

Report of the Second Intersessional Meeting of Panel 1
(hybrid/Natal, Brazil, 22-24 May 2024)

1. Opening of the meeting

Mr Emmanuel Kwame Dovlo (Ghana), the Chair of Panel 1, opened the meeting and welcomed the participants.

The ICCAT Executive Secretary, Mr. Camille Jean Pierre Manel, reminded that the meeting was being held in a hybrid format with participants present in the room and participants attending online via the Zoom platform, including noting the timing of the lunch and coffee breaks.

2. Appointment of Rapporteur and meeting arrangements

Brazil proposed Ms. Flávia Lucena as Rapporteur for the meeting.

3. Adoption of the Agenda

The agenda was adopted without changes and is included as **Appendix 1**.

The List of participants is included as **Appendix 2**.

The Executive Secretary introduced the 30 CPCs participating at the meeting: Belize, Brazil, Cabo Verde, Canada, People's Republic of China, Curaçao, Côte d'Ivoire, Egypt, El Salvador, the European Union, France (St. Pierre & Miquelon), Ghana, Guatemala, Equatorial Guinea, Guinea, Honduras, Japan, Korea, Liberia, Mauritania, Morocco, Nicaragua, Panama, Senegal, South Africa, Saint Vincent and the Grenadines, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Uruguay, and Venezuela. In addition, four Cooperating Non-contracting parties, entities, fishing entities also attended the meeting: Bolivia, Chinese Taipei, Costa Rica and Suriname.

Two Intergovernmental Organizations, the Ministerial Conference on Fisheries Cooperation among African States bordering the Atlantic Ocean (ATLAFCO), and INFOPÊCHE attended the meeting as Observers, and the Latin American Alliance for Sustainable Fishing (ALPESCAS), the Marine Sciences and Cooperation Association (SCIAENA), Blue Water Fishermen's Association (BWFA), the Brazilian Association of Fish Industries (ABIPECA), International Seafood Sustainability Foundation (ISSF), OCEANA and the Pew Charitable Trusts (PEW), participated as Non-governmental Organizations.

4. Review of fishing, capacity and FAD management plans submitted by CPCs, including statements for development of fisheries

No specific issues were raised regarding the review of the plans, however Japan and EU made some comments and suggestions concerning the structures of the plans as well as the capacity table, which need some revisions and standardization between CPCs and also between Panels. In particular, the EU requested that the SCRS provide a set calculation for "estimated best catch rate per unit (t)" for the tropical tuna capacity table, as is the case for bluefin tuna.

5. Allocation keys for and distribution of the bigeye tuna Total Allowable Catch (TAC)

6. Review of potential capacity limits in light of the allocation key

7. Review of provisions related to the calculation of catch limits as stipulated in [Rec. 22-01](#)

The Chair introduced his document "Draft Recommendation by ICCAT replacing Recommendation 22-01 on a multi-annual conservation and management programme for tropical tunas" and the document "Catch limits for CPCs according to alternatives 1 and 2 of paragraph 4 table in the Chair's Draft Recommendation by ICCAT replacing Recommendation 22-01 on a multi-annual conservation and management programme

for tropical tunas” (and spreadsheet), prepared by the ICCAT Secretariat under the guidance of the Chair. The latter relates to the catch limits for bigeye tuna and conditions associated with the allocation of catch limits for CPCs according to alternatives 1 and 2 of the spreadsheet, and paragraph 4 of the Chair’s Draft Recommendation. The three items of the Agenda (5, 6 and 7) were initially combined since they are complementary when discussing these documents. The Chair clarified that the documents are informal proposals and all CPCs are open to present other proposals or carry out bilateral meetings to discuss this matter.

