

# INTER-AMERICAN TROPICAL TUNA COMMISSION

## 85<sup>TH</sup> MEETING

Veracruz, Veracruz (Mexico)

10-14 June 2013

### MINUTES OF THE MEETING

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The 85<sup>th</sup> meeting of the Inter-American Tropical Tuna Commission (IATTC) was held in Veracruz, Veracruz (Mexico), on 10-14 June 2013. The attendees are listed in Appendix 1.

### 1. Opening of the meeting

The meeting was opened by the Chair of the IATTC, Mr. Alvin Delgado, of Venezuela. In accordance with IATTC Rule of Procedure 10, Mr. Julio Guevara, of Nicaragua, was elected rapporteur.

### 2. Adoption of the agenda

As agreed at the meeting of the heads of delegation held immediately after the opening of the Commission meeting, the agenda was adopted with a new item 7, "Procedure for the selection of the Director". In addition, it was agreed that the issue of the scheduling of future Commission meetings would be considered under item 11 of the agenda, "Other business".

#### 3. a. The fishery in 2012 and status of the tuna and billfish stocks

Dr. Guillermo Compeán, Director of the IATTC, presented Document [IATTC-85-03a](#). Regarding the status of the yellowfin tuna stock, the results of the most recent evaluations indicate that the recent rates of fishing mortality are at the level corresponding to the maximum sustainable yield (MSY), and it is estimated that the recent levels of spawning biomass are below that level. Increasing the average weight of the yellowfin caught could increase the MSY.

Regarding bigeye tuna, the assessment results indicate a recovering trend during 2005-2010, subsequent to the adoption of the IATTC tuna conservation resolutions initiated in 2004. However, a reduction of the

spawning biomass commenced at the beginning of 2011 and persisted through 2012, which reduced both the summary and spawning biomasses to their lowest historical levels at the beginning of 2013. At current levels of fishing mortality, and if the recent levels of catch and effort and average recruitment levels continue, it is predicted that the spawning biomass will stabilize at a level very close to that corresponding to the MSY.

Numerous delegations thanked and congratulated the Commission's scientific staff for the work carried out, and expressed their satisfaction with the fact that the conservation measures adopted had achieved the desired result. However, the staff was asked to keep a watchful eye on the status of the resources, and, in particular, carry out a Pacific-wide assessment of the bigeye tuna stock.

The Director stated that for 2014 there would be more complete assessments of yellowfin and bigeye tunas, since by then the staff would have the data from the longline fishery.

Japan stressed the fact that the purse-seine fishery for bigeye on fish-aggregating devices (FADs) was becoming more and more dominant year after year, while the longline fishery is diminishing when it comes to the impact on bigeye tuna stocks.

In response to comments by Korea, the European Union, and China, the Director agreed that the presentation to the Scientific Advisory Committee of detailed national reports could be an important source of information additional to that specified in Resolution C-03-05 on the provision of data.

In answer to a question by Costa Rica, the Director referred to the assessments of certain species of billfishes in the EPO. In previous years assessments of swordfish had been presented, and this year an assessment of sailfish was carried out. The assessment of dorado has not been done, since the necessary budget is not available.

In answer to a question by Peru regarding the assessment of yellowfin tuna under the assumption that there are two substocks, northern and southern, the Director noted the existence of two separate recruitment periods in the north and in the south, which has been incorporated into the assessments. He also stated that one of the suggestions from the external review of the assessments was that the possibility of assessing the yellowfin stock under the assumption of two substocks should be evaluated, which will be done in the next assessments.

Mexico stressed that the work of the scientific staff formed a sound and essential basis for the measures that have to be taken, but in the Committee on Administration and Finance proposals had been made to reduce the budget and close programs. The effect of such proposals should be carefully reviewed, considering above all the need for IATTC scientists to take part in assessments carried out in other tuna organizations.

Also, Mexico asked the following questions: whether the yellowfin stocks would be at the MSY level if the distribution of fishing effort were different; whether the assessment of the silky shark was not finished due to a lack of data from longline fishery; and whether the impact of the fishery for bluefin tuna in the area of the Western and Central Pacific Fisheries Commission (WCPFC) and in the EPO are similar.

The Director answered that the MSY depends on the composition of the catches in relation to the type of set, since the different types of sets catch different sizes, and an increase in the average size of the catch increases the MSY, so that increasing fishing effort on FADs would affect the status of the stocks. Regarding silky sharks, he indicated that the preliminary assessment had been finished, that the data on the longline fishery by vessels that operate from Central America are not yet complete, and as regards bluefin tuna, he explained that the impact of the fishery in the WCPFC area is much greater than that of the EPO, due mainly to the large catches of bluefin less than one year old in fisheries in the WCPFC area.

Following the Director's explanation, Japan stressed that compliance with the conservation and management measure for bluefin tuna adopted by the IATTC is essential for the recovery of the stock. In this regard, Japan highlighted the fact that the International Scientific Committee for Tuna and Tuna-like

Species in the North Pacific Ocean (ISC) recently advised in its stock assessment in 2012 that WCPFC and IATTC conservation and management measures, combined with Japan's voluntary domestic regulations currently in place to reduce mortality, if properly implemented and enforced, are expected to contribute to improvement in the status of the Pacific bluefin tuna stock.

In response to comments by China, the Director explained that Northern Pacific albacore has traditionally been assessed within the ISC, but with the participation of the IATTC scientific staff. For the assessment, the ISC has available a historic series of data based on information supplied by the flag States that exploit that resource.

#### **b. Review of the Commission staff's research**

Dr. Richard Deriso, Chief Scientist and Coordinator of scientific research, presented information on the work carried out by the Commission staff. Work is currently being done in the following fields: stock assessment, tagging studies, stock assessment of silky sharks, studies of tuna biology, ecosystem studies, bycatch studies, especially seabirds and species caught in association with FADs, data collection, and capacity building.

The European Union asked about the lack of progress on the FAD pilot program, despite the provisions of paragraph 15 of Resolution C-12-01, and the lack of the corresponding information. The Director stated that the staff had good information on the number of FADs and on the catches that are made, and that this information has been published in various documents, including an FAO publication. The scientific staff has also participated in studies of the behavior of tunas associated with FADs. Yet to be done is the marking of FADs in order to obtain information on how the catches evolve as they follow the movements of the FADs, and for that reason the Members of the Commission had been asked to send the corresponding satellite information to the Commission staff in order to facilitate the monitoring of these devices. Marking FADs involves certain costs (*e.g.*, attaching a physical marker that can be detected remotely by the observer), but the budget presented for the pilot program was not approved. Satellite tracking also has a cost, even though the Commission staff does not need the information in real time, and it could be provided at the end of the year. Ecuador expressed its willingness to participate with its fleet in a pilot program.

Regarding the reduction of bycatches, the staff has not had access to specific information about the use of sorting grids.

In conclusion, the European Union described the issue of FADs as a priority, and the United States indicated that it should be addressed as a long-term program and not merely as a pilot program, noting its proposal for a resolution on this matter.

With regard to the status of the joint research programs on bluefin tuna supported by Japan, Dr. Deriso explained that the results of the multiannual project on aquaculture, developed with Kinki University in Japan, at the Commission's Achotines Laboratory in Panama, will be described in scientific publications.

#### **c. Report of the fourth meeting of the Scientific Advisory Committee (SAC)**

The Director reported on the meeting of the Scientific Advisory Committee, noting firstly that once more a quorum was not reached, and on the presentations by the Commission staff as well as by some participants, and presented the Committee's recommendations, endorsed by all who had participated in the meeting.

General concern was expressed regarding the fact that once more the required quorum for the Committee's session had not been reached, a situation that could undermine, in the opinion of the European Union, the validity of the recommendations that were adopted, since the Committee could not meet formally. Some delegations suggested the possibility of modifying this requirement, but the United States noted that this was about the implementation of a provision of the Antigua Convention itself, which it would be very complicated to amend. Teleconferences or other similar media could be used to facilitate the participation

of Commission Members, but the most practical solution would be to use the Special Fund established by Resolution C-11-11. The European Union recalled that it had committed €100,000 to the Fund, which could only be disbursed if another party co-financed 20% of the amount. Japan announced its intention to contribute the equivalent of €20,000 so that the Fund can become operational, with the condition, due to its internal financial procedures, that the contribution is made to the IATTC's regular budget but earmarked for the Fund. Mexico suggested that relevant non-governmental organizations (NGOs) should also be invited to contribute to the Fund, since they benefit from the scientific work of the Committee and of the Commission and its staff. Later, the representative of the International Seafood Sustainability Foundation (ISSF) announced his organization's commitment to contributing US\$ 5,000 to the Special Fund, to be used to facilitate the participation of scientists of developing Members at the meetings of the Scientific Advisory Committee.

Another concern generally expressed concerned the current schedule of meetings of the Commission. Currently, as pointed out by the European Union, Japan and Colombia, the time between the meetings of the SAC and of the Commission is too short, as is the time between the delivery of documents and the beginning of the meeting of the Committee. The European Union asked to add an item to the agenda to have a discussion on the planning of meetings for the IATTC which would also include this issue. The need for documents to be available more than a week in advance of the meeting and in both languages was emphasized. The Director explained that complete data for the assessments are available only at a time very close to the meeting of the Committee. He also stressed that when the Commission's rules of procedure were developed, it had been pointed out that there was not sufficient time for the preparation and translation of documents, so it would be advisable to review the current meeting schedule. Ecuador suggested that the Committee should meet more than once a year, which would be consistent with the provisions of the Antigua Convention.

Turning to scientific research, the European Union stated it was necessary to establish priorities, to which Ecuador agreed, and proposed that a comprehensive plan be developed and assessed by the SAC. As an example of a priority, Costa Rica cited the case of the study of dorado. For its part, the European Union expressed its strong support for the review of the current fleet target capacity of 158,000 cubic meters (m<sup>3</sup>), a task that the Director had committed to put in motion, as well as for a Pacific-wide assessment of bigeye tuna to take also into account the situation in the WCPFC. Mexico noted that any prioritization should be accompanied by the identification of the corresponding necessary resources, in order to avoid negative consequences for the important activities of the Commission and its staff. The European Union also supported the idea of presenting national reports of a scientific nature and having them published.

Regarding this last point, Colombia highlighted that, unlike the other regional fisheries management organizations (RFMOs), the IATTC has the advantage of having its own scientific staff. Mexico stated that the work of the staff and the Scientific Advisory Committee should go hand-in-hand.

With regard to that work, the issue of confidentiality was addressed, particularly as regards the information supplied directly and voluntarily to the Commission staff by the private sector. In this respect, Mexico cited the regulatory framework in force, consisting of the Antigua Convention and the Commission's rules of procedure. Without detriment to this framework, the European Union referred to its proposal on confidentiality (which was adopted subsequently, with some changes, during this 85<sup>th</sup> meeting as Resolution C-13-05, *Procedures for confidential data.*)

#### **d. Staff conservation recommendations**

Dr. Deriso presented the following recommendations by the scientific staff, contained in Document IATTC-85-03d:

##### **i. Yellowfin, bigeye, and skipjack tunas**

Maintain Resolution C-12-01 in 2013 and extend it to 2014, which includes: closures of 62 days in the Convention Area, during two periods; exception of one 30-day trip by Class-4 vessels with an observer;

closure of the high seas area (29 September-29 October); longline catch limits as in Resolution C-12-01, and introduction of the monthly reporting requirement for longline catches of yellowfin.

#### **ii. Pacific bluefin tuna**

Maintain Resolution C-12-09 in 2013 and extend it to 2014, with catches in 2014 limited to 5,000 metric tons (t), half the amount specified in the resolution for the 2012-2013 period. On the basis of the current conservation measure and taking into account the 2012 catches, the total allowed catch for bluefin in 2013 is 3,295 t.

#### **iii. Northern albacore tuna**

Amend Resolution C-05-02 to require that the obligatory six-monthly reports include information on effort as well as catches, and to clarify that the data provided you should be for the EPO only. In this regard, Chinese Taipei indicated its difficulty in reporting the number of fishing days prior to 2005.

#### **iv. Reference points**

As an interim measure, adopt the target and limit reference points approved by the Indian Ocean Tuna Commission (IOTC) (Document IATTC-85-03d).

#### **v. Harvest control rule**

Adopt as a harvest control rule that, if fishing mortality exceeds the level corresponding to MSY, it be reduced to that level.

#### **vi. Silky shark**

Principally, extend Resolution C-11-10 on oceanic whitetip sharks to include the silky shark, but apply to purse-seine vessels only.

The discussion of these recommendations resulted in the approval of Resolution C-13-01 (Appendix 2a). The Scientific Advisory Committee was asked to draft criteria for determining what should be considered a discard in accordance with paragraph 17 of the resolution. Also, the recommended longline catch reports for yellowfin need not be monthly if their purpose is scientific; annual reports by March 15 would be sufficient.

As regards reference points, it was noted that these are the same as those that were adopted by the IOTC, and thus more work was needed to assess them and decide how they should be applied in the EPO; in the meantime they should be considered as an interim measure only and should also be reviewed, along with the harvest control rule, by the Scientific Advisory Committee.

As regards silky sharks, and the discussion of the scientific staff's advice, some Members expressed the view that the advice shows that strong management action is needed to significantly reduce or eliminate mortality, while others considered that the advice suggests that the stock is predicted to rebuild if the recent levels of fishing mortality are maintained in the future. All Members agreed that there is a need for improved data collection and submission on this species, from coastal areas in particular, to better inform future advice and give a more accurate picture of the status of this stock before adopting any measures. The European Union intervened to stress that an extension of Resolution C-11-10 to silky sharks should cover both purse seiners and longliners.

### **4. Reports of subsidiary bodies and working groups:**

#### **a. Committee on Administration and Finance**

Mr. Lillo Maniscalchi, of Venezuela, Chair of the Committee, presented his report (Appendix 4a). In particular, he highlighted that contributions in arrears and pending total US\$ 2,571,000, and if they were paid they would alleviate the Commission's deficit considerably.

The Commission decided to approve a budget for 2014 of US\$ 6,527,781, an increase of 2% from the

previous year to compensate for inflation. This approval is subject to the condition that an assessment of the administrative and operational performance of the Commission and its staff be carried out, as proposed by the European Union, which agreed to explore the possibility of providing the necessary funds on the condition of a 20% co-financing. It was also agreed that the terms of reference of this evaluation should be exactly defined, bearing in mind that it would include an administrative and operational assessment of the AIDCP. To that end the European Union circulated a document (Appendix 5e) providing the main guidelines of the objectives of the assessment.

#### **b. Review Committee**

The Chair of the Committee, Mr. David Hogan, of the United States, presented the report of the fourth meeting (appendix 4b). The Commission adopted the following recommendations by the Committee:

1. That the compliance report indicate progress regarding compliance in order to complement the reporting of cases of possible non-compliance.
2. That the cases of the Ecuadorian vessels *Ignacio Mar I*, *Tuna I* and *Tuna II*, reported as fishing while not on the IATTC Regional Vessel Register, not be included in future reports by the Review Committee.
3. Ask the Scientific Advisory Committee to better define the concept of discard and examine the possibility of establishing a threshold value for the amount of discarded fish that should be reported as a possible infraction, or other options to improve implementation.
4. Review the dates of resolutions to clarify their validity and applicability, as applicable, and draft a compendium of resolutions in force, in addition to their publication on the IATTC website.
5. Remove the Colombian vessel *Marta Lucía R* from the IUU Vessel List, and adopt the list without any other change. The European Union stated that it would abstain from taking part in the decision regarding the *Marta Lucía R*, but would not oppose the consensus.
6. Renew the Cooperating Non-Member status of Bolivia, and grant it to Honduras, Indonesia, and Cook Islands.

#### **c. Permanent Working Group on Fleet Capacity**

The Chair of the Working Group, Mr. Luis Dobles, of Costa Rica, presented his report of the meeting (Appendix 4c). After another discussion of pending capacity cases, the Commission adopted the following decisions:

1. Incorporate the Ecuadorian vessel *Sajambre* into the Regional Register.
2. Grant 2,024 cubic meters (m<sup>3</sup>) of well volume to Colombia to regularize the situation of the vessels *Marta Lucía R* and *Dominador I*, bearing in mind in particular that the carrying capacity of those vessels is already taken into account in the Commission staff's assessments. Colombia made a statement in this regard (Appendix 5a). It was also confirmed by Colombia that this capacity would be deducted from the amount contained in the footnote to Resolution C-02-03.

There was no consensus to approve the following requests (in cubic meters (m<sup>3</sup>) of well volume):

1. Costa Rica: 5,000 m<sup>3</sup>, in accordance with paragraph 10.1 of Resolution C-02-03.
2. Peru: utilize outside its Exclusive Economic Zone the 5,000 m<sup>3</sup> that it was granted in 2011. Peru made a statement in this regard (Appendix 5b).
3. Nicaragua: request for 4,200 m<sup>3</sup>.
4. Guatemala: restitution of 3,762 m<sup>3</sup>. Guatemala indicated that it would maintain its claim for as long as necessary until the capacity quota to which it was rightfully entitled was restored. Also, he expressed his disagreement and dissatisfaction with the unequal treatment that some Members of

the Commission have decided to give to the very special and just claim by the Republic of Guatemala and the restitution of the 3,762 m<sup>3</sup> that are its property.

5. Venezuela: pending claim for 5,473 m<sup>3</sup>.
6. El Salvador: request for 1,861 m<sup>3</sup>.
7. Ecuador: i) incorporate into the Regional Register the vessels *Victoria A* and *María del Mar*, omitted by mistake in 2002; ii) regularize the situation of the vessels that have been identified as having increased their capacity, including the *Doña Roge*; iii) add to the Regional Register the vessels *Ignacio Mar I*, *Tuna I* and *Tuna II*, which are operating while not on the Regional Register with the capacity corresponding to the *Roberto M*, which has not been removed from the Register and which also appears as *Tunapesca* under Panama, under whose flag it is currently operating.

Vanuatu expressed its concern over the permanent transfer of the carrying capacity of the then Vanuatu-flagged vessels *Ugavi Dos* and *Esmeralda C* to a third state, despite Vanuatu's approval at the time. Bolivia made a statement about its rights to capacity (Appendix 5c).

Several delegations expressed frustration at the lengthy discussions on the issue of capacity, which prevented advancing on other issues and suggested that it would be extremely helpful to hold a meeting dedicated to the issues. It was therefore decided that the Permanent Working Group on Fleet Capacity would hold a meeting to review all the unapproved requests comprehensively and exhaustively, with the preparation of detailed and country-by-country documentation, with the aim of proposing concrete solutions to the Commission.

Numerous delegations noted that, if additional capacity were added to the current capacity as a result of these requests, the Commission should adopt compensatory conservation measures, in particular by increasing the number of days of closure.

Furthermore, it was decided to convene a workshop of experts, including the scientific staff, to discuss comprehensively and objectively the various matters and issues linked to fleet capacity, to its impact on the resources, and how to reduce overcapacity. Colombia expressed its willingness to explore the possibility of organizing the workshop in Cartagena. The European Union stated that it would evaluate the possibility of allocating funds for this purpose, and also suggested that the resources of the Special Fund be used.

At the end of the meeting, Costa Rica, El Salvador, Guatemala, Nicaragua and Peru distributed a statement (Appendix 5d).

## **5. Observer program for transshipments at sea**

Mr. Ricardo Belmontes, of the IATTC staff, presented Document IATTC-85-05 on the development of this program in the previous year. The program, which has been functioning for four-and-a-half years, has developed normally and without problems nor infractions. The number of observers assigned and of days at sea, as well as of transshipments and fish transhipped, has been falling in 2012 and 2013.

It was agreed that the contract for operating the program would be put out to tender in order to reduce costs, and a budget of US\$ 850,000 was approved for 2014. With the 2012 surplus and the projected surplus from 2013, the contributions from the participants in the program in 2014 would total only US\$ 500,000. It was also agreed that data would be collected on the location (Eastern Pacific, Western Pacific, IATTC-WCPFC overlap area) where the transhipped tuna was caught.

## **6. Review of the IATTC's performance**

Although one Member was emphatic in commenting that, as experience in other tuna RFMOs shows, this type of evaluation is very expensive and often its conclusions and recommendations have not been duly taken into account by the corresponding RFMO, the participants generally lamented the lack of agreement on the evaluation of the IATTC's performance as a whole, despite having already agreed on a

partial evaluation focused on the administrative and operational aspects of the IATTC and its staff. The Pew Environment Group NGO also lamented the situation, and expressed the hope that the existing differences could be resolved so that the full performance review could be carried out.

**7. Procedure for the selection of the Director**

It was agreed that the matter would be discussed when the European Union’s proposal on this subject was reviewed (Proposal G-1; Appendix 3g).

**8. Resolutions and recommendations**

**a. Adopted resolutions:**

The Commission approved six resolutions:

<b>Resolution</b>	<b>Subject</b>	<b>Appendix</b>
C-13-01	A multiannual program for the conservation of tunas in the eastern Pacific Ocean during 2014-2016	2a
C-13-02	Conservation measures for bluefin tuna in the eastern Pacific Ocean	2b
C-13-03	Supplementary resolution on Northern Pacific albacore tuna	2c
C-13-04	Collection and analysis of data on fish-aggregating devices (FADs)	2d
C-13-05	Confidentiality of data: policies and procedures	2e
C-13-06	Financing for fiscal year 2014	2f

**b. Proposals submitted but not approved:**

**i. Proposal A-1: Contribution by the IATTC to the AIDCP national observer programs (Appendix 3a)**

Submitted by Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Mexico, Nicaragua, Panama, Peru, and Venezuela. Some Members commented that the costs of the national observer programs are the responsibility of the respective countries in which those programs were established. Other Members noted that it is indeed the responsibility of the national authorities to attempt to resolve the budgetary problems of those programs, but it is also within their authority to decide to whom the data collected by observers, in addition to those specified in the AIDCP, is provided.

