

2020 ICCAT Correspondence Decision-Making Process U.S. Delegation Report

2020 proposals and other documents: <https://www.iccat.int/com2020/index.htm#en>

2020 SCRS advice: https://www.iccat.int/Documents/SCRS/SCRS_2020_Advice_ENG.pdf

2021 meeting schedule: <https://www.iccat.int/en/Meetings.html>

Introduction: Due to the pandemic, ICCAT was unable to have an in-person annual meeting in 2020 and instead conducted essential business via correspondence. The highest priority was to extend expiring measures to avoid a lapse in management, given that the nature of the correspondence process did not allow for more complex discussions and negotiations that typically take place at the annual meeting. It was agreed that simple rollover measures would be tabled by the relevant Chairs unless new advice from the Standing Committee on Research and Statistics (SCRS) indicated an urgent situation. In any such case, the Commission could consider if something other than a rollover was needed and feasible. The decision-making process began on October 15, 2020, and ended on February 15, 2021, with the Commission adopting nine recommendations and one amendment to its rules of procedure. All 53 ICCAT members had the opportunity to engage in the correspondence process. In light of the United Kingdom's exit from the European Union in January 2020, the United Kingdom joined ICCAT in its own right, replacing its previous membership, which was only on behalf of its overseas territories. Vanuatu withdrew from ICCAT at the end of 2020.

The U.S. Delegation was headed by U.S. Commissioner Andrew Lawler (NOAA DAS for International Fisheries) until the change in Administration on January 20, 2021. Alternate Commissioner Alexa Cole stepped in to head the delegation after that time. The two private sector Commissioners, Ray Bogan and Glenn Delaney, participated on the delegation along with staff from NMFS, NOAA, DOS, and USCG. In addition, a number of stakeholder representatives from the commercial and recreational sectors, environmental NGOs, and academia participated on the U.S. delegation. While ICCAT's 2020 decision-making process was long and challenging, overall, the United States was satisfied with the outcomes given the circumstances. A summary of the key issues and decisions follows.

Tropical Tunas: Negotiations opened with the Panel 1 Chair's proposal for a new tropical tunas management measure (PA1-503). Throughout the debate, some Central American CPCs noted concerns regarding provisions related to the bigeye total allowable catch (TAC), fish aggregating device (FAD) deployment limits, and FAD closures. They called for a continuation in 2021 of the measures in place during 2020 despite the agreement reached in 2019 to implement more stringent measures in 2021 (a lower TAC, a smaller limit on FAD deployments, and a longer FAD fishing closure). Instead, with support from the United States, ICCAT adopted PA1-503A as [Rec. 20-01](#), which amends and extends those tropical tuna measures that were set to expire at the end of 2020, including, most notably, catch limits. Concerns were also raised related to fishing effort, observer coverage, supply vessel capacity, and transshipment language. Discussion of these issues will continue intersessionally. In that regard, a Panel 1 roadmap (PA1-511A) was adopted, with a minimum list of topics to be covered in 2021 during two

intersessional meetings. During the correspondence process, many CPCs expressed concerns with the purpose and intent of a bigeye tuna “catch limit table” proposed and tabled by the Chair (PA1-502). The document was revised but not adopted; it may be considered during Panel 1 intersessional discussions of bigeye tuna allocations. In view of those coming negotiations, the United States took the opportunity to reiterate that 1,575 t continues to be the appropriate catch limit for CPCs in the small harvester category established in Rec. 16-01 and that measures should be adopted to address overfishing and rebuild the stock within an appropriate rebuilding period.

