

REPORT OF THE AD HOC WORKING GROUP ON MEDITERRANEAN ALBACORE
(Online, 9-10 February 2022)

1. Opening of the meeting

The Chair of the Ad Hoc Working Group on Mediterranean Albacore (hereinafter the "Working Group"), Mr. Shingo Ota (Panel 2 Chair), opened the meeting.

2. Appointment of Rapporteur

The Panel appointed Mr. Séamus Howard (European Union) as Rapporteur.

3. Adoption of Agenda and meeting arrangements

The agenda was adopted with no revisions (**Appendix 1**).

The list of participants is attached as **Appendix 2**.

4. Establishment of a fair and equitable allocation scheme of the TAC of Mediterranean albacore

The Chair reminded Working Group members of the TAC of 2,500 t for Mediterranean albacore that was agreed at the 2021 ICCAT Annual Meeting in Rec. 21-06 and the need for a consensus on a fair and equitable allocation scheme for the stock. CPCs who had submitted papers under this agenda item were invited to present them.

The EU outlined the main elements of their paper recalling that they were the main player in the fishery, while Turkey in its paper elaborated on its contributions to the conservation and management measures and its historical and projected catches.

CPCs recalled that operators involved in this fishery are mainly artisanal and are often highly dependent on this stock. Fishing activities for Mediterranean albacore sustain an important number of jobs in coastal communities, characterised by very high unemployment rates and the lack of alternative economic activities. Certain CPCs have also seen many fishers exiting this fishery in recent years due to lack of economic interest, which could be attributable to strict regulations.

CPCs also agreed on the importance of conservation and management measures and historical catch data in the context of this fishery.

CPCs debated the issue of such catch data, both the admissibility thereof and the possibility to include, in the deliberations for an allocation scheme, data that projected catches if restrictions had not been in place. It was recalled that the only admissible catch data in ICCAT are those which had been previously submitted to and validated by the SCRS. It was also acknowledged, however, that some CPCs had challenges recording catch data in recent years due to difficult national political situations. There was some discussion as to the possible effects of climate change on this stock and future migration of the species. Some CPCs emphasized that the distribution of the species is biased towards the west, referring to the results of the tagging programme as set out in Figures 2 and 3 on page 33 of the Report of the Intersessional Meeting of the Albacore Species Group including the Mediterranean Albacore Stock Assessment. The SCRS told the meeting that caution should be given to the interpretation of the tagging data.

In response to the request of a CPC for conducting the stock assessment for this species in 2022, the Chair explained that the Commission had already agreed that the SCRS will conduct the next Mediterranean albacore stock assessment in 2023.

5. Determination of the individual CPC quotas for 2022 without prejudice to the scheme in 4

A long debate ensued between CPCs on the determination of the individual quotas for 2022. The focus was to achieve convergence on an agreed reference period of historical catch data. Certain CPCs had a preference for a 5-year reference period, from 2016 to 2020, while other CPCs wanted a much longer reference period or a reference period that would refer to specific years only. Ultimately, it was tentatively agreed to base the calculation of the allocation on a system of weighted averages as a starting point. To strike a balance between the interest of CPCs whose catch was much higher in earlier years and CPCs whose catch was higher in recent years, catch data for years 2006-2010 would be weighted at 100%, years 2011-2015 weighted at 80% and years 2016-2020 weighted at 100%. Following this calculation, the Working Group made adjustments to try to further accommodate the interest of some CPCs by transferring a relatively small amount of tonnage to certain CPCs who required a “top-up” quota from others. The allocations as proposed by the Chair (**Appendix 3**) were agreed by all CPCs, with the exception of Turkey. To try to reach consensus, the Working Group considered the possibility of scheduling a second meeting, but it was decided this was not feasible given the already heavy intersessional schedule of ICCAT meetings and the timing of the fishery. Turkey was urged to join the consensus but if they could not, they were requested to not block it and, instead, consider lodging an objection to the allocation arrangement. In the end, Turkey did not block consensus, explaining that it understood the need for CPCs involved in the fishery to agree on rules that would ensure catches in 2022 respected the TAC and assuring other CPCs of its commitment to the effective conservation and management of the stock. Nevertheless, Turkey expressed a strong reservation on the proposed allocation scheme, noting that, in Turkey’s view, it did not represent a precedent for developing an allocation key for future years as per paragraph 3b) of Recommendation 21-06 and the issue should be reconsidered at the 2022 ICCAT Annual Meeting. In view of the fact that the allocations applicable to the 2022 Mediterranean albacore fishery would be binding for those CPCs that have agreed to the catch limits given in **Appendix 3**, Turkey provided a detailed statement of its views and position for the record (**Appendix 4**).