The ICCAT Secretariat explained the calculations in the document on catch limits were made in accordance with the provisions of paragraph 4 of the *Recommendation by ICCAT to replace Recommendation 16-01 by ICCAT on a Multi-annual Conservation and Management Programme for Tropical Tunas (Rec. 19-02)*. It was proposed that (1) the calculated catch limits and thresholds were to be those included in the Compliance tables in 2020, presented in the Conservation and Management Measures Compliance Committee (COC), and used as a reference since then for a TAC of 62,500 t, and (2) those CPCs that do not currently have an explicit catch limit are encouraged to maintain their catch at recent levels; (3) the TAC would amount to 73,000 t with a reserve of 5,000 t for small harvesters, leaving 68,000 t to be distributed between the other categories. The calculation and conditions of alternatives 1 and 2 were the same, with the difference that the alternative 1 has three categories, with small harvesters being in category C, and, alternative 2 having four categories, with category D small harvesters (< 1,050 t).

After the presentation by the ICCAT Secretariat, various CPCs requested the floor to make their considerations.

Guatemala pointed out that the Chair’s exercise with a pro-rata approach does not respond to the desire for greater participation of developing coastal States. Senegal did not agree that the limit starting point should take into account the *Recommendation by ICCAT on a multi-annual conservation and management program for tropical tunas (Rec. 16-01)*, which does not resonate its desires and those of the ATLAFCO. The EU appreciated the efforts in terms of a methodology, and recalled the significant allocation reductions made by the EU since 2019. Korea, as in previous years, did not agree with its catch limit and asked the Chair to correct the amount of 1,000 t to 1,337.4 t. South Africa attested that TAC increase must be accompanied by robust measures to protect the juveniles. As regards small harvesters, there are 24 CPCs in this category and, according to South Africa, the proposed allocation of 5,000 t would be insufficient, particularly when taking into account that part of this negotiation involves redistribution of fishing possibilities to developing coastal States. Japan proposed to allocate the increase of the TAC to developing countries. Liberia, while agreeing, maintained that big harvesters should accept to decrease the catch limit in favour of developing CPCs. Brazil, Guatemala and Senegal agreed with the points of view of the previous CPCs. The EU indicated that it supported the catch limits based on *Rec. 16-01* and, although agreeing with the aim of a certain redistribution to developing CPCs, maintained that CPCs with historical catches of tropical tunas species, which have also made substantial reductions in the past to contribute to the recovery of the stock, should also see some benefit where there is a TAC increase. Japan and other CPCs agreed that the distribution of the TAC increase should be discussed amongst CPCs.

Following the initial discussion of the provisions of the paragraph 4 of the Draft Recommendation and the document on catch limits (and spreadsheet), the Panel agreed to discuss the draft Recommendation on tropical tunas, with the exception of paragraph 4, which deals specifically with the allocation keys and distribution of the bigeye tuna TAC.

Some paragraphs were accepted, some edits, deletion of redundant text, and additions were suggested, and many parts of the text were kept in brackets for further discussion. Some points, detailed herein, led to more discussion within the Panel.

In relation to the Annual Fishing / Capacity Management / FAD Management Plans for Tropical Tunas, many CPCs commented about the different alternatives, whether those Plans, depending on the category (small or big harvesters) should be reviewed or approved by the Commission. The alternatives were kept in brackets, with room for further discussion.

In relation to the FAD closure, there was a broad discussion about the appropriate period that could be agreed, which many CPCs agreed should be based on scientific advice concerning its effectiveness. Guatemala asked if there was some new information from SCRS that could guide the decision of the

appropriate FAD closure for the CPCs. The SCRS Chair explained that the most recent data on catch-at-size, which would allow the division of juvenile from adult catches for tropical tunas for the last several years, was not yet available. He also mentioned that all CPCs were requested to provide the recent data. However, the SCRS maintains the previous advice that there should be efforts taken by the Commission to limit impacts on juveniles. He affirmed that updated advice is expected to be provided by September 2024. South Africa emphasized that an increase in TAC needs to be accompanied by robust FAD measures, a point echoed by the UK. Guatemala pointed out that if there is sufficient control of the impact of fisheries on catches when the TAC is established, this TAC would account for the whole stock, including juveniles, therefore it is not notorious if the stock needs additional measures.

