

CCSBT-EC/1610/10

#### **Total Allowable Catch and its Allocation**

#### **PURPOSE**

To provide relevant background information to support the Extended Commission's (EC) deliberations on:

- 1. Attributable SBT Catch;
- 2. TAC Determination, including
  - a) Total Allowable Catch (TAC) for 2017,
  - b) The TAC for 2018-2020,
  - c) The adjustment to take account of non-member catch in the 2018-2020 TAC period;
- 3. Research Mortality Allowance for 2017; and
- 4. Allocation of the TAC.

#### **BACKGROUND**

An extract from the Report of CCSBT 22, containing the discussion of the Total Allowable Catch and its Allocation at that meeting, is provided at **Attachment A** for information.

#### (1) Attributable SBT Catch

The Attributable SBT Catch is that part of a Member's or Cooperating Non-Members' (CNM) catch that is counted against its allocation. CCSBT 21 agreed on a common definition for the Attributable SBT Catch as follows:

"A Member or CNM's attributable catch against its national allocation is the total Southern Bluefin Tuna mortality resulting from fishing activities within its jurisdiction or control including, inter alia, mortality resulting from:

- commercial fishing operations whether primarily targeting SBT or not;
- releases and/or discards;
- recreational fishing;
- customary and/or traditional fishing; and
- artisanal fishing."

At CCSBT 21, the EC agreed to act in good faith to implement this definition of the Attributable SBT Catch as soon as practicable but not later than the 2018 quota year. Also agreed, was the principle that Members and CNMs will begin to make adjustments to their national allocations in line with the common definition of attributable catch. These adjustments would be made on the basis of best available information.

 $<sup>^{1}</sup>$  Except where a vessel is chartered to a person or entity of another Member or CNM, and if a catch is attributable to that Member or CNM.

In addition, CCSBT 21 agreed action points for 2015 to 2018 in relation to implementing the Attributable SBT Catch. These action points are provided below:

	External	Internal	ESC work
			schedule
2015	The EC initiates discussion on the principles and process for taking account of non-member catch in the 2018-20 TAC period. The ESC, CC and Members to undertake analyses to provide estimates of non-member catch. Commission market analyses on significant markets to contribute to estimating non-member catch.	<ol> <li>Individual Member research on applicable sources of mortality and report back to ESC and CC for discussion and review.</li> <li>Members shall endeavour to set allowances to commence for 2016-17 quota years for all sources of attributable mortality based on best estimates and notify other Members by CCSBT22. If Members can't they will notify CCSBT22 and explain why they are unable to and set a date by which they can set the allowance.</li> <li>The EC initiate discussion and agreement to a process for dealing with attributable catch within the next quota block (2018-20).</li> </ol>	Collation of information on unreported mortalities and categorising this information in accordance with OM "fleets" (ESC19 Report).
2016	The ESC, CC and Members continue analyses to provide estimates of nonmember catch.  The EC decides on the adjustment to take account of non-member catch in the 2018-20 TAC period.  The ESC, CC and Members	The EC if necessary continue     discussion so as to agree on a process     for dealing with attributable catch     within the next quota block (2018-20).     Individual Members continue research     on applicable sources of mortality and     report back to the ESC and CC for     discussion and review.  Individual Members continue research on	ESC scheduled to run MP to recommend TAC for 2018-2020.
2018	continue analyses to provide estimates of non-member catch.	applicable sources of mortality & report back to the ESC and CC for discussion review.  Full implementation of the common definition of attributable catch.	conduct full stock assessment and the first formal review of MP.

Members are expected to report on their progress with implementing the Attributable SBT Catch in their annual report to the Compliance Committee and EC. The EC will consider the progress made and provide any necessary recommendations.

CCSBT 22 agreed that progress with implementing the Attributable SBT Catch is critical in order to reduce unaccounted mortalities and have confidence in the Management Procedure's (MP's) TAC recommendations for the next quota block. It was noted that the rebuilding rate achieved by MP recommended TACs will be below the target rebuilding rate if Members do not fully account for their Attributable SBT Catch. CCSBT 22 also noted that this will have implications for the ability of the EC to adopt TAC recommendations from the MP.

