

**DRAFT RECOMMENDATION BY ICCAT REPLACING RECOMMENDATION 21-01
ON A MULTI-ANNUAL CONSERVATION AND MANAGEMENT PROGRAMME FOR TROPICAL TUNAS**

*(Document presented by the Chair of Panel 1 following comments received to
PA1_OCT_02A_ENG/2022 presented at the 13 October 2022 intersessional meeting)*

RECALLING the current multi-annual conservation and management programme for tropical tunas for which the last assessments of yellowfin tuna, bigeye tuna and the two skipjack stocks were conducted respectively in 2019, 2020 and 2021;

NOTING that the latest SCRS advice (year 2019) indicates that yellowfin stock status is not overfished and without overfishing;

FURTHER NOTING that the latest SCRS advice (year 2021) indicates that bigeye stock status is overfished but not currently subject to overfishing;

RECOGNISING that the bigeye catches in 2020 were 6% below the TAC and the SCRS projection that the bigeye stock will have a significantly better status at the end of 2021 (probability of being in the green zone > 80%) than at the end of the last year (2019) of the assessment.

ACKNOWLEDGING that the TAC for yellowfin tuna was also exceeded in 2016 by 38%, by 25% in 2017, 24% in 2018, 25% in 2019 and 42% in 2020;

TAKING INTO ACCOUNT that Recommendation 11-13 on the Principles for Decision Making on Conservation and Management Measures of ICCAT mandates that for stocks that are overfished and subject to overfishing (i.e., stocks in the red quadrant of the Kobe plot), the Commission shall immediately adopt management measures, taking into account, *inter alia*, the biology of the stock and SCRS advice, designed to result in a high probability of ending overfishing in as short a period as possible. In addition, the Commission shall adopt a plan to rebuild these stocks taking into account, *inter alia*, the biology of the stock and SCRS advice;

TAKING FURTHER INTO ACCOUNT that it is necessary to explore alternative and more effective systems or regimes for the management of tropical tunas and for this the SCRS' recommendation is required;

CONSIDERING that the SCRS continues to recommend that effective measures be found to reduce FAD-related and other fishing mortality of small yellowfin and bigeye tuna;

TAKING INTO ACCOUNT the recommendations made by the Panel on the Second ICCAT Performance Review regarding the carryover of underage of catches from one year to another;

FURTHER TAKING INTO ACCOUNT the recommendations made by the first meeting of the Joint Tuna RFMO FAD Working Group and the third meeting of ICCAT's *Ad Hoc* Working Group on FADs, on FAD management objectives and the availability of FAD management measures to reduce juvenile tuna mortality;

NOTING that the SCRS has advised that increased harvests on FADs and its inherent challenges, coupled with the development of new fisheries and/or use of other gears that primarily impact juvenile fish could have negative consequences for the productivity of bigeye and yellowfin tuna fisheries;

FURTHER NOTING that support vessels contribute to the increase in efficiency and capacity of purse seiner vessels using FADs and that the number of support vessels has increased significantly over the years;

RECALLING the combined effect of Article 119 of UNCLOS and Article 25 and Part VII of UNFSA on the right of developing coastal States to utilise their fishing opportunities, and committing to achieve a more equitable distribution of their fishing opportunities over time;

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS (ICCAT) RECOMMENDS THAT:

PART I GENERAL PROVISIONS

Interim conservation and management measures

- Without prejudice to the allocation of fishing rights and opportunities to be adopted in the future, for the year 2022, the Contracting Parties and the Cooperating Non-Contracting Parties, Entities or Fishing Entities (hereinafter referred to as CPCs) with vessels that have been actively fishing for tropical tunas in the Atlantic will apply the following management measures with the objective of reducing current levels of fishing mortality of tropical tunas, in particular small bigeye and yellowfin, while the Commission obtains additional scientific advice to adopt a long-term multi-annual management and rebuilding programme.

CPC	COMMENTS
EU	<p>Multi-annual Management Measures and Conservation Programme</p> <p>2. CPCs whose vessels are actively fishing for tropical tunas in the Atlantic shall implement a management programme through 2034, with the goal of achieving B_{MSY} being in the green quadrant of the Kobe plot with a probability of more than 60% for each stock of tropical tunas. Paragraph 2 is redundant with the new text proposal in paragraph 1.</p>

Multi-annual Management, Conservation, and Rebuilding Programme

- CPCs whose vessels have been actively fishing for tropical tunas in the Atlantic shall implement a 15-year rebuilding programme for bigeye tuna starting in 2020 and continuing through 2034, with the goal of achieving B_{MSY} with a probability of more than $[\geq 50\%]$ $[60\%]$ $[70\%]$. CPCs shall also implement management measures with the objectives of ensuring that the stocks of yellowfin and skipjack tuna continue to be exploited sustainably.

CPC	COMMENTS
CANADA	B_{MSY} with a probability of more than 50%.
UK	B_{MSY} $[60\%]$ $[70\%]$.

PART II CATCH LIMITS

Catch limits for bigeye tuna

3. The TAC for bigeye tuna shall be [62,500 t] [70,000 t] [75,000 t] for [2023]. It shall be reviewed and amended, as necessary, based on the new stock assessment to be conducted in [2023] [2024].

CPC	COMMENTS
CANADA	At the June meeting, Japan had worked on some text regarding a future change in TAC resulting from different possible trends observed in the next BET stock assessment; this text should be included in the revised draft in square brackets for consideration.
EU	<p>The Total Allowable Catch (TAC) for bigeye tuna shall be [75,000] t. The TAC shall be reviewed by the Commission on the basis of the SCRS advice.</p> <p>13 Oct - The EU also noted that based on scientific data, the TAC had not been met in recent years and that a TAC of 70,000 t would result in an 82 percent probability in the green zone which had never been done by the Commission. The EU stated that 75,000 t should be the TAC and stressed to CPCs that a TAC of 70,000 t would make allocation negotiations difficult.</p>
JAPAN	<p>new stock assessment year Could be [2025] as well. 3bis. In reviewing the TAC in [2024][2025], the Commission shall ensure that the probability of the stock being in the green zone in [2028] is at or more than [70]%. If the probability is more than [70]%, the Commission may consider increasing the TAC, provided that the increased TAC will still ensure that the probability of the stock being in the green zone in [2028][2034] is at or more than [70][60]%. If the probability is less than [70][60]%, the Commission shall reduce the TAC to ensure that the probability in [2028][2034] is at or more than [70][60]%. </p> <p>3 ter. The Commission recognizes that 70% is exceptionally high compared to the percentages used for other ICCAT stocks and that this percentage does not set a precedent for future discussion of the Commission. The Commission may review and revise, if appropriate, [70] % in light of the degree of uncertainties involved in the new stock assessment for future use.</p> <p>13 Oct - Japan noted that they were keeping their Harvest Control Rules (HCR) proposal (as presented at the June intersessional) opened for discussion.</p>
KOREA	Korea supports TAC 70,000 t for bigeye in 2023 and reiterates the need to maintain a precautionary approach. Additional TAC increase can be considered after a new stock assessment is conducted.
UK	Whilst these are indeed the numbers that were discussed for a TAC, we would like to emphasize that the UK's position is a TAC increase would need to be accompanied by a comprehensive package of complementary management measures. The level of TAC that the UK can agree to will be dependent on the 'contents' of that package. A lower figure – e.g., the current TAC - may need to be included in the range until that is decided.
HONDURAS	13 Oct - stressed that there was still uncertainty present and until the uncertainty could be clarified, they could not support a proposal beyond 70,000 t.
GENERAL	<p>13 Oct - Several CPCs supported the 70,000 t TAC and suggested this be used for discussion.</p> <p>Several CPCs expressed support for a 60 percent B_{MSY} probability.</p> <p>The existing allocation methodology has been cumbersome in the past. The EU and SA debated on the issue of small harvesters being a contributing factor to over exploitation. Honduras noted the importance of small harvesters and new harvesters to be included in any future allocation key.</p>

4. The allocation for CPCs shall be expressed as a percentage of TAC for 2023 and future years in accordance with the following criteria:
- a) [CPCs whose average catches over the period 2014-2018 have been greater than 10,000 t, shall benefit from [40-45%] of the agreed TAC];
 - b) [CPCs whose average catches over the period 2014-2018 have been greater than 3,500 t and less than 10,000 t, shall benefit from [16-18%] of the TAC];
 - c) [CPCs whose average catches over the period 2014-2018 have been greater than 1,000 t and less than 3,500 t, shall benefit from [22-25%] of the TAC];
 - d) [CPCs whose average catches over the period 2014-2018 have been less than 1,000 t, shall benefit from [10-13%] of the TAC];
 - e) [The agreed percentage allocations for the CPCs shall be shared on prorata of their catches for the period specified in 4a to 4d].
 - f) [Table of allocation Criteria could be added i.e., West Africa proposal.]

Table 1. Allocation key in percentage of TAC for Atlantic bigeye tuna over the period 2023-2027.