**ii. Proposal B-1: Creation of a working group on catch documentation systems (Appendix 3b)**

Submitted by the European Union, and supported by various delegations, who indicated that catch documentation systems are important for the traceability of tuna and for combating IUU fishing. One delegation expressed concern about the costs that the activities of the working group would incur, which had not been taken into account when the budget for fiscal year 2014 was approved. Despite consultations among the most interested delegations, and since one Member expressly maintained its objection to the proposal, it was not possible reach consensus neither on the proposal nor on an amended text.

**iii. Proposal C-1 A: In-port inspections: minimum standards for inspections (Appendix 3c)**

Submitted by the European Union, and supported by various delegations, who indicated that it was important for combating IUU fishing. Venezuela stated that it could not accept it at the current meeting. It was agreed to continue work intersessionally.

**iv. Proposal E-1A: Conservation of hammerhead sharks (Appendix 3d)**

Submitted by the European Union, as a revised version of the proposal presented the previous year. Several delegations noted that this was a target species for the coastal artisanal fisheries in their respective

countries, and it was also stated that measures had already been taken by other international organizations and, in particular, that CITES<sup>1</sup> already regulates international trade in hammerhead sharks, but does not prohibit its retention. It was also noted that, before introducing a conservation measure in the IATTC, the status of the stock should be assessed and for that data are required, and a review of the matter by the IATTC scientific staff and the Scientific Advisory Committee.

**v. Proposal E-2A: Conservation of sharks** (Appendix 3e)

Submitted by the European Union and supported by many delegations. However, other delegations stated that it is not operationally feasible for longliners with ultra-low-temperature freezing cold storage to store shark bodies with the fins attached, in their ultra-low-temperature freezing cold storage. It was also indicated that the IATTC already has a measure regarding full utilization of any retained catches of sharks.

**vi. Proposal E-3: Amendment of Resolution C-05-03 on the conservation of sharks** (Appendix 3f)

Submitted by Costa Rica. Various countries indicated that they could not support the proposal because it requires keeping the fin attached to the body of the shark, which causes operational problems for longliners with ultra-low-temperature freezing cold storage, and furthermore the measure does not contribute directly to the conservation of sharks.

**vii. Proposal G-1: Procedures for the selection, interview, and decision-taking process for the Director of the Commission** (Appendix 3g)

The matter of the appointment of the Director, raised as a result of the presentation of this proposal, was the subject of long discussions at the meeting of the heads of delegation and during the Commission plenary. In general, the participants agreed that the proposal is, in purpose and essence, consistent with the requirements established in Article XII, paragraph 1, of the Antigua Convention and with rule 20 of the Rules of Procedure adopted in 2012. However, while the European Union and the Members that supported it considered that the proposal by itself meets those requirements, without the need for additional provisions, various Members insisted that it is necessary to adopt specific rules of procedure applicable to the “reappointment” of the Director. In the opinion of the European Union and of the Members that shared its position, at the end of the four-year period indicated in the above-mentioned article, and unless there was consensus on some other procedure, the position of Director becomes vacant automatically and the procedure in proposal G-1, or a similar one, applies for selecting the Director from among several candidates, one of whom could be the departing Director. Other Members consider that the position cannot be declared vacant before first deciding whether the current Director would be “reappointed” in accordance with Article XII, paragraph 1 of the Antigua Convention, a decision which would be taken in accordance with specific rules of procedure, whether as a complement to the proposal under consideration, or something similar. The European Union reminded the meeting that the adopted Rules of Procedure do not foresee the adoption of a specific procedure for the reappointment of the Director, and only refer to a procedure for the selection of the Director. This led to Venezuela presenting a document to amend the Rules of Procedure that it circulated during the discussion. The European Union reminded the meeting that, according to the established Rules of Procedure, any proposal had to be submitted to the Director at least 21 days before the opening of the meeting, so this proposal could not be discussed for procedural reasons. The short time available made it impossible to resolve the differences between those positions or discuss the European Union proposed text in detail.

**viii. Proposal H-1: Management of fleet capacity** (Appendix 3h)

Submitted by the European Union at the meeting of the Permanent Working Group on fleet capacity, but withdrawn due to several questions.

**ix. Proposal H-2: Management of fleet capacity** (Appendix 3i)

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<sup>1</sup> Convention on International Trade in Endangered Species

Submitted by Japan at the meeting of the Permanent Working Group on fleet capacity, but withdrawn for presentation in the future.

Regarding both these proposals (H1 and H2), some delegations stated that they were not ready to approve them, since there are still issues of disputes and capacity requests to resolve.

**x. Proposal I-1: Temporary transfer of bigeye catch limits by longliners** (Appendix 3j)

Submitted by Japan, which stated that it had recently received comments that had not yet been incorporated into the proposal, and asked that its consideration be postponed until the next meeting. The Commission was informed that Japan would transfer 3,000 metric tons of its bigeye allocation to China for 2013.

**xi. Proposal L-1A: Amendment of Resolution C-05-07 on the IUU Vessel List** (Appendix 3k)

Submitted by Costa Rica, Panama, and the United States. It did not receive enough support, but a revised version was requested for the following meeting. It was agreed to continue work intersessionally.

**xii. Proposal M-1: Amendment of Resolution C-11-07 on compliance** (Appendix 3l)

Submitted by Costa Rica. Objected by the United States, which indicated that making the work of the Review Committee subject to confidentiality rules goes against the principle of transparency.

**xiii. Proposal N-1: Use of information on compliance** (Appendix 3m)

Submitted by Mexico. Objected by the United States, for the same reasons as for the previous proposal.

**xiv. Proposal O-1: Length sampling** (Appendix 3n)

Submitted by Mexico. Objected by Ecuador, due to the need for additional internal consultations.

**9. Election of the Chair and Deputy Chair**

Mr. Alvin Delgado, of Venezuela, and Ing. Luis Torres, of Ecuador, were unanimously re-elected Chair and Deputy Chair, respectively, of the Commission.

**10. Election of Chairs of subsidiary bodies and working groups**

The following chairs of subsidiary bodies and working groups were elected or re-elected:

Committee/Working Group	Chair
Bycatch	Luis Fleischer (Mexico)
Fleet capacity	Luis Dobles (Costa Rica)
Review Committee	David Hogan (United States)
Administration and finance	Lillo Maniscalchi (Venezuela)

**11. Other business**

**Schedule of Commission meetings** (at the request of the European Union): there was consensus on the advisability of holding them in the month of July, in order to allow enough time to take into consideration the results of the Scientific Advisory Committee, noting that it would be preferable to hold them in the middle of the month, after the meeting of the FAO Committee on Fisheries (COFI).

**Reference points:** on the basis of the proposal by the European Union on reference points in the management of tuna resources, which was widely supported, the Commission staff was asked for the following, before the meeting of the Scientific Advisory Committee in 2014:

- a. Propose limit reference points and explain their scientific basis;
- b. Propose target reference points and explain how they relate to the management objectives, including

the Antigua Convention;

- c. Propose harvest control rules that indicate the types of management measures that should be adopted in view of the status of the stock relative to the reference points; and,
- d. Assess the performance and the robustness of the above, taking into account the principal sources of uncertainty.

The Director and the Scientific Advisory Board were asked, taking into account the above, to make specific recommendations for stocks regarding harvest control rules and reference points, to be considered at the meeting of the Commission in 2014. These recommendations should address the matter of coherence with decisions taken by other organizations, specifically in the Pacific Ocean, regarding reference points for the same species.

**New offices:** The Director informed the Commission that the move to the new facilities provided by the government of the United States of America in its role as host government to IATTC headquarters had been completed, and invited the participants to the inaugural ceremony, which will be held in August 2013. The Chair expressed, on his own behalf and on that of the Commission, gratitude for the generous and consistent support offered by the United States.

## **12. Date and place of next meeting**

The participants thanked the delegation of Peru for the offer by its government that the following annual meeting of the Commission be held in Lima. The date of the meeting was left undefined, bearing in mind the preference expressed within the Commission that it be held in the middle of the month of July, after the meeting of the FAO Committee on Fisheries (COFI).

## **13. Adjournment**

The meeting was adjourned at 7 p.m. on 14 June 2013.

## APPENDICES

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- 1. List of attendees<sup>2</sup>**
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- 2a. C-13-01:** Resolution on a multiannual program for the conservation of tunas in the eastern Pacific Ocean
- 2b. C-13-02:** Conservation measures for bluefin tuna in the eastern Pacific Ocean
- 2c. C-13-03:** Supplementary resolution on Northern Pacific albacore tuna
- 2d. C-13-04:** Collection and analysis of data on fish-aggregating devices (FADs)
- 2e. C-13-05:** Confidentiality of data: policies and procedures
- 2f. C-13-06:** Financing for fiscal year 2014
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- 3a. A-1:** Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Mexico, Nicaragua, Panama, Peru, Venezuela. Contribution of the IATTC to the AIDCP national observer programs
- 3b. B-1 B:** European Union. Working group on catch documentation systems
- 3c. C-1 B:** European Union. Port inspections: minimum standards for inspections.
- 3d. E-1 A:** European Union. Conservation of hammerhead sharks
- 3e. E-2 A:** European Union. Conservation of sharks
- 3f. E-3:** Costa Rica. Amendment to Resolution C-05-03 on sharks
- 3g. G-1:** European Union. Selection of the Director
- 3h. H-1:** European Union. Management of fishing capacity
- 3i. H-2:** Japan. Management of fishing capacity
- 3j. I-1:** Japan. Transfer of bigeye catches by longline vessels
- 3k. L-1 A:** Costa Rica, Panama, United States. Amendment to Resolution C-05-07 on the IUU vessel list
- 3l. M-1:** Costa Rica. Amendment to Resolution C-11-07 on compliance
- 3m. N-1** Mexico. Use of information on compliance
- 3n. O-1** Mexico. Length sampling
- 
- 4a.** Report of the Chairman of the Committee on Administration and Finance
- 4b.** Report of the Chairman of the Committee for the Review of the Implementation of Measures Adopted by the Commission (“Review Committee”)
- 4c.** Report of the Chairman of the Permanent Working Group on fleet capacity
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- 5a.** Colombia: statement on capacity
- 5b.** Peru: statement on capacity
- 5c.** Bolivia: statement on capacity
- 5d.** Costa Rica, El Salvador, Guatemala, Nicaragua and Peru: statement on capacity
- 5e.** European Union: IATTC's Secretariat organizational assessment
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<sup>2</sup> Chinese Taipei expressed its dissatisfaction regarding the reference to the affiliation of several of its delegates and could not endorse Appendix 1

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**RESOLUTION C-13-01**

**MULTIANNUAL PROGRAM FOR THE CONSERVATION OF TUNA  
IN THE EASTERN PACIFIC OCEAN DURING 2014-2016**

The Inter-American Tropical Tuna Commission (IATTC), gathered in Veracruz, Veracruz (Mexico), on the occasion of its 85<sup>th</sup> Meeting:

*Aware* of its responsibility for the scientific study of the tunas and tuna-like species in its Convention Area and for formulating recommendations to its Members and Cooperating non-Members (CPCs) with regard to these resources;

*Recognizing* that the potential production from the resource can be reduced if fishing effort is excessive;

*Aware* that the capacity of the purse-seine fleets fishing for tunas in the Convention Area continues to increase;

*Taking into account* the best scientific information available, reflected in the IATTC staff's recommendations, and the precautionary approach;

*Recognizing* the importance of conservation measures taken by the Western and Central Pacific Fisheries Commission (WCPFC) for the tuna stocks in that region and the stocks of highly migratory tunas in the Pacific Ocean;

Agrees:

To apply in the Convention Area the conservation and management measures for yellowfin and bigeye tuna set out below, and requests that the staff of the IATTC monitor the fishing activities of the respective CPC's flag vessels relative to this commitment, and report on such activities at the next meeting of the Commission;

1. These measures are applicable in the years 2014-2016 to all CPCs' purse-seine vessels of IATTC capacity classes 4 to 6 (more than 182 metric tons carrying capacity), and to all their longline vessels over 24 meters length overall, that fish for yellowfin, bigeye and skipjack tunas in the Convention Area.
2. Pole-and-line, troll, and sportfishing vessels, and purse-seine vessels of IATTC capacity classes 1-3 (182 metric tons carrying capacity or less) are not subject to these measures.
3. All purse-seine vessels covered by these measures must stop fishing in the Convention Area for a period of 62 days in 2014, 62 days in 2015, and 62 days in 2016. These closures shall be effected in one of two periods in each year as follows:
  - 2014 – 29 July to 28 September, or from 18 November to 18 January 2015.
  - 2015 – 29 July to 28 September, or from 18 November to 18 January 2016.
  - 2016 – 29 July to 28 September, or from 18 November to 18 January 2017.
4. Notwithstanding the provisions of paragraph 3, purse-seine vessels of IATTC capacity class 4 (between 182 and 272 metric tons carrying capacity) will be able to make only one single fishing trip of up to 30 days duration during the specified closure periods, provided that any such vessel carries an observer of the On-Board Observer Program of the Agreement on the International Dolphin Conservation Program (AIDCP).
5. The fishery for yellowfin, bigeye, and skipjack tuna by purse-seine vessels within the area of 96° and 110°W and between 4°N and 3°S illustrated in Figure 1 shall be closed from 0000 hours on 29 September to 2400 hours on 29 October.

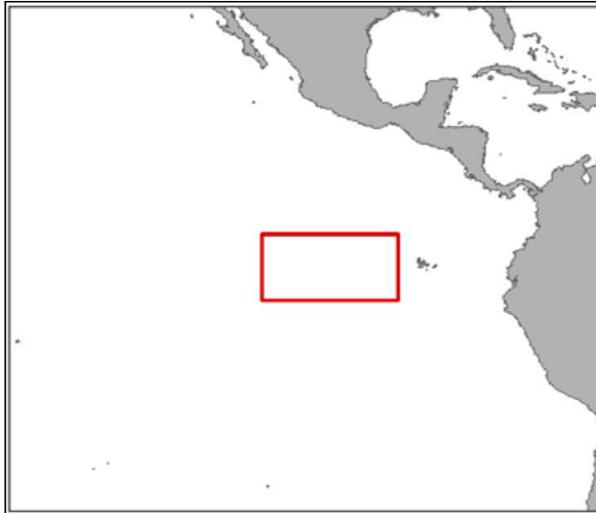


Figure 1. Closure area

6. a. In each one of the years in which these measures are applicable, and for each one of the closure periods, each CPC shall notify the Director, by 15 July, the names of all the purse-seine vessels that will observe each closure period.
- b. Every vessel that fishes during 2014-2016, regardless of the flag under which it operates or whether it changes flag or the jurisdiction of the CPC under which it fishes during the year, must observe the closure period to which it was committed.
7. a. Notwithstanding the provision of subparagraph 6a and 6b, a request by a CPC, on behalf of any of its vessels, for an exemption due to *force majeure*<sup>3</sup> rendering said vessel unable to proceed to sea outside said closure period during at least a period equivalent to the closure period prescribed in paragraph 3 above, shall be sent to the Secretariat
- b. In addition to the request for an exemption, the CPC shall send the evidence necessary to demonstrate that the vessel did not proceed to sea and that the facts on which the request for exemption is based were due to *force majeure*.
- c. The Director shall immediately send the request and the evidence electronically to the other CPCs for their consideration, duly coded in order to maintain the anonymity of the name, flag and owner of the vessel.
- d. The request shall be considered accepted, unless an IATTC Member objects to it formally within 15 calendar days of the receipt of said request, in which case the Director shall immediately notify all CPCs of the objection.
- e. If the request for exemption is accepted,
  - i. the vessel shall observe a reduced closure period of 30 consecutive days in the same year during which the *force majeure* event occurred, in one of the two periods prescribed in paragraph 3, to be immediately notified to the Director by the CPC, or
  - ii. in the event said vessel has already observed a closure period prescribed in paragraph 3 in the same year during which the *force majeure* event occurred, it shall observe a reduced closure period of 30 consecutive days the following year, in one of the two periods prescribed in paragraph 3, to be notified to the Director by the CPC no later than 15 July.

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<sup>3</sup> For the purposes of paragraph 7, only cases of vessels disabled by mechanical and/or structural failure, fire, or explosion shall be considered *force majeure*

This exemption applies to the vessels of fleets that observe either of the closure periods prescribed in paragraph 3.

8. Each CPC shall, for purse-seine fisheries:
  - a. Before the date of entry into force of the closure, take the legal and administrative measures necessary to implement the closure;
  - b. Inform all interested parties in its tuna industry of the closure;
  - c. Inform the Director that these steps have been taken;
  - d. Ensure that at the time a closure period begins, and for the entire duration of that period, all the purse-seine vessels fishing for yellowfin, bigeye, or skipjack tunas that are committed to observing that closure period and that fly its flag, or operate under its jurisdiction, in the Convention Area are in port, except that vessels carrying an observer from the AIDCP On-Board Observer Program may remain at sea, provided they do not fish in the Convention Area. The only other exception to this provision shall be that vessels carrying an observer from the AIDCP On-Board Observer Program may leave port during the closure, provided they do not fish in the Convention Area.
9. China, Japan, Korea, and Chinese Taipei undertake to ensure that the total annual catches of bigeye tuna by their longline vessels in the Convention Area during 2014-2016 do not exceed the following levels:

<b>Metric tons</b>	<b>2014-2016</b>
China	2,507
Japan	32,372
Korea	11,947
Chinese Taipei	7,555

10. For 2015 and 2016, the total annual longline catches of bigeye tuna in the Convention Area shall be adjusted appropriately based on any conservation measures that may be adopted for purse-seine vessels in those years, as ratified or adjusted in accordance with paragraph 19.
11. All other CPCs undertake to ensure that the total annual catches of bigeye tuna by their longline vessels in the Convention Area during 2014-2016 do not exceed the greater of 500 metric tons or their respective catches of bigeye tuna in 2001<sup>4,5</sup>. CPCs whose annual catches have exceeded 500 metric tons shall provide monthly catch reports to the Director. For 2015 and 2016, the limits in this paragraph shall remain in effect if the conservation measures for purse-seine vessels are maintained, as ratified or adjusted in accordance with paragraph 19.
12. Landings and transshipments of tuna or tuna products that have been positively identified as originating from fishing activities that contravene these measures are prohibited. The Director is requested to provide relevant information to CPCs to assist them in this regard.
13. Each CPC shall submit to the Director, by 15 July of each year, a national report on its updated national compliance scheme and actions taken to implement these measures, including any controls it has imposed on its fleets and any monitoring, control, and compliance measures it has established to ensure compliance with such controls.

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<sup>4</sup> The Commission acknowledges that France, as a coastal State, is developing a tuna longline fleet on behalf of its overseas territories situated in the Convention Area.

<sup>5</sup> The Commission acknowledges that Peru, as a coastal State, will develop a tuna longline fleet, which will operate in strict compliance with the rules and provisions of the IATTC and in accordance with the resolutions of the Commission.

14. In order to evaluate progress towards the objectives of these measures, in 2015 and 2016 the IATTC scientific staff will analyze the effects on the stocks of the implementation of these measures, and previous conservation and management measures, and will propose, if necessary, appropriate measures to be applied in future years.
15. The Director is requested to develop, in consultation with interested CPCs, a pilot program for research into, and gathering information on, the fish-aggregating devices (FADs) used to aggregate tunas in the Convention Area. The program shall include, *inter alia*, provisions for the marking of FADs, maintaining a record of the numbers of FADs on board each vessel at the beginning and end of each fishing trip, and recording the date, time, and position of deployment of each FAD. The Director is requested to report on the status of this effort at the next annual meeting of the IATTC. The information collected shall be held by the IATTC staff.
16. Subject to the availability of the necessary funding, the Director is requested to continue the experiments with sorting grids for juvenile tunas and other species of non-target fish in the purse-seine nets of vessels that fish on FADs and on unassociated schools, by developing an experimental protocol, including parameters for the materials to be used for the sorting grids, and the methods for their construction, installation, and deployment. The Director shall also specify the methods and format for the collection of scientific data to be used for analysis of the performance of the sorting grids. The foregoing is without prejudice to each CPC carrying out its own experimental programs with sorting grids and presenting its results to the Director.
17. For 2014, renew the program to require all purse-seine vessels to first retain on board and then land all bigeye, skipjack, and yellowfin tuna caught, except fish considered unfit for human consumption for reasons other than size. A single exception shall be the final set of a trip, when there may be insufficient well space remaining to accommodate all the tuna caught in that set. At its annual meeting in 2015, the IATTC will review the results of the program, including compliance, and decide whether to continue it.
18. The IATTC shall continue efforts to promote compatibility between the conservation and management measures adopted by the IATTC and WCPFC in their goals and effectiveness, especially in the overlap area, including by frequent consultations with the WCPFC, in order to maintain, and inform their respective members of, a thorough understanding of conservation and management measures directed at bigeye, yellowfin, and other tunas, and the scientific bases and effectiveness of those measures.
19.
  - a. In 2014 the results of these measures shall be evaluated in the context of the results of the stock assessments and of changes in the level of active capacity in the purse-seine fleet and, depending on the conclusions reached by the IATTC scientific staff, in consultation with the Scientific Advisory Committee, based on such evaluation, the Commission shall adopt conservation and management measures for the sustainable use of tuna and tuna-like species at its meeting in 2014.
  - b. In 2015, the results of these measures shall be evaluated in the context of the results of the stock assessment and of changes in the level of active capacity in the purse seine fleet and, depending on the conclusions reached by the IATTC staff, in consultation with the Scientific Advisory Committee, based on such evaluation, the Commission shall adopt conservation and management measures for the sustainable use of the tunas and tuna-like species at its meeting in 2015.
20. Except in cases of *force majeure* prescribed in paragraph 7, no exemptions will be allowed with regard to the closure periods notified to the Director in accordance with paragraph 6a, nor with regard to the fishing effort of the purse-seine fleets of the respective CPCs.