#### (2) TAC Determination

# (a) Total Allowable Catch (TAC) for 2017

At CCSBT 22, the EC confirmed that the TAC would be 14,647 t for 2017.

The EC needs to confirm whether there are any exceptional circumstances that should cause the TAC for 2017 to be revised. The "meta-rule" process<sup>2</sup> agreed for the Management Procedure (MP) specifies that "The need for invoking a metarule should only be evaluated at the ESC based on information presented and reviewed at the ESC".

The evaluation of meta-rules by the Extended Scientific Committee (ESC) is shown at paragraphs 139 to 153 of the Report of the Twenty-first Meeting of the Scientific Committee (SC 21). These paragraphs are reproduced at **Attachment B** for convenience.

The overall conclusion of the ESC in relation to exceptional circumstances is provided in paragraph 170 of the Report of the Twenty-first Meeting of the Scientific Committee (SC 21), which states that:

170. In 2016 the ESC has evaluated whether there are events, or observations, that are outside the range for which the management procedure was tested and the implications of this for TAC setting. The scope of this evaluation covered input data to the MP (CPUE and aerial survey data), the question of unaccounted mortality, reported catch and length and age of Indonesian catches on the spawning ground. The ESC concluded there was no reason to take action to modify the 2017 TAC recommendation in relation to its review of exceptional circumstances.

However, it should be noted, as stated in paragraph 151 of the SC 21 Report, that the ESC's conclusion was predicated on:

- The EC's intention to take account of NCNM<sup>[3]</sup> catches and the agreed common definition of attributable catch (EC2014 para. 53) in the 2018-20 TAC block and longer term;
- The intention to develop a new MP that is robust to plausible UAM scenarios; and
- Noting the 2014 analysis indicated that continuing to follow the MP as proposed leads to continued rebuilding in the short term even if the circumstances of the hypothesised additional unaccounted mortality are true.

In relation to confirming the TAC for 2017, paragraph 172 of the SC 21 report states that:

172. Based on the results of the MP operation for 2018 – 20 in Agenda Item 11 and the outcome of the review of exceptional circumstances in Agenda Item 10.1, the ESC recommended that there is no need to revise the Extended Commission's 2014 TAC decision regarding the TAC for 2017. Therefore the recommended TAC for 2017 remains 14,647 t. The recommended annual TAC from the results of the MP for the years 2018-2020 is 17,647 t.

<sup>&</sup>lt;sup>2</sup> Whether any exceptional circumstances exist and a recommended process to follow to deal with any exceptional circumstances.

<sup>&</sup>lt;sup>3</sup> Non-Cooperating Non-Member.

#### (b) The TAC for 2018-2020

In accordance with the Resolution on the Adoption of a Management Procedure, the EC shall set the TAC based on the outcome of the MP, unless the EC decides otherwise based on information that is not otherwise incorporated into the Management Procedure.

The TACs for 2018 to 2020 inclusive are scheduled to be set in 2016. The ESC has run the Management Procedure and the recommended TAC for 2018-2020 is an increase of 3,000 t to 17,647 t. In relation to this, paragraph 171 of the SC 21 report states that:

171. The recommended annual TAC, from the MP, for the years 2018-2020 is 17,647 t. The recommended TAC increase is 3000t from 14,647 t TAC (20%) in 2017, which is the maximum increase allowed under the MP. The increase in TAC calculated using the MP is a result of recent positive trends in the CPUE data and higher average aerial survey indices for the past 5 years relative to the average of the series (Figure 2). The ESC concluded there was no reason to take action to modify the 2018-20 TAC recommendation in relation to its review of exceptional circumstances.

However, it should be noted, as stated in paragraph 150 of the SC 21 Report, that the ESC's conclusion was predicated on the decisions of the EC to make a direct allowance for NCNM catch by deducting this from the 2018-20 TAC, and that Members would account for attributable catches by 2018.