<i>Flag name</i>	<i>Category</i>	<i>Category %</i>	<i>Allocation 2023-2027 (%)</i>
<u>Japan</u>	<u>A</u>	<u>44.00</u>	<u>17.00</u>
<u>EU-all</u>	<u>A</u>		<u>16.18</u>
<u>Chinese-Taipei</u>	<u>A</u>		<u>10.82</u>
<u>Brazil</u>	<u>B</u>	<u>17.00</u>	<u>7.06</u>
<u>China (P.R.)</u>	<u>B</u>		<u>5.55</u>
<u>Ghana</u>	<u>B</u>		<u>4.39</u>
<u>Curaçao</u>	<u>C</u>	<u>23.00</u>	<u>4.24</u>
<u>Panama</u>	<u>C</u>		<u>2.76</u>
<u>Cabo Verde</u>	<u>C</u>		<u>2.66</u>
<u>Belize</u>	<u>C</u>		<u>2.64</u>
<u>Senegal</u>	<u>C</u>		<u>2.99</u>
<u>El Salvador</u>	<u>C</u>		<u>2.45</u>
<u>Korea (Rep.)</u>	<u>C</u>		<u>2.11</u>
<u>Guinea (Rep.)</u>	<u>C</u>		<u>1.57</u>
<u>Guatemala</u>	<u>C</u>		<u>1.58</u>
<u>United States</u>	<u>D</u>	<u>11.00</u>	<u>2.26</u>
<u>Côte d'Ivoire</u>	<u>D</u>		<u>1.44</u>
<u>St Vincent and the Grenadines</u>	<u>D</u>		<u>1.35</u>
<u>Morocco</u>	<u>D</u>		<u>1.03</u>
<u>Sao Tomé and Príncipe</u>	<u>D</u>		<u>0.86</u>
<u>Philippines</u>	<u>D</u>		<u>0.79</u>
<u>Namibia</u>	<u>D</u>		<u>0.72</u>
<u>South Africa</u>	<u>D</u>		<u>0.65</u>
<u>Canada</u>	<u>D</u>		<u>0.60</u>
<u>Venezuela</u>	<u>D</u>		<u>0.52</u>
<u>UK-St Helena</u>	<u>D</u>		<u>0.14</u>
<u>Trinity and Tobago</u>	<u>D</u>		<u>0.12</u>
<u>Liberia</u>	<u>D</u>		<u>0.12</u>
<u>Guyana</u>	<u>D</u>		<u>0.08</u>
<u>Grenada</u>	<u>D</u>		<u>0.07</u>
<u>Barbados</u>	<u>D</u>		<u>0.07</u>
<u>St Lucia</u>	<u>D</u>		<u>0.04</u>
<u>Equatorial Guinea</u>	<u>D</u>		<u>0.03</u>
<u>Vanuatu</u>	<u>D</u>		<u>0.02</u>
<u>Mexico</u>	<u>D</u>		<u>0.01</u>
<u>UK-Turks and Caicos</u>	<u>D</u>		<u>0.01</u>
<u>St Kitts and Nevis</u>	<u>D</u>		<u>0.01</u>
<u>Angola</u>	<u>D</u>		<u>0.01</u>
<u>Mauritania</u>	<u>D</u>		<u>0.01</u>
<u>Great Britain</u>	<u>D</u>		<u>0.01</u>
<u>Dominica</u>	<u>D</u>		<u>0.01</u>
<u>FR-St Pierre and Miquelon</u>	<u>D</u>		<u>0.01</u>
<u>UK-Bermuda</u>	<u>D</u>		<u>0.01</u>
<u>Equalisation quota</u>	<u>*</u>	<u>5.00</u>	<u>5</u>

- g) [The total allocations from 4a to 4d should not be more than 95%. The “reserve allocation” should not be less than 5% and shall be allocated to developing coastal CPCs of the Atlantic Ocean that have submitted a declaration of intent to develop their bigeye tuna fishery or have declared its intent to ICCAT to fish this species],

[...]

- h) [In future years, the reference period for calculating average catches for allocation of TAC to CPCs should be a 5-year period. This period should end 2 years before the last stock assessment when data is published.] *E.g., An assessment for BET in 2024 will take into consideration, all catch limits for CPCs from 2018 to 2020 (provided the data is published by SCRS).*

CPC	COMMENTS
CANADA	<p>4(d) South Africa has a proposal for Bigeye tuna regarding small harvesters. The USA also intends to submit a proposal for small harvesters. There seems to be a recognition gained from the most recent Panel 1 intersessional that a small harvester category is beneficial for CPCs who do not want to be held to a small level of allocation based on 4 years of catch history. We ask that the South African proposal and US proposal be included in the revised draft in brackets</p> <p>4(e) The West African proposal's table of CPC shares should be put back in in square brackets, it is very useful to comprehend the actual shares being proposed.</p> <p>4(f) The words "reserve allocation" have been introduced. Is this the same concept as the 5% in the West African proposal as "Equalization Quota"?</p>
EU	<p>13 Oct - The EU model included the four categories from Recommendation 19-02 but considered economic status as a means of quota allocation with a five-step approach, which included a set aside similar to that for bluefin tuna for those CPCs in low areas dependent on fisheries. The EU suggested a smaller number of CPCs in the small harvester group, noting that an increase to the number of small harvesters would result in less opportunities for a potential set-aside to be utilized. The EU noted that it was working on a simulation table to demonstrate its approach. The EU stressed that under the model most CPCs would go onto the catch limit table and a set aside amount would be established to assist with the future fisheries development for developing CPCs with hopes to have more analysis to share with the panel between the October intersessional meeting and the annual meeting. The EU was requested to provide their approach in writing prior to the annual meeting.</p>
JAPAN	<p>4(a) This would be too drastic change for CPCs in this category. The change should be more gradual.</p> <p>4(d) What is Chair's idea to handle small harvesters who requested 'soft limit' at the June meeting?</p> <p>4(e) The agreed percentage allocations for the CPCs shall be shared on prorata of their catches for the period specified in 4a to 4d or any other criteria agreed by the CPCs in the same category.</p>
KOREA	<p>Korea finds it difficult to accept the allocation method presented under this para. which we believe cannot accommodate the developing coastal CPCs' aspiration of development, and is also not on any basis of discussions/agreement from the June's meeting.</p>
UK	<p>3-4(d) We thank the chair for his attempts at resolving this. The approach here – to establish categories – may be useful in guiding discussions but our strong preference would be to conclude, and specifically set out, allocations for all of the major harvesters.</p> <p>4(d) The UK would like to seek views from the Chair on how he intends to hold discussions on this section. The UK notes that there were several alternative approaches proposed by CPCs, which have not all been included here. This would include suggested approaches to the issue of 'small harvesters' and allowing those in such a category sufficient room for expansion. Our understanding is that other CPCs will submit text on that issue, and we note one CPC has already submitted something. So there is a question about how to cover that in the Chair's text.</p> <p>4(g) There are different options for the duration of the TAC. One option is to set a new TAC after the next stock assessment. The text we have provided here sets that out as one option for consideration.</p>

COTE D'IVOIRE	Refer to table above on allocation key which could be considered with further amendment and scrutiny as percentages through which sacrifices must be made by the large harvesters – concern of small coastal developing states.
SOUTH AFRICA	13 Oct - presented an overview of an approach for the small harvester's allocation (ICCAT Circular #5700-22). They stressed that this approach was drafted as an amendment to the West African proposal presented at the June intersessional meeting and suggested that small harvesters have a trigger limit instead of a binding catch limit.
USA	13 Oct - The United States presented "Draft Text for Chair's Tropical Tunas Measure Concerning Small Harvesters" (PA1_OCT_04/2022). The United States proposal would not apply a catch limit to small harvester CPCs whose annual catch of bigeye tuna were less than 2,100 t but would restrict small harvesters from the use of purse seine gear. The United States further stated that although small harvesters would not have catch limits, they would endeavor to maintain their annual catch to no more than 125 percent of their historical catch level. The United States noted that if a CPC either exceeded 1,575 t or wanted to use purse seine gear they would go on the allocation table. Additionally, the United States stated if the small harvester level was exceeded by the group as a whole, the arrangement would be re-evaluated.
HONDURAS	Catch limits based on best years catches prior to the pandemic could be discussed and used as FAD reference for allocation of TAC. This was also echoed by Chinese Taipei.
US, UK, EU, JAPAN, HONDURAS, SENEGAL	<i>General comments on TAC allocation</i> Due to uncertainties in stock synthesis by the SCRS over recent years, the precautionary approach should always be adopted

Alternative from United States on Small harvesters for previous item 4h

[4bis. Catch limits shall not apply to those CPCs whose annual catch of bigeye tuna in the Convention area in 1999, as provided to the SCRS in 2000, is less than 2,100 t and who are not included in paragraph 4 above. However, CPCs subject to this paragraph shall:

- a) endeavor to maintain their annual catch to no more than 125% of their highest reported catch prior to 2021;
- b) not authorize the use of purse seine gear in their tropical tuna fisheries;
- c) not be subject to any quota under harvest, carryforward or payback provisions; and
- d) not be eligible to engage in transfers of fishing opportunities pursuant to Recommendation by ICCAT regarding the temporary adjustment of quotas (Rec. 01-12).

4 tris. If in any given year the catch of bigeye tuna by any CPC covered by paragraph 4bis exceeds 1,575 t or increases to an extent the Commission determines to be inconsistent with its fishery management plan referred to in paragraph 24 below, the Commission shall establish a catch limit for that CPC for the following years. In addition, any CPC subject to this paragraph that wishes to initiate a purse seine fishery for tropical tunas must be assigned a catch limit for bigeye tuna, and other tropical tunas as appropriate, by the Commission before any such fishing activity can be undertaken.