**RESOLUTION C-13-02**

**MEASURES FOR THE CONSERVATION AND MANAGEMENT OF BLUEFIN TUNA IN THE EASTERN PACIFIC OCEAN**

The Inter-American Tropical Tuna Commission (IATTC), gathered in Veracruz, Veracruz, Mexico, on the occasion of its 85th Meeting:

*Taking into account* that the stock of Pacific bluefin tuna is caught in both the Western and Central Pacific Ocean and in the Eastern Pacific Ocean (EPO);

*Affirming* that it is necessary to take precautionary management measures throughout the range of the resource to contribute to the stability of the stock of Pacific bluefin tuna;

*Recognizing* that the impact of the fishery for bluefin tuna in the Western and Central Pacific is much greater than in the EPO fisheries, and its rate of increase in recent years is greater (Document IATTC 83-05, page 75);

*Putting on record again* that the conservation measures adopted in the Western and Central Pacific are more important, due to their magnitude and composition, for the conservation of these stocks, and those that are currently in force may not be sufficient to reduce the total fishing mortality of this stock;

*Encouraging* both Commissions to take complementary and effective measures to reduce the mortality of bluefin tuna throughout the entire spectrum of ages, especially juveniles;

*Urging* all IATTC Members and Cooperating non-Members (CPCs) involved in this fishery to participate in a fair and equitable manner, and without exceptions, in the discussion and adoption of conservation measures applicable to the stock throughout its entire range;

*Mindful* that these measures are intended as an interim means for exercising caution towards assuring sustainability of the Pacific bluefin tuna resource and urging comparable action by the Western and Central Pacific Fisheries Commission (WCPFC), and that future conservation measures should be based not only on these interim measures, but also on development of future scientific information and advice of the International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean (ISC) and the IATTC scientific staff;

*Taking into account* the IATTC scientific staff's conservation recommendation for the Convention Area (Document IATTC 83-05c) as well as those adopted by the WCPFC, and committed to maintaining fishing activity at sustainable levels;

*Recognizing* that, although they are not comparable in their effectiveness, the WCPFC adopted conservation and management measures for bluefin tuna in 2012 (CMM 2012-06) and that in turn, the IATTC approved at its 83rd annual meeting in 2012 measures that include all the commercial fleets that catch that resource in the EPO for the 2012-2013 period; and therefore urges its counterparts to establish management and regulatory measures in all the WCPFC commercial fleets.

*Noting* that the ISC recently carried out an assessment of this resource in the North Pacific, which advises that the current 2010 biomass is at the lowest historical levels;

*Recalling* that the IATTC adopted Conservation and Management Measure for bluefin tuna (Resolution C-12-09) at its 83rd Meeting in 2012 which limits commercial catches to 10,000 metric tons for the period 2012-2013, of which 3,295 remain to be fished in 2013;

*Resolves as follows:*

1. In the IATTC Convention Area, the commercial catches of bluefin tuna by all the CPCs during 2014 shall not exceed 5,000 metric tons.

2. Notwithstanding paragraph 1, any CPC with a historical record of eastern Pacific bluefin catches may take a commercial catch of up to 500 metric tons of eastern Pacific bluefin tuna annually.
3. CPCs shall take the measures necessary to ensure that the total catch of Pacific bluefin in the Convention Area in 2014 does not exceed the catch limit. For this purpose, each CPC shall report its catches to the Director in a timely fashion, weekly. The Director will send a first notice to the CPCs when 50% of the quota is reached. He will likewise send similar notices when 60%, 70%, and 80% of the quota is reached. When 90% is reached, the Director will send the corresponding notice to all CPCs, with a projection of when the quota established in paragraph 1 will be reached, and the CPCs will take the necessary internal measures to avoid exceeding the limit.
4. The Commission shall again ask the WCPFC to adopt appropriate and effective stock building targets, mandatory measures, and a definitive schedule for implementation of, those measures, at its 2013 Regular Annual Session to address the impact of the fisheries in the Western and Central Pacific on the Pacific bluefin stock.
5. Based upon actions and measures adopted by the WCPFC, as referenced in paragraph 4, and appropriate analysis thereafter by the ISC, the scientific staff of the IATTC shall assess, by means of projected simulations, the status of the bluefin tuna stock both with and without the adopted WCPFC and IATTC measures. These assessments shall be presented at the next meeting of the IATTC Scientific Advisory Committee in 2014.
6. On the basis of the scientific reviews and advice referred to in paragraph 5, the Commission shall analyze the degree to which the adopted and implemented measures are sufficient to achieve a recovery of the bluefin tuna resource, and shall consider an appropriate bluefin tuna measure for the EPO for 2015 as an equitable part of the total Pacific bluefin tuna conservation and management measure and, as appropriate, for future years.

**RESOLUTION C-13-03**

**SUPPLEMENTAL RESOLUTION ON NORTH PACIFIC ALBACORE**

*The Inter-American Tropical Tuna Commission (IATTC):*

*Recalling* Resolution C-05-02 on Northern Pacific albacore tuna;

*Recalling further* its responsibility for the conservation and management of tunas and tuna-like species in the Convention Area, and for the formulation of recommendations to its Members and Cooperating non-Members (CPCs) with regard to the conservation and management of these resources,

*Observing* that the 2011 stock assessment of North Pacific albacore from the International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean (ISC) indicates that the stock is not being overfished nor is it in an overfished state;

*Mindful* that the effectiveness of Resolution C-05-02 is unknown and considering that the ISC is expected to complete a new stock assessment in 2014;

*Taking note* that there currently does not exist a common interpretation or understanding of the term “current effort”, and that the IATTC staff has recommended that an operational definition of current effort, including a baseline reference period, be developed;

*Recognizing* the importance of working with the Western and Central Pacific Fisheries Commission (WCPFC), as provided for in Article XXIV of the Antigua Convention, in order to manage North Pacific albacore tuna throughout its migratory range;

*Noting* the work of the WCPFC’s Northern Committee in determining the extent their Commission Members, Cooperating Non-Members, and participating Territories (CCMs) are working to implement the WCPFC’s Conservation and Management Measure (CMM) 2005-03 on North Pacific albacore ;

*Recalling further* Article 22(4) of the WCPFC Convention that provides for cooperation with the IATTC regarding fish stocks that occur in the convention areas of both organizations;

*Taking into account* Article IV of the Antigua Convention calling upon members of the Commission to apply the precautionary approach, as described in the relevant provisions of the United Nations Food and Agriculture Code of Conduct, as well as the 1995 United Nations Fish Stocks Agreement, for the conservation, management and sustainable use of fish stocks covered by the Convention; and,

*Considering* the ongoing work within the WCPFC towards the development of a precautionary approach framework for North Pacific albacore, which will include target and limit reference points, as well as pre-agreed decision rules should those reference points be breached;

*The IATTC therefore resolves that:*

1. All CPCs shall report to the Director by December 1st, 2013, using the template (attached in Annex A), a list of all their specific fisheries or fleets that had any catch of North Pacific albacore in the Convention Area during 2007-2012; whether or not those fisheries are targeting North Pacific albacore; and the average annual catch between 2007-2012 by gear type. In the case that a CPC cannot distinguish whether or not its catch of North Pacific albacore occurred in the Convention Area, it shall report its catch of North Pacific albacore in the entire North Pacific.
2. All CPCs shall report to the Director by December 1, 2013, using a template attached in Annex B, a list of their fishing effort for those fisheries targeting North Pacific albacore. Fishing effort shall be reported in fishing days and number of vessels fishing for North Pacific albacore.
3. The Director shall direct the IATTC scientific staff to review the data template for its completeness

and to assess the effectiveness of the current effort-based approach for managing North Pacific albacore and report their findings ninety (90) days prior to the 2014 annual meeting.

4. The Director and the IATTC scientific staff shall, in coordination with the ISC, monitor the status of North Pacific albacore tuna and report on the status of the stock at each annual meeting.
5. The IATTC scientific staff shall review work undertaken within the ISC and the WCPFC towards the development of a precautionary approach framework for North Pacific albacore that includes target and limit reference points and harvest control rules, and make recommendations in respect of such a framework for consideration by the Commission.
6. The Commission shall continue efforts to promote compatibility between the conservation and management measures adopted by the IATTC and the WCPFC in their goals and effectiveness with respect to North Pacific albacore.
7. The Director shall communicate this Resolution to the WCPFC Secretariat.

## Annual catches of North Pacific albacore in the EPO

## CPC:

Year	Data pertain to IATTC Area only or entire North Pacific?	Fisheries with ANY catch of NP albacore	"Fishing for" NP albacore? (Y/N)	Annual catches
<b>2007</b>				
Total catches:				
Catches in fisheries "fishing for" NP albacore:				
% of total catch in fisheries "fishing for" NP albacore:				
<b>2008</b>				
Total catches:				
Catches in fisheries "fishing for" NP albacore:				
% of total catch in fisheries "fishing for" NP albacore:				
<b>2009</b>				
Total catches:				
Catches in fisheries "fishing for" NP albacore:				
% of total catch in fisheries "fishing for" NP albacore:				
<b>2010</b>				
Total catches:				
Catches in fisheries "fishing for" NP albacore:				
% of total catch in fisheries "fishing for" NP albacore:				
<b>2011</b>				
Total catches:				
Catches in fisheries "fishing for" NP albacore:				
% of total catch in fisheries "fishing for" NP albacore:				
<b>2012</b>				
Total catches:				
Catches in fisheries "fishing for" NP albacore:				
% of total catch in fisheries "fishing for" NP albacore:				

CPC	Area <sup>6</sup>	Fishery <sup>7</sup> / gear type	2002–2004 Average		2007		2008		2009		2010		2011		2012	
			No. of vessels	Fishing days	No. of vessels	Fishing days	No. of vessels	Fishing days	No. of vessels	Fishing days	No. of vessels	Fishing days	No. of vessels	Fishing days	No. of vessels	Fishing days

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<sup>6</sup> Data pertain to IATTC Convention Area only or entire North Pacific?

<sup>7</sup> Fisheries “fishing for” NP albacore

**RESOLUTION C-13-04**

**COLLECTION AND ANALYSES OF DATA ON FISH-AGGREGATING DEVICES**

*The Inter-American Tropical Tuna Commission (IATTC):*

*Taking into account* the best available scientific information on the status of the bigeye, yellowfin and skipjack stocks;

*Committed* to the long-term conservation and sustainable exploitation of fisheries in the eastern Pacific Ocean (EPO);

*Understanding* that all fishing gears, including fish aggregating devices (FADs), have an effect on the stocks and the pelagic ecosystem in the EPO and that such effects should be fully understood by members of the Commission;

*Attentive* to the provisions of IATTC Resolution C-99-07 on measures related to the regulation of FADs;

*Agreeing* that to accurately provide the scientific advice necessary to effectively manage tuna fisheries in the EPO it is necessary for the scientific staff of the IATTC to have access to and analyze the relevant data regarding such fisheries and gears and for Commission members to put in place measures as needed to collect such information in their fisheries;

*Acknowledging* that observers currently collect data on FADs in the EPO that has been examined by the IATTC staff (Document SAC 02-13) and that the Commission has adopted measures for further research on FADs; the significant effect that FADs may have on bigeye tuna spawning biomass, according to IATTC estimates (Document SAC-03-06), that skipjack tuna is captured by FADs and in unassociated schools in the EPO (Document SAC-03-03), and according to IATTC estimates, its exploitation rate has been increasing in recent years (Document SAC-03-07);

*Recognizing* that these measures need to be expanded and improved upon to ensure that the effects of the use of FADs on highly migratory fish stocks along with non-target, associated and dependent species, are fully understood and that the Commission can receive the best available scientific advice concerning mitigation of any negative effects;

*Committed* to ensuring that such scientific advice is taken into account in the development of the Commission's conservation and management measures concerning fishing for tunas;

*Noting* that based on recent scientific analysis of the development of improved FAD designs, in particular non-entangling FADs, both drifting and anchored, helps reducing the incidence of entanglement of sharks, marine turtles and other species;

*Further noting* that whale sharks are particularly vulnerable to exploitation, including from fishing, and noting the ecological and economic value these species can bring to the EPO; and

*Concerned* about the potential effects of purse-seine operations on the status of whale sharks when deliberately or accidentally set upon;

**AGREES:**

1. For the purposes of this Resolution, the term "Fish-Aggregating Device" (FAD) means anchored, drifting, floating or submerged objects deployed and/or tracked by vessels, including through the use of radio and/or satellite buoys, for the purpose of aggregating target tuna species for purse seine fishing operations.

**Section 1. FAD Data Collection**

2. Beginning 1 January 2015, CPCs shall require the owners and operators of all purse-seine vessels flying their flag, when fishing on FADs, to collect and report the information contained in Annex I. The data may be collected through a dedicated logbook, modifications to regional logsheets, or other domestic reporting procedures.
3. CPCs shall provide a summary of the data collected for the previous calendar year, pursuant to Paragraph 2, to the Director. CPCs shall submit the data to the Director no later than 30 days prior to each regular meeting of the Scientific Advisory Committee.
4. No later than the IATTC annual meeting in 2016, the scientific staff of the IATTC, in coordination with the Scientific Advisory Committee, shall present to the Commission the results of its analyses of the information collected pursuant to Paragraph 2, and shall identify additional elements for data collection, as well as specific reporting formats, necessary to evaluate the effects of the use of FADs on the ecosystem of the EPO fishery. The analyses shall also incorporate information from data on FADs collected by observers through the *Flotsam Information Record*.
5. In addition, no later than the IATTC annual meeting in 2016, the scientific staff of the IATTC, in coordination with the Scientific Advisory Committee, shall present to the Commission initial recommendations based on information collected, based on this resolution and through other mechanisms, for the management of FADs, including possible effects of FADs in the tuna fishery in the EPO. The Commission shall consider adopting management measures based on those recommendations, including a region wide FAD management plan, and which may include, inter-alia, recommendations regarding FAD deployments and FAD sets, the use of biodegradable materials in new and improved FADs and the gradual phasing out of FAD designs that do not mitigate the entanglement of sharks, marine turtles and other species.
6. The scientific staff of the IATTC, in coordination with the Scientific Advisory Committee, shall also formulate recommendations for regulating the management of the stocks for presentation to the Commission, on the basis of the results of its analyses of the collected FAD information. Such recommendations shall include methods for limiting the capture of small bigeye and yellowfin tuna associated with fishing on FADs.
7. In 2016, compliance with the FAD reporting requirements of this Resolution will be comprehensively reviewed by the *Committee for the Review of the Implementation of Measures adopted by the Commission* and presented to the Commission.
8. Data collected pursuant to this resolution shall be treated under the rules established in the IATTC Resolution on Confidentiality.

## **Section 2. FAD Identification**

9. No later than 1 January 2015, CPCs shall require the owners and operators of their applicable flagged purse seine fishing vessels to identify all FADs deployed or modified by such vessels in accordance with a Commission identification scheme.
10. The Director shall develop an identification scheme for consideration and adoption by the Commission in 2014, in coordination with CPCs during the intersessional period.
11. The Director should consider, at a minimum, including the following elements in the identification scheme:
  - a. All FADs shall have a unique identification number or electronic code taking into consideration confidentiality safeguards, with a specific numbering system and format to be adopted by the Commission.
  - b. The identification should be easy to apply to the FAD and should be applied in such a manner that it will permit its identification or electronic recognition taking into consideration confidentiality

safeguards and should not become unreadable or disassociated from the FAD.

### **Section 3. Non-entangling FADs**

12. To reduce the entanglement of sharks, marine turtles or any other species, the design and deployment of FADs should be based on the principles set out in Annex II.
13. If recommended by the scientific staff of the IATTC and the Scientific Advisory Committee, the Commission shall adopt measures for the use of non-entangling FADs.

### **Section 4. Whale Sharks**

14. CPCs shall prohibit their flag vessels from setting a purse seine on a school of tuna associated with a live whale shark, if the animal is sighted prior to the commencement of the set.
15. CPCs shall require that, in the event that a whale shark is not deliberately encircled in the purse seine net, the master of the vessel shall:
  - a. ensure that all reasonable steps are taken to ensure its safe release; and
  - b. report the incident to the relevant authority of the flag CPC, including the number of individuals, details of how and why the encirclement happened, where it occurred, steps taken to ensure safe release, and an assessment of the life status of the whale shark on release (including whether the animal was released alive but subsequently died).
16. Paragraphs 14 and 15 shall enter into effect on 1 July 2014.

### **Annex I**

CPCs are required to ensure their vessel owners and operators maintain and report to the appropriate national authorities:

- a) An inventory of the FADs present on the vessel specifying in particular for each FAD:
  - i. FAD identification (*e.g.*, FAD marking or beacon ID or any information allowing to identify the owner)
  - ii. FAD type (*e.g.*, drifting natural FAD, drifting artificial FAD),
  - iii. FAD design characteristics (dimension and material of the floating part and of the underwater hanging structure),
- b) For every FAD activity, the:
  - i. position,
  - ii. date,
  - iii. hour,
  - iv. FAD identification (*e.g.*, FAD Marking or beacon ID or any information allowing to identify the owner)
  - v. FAD type (*e.g.*, drifting natural FAD, drifting artificial FAD),
  - vi. FAD design characteristics (dimension and material of the floating part and of the underwater hanging structure)
  - vii. Type of the activity (set, deployment, hauling, retrieving, loss, intervention on electronic equipment, other (specified)).
  - viii. If the activity is a set, the results of the set in terms of catch and by-catch.

## **Annex II**

### **Principles for design and deployment of FADs**

1. If a flat raft is used as a FAD, the surface structure should not be covered, or only covered with non-entangling material.
2. Any subsurface component of the FAD should be constructed in a manner designed to avoid entangling marine life.
3. To reduce the amount of synthetic marine debris, the use of natural or biodegradable materials (such as hessian canvas, hemp ropes, etc.) for drifting FADs should be promoted.

**RESOLUTION C-13-05**

**DATA CONFIDENTIALITY POLICY AND PROCEDURES**

*The Inter-American Tropical Tuna Commission (IATTC),*

*RECOGNIZING* the need for confidentiality at the commercial and organizational levels for data submitted to the IATTC;

*CONSIDERING* the provisions set forth in IATTC Resolution C-04-10 on *Catch Reporting*;

*MINDFUL* of the provisions on data confidentiality set in Paragraph 48 of the IATTC Rules of Procedure;

*Agrees:*

**POLICY FOR RELEASING CATCH-AND-EFFORT, LENGTH-FREQUENCY AND OBSERVER DATA SUBMITTED BY MEMBERS AND COOPERATING NON PARTIES TO THE IATTC**

The policy for releasing catch-and-effort, length-frequency and observer data submitted to the Secretariat by Members and Cooperating Non-Members in compliance with the obligations arising from IATTC Resolutions will be as follows:

**1. Standard stratification**

Catch-and-effort and length-frequency data grouped by 5° longitude by 5° latitude by month for longline and 1° longitude by 1° latitude by month for surface fisheries stratified by fishing nation are considered to be in the public domain, provided that the catch of no individual vessel can be identified within a time/area stratum. In cases when an individual vessel can be identified, the data will be aggregated by time, area or flag to preclude such identification, and will then be in the public domain

**2. Finer level stratification**

- a) Catch-and-effort and length-frequency data grouped at a finer level of time-area stratification will only be released with written authorization from the sources of the data. Each data release will require the specific permission of the Director.
- b) IATTC Working Groups, Committees and other IATTC bodies will specify the reasons for which the data are required.
- c) Individuals requesting the data are required to provide a description of the research project, including the objectives, methodology and intentions for publication. Prior to publication, the manuscript shall be cleared by the Director. Data may be used in the research project only in a manner that does not identify individuals or individual business information. The data are released only for use in the specified research project and cannot be used for any other purposes. The data must be destroyed upon completion of the project. However, with authorisation from the sources of the data, catch-and-effort and length-frequency data may be released for long-term usage for research purposes, and in such cases the data need not be destroyed.
- d) The identity of individual vessels will be hidden in fine-level data unless the individual requesting this information can justify its necessity. The request shall be cleared by the vessel's flag State in accordance with its domestic legislation.
- e) Both Working Groups and individuals requesting data shall provide a report of the results of the research project to the IATTC for subsequent forwarding to the sources of the data.

**POLICY FOR RELEASING TAGGING DATA**

3. Detailed tagging and tag recovery data are considered to be in the public domain, with the exception

of any vessel names or identifiers and detailed information about the person who recovered the tag (name and address). Tagging and tag recovery data will be available on the IATTC website.