- (c) The adjustment to take account of non-member catch in the 2018-2020 TAC period CCSBT 21 agreed to the principle that the CCSBT will make an adjustment for non-Member catch in the next TAC period (2018-2020) and beyond. CCSBT 21 also agreed that the ESC, CC and Members would undertake analyses to provide estimates of non-member catch and that market analyses would be commissioned on significant markets to contribute to estimating non-member catch. In relation to this, paragraphs 147 to 148 of the SC 21 Report state that:
  - 147. The additional information considered by the ESC included estimates of potential non-cooperating non-Member (NCNM) longline catches in the Pacific, Indian and Atlantic oceans (CCSBT-ESC/1609/BGD02). The estimated mean total catch by NCNM ranged between 59 to 306 t annually (2011-14), depending on the assumption about whether the effort was bycatch or targeted (paragraph 70, **Table 1**). These estimates are somewhat lower than those presented in 2015 and remain uncertain. If current levels of NCNM effort remain and stock size increases, levels of NCNM catch will likely increase.
  - 148. The draft report on the Chinese market study (CCSBT-ESC/1609/36 and 37) was the other additional information considered (paragraph 73). That report confirmed the ongoing presence of SBT within the Chinese sashimi market (particularly in Shanghai). Additional information is required to assess the scale and proportion of reported catches in this market.

**Table 1 [of the SC 21 report]:** Scenarios for catches of SBT by year by non-Member longline effort assuming "targeted" and "bycatch" fishing based on analysis of publically available effort distributions and Member CPUE for SBT (CCSBT-ESC/1609/BDG02 Rev.1).

Year	Target (t)	Bycatch (t)
2007	81	10
2008	35	5
2009	224	75
2010	372	53
2011	246	28
2012	476	131
2013	293	54
2014	210	22

It should be noted that Table 1 of the SC 21 report (above) does not provide estimates for any SBT caught from unreported fishing effort, nor for any fishing effort in the ICCAT and WCPFC Convention Areas in which there was less than 3 vessels in a strata (due to confidentiality constraints on provision of these data by those RFMOs).

Updated information from the Chinese market study will be provided to the annual meeting of the Compliance Committee. The Compliance Committee will be considering the ESC's advice on the catch of SBT by non-Members, the updated information from the Chinese market study, and will combine this with any available compliance information to comment on whether compliance information supports the ESC's advice.

# (3) Research Mortality Allowance

CCSBT 20 agreed that as part of the process to account for all SBT mortalities, an allocation of 10 t per year would be made for Research Mortality Allowance (RMA) within the TAC recommended by the MP.

The following requests have been made for RMA to cover research projects in 2017:

- 3 tonnes for the CCSBT Gene Tagging Project;
- 1.7 tonnes by Australia for its projects on
  - $\circ$  Examining the molecular basis for endothermy using SBT as a novel model [0.5 t], and
  - o Health assessment of wild southern bluefin tuna [1.2 t]; and
- 1.0 tonnes by Japan for trolling surveys of juvenile SBT in Western Australia.

The ESC has endorsed the provision of RMA for these projects.

The EC should confirm whether it approves these requests for Research Mortality Allowance, totalling 5.7 t.

#### (4) Allocation of the TAC

The allocations to Members and Cooperating Non-Members are set in accordance with the CCSBT's "Resolution on Allocation of the Global Total Allowable Catch" (see **Attachment C**).

CCSBT 22 agreed that the allocations for 2017 would be as follows<sup>4</sup>:

Japan	4,737
Australia	5,665
New Zealand	1,000
Korea	1,140
Taiwan	1,140
Indonesia	750
European Union	10
South Africa	150
Philippines	45

The allocations for 2018-2020 depend on a number of factors, including:

- whether the MP recommended TAC is accepted;
- the level of research mortality allowance to deduct;
- whether the EC decides to adjust any Members' nominal catch; and
- the adjustment the EC decides to use to take account of non-Member catch.

The table below provides the allocations for 8 different adjustments for non-Member catch on the assumptions that:

- the TAC will be 17,647 t as recommended by the MP;
- the RMA to deduct will be 10t as agreed at CCSBT 20; and
- no change will be made to Members' nominal allocations.