4 quater. If the combined total catch of all CPCs referred to in paragraph 4bis exceeds [10-13% of the bigeye TAC], the Commission shall reconsider that arrangement, including considering the need to assign catch limits]

Alternative from South Africa on Small harvesters for previous item 4h

[1. Small harvesting CPCs (those in Category D) are subject to an individual CPC 'indicative limit' that is non-binding. Each Category D CPC's 'indicative limit' will be calculated according to:

- a. The average catches of the CPC in the period 2014-2018, plus
- b. An equal share of the remainder of the 11% of the TAC allocated to Category D, plus
- c. Any DCS CPCs would also receive an equal share of the 5% DCS equalisation quota (this equalization pool would be equally split between all 28 DCS but would only be added on to the 'indicative limit' of the 20 DCS in Category D).

A worked example of the calculation of this indicative limit is provided below.

2. There would be no immediate consequences of an individual CPC exceeding their 'indicative limit', unless the Category D trigger limit is breached (see below).
3. Category D has a 'trigger limit' that applies to the catches of the entire group of small harvesters. This trigger limit equals the total sum of the 'indicative limits' of all CPCs within Category D. Catches by the group that total less than the trigger limit (regardless of any one or more CPCs exceeding their 'indicative limit') would not compromise the total bigeye TAC and therefore do not need to be reviewed.
4. If the group trigger limit is exceeded in any one year, then a review of the arrangements applying to this group and/or specific CPCs within this group would be undertaken. Exceeding the Category D trigger limit could suggest that one or more CPCs in Category D no longer sits in the small harvesting category and the review should therefore consider whether graduation to a different Category or different arrangements should apply.]
5. The provisions of paragraph 4 of this Recommendation shall not prejudice the rights and obligations under international law of those developing coastal CPCs in the Convention Area whose current fishing activity for bigeye tuna is limited or non-existent, but that have a real interest in fishing for the species, that may wish to develop their own fisheries targeting bigeye tuna in the future.

CPC	COMMENTS
EU	The provisions of paragraph 4 of this Recommendation is without prejudice to the rights and obligations under international law of all CPCs in the Convention Area who have a real interest in the fishery, including developing Coastal States, in accordance with Article 8 of the United Nations Fish Stocks Agreement.
UK	<p>(5) The provisions of paragraph 4 of this Recommendation shall not prejudice the rights and obligations under international law of those coastal CPCs in the Convention Area, including developing coastal CPCs and CPCs with small scale/artisanal activity conducted by coastal communities whose current fishing activity for bigeye tuna is limited or non-existent, but that have a real interest in fishing for the species, that may wish to develop their own fisheries targeting bigeye tuna in the future.</p> <p>The UK would like to draw attention again to the fact that our Overseas Territories in the ICCAT Convention Area also have an interest in – and legitimate right to – develop their fisheries for tropical tunas. The UK as a CPC does not qualify as a developing coastal State but the needs and rights of UKOTs to prosecute fisheries within their own EEZ must be taken into account.</p>

6. CPCs shall implement robust monitoring, control and surveillance measures, as applicable in relation to their capacity and resources.
7. Small scale artisanal fishers shall be given special consideration to their specificities and needs by the Commission and each CPC.

8. The annual quotas and catch limits described in this Recommendation do not constitute long term rights and are without prejudice to any future process of allocation.
9. [If the total catch exceeds in any year the relevant TAC specified in paragraph 3, the surplus shall be paid back by the CPCs responsible for this overage in proportion to the contributions of each to these overages and according to the provisions of paragraph 11-13].

CPC	COMMENTS
EU	These provisions are linked to the overall discussion on allocation and should be discussed in relation to that.
UK in proportion to the contributions of each to these overages and according to the provisions of paragraphs 11-13]. The intent behind this wording isn't clear. It could be worth discussing with the Panel.

Underage or overage of catch of bigeye tuna

Catch underages

10. [The maximum percentage a CPC can carry over in any given year shall not exceed 15% of its annual initial catch limit].

CPC	COMMENTS
CANADA	Since this text is new, both the statement and the percentage given should be discussed by Panel 1.
EU	These provisions are linked to the overall discussion on allocation and should be discussed in relation to that.
JAPAN	While Japan reserves its position on this para, we consider this reference to Kobe plot is scientifically ambiguous. If you wish to retain this para, you need to specify the percentage of the stock being within the green zone.
KOREA	Korea notes that fishing operations often do not go as planned due to unforeseen situations, thus resulting in catch fluctuation. CPCs should be able to utilize their unused fishing possibilities in the next given opportunity which calls for the necessity of carry overs. As there has been more stringent carry over restrictions consecutively in the past two revisions (Recs. 16-01, 19-02), introducing additional carry over restrictions will be difficult to accept.
UK	These are separate conditions/requirements so it seems appropriate to separate into two paragraphs.

Catch overages

11. The catch overages regarding the annual catch limit of bigeye tuna for CPCs included in paragraph 4 shall be deducted from the annual catch limit. This deduction of overage should be spread over the two consecutive calendar years immediately following the year in which the overage took place, as shown in the following table:

<i>Year of catch</i>	<i>Years of adjustment</i>
2023	2024-2025
2024	2025-2026
2025	2026-2027
2026	2027-2028
2027	2028-2029
2028	2029-2030

CPC	COMMENTS
EU	Adjusted the year of catch from 2023 – 2028.
UK	<p>Consideration should be given to ensuring the intention is clear here. We assume the intention is that the CPC concerned can spread the repayment over the two consecutive years following the year of the overage. This is an issue that has come up in other RFMOs and caused problems. If the intention is to allow payback to be spread over two years, the UK suggests for example:</p> <p>‘...shall be deducted from the annual catch limit. This deduction of overage may be spread over the two consecutive calendar years immediately following the year in which the overage took place.’</p> <p>It may be useful to consider who establishes how much is to be paid in the first and how much in the second of those years.</p>

12. Notwithstanding paragraph 11, if any CPC exceeds its annual catch limit:

- a) [In one year, then the amount deducted in the adjustment year shall be determined as 100% of the overage; and]
- b) [During any two consecutive years, the Commission will recommend appropriate measures, which shall include reduction in the catch limit equal to 125% of the excess harvest.]

13. For CPCs listed in the table below, underage or overage of an annual catch limit in 2023, 2024 and 2025 shall be added to/or deducted from their 2022, 2023 and 2024 annual catch limit respectively, subject to 10% of initial quota restrictions noted in paragraphs 9a and 10 of Rec. 16-01.

CPC	Annual catch limits (t)
China	5,376
European Union	16,989
Ghana	4,250
Japan	17,696
Philippines	286
Korea	1,486
Chinese Taipei	11,679

CPC	COMMENTS
CANADA	This carry forward of 10% is a holdover from Rec. 16-01. End date of 2024 indicated. Would this CF allowance still hold true even if the stock was no longer in the green quadrant of the Kobe plot? Are statements 10 and 13 alternatives to consider?
EU	The EU would like to square bracket this paragraph including its table. This is linked to the paragraph 3 discussion on allocation.
JAPAN	Replaces “shall” with “may”. Replaces “initial quota restrictions noted in paragraphs 9a and 10 of Rec. 16-01” with the Annual catch limits in the table.

Transfers

14. Transfer of underage, by any CPCs should be subjected to the conditions specified in paragraph 10.

CPC	COMMENTS
EU	The EU cannot except the transfer provisions in their current form. Any reallocation made in favour of developing coastal states to develop their fishery should in principle not in turn be transferred to other CPCs.

JAPAN	There is no scientific rationale to put a stock-status related condition on transfer. Thus, this para should be deleted.
KOREA	Korea believes CPCs has the right on how to utilize its fishing possibilities. As transfers within a CPC's catch limit does not pose any risk of catch exceeding the TAC, Korea strongly calls for transfers to be allowed without precondition.
UK	10 and 10bis – We have suggested some amendments aimed at improving the clarity of the text here.

15. Notwithstanding paragraph 13, any CPC that wishes to transfer a part of its catch limit shall inform the Secretariat of a one-time transfer within a fishing year of up to [15-25%] of its catch limit to other CPCs. Any transfer must be consistent with domestic obligations and conservation considerations. A CPC that receives a one-time catch limit transfer may not re-transfer that catch limit nor use it to cover over harvests.

CPC	COMMENTS
CANADA	This new text should be in square brackets, along with the other alternative ways of handling transfers as given in different proposals, since many different positions were expressed in June.
EU	The EU cannot support this provision. With only an obligation to inform ICCAT in cases of transfer this would allow for transfers with little or no oversight or transparency.
JAPAN “consistent with domestic obligation and conservation considerations” Not clear what this means.
KOREA	Deleted (of up to [15-25%])
UK	We have suggested some amendments aimed at improving the clarity of the text here. “15. Notwithstanding paragraph 13, any CPC that wishes to transfer a part of its catch limit shall inform the Secretariat of a one-time transfer within a fishing year of up to [15-25%] of its catch limit to other CPCs. The receiving CPC must already have a catch limit for the stock. Any transfer must be consistent with domestic obligations and conservation considerations. A CPC that receives a one-time catch limit transfer may not re-transfer that catch limit nor use it to cover over harvests.”

Monitoring of catch

16. CPCs shall report quarterly to the Secretariat the amount of tropical tunas (by species) caught by vessels flying their flag.

CPC	COMMENTS
EU	It is difficult to see how “30 days of the end of the period during which the catches were made” can be considered compatible with quarterly reporting.