#### **PROCEDURES FOR THE SAFEGUARD OF RECORDS**

##### **4. Procedures for safeguarding records and databases will be as follows:**

- a) Access to logbook-level information or detailed observer data will be restricted to IATTC staff requiring these records for their official duties. Each staff member having access to these records will be required to sign an attestation recognizing the restrictions on the use and disclosure of the information.
- b) Logbook and observer records will be kept locked, under the specific responsibility of the Head of the Data Collection and Database Program. These sheets will only be released to authorized IATTC personnel for the purpose of data input, editing or verification. Copies of these records will be authorized only for legitimate purposes and will be subjected to the same restrictions on access and storage as the originals.
- c) Databases will be encrypted to preclude access by unauthorized persons. Full access to the database will be restricted to the Head of the Data Collection and Database Program and to senior IATTC staff requiring access to these data for official purposes, under the authority of the Director. Staff entrusted with data input, editing and verification will be provided with access to those functions and data sets required for their work.

#### **DATA SUBMITTED TO WORKING GROUPS AND THE SCIENTIFIC ADVISORY COMMITTEE**

5. The above rules of confidentiality will apply to all members of Working Groups and the Scientific Advisory Committee.

#### **OTHER DATA**

6. In accordance with Paragraph 48 of the IATTC Rules of Procedure, all other records obtained by the staff of the Commission regarding individual persons, companies or enterprises and their operations shall be kept completely confidential and shall be available only to those members of the staff requiring access to them in the course of the scientific investigations.

**RESOLUTION C-13-06**

**FINANCING FOR FISCAL YEAR 2014**

The Inter-American Tropical Tuna Commission (IATTC) gathered in Veracruz, Veracruz (Mexico), on the occasion of its 85<sup>th</sup> Meeting:

*Understanding* the importance of ensuring sufficient funding for the Commission in a timely manner, so that it may continue to effectively develop and implement the agreed conservation and management program for the living marine resources of the IATTC Convention Area and conduct the associated data collection and research;

*Noting* that non-payment of the agreed contributions may impair the Commission’s ability to continue its operations;

*Aware* that the allocation of the costs of supporting the Commission among Members should be transparent, fair and equitable, stable, and predictable, but also should allow for redistribution of costs as new Members join;

*Taking into account* Resolution C-12-04 whereby the Commission, at its 83<sup>rd</sup> Meeting, agreed on a formula for calculating the contributions of the Members to the Commission’s budget for the years 2013-2017;

*Taking into account* the relevant provisions of the Antigua Convention;

*Noting* that several non-Members derive benefits from catching or utilizing fish covered by the Convention, but do not make contributions to the Commission’s budget;

*Taking note* of the staff’s proposals regarding the budget presented in Document CAF-01-05; and

*Recognizing* the need to seek economies in the operation of the Commission, in order to reduce costs;

Agrees:

1. To adopt the budget of US\$ 6,554,232 for fiscal year (FY) 2014.
2. That the Members shall contribute to the Commission’s budget for FY 2014 in accordance with the following schedule:

	<b>FY 2014 (US\$)</b>		<b>FY 2014 (US\$)</b>
Belize	42,147	Kiribati	32,009
Canada	137,508	Mexico	903,239
China	66,754	Nicaragua	61,249
Colombia	228,142	Panamá	396,980
Korea	170,411	Peru	52,269
Costa Rica	75,918	Chinese Taipei	149,220
Ecuador	987,039	European Union	383,551
El Salvador	68,431	Vanuatu	61,301
United States	1,746,553	Venezuela	440,056
France	107,553	<b>Total</b>	<b>6,554,232</b>
Guatemala	55,451		
Japan	388,451		

**Appendix 3a. A-1:** Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Mexico, Nicaragua, Panama, Peru, Venezuela. Contribution of the IATTC to the AIDCP national observer programs

## PROPOSAL IATTC-85 A-1

**PRESENTED BY COLOMBIA, COSTA RICA, ECUADOR, EL SALVADOR, GUATEMALA, MEXICO, NICARAGUA, PANAMA, PERU, AND VENEZUELA**

### RESOLUTION ON CONTRIBUTIONS BY THE IATTC TO THE NATIONAL OBSERVER PROGRAMS OF THE AIDCP

This proposal is the same as the one presented at the 83rd meeting of the Commission in June 2012 (IATTC-83 K-2), with the exception of the last paragraph, in which the date of entry into force was changed from 2013 to 2014.

### EXPLANATORY MEMORANDUM

We, the NATIONAL OBSERVER PROGRAMS, present this proposal, based on the following justifications:

**Financial justification:** For six years now, the annual vessel assessment established for the functioning of the AIDCP observer program has not varied. The costs directly associated with the functioning and operation of the observer program, such as air travel, technology, office costs (mailing documentation, office supplies, *etc.*), have increased substantially in the last 5 years, especially the air tickets necessary for transporting and placing observers aboard vessels.

**Labor justification:** The demand for professionals in biology/marine biology has been growing and thus also their wage opportunities. The work of recruiting biologists/marine biologists interested in exercising their profession aboard fishing vessels is difficult, above all if the wages offered are unattractive compared to other organizations or companies.

**Environmental justification:** The information gathered by the observers and in turn contributed to the national programs, the AIDCP and the IATTC, is VITAL for:

- (1) The existence, operation and success of the AIDCP program, as well as for the adoption of management and conservation measures by the IATTC, based on a sampling of 100% of the trips made by IATTC purse-seine vessels that must comply with having an observer aboard;
- (2) The determination of compliance with the AIDCP and with IATTC management measures depends on the reports of the observers.

**Legal justification:** The obligations of the observers are contained in the International Agreement for the Protection of Dolphins (AIDCP).

In order to comply with IATTC resolutions, obtaining the information that the observers are required to collect was increased, information which consumes 50% of the observer's activity when he is aboard the vessel. The demand for this information, not only means more work for the observer and more to transport, but also greater need for staff and equipment to function at the level of the program offices, as well as for office supplies and increased mailing costs among others.

**Moral justification:** The IATTC contribution in no way benefits the activities carried out by the national observer programs and on the contrary, the benefit obtained from the work of the observers is not quantifiable being fundamental for conservation and management programs, scientific data and to

demonstrate compliance both in the IATTC and in the AIDCP.

Given the above, we submit the following proposal.

The Inter-American Tropical Tuna Commission (IATTC), gathered in La Jolla, California (USA), on the occasion of the 83<sup>rd</sup> Meeting:

*Aware* of the importance and excellent work of the IATTC and national observer programs, aboard tuna vessels contemplated in the framework of the Agreement on the International Dolphin Conservation Program;

*Recognizing that* through the international observer program established by the AIDCP, the IATTC acquires valuable data about the purse-seine fishery related to tunas and associated or dependent species, vital for the conservation of the stocks of tunas under the purview of the Commission.

*Taking into account* that with the contributions of the AIDCP national observer programs to the IATTC these allow the IATTC, to monitor the different IATTC resolutions;

*Understanding* that the national observer programs are fundamental for fulfilling the objectives contemplated in the IATTC Convention Article VI paragraph 3 and, in the AIDCP Convention the development-related part of Annex II of the same Convention;

*Taking into account* that the IATTC contributes annually 30% of the budget of the AIDCP which is utilized by the AIDCP Secretariat for administrative costs and of a scientific nature of the Scientific Observer Program administered by the Secretariat, and that that contribution, does not benefit the national observer programs, despite the important work of collecting information that these programs carry out for use by the IATTC;

*Aware* of the evidence of their reliability that the national observer programs have given by equipping themselves, by means of appropriate instruments, with the procedures and results of the observer programs moved forward by the IATTC, generating together, highly reliable information that has allowed the IATTC, to fulfill with sufficient coverage the Conventional objectives that are specific to it.

*Remembering* that the duties of the observers are subject to the AIDCP which establishes in its Annex II:

1. *The duties of the observers shall be, inter alia:*

- a. *to gather all pertinent information on the fishing operations of the vessel to which the observer is assigned as is necessary for implementation of this Agreement;*
- b. *to make available to the captain of the vessel to which the observer is assigned all measures established by the Parties pursuant to this Agreement;*
- c. *to make available to the captain of the vessel to which the observer is assigned the record of dolphin mortality of that vessel;*
- d. *to prepare reports on information gathered in accordance with this paragraph, and provide the vessel captain with the opportunity to include in such reports any information the captain might deem to be relevant;*
- e. *to provide such reports to the Director or the pertinent national program, to be used in accordance with Annex VII, paragraph 1, of this Agreement; and*
- f. *to perform such other functions as agreed by the Parties.*

Taking into consideration that the costs for the implementation and performance of the national programs have increased significantly in recent years due to the increase in moving observers, inflation, salary increases for observers and contractual benefits, among others; as well as the fact that the contributions that the AIDCP has been making up to now to the different observer programs are insufficient.

Recognizing that the participation of the observer programs represents among other advantages and benefits, economy in costs, effectiveness and quality for the IATTC, since it reduces the participation coverage in the programs and, as a consequence in the logistics of the same;

Assuming the importance that the different observer programs which the AIDCP currently has, they require maintaining the level of demand that has characterized them as regards efficiency and objectivity, additional resources are necessary;

Agrees:

First: That the IATTC contribute to the budgets of the national observer programs created under the rules of the AIDCP, with an amount equivalent to 30% of the percentage that the IATTC contributes annually to the AIDCP.

Second: - That the contribution to the AIDCP addressed by the first agreement above, be transferred to the different observer programs proportional to the monitored coverage.

Third: - That the contribution to the AIDCP addressed by the first agreement above, be established in a permanent manner and be provided to the AIDCP before 1 January of each year, as of 1 January 2014.

**PROPOSAL IATTC-85 B-1B**

**SUBMITTED BY THE EUROPEAN UNION**

**IATTC RESOLUTION ON THE CREATION OF A WORKING GROUP TO PROGRESS ON CATCH DOCUMENTATION SCHEMES FOR TUNA SPECIES**

*The Inter American Tropical Tuna Commission (IATTC),*

*RECOGNIZING* the impact that market factors have on the fishery;

*CONCERNED* by the impact that illegal, unregulated and unreported (IUU) fishing has in the IATTC Convention area;

*REITERATING* the responsibilities of flag States to ensure that their vessels conduct their fishing activities in a responsible manner, fully respecting IATTC conservation and management measures;

*NOTING* the need for improved and strict control on all the components involved in the tuna and tuna-like species fisheries;

*UNDERLINING* the complementary role that importing States also have in the control of the catches of tuna and tuna-like species to ensure compliance with IATTC conservation and management measures;

*RECALLING* IATTC's statistical document program for bigeye tuna and its objectives;

*RECOGNIZING* that properly tracing tuna and tuna-like species from the point of capture to their final import has significant operational and technical aspects that would need to be addressed for any effective catch certification scheme;

*COMMITTED* to taking steps that conform with international law, notably as regards the World Trade Organization (WTO), and to ensure that tuna and tuna-like species entering markets of Members, Cooperating non Members and non-members of IATTC is caught in the Convention area in a manner that does not diminish the effectiveness of IATTC conservation and management measures;

*Agrees:*

1. To create a Working Group participated by Members and Cooperating Non Members (CPCs) to address technical and practical issues associated with the development of a Catch Certificate Scheme for tuna species by IATTC taking into account the following factors:
  - i) The conservation status of IATTC species/stocks;
  - ii) Existing and proposed catch documentation schemes in the IATTC, other RFMOs (including ICCAT, WCPFC, CCSBT and CCAMLR) and in IATTC Members;
  - iii) The outcome of similar Working Groups established in other RFMOs, including ICCAT and WCPFC;
  - iv) Compatibility with those schemes in order to maximize the efficiency of the data provision, collection and utilization by fleets operating in several RFMOs, including WCPFC.
  - v) Monitoring and control measures currently in place and their effectiveness and utility;
  - vi) Which species, stocks, ocean areas, and/or fisheries would most benefit from additional monitoring and control measures, and which approaches or tools, including catch certification schemes, could best be used to enhance the effectiveness of IATTC conservation and management measures;
  - vii) How IATTC fisheries are conducted (*e.g.*, fishing grounds, gear types, transshipment activities, harvesting Members and Cooperating Non-Members, *etc.*);

- viii) The ways in which products from IATTC fisheries are processed, transported, and traded;
  - ix) The overall level of trade by species and product type as well as the Members, Cooperating Non-Members and non-Contracting Parties involved;
  - x) Operational issues, capacity requirements, and costs associated with various monitoring and control approaches, including data collection, electronic transmission of data, submission, handling, analysis, reconciliation and dissemination associated with catch certification schemes and options for addressing the costs; and
  - xi) Any other relevant issues or information.
2. The Working Group shall commence in 2014 in conjunction with other meetings and/or using the electronic means available. It will report progress to the Commission at its Annual Meeting in 2015 at the latest.

**PROPOSAL IATTC-85 C-1B**

**SUBMITTED BY THE EUROPEAN UNION**

**IATTC RESOLUTION FOR AN IATTC SCHEME FOR MINIMUM  
STANDARDS FOR INSPECTION IN PORT**

**EXPLANATORY MEMORANDUM**

**Goal:** this Resolution is intended to contribute to the long-term conservation and sustainable use of living marine resources, and in particular of highly migratory stocks, in the IATTC Convention Area through strengthened, harmonized and transparent minimum standards for inspections in port to prevent, deter and eliminate illegal, unreported and unregulated (IUU) fishing.

This simplified proposal abandons the fully-fledge FAO Port State Measures approach presented by the European Union at the last two Annual Meetings. Instead it focuses on the most essential elements of port inspections: designated ports, prior notifications, inspections and infringements. It is therefore more in line with the requests from developing coastal CPCs as it also includes a number of simplified provisions in order to facilitate consensus at the IATTC.

**Rationale:** taking into account the primary role of CPCs as ports, and in coherence with the role of port States in the adoption of effective measures to promote the sustainable use and the long term conservation of living marine resources, this resolution foresees the establishment by CPCs of a list of minimum standards for port inspections including designated ports to which vessels may request entry, a system of prior notification, the verification of landings and transshipments, port inspections, and inspection and infringement procedures.

In addition to that, it will be the first ever port inspection measure adopted by IATTC. Therefore it will ensure consistency with management measures taken in other RFMOs and improve the results of the measures aimed towards conservation of tuna and tuna-like species in the Eastern Pacific Ocean. This will contribute to more responsible management of the stocks under the IATTC's mandate.

*DEEPLY CONCERNED* about the continuation of illegal, unreported and unregulated fishing in the IATTC Area and its detrimental effect upon fish stocks, marine ecosystems and the livelihoods of legitimate fishers in particular in Developing States,

*CONSCIOUS* of the role of the port State in the adoption of effective measures to promote the sustainable use and the long-term conservation of living marine resources,

*RECOGNIZING* that measures to combat illegal, unreported and unregulated fishing should build on the primary responsibility of flag States and use all available jurisdiction in accordance with international law, including port State measures, coastal State measures, market related measures and measures to ensure that nationals do not support or engage in illegal, unreported and unregulated fishing,

*RECOGNIZING* that port State measures provide a powerful and cost-effective means of preventing, deterring and eliminating illegal, unreported and unregulated fishing,

*AWARE* of the need for increasing coordination at the regional and interregional levels to combat illegal, unreported and unregulated fishing through port State measures,

*BEARING IN MIND* that, in the exercise of their sovereignty over ports located in their territory, CPCs

may adopt more stringent measures, in accordance with international law,

*RECALLING* the relevant provisions of the United Nations Convention on the Law of the Sea of 10 December 1982, hereinafter referred to as the Convention,

*RECALLING* the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks of 4 December 1995, the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas of 24 November 1993 and the 1995 FAO Code of Conduct for Responsible Fisheries,

*The Inter-American Tropical Tuna Commission (IATTC)*

*Having regard to Article XX and XXI of the IATTC Convention,*

*Agrees to adopt the following Resolution in conformity of Article IX of the IATTC Convention:*

### **Scope**

1. Nothing in this Resolution shall prejudice the rights, jurisdiction and duties of CPCs under international law. In particular, nothing in this Resolution shall be construed to affect the exercise by CPCs of their authority over their ports in accordance with international law, including their right to deny entry thereto as well as to adopt more stringent measures than those provided for in this Resolution.

This Resolution shall be interpreted and applied in conformity with international law, taking into account applicable international rules and standards, including those established through the International Maritime Organization, as well as other international instruments.

CPCs shall fulfill in good faith the obligations assumed pursuant to this Resolution and shall exercise the rights recognized herein in a manner that would not constitute an abuse of right.

2. With a view to monitoring compliance with IATTC Resolutions, each CPC, in its capacity as a port CPC, shall apply this Resolution for an effective scheme of port inspections in respect of foreign fishing vessels carrying IATTC-managed species caught in the IATTC Convention Area and/or fish products originating from such species that have not been previously landed or transshipped at port, hereinafter referred to as "foreign fishing vessels".
3. A CPC may, in its capacity as a port CPC, decide not to apply this Resolution to foreign fishing vessels chartered by its nationals operating under its authority. Such chartered fishing vessels shall be subject to measures by the CPC which are as effective as measures applied in relation to vessels entitled to fly its flag.
4. Without prejudice to specifically applicable provisions of other IATTC Resolutions, and except as otherwise provided in this Resolution, this Resolution shall apply to foreign fishing vessels equal to or greater than 20 meters in length overall.
5. Each CPC shall subject foreign fishing vessels below 20 meters length overall, foreign fishing vessels operating under charter as referred to under paragraph 3, and fishing vessels entitled to fly its flag to measures that are at least as effective in combating IUU fishing as measures applied to vessels referred to in paragraph 2.
6. CPCs shall take necessary action to inform fishing vessels' entitled to fly their flag of this and other relevant IATTC Resolutions.

### **Points of Contact**

7. Each CPC shall designate a point of contact for the purposes of receiving notifications pursuant to paragraph 12. Each CPC shall designate a point of contact for the purpose of receiving inspection

reports pursuant to paragraph 24(b) of this Resolution. It shall transmit the name and contact information for its points of contact to the IATTC Director no later than 30 days following the entry into force of this Resolution. Any subsequent changes shall be notified to the IATTC Director at least 14 days before such changes take effect. The IATTC Director shall promptly notify CPCs of any such change.

8. The IATTC Director shall establish and maintain a register of points of contact based on the lists submitted by the CPCs. The register and any subsequent changes shall be published promptly on the IATTC website.

#### **Designated ports**

9. Each CPC shall designate its ports to which foreign fishing vessels may request entry pursuant to this Resolution.
10. Each CPC shall, to the greatest extent possible, ensure that it has sufficient capacity to conduct inspections in every designated port pursuant to this Resolution.
11. Each CPC shall provide to the IATTC Director within 30 days from the date of entry into force of this Resolution list of designated ports. Any subsequent changes to this list shall be notified to the IATTC Director at least 14 days before the change takes effect.
12. The IATTC Director shall establish and maintain a register of designated ports based on the lists submitted by the port CPCs. The register and any subsequent change shall be published promptly on the IATTC website.

#### **Force majeure or distress**

- 12 bis. Nothing in this Resolution affects the entry of vessels to port in accordance with international law for reasons of *force majeure* or distress or for the purpose of rendering assistance to persons, ships or aircraft in danger or distress.

#### **Prior notification**

13. Each port CPC shall, except as provided under paragraph 14 of this Resolution, require foreign fishing vessels seeking to use its ports for the purpose of landing and/or transshipment to provide, at least 24 hours before the estimated time of arrival at the port, the following information:
  - a) Vessel identification (External identification, Name, Flag CPC, IMO No, if any, and IRCS);
  - b) Name of the designated port, as referred to in the IATTC register, to which it seeks entry and the purpose of the port call (landing and/or transshipment);
  - c) Fishing authorization or, where appropriate, any other authorization held by the vessel to support fishing operations on IATTC species and/or fish products originating from such species, or to transship related fishery products;
  - d) Estimated date and time of arrival in port;
  - e) The estimated quantities in kilograms of each IATTC species and/or fish products originating from such species held on board, with associated catch areas. If no IATTC species and/or fish products originating from such species are held on board, a 'nil' report shall be transmitted;
  - f) The estimated quantities for each IATTC species and/or fish products originating from such species in kilograms to be landed or transshipped, with associated catch areas.

The port CPC may also request other information as it may require to determine whether the vessel has engaged in IUU fishing, or related activities.

14. The port CPC may prescribe a longer or shorter notification period than specified in paragraph 13,

taking into account, *inter alia*, the type of fishery product, the distance between the fishing grounds and its ports. In such a case, the port CPC shall inform the IATTC Director, who shall publish the information promptly on the IATTC website.

15. After receiving the relevant information pursuant to paragraph 11, as well as such other information as it may require to determine whether the foreign fishing vessel requesting entry into its port has engaged in IUU fishing, the port CPC shall decide whether to authorize or deny the entry of the vessel into its port. In case the port CPC decides to authorize the entry of the vessel into its port, the following provisions on port inspection shall apply.

### **Port inspections**

16. Inspections shall be carried out by the competent authority of the port CPC.
17. Each year CPCs shall inspect at least 5% of landing and transshipment operations in their designated ports as are made by foreign fishing vessels.
18. In determining which foreign fishing vessel to inspect, the port CPC shall, in accordance with its domestic law, take into account, *inter alia*:
  - a) requests from other CPCs or relevant regional fisheries management organizations that a particular vessel be inspected, particularly where such requests are supported by evidence of IUU fishing by the vessel in question,  
and
  - b) whether clear grounds exist for suspecting that a vessel has engaged in IUU fishing.
  - c) whether a vessel has failed to provide complete information as required in paragraph 13.

