

Original: English

## U.S. QUESTIONS AND COMMENTS RELATED TO SPECIFIC CPCs' COMPLIANCE MATTERS

**Compliance tables:** The United States noted that there are a number of areas in which the compliance tables do not match Task 1 data or where expected entries in the compliance tables are missing. The United States encourages the Secretariat to work with CPCs to resolve these discrepancies, including the following: Canada (western bluefin tuna), Côte d'Ivoire (North Atlantic swordfish), EU (blue and white marlin), Liberia (North Atlantic swordfish and blue marlin), Mauritania (North Atlantic swordfish), São Tomé & Príncipe (blue and white marlin), Senegal (North Atlantic swordfish and blue and white marlin), and Venezuela (northern albacore, North Atlantic swordfish and blue and white marlin). Regarding the difference noted in the *Compliance Summary Tables* [COC\_308A] between U.S. blue marlin and white marlin/roundscale spearfish data as reported in Task 1 vs the compliance tables, the reason for this difference is simple. The U.S. Task 1 data submission for marlin appropriately reflects landings and discards by weight. On the other hand, we appropriately report landings data by number of fish in our compliance tables, not weight. This approach is fully consistent with the *Recommendation by ICCAT on Improvement of Compliance Review of Conservation and Management Measures Regarding Billfish Caught in the ICCAT Convention Area* [Rec. 18-05] and the *Recommendation by ICCAT Amending the Recommendation 18-02 establishing a multi-annual management plan for bluefin tuna in the eastern Atlantic and the Mediterranean* [Rec. 19-04]; the U.S. landings limit specified in those Recommendations is 250 t recreationally caught blue marlin and white marlin/roundscale spearfish combined. The difference in the Task 1 and the compliance table figures, therefore, does not reflect a discrepancy. Rather, the calculation done by the Secretariat in the *Compliance Summary Tables* [COC\_308A] comparing numbers of fish landed to tonnage caught is in error.

**Belize:** The United States was pleased to read in its response to the Compliance Committee Chair that Belize is undertaking an internal MOU to collect better data on fisheries for ICCAT species within its EEZ. It is critical that CPCs provide data and apply ICCAT's management measures in all fisheries, both inside and outside their EEZs and for commercial, recreational, and artisanal fisheries. Given substantial landings of Atlantic swordfish and yellowfin tuna captured via longlines, we seek clarification from Belize on the lack of 2019 Task 1 data for blue marlin, white marlin and roundscale spearfish.

**Cabo Verde:** [COC\_317] indicated Porto Grande has a high volume of port activity with unknown purpose, and a lack of reports through the ROP program or in-port transshipment reporting. The United States supports the Recommendation in this document [COC\_317] for increased port inspection controls and measures in Porto Grande to ensure compliance to transshipment and landing controls. The United States requests Cabo Verde provide additional information on Porto Grande activities to inform that discussion.

**China:** The United States requests an explanation from China as to why no Task 1 data was submitted for North or South Atlantic shortfin mako. An updated shark Check Sheet was not submitted by China and thus, the United States was unable to assess why no data were submitted, which would have otherwise been addressed in response to *Recommendation by ICCAT on the conservation of North Atlantic stock of shortfin mako caught in association with ICCAT fisheries* [Rec. 19-06], paragraph 10.

**Côte d'Ivoire:** The United States noted the large increases in Côte d'Ivoire's landings for a number of species particularly for sailfish. The United States would appreciate an explanation from Côte d'Ivoire of the reasons behind these increases, such as changes in fishing practices or data collection methods.

**El Salvador:** El Salvador's response to their 2019 Identification letter is concerning. The record from last year's meeting clearly reflects the Commission decision to identify El Salvador under Rec. 06-13. Any effort to alter retroactively that decision inevitably undermines the integrity of ICCAT's compliance process and the work of the Commission as a whole. The United States insists that El Salvador accept the clear and unquestionable outcome of the 2019 Commission meeting on this matter - a meeting in which they participated. The United States also takes note that El Salvador appears once again to have not taken steps to show that it endeavored to remain within the 2019 bigeye tuna limit of 1,575 t, reporting a catch of 2,464 t for 2019. In the context of El Salvador's response to the Commission's letter of identification, we are concerned that this may indicate an intentional disregard of the requirement to endeavor to stay within that limit. This situation is made all the more troubling given the poor status of bigeye tuna. We would greatly appreciate clarification from El Salvador of this situation and details on what measures it has put in place to control its harvests in line with the terms of *Recommendation by ICCAT Concerning Trade Measures* [Rec. 06-13].

**EU:** In addition to discrepancies in the blue marlin and white marlin data reported to Task 1 compared to the compliance tables, it is not clear that the EU is implementing a repayment plan for overharvest of white marlin in 2014-2016. The EU states that they will “undertake to compensate the overharvest for 2016 by reducing white marlin catch to zero for the years 2017, 2018, 2019 and 2020,” however, landings are reported in 2017-2019, including 9 t of white marlin landings by Spain reported in Task 1. Additionally, the EU white marlin landings limit was already reduced by 22.4 t each year in 2018-2020 to payback overharvest in 2015. We would like to ask the EU to provide an explanation with regard to these matters.