17. For purse seiners and large longline vessels (LOA 20m or greater), CPCs shall report on a monthly basis, increasing to weekly when 80% of their catch limits have been caught.
18. The Secretariat shall notify all CPCs once 80% of the TAC has been caught.
19. CPCs shall report to the ICCAT Secretariat the dates when their entire catch limit of bigeye tuna has been utilized. The ICCAT Secretariat shall promptly circulate this information to all CPCs.

TAC for yellowfin tuna

20. The annual TAC for 2023 and subsequent years of the Multi-annual Programme is [110,000 t] for yellowfin tuna and shall remain in place until changed based on scientific advice.

21. Based on the stock assessment and SCRS advice, the Commission may adopt additional conservation measures for yellowfin tuna at the 2023 annual meeting, which may include a revised TAC, closures or allocated catch limits.

CPC	COMMENTS
EU	Replaced “shall” with “may”.

22. If the total catch exceeds in any year the TAC in paragraph 19, the Commission shall consider additional management measures for yellowfin tuna. Any other measures shall recognise the obligations of international law and the rights of CPC developing coastal States.

Fishing Plans

23. CPCs should provide ICCAT with a fishing and capacity management plan on how they will implement any catch reductions necessary as a result of paragraph 4.
24. Any developing CPC intending to increase its participation in ICCAT fisheries for tropical tunas shall endeavor to prepare a statement of its development intentions for tropical tuna with the purpose of informing other CPCs of potential changes in the fishery over time. These statements should include details of proposed/potential fleet additions, including vessel size and gear type. The statements shall be submitted to the ICCAT Secretariat and be made available to all CPCs. Those CPCs may amend their statement as their situation and opportunities change.

CPC	COMMENTS
UK	Noting that there are concerns from some parties about rapidly expanding capacity for these stocks, we have given some initial thought to whether to further develop the approach to tropical tuna fishing plans to give ICCAT/Panel members a greater degree of oversight of each CPCs fishing and future intentions.
EU	<p><i>Fishing, Capacity and Control Plans</i></p> <p>22. By 31 January each year, each CPC with a TAC of more than [XXX t] intending to authorize vessels to fish for tropical tunas shall submit to the Secretariat:</p> <p>i. An annual fishing and capacity plan which shall outline how the CPC will ensure that its overall baitboat, longline and purse seine fleet capacity is commensurate with the allocated quota drawn up, including new fishing opportunities where appropriate, to include the information set out in paragraph 3.</p> <p>ii. A monitoring, control and inspection plan with a view to ensuring compliance with the provisions of this Recommendation.</p> <p>23. Prior to 1 March of each year, the Commission shall convene an intersessional meeting of Panel 1 to analyze and, as appropriate, endorse the plans referred to under paragraph 22. If the Commission finds a serious fault in the plans submitted and cannot endorse these plans, the Commission shall decide on the automatic suspension of tropical tuna fishing in that year by that CPC. Non-submission of the plans referred to above shall automatically lead to suspension of tropical tuna fishing in that year for the CPC concerned.</p>

PART III CAPACITY MANAGEMENT MEASURES

Capacity limitation for tropical tunas

25. A capacity limitation shall be applied for the duration of the Multi-annual Programme, in accordance with the following provisions:
- a) By 31 January each year, each CPC fishing with recent average catches of more than 1,000 t for tropical tuna shall produce an annual capacity/fishing plan that outlines how that CPC will ensure that its overall longline and purse seine fleet capacity will be managed to ensure that the CPC can meet its obligation to limit the catch of bigeye, and its yellowfin and skipjack catches, consistent with the catch limit established under paragraph 4.
 - b) Any CPCs with recent average catches of less than 1,000 t and those yet to start the fishery shall declare their intention with a clear fishing and monitoring plan by 31 January 2023.
 - c) The Compliance Committee shall annually review CPCs' compliance with capacity management measures.

CPC	COMMENTS
EU	<p>24. When submitting their 2023 fishing, capacity and control plans to ICCAT, CPCs shall limit the numbers of their purse seiners and large scale longliners (LOA>20m) to the numbers authorized in any given year [2015 or 2019], and shall provide the chosen year of reference to the Secretariat by 31 January 2023.</p> <p>a) By 31 January each year, each CPC fishing with recent average catches of more than 1,000 t for tropical tuna shall produce an annual capacity/fishing plan that outlines how that CPC will ensure that its overall longline and purse seine fleet capacity will be managed to ensure that the CPC can meet its obligation to limit the catch of bigeye, and its yellowfin and skipjack catches, consistent with the catch limit established under paragraph 43</p> <p>24bis. Any CPCs with recent average catches of less than 1,000 t and those yet to start the fishery shall declare their intention and planned expansion of capacity by 31 January each year.</p> <p>24ter. CPCs shall only be allowed to increase their number of catching vessels in a way commensurate with possible increases of their catch limits.</p> <p>24quater. New catching vessels shall only be authorized to replace vessels already authorized with the same gear and, at a minimum, the same length overall.</p> <p>24quinquies CPCs shall only authorize purse seiners already authorized in fishing in the ICCAT convention area in the previous year.</p> <p>25sexies. The Compliance Committee shall annually review CPCs' compliance with capacity management measures.</p>
KOREA	25 (a & b) 'catch limits' should also be a criteria for imposing an obligation to produce a capacity/fishing plan.

26. Any CPC having vessels that operate, part-time or full-time, in support of purse seiners shall report the names and characteristics of all of their vessels to the ICCAT Secretariat, including those vessels which were active in 2019-2022 in the ICCAT Convention area, and the names of the purse seiner(s) that received the support of each support vessel. This information shall be reported no later than 31 January 2023.
27. The Secretariat shall prepare a report for the Commission to be able to consider the type of limitation that support vessels shall be subject to in the future, including a phasing-out plan, where required.

28. [CPCs shall not increase the number of support vessels from the numbers registered in 2019. This limit shall be revised based on the SCRS assessment of impacts and recommendation.]
29. For the purposes of this measure, a support vessel is defined as any vessel that carries out activities in support of purse seine vessels that increases the efficiency of their operations including, but not limited to deploying, servicing and retrieving FADs.

PART IV MANAGEMENT OF FADs

FAD management objectives

30. The general objectives for management of FADs and support vessels in the Convention area are defined as follows:
- a) To minimize potential impacts that high FAD density may have on purse seine fishing efficiency, while minimizing disproportionate impacts to the fishing opportunities of fleets that use other gear or other fishing strategies while also targeting tropical tunas;
 - b) To minimize the impact of FAD fishing on the productivity of bigeye and yellowfin stocks that result from the capture of high numbers of juveniles that aggregate with skipjack on FADs;
 - c) To minimize the impact of FAD fishing on non-target species, where appropriate, including entanglement of marine species, particularly those of conservation concern;
 - d) To minimize the impact of FADs and FAD fishing on pelagic and coastal ecosystems, including by preventing the beaching, stranding or grounding of FADs in sensitive habitats or the alteration of pelagic habitat.

CPC	COMMENTS
UK	The UK understands that at the recent SCRS meeting a paper was presented on purse seine fishing effort which showed an increase in FOB fishing from 2020 to 2021. At present it is unclear whether FOBs are covered by and restricted by limitations such as the closure period. The UK would welcome views as to whether there is a need to update this section of the measure to also include FOBs. More generally the UK would like to see the current FAD measures at the very least be maintained, but preferably strengthened.

FAD closure

31. For the purpose of this Recommendation, the following definitions shall apply:
- a) Floating object (FOB): Any natural or artificial floating (i.e., surface or subsurface) object with no capability of moving on its own. FADs are those FOBs that are man-made and intentionally deployed and/or tracked. Logs are those FOBs that are accidentally lost from anthropic and natural sources.
 - b) Fish-Aggregating device (FAD): Permanent, semi-permanent or temporary object, structure or device of any material, man-made or natural, which is deployed and/or tracked, and used to aggregate fish for subsequent capture. FADs can either be anchored (aFADs) or drifting (dFADs).
 - c) FAD set: Setting a fishing gear around a tuna school associated with a FAD.
 - d) Operational buoy: Any instrumented buoy, previously activated, switched on and deployed at sea, which transmits position and any other available information such as eco-sounder estimates.
 - e) Activation: The act of enabling satellite communication services by the buoy supplier company at the request of the buoy owner. The owner then starts paying fees for communication services. The buoy can be transmitting or not, depending if it has been manually switched on.

CPC	COMMENTS
EU	Deleted 31(c)

32. [In order to reduce the fishing mortality of juvenile bigeye and yellowfin tunas, purse seine and baitboat vessels fishing for, or vessels supporting activities to fish for, bigeye, yellowfin and skipjack tunas in association with FADs in the high seas or EEZs shall be prohibited from fishing on FADs during a [seventy-two-day period, from 1 January to 13 March] each year, starting in 2023, throughout the Convention area. This should be reviewed and, if necessary, revised based on SCRS advice, taking into account monthly trends in free school and FAD-associated catches and the monthly variability in the proportion of juvenile tuna in catches].

CPC	COMMENTS
UK	it is unclear what exactly is being prohibited – all fishing? Fishing on FADs only? Fishing for only these species or all species (with FADs)? Our suggested text aims to improve clarity, but we are open to other suggestions.
JAPAN	If TAC would be increased to more than 70,000, FADs closure should be reverted to 3months at the shortest.
HONDURAS	The possibility of having 2 periods for the closure; 1-month during the designated period (Jan-Mar) and another 1-month out of the period. This could be discussed and a criteria for monitoring developed.