	Allocations with different adjustments								
	for non-Member catch from zero to 3000 t								
	0 t	250 t	500 t	750 t	1000 t	1500 t	2000 t	2500 t	3000 t
Japan <sup>5</sup>	6421	6330	6239	6148	6056	5874	5691	5237	4737
Australia	6421	6330	6239	6148	6056	5874	5691	5665	5665
New Zealand	1134	1117	1101	1085	1069	1037	1005	1000	1000
Korea	1292	1274	1255	1237	1219	1182	1145	1140	1140
Taiwan	1292	1274	1255	1237	1219	1182	1145	1140	1140
Indonesia	850	838	826	814	802	778	753	750	750
European	11	11	11	11	11	10	10	10	10
Union									
South Africa	170	168	165	163	160	156	151	150	150
Philippines	45	45	45	45	45	45	45	45	45

#### Prepared by the Secretariat

<sup>&</sup>lt;sup>4</sup> This assumes that there are no exceptional circumstances that cause the TAC for 2017 to be revised and that South Africa joined the CCSBT (which has occurred).

<sup>&</sup>lt;sup>5</sup> The Resolution on Allocation of the Global Total Allowable Catch requires that Members be held at their nominal catch level until all other Members reach their nominal catch levels. Consequently, the first 928 t of any available increase (after deducting the adjustment for non-Member catches) has been allocated to Japan before apportioning the remainder to all Members in accordance with their nominal catches. Consequently, only Japan will receive an increase in allocation when the adjustment for non-Member catch is 2072t or above.

# Extract of Agenda Item 9 from the Report of CCSBT 22

#### 9.1. Attributable SBT Catch

- 64. The Chair commented that Members were requested to report on the following aspects related to their Attributable SBT Catch<sup>6</sup>, in their annual reports to CCSBT 22;
  - Individual Member research conducted on applicable sources of mortality;
  - Members setting of allowances to commence for 2016-17 quota years for all sources of attributable mortality based on best estimates.
- 65. The EC agreed that this is a very important issue, and that progress is critical in order to reduce unaccounted mortalities and have confidence in the MP's TAC recommendations for the next quota block. It was noted that the rebuilding rate achieved by MP recommended TACs will be below the target rebuilding rate if Members do not fully account for their Attributable SBT Catch. This will have implications for the ability of the EC to adopt TAC recommendations from the MP.
- 66. It was noted that some Members are making good progress towards accounting for their attributable catch, but that progress is not as good as expected for some other Members.
- 67. Japan advised that it will be capturing the best available information for its releases and discards and that it is trying to incorporate that into its allocation from next year.
- 68. Australia advised that:
  - Current management requirements in the longline fishery are that discards can only be released if they are live and vigorous. With the implementation of e-monitoring, Australia is reviewing e-monitoring footage, and comparing this with log-book records to verify discard rates;
  - The research on a methodology for estimating the national recreational catch of SBT is almost complete, with the report expected to be released before the end of 2015. This report will be circulated to Members. The survey methodology required for a reliable estimate is likely to be expensive and implementation will require engagement with the relevant states; and
  - It intended to begin to make an allowance for attributable catch from 2018.
- 69. The EC encouraged all Members to accelerate their implementation of action points described in the CCSBT 21 report.

#### 9.2. TAC Determination

- 70. The Chair advised the meeting that the ESC has recommended there is no need to revise the EC's 2013 decision regarding the TACs for 2016 to 2017.
- 71. The EC confirmed the TAC for 2016 will be 14,647 tonnes and the recommended TAC for 2017 remains at 14,647 tonnes.

- commercial fishing operations whether primarily targeting SBT or not;
- releases and/or discards;
- recreational fishing;
- customary and/or traditional fishing; and
- · artisanal fishing."

<sup>&</sup>lt;sup>6</sup> "A Member or CNM's attributable catch against its national allocation is the total Southern Bluefin Tuna mortality resulting from fishing activities within its jurisdiction or control including, inter alia, mortality resulting from:

- 72. The meeting considered the process for taking account of non-Member catches for the 2018 to 2020 TAC block. It was agreed there were two general approaches that could be used to take account of non-Member catches:
  - The first approach (the "Direct approach") is to estimate the non-Member catch and then set aside an allowance to take account of non-Member catch before allocating the remainder of the global TAC to Members and CNMs.
  - The second approach (the "MP approach") is to re-tune the MP to different scenarios that cover the plausible scenarios of catches from non-Members and have the MP recommend a TAC that takes into account the uncertainties in the non-Member catch.
- 73. It was agreed that the MP approach was not feasible for the 2018-2020 quota block because the MP needs to be run in 2016 and this would not provide sufficient time to retune the MP and conduct the necessary testing. However, the meeting requested that the ESC provide advice on the relative merits of the Direct approach and the MP approach in the longer term (i.e. for the 2021-2023 quota block) and how this might be influenced by trends in which there may be greater participation by non-Member fleets as the stock rebuilds, or for other reasons.
- 74. The meeting stressed the high importance of obtaining the best possible estimates of non-Member catch before CCSBT 23 and that the method used for estimating non-Member catches needs be clearly described together with information on the fleets that are considered to be catching SBT. In this context, the EC requested the ESC to further improve its estimates on non-Member catch and report back it in a transparent manner. It was noted that this is one of the tasks that the ESC had referred to its CPUE Modelling Group for consideration. It was also noted that the ESC had advised the EC, as a matter of urgency, to take steps to quantify all sources of UAM. The ESC had also requested the CC provide more data relating to Non-Member catch.
- 75. The EC further noted that knowledge of the fleets involved in catching SBT is important so that the cooperation of those fleets can be sought and for considering how non-Member fisheries can be regulated or controlled.

#### 9.3. Research Mortality Allowance

76. The EC approved the requests from Australia and Japan for Research Mortality Allowances (RMA) totalling 7.7 t in 2016.

# 9.4. Allocation of TAC

- 77. Indonesia referred to the proposal it submitted to CCSBT 20 to increase its national allocation. It stated that the current allocation was too low in relation to its fishing capacity, which has a long history catching SBT, and that it submitted the proposal to accommodate the interests of its artisanal fishers. Indonesia again asked the EC to consider article 8(4c) of the Convention which states that in deciding upon allocations among the Parties 3, the Commission shall consider "the interests of Parties through whose exclusive economic or fishery zone southern bluefin tuna migrates".
- 78. Members shared sympathy for Indonesia's position and noted that:
  - The EC has applied the Corrective Actions Policy to Indonesia by offering support from Members to provide advice to assist Indonesia in managing its allocation instead of seeking to reduce Indonesia's allocation in relation to its overcatch;

- Within the current quota block, Members allocations have already been committed and it would therefore be very difficult to consider Indonesia's request within the current quota block;
- The best opportunity to seek an increase in allocation will be when the TAC for the 2018-2020 quota block is allocated in 2016. However, even then there will be significant demands in relation to any increased quota in relation to matters such as:
  - o Members seeking to use increases to assist with full accounting of their attributable catches (such as recreational fishing, artisanal fishing and discards);
  - o Providing an allowance for unaccounted mortalities from non-Members; and
  - o Returning to its nominal catch in the case of Japan.
- 79. South Africa informed the meeting that it would also like to be considered for an increase of allocation and asked the EC to consider a sliding scale for future TAC increases, where Members with the least quota would receive the largest percentage increases in TAC.
- 80. The allocations for 2016 and 2017 remain as specified in paper CCSBT-EC/1510/12. The allocations are provided in Table 1 below.

**Table 1**: Allocations for 2016 and 2017.

	(A) South Africa accedes by 31 May of the specific year and receives a nominal catch of 150 t for that year	(B) South Africa does not accede by 31 May of the specific year and does not receive an increased allocation for that year <sup>7</sup>
Japan	4,737	4,847
Australia	5,665	5,665
New Zealand	1,000	1,000
Korea	1,140	1,140
Taiwan	1,140	1,140
Indonesia	750	750
South Africa	150	40
Philippines	45	45
European Union	10	10

 $<sup>^{7}</sup>$  These figures apportion the additional 110 t (from South Africa) to Japan because all other Members have reached their nominal allocation.

9

# Extract of Agenda Item 10.1 from the Report of SC 21

### 10.1. Evaluation of meta-rules and exceptional circumstances

- 139. At its Eighteenth annual meeting in 2011, the CCSBT agreed that a MP would be used to guide the setting of the SBT global total allowable catch (TAC). The CCSBT also adopted the meta-rule process as the method for dealing with exceptional circumstances in the SBT fishery (ESC 2013). The meta-rule process describes: (1) the process to determine whether exceptional circumstances exist; (2) the process for action; and (3) the principles for action.
- 140. Exceptional circumstances are events, or observations, that are outside the range for which the management procedure was tested and, therefore, indicate that application of the total allowable catch (TAC) generated by the MP may be inappropriate.
- 141. Based on the review of fishery indicators (paragraph 133) and papers (CCSBT-ESC/1609/17, 29), the ESC noted that the following three issues needed consideration in the context of the meta-rules for the current TAC for 2017 and the TAC recommendation for the 2018-2020 quota block:
  - The high 2016 scientific aerial survey index
  - The small/young fish in Indonesian size/age data (2012/13 to 2014/15 seasons)
  - The potential scale of unaccounted mortalities