Eastern Atlantic and Mediterranean Bluefin Tuna (EBFT): The SCRS was not able to conduct a reliable stock assessment for EBFT in 2020, and instead evaluated whether stock size indicators continue to support advice from the 2017 assessment. On this basis, the SCRS recommended that the TAC of 36,000 t be maintained for two years. [Rec. 20-07](#) was adopted, amending the previous EBFT management recommendation (Rec. 19-04) to extend all current conservation and management measures and maintain the 2020 TAC in 2021 and 2022. The 2022 TAC will be reviewed and may be amended, as appropriate, at the 2021 annual meeting, based on new SCRS advice. Fishing plans for 2021 will be reviewed for endorsement at the virtual Panel 2 intersessional meeting in March. The Panel will also discuss growth rates in farms, implementation of the EBFT regional observer program, and SCRS progress on the BFT MSE. In addition, a proposal to revise management recommendations based on improvements discussed at the 2020 Panel 2 intersessional meeting and the BFT Monitoring and Control Working Group Meeting will be presented and an intersessional review schedule will be discussed.

Western Atlantic Bluefin Tuna (WBFT): The SCRS conducted an update of the stock assessment for WBFT in 2020 and did not change the stock status from “no overfishing/rebuilding status unknown” but expressed concerns about projections of overfishing. The SCRS provided in its advice a number of management scenarios for a three-year projection period that addressed overfishing with at least a 50% probability by 2023 at the latest. The Chair and the United States both tabled proposals by the deadline set for the start of the first correspondence round. The Chair’s initial one-year proposal was based on SCRS management scenario 2, which called for a TAC of 1,785 t for 2021. The U.S. proposal was also for a one-year measure but it did not include a TAC level, in order to allow for the input and views of other CPCs given the wide range of TAC advice from the SCRS. An essential component of the U.S. proposal was the call for a new, full stock assessment in 2021 to incorporate some crucial data, data treatments, and information that was not available in time for the 2020 assessment, in particular regarding recruitment indices. Most western harvesters supported the call for a new assessment but some CPCs, particularly certain eastern harvesters, expressed concern about the precedent of conducting a new assessment so soon after the last one, the workload implications for the Secretariat, SCRS, and CPCs, and the possible negative impact on the SCRS’ BFT management strategy evaluation (MSE) work. With regard to the question of which management scenario to follow when setting the TAC for 2021 and potentially future years, views differed, but the nature of the correspondence decision making process made negotiations very challenging.

Ultimately, the various issues in play became tied together into a package, and late into the third

and final correspondence round, ICCAT adopted a compromise text ([Rec. 20-06](#)). This recommendation extends the expiring measures of Rec. 17-06 and includes a commitment to reduce the TAC in 2022 and 2023 to address overfishing based on the current best available scientific advice and management scenario 3 analyzed in the assessment. The measure calls for a new, full WBFT stock assessment to take place in 2021; CPCs are encouraged to provide data through 2020 and have been engaging through the SCRS Bluefin Tuna Abundance Indices Subgroup, focused on improving indices, including those reflecting recruitment. Given the relationship between recruitment and catch advice under an $F_{0.1}$ management strategy, having the best available recruitment-related data inputs for use in the assessment is critical. This will ensure the Commission has the most robust scientific information possible when it again considers conservation and management measures for WBFT at the 2021 annual meeting. At the same time, the important work of SCRS on BFT MSE will not be negatively impacted by the new assessment and the conservation and management measures in Rec. 17-06 will continue.

North Atlantic Albacore: Working from the Chair's proposals, Panel 2 adopted two complementary recommendations: [Rec. 20-03](#) extends expiring provisions of the northern albacore conservation and management plan (Rec. 16-06) for one year, and [Rec. 20-04](#) extends Rec. 17-04 for one year, applying the interim harvest control rule (HCR) to obtain a TAC of 37,801 t for 2021. Consistent with scientific advice, this represents a 12.5% increase from the prior TAC; a pro-rata increase in allocations was applied for 2021, including for those minor harvesters not on the allocation table and for Japan's NALB bycatch limit, without establishing a precedent for future years or other fisheries. At its 2021 meeting, the Commission will consolidate relevant provisions of the NALB recommendations into a single measure, with review of the interim HCR and possible adoption of a management procedure. Further discussion of an exceptional circumstances protocol will take place intersessionally in 2021.

