

CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES
OF WILD FAUNA AND FLORA



Fifteenth meeting of the Conference of the Parties
Doha (Qatar), 13-25 March 2010

Interpretation and implementation of the Convention

Species trade and conservation

ATLANTIC BLUEFIN TUNA

This document has been submitted by Monaco.*

DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

(to be considered by the Conference of the Parties to the Convention in the event that an Appendix I listing of *Thunnus thynnus* is adopted)

NOTING that, in its latest estimate of East Atlantic and Mediterranean stocks of Atlantic (or Northern) bluefin tuna (*Thunnus thynnus*), the Standing Committee on Research and Statistics (SCRS) of the International Commission for the Conservation of Atlantic Tuna (ICCAT) recommends that catches of these stocks should not exceed 15,000 tonnes (t), and that catch quotas of 22,000 t, 19,950 t and 18,500 t were adopted for years 2009, 2010, and 2011 respectively;

FURTHER NOTING that all scenarios which, according to the latest SCRS assessment of East Atlantic and Mediterranean bluefin Tuna stocks, would allow this population to recover, provide for closure of the fishery during the month of June to allow the species to reproduce, and that ICCAT currently only establishes closure of the fishery to the purse-seine fleet from 15 June;

CONCERNED by the fact that fishing capacity is at least double that needed to catch the current legal quota and that recent estimated catches have been four times greater than the maximum catch recommended by scientists to prevent the collapse of the population, with a purse-seine fleet operating in the Mediterranean estimated to be capable of catching at least 54,000 t, not counting the fishing capacity of other fleet types;

RECOGNIZING that illegal catches of East Atlantic and Mediterranean Bluefin Tuna have been estimated to be up to 30,000 t, which clearly indicates the absence of adequate means of control over this fishing activity and the systematic failure to implement the Recommendation Amending the Recommendation by ICCAT to Establish a Multiannual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean;

CONCERNED by the recommendations of the SCRS, which indicate that a 78.4% cut would be needed in the fishing effort by the fleet targeting East Atlantic and Mediterranean Atlantic Bluefin Tuna;

RECOGNIZING that catches made by the tuna traps known as *almadrabas*, which are considered as a good indicator of the East Atlantic and Mediterranean stock status, fell by 80% in the southern Iberian Peninsula between 2000 and 2006, and that the average size of fish has fallen sharply (from 220 kg to 145 kg);

* *The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat or the United Nations Environment Programme concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.*

CONCERNED by the difficulty of controlling and supervising the East Atlantic and Mediterranean fishery, which was made worse by the development of the tuna farming industry in the Mediterranean towards the end of the 1990s, increasing the difficulty to obtain data on catches, fishing effort, and their geographical origin, and size distribution of fish caught; and

CONSIDERING that the loss of groups of older fish in the shoals present in the Eastern Atlantic and Mediterranean fishery and the drastic fall in the reproductive biomass, which is currently only 36% of the level that existed at the beginning of the 1970s, are clear symptoms that this population is in imminent danger of collapse;

NOTING that, despite adoption of a science-based recovery plan and full compliance with strict regulation of the West Atlantic stock of *Thunnus thynnus*, there has not yet been a significant recovery in that stock;

AWARE that the Conference of the Parties to the Convention, at its 15th meeting, has included *Thunnus thynnus* in Appendix I of the Convention;

BELIEVING that the goal of the Appendix I listing should be to create the conditions for a sustainable management regime that would allow a well-regulated fishery and regulated trade;

CONCERNED that these conditions should be specified and that an amendment of the Appendix I listing should be facilitated in the event that they are met;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

URGES Parties to the Convention that are also Members of ICCAT to ensure that the latter take actions to rebuild Atlantic bluefin tuna, such as:

- a) establish a science-based recovery plan for the East Atlantic and Mediterranean stock which contains and enables the implementation of measures in accordance with the recommendations of the SCRS in 2008, and specifically to ban industrial fishing – particularly purse seining - during the entire spawning season (May, June and July), and to adhere to the scientific advice on Total Allowable Catch (TAC), and to consider a mandatory fleet-reduction scheme;
- b) establish immediately an interim suspension of the East Atlantic and Mediterranean bluefin tuna fishery;
- c) permit resumption of fishing activities only according to the following conditions:
 - i) each Flag State must adopt and implement a proper fishery plan in accordance with a revised, science-based ICCAT population-recovery plan (as detailed above);
 - ii) such state fishing plans must include an effort-reduction scheme to adapt its fleet to its fishing possibilities, as well as means of monitoring, control and surveillance of activities, relating to, among others, fishing, farming, ports and markets to ensure effective control;
 - iii) resumption of each Flag State's fishing activities would be subject to a timely review process to be developed and implemented under ICCAT; and
- d) set up protection zones for spawning grounds in the Mediterranean, including the waters within the Balearic Sea, Central Mediterranean, and Levant Sea, during the spawning season;

DIRECTS the Secretariat to enter into negotiations with ICCAT in order to develop a Memorandum of Understanding between both conventions, with the intention to inter alia regularly exchange between both conventions any information on IUU fishing and illegal trade in Atlantic bluefin tuna.