33. In addition, each CPC shall ensure its vessels do not deploy drifting FADs during a period of 15 days prior to the start date of the closure period.

FAD limitations

34. CPCs shall ensure that, for vessels flying their flag, the following limits shall apply on the number of FADs with operational buoys at any one time according to definitions given in paragraph 31. The number of FADs with operational buoys will be verified through the verification of telecommunication bills. Such verifications shall be conducted by the competent authorities of the CPCs:

- 300 FADs per vessel subject to review after the next bigeye stock assessment.

CPC	COMMENTS
CANADA	Number of FADS per vessel was 300 in 2022. If the intent of this paragraph is to agree on a gradual decrease of FADs per vessel, this should be clearly indicated.
EU	Deleted 250
JAPAN	Proposes that For implementation, the graduating period should be specified more.

35. With a view to establishing FAD set limits to keep the catches of juvenile tropical tunas at sustainable levels, in 2023 SCRS should inform the Commission about the maximum number of FAD sets which should be established per vessel or per CPC. To support this analysis, CPCs with purse seine vessels shall urgently undertake to report to the SCRS by 31 July 2023 the required historical FAD set data. CPCs that do not report these data in accordance with this paragraph shall be prohibited from setting on FADs until such data have been received by the SCRS.

CPC	COMMENTS
EU	<p>34. With a view to establishing FAD set limits to keep the catches of juvenile tropical tunas at sustainable levels, the SCRS should in 2023 provide advice to the Commission about the definition of a FAD set, the maximum number of FAD sets which should be established per vessel, category of vessels, or per CPC. The CoC shall provide advice to the Commission in 2023 regarding the monitoring and control aspects relating to the implementation of FAD set limits. To support this analysis, CPCs with purse seine vessels shall urgently undertake to report to the SCRS by 31 July 2023 the required historical FAD set data. CPCs that do not report these data in accordance with this paragraph shall be prohibited from setting on FADs until such data have been received by the SCRS.</p> <p>34bis: The CoC shall provide advice to the Commission in 2023 regarding any monitoring and control aspects issues that need to be taken into account for the implementation of FAD set limits.</p> <p>34ter. Starting in 2023, a working group shall be established to provide recommendations to the Commission on how to establish a FAD registry in ICCAT, in accordance with Annex 1.</p>

36. In addition, each CPC with purse seine fishing vessels is encouraged not to increase its total fishing effort on FADs from its 2018 level. CPCs shall report the difference between the 2018 level and the 2022 level to the 2023 Commission meeting.
37. Starting in 2023, a Working Group shall be established to provide recommendations to the Commission on how to establish a FAD registry in ICCAT, in accordance with **Annex 1**.
38. CPCs may authorize their purse seine vessels to set on floating objects provided that the fishing vessel has either an observer or a functioning electronic monitoring system on board which is capable of verifying set type, species composition, and providing information on fishing activities to the SCRS.
39. Further analysis shall be conducted by the SCRS on the impact of support vessels on the catches of juvenile yellowfin and bigeye tuna to be considered in 2023.

FAD Management Plans

40. CPCs with purse seine and/or baitboat vessels fishing for bigeye, yellowfin and skipjack tunas in association with FADs, shall submit to the Executive Secretary Management Plans for the use of aggregating devices by vessels flying their flag by 31 January each year.
41. The objective of the FAD Management Plans shall be the following:
 - a) improve the knowledge about FAD characteristics, buoy characteristics, FAD fishing, including fishing effort of purse seiners and associated support vessels, and related impacts on target and non-target species;
 - b) effectively manage the deployment and recovery of FADs, the activation of buoys and their potential loss;
 - c) reduce and limit the impacts of FADs and FAD fishing on the ecosystem, including, where appropriate, by acting on the different components of the fishing mortality (e.g. number of deployed FADs, including number of FADs set by purse seiners, fishing capacity, number of support vessels).
42. The Plans shall be drawn up by following the Guidelines for Preparation of FAD Management Plans as provided in **Annex 1**.

FAD logbook and list of deployed FADs

43. CPCs shall ensure that all purse seine and baitboat fishing vessels and all support vessels (including supply vessels) flying their flag, and/or authorized by CPCs to fish in areas under their jurisdiction, when fishing in association with or deploying FADs, collect and report, for each deployment of a FAD, each visit on a FAD, whether followed or not by a set, or each loss of a FAD, the following information and data:

- a) Deployment of any FAD
 - i. Position
 - ii. Date
 - iii. FAD type (anchored FAD, drifting artificial FAD)
 - iv. FAD identifier (i.e., FAD marking and buoy ID, type of buoy – e.g. simple buoy or associated with echo-sounder)
 - v. FAD design characteristics (material of the floating part and of the underwater hanging structure and the entangling or non-entangling feature of the underwater hanging structure)
- b) Visit on any FAD
 - i. Type of the visit (deployment of a FAD and/or buoy, retrieving FAD and/or buoy, strengthening/consolidation of FAD, intervention on electronic equipment, random encounter (without fishing) of a log or a FAD belonging to another vessel, visit (without fishing) of a FAD belonging to the vessel, fishing set on a FAD)
 - ii. Position
 - iii. Date
 - iv. FAD type (anchored FAD, drifting natural FAD, drifting artificial FAD)
 - v. Log description or FAD identifier (i.e., FAD Marking and buoy ID or any information allowing to identify the owner)
 - vi. Buoy ID
 - vii. If the visit is followed by a set, the results of the set in terms of catch and by-catch, whether retained or discarded dead or alive. If the visit is not followed by a set, note the reason (e.g. not enough fish, fish too small, etc.)
- c) Loss of any FAD
 - i. Last registered position
 - ii. Date of the last registered position
 - iii. FAD identifier (i.e., FAD Marking and buoy ID)

For the purpose of the collection and reporting of the information referred to above and where paper or electronic logbooks already in place do not allow it, CPCs shall either update their reporting system or establish FAD logbooks. In establishing FAD logbooks, CPCs should consider using the template laid down in **Annex 2** as reporting format. When using paper logbooks, CPCs may seek, with the support of the Executive Secretary, harmonized formats. In both cases, CPCs shall use the minimum standards recommended by SCRS in **Annex 3**.

44. CPCs shall also ensure that all vessels referred to in paragraph 32 keep updated on a monthly basis and per 1°x1° statistical rectangles a list of deployed FADs and buoys, containing at least the information as laid down in **Annex 4**.

Reporting obligations on FADs and on support vessels

45. CPCs shall ensure that the following information is submitted every year to the Executive Secretary in a format provided by the ICCAT Secretariat. This information shall be made available to the SCRS and to the Ad Hoc Working Group on FADs in a database developed by the ICCAT Secretariat:

- a) the number of FADs actually deployed on a monthly basis per 1°x1° statistical rectangles, by FAD type, indicating the presence or absence of a beacon/buoy or of an echo-sounder associated to the FAD and specifying the number of FADs deployed by associated support vessels, irrespective of their flag;

- b) the number and type of beacons/buoys (e.g. radio, sonar only, sonar with echo-sounder) deployed on a monthly basis per 1°x1° statistical rectangles;
- c) the average numbers of beacons/buoys activated and deactivated on a monthly basis that have been followed by each vessel;
- d) average numbers of lost FADs with active buoys on a monthly basis;
- e) for each support vessel, the number of days spent at sea, per 1° grid area, month and flag State;
- f) purse seine and baitboat catches, efforts and number of sets (for purse seines) by fishing mode (floating-object associated schools and free school fisheries) in line with Task 2 data requirements (i.e. per 1°x1° statistical rectangles and per month);
- g) when the activities of purse seine are carried out in association with baitboat, report catches and effort in line with Task 2 and Task 2 requirements as “purse seine associated to baitboats” (PS+BB).

Non-entangling and biodegradable FADs

- 46. In order to minimize the ecological impact of FADs, in particular the entanglement of sharks, turtles and other non-targeted species, and the release of synthetic persistent marine debris, CPCs shall:
 - a) Ensure that all FADs deployed are non-entangling in line with the guidelines under **Annex 5** of this Recommendation, in accordance with previous ICCAT Recommendations;
 - b) Endeavour that as of January 2021 all FADs deployed are non-entangling, and constructed from biodegradable materials, including non-plastics, with the exception of materials used in the construction of FAD tracking buoys;
 - c) Report on an annual basis on the steps undertaken to comply with these provisions in their FADs Management Plans.

PART V CONTROL MEASURES

Specific authorization to fish for tropical tunas

- 47. CPCs shall issue specific authorizations to vessels 20 meters LOA or greater flying their flag allowed to fish bigeye and/or yellowfin and/or skipjack tunas in the Convention area, and to vessels flying their flag used for any kind of support of this fishing activity (hereafter referred to as "authorized vessels").

ICCAT Record of authorized tropical tuna vessels

- 48. The Commission shall establish and maintain an ICCAT record of authorized tropical tuna vessels, including support vessels. Fishing vessels 20 meters LOA or greater not entered into this record are deemed not to be authorized to fish, retain on board, tranship, transport, transfer, process or land bigeye and/or yellowfin and/or skipjack tunas from the Convention area or to carry out any kind of support to those activities, including deploying and retrieving FADs and/or buoys.
- 49. A CPC may allow by-catch of tropical tunas by vessels not authorized to fish for tropical tunas pursuant to paragraph 41 and 42, if this CPC establishes a maximum onboard by-catch limit for such vessels and the by-catch in question is accounted for within the CPC's quota or catch limit. Each CPC shall provide in its Annual Report the maximum by-catch limit it allows for such vessels and information about how the CPC ensures compliance with the limit. That information shall be compiled by the ICCAT Secretariat and made available to CPCs.

