

**REPORT OF THE INTER-SESSIONAL MEETING OF PANEL 2
TO ESTABLISH AN ALLOCATION SCHEME FOR EASTERN
ATLANTIC AND MEDITERRANEAN BLUEFIN TUNA**

(Tokyo, Japan- January 29 to 31, 2007)

1. Opening of the Meeting

The meeting was opened by the Commission Chairman, Dr. William Hogarth (United States of America), who welcomed participants. The Panel 2 Chairman, Mr. Julien Turenne (EC-France) chaired the meeting.

The List of Participants is attached as **Appendix 1**.

2. Adoption of Agenda

The Agenda was adopted without change and is attached as **Appendix 2**.

3. Appointment of Rapporteur

Ms. Miwako Takase (Japan) and Ms. Kelly Denit (United States) were appointed Rapporteurs.

4. Allocation of Fishing Possibilities for Bluefin tuna in the Eastern Atlantic and Mediterranean Sea for the period 2007-2010

The Panel decided to limit the session to Panel 2 members, although Chinese Taipei and Syria were allowed to attend. The Chairman clarified the status of Syria, noting it became an ICCAT Contracting Party before the 2006 annual meeting but had not joined Panel 2. Therefore, Syria was allowed to attend the meeting as an observer.

Several Parties expressed concern regarding the present situation of no agreed country-specific allocations of eastern Atlantic and Mediterranean bluefin tuna although a reduction of the TAC was agreed to at the 2006 annual meeting. Parties expressed their strong intention to reach a solution on this matter and stressed that the allocations should be decided by consensus, following ICCAT's usual practice, and all Parties should cooperate and sacrifice for this purpose.

The Parties exchanged views on the criteria to determine the allocations of eastern Atlantic and Mediterranean bluefin tuna. One Party asked for clarification on what criteria would be used for the negotiation. The Parties reached general agreement that ICCAT's Allocation Criteria and the base quota presented in the previous (2002) Eastern Atlantic and Mediterranean Bluefin Tuna Management Plan should serve as the starting point for discussion.

One Party expressed dissatisfaction with the use of the allocation in the previous plan as the basis for discussion because in their view that allocation did not reflect their real interest since they did not participate in the 2002 negotiations. Another Party disagreed with the use of the previous allocations as a base because in their view the previous allocations did not take their historical catches into account.

One Party expressed concern that ICCAT's allocation criteria has no mention of how to accommodate requests by new fishing States, particularly for coastal States, as is provided for in the UN Fish Stocks Agreement. It was noted that new entrants would be accounted for, to the extent possible.

After a meeting of the Heads of Delegations, a proposal was presented by Japan (see **Appendix 3**). Many Parties supported the proposal. However, Libya and Turkey expressed their dissatisfaction with their allocation in Japan's proposal. They did not join consensus to adopt the Japanese proposal. Libya submitted its own proposal (see **Appendix 4**).

The Panel discussed the options for adopting the allocation table and decided that adopting the proposal as an Appendix to the *Recommendation by ICCAT to Establish a Multi-Annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 06-05] was appropriate. The Panel further agreed that the

recommendation agreed to by the Panel was subject to approval by the Commission.

A revised Japanese proposal (**Appendix 5**) was motioned to vote by roll call. Of the 19 members of the Panel, 15 members participated in the meeting and therefore there was a quorum for voting. The proposal was adopted and the roll call results were as follows:

Affirmative (13): Algeria, Canada, China (People's Rep.), Croatia, European Community, France (St. Pierre & Miquelon), Iceland, Japan, Korea (Rep.), Morocco, Norway, Tunisia, United States.
Negative (2): Libya, Turkey.

Norway explained that in the light of the present stock situation it was their intention to set their quota aside for conservation purposes for the time being. However, if the stock were to recover in the future, the provisions relating to closed fishing seasons in the Multi-Annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and the Mediterranean would prevent Norway from using its right to fish bluefin tuna in waters under Norwegian fisheries jurisdiction. In fact, point 15 of this Recommendation establishes a closure of the fishing season for purse seiners in the East Atlantic from July 1 to December 31, whereas bluefin tuna is traditionally present in Norwegian waters from July until the end of October. Norway therefore sought ICCAT's advice on how to resolve this problem. In the absence of a solution Norway would have to consider, from a legal point of view, how to deal with the situation.

Turkey and Libya stated their disappointment with the decision and intention to lodge their formal objections. Turkey stated that the adopted quota did not reflect their historical catch and declared an autonomous catch limit of 2,877 t in 2007, based on their catch amounts of 1994, with decreases in the subsequent years following the TAC reduction. Libya also stated their dissatisfaction with the allocation because the adopted allocation did not reflect their right and sovereignty to their water and fish. Libya declared an autonomous catch limit of 2,235 t in 2007, 1,998 t in 2008, 1,929 t in 2009, and 1,833 t in 2010.