REQUEST the Animals Committee, in consultation with ICCAT, to review the status of the Western and Eastern Atlantic and Mediterranean stocks of *Thunnus thynnus* in light of any intervening actions at ICCAT and, if warranted, REQUEST the Depositary Government to submit a proposal to the subsequent meeting of the Conference of the Parties to the Convention to list *Thunnus thynnus* on Appendix II of the Convention or to remove it from the Appendices.

COMMENTS FROM THE SECRETARIAT

- A. These comments will only be relevant if the Conference of the Parties decides to include *Thunnus thynnus* in Appendix I. If this is so decided, the Secretariat recommends that the proposals in the present document should be agreed in the form of two decisions, rather than as a resolution.
- B. The Secretariat believes that the content of the first operative paragraph, aimed at another intergovernmental body, is over-prescriptive. It may be preferable to include these suggestions as background to the development of any Memorandum of Understanding between CITES and ICCAT.
- C. Concerning the second draft operative paragraph, given the remit of ICCAT and the variety of matters of mutual interest, it would appear that any Memorandum of Understanding between CITES and ICCAT, should go beyond a simple exchange of information on IUU fishing and illegal trade in Atlantic bluefin tuna.
- D. Concerning the third operative paragraph, the Secretariat draws attention to the fact that the words "or to remove it from the Appendices" are inconsistent with the precautionary measures in paragraph A. 1. of Annex 4 to Resolution Conf. 9.24 (Rev. CoP14) which states:

No species listed in Appendix I shall be removed from the Appendices unless it has been first transferred to Appendix II, with monitoring of any impact of trade on the species for at least two intervals between meetings of the Conference of the Parties.

- E. The second and third operative paragraphs are short-term actions and consequently should be formulated as decisions. The Secretariat suggests some text for these draft decisions below (new text is underlined and text to be deleted is in ~~strike through~~).

DRAFT DECISIONS OF THE CONFERENCE OF THE PARTIES

Directed to the Secretariat

- 15.xx The Secretariat shall enter into negotiations with ICCAT in order to develop a Memorandum of Understanding between both Conventions, with the intention of strengthening co-operation between the two Secretariats on matters of common interest inter alia regularly exchange between both conventions any information on IUU fishing and illegal trade in and with respect to the Atlantic bluefin tuna *Thunnus thynnus*, inter alia encouraging ICCAT to:
- a) establish a science-based recovery plan for the East Atlantic and Mediterranean stock which contains and enables the implementation of measures in accordance with the recommendations of the SCRS in 2008, and specifically to ban industrial fishing – particularly purse seining - during the entire spawning season (May, June and July), and to adhere to the scientific advice on Total Allowable Catch (TAC), and to consider a mandatory fleet-reduction scheme;
 - b) establish immediately an interim suspension of the East Atlantic and Mediterranean bluefin tuna fishery;
 - c) permit resumption of fishing activities only according to the following conditions:
 - i) each Flag State must adopt and implement a proper fishery plan in accordance with a revised, science-based ICCAT population-recovery plan (as detailed above);
 - ii) such state fishing plans must include an effort-reduction scheme to adapt its fleet to its fishing possibilities, as well as means of monitoring, control and surveillance of activities, relating to, among others, fishing, farming, ports and markets to ensure effective control;
 - iii) resumption of each Flag State's fishing activities would be subject to a timely review process to be developed and implemented under ICCAT; and
 - d) set up protection zones for spawning grounds in the Mediterranean, including the waters within the Balearic Sea, Central Mediterranean, and Levant Sea, during the spawning season;

Directed to the Animals Committee

- 15.xx The Animals Committee shall, in consultation with ICCAT, ~~to~~ review the status of the Western and Eastern Atlantic and Mediterranean stocks of *Thunnus thynnus* in the light of any intervening actions at ICCAT and, if warranted, request the Depositary Government to submit a proposal to the subsequent meeting of the Conference of the Parties to the Convention to transfer list *Thunnus thynnus* ~~or to~~ Appendix II of the Convention ~~or to remove it from the Appendices.~~