#### 2016 scientific aerial survey index

142. The ESC noted that the 2016 aerial survey index, while outside the bounds of projections used in the MP testing, is outside these bounds in a positive direction. This may be indicative of especially high recruitment. This exceptional circumstance triggered action to examine the impact of the high aerial survey point on the operation of the MP (see agenda item 11 for more details). These investigations concluded that the high AS point was not unduly influencing the TAC recommendation from the MP, and that the model in the MP was able to fit the data adequately; therefore that the MP could be operated as tested. The ESC concluded there was no reason to take action to modify the 2017 TAC or the 2018-20 TAC recommendation in relation to this exceptional circumstance. However, the impact of the 2016 index value will be investigated further as part of the 2017 stock assessment.

#### Indonesian size/age data

- 143. The increase in the frequency of smaller and younger size and age classes in the spawning ground catch monitoring was reviewed (paragraph 133)
- 144. The ESC considers that this remains a priority issue to resolve for the monitoring of the spawning stock and conditioning the OMs for the 2017 stock assessment. However, it is not an issue for the operation of the MP because the MP does not use these data directly. Hence, the ESC concluded there was no reason to take action to modify the 2017 TAC or the 2018-20 TAC recommendation in relation to this exception circumstance.

### **Unaccounted mortality**

145. The ESC provided the following advice from the meeting in 2014:

The testing of the adopted MP did not include explicit allowance for catches to be greater than the TAC recommended by the MP. In this context, the ESC considered the extent to which the potential unaccounted mortality used in the sensitivity tests requested by the EC represents exceptional circumstances.

Attachment B

The ESC noted that the results of the unaccounted mortality sensitivity tests presented in papers (CCSBT-ESC/1409/15 and 38) indicated that the potential impact on current stock status was not substantial, relative to the results for the reference set for the current stock assessment. The potential impact on stock rebuilding and future TACs, however, was more substantial and varied among the sensitivity tests (Table 2 of CCSBT-ESC/1409/15). In particular, the ESC noted that the "Added Catch" sensitivity had the most substantial impact on the probability of the stock rebuilding to the EC's interim rebuilding target.

In considering whether the potential unaccounted sources of mortality should trigger action under the meta-rules process the ESC noted:

- The MP tuning assumed that catches adhere to TAC recommendations based on the MP, but it seems likely that this is not always the case<sup>8</sup>.
- The rebuild probability from the "Added Catch" scenario falls to 49% from the 74% seen in the base case. This potential reduction in rebuilding probability is substantial. However, the rebuilding probability is comparable to the most pessimistic robustness trial ("Upq") considered during MP tuning (Table 1 of attachment 9, ESC Report 2011).
- The management procedure responds to reductions in biomass from additional catches being taken, though without compensating entirely.
- The spawning stock status has improved since the adoption of the current MP and the harvested component was currently benefitting from a recent series of high recruitments (Figure 3, from Paper CCSBT-ESC/1409/38). As a result, the expected stock trajectory is still positive (i.e., there should be rebuilding although at a slower rate) in spite of the potential level of unaccounted for mortality considered by the ESC.

Thus, it appears that significant levels of unaccounted mortality may have occurred which were not considered in the design of the MP. If these levels are indeed true, they would amount to exceptional circumstances because the probability of rebuilding under the MP will be well below what was intended by the EC.

The ESC also notes that continuing to follow the MP as proposed does lead to continued rebuilding in the short term even if the circumstances of the hypothesised additional unaccounted mortality are true. Hence, the ESC advises the EC to continue to follow the MP as formulated but, as a matter of urgency, to take steps to quantify all sources of unaccounted SBT mortality. If substantial levels of unaccounted mortality are confirmed, then there will be a need to retune the MP to achieve the EC's stated rebuilding objective. In addition, the ESC advises that the EC take steps to ensure adherence to its TACs.

