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Tuna Conservation

Final day



ICCAT - Final day, 25 November

ICCAT wrapped up its business yesterday for another year. Compared to other years, this was a rather calm meeting. It felt more like an interregnum, with various interests jockeying for position, skirmishing, before a big confrontation foreseen for 2014. The most mediatic issue at ICCAT was, as usual, bluefin tuna. The scientists have indicated that a recovery of the stock has begun and so the usual suspects were lined up to call for a big increase in the quota - interests both within Europe and elsewhere. Nonetheless, the European Commission had been given a mandate to resist calls for a quota increase and in that, they succeeded. There is no increase. Moreover, a European proposal to improve certain control measures was approved which, at the last minute, suddenly included a provision to change the fishing seasons. The latter caters explicitly to European fishing interests. On sharks, unfortunately there was no surprise. It has been five years since ICCAT took any new measures to conserve sharks and many were bitterly disappointed. It was, once again, the Asian countries which blocked any progress, There was a bit of good news for sea turtles, which get caught in longline fisheries, with an agreement on requirements for the live release of these endangered animals. The biggest failure, though, concerns the commitment of ICCAT to proper and effective control measures and appropriate sanctions. As described in the previous blog (See Below), ICCAT has become a talking shop which turns a blind eye to any serious problem of lack of compliance. Gone are the days when effective sanctions were applied - this year, several countries received a "letter of concern", which essentially complains that if they do not improve next year and resolve the problem, they might - just might! - receive a "letter of identification", which is just as toothless as the first letter. Since

most member countries are guilty of one thing or another (failure to submit data, exceeding their quota, poor surveillance systems, etc) they all tacitly agree to limit the actions of ICCAT to these absurd letters. It has been years since trade restrictions have been imposed. The campaign against illegal fishing can only be won by concerted, multilateral efforts and cooperation. The EU Illegal, Unreported and Unregulated fishing (IUU) regulation cannot solve the problem by itself and must be supported by other complementary measures. Unfortunately, at ICCAT this year it became crystal clear that the international community has very little enthusiasm for what must be done. That is the real travesty of ICCAT.

ICCAT & IUU fishing: the age of *Laissez faire* - 22 November

There was a time several years ago when ICCAT was at the forefront of the global campaign to fight Illegal, Unreported and Unregulated (IUU) fishing, pioneering innovative and multilateral tools. ICCAT was the first to impose import bans from countries that were suspected of allowing vessels flying their flag to disregard international rules and norms. It also was the first or at least among the first to establish black lists of vessels that had been observed fishing illegally or extra-legally. Initially, ICCAT took action against Non-Contracting Parties, countries that were not members of the organisation, adopting recommendations that led to a number of import bans for various products (bluefin tuna, bigeye tuna, swordfish). Then, confronted with accusations of bias for only acting against Non-Contracting Parties, it began to act against Contracting Parties as well. One unfortunate, but inevitable, consequence of imposing a series of import bans against individual countries was reflagging on the part of vessels, an extremely easy exercise. ICCAT thus engaged in a game that resembled "chase the flag" as vessels would leave one register that was subject to an import ban for another, leaving ICCAT to scramble to find, and then identify, the recipient flag State (1). Another consequence was that the Non-Contracting Parties became Contracting Parties, and as States that were subject to import bans joined ICCAT, the import bans were lifted - with only limited demonstration that the new Contracting Parties had done anything to clean up their act and could be trusted to implement the rules effectively. Unsurprisingly, in some cases these new members had to be re-identified as Contracting Parties and subject to a new ban. But after a few years, the number of countries that were subject to import bans, or vessels on the IUU list, dwindled, to the extent that there are currently no import bans and only 40 vessels on the provisional IUU vessel list, to be discussed this year. By contrast, there were 345 vessels on the list in 2000. There are at least two conclusions that could be drawn from this recent history. One is that ICCAT has become such an effective fisheries management organisation that IUU fishing has been virtually eradicated. One only needs to look at the long list of issues discussed this year by the Committee on Compliance to realise that is unfortunately not the case. Alternatively, it could be that the members of ICCAT eventually realised that if import bans could be imposed on Contracting Parties, then at some point they could be affected themselves! That concern is likely to have played a part in the recent decline in ICCAT notifications as the last few days' debates in the Committee on Compliance have shown. Fishing is such a global industry, with mobile fleets, mobile capital and multiple markets, that a multilateral approach to combatting IUU fishing is the only way to be effective. But if the RFMOs, including ICCAT, have shown themselves to be less than effective, other approaches must be found, that hopefully will reinvigorate the multilateral fora. That is the approach that the EU was forced to take, when, in 2008, its famous IUU Regulation was adopted. Indeed, the trade sanctions imposed by ICCAT were a precursor to similar provisions that are incorporated in the IUU regulation. Preventing IUU-caught fish to access the most important market is a powerful tool. But other major markets such as the United States and Japan have so far failed to take action and emerging markets could well be a new destination for tuna caught illegally. (1) http://www.flagsofconvenience.com/

