

HIGHLY MIGRATORY SPECIES ADVISORY SUBPANEL REPORT ON
RECOMMENDATIONS FOR INTERNATIONAL MANAGEMENT ACTIVITIES

RE: U.S.-Canada Albacore Tuna Treaty

The HMSAS offers the following in an attempt to notify the Council of recent events regarding the U.S.-Canada Albacore Treaty. Prior to the start of the 2018 fishing season, the Canadian government implemented two major changes. These changes are being implemented in the middle of the 2017-2019 regime, without discussion by bilateral participants, and impacts U.S. fishermen in the 2018 and 2019 summer fisheries.

First, the Canadian government is no longer allowing surface albacore fishing in two existing Marine Protected Areas (MPAs) – the Endeavor Hydrothermal Vents MPA and the Bowie Seamount MPA. These MPAs are not new; but the restrictions on surface fishing are. We note the location of the Endeavor Hydrothermal Vents is close to the Southern U.S.-Canada border and could negatively impact U.S. vessels should they have to fish in the Canadian Exclusive Economic Zone (EEZ) in 2018 or 2019.

Second, in May of 2018, the U.S. industry was notified that the Canadian Government will be requiring an *EEZ Albacore Tuna Fishing License for U.S. Vessels*. The license will be necessary before a U.S. vessel would be allowed to enter the Canadian EEZ. Given the late notification of this new license – it will be highly unlikely that any U.S. vessels will be allowed to fish when the fishing season opens for the U.S. vessels in the Canadian EEZ on June 15, 2018 (Annex C to 2017 Regime). Thus, it is very likely that there will be Canadian vessels fishing in the U.S. EEZ when no U.S. vessels will be permitted in the Canadian EEZ. We believe this could fall under the scope of Paragraph 7(a)(ii) of Annex C and could serve as grounds for termination of the Regime. Prior to this new licensing requirement, U.S. vessels seeking access to the Canadian EEZ under the Treaty notified the National Oceanic and Atmospheric Administration, and were placed on a vessel list exchanged with the Canadian Government. This has historically been documented in detail within the documents implementing both the current Regime and all prior iterations.

These actions from the Canadian Government call into question the reciprocal nature of the Treaty and further calls into question the need and benefit to U.S. fishermen for continuation of the Treaty.

We are asking the Council to take note of these events and understand the negative impacts to U.S.-based albacore fishermen. While we discuss and consider the best method to address these (which could include asking the State Department to start the process of terminating the Treaty), we ask the Council to consider appropriate actions as well.