

CC RUP

Conselho Consultivo para as Regiões UltraPeriféricas

Conseil Consultatif pour les Régions UltraPériphériques

Consejo Consultivo para las Regiones UltraPeriféricas

To:
Directorate-General for Maritime Affairs and Fisheries
European Commission
1049 Brussels
Belgium

Sua Referência	Sua Comunicação	N/Referência	Data
		CC RUP – 04/2020 - EC	04-12-2020

Subject: **ERRATA:** Quota allocations and the responsible management of tropical tunas

Dear Mrs. Charlina Vitcheva,

Tuna fishing (*Thunnus thynnus*, *Thunnus obesus*, *Thunnus alalunga*, *Katsuwonus pelamis*) in the Outermost Regions (ORs) (apart from French Guiana since currently French Guiana's professionals they are not allowed to organize the fishing of pelagic resources including tuna) has a significant social and economic impact, which creates and secures jobs, contributing to the cohesion of coastal communities. This activity is part of the history of many fishermen, being their only means of subsistence. The geomorphological specificities of the ORs and their habitats, as well as the distance to the main markets, reinforces the need for sustainable and responsible fisheries management.

The fleets mostly consist of small boats, with selective fishing gears, such as handline, pole-and-line and troll, which are not harmful from an ecological point of view. In the Portuguese and Spanish ORs, fishing for tuna is primarily done with pole-and-line gear and live bait (small pelagic fish), recognized as selective and sustainable, unlike other Atlantic fisheries, such as the purse seine fleet, which is characterized by causing high by-catches and capturing large volumes of fish, which makes this fishing method highly harmful from an ecological point of view.

In the French West Indies, tuna fishing is exclusively artisanal using boats that are less than 12 meters, operating around *anchored* Fish Aggregating Device (FADs), and using longlines.

On the other hand, when *drifting* FADs (dFADs) are used by purse seine fleets, the pollution and added entanglement mortalities they cause, further amplify the damage caused by these large-scale fisheries. Industrial longline fisheries also cause high bycatch rates.

The Outermost Regions Advisory Council (CC RUP) supports the [Azores Declaration](#) and would like that the European Union (EU) fully recognize the particularities and the importance of one-by-one tuna fisheries, which operate with a very low environmental impact and are essential to the economies of many small communities.

In Mayotte, however, longline fishing is booming and has a socio-economic potential, because it targets resilient pelagic stocks, as compared to, for example, more vulnerable locally occurring demersal populations. However, similarly to other regions, the fisheries from Mayotte suffer from unfair direct competition with industrial tuna vessels, catching tuna in the Mayotte Exclusive Economic Zone (EEZ).

Quota - Canary Islands, Azores and Madeira

According to the available scientific data, the interannual variability in the occurrence of tuna in our waters, and taking into account the need to guarantee the sustainable exploitation of this resource, which allows us to harmonize the biological and socio economic aspects of these fisheries, we defend the positive discrimination of tuna fisheries practiced in the ORs, [the maintenance of the quota established for bluefin tuna \(*Thunnus thynnus*\) and bigeye tuna \(*Thunnus obesus*\)](#), [the increase in 12,5% of the quota for the North Atlantic albacore \(*Thunnus alalunga*\)](#) and that quota for skipjack tuna (*Katsuwonus pelamis*) will not be fixed. On the other hand, we propose to allocate multi-annual quotas, taking into account the variability in the annual occurrence of these species, thus proposing that the amount of quota not consumed in a given year can be accumulated and consumed in the following year.