### **Inspection procedure**

19. Each inspector shall carry a document of identity issued by the port CPC. In accordance with domestic laws, port CPC inspectors may examine all relevant areas, decks and rooms of the fishing vessel, catches processed or otherwise, nets or other fishing gears, equipment both technical and electronic, records of transmissions and any relevant documents, including fishing logbooks, Cargo Manifests and Mates Receipts and landing declarations in case of transshipment, which they deem necessary to ensure compliance with the IATTC Resolutions. They may take copies of any documents considered relevant, and they may also question the Master and any other person on the vessel being inspected.
20. Inspections shall involve the monitoring of the landing or transshipment and include a cross-check between the quantities by species notified in the prior notification message in paragraph 13 above and held on board. Inspections shall be carried out in such a way that the fishing vessel suffers the minimum interference and inconvenience, and that degradation of the quality of the catch is avoided to the extent practicable.
21. On completion of the inspection, the port CPC inspector shall provide the Master of the foreign fishing vessel with the inspection report containing the findings of the inspection, including possible subsequent measures that could be taken by the port CPC competent authority, to be signed by the inspector and the Master. The Master's signature shall serve only as acknowledgement of the receipt of a copy of the report. The Master shall be given the opportunity to add any comments or objection to the report, to contact the competent authority of the flag CPC. A copy of the report shall be provided to the Master.
22. The port CPC shall transmit a copy of the inspection report to the IATTC Director no later than 14 days following the date of completion of the inspection. If the inspection report cannot be transmitted within 14 days, the port CPC should notify the IATTC Director within the 14 day time period the

reasons for the delay and when the report will be submitted.

23. CPCs shall take necessary action to ensure that Masters facilitate safe access to the fishing vessel, cooperate with the competent authority of the port CPC, facilitate the inspection and communication and not obstruct, intimidate or interfere, or cause other persons to obstruct, intimidate or interfere with port CPC inspectors in the execution of their duties.

#### **Procedure in the event of infringements**

24. If the information collected during the inspection provides evidence that a foreign fishing vessel has committed an infringement of the IATTC Resolutions, the inspector shall:
  - a) record the infringement in the inspection report;
  - b) transmit the inspection report to the port CPC competent authority, which shall promptly forward a copy to the IATTC Director and to the flag CPC point of contact ;
  - c) to the extent practicable, ensure safekeeping of the evidence pertaining to such alleged infringement.
25. If the infringement falls within the legal jurisdiction of the port CPC, the port CPC may take action in accordance with its domestic laws. The port CPC shall promptly notify the action taken to the competent authority of the flag CPC and to the IATTC Director, which shall promptly publish this information in a secured part of the IATTC website.
26. Other infringements shall be referred to the flag CPC. Upon receiving the copy of the inspection report, the flag CPC shall promptly investigate the alleged infringement and notify the IATTC Director of the status of the investigation and of any enforcement action that may have been taken within 6 months of such receipt. If the flag CPC cannot provide the IATTC Director this status report within 6 months of such receipt, the flag CPC should notify the IATTC within the 6 month time period the reasons for the delay and when the status report will be submitted. The IATTC Director shall promptly publish this information in a secured part of the IATTC website. CPCs shall include in their Compliance questionnaire information regarding the status of such investigations.
27. Should the inspection provide evidence that the inspected vessel has engaged in IUU activities as referred to in Resolution C-05-07, the port CPC shall promptly report the case to the flag CPC and notify as soon as possible the IATTC Director, along with its supporting evidence, for the purpose of inclusion of the vessel in the draft IUU list.

#### **Requirements of developing CPCs**

28. CPCs shall give full recognition to the special requirements of developing CPCs in relation to a port inspection scheme consistent with this Resolution. CPCs shall, either directly or through the IATTC, provide assistance to developing CPCs in order to, inter alia:
  - a) Develop their capacity including by providing technical assistance and establishing an appropriate funding mechanism to support and strengthen the development and implementation of an effective system of port inspection at national, regional or international levels and to ensure that a disproportionate burden resulting from the implementation of this Resolution is not unnecessarily transferred to them;
  - b) Facilitate their participation in meetings and/or training programmes of relevant regional and international organizations that promote the effective development and implementation of a system of port inspection, including monitoring, control and surveillance, enforcement and legal proceedings for infractions and dispute settlements pursuant to this Resolution; and
  - c) Either directly or through the IATTC, assess the special requirements of developing CPCs concerning the implementation of this Resolution.

## **General provisions**

29. CPCs are encouraged to enter into bilateral agreements/arrangements that allow for an inspector exchange program designed to promote cooperation, share information, and educate each party's inspectors on inspection strategies and methodologies which promote compliance with IATTC Resolutions. A description of such programs should be provided to the IATTC Director which should publish it on the IATTC website.
30. The port CPC may, in accordance with its domestic laws and regulations, invite officials from the flag CPC to observe or take part in the inspection of a vessel of that flag CPC based on appropriate agreements or arrangements. Flag CPCs shall consider and act on reports of infringements from inspectors of a port CPC on a similar basis as the reports from their own inspectors, in accordance with their domestic laws. CPCs shall collaborate, in accordance with their domestic laws, in order to facilitate judicial or other proceedings arising from inspection reports as set out in this Resolution.
32. The IATTC Director shall develop model formats for prior notification reports and inspection reports required under this Recommendation, taking into account forms adopted in other relevant instruments, such as the FAO Port State Measures Agreement and other RFMOs, for consideration at the 2016 Annual Meeting of the Commission.
33. The Commission shall review this Resolution no later than its 2017 Annual Meeting and consider revisions to improve its effectiveness.
34. This Resolution shall enter into force on January 1, 2016.

**PROPOSAL IATTC-85 E-1A**

**SUBMITTED BY THE EUROPEAN UNION**

**IATTC RESOLUTION ON THE CONSERVATION OF  
HAMMERHEAD SHARKS (FAMILY *SPHYRNIDAE*) CAUGHT IN  
THE IATTC CONVENTION AREA**

*The Inter American Tropical Tuna Commission (IATTC)*

*CONSIDERING* that hammerhead sharks of the family *Sphyrnidae* are caught as by-catch in the IATTC Agreement area;

*NOTING* that the international scientific community points out that the hammerhead sharks of the species family *Sphyrnidae* are ranked among the species with the lowest productivity;

*CONSIDERING* that it is difficult to differentiate between the various species of hammerhead sharks without taking them on board and that such action might jeopardize the survival of the captured individuals;

*Agrees that:*

1. Members, and Cooperating non-Members (hereafter referred to as CPCs) shall prohibit retaining onboard, transshipping, landing, storing, selling, or offering for sale any part or whole carcass of hammerhead sharks of the family *Sphyrnidae*, taken in the IATTC Convention area.
2. CPCs shall require vessels flying their flag to promptly release hammerhead sharks as soon as possible, and to do so in a manner that results in as little harm to the shark as possible
3. In the case of sport and recreational fisheries carrying out fishing with a high probability of catching hammerhead sharks in the IATTC Convention area, CPCs shall require, in addition to the requirements in paragraph 1 and 2, that vessels in such fisheries are equipped with instruments and instructions, including species identification guides and guidelines and training for the safe release of sharks, to increase the survivorship of released hammerhead sharks.
6. CPCs shall, where possible, implement research on hammerhead sharks taken in the IATTC Convention area in order to identify potential nursery areas and to address other outstanding research and data needs, taking into account IATTC Scientific Staff recommendations on sampling designs and research plans. CPCs shall submit reports on any such research prior to the annual meeting of the Commission. Based on this research, CPCs shall consider time and area closures and other measures, as appropriate, at the 2015 Commission meeting and, as appropriate, annually thereafter.
7. CPCs shall record through their observer programs the number of discards and releases of hammerhead sharks with indication of status (dead or alive) and report it to IATTC.
8. This resolution shall enter into force on 1 January 2014.

**PROPOSAL IATTC-85 E-2A**

**SUBMITTED BY THE EUROPEAN UNION**

**RESOLUTION ON THE CONSERVATION OF SHARKS CAUGHT IN  
ASSOCIATION WITH FISHERIES IN THE IATTC CONVENTION  
AREA**

*The Inter American Tropical Tuna Commission (IATTC),*

*RECALLING* that since 2007 the United Nations General Assembly calls upon States to consider the adoption of measures that require all sharks to be landed with each fin naturally attached;

*RECALLING* that the United Nations Food and Agriculture Organisation (FAO) International Plan of Action for Sharks calls on States to cooperate through Regional Fisheries Organisations to ensure the sustainability of shark stocks;

*ALSO RECALLING* that the FAO International Plan of Action for Sharks calls on States to facilitate improved species-specific catch and landings data and monitoring of shark catches;

*CONSIDERING* that many sharks are part of the pelagic ecosystems in the IATTC area, and that tunas and tuna-like species are captured in fisheries targeting sharks;

*CONSIDERING* that despite regional agreements on the prohibition of shark finning, sharks' fins continue to be removed on board and the rest of the shark carcass discarded into the sea;

*CONSCIOUS* that the use of fin-to-carcass-weight ratios is not an adequate means of ensuring that sharks are not finned;

*RECOGNISING* the need to improve the collection of species-specific data on catch, discards and trade as a basis for improving the conservation and management of shark stocks;

*AWARE* that identifying sharks by species is rarely possible when the fins have been removed from the carcasses;

*Agrees as follows:*

1. Contracting Parties, and Cooperating non-Contracting Parties (hereafter referred to as CPCs) shall prohibit the removal of shark fins on board vessels, the retention on board, transshipment and landing of shark fins which are not naturally attached to the shark carcass, before the first landing.
2. Without prejudice to paragraph 1, in order to facilitate on-board storage, shark fins may be partially sliced through and folded against the carcass, but shall not be removed from the carcass before the first landing.
3. CPCs shall prohibit the transportation, transshipping and landing of any fins harvested in contravention of this Resolution.
4. CPCs shall prohibit the purchase, offer for sale and sale of shark fins which have been removed on board, retained on board, transshipped or landed in contravention of this Resolution.
5. In fisheries that are not directed at sharks, CPCs shall encourage the release of live sharks, especially juveniles and pregnant sharks, to the extent possible, that are caught incidentally and are not used for food and/or subsistence.
6. CPCs shall, where possible, conduct research on sharks, notably to identify ways to make fishing gears more selective and to identify shark nursery areas
7. The Commission shall consider appropriate assistance to developing CPCs for the collection of data

on their shark catches.

8. CPCs shall obtain and maintain the best possible data for IATTC fisheries impacting upon sharks, including improved species identification.
9. Paragraph 4 of Resolution C-05-03 is replaced by this measure.

**PROPOSAL IATTC-85 E-3**

**SUBMITTED BY COSTA RICA**

**AMENDMENT OF RESOLUTION C-05-03 ON THE  
CONSERVATION OF SHARKS CAPTURED IN ASSOCIATION  
WITH THE FISHERIES IN THE EASTERN PACIFIC OCEAN**

**EXPLANATORY MEMORANDUM**

The sustainable utilization of species of interest to fisheries is the basic objective of the administration of fisheries. Although in the fisheries for tunas and tuna-like species sharks frequently submit to the rules of incidental catch, over time an important interaction is seen which generates catches which under the provisions of the Code of Conduct for Responsible Fishing should be managed with prudence, reducing bycatches, guaranteeing the complete utilization of catches, and the elimination of discards.

In that context, the IATTC issued in the year 2005 Resolution C-05-03 with the express objective of fighting against shark finning through the establishment of a weight ratio between the fins and the body or carcass of the shark, due to the fact that this practice not only violates the provision of complete utilization of catches, but also similarly promotes indiscriminate catches of sharks, which makes effective management of those stocks impossible. Over time various countries developed efficient alternatives to guarantee the eradication of the practice of finning, abandoning the weight ratio to accept a mechanism more transparent to control, conceived as the natural adherence of fins with partial cuts which, without cutting off the fins, allow correct handling of the meat by prompt and timely bleeding, together with the beheading and gutting of the animal.

To date, the Central American countries in the framework of OSPESCA adopted Regulation OSP-05-11 by which the partial cutting of fins and the maintaining of natural adherence are regulated, showing that the mechanism adopted is useful, viable, objective, transparent and demonstrably for the eradication of finning.

This proposal, although it aspires to countries subject to IATTC regulations adopting the mechanism of naturally-attached fins with partial cuts, recognizes the merit of the implementation of the regulations contained in resolution C-05-03, for which reason what this proposal attempts to do is make known and accepted the formula of naturally-attached fins with partial cuts, alternative or optional for the management of fins corresponding to sharks captured in compliance with the management measures in force.

Costa Rica's intention is that this proposal for amendment, which introduces substantive improvements to resolution C-05-03, which is effected by means of the proposal for partial reform, by means of the incorporation of a paragraph into the preamble to the resolution and the substitution of paragraphs 4 and 5 of the Resolution, so that it would henceforth read:

*The Inter-American Tropical Tuna Commission (IATTC):*

*Recalling* that the United Nations Food and Agriculture Organization (FAO) International Plan of Action for the Conservation and Management of Sharks calls on States, within the framework of their respective competencies and consistent with international law, to cooperate through regional fisheries organizations with a view to ensuring the sustainability of shark stocks as well as to adopt a National Plan of Action for the conservation and management of sharks;

*Considering* that many sharks are part of pelagic ecosystems in the Convention area, and that sharks are

captured in fisheries targeting tunas and tuna-like species;

*Recognizing* the need to collect data on catch, effort, discards, and trade, as well as information on the biological parameters of many species, as part of shark conservation and management;

*Concerned* that an extensive unregulated shark fishery is reported to be conducted in the eastern Pacific Ocean (EPO) by a large number of shark-fishing vessels, including some slightly smaller than 24 m length overall, about which the Commission has little information;

*Noting* that the IATTC has adopted, in its Consolidated Resolution on Bycatch, a requirement for fishermen on purse-seine vessels to release unharmed non-target species, to the extent practicable, including sharks, and that governments with longline fleets also provide the required bycatch information as soon as possible;

*Recognizing*, that it is indispensable for guaranteeing the conservation of sharks in the EPO, to promote management alternatives that guarantee the eradication of the practices of finning sharks;

*Believing* that specific measures to be respected by vessels of all fishing gears are necessary for the conservation of sharks in the EPO;

*Resolves as follows:*

1. Each Party and co-operating non-party, co-operating fishing entity or regional economic integration organization (collectively “CPCs”) should establish and implement a national plan of action for conservation and management of shark stocks, in accordance with the *FAO International Plan of Action for the Conservation and Management of Sharks*.
2. In 2006, the IATTC, in cooperation with scientists of CPCs and, if possible, the Western and Central Pacific Fisheries Commission, shall provide preliminary advice on the stock status of key shark species and propose a research plan for a comprehensive assessment of these stocks.
3. CPCs shall take the measures necessary to require that their fishers fully utilize any retained catches of sharks. Full utilization is defined as retention by the fishing vessel of all parts of the shark excepting head, guts, and skins, to the point of first landing.
4. CPCs shall require of their vessels that the fins they have aboard and until the first point of unloading on dry land, be kept naturally attached to the carcass, allowing them to show longitudinal cuts in the muscle area adjacent to the shark’s fins and at the fork or caudal peduncle in a partial form, and may be cut off at the point of unloading. The competent authorities of the CPCs will develop the mechanisms of compliance control and data collection necessary to guarantee compliance with this provision.
5. Alternatively, when the particular circumstances of a member or cooperating non-member, or of a fishery, renders it necessary, separating the fins from the carcass will be allowed, provided that the weight of the fins is no more than 5% of the weight of shark carcasses onboard, up to the first point of landing. Members and cooperating non-members are urged to gradually replace this 5% method with that of naturally-attached fins described in paragraph 4 above. Meanwhile, those members and cooperating non-members that continue to use the 5% method shall take the necessary measures to ensure compliance with that ratio through certification, monitoring by an observer, or other appropriate measures.
6. Fishing vessels are prohibited from retaining on board, transshipping, landing or trading in any fins harvested in contravention of this Resolution.
7. In fisheries for tunas and tuna-like species that are not directed at sharks, CPCs shall encourage the release of live sharks, especially juveniles, to the extent practicable, that are caught incidentally and are not used for food and/or subsistence.

8. CPCs shall, where possible, undertake research to identify ways to make fishing gears more selective.
9. CPCs are encouraged, where possible, to conduct research to identify shark nursery areas.
10. The Commission shall consider appropriate assistance to developing CPCs for the collection of data on shark catches.
11. Each CPC shall annually report data for catches, effort by gear type, landing and trade of sharks by species, where possible, in accordance with IATTC reporting procedures, including available historical data. CPCs shall send to the IATTC Secretariat, by May 1, at the latest, a comprehensive annual report of the implementation of this Resolution during the previous year.
12. Paragraphs 2-11 of this resolution apply only to sharks caught in association with fisheries managed by IATTC.

**PROPOSAL IATTC-85 G-1**

**SUBMITTED BY THE EUROPEAN UNION**

**PROCEDURES FOR THE SELECTION, INTERVIEW AND  
DECISION-MAKING PROCESS FOR THE COMMISSION'S  
DIRECTOR**

**EXPLANATORY MEMORANDUM**

**Goal:** To establish clear and transparent rules for the selection and appointment of the Commission's Director.

**Background:** Paragraph 20 of the IATTC Rules of Procedures adopted at the IATTC 83rd meeting, requires that the Commission establish criteria and procedures to appoint a Director.

**Position documentation and advertisement**

1. Prior to advertising the vacancy, the Secretariat will prepare, on the basis of paragraph 20 of IATTC Rules of Procedure, a draft position description for the post of Director (including qualifications required) and a draft advertisement. These will be provided to the Chair for review in consultation with the Members.
2. The Secretariat will post the approved advertisement and position description on the IATTC website and highlight it on the homepage for a period of 4 weeks. The recruitment page on the IATTC website will include relevant information regarding the vacancy and the application process. The approved advertisement will also be placed by the Secretariat in national and international publications and websites. The deadline for applications to be received by the Secretariat shall be no less than 60 days from the date the advertisement has been placed on the website.

**Submission of applications**

3. Applications, with referee comments, shall be submitted to the Chair through the Secretariat in electronic format.

**Acknowledgement of receipt**

4. Each applicant will be notified by the Secretariat by electronic means of the receipt of his/her complete application.

**Availability of applications**

5. Each application, including referee comments, received by the Chair will be made available through a secure section of the IATTC website to all Commission's members.

**Ranking of applicants**

6. Each Member will notify the Secretariat of no more than five preferred candidates in order of preference. On receipt of all preferences, the Chair, assisted by the Secretariat, will aggregate individual applicants' rankings, awarding five points for a first preference, four points for a second preference etc. The individual rankings by Commission members will be kept confidential by the Chair and the Secretariat.

**Short list**

7. The candidates with the five highest aggregate scores will be shortlisted for interview. Should the

application of any candidate be withdrawn, the next ranking candidate will be substituted. In case of a tie for the fifth place, all candidates with equal scores will be included in the short list. Candidates not on the short list will be notified by the IATTC Secretariat that they have not been selected.

### **Interview process**

8. The short-listed candidates will be notified to the Commission's members. They will be interviewed by the members during a meeting of their Heads of Delegation at the next meeting of the Commission.
9. In order to ensure transparency and fairness of the process, all candidates will be asked the same questions. Those questions will have been prepared by the Chair in consultation with the Members ahead of the meeting of the Heads of Delegation.

### **Appointment Process for the Executive Secretary**

10. Following the interview, Members will endeavour to approve the preferred candidate as Director by consensus. In the event that consensus is not reached, Members will adopt the following procedure for the appointment of a candidate:
  - a. Polling will be done by secret ballot by the Members represented by Heads of Delegation
  - b. In each round each Head of Delegation will select one candidate. The candidate with the lowest number of votes each round will drop out of the ballot process.
  - c. A tie between candidates will result in a re-ballot between those candidates.
  - d. The candidate that polls the highest in the final round will be offered the position.
11. A copy of this procedure will be made available to each of the candidates so that they are aware of the process being followed.
12. The chosen candidate will be notified at the conclusion of the Commission meeting. Contract negotiations with the chosen candidate will be conducted by the Commission's Chair.

### **Start date**

13. If possible, the chosen candidate will report to the Secretariat Headquarters two full weeks before the departure of the incumbent Director in order to allow for a transition.

**PROPOSAL IATTC-85 H-1**

**SUBMITTED BY THE EUROPEAN UNION**

**RESOLUTION ON CAPACITY MANAGEMENT APPLICABLE TO  
ALL FLEET SEGMENTS**

**EXPLANATORY MEMORANDUM**

**Goal and rationale:** see the working paper “[A road map towards a capacity management plan in the Eastern Pacific Ocean](#)” submitted by the European Union to the 14<sup>th</sup> meeting of the Permanent Working Group on Fleet Capacity.