50. CPCs shall notify the list of authorized vessels to the Executive Secretary in an electronic form and in accordance with the format set in the Guidelines for Submitting Data and Information Required by ICCAT.
51. CPCs shall, without delay, notify the Executive Secretary of any addition to, deletion from and/or modifications of the initial list. Periods of authorization for modifications or additions to the list shall not include dates more than 45 days prior to the date of submission of the changes to the ICCAT Secretariat. The ICCAT Secretariat shall remove from the ICCAT Record of Vessels any vessel for which the periods of authorization have expired.
52. The Executive Secretary shall, without delay, post the record of authorized vessels on the ICCAT website, including any additions, deletions and/or modifications so notified by CPCs.
53. Conditions and procedures referred to in the Recommendation by ICCAT amending Recommendation 13-13 concerning the establishment of an ICCAT record of vessels 20 meters in length overall or greater authorized to operate in the Convention area (Rec. 21-14) shall apply mutatis mutandis to the ICCAT record of authorized tropical tuna vessels.

Vessels actively fishing tropical tunas in a given year

54. Each CPC shall, by 31 July each year, notify to the Executive Secretary the list of authorized vessels flying their flag which have fished bigeye and/or yellowfin and/or skipjack tunas in the Convention area or have offered any kind of support to the fishing activity (support vessels) in the previous calendar year. For purse seines this list shall also include the support vessels that have supported the fishing activity, irrespective of their flag.

The Executive Secretary shall report each year these lists of vessels to the Compliance Committee and to the SCRS.

55. The provisions of paragraphs 47 to 53 do not apply to recreational vessels.

Recording of catch and fishing activities

56. Each CPC shall ensure that its vessels 20 meters LOA or greater fishing bigeye and/or yellowfin and/or skipjack tunas in the Convention area record their catch in accordance with the requirements set out in **Annex 6** and in the *Recommendation by ICCAT Concerning the Recording of Catch by Fishing Vessels in the ICCAT Convention Area* (Rec. 03-13).

Identification IUU activity

57. The Executive Secretary shall, without delay, verify that any vessel identified or reported in the context of this Multi-annual Programme is on the ICCAT record of authorized vessels. If a possible violation is detected, the Executive Secretary shall, without delay, notify the flag CPC. The flag CPC shall immediately investigate the situation and, if the vessel is fishing in relation to objects that could affect fish aggregation, including FADs, during the period of closure request the vessel to stop fishing and, if necessary, leave the area. The flag CPC shall, without delay, report to the Executive Secretary the results of its investigation and the corresponding measures taken.
58. The Executive Secretary shall report to the Compliance Committee at each annual meeting of the Commission on any issue related to identification of unauthorized vessels, the implementation of the VMS, the observer provisions, and the results of the relevant investigation made as well as any relevant measures taken by the flag CPCs concerned.
59. The Executive Secretary shall propose to include any vessels identified in accordance with paragraph 52, or vessels for which the flag CPC has not carried out the required investigation and taken, if necessary, adequate measures in accordance with paragraph 51, on the provisional IUU list.

Observers

60. For observers on board vessels targeting bigeye, yellowfin and/or skipjack tunas in the area east of meridian 20°/West longitude and North of parallel 28°/ South latitude, the following shall apply:

- Observers shall automatically be recognized by all CPCs. Such recognition shall allow the scientific observer to continue the collection of information throughout the EEZ visited by the vessel observed. The coastal CPCs concerned shall receive from the flag CPC which mandated the observer the information collected by the observer and related to fishing activities on ICCAT species in their EEZ.

61. For longline vessels flying their flag 20 meters length overall (LOA) or greater targeting bigeye, yellowfin and/or skipjack in the Convention area, CPCs shall ensure a minimum of 10% observer coverage of fishing effort by 2022, through the presence of a human observer on board in accordance with Annex 7 and/or an electronic monitoring system. For this purpose, the Working Group on Integrated Monitoring Measures (IMM WG), in cooperation with the SCRS, shall make a recommendation to the Commission for endorsement at its 2021 Annual meeting on the following:

- a) Minimum standards for an electronic monitoring system such as:
 - i) the minimum specifications of the recording equipment (e.g. resolution, recording time capacity), data storage type, data protection
 - ii) the number of cameras to be installed at which points on board
- b) What shall be recorded
- c) Data analysis standards, e.g., converting video footage into actionable data by the use of artificial intelligence
- d) Data to be analyzed, e.g., species, length, estimated weight, fishing operation details
- e) Reporting format to the ICCAT Secretariat

In 2020 CPCs are encouraged to conduct trials on electronic monitoring and report the results back to the IMM and the SCRS in 2021 for their review.

CPCs shall report the information collected by the observers or the electronic monitoring system from the previous year by 30 April to the ICCAT Secretariat and to SCRS taking into account CPC confidentiality requirements.

62. CPCs shall submit all relevant data and administer scientific observer programs for tropical tunas in accordance with Recommendation by ICCAT to Establish Minimum Standards for Fishing Vessel Scientific Observers (Rec. 16-14). In 2023, the SCRS shall provide advice on the improvements to observer programs including how coverage should be stratified across vessels, seasons and areas to achieve maximum effectiveness.

63. CPCs shall endeavour to further increase observer coverage rates for longline vessels, including through trials and implementation of electronic monitoring to supplement human observers. CPCs that trial electronic monitoring shall share technical specifications and standards with the Commission towards the development of agreed ICCAT standards.

64. For purse seine vessels flying their flag and targeting bigeye, yellowfin and/or skipjack in the Convention area, CPCs shall ensure 100% observer coverage of fishing effort, through the presence of an observer on board in accordance with Annex 7 or through an approved electronic monitoring system. CPCs shall report the information collected by the observers from the previous year by 30 April to the ICCAT Secretariat and to SCRS.

65. Each year, the ICCAT Secretariat shall compile the information collected under observer programs, including on the observer coverage for each tropical tuna fishery, and make it available to the Commission before the annual meeting for further deliberation, taking into account CPC confidentiality requirements.
66. In 2020, IMM shall explore the possible scope and benefits of ICCAT adopting a regional Observer Program for tropical tuna fisheries taking into account the need for harmonization and coordination of national observer programs for tropical tuna fisheries.

Port Sampling Programme

67. The port sampling programme developed by the SCRS in 2012 shall be continued for landing or transshipment ports. Data and information collected from this sampling programme shall be reported to ICCAT each year, describing, at a minimum, the following by country of landing and quarter: species composition, landings by species, length composition, and weights. Biological samples suitable for determining life history should be collected as practicable.

PART VI MANAGEMENT PROCEDURES/MANAGEMENT STRATEGY EVALUATION

Management Strategy Evaluation (MSE) and Candidate Harvest Control Rules

68. The SCRS shall refine the MSE process in line with the SCRS roadmap and continue testing the candidate management procedures. On this basis, the Commission shall review the candidate management procedures, including pre-agreed management actions to be taken under various stock conditions. These shall take into account the differential impacts of fishing operations (e.g. purse seine, longline and baitboat) on juvenile mortality and the yield at MSY.

PART VII FINAL PROVISIONS

Availability of data to SCRS and to national scientists

69. CPCs shall ensure that:
 - a) Both paper and electronic fishing logbooks and the FAD-logbooks referred to in paragraph 37, where applicable, are promptly collected and made available to national scientists;
 - b) The Task 2 data include the information collected from the fishing or FAD logbooks, where applicable, and is submitted every year to the ICCAT Executive Secretary, to be made available to the SCRS.
70. CPCs should encourage their national scientists to undertake collaborative work with their national industry to analyse data related to FADs (e.g. logbooks, buoy data) and to present the outcomes of that analysis to the SCRS. CPCs should take steps to facilitate making the data available for such collaborative work, subject to relevant confidentiality constraints.

Confidentiality

71. All data submitted in accordance with this Recommendation shall be treated in a manner consistent with ICCAT's data confidentiality guidelines and solely for the purposes of this Recommendation and in accordance with the requirements and procedures developed by the Commission.

72. Actions required from the SCRS and the Secretariat:

- a) The SCRS shall the efficacy that full fishery closures along the lines of those proposed in PA1-505A/2019¹ might have to reduce the catches of tropical tunas to the agreed levels; and the potential of such scheme to reduce the catches of juvenile bigeye and yellowfin tunas, in line with recommendations from the SCRS;
- b) The ICCAT Secretariat shall work with the SCRS in preparing an estimate of capacity in the Convention area, to include at least all the fishing units that are large-scale or operate outside the EEZ of the CPC they are registered in. All CPCs shall cooperate with this work, providing estimates of the number of fishing units fishing for tuna and tuna-like species under their flag, and the species or species groups each fishing unit targets (e.g. tropical tunas, temperate tunas, swordfish, other billfish, small tunas, sharks, etc.); this work shall be presented to the next meeting of the SCRS in 2020 and forwarded to the Commission for consideration;
- c) The ICCAT Secretariat shall identify a Consultant to carry out an evaluation of the monitoring, control and surveillance mechanisms in place in ICCAT CPCs. This work shall primarily focus on the evaluation of data collection and processing systems in each CPC, and the ability to produce estimates of catch and effort, and length frequency for all stocks under ICCAT management, with a focus on stocks for which input and/or output measures are in place; in preparing this work the Consultant shall evaluate how efficient the catch monitoring systems that each CPC has implemented are to achieve robust estimates of catches for the stocks subject to a TAC; the ICCAT Secretariat shall work with SCRS scientists to prepare a TOR for this work as soon as possible.

