors of the RFMOs concerned are represented.

He states that the Kobe process is driven by the Sustainable Development Goals (SDG) of the UN, as a global challenge to increase transparency and data availability.

He emphasizes that at the last biannual meeting of the FAO Committee on Fisheries they agreed to continue the work and exchange experiences of good practices with the Secretariat.

The first pillar is its structure, and they are considering creating technical groups, in addition to FADs, on harvest control rules (HCR) and management strategy evaluation (MSE) as well as monitoring, control and surveillance (MCS).

The second pillar of the Kobe process is dialogue and the participation of all experts and stakeholders.



The third pillar deals with the realization of a feasibility study to make this a permanent group with the support from FAO.

He emphasizes that, at the moment, there are only suggestions but no recommendations. They hope that this relaunch of the Kobe process will have positive results, with the desire to involve the largest number of stakeholders and especially the working group of FADs that includes the scientific community, the industry and the fishing fleet and representatives of civil society. He informs that he will present this process in ICCAT, to later do it in IOTC and in IATTC.

On the other hand, the representative of the European Commission, Angela Martini, insists that consolidating this process will not be easy since there is reluctance and it will require involving many parties. She believes that it would be more appropriate to give it a pragmatic approach, with specific joint RFMO technical meetings such as the one on knowledge and management of FADs in Madrid two years ago or the joint meeting on MCS in Vancouver.

ACTIONS:

- The evolution of the Kobe process in the tuna RFMOs and progress in achieving the three pillars on which it is based will be followed up. The Commission will be requested that the RFMOs involved in this process make available their compliance indicators with the objectives stated in the pillars to all the stakeholders.

- Likewise, WG1 will set this debate in context with the process of achieving the Sustainable Development Goals (SDG) and the Management of Biodiversity Beyond the National Jurisdiction Waters (BBNJ) of United Nations, in order to align the challenges to improve RFMO operations and the cooperation between them to improve data.

8. IATTC - Inter-American Tropical Tuna Commission: Report of the conclusions of the 93rd Annual Meeting of IATTC (San Diego, August 24-30, 2018)

The representative of the EC, Ms Angela Martini, emphasizes that this meeting focused mainly on the abundance levels of tropical tuna stocks, for which it is very difficult to make any well-founded decision due to the great level of uncertainty regarding abundance indicators.

On the one hand, there was a discussion on how to establish a recovery plan for the bigeye (BET) stock given its poor status. She reports that there was a recommendation to limit and “freeze” the number of FADs but it was not admitted and the current management measure remains in force.

Ms Martini insisted on the importance of having reliable and robust scientific advice to know the status of stocks, which is essential to take appropriate management measures.

On the other hand, in relation to skipjack (SKJ), marking exercises are being carried out that had never been done before.

For bluefin tuna (BFT), a measure was adopted in line with scientific advice. The EU will not allow any increase in the quota based on the precautionary approach.

Regarding FADs, she states that lower entanglement risk devices are required in order to aim for non-entangling FADs. The criterion followed is based on the best practices guide adopted by ISSF, although some fleets, such as the US fleet, are showing some reluctance.

Regarding compliance with control measures and in particular the FAO Port State Measures Agreement (PSMA), they doubt its potential enforcement in certain contracting parties such as China who has objected to its adoption based on the increased bureaucratic and administrative burden.

On the other hand, Mexico made a proposal to increase observer coverage for longliners, with a phased, year by year approach and combining human and electronic observers. However, unfortunately, there was no consensus, exactly the same as what happened with the fins-attached policy, that is, the opposition of Asian countries with an affected longline fleet.

9. ICCAT – Atlantic Ocean

9.1 Preparation for the 21st extraordinary meeting of the ICCAT Commission (Dubrovnik, 10-19 November 2018).

9.2 Contributions and comments from the members to issue advice on the stocks at stake.

The EC representative, Ms Angela Martini, reports that they are holding meetings with Japan and the US, insisting on that the major issue is the overfishing of Atlantic bigeye (BET), and so the EU is stressing the importance of taking urgent recovery measures. In addition, she highlights the proposal on decreasing the number of FADs as well as the number of auxiliary supply ships. Finally, it is proposed to increase the closure period from 2 to 3 months for the purse-seine fleet as well as to extend it to the area represented by the Regulatory Area of the Convention.