South Atlantic Albacore: Results of the 2020 South Atlantic albacore assessment suggest biomass has increased; there is a high probability that the stock is neither overfished nor subject to overfishing. The Chair of Panel 3 circulated a proposal to extend the provisions of Rec. 16-07 through 2021; this was adopted as [Rec. 20-05](#). Many Panel 3 members requested to carry 2019 underharvests forward to 2021. The Chair provided a summary of approved requests.

North Atlantic Swordfish: Morocco submitted a proposal that provides for quota transfers from Japan, Taiwan, and Trinidad and Tobago to Morocco in 2021, totalling an additional 195 t in quota. [Rec. 20-02](#) was adopted, amending Rec. 19-03.

Shortfin Mako: Although the SCRS recommended a "no retention policy" as its management advice for shortfin mako, the United States subsequently has clarified that needed reductions in fishing mortality likely cannot be achieved through a no retention policy alone. Consistent with this position, the United States submitted proposal PA4-805, designed to support rebuilding of North Atlantic shortfin mako, with an initial requirement for no retention across the board and science-based reductions in individual CPC catches, as well as gear modifications (nylon monofilament leaders and large circle hooks in longline fisheries) and best practices for safe handling and release. Under the U.S. approach, CPCs would be responsible for achieving their required catch reductions, thus keeping overall fishing mortality at the specified, scientifically based level, with flexibility to allow some retention for CPCs that meet their obligation to reduce

mortality. The United States emphasized that it has been able to achieve needed reductions through these measures in its fisheries. Canada submitted proposal PA4-806 with several co-sponsors, which would prohibit retention and sale of North Atlantic shortfin mako and require prompt release of shortfin mako unharmed, also proposing a TAC for South Atlantic shortfin mako. The European Union submitted proposal PA4-804, which would require live release of North Atlantic shortfin mako and establish a TAC of 500 t with allocations based on reported 2015-19 catches.

Following two rounds of correspondence, consensus could not be reached, and none of these proposals were adopted; [Rec. 19-06](#) remains in force. The United States submitted a paper on best practices for reducing total mortality of North Atlantic shortfin mako (PA4-807) which described measures and practices adopted in the United States that led to significant North Atlantic shortfin mako catch reductions through 2019. An intersessional meeting of Panel 4 is scheduled for July 2021 to continue discussion of North Atlantic shortfin mako.

Compliance Committee (COC): The United States chairs the COC and was heavily involved in all phases of the correspondence process. Documents available for review included annual reports (COC-301), shark and billfish check sheets (COC-314 and COC-315), and compliance tables (COC-304). The United States noted numerous instances where Task I data and compliance tables did not match, and highlighted specific reporting issues for many CPCs. COC-318 Appendix 1 detailed specific questions to CPCs regarding compliance matters. The United States expressed concern about the apparent underreporting of North Atlantic shortfin mako by CPCs with large-scale longline fisheries and the underreporting of recreational catches for blue and white marlin. Regarding bigeye tuna, the United States had concerns with the way that CPCs without a hard catch limit under Rec 19-02 paragraph 4(d) were represented in the compliance tables. All compliance tables were eventually finalized and adopted.

Another concern of the United States was the implementation of paragraph 31 of Rec. 19-02, which requires CPCs with FAD fisheries to submit historic FAD use data by July 31, 2020. Failure to do so should have resulted in prohibition of setting on FADs until those data were received. The Secretariat failed to relay supporting information to the COC Chair or CPCs, making it difficult to ascertain which CPCs should be subject to FAD fishing prohibitions. The Chair highlighted the need for the Secretariat to work in coordination with the Chair so that this provision of Rec. 19-02 can be appropriately implemented.

In response to their 2019 identification letter, El Salvador claimed to not have been identified and attempted, unsuccessfully, to undermine this decision by altering the record. Despite this problematic behavior, El Salvador's identification was lifted due to some improvement on reporting issues. Identification was maintained for Costa Rica, Guinea-Bissau, Guyana and the Republic of Guinea, for issues including lack of reporting or late reporting. Namibia was newly identified for the overharvest of blue marlin. The cooperating status of non-members Bolivia, Chinese Taipei, Costa Rica, Guyana and Suriname was renewed; Colombia's cooperating status was not renewed given concern that they were not living up to their responsibilities as a cooperating party. This issue will be reviewed in 2021.