- 146. The ESC reaffirmed these views and considered additional information that had become available.
- 147. The additional information considered by the ESC included estimates of potential non-cooperating non-Member (NCNM) longline catches in the Pacific, Indian and Atlantic oceans (CCSBT-ESC/1609/BGD02). The estimated mean total catch by NCNM ranged between 59 to 306 t annually (2011-14), depending on the assumption about whether the effort was bycatch or targeted (paragraph 70, Table 1). These estimates are somewhat lower than those presented in 2015 and remain uncertain. If current levels of NCNM effort remain and stock size increases, levels of NCNM catch will likely increase.

<sup>&</sup>lt;sup>8</sup> Members discussed whether this particular statement should be reworded with New Zealand expressing the view that in recent year the global TAC had been consistently exceeded and this had in fact become the norm rather than a potential scenario

- 148. The draft report on the Chinese market study (CCSBT-ESC/1609/36 and 37) was the other additional information considered (paragraph 73). That report confirmed the ongoing presence of SBT within the Chinese sashimi market (particularly in Shanghai). Additional information is required to assess the scale and proportion of reported catches in this market.
- 149. Given the high uncertainty associated with the available information the ESC considered that the "Added Catch" sensitivity used in 2014 could not be ruled out as a plausible scenario for consideration of unaccounted mortalities.
- 150. With regard to the 2018-20 TAC recommendation, the ESC noted the EC's workplan related to this issue (EC2014 para. 53 and EC2015 para 73). In particular, given the decisions of the EC to make a direct allowance for NCNM catch by deducting this from the 2018-20 TAC, and that Members would account for attributable catches by 2018, the ESC concluded there was no reason to take action to modify the 2018-20 TAC in relation to this exceptional circumstance.
- 151. With regard to the 2017 TAC recommendation, given:
  - The EC's intention to take account of NCNM catches and the agreed common definition of attributable catch (EC2014 para. 53) in the 2018-20 TAC block and longer term;
  - The intention to develop a new MP that is robust to plausible UAM scenarios; and
  - Noting the 2014 analysis indicated that continuing to follow the MP as proposed leads to continued rebuilding in the short term even if the circumstances of the hypothesised additional unaccounted mortality are true;

therefore, the ESC concluded there was no reason to take action to modify the 2017 TAC in relation to this exceptional circumstance.

- 152. Overall, the ESC concluded that there was no reason to take action to modify the 2017 TAC or the 2018-20 TAC recommendation in relation to these three exception circumstances.
- 153. The ESC also reiterated the need to take urgent steps to quantify all sources of unaccounted mortalities, as well as the request to Members, the CC and EC to provide information that will assist the ESC in quantifying estimates of these mortalities.

Attachment C

#### Resolution on the Allocation of the Global Total Allowable Catch

(adopted at the Eighteenth Annual Meeting – 10-13 October 2011)

The Extended Commission for the Conservation of Southern Bluefin Tuna

*Seized* by the need to ensure the conservation and optimum utilisation of southern bluefin tuna based on the best available scientific advice.

*Recalling* agreement reached on nominal catch levels at the 16<sup>th</sup> annual meeting of the Extended Commission meeting and the Resolution on the Total Allowable Catch and Future Management of Southern Bluefin Tuna adopted at that meeting,

Further recalling the decisions of the Extended Commission adopted at its annual meeting in 2006,

*Further* to the Resolution on the Adoption of a Management Procedure adopted at the annual meeting of the Extended Commission in 2011,

*Noting* that the Management Procedure will be the basis for setting the total allowable catch from 2012,

Taking into account the desirability of a transparent and stable process for allocating total allowable catch to Members and Cooperating Non-Members, which provides greater certainty to Members and Cooperating non-Members, in particular for their fishing industries, and facilitates the administration of national allocations,

*Recalling* the Extended Commission agreed at it special meeting in 2011 to principles that would apply to the distribution of any increase in the global total allowable catch under the Management Procedure,

Further recalling that one of the agreed principles at that meeting was to develop a process for returning Japan's national allocation of the TAC to its nominal percentage,