73. An intersessional meeting of Panel 1 will be held in 2023 to review existing measures and inter alia develop catch limits and associated catch verification mechanisms for 2024.

74. This Recommendation replaces Rec. 21-01.

75. [All CPCs shall adhere to the provisions of this Recommendations in the interest of the fisheries and for the sustainability and conservation of the stocks.]

CPC	COMMENTS
CANADA, EU, JAPAN, EL SALVADOR, COTE D'IVOIRE, SOUTH AFRICA	<p>– Recognition was made of the fact that Rec 21-01 was not perfect and that an in depth review of current measures should be made with emphasis on TAC Allocation for fishing possibilities for developing countries and capacity measures.</p> <p>– Uncertainties in stock indices should be taken with caution.</p>
SCRS	An update of assessment measures should be improved for easy interpretation of probability levels associated to TAC and relative biomass.
CANADA	Need for a revised long line index should be incorporated in future assessment and projections.
GABON, EU, EL SALVADOR	Expressed caution in the interpretation of SCRS recommendation regarding the level of risk associated with each TAC Figure.
JAPAN	<p>Japan presented Bigeye Tuna Allocation [PA1-20/2022i] criteria containing a variable allocation key, depending on whether the TAC level is fixed at 70,000 t or 75,000, and involves allocation of a supplement which is added to the current TAC (difference between the fixed TAC and the current TAC) and would be allocated according to its level to developing coastal countries and other CPCs.</p> <p>Japan presented Proposed Principles for Bigeye Tuna Allocation [PA1_20/2022i] whose nature it claims is relatively different from with the other proposals. It</p>

¹ Available upon request from the ICCAT Secretariat or on the 2019 Commission meeting documents webpage (<https://www.iccat.int/com2019/index.htm#en>).

	contains a variable allocation key, depending on whether the TAC level is fixed at 70,000 t or 75,000, and involves allocation of a supplement which is added to the current TAC (difference between the fixed TAC and the current TAC) and would be allocated according to its level to developing coastal countries and other CPCs. The proposal rests on two levers TAC increase and reduction of catches of juvenile bigeye tuna.
EL SALVADOR + CPCs FROM LATIN AMERICA	<p>Proposed Replacing Recommendation 21-01 highlighting on the need for developing coastal countries and newcomers to have larger share in the TACs [PA1-21/2022i].</p> <p>Other prohibition/limitation measures on carryovers and transfers, a 2-month FAD fishery closure one month of which can be chosen by each CPC are provided for.</p> <p>El Salvador presented a "Draft Recommendation by ICCAT Replacing Recommendation 21-01 on a multi-annual conservation and management programme for tropical tunas" [PA1_21/2022i], submitted by CPCs from Latin America who consider that they have had to make large sacrifices with the adoption of Rec. 19-02 and that this proposal enshrines the recognition of the rights of developing CPCs and the artisanal fisheries, the essential points of which are as follows. For bigeye tuna, a TAC of 77,500 t with an associated probability of 50% in accordance with scientific advice is proposed taking into account acceptable margins of risk, a new allocation for a new reference period 2016-2019 for a duration of three years (2023-2025), the freeze on catches at existing levels in Rec. 21-01 for CPCs that were subject to catch limits in Rec. 16-01. Suppression of the fishing restrictions is also provided for newcomers to the bigeye tuna fishery or for countries whose catches are less than 1,000 t and incentives for CPCs with the lowest catches (1.000-3.500 t). Other prohibition/limitation measures on carryovers and transfers, a 2-month FAD fishery closure one month of which can be chosen by each CPC are provided for. For yellowfin tuna, the TAC is kept at its current level of 120,000 t.</p>
GABON	Questioned how the two-month area/time closure, one month of which is to be chosen by each CPC, will be implemented, and the difficulties in managing the data that the Secretariat would receive from CPCs.
EU	<p>The European Union presented the "Draft Recommendation by ICCAT to amend Recommendation 19-02 to replace Recommendation 16-01 on a multi-annual conservation and management programme for tropical tunas" [PA1_22/2022i] (formerly PA1_512/2019) the key principles of which are as follows: to provide stability for the stock, the Commission and industry, which is possible with the progress of CPC convergence on growth in TAC which would afford fishing opportunities in the short and long-term and would respond to the legitimate requests of developing coastal countries.</p> <p>13 Oct. Further, the EU proposed an allocation criteria recognizing catch limits, adjustments (redistribution) in fishing capacity of distant water fishing nations and stimulations with other CPC s proposals on modalities to firm out the equitable distribution of any TAC. (Work ongoing).</p> <p>Reiterated the fact that consideration should be taken on other fleets not only the purse seine fisheries which have also negative impact on juvenile BET.</p>
WEST AFRICA	<p>Côte d'Ivoire presented a "Proposal to amend the preamble and Parts I, II and III of the Recommendation 21-0, [PA1_23/2022i], considering fishing opportunities for all nations allocating TAC according to categories of catch limits from all CPCs.</p> <p>The West Africa allocation key was proposed by all to be incorporated in any further discussion of the allocation criteria.</p>

SOTH AFRICA	Proposed a criteria for small harvesters and a mechanism for the allocation key should be based on real numbers and emphasized the need for small scale fishers to be considered in the allocation in conformity with international law. Rec. 15-13.
ALL CPCs	<p>On the issue of underage, overage, transfers, fad numbers, fad sets and observer programs, it was generally agreed that additional steps should be taken to consolidate all efforts</p> <p>CPCs after discussions generally converged towards two figures - 70,000 t and 75,000 t - subject to adequate management measures to be adopted.</p> <p>CPCs are encouraged to read through SCRS reports and previous P1 recommendations in areas of FAD management, regional observers, transshipment at sea for large scale vessels and voluntary closures.</p>
	<p><i>Additional comments from the 13th Oct meeting may be added</i></p> <p>[.....]</p> <p>[.....]</p> <p>Next Steps</p> <ul style="list-style-type: none"> - Agree to a TAC before the next assessment year; - Provide adequate management measures in conformity to the said TAC; - Develop allocation key merging proposals from the 4 proponents with Cote d'Ivoire as a springboard. Taking into consideration the rights of coastal states to be given more shares/percentages/numbers/quotas; - Come up with a finalized version of Rec 22-01 which may be totally new considering all comments, recommendations, updates, amendments, repealings and savings if necessary portions of the old Recommendations 16-01.....

Guidelines for Preparation of FAD Management Plans

The FAD Management Plan for a CPC purse seine and baitboat fleets must include the following:

1. Description
 - a) FAD types: AFAD = anchored; DFAD = drifting
 - b) Type of beacon/buoy
 - c) Maximum number of FAD to be deployed per purse seine and per FAD type and active at any one time per vessel
 - d) Minimum distance between AFADs
 - e) Incidental by-catch reduction and utilization policy
 - f) Consideration of interaction with other gear types
 - g) Statement or policy on "FAD ownership"
 - h) Use of support vessels, including from other flag CPCs
2. Institutional arrangements
 - a) Institutional responsibilities for the FAD Management plan
 - b) Application processes for FAD deployment approval
 - c) Obligations of vessel owners and masters in respect of FAD deployment and use
 - d) FAD replacement policy
 - e) Additional reporting obligations beyond this Recommendation
 - f) Conflict resolution policy in respect of FADs
 - g) Details of any closed areas or periods e.g. territorial waters, shipping lanes, proximity to artisanal fisheries, etc.
3. FAD construction specifications and requirements
 - a) FAD design characteristics (a description)
 - b) Lighting requirements
 - c) Radar reflectors
 - d) Visible distance
 - e) FAD markings and identifier
 - f) Radio buoys markings and identifier (requirement for serial numbers)
 - g) Echo-sounder buoys markings and identifier (requirement for serial numbers)
 - h) Satellite transceivers
 - i) Research undertaken on biodegradable FADs
 - j) Prevention of loss or abandonment of FADs
 - k) Management of FADs recovery.
4. Applicable period for the FAD Management Plan
5. Means for monitoring and reviewing the implementation of the FAD Management Plan

FAD logbook

<i>FAD marking</i>	<i>Buoys ID</i>	<i>FAD type</i>	<i>Type of visit</i>	<i>Date</i>	<i>Time</i>	<i>Position</i>		<i>Estimated catches</i>			<i>By-catch</i>				<i>Observations</i>
						<i>Latitude</i>	<i>Longitude</i>	<i>SKJ</i>	<i>YFT</i>	<i>BET</i>	<i>Taxonomic group</i>	<i>Estimated catches</i>	<i>Unit</i>	<i>Specimen released alive</i>	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(7)	(8)	(8)	(8)	(9)	(10)	(11)	(12)	(13)
...
...

(1,2) If FAD marking and associated beacon/buoy ID are absent or unreadable, report it in this section. However, if FAD marking and associated beacon/buoy ID are absent or unreadable, the FAD shall not be deployed.

(3) Anchored FAD, drifting natural FAD or drifting artificial FAD.

(4) i.e., deployment, hauling, strengthening/consolidation, removing/retrieving, changing the beacon, loss and mention if the visit has been followed by a set.