ACTION

After a process of discussion, and in light of the disparity of views and comments between the representatives of the European purse-seine fleet and the NGOs, it is decided tacitly not to discuss this issue nor to draft any specific written advice on this issue to be addressed to the Commission, exceptionally. It is recalled that the LDAC member organizations have already expressed their positions at the preparatory technical coordination meeting with DG MARE, and it is agreed to reflect on the role of the LDAC in the future regarding the value of the contribution of LDAC to this RFMO.

10. IOTC - Indian Ocean

10.1 Conclusions of the 22nd Annual Session (Bangkok, 21–25/05/2018)

Ms Angela Martini, the representative of the EC, reports that there are two major issues: 1. Discussions on the criteria for allocation or distribution of fishing opportunities; and 2. The dysfunctional organization with a lack of political will regarding the gaps in data provision (lack of reports from the MS, lack of capacity ...) as well as a deficit in governance.

On a positive note, she stressed that this annual meeting improved the working environment among the contracting parties, and there were greater cooperation and dialogue *in situ*, which she believes to be a positive step forward in this regard.

Regarding the allocation criteria, no vote was taken and there already is an EU proposal; and the idea of hiring an independent consultant was approved, so it has not yet been determined who will do it.

They expect to be able to submit the results at the technical committee meeting on this issue that will be held in the month of March in Seychelles, to be eventually further discussed at the annual session.

They wish to engage in an ongoing dialogue, and it is very important for members to understand the impact of decisions at the local level. The decision to introduce a quota system for yellowfin tuna (YFT) based on scientific advice achieved results in how to use the quota in a more distributed way throughout the year, guaranteeing the supply of tuna.

On the other hand, with respect to sharks, she highlights that Mexico has proposed to include shortfin mako within the list of species in Annexe II of CITES. As for blue shark, she states that the EU has made a proposal to decrease blue shark catches. In the end, IOTC adopted a hardly ambitious proposal to improve catch reporting. The management of sharks is a clear example of the lack of action on the part of this RFMO.

10.2 Creation of an IOTC Working Group on the labour and socio-economic aspects of fisheries: follow-up on the LDAC Support Advice and EC reply.

Mr Alexandre Rodríguez, Executive Secretary, asked about the state of development of the IOTC Working Group on the labour and socio-economic aspects of fisheries.

The representative of the EC, Ms Angela Martini, replies that a consultancy firm has been hired to carry out the relevant study. She reports that they have already drawn up the terms of reference, and although it is not specifically stated, it could be attempted to link such aspects to certain areas.



ACTION:

The Secretariat will send Ms Angela Martini the exchange of correspondence between the LDAC and the Commission regarding the creation of a Working Group in IOTC on the labour and socio-economic conditions in the fisheries of the Indian Ocean.

11. WCPFC – Western and Central Pacific

11.1. News for the preparation of the 15th Annual Regular Session (9-14 December, 2018)

Mr Orlando Fachada, the representative of the EC, reports that there was a discussion on the Kobe process for the tuna RFMOs within the WCPFC, in which New Zealand and Australia showed general support, despite some reserves notably on the structure of the meeting and calendar.

He highlights that a meeting of the Compliance and Technical Committee was held, with implementation of Conservation and Management Measures as the main topic of discussion. For the EU fleet there are some problems remaining with VSM information provided to the secretariat. The next Annual Session will be held in Honolulu in the month of December. With regard to compliance it will deal, among others, with actions against vessels with unlicensed or IUU fishing activities and possible corrective measures on monitoring, control and surveillance by flag States.

On the other hand, he states that technical discussions were held on how to mitigate the impact of seabird catches, proposing the extension to 25° south of the zone of application of the current mitigation measures as well as an optional measure (protecting the hooks) that seems to be effective.

The Marshall Islands stated that, within the framework of the FAO Port State Management Agreement (PSMA), transhipments at sea should be banned. It was not clear if Marshall Islands intention is to oblige all fleets to conduct transhipments at port in order to have more effective control, preventing activities connected to illegal fishing and generating some socio-economic return through this activity or conduct transhipment in EEZ, not having any influence in terms of monitoring and control and probably aiming the payment of a fee to the coastal States. No agreement was reached on this proposal.

There was also a discussion on tropical tunas. No new measures of immediate adoption are expected this year. About FADs, the intention is to decrease their numbers and to make them non-entangling and biodegradable, although they are aware that regarding biodegradable FADs it is too early to make a proposal at this time, as more research is required regarding materials and their degradation.