*The Inter American Tropical Tuna Commission (IATTC),*

*TAKING NOTE* in particular of the Conservation recommendations by the IATTC staff to introduce precautionary measures for the main targeted stocks in the IATTC area of competence;

*CONSCIOUS* of the need to avoid an overexploitation of the stocks targeted by this fleet in its entire area of distribution;

*AWARE* that the issue of excess fishing capacity is of worldwide concern and is the subject of an International Plan of Action developed by the United Nations Food and Agriculture Organization;

*NOTING* that FAO International Plan of Action for the Management of the Fishing Capacity (IPOA) stipulates in its Objectives and Principles that States and Regional Fisheries Management Organisations confronted with an overcapacity problem which is undermining the achievement of long-term sustainability outcomes, should endeavour initially to limit at the present level and progressively reduce the fishing capacity applied to affected fisheries;

*MINDFUL* of the IATTC 2005 Plan for Regional Management of Fishing Capacity which states in its Objectives and Principles the need for an efficient, equitable and transparent management of fishing capacity in the EPO in order to assist in achieving long-term sustainability of the fishery targeting species covered by the Convention and that this plan clearly states that capacity limitation should apply to all segments of the fleet active in the EPO, through an holistic approach to capacity management;

*AWARE* that the above Plan considers management of fleet capacity as complement of other measures taken to conserve the stocks of species covered by the Convention and that CPCs and all participants in these fisheries should limit the total fleet capacity to the present level and to reduce it, as appropriate;

*BELIEVING* that it is important to limit fishing capacity in the IATTC Area of Competence in order to ensure that the fisheries in the region are conducted at a sustainable level;

*TAKING INTO CONSIDERATION* the provisions of Resolution C-02-03 as the regulatory framework that currently regulates fleet capacity in the EPO;

*ADOPTS, in accordance with the IATTC Convention, the following Resolution:*

**Capacity freeze**

1. Members and Cooperating Non-Members (CPCs) shall limit in 2014 and following years, the number of their fishing vessels of 24 meters length overall and larger to the number of its active fishing vessels registered on 31 December 2012 at the IATTC Record of Vessels. In the case of capacity transfers, the capacity will be considered as attributed to the transferring CPCs and recorded as such in the IATTC Record of Vessels.
2. This limitation of number of vessels shall be commensurate with the corresponding overall well

volume and, where vessels are replaced, the overall well volume shall not be exceeded.

3. This Resolution shall not prejudice the legitimate rights and obligations under international law of coastal developing States and Territories in the Convention Area who may wish to pursue a responsible level of development of their own fisheries in the Convention Area.
4. CPCs which have capacity claims or unused available capacity, will draw up, a fleet development plan. This Plan shall be submitted to the Commission for information and record on month before the 2015 Annual Meeting and should define, *inter alia*, the type, size and origin of the vessels and the programming (precise calendar for the forthcoming 10 years) of their introduction into the fisheries.

#### **Active fishing capacity**

5. CPCs shall notify to the IATTC Secretariat, by 31 December 2013, the lists of vessels, by gear type, of 24 meters overall length and over, and corresponding overall well volume, which have actively fished for tropical tunas during the years 2010, 2011 and 2012.
6. In notifying their vessels actively fishing in 2010, 2011 and 2012 the CPCs shall confirm that they have verified the effective presence and fishing activities of their vessels in the IATTC area in those years, through their VMS records, catch reports, port calls, or other means. The IATTC Secretariat shall have access to such information upon request.
7. CPCs shall limit in 2015 and following years, the number of their fishing vessels of 24 meters length overall and larger, and the corresponding overall well volume, to the number of its vessels, and the corresponding well volume, which have actively fished for tropical tunas during the year 2010, 2011 and 2012. The overall well volume of a CPC cannot be in any case higher than the “active” capacity. In the case of capacity transfers, the capacity will be considered as attributed to the transferring CPCs and recorded as such in the IATTC Record of Vessels.
8. CPCs will provide by the 1st June of each year a list of the vessels which have actively fished in the Convention Area during the previous year.
9. The IATTC Secretariat will establish a list of active vessels and will keep it regularly updated.

#### **Availability of data from longliners**

10. CPCs will submit to the IATTC Secretariat by 1 March of each year data related to catches by longliners of less than 24 meters overall length concerning the previous calendar year.

#### **Updated data on target capacity**

11. The Scientific Advisory Committee will provide before each Annual Meeting an updated figure of the target capacity based on the situation of the relevant stocks and the MSY.

#### **Implementing the 2005 Plan of Action**

12. In 2015 the Commission will take a decision as to the steps necessary to implement the third phase of the 2005 Plan of Action.

**PROPOSAL IATTC-85 H-2**

**SUBMITTED BY JAPAN**

**DRAFT RESOLUTION ON MANAGEMENT OF FISHING  
CAPACITY**

**EXPLANATORY MEMORANDUM**

1. Japan is concerned about over capacity of purse seine fishing vessels in the Eastern Pacific Ocean as it is likely to negatively affect stocks of tunas and species incidentally caught, especially where there is no catch limit on these stocks. Although IATTC has been adopting the measures on specified closure period and area to offset such negative impacts, adjustment of capacity to the level commensurate with the stock level would be much better in terms of enforcement feasibility and response to unexpected decrease of stocks of tunas.
2. Based on these ideas, Japan submitted a draft resolution on Management of Fishing Capacity to the 83<sup>rd</sup> Meeting of IATTC taking into account comments received from CPCs during the 12th meeting of the Permanent Working Group on Fleet Capacity in 2011 and the 1st Workshop on Vessel Buybacks in 2012.
3. Taking into account comments received from the 83<sup>rd</sup> Meeting of IATTC, Japan has revised the draft and herewith submitted to the 85<sup>th</sup> Meeting of IATTC. The main points of the revisions are as follows;
  - 1) With regard to a capacity management scheme for purse seine fishing vessels, this draft resolution presents an automatic reduction of capacity at the time of replacing current active vessels only in order to easily implement the capacity reduction scheme.
  - 2) Taking into account of comments received from CPCs during the 83rd meeting, this draft resolution incorporates a new element, which would exempt any capacity of purse seine fishing vessels under dispute from the capacity reduction scheme.
4. The part of capacity monitoring scheme for long line fishing vessels remains unchanged. Japan believes that at this moment no capacity management measure is necessary for long line fishing vessels whose active capacity has been decreasing, but at the same time shares the view that some measures may be required in the future. In this regard, it will be important for IATTC to establish a system to monitor changes of active fishing capacity of long line fishing vessels so that IATTC can adopt necessary measures quickly if the active capacity of long line fishing vessels has surpassed or is likely to surpass a threshold.
5. The Commission needs to take a step forward to reduce the excessive fishing capacity in the EPO in accordance with Resolution C-02-03. Japan hopes that this draft resolution will provide a good basis for discussions for this purpose.

*The Inter-American Tropical Tuna Commission (IATTC), gathered in La Jolla, California (USA) on the occasion of its 83<sup>rd</sup> Meeting:*

*Concerned* that purse-seine fishing capacity in the eastern Pacific Ocean (hereinafter referred to as “EPO”) has been increasing in recent years;

*Understanding* that excess fishing capacity in a region makes it more difficult for governments to consent on and implement effective conservation and management measures for the fisheries of that region;

*Believing* that it is important to limit fishing capacity in the EPO in order to help ensure that the tuna fisheries in the region are conducted at a sustainable level;

*Recalling* that the Commission adopted Resolution on the Capacity of the Tuna Fleet Operating in the Eastern Pacific Ocean (C-02-03) at the 69<sup>th</sup> Meeting in 2002 in order to address the problem of excess capacity in the tuna purse-seine fleet operating in the EPO;

*Further recalling* that the Commission adopted Plan for Regional Management of Fishing Capacity at the 73<sup>rd</sup> Meeting in 2005 toward the same objective;

*Reminded* that Article VII, paragraph 1 (h) of the Antigua Convention reads “adopt appropriate measures to prevent or eliminate over-fishing and excess fishing capacity and to ensure that levels of fishing effort do not exceed those commensurate with the sustainable use of the fish stocks covered by this Convention”:

Agrees:

## **I. CAPACITY MANAGEMENT SCHEME FOR PURSE SEINE FISHING VESSELS**

### **Objective**

1. The Commission shall gradually reduce the capacity of purse seine fishing vessels in order to ensure sustainable use of tuna stocks in the EPO.

### **Basic principle**

2. Any capacity change under this scheme shall be effective only with the consent of the flag Member and Cooperating non-Member of IATTC (hereinafter referred to as “CPC”).

### **Reduction of capacity**

3. The total active capacity of purse seine fishing vessels shall be gradually reduced to 158,000 cubic meters, while giving due consideration to development of purse seine fisheries by coastal developing CPCs. The benchmark “158,000 cubic meters” may be changed by the Commission based on advice of the Scientific Advisory Committee and the scientific staff of the Secretariat.
4. Reduction of active capacity will be achieved by automatic reduction of active capacity at the time of replacing current active vessels in accordance with paragraph 5 below. This automatic reduction shall be applied to any case including those caused by force majeure.

### **Automatic reduction of capacity at the time of replacing current active vessels**

5. When an active purse seine vessel is replaced by a second-hand vessel, no more than 90% of the existing vessel’s capacity shall be used (i.e., the capacity of the replacing second-hand vessel must be 90% or less than that of the one to be replaced). When an active purse seine vessel is replaced by a newly built vessel, no more than 80% of the existing vessel’s capacity shall be used (i.e., the capacity of the replacing newly built vessel must be 80% or less than that of the one to be replaced). When an active purse seine vessel is replaced, it shall be done so by a single vessel, not multiple vessels. .
6. When a purse seine vessel is newly introduced by activating inactive capacity registered at IATTC’s inactive and sunk purse-seine capacity list, the actual capacity of the vessel, regardless a second-hand one or a new one, shall be no more than 95% of the inactive capacity used (i.e., if 500 cubic meters of inactive capacity is used, the actual capacity of the vessel shall be no more than 475 cubic meters.). When such a vessel is replaced with a second-hand vessel or a newly built vessel later, paragraph 5 above shall be applied.
7. After an active purse seine vessel is replaced with a second-hand vessel or a newly built vessel in accordance with paragraph 5, such a second-hand vessel or a newly built vessel shall be exempted from paragraph 5 if the vessel must be replaced again due to force majeure. Under no circumstances,

however, the capacity of the new vessel shall be no more than that of the previous one within 10years after its replacement.

### **Others**

8. Any capacity of purse seine fishing vessels under disputes may not be used for the purpose of this Resolution.

## **II. CAPACITY MONITORING SCHEME FOR LONG LINE FISHING VESSELS**

### **Objective**

9. The objective of the scheme is to enable the Commission to properly monitor changes in the total active capacity of long line fishing vessels operating in the EPO so that the Commission can consider the introduction of appropriate capacity management measures in the future.

### **Basic principle**

10. Each CPC shall report its active long line fishing capacity every year in accordance with the scheme below.

### **Scheme**

11. By the end of 2013, each CPC shall report to the Director the number of tuna long line fishing vessels (hereinafter referred to as “TLFV”) under their flag which actually operated in the EPO in2012. The number of TLFV shall be reported in accordance with the following categories:

- a. 24 m or greater in overall length
- b. Less than 24 m in overall length with freezing capacity
- c. Less than 24 m in overall length without freezing capacity

In 2014 and thereafter, each CPC shall submit such information for the previous year to the Director by the end of March.

12. The Director shall compile the information submitted in accordance with paragraph 3 and 4 above by CPCs by category and circulate it to all CPCs one month prior to the annual meeting.
13. The Scientific Advisory Committee shall evaluate relative impact of each category and report the result back to the 2015 Commission meeting.

**PROPOSAL IATTC-85 I-1**

**SUBMITTED BY JAPAN**

**DRAFT RESOLUTION RULES OF PROCEDURE REGARDING  
TEMPORARY TRANSFER OF BIGEYE CATCH LIMIT BY LARGE  
SCALE LONGLINES**

**EXPLANATORY MEMORANDUM**

**Goal:** This draft resolution is to establish a procedure regarding temporary transfer of bigeye catch limit by large scale longline among Members and Cooperating non-Members of the Commission (hereinafter referred to as “CPCs”).

**Rationale:** In order to ensure transparency, it is necessary for IATTC to establish a clear procedure for transfer of fishing opportunities such as catch limit and fishing capacity between CPCs. The 83<sup>rd</sup> Meeting of the Commission approved Resolution C-12-06, which has provided a procedure regarding vessel charters with temporary transfers of fishing capacity between purse seine CPCs. This draft resolution would provide a similar transfer procedure for catch limit of bigeye between large scale longline CPCs.

**Others:** Japan submitted this draft resolution at the 83<sup>rd</sup> Meeting of the Commission in June 2012. However, the draft resolution was deferred to the next meeting of the Commission for consideration and adoption due to time constraint at the 83<sup>rd</sup> Meeting.

The Inter-American Tropical Tuna Commission (IATTC), gathered in Veracruz, Mexico, on the occasion of its 85<sup>th</sup> Meeting:

*Recognizing* that a clear procedure regarding transfer of fishing opportunities such as fishing capacity and catch limit between CPCs is necessary to ensure transparency, and,

*Taking into account of* Resolution C-12-06 which provides a transfer procedure for fishing capacity between purse seine CPCs,

*Agrees:*

To adopt the following rules of procedure regarding temporary transfer of bigeye catch limit by large scale longlines:

1. The catch limit for bigeye by large scale tuna longline vessels may be temporarily transferred between CPCs.
2. Both CPCs involved in such transfer shall, separately or jointly, notify the Commission of the transfer. The notification shall specify the amount of transfer and the year subject to the transfer.
3. The CPC which receives the transfer shall be responsible for management of the transferred catch limit, including monitoring and monthly reporting of the catch.
4. The transferred catch limit may not be transferred again under any condition.

**PROPOSAL IATTC-85 L-1A**

**SUBMITTED BY COSTA RICA, PANAMA,  
AND THE UNITED STATES**

**AMENDMENT TO RESOLUTION C-05-07 ON ESTABLISHING A  
LIST OF VESSELS PRESUMED TO HAVE CARRIED OUT  
ILLEGAL, UNREPORTED AND UNREGULATED FISHING  
ACTIVITIES IN THE EASTERN PACIFIC OCEAN**

*The Inter-American Tropical Tuna Commission (IATTC):*

*Recalling* that the FAO Council adopted on 23 June 2001 an International Plan of Action to prevent, deter and eliminate illegal, unreported and unregulated fishing (IPOA-IUU). This plan stipulates that the identification of the vessels carrying out illegal, unreported and unregulated (IUU) fishing activities should follow agreed procedures and be applied in an equitable, transparent and non-discriminatory way.

*Concerned* that IUU fishing activities in the Convention area undermine the effectiveness of the IATTC conservation and management measures.

*Further concerned* that there is a possibility that vessel owners engaged in such fishing activities may have re-flagged their vessels to avoid compliance with IATTC management and conservation measures.

*Determined* to address the challenge of an increase in IUU fishing activities by way of measures to be applied in respect to vessels, without prejudice to further measures adopted in respect of flag States under the relevant IATTC instruments.

*Considering* the action undertaken in other regional tuna fisheries organizations to address this issue;

*Conscious* of the need to address, as a matter of priority, the issue of vessels conducting IUU fishing activities; and

*Noting* that the situation must be addressed in the light of all relevant international fisheries instruments and in accordance with the relevant rights and obligations established in the World Trade Organization (WTO) Agreement;

*Recognizing* the importance of due process and of the participation of the interested parties;

*Resolves as follows:*

**IDENTIFICATION OF IUU ACTIVITIES:**

1. At each Annual Meeting, the Commission shall identify those vessels that have participated in fishing activities for species covered by the IATTC Convention in the Convention Area in a manner that undermines the effectiveness of the Convention and the IATTC Conservation measures in force, due to serious non-compliance, and shall establish and amend in subsequent years if necessary a list of such vessels (The IUU Vessel List), in accordance with the criteria and procedures established in this resolution.
2. This identification shall be clearly and suitably documented, based on, *inter alia*, reports from CPCs related to compliance with IATTC resolutions in force, trade information obtained from relevant commercial data, such as data from the United Nations Food and Agriculture Organization (FAO), statistical documents and other verifiable national or international statistics, as well as any other documented information obtained from port States and/or collected in fishing grounds. The

information from CPCs shall be provided in the format approved by the Parties.

3. For the purposes of this resolution, vessels fishing for species covered by the IATTC Convention within the IATTC Convention Area are presumed to have carried out IUU fishing activities when an IATTC Member or cooperating non-Member (collectively "CPCs") presents suitably documented information that such vessels :
  - a. Harvest species covered by the Convention and are not on the IATTC Regional Vessel Register, or
  - b. Harvest species covered by the Convention in waters under the national jurisdiction of the coastal State in the Convention Area without authorization and/or in contravention of its laws and regulation, without prejudice to the sovereign rights of coastal States to take measures against such vessels;
  - c. Make false reports or fail to record or report their catches made in the Convention Area, or
  - d. Engage in fishing activities in a closed area or during a closure period, or
  - e. Use prohibited fishing gear or fishing methods, or
  - f. Transship with, participate in joint fishing operations with, support, or resupply vessels included in the IUU Vessel List, or
  - g. Conduct transshipment operations with vessels not included on the IATTC Regional Vessel Register or the relevant vessel registers of other RFMOs, or
  - h. Are without nationality, or
  - i. Engage in fishing activities contrary to the provisions of the Convention or any other IATTC conservation and management measures, or
  - j. Engage in fishing for IATTC species and the flag State has exhausted or has no quota or catch limit, if applicable, or
  - k. Are under the control of the owner or operator of any vessel on the IUU Vessel List.
4. At the latest 70 days before the Annual Meeting, each CPC shall transmit to the Director their list of vessels presumed to be carrying out IUU fishing activities in the Convention Area over the past two years, accompanied by suitably documented evidence concerning the presumption of the IUU fishing activity. Information on IUU vessel activity submitted by CPCs pursuant to this paragraph should be provided in the format attached as Annex A of this Resolution.
5. Before or at the same time as transmitting a list of presumed IUU vessels to the Director, the CPC shall also notify the relevant flag State of its vessel's inclusion on the list of presumed IUU vessels, provide a copy of the suitably documented information, and request the flag State to promptly acknowledge receipt of the notification. If no acknowledgement is received from the relevant flag State within 10 days of the date of transmittal, the CPC shall retransmit the notification through an alternative means of communication. Upon receipt of information pursuant to paragraph 4, the Director shall also inform the flag State of its vessel's inclusion on the list of presumed IUU vessels, provide a copy of the suitably documented information, and inform the flag State about the procedures of this Resolution, including the opportunity of the flag State and interested parties to provide information in response to the listing proposal.

#### **DRAFT IUU VESSEL LIST:**

6. On the basis of the information received pursuant to paragraph 4, and any other suitably documented information at his disposal, the Director shall draw up a draft IATTC IUU Vessel List, together with the current IUU list, and shall transmit it, together with all the supporting evidence provided, to all CPCs, as well as to non-Members with vessels on the List, 55 days before the Annual Meeting. The Director shall ask each CPC and non-CPC with vessels on the Draft IUU Vessel List to notify the

owners of the vessels of their inclusion in the list and of the consequences of the vessels being included in the IATTC IUU list.

7. The Draft IUU Vessel List, as well as the Provisional IUU Vessel List and the IUU Vessel List described below, shall contain the following details for each vessel, where available:
  - i. Name of vessel and previous names, if any;
  - ii. Flag of vessel and previous flag, if any;
  - iii. Name and address of owner of vessel and previous owners, including beneficial owners, if any, and owner's place of registration;
  - iv. Operator of vessel and previous operators, if any;
  - v. Call sign of vessel and previous call sign;
  - vi. IMO number, if any;
  - vii. Unique Vessel Identifier (UVI), or, if not applicable, any other vessel identifier;
  - viii. Photographs of the vessel;
  - ix. Length overall;
  - x. Date vessel was first included on the IUU List (if applicable);
  - xi. Position of alleged IUU fishing activities;
  - xii. Summary of alleged IUU activities;
  - xiii. Summary of any actions known to have been taken in respect of the alleged IUU fishing activities and its outcome.
8. CPCs and non-Members shall transmit, at the latest 30 days before the Annual Meeting, their comments to the Director, as appropriate, including evidence showing that the vessels neither have fished in contravention of IATTC conservation and management measures nor had the possibility of fishing for species covered by the IATTC Convention in the EPO.
9. Upon receipt of the draft IATTC IUU Vessel List, CPCs shall closely monitor the vessels included in the draft List in order to determine their activities and possible changes of name, flag and/or registered owner.

#### **PROVISIONAL IUU VESSEL LIST**

10. On the basis of the information received pursuant to paragraph 8, the Director shall draw up a provisional IATTC IUU Vessel List, and transmit it, 15 days in advance of the Annual Meeting of the Commission, to the CPCs and the non-Members concerned, together with all the evidence provided.
11. CPCs may at any time submit to the Director any additional information which might be relevant for the establishment of the IATTC IUU Vessel List. The Director shall circulate the information, together with all the evidence provided, to the CPCs and to the non-Members concerned, at the latest before the Annual Meeting of the Commission.
12. The Committee for the Review of the Implementation of Measures Adopted by the Commission shall each year examine the provisional IATTC IUU Vessel List, as well as the information that supports the inclusion, and shall remove a vessel from the provisional IATTC IUU Vessel List if the vessel's flag State demonstrates that:
  - a. The vessel did not engage in any of the IUU fishing activities described in paragraph 3, or
  - b. Effective action has been taken in response to the IUU fishing activities in question, including, *inter alia*, prosecution, and imposition of sanctions of adequate severity.
13. Following the examination referred to in paragraph 12, the Committee for the Review of the Implementation of Measures Adopted by the Commission shall recommend that the Commission approve the provisional IATTC IUU Vessel List, with the amendments agreed there.