There was also a lengthy discussion related to the appropriate limit of active FADs but, as was the case with the discussion on the FAD closure period, without having a clearer idea of the effectiveness of these measures, the alternatives were kept in brackets. Discussion centered on the available information as well as any useful information required to provide such advice. It was questioned whether it was necessary to standardize the methodology or if further information was needed, since the available data might not be offering enough information for the SCRS to provide advice.

In relation to the Observer coverage, some CPCs (El Salvador, the EU, Guatemala, Nicaragua and Panama), showed their preference for 20% coverage for longline while others pointed out some constraints regarding the increase of the observer coverage (Brazil, Japan, Korea and Chinese Taipei) from 10 to 20% in 2025. Japan attested that the combination of human observers (10% of coverage) and Electronic Monitoring Systems (EMS) has just been established, including the EMS minimum standards having just been adopted last year, and therefore it would be premature to increase the rate. Korea also raised some concerns in relation to EMS reaching its full potential in 2026. Although certain CPCs have already been implementing it, for many others, EMS is still under development. No consensus was reached on the percentage of the combination of human observers and EMS; therefore, it was left in brackets for further discussion. The whole question of data quality was also raised. It was questioned if the SCRS could provide advice on the appropriate ratio human observer/EMS, and whether the increase in observers coverage would lead to better quality data. The SCRS clarified that, for scientific purposes, EMS should be used to supplement human observers and not to replace them since, for example, biological sampling requires human observers. The potential evaluation of different coverage levels would likely require the SCRS to be able to work with the detailed data, in order to simulate reduced levels versus full/high coverage levels and see how the ability to make accurate estimates is affected. However, these answers are not yet available. Hence, all the decisions concerning this topic were kept in brackets for further discussion.

Provisions related to a Regional Observer Program (ROP) was also discussed. Some CPCs (the EU, Guatemala, Panama) proposed the implementation of the ROP for all tropical tuna fisheries since it may be an opportunity for the Commission to understand and cover all fisheries, with more robust data, allowing to better assess the state of the stocks. The language barrier was mentioned by Brazil. Japan and other CPCs indicated that they were not agreeable to have longlines in the scope of the Program, since the current observer scheme (10% national observers for longliners + 100% regional observers for carrier vessel) has, according to those CPCs, worked properly to collect necessary data. Another point raised was related to the capacity of the ICCAT Secretariat to manage another significant increase of data sets, related to hundreds of vessels, since by just adding longliners it would increase around 760 vessels. The ICCAT Secretariat responded that since Regional Observer Program was discussed but not ultimately adopted, they are not yet in a position to assess the impact of such a Program, both financially and in terms of human resources. If the Program is accepted and the details are appropriately defined, it will be considered internally, then a proposal on the required means will be made to the Commission. Hence, as there was no consensus, the Panel agreed to put the question to the IMM working group in June with a request to elaborate on terms of reference for a tropical tuna regional observer feasibility study.

Having walked through the entirety of the Chair's proposal, the Panel returned to agenda item 5 on the allocation of catch limits. Questions already arisen were reconsidered, such as the base of the calculations of the catch limits, the alternatives of the exercise produced by the ICCAT Secretariat and the proposition by Japan on the distribution of the amount of TAC increases to developing countries. The number of catch limit categories were discussed, with some CPCs showing their preference for alternative 1 with three categories or alternative 2 with four categories, which some CPCs considered as a more proportional manner of dividing catch between the different groups of CPCs. There was, however, a consensus related to the establishment of a reserve for CPCs that want to start developing their fishing activity without being

hampered. A debate ensued concerning a reserve for small harvesters involving the definition and amount attributed to it. Both Brazil and ATLAFCO presented allocation proposals in order to facilitate the dialogue concerning the allocation of the quotas.

