



A Clarification of the CITES and ICCAT Situation 10-20-2009

There has been much confusion in the press reports due to the dueling press releases from the Department of Interior/U.S. Fish and Wildlife and the NOAA's Administrator Dr. Jane Lubchenko about the Monaco CITES 1 Bluefin tuna listing which would ban on international trade.

The part of the US decision that was important at this point was that the U.S. did NOT cosponsor the Monaco listing proposal at this time. That would have irreversibly committed the US to support the listing. The US statements of "support" in the press releases are really not the key issue right now because that support is only rhetorical (a bone to PEW and other radical green groups) and can be withdrawn pending sufficient ICCAT action--as was made clear in the US NOAA and FWS statements.

Taking this position (non-co-sponsorship) was critical and very positive (a win for US industry) in that it preserves US options to put max pressure on ICCAT (where this issue and that pressure belongs) and then the US can decide what it really wants to do about CITES after ICCAT. If ICCAT does a very good job, the US can (and I think/hope likely) will withdraw its support for the CITES listing. If ICCAT fails, then we will have a serious time preventing the US and others from approving the listing and the ban on trade.

Further, the vote at CITES depends heavily on what the block of EU nations decide to do. They have separate votes at CITES but must vote as a block (they get 27 votes) per EU rules. They also bring with them many votes outside the EU around the world. So, if they can get something done at ICCAT that can pass the red face test -- at least within EU circles--then they have the political cover to vote NO at CITES as a block. The minimum most believe will give them and us a chance to avoid the CITES listing is that they reduce the total allowable catch to reflect the scientific advice: somewhere between 8,500 mt and 15,000 mt.

A CITES listing proposal requires a 2/3rds majority to adopt--so, assuming ICCAT does its job--between EU and their coattail nations voting NO at CITES--and the Asian block (which you can bet will vote NO regardless of what ICCAT does) -- the chances of Monaco proposal passing --even if US supports it will be difficult.

ICCAT has massive, unprecedented pressure on it and the US position on CITES added to that significantly. The US position is not really any different at all than what the EU position is--i.e. 'don't cosponsor Monaco proposal but we'll have to consider CITES seriously if



ICCAT fails--so all eyes are on ICCAT to do its job--or else'. (Google EU fisheries minister Joe BORG for his statements after the EU similarly decided not to cosponsor a couple of weeks ago).

The chances of a successful CITES listing will also be reduced if the EC extends the Med spawning time/area closure. What is also key is for them to agree to punish (through ICCAT Compliance Committee process which the US Chairs) those nations that have been in violation.

We will continue to update you as more info comes along and certainly once the Brazil ICCAT meeting has concluded on November 16.

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