In regards to the Shark Check Sheet, the EU states they allow retention of North Atlantic shortfin mako under the authority of Rec. 19-06 paragraph 3. We seek clarification on this response so that the COC can understand which specific provisions of the recommendation EU is implementing and how they are doing so. In that regard, more detailed information about the extent of observer and/or electronic monitoring coverage for this fleet is requested. Additionally, we seek clarification on how the EU implements minimum size requirements as stated in response to Rec. 19-06, paragraph 4.

**The Gambia:** The United States notes that The Gambia, a new Member of the Commission, has missed a number of critical reporting requirements. In addition, the IUU listed vessel *Sage* is operating under The Gambia's flag. We encourage The Gambia to work to improve its adherence to ICCAT's reporting requirements. The United States also noted that no vessels flagged to The Gambia appear on ICCAT's authorized vessel list (established per *Recommendation by ICCAT concerning the Establishment of an ICCAT Record of Vessels 20 meters in Length Overall or Greater Authorized to Operate in the Convention area* [Rec. 13-13]) and would like to inquire whether that is an oversight or whether The Gambia does not currently flag any vessels that are 20 m LOA or greater.

**Japan:** In *2019 Compliance tables received in 2020* [COC\_304A], it appears that Japan is claiming a quota carry forward of North Atlantic swordfish that exceeds the maximum allowed under *Recommendation by ICCAT Amending the Recommendation for the Conservation of North Atlantic Swordfish, Rec. 16-03* [Rec. 17-02]. We understand the rules to only allow a carry forward of up to 126.3 t based on Japan's initial quota allocation. We also seek clarification of why Japan answered “No” to Rec. 19-06, paragraph 1, in the Shark Check Sheet, as live North Atlantic shortfin mako should be released in a manner that causes the least harm independent of allowing retention of dead shortfin mako under paragraph 3.

**Korea:** Based on Korea's Shark Check Sheet, it is unclear to us whether retention of North Atlantic shortfin mako is required or prohibited by Korea, and we request clarification of this matter. We also seek clarification as to why no discard data in 2019 was reported for the North Atlantic shortfin mako.

**Liberia:** [COC\_317] states that Liberia's carrier vessel fleet had the highest number of high seas loiterings with no regional observer onboard and questions whether unreported transshipments were occurring. The United States requests information from Liberia regarding how it monitors the activities of its carrier vessels while on the high seas and why there is a large instance of loitering by these vessels.

**Morocco:** We would like to seek clarification on two issues from Morocco. We noted that the 2019 Task 1 tables in the SCRS report do not include data on discards of North Atlantic shortfin mako for Morocco, yet Morocco's Shark Check Sheet indicates that these data have been submitted (see Shark Check Sheet response to Rec. 19-06, paragraph 10). Regarding Rec. 19-05, paragraph 9, Morocco reports that dead discards are prohibited for blue and white marlin. Given that, we would expect to see landings by Morocco reported to SCRS. There are, however, no reported landings for Morocco in the 2019 Task 1 data for either species. We would appreciate it if Morocco would clarify this situation.

**Mauritania:** The United States noted that Mauritania is not reporting catches of North Atlantic swordfish in its compliance tables or Task 1 data but is receiving quota transfers from some CPCs. We would like to confirm whether Mauritania is actively fishing for this species.

**Panama:** We noted that Panama did not report blue marlin catch in either its compliance tables or Task 1 data. Given past catches and overharvests of this species by Panama, we would like to confirm whether Panama has, in fact, eliminated all catches of blue marlin in 2019 or if reporting of the catch data has been delayed.

**Senegal:** The United States noted that Senegal's compliance tables did not seem to take into account transfers in place for North Atlantic swordfish. The United States also notes a number of concerns related to the activities of current or former Senegal-flagged vessels and would like to express concern related to apparent difficulties being encountered by Senegal with regard to the fulfilment of its flag State responsibilities.

**St. Vincent and the Grenadines:** COC\_317 provides information about an at-sea encounter between two vessels flagged to St. Vincent and the Grenadines, one of which may have been a carrier vessel and the other, which was a longline vessel. This encounter may have been a transshipment at sea but it was not reported through the ROP. This is the second time such activity has been reported, and, as it would be outside ICCAT's rules on transshipment, a recommendation that ICCAT strengthen its transshipment rules to better discern and control transshipment activity has been made. The United States requests additional information from St. Vincent and the Grenadines on the rules it has in place and the steps it takes to monitor potential transshipment activities of its flagged vessels.

**Chinese Taipei:** In response to Rec. 19-06, paragraph 10 in the Shark Check Sheet, Chinese Taipei indicated that they reported the "number of dead discards and live releases" of North Atlantic shortfin mako, and that Chinese Taipei no longer allows the retention of this species. However, given our understanding of Chinese Taipei's fisheries, we would expect the level of discards to be much higher. The United States requests an explanation of how these estimates are determined.

**Colombia:** The United States recalls the discussions from 2019 when the Commission was considering granting Cooperating status to Colombia and particularly the request for additional information on its fishing interests and management regime. We also take note of the Secretariat's request for information on Colombia's access agreements. In response to these matters, we request Colombia to provide all relevant information to the Commission without delay. This request includes an update on the status of the development of Colombia's tropical tuna fishery as notified to Panel 1 earlier this year.