## **FINAL IUU VESSEL LIST**

14. At its Annual Meeting, the Commission shall review the provisional IUU Vessel List, taking into account the supporting evidence and new evidence supplied through the Director.
15. Once the IATTC IUU Vessel List is adopted by the Commission, the Commission shall ask non-Members with vessels on the IATTC IUU Vessel List to take all the necessary measures to eliminate these IUU fishing activities, including, if necessary, the withdrawal of the registration or the fishing licenses of these vessels, and to inform the Commission of the measures taken in this respect.
16. CPCs shall take all necessary measures, under their applicable legislation and pursuant to paragraphs 56 and 66 of the IPOA-IUU, to:
  - a. ensure that vessels flying their flag do not transship with vessels on the IATTC IUU Vessel List;
  - b. ensure that vessels on the IATTC IUU Vessel List that enter ports voluntarily are not authorized to land or transship therein;
  - c. prohibit the entry into their ports of vessels included on the IUU list, except in case of *force majeure* or where the vessel is allowed entry into port for the exclusive purpose of inspection and effective enforcement action;
  - d. prohibit the chartering of a vessel on the IATTC IUU Vessel List;
  - e. refuse to grant their flag to vessels on the IATTC IUU Vessel List, unless the vessel has changed owner, and the new owner has provided sufficient evidence demonstrating that the previous owner or operator has no further legal, beneficial or financial interest in, or control of, the vessel or, having taken into account all relevant facts, the flag CPC determines that granting the vessel its flag will not result in IUU fishing;
  - f. prohibit commercial transactions, imports, landings and/or transshipment of species covered by the IATTC Convention from vessels on the IATTC IUU Vessel List;
  - g. encourage traders, importers, transporters and others involved, to refrain from transactions in, and transshipment of, species covered by the IATTC Convention caught by vessels on the IATTC IUU Vessel List;
  - h. collect, and exchange with other CPCs, any appropriate information with the aim of searching for, controlling and preventing false import/export certificates for species covered by the IATTC Convention from vessels on the IATTC IUU Vessel List.
17. The Director shall take any measure necessary to ensure publicity of the IATTC IUU Vessel List, in a manner consistent with any applicable confidentiality requirements, including placing it on the IATTC website. Furthermore, the Director shall transmit the IATTC IUU Vessel List to other regional fisheries organizations for the purposes of enhancing co-operation between the IATTC and these organizations aimed at preventing, deterring and eliminating IUU fishing.

## **MODIFICATION OF THE IUU VESSEL LIST**

18. CPCs and non-CPCs of a vessel on the IUU Vessel List may request the removal of the vessel from the list at any time, including on the period between sessions, by submitting to the Director suitably documented information that proves that:
  - a.
    - i. it has adopted measures intended to guarantee that the vessel complies with all IATTC measures, and;
    - ii. it can effectively assume its responsibilities with regard to monitoring and control of the fishing activities of the vessel in the Convention Area; and

- iii. it has undertaken effective actions in response to the IUU fishing activities which include judicial actions and imposition of suitably severe sanctions; or
  - b. the vessel has been sunk or scrapped; or
  - c. the vessel has changed ownership and the new owner can prove that the previous owner no longer has any legal, financial, or real interest in the vessel, nor does he exert control over it and that the new owner has not been involved in IUU activities in the previous five years.
19. The Director shall transmit the request for removal together with all the supporting information submitted by the requestor to the CPCs within 15 calendar days of the receipt of the request. CPCs shall promptly acknowledge receipt of the request for removal and may, at that time, request additional information from the requestor.
  20. The decisions by the Commission regarding a request for removal of a vessel in the period between sessions shall follow the procedures established for decisions by correspondence, with each CPC's duly supported response within 30 days following the communication of the request to the CPCs by the Director. The absence of a response within that period shall be equivalent to acceptance of the request.
  21. If the CPCs approve the removal of the vessel from the IUU Vessel List within the period stipulated in paragraph 20, the Director shall proceed to remove the vessel in question from the IATTC IUU Vessel List.
  22. All the information received in the process of including vessels in, or excluding them from, the IATTC IUU List shall be subject to the IATTC rules of confidentiality.
  23. This resolution shall apply to any fishing vessel greater than 23 meters overall length.
  24. Without prejudice to the rights of CPCs and coastal states to take proper action, consistent with international law, the CPCs shall not take any unilateral trade measures or other sanctions against vessels on the draft or provisional IATTC IUU Vessel Lists, or that have been removed from the IATTC IUU Vessel List, on the grounds that such vessels are involved in IUU fishing activities.
  25. This resolution replaces Resolution C-05-07.

## ANNEX A - IATTC REPORTING FORM FOR IUU ACTIVITY

Pursuant to paragraphs 5 of IATTC Resolution [C-xx-xx] to Establish a List of Vessels Presumed to have Carried Out Illegal, Unreported and Unregulated Fishing Activities in the Eastern Pacific Ocean, attached are details of alleged IUU activity.

### A. Details of Vessel

*(Please detail the incidents(s) in the format below)*

Item		Available Information
a	Name of vessel and previous names (if any)	
b	Flag and previous flags (if any)	
c	Owner and previous owners, including beneficial owner (if any)	
d	Owner's place of registration	
e	Operator and previous operators	
f	Call sign and previous call signs (if any)	
g	IMO number (if any)	
h	Unique Vessel Identifier (UVI), or, if not applicable, any other vessel identifier	
i	Length overall	
j	Photographs	
k	Date first included on the IATTC IUU list (if applicable)	
l	Date of alleged IUU fishing activities	
m	Position of alleged IUU fishing activities	
n	Summary of alleged IUU activities (see also section B)	
o	Summary of any actions known to have been taken in response to the activities	
p	Outcome of any actions taken	

## B. Details of Alleged IUU Activity

*(Indicate with an "X" the applicable elements of the activity and provide relevant details including date, location, source of information. Extra information can be provided in an attachment if necessary.)*

C-xx-xx, para. 3	Vessel fished for species covered by the IATTC Convention within the Convention Area and:	Indicate
a	Are not on the IATTC Regional Vessel Register	
b	Harvested species covered by the Convention in waters under the jurisdiction of another State, without permission of that State, or in contravention of its laws and regulations	
c	Made false reports or fail to record or report their catches made in the Convention Area	
d	Engaged in fishing activities in a closed area or during a closure period	
e	Used prohibited fishing gear or fishing methods	
f	Transshipped with, participate in joint fishing operations with, support, or resupply vessels included in the IUU Vessel List	
g	Conducted transshipment operations with vessels not included on the IATTC Regional Vessel Register or the relevant vessel registers of other RFMOs	
h	Are without nationality	
i	Engaged in fishing activities contrary to the provisions of the Convention or any other IATTC conservation and management measures	
j	Engage in fishing for IATTC species and the flag State has exhausted or has no quota or catch limit	
k	Are under the control of the owner or operator of any vessel on the IUU Vessel List	

**PROPOSAL IATTC-85 M-1**

**SUBMITTED BY COSTA RICA**

**AMENDMENT TO RESOLUTION C-11-07 ON THE PROCESS FOR  
IMPROVED COMPLIANCE WITH RESOLUTIONS ADOPTED BY  
THE COMMISSION**

**EXPLANATORY MEMORANDUM**

The effectiveness of the efforts made by CPCs to reach the management goals assumed within the IATTC, depends in great measure on the effective implementation by all CPCs of the management measures developed by the Commission. Precisely for that reason it is considered that the role of the Committee for the Review of the Implementation of Measures Adopted by the Commission (the Committee) constitutes one of the most important strengthening elements that the Antigua Convention introduced.

In accordance with the principles of international law, the cooperation among States assumed in the context of a Regional Fisheries Management Organization, must recognize that the processes of comparison of compliance standards respond to a dynamic of constant improvement, in view of the inequality of the effective capacities of all the member countries; for that reason, in the second paragraph of Resolution C-11-07 in force, it was understood that the level of compliance needs to be improved and in that measure the elements were established in this resolution that would facilitate "a better compliance with the resolutions adopted by the Commission".

Resolution C-11-07 in force develops with absolute clarity that the scrutiny to which the CPCs subject themselves has as its objective identifying histories of compliance and areas of possible improvement, in order to facilitate with this information, the development of the processes of improvement in each CPC in need of it; with this basis, the resolution aspires to the CPCs, when answering the respective annual questionnaire, carrying out an in-depth evaluation rooted in concrete reality. However, the resolution does not develop the guarantees necessary for the information submitted to the Committee and discussed therein, to be covered by the IATTC rules of confidentiality.

Costa Rica, as a Member of the IATTC and in the exercise of the Presidency *pro tempore* of the Organismo del Sector Pesquero y Acuícola Centroamericano (OSPESCA), in dealing with the points of the meeting held in this Central American Forum, submits for discussion by the CPCs this partial amendment of Resolution C-11-07, in order to guarantee that the information reviewed and discussed in the Committee, is covered by the rules of confidentiality and cannot be used in any form outside the IATTC, unless the Commission so authorizes, a proposal developed in the terms proposed below:

*The Commission agrees:*

TO ADD TO PARAGRAPH B) (d) of Resolution C-11-07, a second paragraph so that in full it would read:

...B...

- d) The Director shall circulate all the filled-in questionnaires to all CPCs one month prior to the Committee meeting. The Director shall also circulate to all CPCs, one month prior to the Committee meeting, the list of names and flags of the fishing vessels involved in the possible non-compliance cases as well as the response of the flag CPCs to such cases.

The information that is used for analysis and discussion by the Committee shall be subject to the IATTC rules of confidentiality and may not be used nor divulged outside the Committee or the meetings of the Commission, unless the Commission decides otherwise.

**PROPOSAL IATTC-85 N-1**

**SUBMITTED BY MEXICO**

**RESOLUTION ON THE USE OF INFORMATION ON COMPLIANCE**

*The Inter-American Tropical Tuna Commission (IATTC):*

*Recalling* that the IATTC should base its measures on the best available scientific evidence.

*Recognizing* the importance of strengthening multilateral cooperation, by means of agreed mechanisms in the IATTC and particularly the exchange of information.

*Affirming* that multilateral actions are more appropriate and effective than unilateral actions.

*Considering* that in the framework of Resolution C-11-07 on compliance. It is established that the IATTC will review annually compliance with, and implementation of, Commission resolutions by each member, based on *inter alia*, the compliance report provided by the Director.

*Taking into consideration* that Article XVIII of the "Antigua Convention" on the implementation, compliance and enforcement by Parties states that each Party shall authorize the use and release, subject to any applicable rules of confidentiality, of pertinent information recorded by on-board observers of the Commission or a national program.

*Recalling* that the "Antigua Convention", in article XXII establishes that the Commission shall determine rules of confidentiality for access to, use of, and release of information in accordance with the Convention.

*Agrees:*

1. That information regarding compliance that is provided by any Member in the framework of IATTC resolutions is of a strictly confidential nature and its use shall be restricted to the ends that the Commission itself establishes, unless the Member authorizes its release.
2. That the resolutions adopted within the Commission as well as their observation by Members have as their objective compliance with the Commission's objectives. Therefore information contained in the resolutions may not be used by any Member for unilateral processes that have not been previously agreed by the Commission.
3. That the Commission and the member countries may use only within the framework of the IATTC the information referred to in item 1 above.

**PROPOSAL IATTC-85 O-1**

**SUBMITTED BY MEXICO**

**RESOLUTION ON LENGTH SAMPLING**

*Taking into account* that Resolution C-03-05 on the provision of data, in paragraph 2, establishes as a minimum requirement providing the Commission with catch and effort data and whenever possible, also specific data on length frequencies;

*Recognizing* that that information is fundamental for the assessment of tuna stocks and fundamental for determining the impact of the fisheries on those stocks; and can improve sustainability.

*Aware* that the IATTC carries out length sampling of tuna at the various ports of the eastern Pacific Ocean (EPO) and that this needs to be complemented by the information regarding lengths to which the above-mentioned resolution refers; and

*That* in order to ensure the effectiveness and proper implementation of Resolution C-03-05, regarding specific length-frequency data for the species covered by the Commission that are caught by all the fisheries, full compliance by all fleets is imperative;

*It is agreed that:*

The Commission shall submit annually a representative sample of lengths by fishery and by type of vessel upon unloading.

**INTER-AMERICAN TROPICAL TUNA COMMISSION**  
**COMMITTEE ON ADMINISTRATION AND FINANCE**  
**FIRST MEETING**  
Veracruz, Mexico  
5 June 2013

## MEETING REPORT

### AGENDA

	Documents
Opening of the meeting	
2. Election of the Chair	
3. Adoption of the agenda	
4. Review of the financial audit report	CAF-01-04
5. Review of the budgets for 2013, 2014, and 2015	CAF-01-05
6. Financial contributions by Members to the Commission:	
a) Regular contributions	
b) Contributions to the Special Fund established under Resolution C-11-11	CAF-01-06b
c) Contributions to the Program to monitor transshipments at sea (Resolution C-12-07)	CAF-01-06c
d) Other	
7. Other business	
8. Recommendations to the Commission	
9. Adjournment	

#### **1. Opening of the meeting**

The Chairman of the IATTC, Mr. Alvin Delgado, opened the meeting. It was attended by representatives of the Members of the IATTC except Costa Rica, Guatemala, Kiribati, Chinese Taipei, and Vanuatu, plus observers from Bolivia and Humane Society International.

#### **2. Election of the chair**

Mr. Lillo Maniscalchi, of Venezuela, was elected Chair of the Committee, and Dr. Luis Fleischer, of Mexico, was elected rapporteur.

#### **3. Adoption of the agenda**

The provisional agenda was adopted without changes.

#### **4. Review of the financial audit report**

Dr. Guillermo Compeán, Director of the Commission, reported that on 31 May the auditors' report (Document CAF-01-04) was sent to the Commissioners and Heads of Delegation by e-mail, and copies were distributed at the meeting. He also indicated that this report had not been delivered by the specified deadline because the auditors delivered it late, despite being urged by the Secretariat to accelerate the process.

There were no comments on the auditors' report.

## **5. Review of the budgets for 2013, 2014, and 2015**

Ms. Nora Wade, of the IATTC staff, reported that the requested budget for 2014 was US\$ 6,527,781, and the projected budget for 2015 was US\$ 6,663,836, the increase of 2%, which covers only the effects of inflation.

She mentioned the arrears in payment of the contributions of various Members (France, Guatemala, Kiribati, Nicaragua, Panama, El Salvador, Venezuela and Vanuatu), which added up to a total of US\$ 2,571,000, of which a balance of US\$ 1,216,000 was still outstanding for 2013 and US\$ 1,355,000 for previous years.

It was noted that, in accordance with the Commission's decision, the budget for 2013 does not include costs related to meetings of the Commission during that year. However, it was necessary to include costs related to meetings that were not programmed, such as the meeting of the Permanent Working Group on fleet capacity. At the request of the European Union and with the support of other delegations, the costs related to the upcoming annual meeting, which were not programmed either, were also included.

In response to a question by Colombia, a current costs deficit of US\$ 713,421 at the end of 2012 was confirmed.

In response to a question by Japan, it was explained that the salaries of the Commission staff had been frozen for two years, and that the increase seen in the tables reflects an increase in the cost of benefits such as medical insurance and the pension plan.

The European Union commented that, apparently, if the pending contributions had been paid, the accumulated deficit would have been eliminated, and asked whether the Secretariat had made efforts to collect those contributions. The Director clarified that, if the balances outstanding for 2012 had been paid, the financial statement would not reflect a deficit. The Director indicated that the outstanding contributions for 2013 currently added up to US\$ 1,216,000, which represents almost a third of the total annual budget.

In response to a question by Colombia, it was confirmed that any increase in the contribution of the IATTC to the AIDCP observer program beyond the current 30% would increase the deficit, and would make it necessary to take those resources from other budget items or programs.

In response to questions and comments by Colombia and the European Union, the Director recalled that, in accordance with the provisions of Article XV of the Antigua Convention, a Member of the Commission that is in arrears in the payment of its contributions by an amount equal to or greater than the total of the contributions due from it for the preceding 24 months shall not have the right to participate in decision-making in the Commission until it has fulfilled its obligations. The Director also referred to the initiatives undertaken during the intersessional period with the Members with payments in arrears, and pointed out in particular the efforts made by Panama to reduce the amount of its pending debt to the Commission. With regard to those initiatives, the Committee accepted the proposal by the United States that it recommend to the Commission that a stronger message be sent to those Members with payments in arrears.

El Salvador, Venezuela and Nicaragua explain the actions they had undertaken to pay their overdue contributions, as well as the circumstances that led to their being in arrears. Panama indicated that its government had held conversations with the Director, and stated that its overdue payments represented accumulated debts for several years, so it is difficult to pay off the total amount. It reiterated that its government will attempt to pay the quantity equivalent to the calculation of its contribution and will in addition attempt to obtain the additional funds necessary to pay the total outstanding balance.

Returning to the matter of the budget as a whole, the European Union stated that, in order to justify even a minimal increase (such as the 2% adjustment for inflation), it would be very helpful to have an objective external evaluation, above and beyond the information supplied in the current financial audit report, it is not what is needed in this context. It emphasized the need for an evaluation of the administrative and operational performance of the Commission and its staff, more limited in its reach than the evaluation of its overall performance which it had not yet managed to agree on. The United States, Canada, France and

Japan supported this proposal.

Mexico, while saying that it was not opposed to such an evaluation in principle, stated that it was necessary to define precisely and clearly the terms of reference of the evaluation proposed by the European Union. It also asked whether the work carried out within the framework of the AIDCP would be taken into account, and asked the delegations making the proposal to present a proposal in writing for such terms of reference. The Chair of the Committee asked the delegations of the European Union, the United States, Japan, and Mexico to consult among themselves to draft those terms of reference and present them to the Commission. Belize expressed its concern regarding the costs of an evaluation of this nature.

Regarding the budget, Mexico also stressed that it should not be forgotten that, under the Antigua Convention, the Commission is being given new mandates and responsibilities, so it is very difficult to understand that at the same time a reduction in the budget is being requested.

Turning to the overall performance review of the IATTC and without going into the substance of the subject, the Committee encouraged parties to find ways of settling the differences regarding this matter, specifically whether the AIDCP should be included in the review, as well as matters related to procedure.

The Members of the Committee also noted the advisability of making efforts to set priorities and reduce costs, but not forgetting the need to duly include costs that are necessary, for holding meetings and for carrying out the proposed evaluation.

In conclusion, the Committee agreed to recommend to the Commission a budget for 2014 of US\$ 6,715,585, including US\$ 100,000 for the proposed organizational evaluation (indicating that its terms of reference be clearly defined), as well as US\$ 87,804 for holding the next annual meeting in La Jolla.

The members of the Committee agreed on the advisability that the delegations consult during the week to attempt to reach agreements that would allow a solution to be reached during the meeting of the IATTC.

## **6. Financial contributions by Members to the Commission:**

### **A. Regular contributions**

An example calculation was presented of the amount of the contributions by Members to a budget of US\$ 6,715,585 for 2014, bearing in mind that this would be reviewed by the Commission during its 85th meeting.

### **B. Contributions to the special fund established under Resolution C-11-11**

The Director indicated that no contributions to the Fund had yet been received, despite the conditional offer by the European Union to contribute €100,000 provided that contributions adding up to 20% of this amount were received from others. Japan thanked the European Union for its offer, and announced its intention of making a contribution of €20,000 in addition to its regular contribution, but for this year only.

The United States stated that it would explore the possibility of making contributions to the fund, and suggested other possible sources of funding, such as the Global Environmental Fund and the World Bank.

Numerous members expressed gratitude for these offers and requested that, as a priority, the fund be used to facilitate the participation of developing countries in the Scientific Advisory Committee, which has not managed to reach a quorum at its meetings.

The Director noted that Document CAF-01-06b also describes the actions taken by the Commission and its staff to support capacity building. He thanked Japan and its Overseas Fisheries Cooperation Foundation for their support, particularly with regard to sampling of artisanal and coastal shark fisheries, net alignments in the observer program, and standardization of database management.

### **C. Contributions to the program to monitor transshipments at sea (Resolution C-12-07)**

Mr. Ricardo Belmontes, of the Commission staff, described the current situation of the program, noting that there had been a surplus in 2012 and that a surplus was expected for 2013 as well. A reduced budget of US\$ 850,000 was therefore proposed for 2014, which meant that the total contributions for that year by the Members participating in the program would thus be US\$ 500,000.

In response to comments and questions about the similarities and differences between this program and the IATTC observer program, as well as the potential costs incurred for the commission, the Director indicated that this program is carried out through a company that takes care of all the logistics, and the role of the IATTC staff is limited to monitoring its reports and administering the fund.

Japan express its interest in exploring the possibility of hiring other companies that might perhaps take over the program at a lower cost.

#### **7. Other business**

No other business was discussed.

#### **8. Recommendations to the Commission**

The Committee agreed to recommend to the Commission a budget of US\$ 6,715,585 for 2014, which includes the funds necessary for the proposed administrative and operational performance evaluation and for holding planned meetings.

#### **9. Adjournment**

The meeting was adjourned at 5:50 p.m. on 5 June 2013.

**Appendix 4b.** Report of the Chairman of the Committee for the Review of the Implementation of Measures Adopted by the Commission (“Review Committee”)

**INTER-AMERICAN TROPICAL TUNA COMMISSION**  
**COMMITTEE FOR THE REVIEW OF THE IMPLEMENTATION OF**  
**MEASURES ADOPTED BY THE COMMISSION**  
**4<sup>TH</sup> MEETING**  
**Veracruz, Mexico**  
**6-7 June 2013**

**REPORT OF THE MEETING**

**AGENDA**

	Documents
1. Opening of the meeting	
2. Adoption of the agenda	
3. Compliance with IATTC measures in 2012:	
a. Report of the Secretariat on compliance	COR-04-03a
b. Review of the questionnaires completed by CPCs relating to Resolution <a href="#">C-11-07</a>	COR-04-03b
4. Consideration of the provisional IUU Vessel List	COR-04-04
5. Cooperating non-Members	COR-04-05
6. Other business	
7. Recommendations for the Commission	
8. Adjournment	

The fourth meeting of the Committee for the Review of the Implementation of Measures Adopted by the Commission was held in Veracruz, Mexico, on 6-7 June 2013. It was attended by representatives of the Members of the IATTC except Kiribati and Vanuatu, plus observers from Bolivia, Humane Society International, ISSF, and World Wildlife Fund.