The fisheries in these ORs are dependent on the natural migratory patterns of tunas, are not as technologically advanced as industrialized fisheries (and have not contributed to the unsustainable increase of fishing capacity and effort) and most vessels cannot engage in long trips searching for less and less fish. Unfortunately, they depend

on large-scale fisheries, not to overfish the resource they depend on, and that when large-scale fisheries do push total fishing effort to unsustainable levels, that small-scale fisheries will be recognized quotas that allow for our vulnerable and responsible sector to survive and even thrive. This would be in accordance with article 6.18 and 7.2.2 c of the Food and Agriculture Organization of the United Nations (FAO) Code of Conduct for Responsible Fisheries, target 14.b and 2.3 of the UN Sustainable Development Goals, and the FAO Voluntary Guidelines for Securing Small-Scale Fishers (SSF Guidelines), amongst others. We have to move beyond article 17 of the Common Fisheries Policy (CPF), because the necessities of the ORs selective and artisanal tuna fisheries have not always been adequately protected since this article has been in force. We need to find a robust solution that guarantees that the EU tuna quota allocations are appropriately equitable and, without exclusion, profitable to each OR.

We therefore propose that for the determination of tuna quotas in the ORs there should be a specific quota for the ORs apart from the one of their member states. Some CC RUP members have the opinion that artisanal low-impact fisheries should not have any limits, in order to guarantee their subsistence. These fisheries have been practiced before tuna stocks started to become overfished. Only when purse seiners and drifting FADs came into play, the stocks and the catches of artisanal fishers began to decrease. When quotas are forced on selective artisanal fisheries, that depend on highly migratory stocks, they are double penalized: 1) lower amounts of fish that pass through their waters, due to overcapacity of industrial fleets, and 2) limited fishing rights. When fishermen do not have sufficient fishing rights to catch tuna migrating through their coastal waters, they are doomed to disappear.

North Atlantic Albacore

Recently, North Atlantic albacore (*Thunnus alalunga*) has become a fundamental species for the fishing fleets of Azores, Madeira and Canary Islands. In the context of the International Commission for the Conservation of Atlantic Tuna (ICCAT) negotiations that are currently taking place, we understand that the management of North Atlantic albacore has been based on a fixed multi-annual total allowable catch (TAC) defined by ICCAT at around 28.000 metric tons, at the level of the maximum sustainable yield

(MSY). Based on ICCAT's scientific recommendations, we believe there are now conditions for the increase of the TAC to 37.801 tons (+ 12.5%).¹

Atlantic Ocean Tropical Tunas

Regarding tropical tunas, we would like that the overshooting of bigeye tuna (*Thunnus obesus*) and yellowfin tuna (*Thunnus albacares*) TACs, should be resolved as a matter of priority, while ensuring that the rights and needs of selective and artisanal tuna fisheries are protected. We are pleased to know that the EU supports the proposal of the Chair of Panel 1 in its Statement to Panel 1 (PA1_506/ 2020), i.e. to extend by one year the measures of Rec. 19-02 which were due to expire this year and to organize an intersessional meeting of Panel 1 in 2021, to establish a scheme for the allocation of bigeye tuna catch limits.

In our opinion, it is clear that Recommendation 19-02 requires a decrease in the bigeye tuna TAC between 2020 and 2021, and therefore any attempts to not fulfil this requirement should not be considered by ICCAT or its Contracting Parties and Cooperating non- Contracting Parties, Entities or Fishing Entities (CPCs).

We also support that the EU advocates for the maintenance of the 3-month FAD closure and FAD limit determined for 2021, as agreed in 2019. We hope that at the 2021 Panel 1 negotiations the EU will hold a strong position on improving the monitoring and control of FADs, as to ensure compliance with the established limits can be verified.

The excessive and non-transparent use of dFADs continues to disproportionately contribute to high catches of juvenile yellowfin and bigeye tuna, representing a major contributor to the overfished state of the bigeye tuna stock, and adding too much pressure to the yellowfin stock as well.