ICCAT - Second day, 19th November 2013

ICCAT got down to serious business on Tuesday, with the opening sessions of the committees dealing with the various species that are covered by the organisation. These begin with an explanation by the Scientific Committee on how things are going, then the countries begin discussions on any necessary changes to the

management measures in force. To give a flavour of the politics behind ICCAT, consider two stocks - bluefin tuna and swordfish in the southern Atlantic. The scientists say that, thanks to the recovery plan that has been in effect for a few years, the stock of bluefin tuna in the eastern Atlantic has begun to recover. There are various signs of this recovery, but the scientific advice emphasises that the recovery is fragile, its extent is not clear and so caution is in order. More precisely, the advice states "the Committee cannot give robust advice that would support a substantial change in the TAC." It goes on to say that quotas similar to recent years (13.500 tonnes) would allow the recovery to proceed. But such is the fishing frenzy over bluefin that caution is the last thing anybody wants. Country after country took the floor to accuse the scientists of all manner of sins: not reflecting all points of view, being too vague in their advice, not understanding or valuing the information coming from the fishery, etc. According to these countries, the quota should increase so that they can benefit from years of "sacrifice". Let's not forget that the years of "sacrifice", which amount to a few years of reduced quota, followed many years of catching, illegally, over double the official quota and so making millions of Euros. The "sacrifice" over recent years was entirely due to their greed in earlier years. There were a couple of countries who urged the status quo, with the quota remaining at the current level in order for the recovery to consolidate itself, but their voices were a tiny minority. Definitely, the fishing frenzy is preparing itself to begin again (or, to continue, if you give credence to the suspicions that over-fishing has continued in recent years, albeit at a much reduced level. Then discussions went to southern swordfish and here, the ambiance was fundamentally different. The scientific advice for this stock emphasised that not enough data were available to conduct a conclusive assessment, but indications were that the stock was not being overfished. The reaction by the fishing countries was instructive. They were unanimous in saying that fishing was not as good as the scientific advice suggested it should be and so maybe a reduction in quota was needed. What a refreshing approach! When the stock does not seem to be in a satisfactory stock, rather than further depleting it, we should reduce fishing in order to conserve it! The bluefin fishing countries should take note....

ICCAT - First day, 18th November 2013

The annual meeting of ICCAT, the International Commission for the Conservation of Atlantic Tunas, got under way yesterday in Cape Town, South Africa. Among the hottest topics on the agenda will be the bluefin tuna, famed for its importance in sushi and other dishes as well as the extent of the "fishing frenzy" to catch it. While recent signs suggest that the status of the species may have improved somewhat in recent years, it remains in critical a state. Nonetheless, there will be much pressure to increase the quota this year. There are many other species that are part of the ICCAT mandate, though, including sharks, swordfish and other tuna species. Though these species receive far less publicity, they are equally important. The meeting yesterday opened the discussions, with a review of the scientific advice and then the ICCAT budget. There was a common theme in these sessions, curiously. While everybody claims that they appreciate the work of the scientific committee (SCRS) and that ICCAT must base all of its decisions fully on the scientific advice, it unfortunately is very expensive. What seems to cost so much is the "invited experts", scientists who are not members of the SCRS from an ICCAT Contracting Party. Several voices wondered if ICCAT needed the benefits of these external scientists. But it must be remembered that most scientists belonging to the SCRS are nominated by the ICCAT governments, so external input is crucial for maintaining objectivity. The question is not simply financial. More news from ICCAT as the discussions evolve.

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