Syria made a statement and asked it be included in the record.

Statements are included in **Appendix 6**.

Korea recalled their position as regards to the question on bluefin tuna management through Resolution 01-25, as well as the discussions maintained in the 13th Special Meeting of the Commission, held in 2002, where Korea expressed its will to collaborate with Contracting Parties on the basis of a consensus. Korea underlined its historical quota which went from 1,5% to 2,1% and accepted the quota share approved for the 2007-2010 period. However, Korea clarified that after this period it would maintain its quota interval without making any type of concession.

The Chair concluded that the Panel 2 had adopted an allocation of the TAC of eastern Atlantic and Mediterranean bluefin tuna. Following the Recommendation adopted at the Dubrovnik meeting, this should be notified to the ICCAT Contracting Parties for adoption by the Commission.

5. Other matters

During the meeting, Libya presented objections to the *Recommendation by ICCAT to Establish a Multi-Annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 06-05] and the *Recommendation by ICCAT Establishing a Program for Transshipment* [Rec. 06-11], which were distributed to participants. The Executive Secretary explained that these objections would be circulated to all Contracting Parties during the week following the meeting.

No other matters were discussed.

6. Adoption of the Report and adjournment

It was agreed that the Report would be adopted by correspondence. The Panel thanked the Chair, Secretariat and interpreters for their hard work over the course of the meeting. The meeting was adjourned.

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Appendix 2

Agenda

1. Opening of the Meeting
2. Adoption of Agenda
3. Appointment of Rapporteur
4. Allocation of Fishing Possibilities for Bluefin Tuna in the East Atlantic and Mediterranean Sea for the period 2007-2010
5. Other matters
6. Adoption of the Report and adjournment

Appendix 3

Proposal by Japan on the Appendix to Recommendation by ICCAT to Establish a Multi-Annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean [Rec. 06-05]

In accordance with paragraph 8 of Recommendation [06-05], the allocation scheme is established as follows:

	2007	2008	2009	2010
Algeria	1,514.92	1,463.57	1,412.22	1,309.51
China (People's Republic)	65.94	63.71	61.47	57.00
Croatia	864.40	835.10	805.79	747.19
European Community*	16,820.10	16,249.92	15,679.75	14,539.41
Iceland	53.47	51.66	49.84	46.22
Japan	2,521.90	2,436.41	2,350.92	2,179.95
Korea	106.94	103.31	99.69	92.44
Libya	1,283.23	1,239.73	1,196.23	1,109.23
Syria	53.47	51.66	49.84	46.22
Morocco	2,831.12	2,735.15	2,639.18	2,447.24
Norway	53.47	51.66	49.84	46.22
Tunisia	2,339.22	2,259.92	2,180.63	2,022.04
Turkey	920.54	889.33	858.13	795.72
Chinese Taipei	71.29	68.87	66.46	61.62

*Fishing possibilities for EC-Malta and EC-Cyprus as follows:

- 2007: 356.45 tonnes and 155.06 tonnes, respectively,
- 2008: 344.37 tonnes and 149.80 tonnes, respectively,
- 2009: 332.29 tonnes and 144.54 tonnes, respectively,
- 2010: 308.12 tonnes and 134.03 tonnes, respectively.

Appendix 4

Proposal by Libya on the Appendix to Recommendation by ICCAT to Establish a Multi-Annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean [Rec. 06-05]

For the sake of consensus, Libya proposes the following figures to be used as the base for quota allocation:

Algeria	1615
China (People's Rep.)	70.3
Croatia	921.5
EC	17385.95
Iceland	57
Japan	2688.5
Korea	
Libya	2235
Maroc	3018.15
Tunisia	2493.75
Chinese Taipei	76
Turkey	1883.55
Malta	380
Cyprus	165.3
Syria	57
Norway	57

Revised proposal by Japan on the Appendix to Recommendation by ICCAT to Establish a Multi-Annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean [Rec. 06-05]

In accordance with paragraph 8 of the *Recommendation by ICCAT to Establish a Multi-Annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 06-05], an allocation scheme for a four-year period, starting in 2007, shall be established by ICCAT as follows:

