

Original: English

LETTER FROM PA2 CHAIR ON EASTERN ATLANTIC AND MEDITERRANEAN BLUEFIN TUNA STOCK
ON WAY FORWARD

(ROUND 3 OF CORRESPONDENCE PERIOD)

December 4, 2020

Dear Panel 2 members:

I hope this letter finds you and your family fine under such difficult circumstances.

Further to my previous letters, **this letter deals with the eastern Atlantic and Mediterranean BFT stock (EBFT) only**. Since we are going into the third round of discussion, we are supposed to finish discussion. For this purpose, I would like to propose the following.

1. TAC

In response to PA2-609, the United States said that the Recommendation shall clearly stipulate that the TAC shall not exceed 36,000 t for 2022, given serious uncertainties involved in the EBFT assessment. Then, I explained in my previous letter that I simply had copied the last paragraph of "*Management recommendations*" in the 2020 SCRS Advice to the Commission and suggested keeping my original text, which resulted in PA2-609A. In response, the United States initially maintained its position, but later withdrew it.

2. Allocations

In response to PA2-609, Russia requested Panel 2 Members to reconsider the possibility of allocation and I sought the views of Panel 2 Members on this request in my previous letter. Unfortunately, EU and Japan supported my original suggestion that the request for allocation from Russia (and possibly Namibia) be discussed at the 2021 Commission meeting, and no CPCs expressed support to the request. I will report to the plenary that there was no consensus on the allocation request from Russia and thus the request will be discussed at the 2021 Commission meeting.

The European Union expressed concern again about the last sentence of para 5, "*The allocations shall be reviewed and amended, as appropriate, at the 2021 Commission annual meeting.*" Although I do not necessarily understand the reasons for the concern, Panel 2 should not take so much time on this issue. Since the purpose of this sentence is to assure that the allocation request from Russia and Namibia will be discussed at the 2021 Commission meeting and I will report this to the plenary, I suggest deleting the sentence.

Regarding the request of Korea and Chinese Taipei to revive the last sentence of paragraph 5 in Rec. 19-04 that has been deleted, I did not do so because paragraph 10 allows them to make such transfer without approval of the Commission as long as they follow the procedure contained therein. Korea and Chinese Taipei did not make any comment on this suggestion, but the United States does not agree to this interpretation and requested to reinstate the sentence. I must point out that paragraph 15 of *Recommendation by ICCAT amending the Recommendation 14-04 on bluefin tuna in the eastern Atlantic and Mediterranean* [Rec. 17-07] said, "*The transfer of quotas between CPCs shall be done only under authorization by the CPCs concerned and the Commission.*" This Recommendation was revised to Rec. 18-02 at the 2018 Commission meeting and its paragraph 10 says, "*The transfer of quotas between CPCs shall be done only under authorization by the CPCs concerned. Those transfers accepted by the CPCs concerned shall be communicated to the Secretariat at least 48 hours before they enter into force.*" This new sentence was incorporated into Rec. 19-04. There is a clear difference between these two versions, and I am confident that this difference was intended to change the nature of the requirements for allocation transfer.

The United States also pointed out that para 10 of Rec. 19-04 does not explicitly derogate Rec. 01-12 that says, *"Any temporary quota adjustments shall be done only under authorization by the Commission."* I must point out that para 6 of Rec. 16-07 on South Atlantic albacore says, *"6. All CPCs specifically referred to in paragraph 3 may transfer a portion of their quota to another CPC subject to both CPCs agreeing and providing prior notification to the ICCAT Secretariat in terms of the quantity to be transferred. The Secretariat shall disseminate this notification to all CPCs."* This para does not explicitly derogate Rec. 01-12, but CPCs have been using this provision to make transfer without approval of the Commission in the last four years and the United States has never complained about this practice.

I remembered that the United States raised this question at the 2019 (or 2018?) Commission meeting. I explained my interpretation then and no one else disagreed to it. Therefore, I thought that this issue had been resolved. If this type of argument happened under normal settings, the floor would be opened. As this is not possible this year and we have a limited time, I suggest reviving the sentence and this issue be discussed at the 2021 Commission meeting, if necessary.

3. Panel 2 Intersessional

No opposition was expressed to maintaining the new para 15 of the Recommendation. The text will remain unchanged. I am planning the next meeting in early March 2021 separately.

4. Capacity management

No opposition was expressed to the suggestion of the European Union changing "2019" to "2021" in para 18 of Rec. 19-04.

Please see the attached PA2-609B, which has incorporated all the suggested changes above. I would like to submit this to the plenary unless any CPC has further comments. Please note that this is the third round of discussion and if there is no consensus, I will propose a one-year roll-over of Rec. 19-04, which would not be so much difference from PA2-609B.

3. Other issues related to BFT

(1) MSE for BFT

I submitted the request for one meeting of scientists and managers to facilitate the MSE process. According to the draft calendar attached to Circular 7675/2020, this meeting is now scheduled just prior to the 2021 Commission meeting.

(2) BFT farming

I will report to the plenary that the Panel 2 Intersessional meeting next March will discuss this issue.

(3) BFT catch by Gibraltar

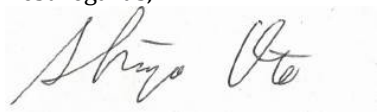
No opposition was expressed about my suggestion that the discussion be deferred to the 2021 Commission meeting while requesting the Secretariat to contact Gibraltar to clarify the two points raised by Japan. I will report this to the plenary.

(4) PA2-604

I will suggest to the plenary that the 2021 Commission meeting discuss how to handle the results of SCRS meetings before the reports are uploaded on the Commission website.

There will be a one-week period for comments. As in the previous cases, the exact deadline will be specified by the Secretariat as it depends on their translation.

Best regards,

A handwritten signature in black ink, appearing to read "Shingo Ota", is centered below the text "Best regards,". The signature is written in a cursive style.

Shingo Ota
Panel 2 Chair