In accordance with paragraph 3(a) of Article 8 of the Convention for the Conservation of Southern Bluefin Tuna, the Extended Commission decides as follows:

- 1. The total allowable catch (TAC) set on the basis of the Management Procedure (MP)<sup>9</sup> shall be allocated among Members and Cooperating Non-Members according to this Resolution.
- 2. This Resolution shall be applied until allocations of all Members have returned to their nominal catch levels and will be applied from the first three-year TAC setting period under the MP, i.e. 2012 2014.
- 3. Unless this Resolution provides otherwise, the TAC shall be allocated among Members and Cooperating Non-Members as set out below.
- 4. Before any increase in the TAC is apportioned between Members the total absolute tonnages outlined in paragraph 10 will be allocated to Cooperating Non-Members and, from the 2012 TAC period, the voluntary reductions made by Australia and New Zealand (255 tonnes and 45 tonnes respectively) will be returned.

<sup>&</sup>lt;sup>9</sup>The Management Procedure agreed to under the Resolution on the Adoption of a Management Procedure adopted at the annual meeting of the Extended Commission in 2011.

- 5. If there is no change to the TAC, each Member's allocation will remain unchanged.
- 6. If there is an increase to the TAC, the additional tonnage will be allocated amongst the Members based on the nominal percentage level as agreed in 2009 and set out in the Annex to this Resolution. Where a Member reaches its nominal catch level, it shall be held at that level until all other Members reach their nominal catch levels.
- 7. If there is a decrease to the TAC, each Member's allocation will decrease consistent with its nominal percentage level.
- 8. Each Cooperating Non-Member shall receive a fixed amount of the TAC, subject to the annual review of their status as a Cooperating Non-Member.
- 9. The allocation of TAC may be revised with the entry of new Members and Cooperating Non-Members. The nominal catch levels will remain unchanged with the entry of new Members or Cooperating Non-Members, but the nominal percentage levels may change.
- 10. The allocation of TAC for 2012, 2013 and 2014 for Members and Cooperating Non-Members shall be as follows:

	2012	2013	2014
TAC	10, 449 t	10, 949 t	12, 449 t <sup>10</sup>
Member			
Japan	2, 519t	2, 689t	3, 366t <sup>11</sup>
Australia	4, 528t	4, 698t	5, 147t
New Zealand	800t	830t	909t
Republic of Korea	911t	945t	1036t
Fishing Entity of Taiwan	911t	945t	1036t
Indonesia	685t	707t	750t
Cooperating Non-Member			
Philippines	45t	45t	45t
South Africa <sup>12</sup>	40t	80t	150t
European Union	10t	10t	10t

<sup>&</sup>lt;sup>10</sup> As agreed in paragraph 7(iii) of the Resolution on the Adoption of the Management Procedure adopted at the annual meeting of the Extended Commission in 2011, the TAC for 2014 shall be 12, 449 tonnes or the output of the MP for 2015 - 2017 based on the 2013 stock assessment (whichever is the less), unless the Extended Commission decides otherwise based on the assessment of the Compliance Committee.

<sup>&</sup>lt;sup>11</sup> The Extended Commission agreed at its special meeting of the Extended Commission in 2011 that a process would be developed for returning Japan's national allocation of the TAC to its nominal percentage. To commence the return to its nominal catch level, Japan shall receive a positive adjustment of its national allocation for 2014 of 10 percent of the increase subject to the TAC increasing to 12,449 tonnes and a compliance review at CCSBT 20 (2013).

<sup>&</sup>lt;sup>12</sup> The increase in South Africa's tonnage in 2013 and 2014 is subject to its accession to the Convention for the Conservation of Southern Bluefin Tuna. In the case that South Africa does not accede to the Convention, any additional tonnage will be apportioned to Members according to their nominal catch percentage levels.

# **Attachment C**

# **Annex**

# **Members' Nominal Catch and Percentage Levels**

Member	Nominal Catch Level	Nominal Percentage Level	
	(tonnes)		
Japan	5,665	36.9%	
Australia	5,665	36.9%	
Republic of Korea	1,140	7.4%	
Fishing Entity of	1,140	7.4%	
Taiwan			
New Zealand	1,000	6.5%	
Indonesia	750	4.9%	