	2007	2008	2009	2010
Algeria	1,511.27	1,460.04	1,408.81	1,306.35
China (People's Republic)	65.78	63.55	61.32	56.86
Croatia	862.31	833.08	803.85	745.39
European Community*	16,779.55	16,210.75	15,641.95	14,504.35
Iceland	53.34	51.53	49.72	46.11
Japan	2,515.82	2,430.54	2,345.26	2,174.69
Korea	177.80	171.77	165.74	153.69
Libya	1,280.14	1,236.74	1,193.35	1,106.56
Syria	53.34	51.53	49.72	46.11
Morocco	2,824.30	2,728.56	2,632.82	2,441.34
Norway	53.34	51.53	49.72	46.11
Tunisia	2,333.58	2,254.48	2,175.37	2,017.16
Turkey	918.32	887.19	856.06	793.80
Chinese Taipei	71.12	68.71	66.30	61.48

*Fishing possibilities for EC-Malta and EC-Cyprus as follows:

2007: 355.59 tonnes and 154.68 tonnes, respectively,

2008: 343.54 tonnes and 149.44 tonnes, respectively,

2009: 331.49 tonnes and 144.20 tonnes, respectively,

2010: 307.38 tonnes and 133.71 tonnes, respectively.

Statement by the Libya to the Inter-sessional Meeting of Panel 2

The Libyan Delegation draws the attention of distinguished delegates to the following:

1. Due to the sanctions imposed on Libya during the 1990s, Libyan delegations were not able to participate in some important ICCAT meetings where quota allocation was decided. This led to depriving Libya from its rightful and legal share of quota as an active CPC according to the Commission's Constitution.
2. We are deeply disappointed that the decision was taken by our fellow partners who took advantage of our absence and made such unjust, inequitable and unfair allocation.
3. Libya expressed its disappointment to the previous quota allocation. During the Commission's meeting in Dubrovnik, we explained our position and would refer to document COC-148/2006 presented by the Secretariat attached with relevant objection documents.
4. Libya was never considered as an IUU State.
5. Libya strongly requests compensation on the last four years unjust quota and looks forward to all fellow members to support this request.
6. By all means, Libya will not accept the use of the previous quota allocations as a base for future quota allocation and believes that it is unfair to build the future on such unjust arrangements. We can not accept any unfair quota allocation twice.
7. Due to Libya's strategic geographical position in the Mediterranean sea characterized with rich BFT fishing grounds, its fleet capacity and manpower skills specialized in BFT fishing operations has been considerably developed.
8. Taking into consideration all the above points, Libya's quota for the years 2007-2010 should be 2,235, 1,989, 1,929, and 1,833 t respectively.

Statement by the Syrian Arab Republic to the Inter-sessional Meeting of Panel 2

The quota allocated by Panel 2 for the Syrian Arab Republic, equaling 60.00 tons as a base, which is ten times less than the actual Syrian catch of bluefin tuna, this quota has been accepted by the Syrian Arab Republic owing to the fact that the Syrian Arab Republic is not, at the time being, a member of Panel 2. This acceptance should not, in any case, be taken as a base for future quota allocation after the admission of Syria in the Panel 2.

With this low figure allocated to the Syrian Arab Republic, we will most probably use the catch for local consumption rather than for export.

Statement by Turkey to the Inter-Sessional Meeting of Panel 2

Taking into consideration the situation of the traditionally fishing countries, parties to the ICCAT, Turkey is fully aware of the poor status of Bluefin tuna stocks and takes all necessary measures within the Multi-annual Recovery Plan.

The Turkish Delegation has expressed its concerns regarding the decisions taken in Panel 2 during the ICCAT meeting held on 29th and 31st January 2007 in Tokyo regarding the fixing of quota allocations for East Atlantic and Mediterranean Bluefin tuna.

The Turkish Delegation would like to reiterate its concerns to the ICCAT members as follows:

- It would be recalled that during the Dublin meeting in 2002, the allocation of quotas among the member countries of the ICCAT was decided to be determined in accordance with the catch figures of the respective countries for the years 1993 and 1994.
- Turkey duly provided the ICCAT Secretariat with the catch figures for this period and also continued regularly presenting annual figures to the Secretariat every year.
- However, it was regretfully observed that the relevant provisions of “ICCAT Resolution on Allocation Criteria for Fishing Possibilities” to which Turkey has referred to during the Tokyo meeting have not been taken into consideration
- Moreover, the scientific evidences and advices by the SCRS were not referred to either in the previous meetings or in Tokyo Panel 2 meeting. Turkey expects that the scientific facts and reports of SCRS would also be taken duly into account.
- Hence, Turkey calls on all the ICCAT Parties to oppose to redefinition of and deviation from the relevant ICCAT decisions, and to take all necessary measures with a view to ensuring their implementation.

Turkey would continue to support the implementation of the Recovery Plan for the conservation of the stocks and expects that fair and equitable quota allocations, taking into consideration the above-mentioned principles, should be made without further delay.