ATLAFCO presented their proposal “Catch limits for bigeye tuna”, which used an alternate baseline, since they attested the document prepared by the ICCAT Secretariat would not be in line with the aspirations of ATLAFCO Member States. ATLAFCO presented a table, based on an exercise produced by them in the previous year, which also accounted for the different discussions carried out over the course of the meeting. They pointed out that, although the Panel has discussed different ways to calculate quota allocation in previous years, it did not come up with a satisfactory formula for all CPCs. The catch limits presented by ATLAFCO were based on CPC catches since 2019, using CPCs’ catches rather than their catch limits. The small harvester category would be subject to a 1,050t trigger threshold and a reserve of 5,195 t. Belize, Brazil, Cabo Verde, China (P.R.), Côte d'Ivoire, Curaçao, El Salvador, the EU, Ghana, Guatemala, Japan, Korea (Rep.), Morocco, Panama, Senegal, and Chinese Taipei, were explicitly listed in the proposal, without a defined group, amounting to a total of 67,805 t. The representative of the ATLAFCO expressed the importance of the reserve, which should be a limit within a margin of security, given the current low level of the stock, but not a constraint for the development of coastal CPCs. Many CPCs initially supported the general lines of the proposal and, although the discussions were very informative, there was agreement on the need for more dialogue and to improve some aspects of the ATLAFCO proposal, especially those related to the years that should be considered as a starting point.

Brazil presented the document “Catch limits for bigeye tuna”, stressing that it was an exercise of methodology for potential distribution scenarios for the TAC increase, rather than figures to be finally considered for specific CPCs. The concept of the exercise brought together the general ideas expressed by some CPCs during previous interventions and the efforts made by the Chair and ICCAT Secretariat, which were: (1) alternative 1 of the table configuration used by the Chair and the ICCAT Secretariat in the document presented for this meeting; (2) the proposal raised by Japan to allocate all or a significant fraction of the TAC increase to CPCs not in category A; and (3) the maintenance of the reserve for the small harvesters in 5,000 t, which would proportionally increase with any TAC increase. Brazil made its point clear about the Group C reserve, which would not hinder CPCs from developing fisheries in the medium term but would also be a buffer for the stock itself that could guarantee reserves for the protection of the bigeye tuna stock.

The rationale behind Brazil’s document was based on two primary keys:

- 1) the first key relating to the percentage divided between Groups A, B, and C and how it would be shared. For example, the first key could be simulated if all or alternative fractions (98%, 95%, 92%, etc.) of the TAC increase would be allocated to Groups B and C.
- 2) the second key relating to the distribution inside each group with three different scenarios based on:
 - a) a prorated scenario inside each group;
 - b) an equal distribution of the total value available; and
 - c) a scenario that could be provided with some division between the Group B and Group C. It could also simulate a more equitable situation of the TAC towards small harvesters by including different proportionality for some groups (B, for example).

Many CPCs acknowledged that the documents presented by Brazil and ATLAFCO were very useful since they could be used as a basis for further discussion. However, many CPCs attested that they would need more time to go through the proposals with still many questions to be considered.

12. Adoption of report / adjournment

At the end of the morning session of day #3, a power and Internet outage occurred, affecting a large part of the city of Natal. Accordingly, since the ZOOM connection was lost and participants online could not follow the discussions, the Chair adjourned the meeting and the remaining items of the agenda were not covered.

The Chair also informed that a roadmap would be circulated in the forthcoming weeks, aiming to set a correspondence process with clear outlines of the next steps for the Panel 1. It was agreed that the report would be adopted by correspondence and the meeting was adjourned.

Agenda

1. Opening of the meeting
2. Appointment of rapporteur and meeting arrangements
3. Adoption of the Agenda
4. Review of fishing, capacity and FAD management plans submitted by CPCs, including statements for development of fisheries
5. Allocation keys for and distribution of the bigeye tuna Total Allowable Catch (TAC)
6. Review of potential capacity limits in light of the allocation key
7. Review of provisions related to the calculation of catch limits as stipulated in [Rec. 22-01](#)
8. Consideration of TAC and allocation for yellowfin tuna
9. Review other measures relevant to the conservation and management of tropical tunas
10. Update on SCRS progress of Western Skipjack Management Strategy Evaluation (SKJ-W MSE)
11. Other matters
12. Adoption of report / adjournment

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