Discussion and questions by the participants:



Mr Julio Morón, OPAGAC, asked if there was any mention to the proposal by Cook Islands to implement electronic observers on board purse-seine and longline vessels. He highlights that OPAGAC has already started a pilot program on the vessels that operate in this country.

The EC representative, Mr Orlando Fachada, replies that there were no relevant discussions on the subject but highlighted that there is a lack of transparency from coastal States regarding the observer reports from the observation campaigns. In fact, there are even difficulties for coastal States to share the reports by the human observers on board, which is essential to discuss compliance. In addition, he said that, some countries such as Australia have electronic observers on board for longline vessels, but no human observers.

Ms Sandra Jen, an observer from PEW, asks if the EU will make any recommendation regarding FADs at the annual meeting of the WCPFC.

Mr Fachada, EC, replies that the intention of the EU is to propose measures to adopt the use of non-entangling FADs. However, regarding limiting the number of FADs, they still do not have enough information to be able to make a specific proposal.

11.2. Member issues and identification of topics of interest.

Presentation of the Fisheries Improvement Program (FIP) “BLUES”

Mr Edelmiro Ulloa, ANAPA/ANAMER/ACEMIX/AGARBA, explains that the four existing surface longline producers' organizations in Galicia and Spain (OPROMAR, ORPAGU, OP-07-Lugo and OPPC-3 of ARVI) have established a FIP for the swordfish and blue shark fisheries. The Spanish surface longline representation is of 4 shipowners' associations accounting for 90% of the catches of these species by the EU fleet. In addition, the 13 companies that make up the Association Anecteam and which account for 80% of the EU supply chain have joined this initiative.

There are a total of 160 vessels that make up 95% of the total EU fleet targeting these species in the Atlantic, Indian and Pacific Oceans.

Their intention is to implement sustainable practices, with stricter sustainability standards, improving scientific knowledge in fisheries through greater scientific collaboration in order to ensure that European surface longline fisheries are more sustainable and accountable.

They hope to have the collaboration of the LDAC to advance in this important process to promote this initiative and others such as the MoU signed between Spanish and Japanese longline FOs to improve the management of these species.

ACTIONS:

- **The LDAC Secretariat will add the links to the information about the FIP BLUES presented at the meeting by Edelmiro Ulloa (ANAPA-ARVI) representing the Spanish surface longline fleet fishing for blue shark and swordfish .**

- **At the proposal of the Chair of WG1, Mr Ulloa will be invited to make an updated presentation of the FIP BLUES at the next WG1 meeting.**



12. Information on external meetings of interest for WG1 with member attendance.

There were no interventions on this item suggested by the President.

13. Place and date for the next meeting.

The Secretariat announced that the next meeting will take place in the month of March of 2019 in Brussels. Interested members and observers will be informed as soon as the exact date is confirmed.

BORRADOR



ANNEX I. LIST OF PARTICIPANTS

LDAC Working Group 1 Brussels, 23 October, 2018

WORKING GROUP 1 MEMBERS

1. Michel Goujon. ORTHONGEL
2. Julio Morón. OPAGAC
3. Despina Symons. EBCD
4. Marc Ghiglia. UAPF
5. Edelmiro Ulloa. Anapa / Anamer / Acemix / Agarba
6. Sergio López. OPP-Lugo
7. Rocio Bejar. CEPESCA
8. Juan Manuel Liria. CEPESCA
9. Iván López. AGARBA/CEPESCA
10. Beatrice Gorez. CFFA-CAPE
11. Luis Vicente. ADAPI
12. Georg Werner. EJV
13. Raúl Garcia. WWF
14. Daniel Voces. EUROPECHE
15. Juan Manuel Trujillo. ETF
16. Frédéric Le Manach. BLOOM
17. Vanya Vulperhorst. OCEANA

OBSERVERS

1. Angela Martini. (Kobe, IATTC, ICCAT, IOTC)
2. Orlando Fachada. (WCPFC – Western and Central Pacific)
3. Sandra Jen. Consultant for PEW Charitable Trusts
4. Stefaan Depypere. Kobe Steering Committee
5. Ylva Mattsson. Swedish Agency for Marine and Water Management
6. Josu Santiago. AZTI
7. Benoit Guerin. Consultant
8. Alexandre Rodríguez. LDAC Secretariat
9. Manuela Iglesias. LDAC Secretariat
10. Marta de Lucas. LDAC Secretariat