A procedural question was raised as to how any quotas agreed for 2022 could become binding on CPCs. The Chair explained his understanding that the Commission conferred binding decision-making authority on the Working Group on Mediterranean albacore and that, if a consensus allocation decision was reached, it would become binding on CPCs for the 2022 fishery. He also stated that lack of consensus would require a mail vote to become binding. Regardless of whether or not consensus could be reached, the United States strongly disagreed that a transfer of binding decision-making authority from the Commission to an *ad hoc* Working Group or other subsidiary body of ICCAT was possible, stressing that the Convention and Rules of Procedure are clear that only the Commission can adopt binding, Article VIII recommendations. Furthermore, without the existence of an Article VIII recommendation, there would be nothing against which Turkey could lodge a formal objection under the Convention. The United States noted for the record that, in its opinion, any outcome reached by the Working Group intersessionally on an allocation key applicable to the 2022 Mediterranean albacore fishery must be circulated to the Commission and adopted through an intersessional mail vote in order to become binding. The United States indicated that such an approach would be consistent with how the outcomes from other intersessional allocation discussions were handled, namely, for eastern Atlantic and Mediterranean bluefin tuna in 2007 and for Mediterranean swordfish in 2017. Notwithstanding, the United States indicated that, as it was not involved in the Mediterranean albacore fishery, it would not insist that a mail vote be taken on any allocation key developed at this meeting provided that the important issue of process it had raised was referred to the Commission for consideration at its 2022 Annual meeting. The EU, as a proponent of the ICCAT Recommendation 21-06, clarified that by providing in paragraph 4 of Recommendation 21-06 that the mutually agreed TAC allocation shall be adopted through a supplementary Recommendation at the 2022 Annual Meeting, it intended to avoid the situation such as in case of the allocation key for the Mediterranean swordfish fishery which is mentioned solely in the minutes of the dedicated Working Group.

The Working Group acknowledged that a supplementary recommendation would need to be adopted by the Commission at the 2022 ICCAT Annual meeting to formalize any decision on an allocation scheme for the fishery (as per para 4 of Rec. 21-06), with the understanding that Turkey may reopen the discussion and/or may lodge a formal objection in accordance with Article VIII of the Convention if a supplementary recommendation is adopted. All CPCs involved in the fishery, apart from Turkey, advocated not to reopen the question of allocation at the Annual meeting.

6. Establishment of mechanisms to manage the TAC

It was agreed that CPCs concerned should submit a quarterly catch report, within 30 days of the end of each quarter. For CPCs involved in direct fisheries of the stock, reporting should be done on a monthly basis. In any case, CPCs committed to notify the ICCAT Secretariat when 80% of the TAC is reached.

7. Other matters

There were no comments on this agenda item.

8. Adoption of the report and closure

It was agreed that the report would be adopted by correspondence.

The Chair adjourned the meeting with many thanks to the Secretariat, the interpreters and the Working Group members for all their hard work.

Agenda

1. Opening of the meeting
2. Nomination of Rapporteur
3. Adoption of Agenda and meeting arrangements
4. Establishment of a fair and equitable allocation scheme of the TAC of Mediterranean albacore
5. Determination of the individual CPC quotas for 2022 without prejudice to the scheme in 4
6. Establishment of mechanisms to manage the TAC
7. Other matters
8. Adoption of Report and closure

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Allocation Scheme for Mediterranean Albacore 2022

	<i>Quota</i>
EU	2169.68
Egypt	177.27
Libya	23
Morocco	10
Syria	1.8
Turkey*	118.25
Total	2500

*Turkey does not agree with this figure and has formally expressed its reservation.

Statement by Turkey

With respect to the outcomes of the on-line Meeting of the Albacore Working Group (9-10 February 2022) Turkey would like to register the following statement:

Turkey has traditionally a high fisheries potential for the Med-ALB as such in other ICCAT species. Despite this very potential, following principles of a responsible fishery in the region, Turkey has adopted a stronger conservation approach that resulted in a considerable decrease in albacore catches over a decade, in contrary to what was observed in other parts of the Mediterranean. In other words, in consideration of sustainable and responsible fisheries, Turkey has had to lose most of its traditional fishing activity and potential for this species in the Mediterranean.

From this point of view Turkey came to the WG meeting, which was tasked to develop a fair and equitable allocation scheme, prepared to work with other parties to find a mutually acceptable allocation arrangement and maintained this stance towards a consensus decision until the end of the meeting.

Notwithstanding, despite Turkey's efforts to be flexible in finding an approach that would work for everyone, a number of options considered in the said meeting did not treat Turkey in a fair and equitable way since these ignored the dependency of Turkish fishers and their families on the Med-ALB fishery, and all the losses incurred by them over the past decade with a view to contribute to the conservation measures.

As a consequence, Turkey had to express a reservation on the allocation arrangement that did not appropriately take into account its longstanding involvement in this fishery, registered historical catches, contributions to the conservation and management measures as well as its needs and interests, and expects that the issue would be taken up by Panel 2 at the 2022 ICCAT meeting.

The fact that the meeting ended without finding consensus on an allocation scheme has been a disappointment for Turkey. Nevertheless, Turkey would like to stress its willingness to continue to work with other CPCs to find a mutually acceptable solution in time for adoption at the 2022 ICCAT annual meeting in view of paragraph 4 of Rec. 21-06 that calls on the Commission to adopt a "mutually agreed" TAC allocation at that meeting.

Turkey is fully committed to ICCAT's Convention objective and, specifically, to the rebuilding of Mediterranean albacore stocks. To this end, Turkey will continue to effectively manage its albacore fishery in 2022 through already imposed domestic measures, and as a matter of transparency, it will also submit regular catch reports to ICCAT. On the other hand, considering the outcomes of the Working Group meeting, Turkey, as a responsible CPC that showed a high conservation approach in the Med-ALB fishery, has been virtually penalized by underestimation of its efforts, self-sacrifices and fishing potential. We consider that taking such an approach in allocation discussions would definitely harm the credibility of ICCAT and be a deterrent for other CPCs willing to take stronger conservation measures on their own initiatives.

In light of the above-mentioned considerations, as also indicated during the meeting, a fair and equitable amount for Turkey within the TAC 2022 should be 375 tons and Turkey is determined to follow its rights and interests to the end, with this understanding. Nonetheless, as a responsible CPC, Turkey will continue to cooperate and strive to fulfil the requirements of the decisions taken by ICCAT towards conservation and sustainable management of Med-ALB stocks.