Permanent Working Group for Improvement of Statistics and Conservation Measures (PWG): Issues considered by the PWG included a Chair's proposal to extend the electronic bluefin catch document (eBCD) derogations in Rec. 17-09, forms related to reporting information on abandoned, lost, or otherwise discarded fishing gear under Rec. 19-11, and the draft list of vessels engaged in illegal, unreported, and unregulated (IUU) fishing. The Chair deferred all other issues to a 2021 intersessional meeting of the Integrated Monitoring Measures (IMM) Working Group. Several CPCs (EU, Japan, Norway, Morocco) expressed support for extending eBCD derogations for another year. The United States asked for additional information from the EU on their implementation of the derogations to better assess their implementation and impact. The EU provided some additional information, and the United States eventually agreed to the extension of these provisions ([Rec. 20-08](#)).

The first draft of the IUU vessel list included the Senegal-flagged F/V MARIO NO 11 (proposed for listing by the United States), the Gambia-flagged F/V SAGE, the Bolivian-flagged vessel COBIJA, the Colombian-flagged vessel HALELUYA, and a number of vessels cross-listed from other RFMOs, among other previously-listed vessels. The SAGE was identified as the already IUU listed vessel CHIA HAO NO 66 (cross-listed from the IATTC). Bolivia demonstrated that the COJIBA (previously named CAPE FLOWER) was fraudulently flying its flag. Despite Senegal's request to record the FV MARIO NO 11 as having an unknown flag, it will remain listed as Senegal-flagged, to be reconsidered when its de-registration can be confirmed. With these adjustments the IUU vessel list was adopted. The issue of cross-listing IUU vessels will be discussed at an intersessional meeting of the IMM working group in 2021.

Finance and Administration: The Commission approved its 2021 budget, with a 1.25% increase from the biennial budget agreed the previous year. The agreed total reflected the Commission's earlier agreement to gradually incorporate core functions under the regular budget, including the priority science activities proposed by the SCRS, and also funds two important IT-related initiatives. The Commission also clarified the existing rules applicable to developing States who need financial assistance to attend ICCAT meetings through adoption of [Rec. 20-09](#), which amended Rec. 14-14 (Recommendation by ICCAT on the Establishment of a Meeting Participation Fund for Developing ICCAT Contracting Parties), and complementary changes to its rules of procedure for the Meeting Participation Fund ([20-10](#)). To enhance its relationship with other intergovernmental organizations, the Commission agreed to develop letters of cooperation with the Western Central Atlantic Fisheries Commission and the General Fisheries Commission for the Mediterranean, under the umbrella of ICCAT's existing Memorandum of Understanding with the Food and Agriculture Organization of the United Nations.

2021 Meetings: ICCAT established a busy schedule for 2021. Intersessional meetings of Panels 1, 2, and 4 are planned and may be held in person if conditions allow. In addition, the IMM, Online Reporting, and Port Inspection Experts working groups as well as two Virtual Working Groups (Sustainable Finances and Review of Rules of Procedures) and the eBCD Technical Working Group will meet intersessionally this year. IMM may also meet in person if conditions allow. Several of these meetings will have a correspondence period leading up to them with a view to progressing issues as much as possible before the start of any virtual or in person meeting. Subsidiary bodies of the SCRS will hold a full schedule of meetings throughout 2021.

While most are scheduled to be held virtually, they will be converted to in person meetings if possible. The next ICCAT annual meeting will take place from November 15-22, 2021, to be hosted in person in Europe, if possible. Just prior to the annual meeting there will be a special two-day Compliance Committee session and a special Panel 2 meeting on BFT MSE. The ICCAT meeting calendar can be found on the ICCAT website: www.iccat.int/meetings.