Moreover, deliberate abandonment of dFADs, likely constitutes infringements of the International Convention for the Prevention of Pollution by Ships (MARPOL) Annex V and other international instruments and this practice should be forbidden. If FADs are deployed, and it seems they are, with no intention to recover them due to loss of both time and fuel costs, then these devices are deployed in breach of MARPOL V. They are, actually, marine garbage left to drift with the currents and become entangled in reefs, trapping and killing marine life, and strand on beaches. dFADs components should be

¹ According to the 2020 Standing Committee Research and Statistics (SCRS) advice to the Commission: “The harvest control rule applied to the current biomass [B2019] estimated in the 2020 stock assessment results in a TAC of 37,801 t for 2021-2023.”

marked according to the FAO Voluntary Guidelines on the Marking of Fishing Gear while independent verification of FAD designs and construction materials (preferably biodegradable) should also be required prior to each deployment. FAD ownership should be assigned at the time of deployment and should not be allowed to change hands until the FAD is recovered and returned to port for responsible disposal.

Further, for 2021:

- Assess if the FAD closure has been effective and adjust as needed to effectively reduce juvenile bigeye (*Thunus obesus*) and yellowfin tuna (*Thunnus albacares*) fishing mortality.
- Ensure the intent of paragraph 40 of Rec. 19-02, i.e. ensure that FADs are non-entangling and biodegradable, is fully respected, and transition to FADs without nets.
- Require FAD position data and acoustic records are shared.
- Request to the Compliance Committee to address non-compliance with FAD data reporting requirements.
- Reduce the capacity of industrial longline and purse seine fleets, while not undermining the legitimate rights of developing territories and coastal states.
- Reduce and regulate the use of supply/support vessels as these enable overcapacity.
- Ensure at least 20% observer coverage for longline vessels that are 20 meters length overall (LOA) or greater.
- Adopt measures that reduce bycatch and protect endangered, threatened, or protected species, including sharks, seabirds, cetaceans and turtles.

French Guiana

We request the needed authorization for French Guianese professionals to conduct exploratory pelagic fishing in French Guiana's EEZ, in order to evaluate the availability of resources.

Mayotte

The fisheries agreement between the European Union and the Seychelles allows Seychellois industrial fleets to fish in the Mayotte EEZ, up to 24 miles from the coast. In our opinion, the vessels concerned, do not meet the CFP criteria, as they are foreign vessels and not all of them have historic fishing rights.

The Mayotte fisheries sector would like to ensure that:

- France requests to the European Parliament for its ORs, and in particular for Mayotte, the application of article 5 of the CFP relating to the protection of their 100 miles zone. The access of foreign vessels in the EEZ of Mayotte is an additional pressure exerted to the detriment of artisanal fishers and therefore problematic for local professionals.
- There is a link between the tuna fisheries and the fish processing operations of the ORs. In Mayotte, 5 tuna purse seiners are registered there, but these vessels do not land their catches in the ports of Mayotte.
- Reduce the pressure of industrial fishing on local artisanal fisheries. The number of vessels in the Indian Ocean (mainly French and Spanish) increased regularly up to 36 in 2008 and dropped to 24 in 2012. Since Mayotte is considered an OR, the 5 purse seiners from Mayotte are integrated in this list. There are also 7 Seychelles vessels which appear to be beneficially owned by Europeans. The number of longliners in the Indian Ocean increased significantly to about 800 vessels in 2005, most of which are registered in Asia. Their number decreased to about 440 vessels in 2012. The EU longliners constitute only a small part of these vessels - namely 19 Spanish, 3 Portuguese and 3 British vessels. Apart from these large longliners, in 2012 there were 28 small longliners based in Reunion Island and only 4 in Mayotte.
- Ban the use of dFADs in the Mayotte EEZ and improve their management regulations, including monitoring, control and surveillance measures (MCS) and accountability mechanisms, by the Indian Ocean Tuna Commission (IOTC). The number of FADs deployed have a negative impact on sensitive marine habitats, vulnerable species, pristine beaches, and local fisheries.

Best regards,

The President of the Executive Committee of CC RUP,

(David Pavón Gonzalez)

Praia da Vitória, 13th of november of 2020