(5) dd/mm/yy

(6) hh:mm

(7) N/S/(in degrees and minutes) or E/W/(in degrees and minutes).

(8) Estimated catches expressed in metric tons.

(9) Use a line per taxonomic group.

(10) Estimated catches expressed in weight or in number.

(11) Unit used.

(12) Expressed as number of specimen.

(13) If no FAD marking or associated beacon ID is available, report all available information in this section which may help to describe the FAD and to identify the owner of the FAD.

Table 1. Codes, names and examples of different types of floating object that should be collected in the fishing logbook as a minimum data requirement. Table from 2016 SCRS report (section 18.2, Table 7).

<i>Code</i>	<i>Name</i>	<i>Example</i>
DFAD	Drifting FAD	Bamboo or metal raft
AFAD	Anchored FAD	Very large buoy
FALOG	Artificial log resulting from human activity (and related to fishing activities)	Nets, wreck, ropes
HALOG	Artificial log resulting from human activity (not related to fishing activities)	Washing machine, oil tank
ANLOG	Natural log of animal origin	Carcasses, whale shark
VNLOG	Natural log of plant origin	Branches, trunk, palm leaf

Table 2. Names and description of the activities related to floating objects and buoys that should be collected in the fishing logbook as a minimum data requirement (codes are not listed here). Table from 2016 SCRS report (section 18.2, Table 8).

	<i>Name</i>	<i>Description</i>
FOB	Encounter	Random encounter (without fishing) of a log or a FAD belonging to another vessel (unknown position)
	Visit	Visit (without fishing) of a FOB (known position)
	Deployment	FAD deployed at sea
	Strengthening	Consolidation of a FOB
	Remove FAD	FAD retrieval
	Fishing	Fishing set on a FOB ¹
Buoy	Tagging	Deployment of a buoy on FOB ²
	Remove BUOY	Retrieval of the buoy equipping the FOB
	Loss	Loss of the buoy/End of transmission of the buoy

¹ A fishing set on a Fishing Object (FOB) includes two aspects: fishing after a visit to a vessel's own FOB (targeted) or fishing after a random encounter of a FOB (opportunistic).

² Deploying a buoy on a FOB includes three aspects: deploying a buoy on a foreign FOB, transferring a buoy (which changes the FOB owner) and changing the buoy on the same FOB (which does not change the FOB owner).

List of deployed FADs and buoys on a monthly basis

Month:

FAD Identifier		FAD & electronic equipment types		FAD				Observation
FAD Marking	Associated buoy ID	FAD Type	Type of the associated buoy and /or electronic devices					
				FAD floating part	FAD underwater hanging structure			
(1)	(1)	(2)	(3)	(4)	(5)			(6)
...
...

- (1) If FAD marking and associated beacon/buoy ID are absent or unreadable, the FAD shall not be deployed.
 (2) Anchored FAD, drifting natural FAD or drifting artificial FAD.
 (3) E.g. GPS, sounder, etc. If no electronic device is associated to the FAD, note this absence of equipment.
 (4) Mention the material of the structure and of the cover and if biodegradable.
 (5) E.g. nets, ropes, palms, etc., and mention the entangling and/or biodegradable features of the material.
 (6) Lighting specifications, radar reflectors and visible distances shall be reported in this section.

Guidelines for reducing the ecological impact of FADs in ICCAT fisheries

1. The surface structure of the FAD should not be covered or only covered with material implying minimum risk of entangling by-catch species.
2. The sub-surface components should be exclusively composed of non-entangling material (e.g. ropes or canvas).
3. When designing FADs the use of biodegradable materials should be prioritised.

Requirements for Catch Recording Minimum specification for paper or electronic logbooks:

1. The logbook must be numbered by sheets
2. The logbook must be filled in every day (midnight) and before port arrival
3. One copy of the sheets must remain attached to the logbook
4. Logbooks must be kept on board to cover a period of one-trip operation

Minimum standard information for logbooks:

1. Master name and address
2. Dates and ports of departure, Dates and ports of arrival
3. Vessel name, registry number, ICCAT number and IMO number (if available)
4. Fishing gear:
 - a) Type FAO code
 - b) Dimension (length, mesh size, number of hooks...)
5. Operations at sea with one line (minimum) per day of trip, providing:
 - a) Activity (fishing, steaming...)
 - b) Position: Exact daily positions (in degree and minutes), recorded for each fishing operation or at noon when no fishing has been conducted during this day
 - c) Record of catches
6. Species identification:
 - a) By FAO code
 - b) Round (RWT) weight in t per set
 - c) Fishing mode (FAD, free school, etc.)
7. Master signature
8. Observer signature, if applicable
9. Means of weight measure: estimation, weighing on board and counting
10. The logbook is kept in equivalent live weight of fish and mentions the conversion factors used in the evaluation.

Minimum information in case of landing, transshipments:

1. Dates and port of landing/transshipments
2. Products: number of fish and quantity in kg
3. Signature of the Master or Vessel Agent

Observer Programme

1. The observers referred to in paragraph 60-66 of this Recommendation shall have the following qualifications to accomplish their tasks:
 - Sufficient experience to identify species and fishing gear;
 - Satisfactory knowledge of the ICCAT conservation and management measures assessed by a certificate provided by the CPCs and based on ICCAT training guidelines;
 - The ability to observe and record accurately;
 - The ability to collect biological samples;
 - A satisfactory knowledge of the language of the flag of the vessel observed.
2. The observers shall not be a crew member of the fishing vessel being observer and shall:
 - a) Be nationals of one of the CPCs;
 - b) Be capable of performing the duties set forth in point 3 below;
 - c) Not have current financial or beneficial interests in the tropical tuna fisheries.
3. The observer tasks shall be in particular:
 - a) To monitor the fishing vessels' compliance with the relevant conservation and management measures adopted by the Commission.

In particular the observers shall:

- i. Record and report upon the fishing activities carried out;
 - ii. Observe and estimate catches and verify entries made in the logbook;
 - iii. Sight and record vessels which may be fishing in contravention to ICCAT conservation and management measures;
 - iv. Verify the position of the vessel when engaged in catching activity;
 - v. Verify the number of instrumental buoys active at any one time;
 - vi. Carry out scientific work such as collecting Task 2 data when required by the Commission, based on the directives from the SCRS, observing and recording data on FAD properties in accordance with **Table 1** below.
- b) Establish general reports compiling the information collected in accordance with this paragraph and provide the master the opportunity to include therein any relevant information.

Obligations of the observer

4. Observers shall treat as confidential all information with respect to the fishing and transshipment operations of the fishing vessels and accept this requirement in writing as a condition of appointment as an observer.
5. Observers shall comply with requirements established in the laws and regulations of the flag State which exercises jurisdiction over the vessel to which the observer is assigned.
6. Observers shall respect the hierarchy and general rules of behaviour which apply to all vessel personnel, provided such rules do not interfere with the duties of the observer under this programme, and with the obligations of vessel personnel set forth in point 7 of this Annex.

Obligations of the flag States of fishing vessels

7. The responsibilities regarding observers of the flag States of the fishing vessels and their masters shall include the following, notably:
 - a) Observers shall be allowed to access to the vessel personnel and to the gear and equipment;
 - b) Upon request, observers shall also be allowed access to the following equipment, if present on the vessels to which they are assigned, in order to facilitate the carrying out of their duties set forth in point 3 of this Annex:
 - i) satellite navigation equipment;
 - ii) radar display viewing screens when in use;
 - iii) electronic means of communication, including FAD/buoys signals.
 - c) Observers shall be provided accommodations, including lodging, food and adequate sanitary facilities, equal to those of officers;
 - d) Observers shall be provided with adequate space on the bridge or pilot house for clerical work, as well as space on deck adequate for carrying out observer duties; and
 - e) The flag States shall ensure that masters, crew and vessel owners do not obstruct, intimidate, interfere with, influence, bribe or attempt to bribe an observer in the performance of his/her duties.

Table 1. FOB/FAD information added to observer onboard form to comply with RFMOs recommendations. Table from 2016 SCRS report (section 18.2, Table 9).

<i>Properties</i>	<i>DFAD</i>	<i>AFAD</i>	<i>HALOG</i>	<i>FALOG</i>	<i>ANLOG</i>	<i>VNLOG</i>
FOB built using biodegradable materials (true/false/undefined)	X	X	X	X		
FOB is non-entangling (true/false/undefined)	X	X	X	X		
Meshed material (true/false/undefined) in FOB	X	X		X		
Size of largest mesh (in millimeters)	X	X		X		
Distance between the surface and the deepest part of the FOB (in meters)	X	X	X	X		
Approximate surface area of the FOB	X	X	X	X		
Specifies the FOB's ID whenever present	X	X	X	X		
Fleet owning the tracking device/echo sounder buoy	X	X	X	X	X	X
Vessel owning the tracking device/echosounder buoy	X	X	X	X	X	X
Anchorage type used for mooring (AFAD registry)		X				
Radar reflectors (presence or not) (AFAD registry)		X				
Lighting (presence or not) (AFAD registry)		X				
Visual range (in nautical miles) (AFAD registry)		X				
Materials used for the floating part of the FOB (list to be defined)	X	X	X	X		
Materials making up the FOB underwater structure (list to be defined)	X	X	X	X		
Tracking device TYPE+ID if possible, otherwise no or undefined.	X	X	X	X	X	X