**1. Opening of the meeting**

The meeting was opened by the Chair of the Committee, Mr. David Hogan, of the United States. Ing. Luis Torres, of Ecuador, was appointed rapporteur.

**2. Adoption of the agenda**

The provisional agenda was adopted, with the addition of an item on research buoys under Other Business.

**3. Compliance with IATTC measures in 2012:**

**a) Report of the Secretariat on compliance**

The Commission staff presented Documents COR-04-03a and COR-04-03b, which contain detailed information on compliance with IATTC resolutions in 2012, as well as on the implementation of Resolution C-11-07 on compliance. In addition to noting that the information was submitted to CPCs by the deadlines established in the resolution, it was emphasized that overall the number of possible infractions reported had fallen. The Director proposed a change in the schedule of the meetings of the

Committee, shifting its meeting to October, in conjunction with the meetings of the AIDCP, in order to allow more time for CPCs to review and implement the corresponding administrative processes related to the possible infractions reported.

Although numerous delegations indicated that the period of one month established in the resolution for reporting on actions taken by governments regarding possible infractions is insufficient, and should be revised, and agreed that the meeting of the Committee should be held in October, other Members that are not Parties to the AIDCP pointed out the difficulty of accepting this proposal, not only because of the additional burden that this would mean for them, but also because it is important that the Committee meet at the same time as the Commission, so the matter would be presented for consideration by the Commission (Recommendation 1). It was also suggested that if the annual meeting were held later in the year, this would allow for additional time for the submission of the information and the preparation of the report.

Many delegations noted that information on the longline fleet is very scanty, and greater efforts should be made to obtain it. There was also a general agreement on the advisability that, in the future, compliance with measures adopted by the IATTC should be reported, instead of emphasizing only cases of non-compliance (Recommendation 2), highlighting that in 98% of the sets made by the purse-seine fleet, all relevant measures were complied with.

Ecuador requested that its flag vessels identified in the compliance report as fishing while not on the IATTC Regional Vessel Register no longer be included, since it had explained repeatedly that they are using the capacity of the vessel *Roberto M.* Ecuador requested that the IATTC review this case, about which there is a dispute with Panama, and the Committee agreed to refer it to the Commission (Recommendation 3).

Regarding Resolution C-05-03 on sharks, it was noted that it is not clear whether catch and effort data for sharks should be sent to the Secretariat, and the potentially contradictory language in the resolution was once again noted. It was agreed to recommend that the Commission review the resolution with a view to specifying the data that should be included (Recommendation 4). Also, the Director was asked to include more information in future reports on the disposition of sharks caught incidentally, whether they are released, retained, etc.

Regarding tuna discards, it was agreed to recommend that the Commission examine the possibility of defining a minimum quantity of tuna that should be considered a discard (Recommendation 5).

The European Union requested that the information presented country by country regarding actions taken to enforce resolutions be included in the minutes of the meeting, and noted that information should be incorporated on non-compliance with Resolution C-12-09 on bluefin tuna.

Many delegations commented on the confidential character of the information that is handled by the Commission, and criticized the fact that one Member is using this information to apply unilateral measures, identifying vessels as carrying out IUU fishing practices. The fact that the possible infractions identified are not confirmed infractions was stressed, and that in many cases they are in the process of review by the flag State.

A long discussion took place about whether vessels over 24 meters length overall are required to carry VMS equipment, in accordance with Resolution C-04-06, and the United States was asked whether it would include its vessels that do not carry such equipment in the IUU list, in accordance with its domestic legislation. The United States indicated that the resolution does not define the period of its applicability, which does not represent a violation of the resolution, so it was agreed to recommend to the IATTC that the period of applicability of resolutions be reviewed, since in the case of resolutions that leave their period of applicability open there would be different interpretations (Recommendation 6).

Regarding the issue of North Pacific albacore tuna, China indicated that if the catches of this species are incidental, it should not be necessary to report them to the Director periodically, instead it could be done

once a year, possibly in March (recommendation 7)

Venezuela made a statement (Appendix 1) on the subject of compliance with IATTC provisions.

#### **b) Review of the questionnaires completed by CPCs relating to Resolution C-11-07**

Each CPC made a brief presentation on its responses to the questionnaire, mainly on cases of possible non-compliance recorded in 2012 (Appendix 2)

Later during the meeting, the Chair indicated that the rapporteur's report would in the future include a description of each Member's compliance information, and clarified that the previous report did not include because it was the first year and there were concerns about delegations disagreeing with including this information in the minutes or report.

#### **4. Consideration of the provisional IUU Vessel List**

Dr. Compeán presented Document COR-04-04 on the IUU Vessel List. He reported that no nominations were received for including vessels on the list, so no provisional list had been drawn up. A request had been received from Colombia to remove the vessel *Marta Lucía R* from the IUU List.

Colombia reaffirmed its total willingness to comply with the provisions of the IATTC, and as part of that was working on regularizing the fisheries sector and that the vessel *Marta Lucía R* has not operated for a year.

The Committee as a whole recognized the measures applied by Colombia, as well as its commitment to apply the provisions of the IATTC, and supported the request to remove the vessel *Marta Lucía R* from the IUU list, except for the European Union, which asked for time to consult with its capital.

Mexico indicated that it was necessary to have a clear mechanism within the resolution that would allow vessels to be removed from the IUU List, including during the intersessional period, and suggested that a working group could develop a proposal in this regard. Various delegations supported this suggestion, but others stated that this matter should be dealt with very carefully, expressing concern that under certain provisions vessels could be removed from the list automatically, and that any mechanisms should be consistent with those of other regional fisheries management organizations. Finally, the Committee agreed to refer the suggestion by Mexico to the Commission for consideration (Recommendation 8).

#### **5. Cooperating Non-Members**

The Committee considered the requests for renewal of Cooperating Non-Member status by two countries, Bolivia and Cook Islands, and of granting such status to Honduras and Indonesia.

In response to a question by Japan, Bolivia stated that it no longer has any longline vessels, and only one purse seiner, and that it is complying with IATTC rules. With this clarification, the Committee decided to recommend renewing Bolivia's status as a Cooperating Non-Member (Recommendation 9).

In the case of Indonesia, Honduras, and Cook Islands, they were expected to be present at the meeting of the IATTC to explain their requests and answer questions by the Members of the Commission.

#### **6. Other business**

The United States announced that it had evidence of a possible irregularity regarding a fishing vessel not complying with the provisions of Resolution C-11-03 on the prohibition of making sets near fishing buoys, and that it had contacted the vessel's flag State. Regarding the possible infraction. Mexico requested that the provisions of Resolution C-11-07 on compliance regarding the identification and reporting of possible infractions be fully respected, stressing that the vessel's flag State is responsible for dealing with possible non-compliance, and the IATTC staff for communicating them. Nicaragua supported this statement.

## 7. Recommendations for the Commission

The Committee decided to make the following recommendations to the Commission:

1. Review the programming and scheduling of the meetings of the Review Committee.
2. Report on progress regarding compliance as well as cases of possible non-compliance.
3. Define how the cases of Ecuadorian vessels reported as fishing while not on the IATTC Regional Vessel Register should be considered.
4. Review the inconsistencies in the provisions of the various resolutions on sharks.
5. Examine the possibility of establishing a threshold quantity for reporting discards as possible infractions.
6. Review the dates of resolutions to clarify their validity and applicability.
7. Review the frequency of submission of information on North Pacific albacore tuna.
8. Review the suggestion by Mexico to establish a working group to develop a draft mechanism for removing vessels from the IUU List.
9. Renew the Cooperating Non-Member status of Bolivia, and consider the requests by Honduras, Indonesia, and Cook Islands.

## 8. Adjournment

The meeting was adjourned at 1:30 PM on 7 June 2013.

**Appendix 1.** List of attendees (see complete report on IATTC website)

**Appendix 2.** Statement by Venezuela

### COMMENTS BY VENEZUELA

With the permission of the Chair, the Delegation of Venezuela would like to make some comments we consider very important, mainly because of the statements that appear in the preambles of some proposals that will be presented at the 85th Meeting of the IATTC. With due respect to the Parties that make these proposals, my Delegation like others, with whom we have spoken, do not agree that they should say such things as "*deeply concerned about the continuation of illegal, unreported and unregulated fishing in the IATTC Area*", since this broadcasts the message that this Commission is not complying, which for us is a matter of concern and far from reality. In this organization as in that of the AIDCP, a high compliance with all the resolutions or obligations that emanate from them has been demonstrated, so that we have a record of fairly high compliance and that should be presented in the compliance report more extensively so that the magnitude of those achievements may be visualized. The report that the Secretariat presents, should be more detailed as regards compliance with the various resolutions, since it has all the information and it would not be difficult for it to present it in the most detailed manner possible. I also wish to express:

1. As everybody knows this Commission receives information from an Observer Program (of the AIDCP), which monitors the great majority of the fishery with tuna purse seiners that is carried out in the Eastern Pacific Ocean (EPO), and 100% coverage of the purse-seine fleet of more than 363 m<sup>3</sup>. This monitoring is carried out in such a way that the observers report everything that occurs, not only matters related to tuna catches, but also all activities carried out by the vessel during the trip, unlike other programs that only oversee effort and catches. These data are used not only by the scientific staff of the Commission for statistics and research, there are also useful for monitoring compliance with all the management and conservation measures of this Organization.

2. Over the years the high compliance and the significant reduction of **possible non-compliance** with the various IATTC resolutions can be clearly seen. This is something that as mentioned above, should be highlighted and not mention comments that express the opposite as appears in the above-mentioned preambles. On the other hand, the day that this Commission talks of 0% non-compliance, we should be concerned, since the possibility would exist that the data reported were not 100% objective and reliable, because whenever an activity is carried out with the intensity of this one, the possibility of a voluntary and/or involuntary non-compliance occurring will always be there. We must ensure that it is kept at very low levels and attempt to sanction identified cases.
3. The purse-seine fleet in recent years has made an average of approximately 22,000 sets among the different modes, tuna associated with dolphins, on pure schools and on floating objects, and the number of possible infractions reported is minimal.
4. I will now list some of the possible infractions that have diminished since the entry of the into force of certain resolutions:
  - a. At-sea reports, in 2001 compliance was 48%, in 2012 99%.
  - b. In 2008 the number of sharks retained was 29,287, in 2012 it was 8,769, *i.e.* there was a reduction of 334%. Unfortunately the report did not report the number of sharks released alive, which is increasing significantly due to the resolutions and due to the entry into force of some internal ordinances adopted by the countries, as for example, the one adopted by the Venezuela in 2012.
  - c. The number of shark finnings in 2006 was 4,526 and in 2012 was 13, *i.e.* there was a reduction of 34,815%.
  - d. Sets with discards in 2005 was 1,578 sets and in 2012 was 88. *i.e.* there was a reduction of 1,793%
  - e. More than 75% of discards in 2012 were of less than three tons of the various species of tunas.
  - f. In 2007 130 trips with plastic trash discarded at sea were reported, in 2012 it had fallen to 19, which represents a reduction of 684%.
  - g. In the case of turtles killed in the various sets in recent years it has been less than or equal to 10 and 2012 was eight, a quite low number in relation to the 22,000 sets that are made per year. We must stress that the crews of purse-seine vessels rescue every year a great number of turtles enmeshed in fish-aggregating devices, FADs and drifting gear, mainly remains of longlines. It is important to point out that at the 4th Meeting of the Scientific Advisory Committee held last May in Document SAC-04-08 "Ecosystem Considerations" it is noted that "*The mortalities of sea turtles due to purse seining for tunas are probably less than those due to other types of human activity ... and impacts of other fisheries*". That same document states "*Estimates of incidental mortality of turtles due to longline and gillnet fishing are few*". At the fourth Meeting of the Working Group on Bycatch in January 2004 it was reported that the incidental catch of sea turtles in the longline fishery of one country in the EPO was 6,000 turtles per year and approximately half of them died. At the sixth Meeting of the Working Group in February 2007 it was reported that the surface longline fleet, of another country, that fishes for swordfish in the EPO had an average of 65 interactions with turtles and 8 mortalities per million hooks between 1990-2005. Some 23 million of the 200 million books deployed each year in the EPO by longline vessels are aimed at swordfish.
  - h. In the year 2012 no vessel was reported contravening the closure periods indicated in Resolution C-12-01.
  - i. As regards the AIDCP the incidental mortality of dolphins is less than 20% of that allowed and as regards the infractions reported at recent meetings it is minimal.

With this degree of compliance the great commitment of crews, captains, vessel owners and governments

to comply with the various conservation and management resolutions of this Commission is clearly shown. In conclusion I would like to express that our position is not to stop sanctioning, but that with the comments expressed we can send a wrong signal about the achievements of this Convention. On the other hand, a time should be given for the Parties to carry out the due processes of investigation and determine whether it is an infraction or not, before other countries or organizations place the names of these vessels and their flag as presumably involved in illegal, unreported and unregulated fishing, due to the implications that this has, and that at the end of the due processes it is shown that not all of them had committed that infraction.

Finally, this Committee is called "Committee for the Review of the Implementation of Measures Adopted by the Commission" and what we review and highlight is non-compliance. Therefore, we believe that both the Committee and the report should reflect all the compliance as well as non-compliance and compare it with previous years to determine what is the behavior over time of the various resolutions.

**INTER-AMERICAN TROPICAL TUNA COMMISSION**  
**PERMANENT WORKING GROUP ON FLEET CAPACITY**  
**14<sup>TH</sup> MEETING**  
Veracruz, Mexico  
8 June 2013

## REPORT OF THE MEETING

### AGENDA

	Documents
1. Opening of the meeting	
2. Adoption of the agenda	
3. Approval of the minutes of the 13 <sup>th</sup> Meeting of the Working Group	
4. Review of pending capacity requests	
5. Issues related with the implementation of <a href="#">Resolution C-02-03</a> on purse-seine fleet capacity	CAP-14-05
6. Recommendations to the Commission	
7. Other business	
8. Adjournment	

The 14th meeting of the Permanent Working Group on fleet capacity was held in Veracruz , Mexico, on seven-8 June 2013. It was attended by representatives of the Members of the IATTC except Kiribati and Vanuatu, plus observers from Bolivia, Honduras, ISSF and World Wildlife Fund.

#### **1. Opening of the meeting**

the meeting was opened by the Chair of the Working Group, Mr. Luis Dobles, of Costa Rica. Mr. Arnulfo Franco, of Panama, was appointed rapporteur.

#### **2. Adoption of the agenda**

The provisional agenda was approved with the inclusion of the review of two proposals by Japan and the European Union for the management of capacity, and a review of the carrying capacity allocated to Peru.

El Salvador requested the inclusion in the agenda of an item to address the matter of the letter circulated by the European Union regarding the change in the IATTC Regional Vessel Register to reflect a capacity loan of 1,860 cubic meters (m<sup>3</sup>) by the European Union (Spain) for the Salvadoran-flag vessel *Montealegre*. The European Union requested that the matter be dealt with bilaterally, and this was agreed.

#### **3. Approval of the minutes of the 13<sup>th</sup> meeting of the Working Group**

The minutes were approved with the change requested by Colombia to specify that its request for 2,024 m<sup>3</sup> of capacity was made in order to regularize its fleet.

#### **4. Review of pending capacity requests**

##### **a) Cases based of the footnote in Resolution C-02-03**

Costa Rica requested 7,058 m<sup>3</sup>, on the basis of paragraph 10.1 of Resolution C-02-03, indicating that it was its right as a coastal country and because it had maintained strict compliance with IATTC measures.

Colombia requested 2,024 m<sup>3</sup> to regularize its fleet, indicating that it had been presenting this request, which was of an exceptional nature, for 11 years, and that the capacity being requested was already being taken into account in the Commission staff's stock assessments. The working group thanked Colombia, and recognized its efforts to manage its fisheries.

Peru requested that the 5,000 m<sup>3</sup> that it had been assigned by means of Resolution C-11-12 could be utilized not only for fishing in its Exclusive Economic Zone (EEZ) but also to fish in the high seas. It indicated that, as a coastal country, it had the right to develop its fleet and that it was not asking for an increase in its capacity, only that the current limitations for its utilization be removed.

Numerous delegations supported these three requests.

Various delegations indicated that they were sympathetic to the aspirations of developing countries of increasing the possibilities of enlarging their fleets, but that the matter should be seen in global terms, and take into consideration the status of the tuna resource and the consequences in terms of days of closure that granting these requests would involve.

The Director explained that the catches of yellowfin and bigeye are already at the level of maximum sustainable yield, and that further increases in fishing mortality are not advisable. Sr. Richard Deriso, Chief Scientist of the IATTC staff, indicated that every 1,000 m<sup>3</sup> increase in capacity meant an additional day of closure, and every 5,000 m<sup>3</sup> about a week. Japan indicated that it sympathized with the requests, but that granting them would have a negative effect on the longline fishery.

#### **b) Capacity disputes or claims.**

The Director reported that no requests for forming an *ad hoc* group for resolving disputes had been received, and that there is already an international institution that can assist in this process.

Ecuador requested the addition to the IATTC Regional Vessel Register Pacific of the vessel *Sajambre*, arguing that it had been inadvertently omitted from the list of vessels supplied by Ecuador when Resolution C-02-03 was adopted in 2002. If various delegations supported this request. Also, the cases of the vessels *Roberto M*, *Victoria A*, and *María del Mar* should be reviewed, and asked that the vessel *Doña Roge* also be added.

Venezuela reminded the group that it maintained its request for 5,473 m<sup>3</sup>, and Guatemala reiterated its demand for the return of 3,762 m<sup>3</sup> (Appendix 2).

#### **c) Requests for additional capacity**

Korea reiterated its interest of its purse-seine vessels in entering the fishery in the Eastern Pacific Ocean, but stated that it would present a request only if the status of the tuna stocks allowed it.

Nicaragua repeated its request for 5,000 m<sup>3</sup> for the addition of three vessels to the Regional Register, and El Salvador indicated that it maintained its request for 1,861 m<sup>3</sup> in order to add a new vessel.

### **5. Issues related to the implementation of C-02-03 on purse-seine fleet capacity**

#### **A) Implementation of Resolution C-02-03**

The Director presented Document CAP-14-04, indicating that it was an update of the document presented at previous meetings, which describes the situation regarding the utilization of capacity and the procedures that are applied to implement the resolution.

Various delegations commented on the importance of addressing overcapacity and a roadmap to follow and proposed that a special meeting of the working group be held for this purpose. Colombia offered to host the meeting.

The Director indicated that any change that might be adopted regarding the procedures for implementing Resolution C-02-03 should be clearly specified, in order to avoid any questions regarding the application

of such changes by the Director and the Commission staff.

**B) Proposal by the European Union on the management of fleet capacity (IATTC-85 PROP H-1)**

The European Union presented this proposal, whose main objective is that each CPC limit, in 2014 and subsequent years, the number of its fishing vessels of 24 or more meters length overall to the number of its active fishing vessels recorded in the Regional Register as of 31 December 2012.

Various delegations expressed concern that this proposal, noting that they would not be able to renounce their inactive capacity, that the capacity of the fleet is already frozen under Resolution C-02-03, and also taking into account that some claims for capacity are already being granted.

In view of the lack of consensus, the European Union stated that it would review the proposal.

**C) Proposal by Japan on the management of fleet capacity (IATTC-85 PROP H-2)**

Japan explained its proposal, noting that it would gradually reduce the total active capacity of the purse-seine fleet to 158,000 m<sup>3</sup>, while taking due account of the development of purse-seine fisheries by coastal CPCs, and that this target could be changed in accordance with the advice of the Scientific Advisory Committee and the IATTC scientific staff. Under this proposal, the reduction in capacity would be achieved by means of an automatic reduction when currently active vessels were replaced.

The proposal did not achieve consensus, and Japan requested that it be submitted to the IATTC plenary for consideration.

**6. Recommendations to the Commission**

1. Maintain issues related to capacity for later consideration by the working group, and evaluate the possibility of using the mechanism of an *ad hoc* group for resolving disputes in cases of differences or disputes.
2. Consider the cases of: (a) the pending capacity requests by Costa Rica and Colombia involving the application of the footnote to paragraph 10 of Resolution C-02-03; (b) the request by Peru to be allowed to use throughout the EPO the 5,000 m<sup>3</sup> of capacity that was allocated to it for use in its EEZ; and (c) capacity disputes and requests for additional capacity (new requests).
3. That the review of matters related to issues of capacity, requests made under the footnote to Resolution C-02-03, requests for additional capacity or other related cases, should be considered holistically in the context of the status of the tuna stocks and the implementation of conservation measures, within the framework of an ecosystem approach.
4. Consider the proposals for the management of fishing capacity by the European Union (85-H1) and Japan (85-H2), which did not achieve consensus within the working group.
5. Establish a working group or a meeting process to agree upon, in accordance with the decision of the Commission in 2005, a viable proposal on the management of overcapacity looking at impacts on the management of stocks.
6. Making expressly clear that the request by Colombia for the allocation of 2,024 m<sup>3</sup> of additional capacity was supported by many delegations and opposed by none, consider this request.
7. Review the case of the Ecuadorian vessel *Sajambre*, with a view to including it in the Regional Register, in order to correct its omission from the Register in 2002.
8. Consider the pending requests for capacity presented by Nicaragua and El Salvador, the capacity disputes of Guatemala and Venezuela, and the requests by Ecuador regarding the capacity of the vessels *Roberto M*, *Victoria A*, *María del Mar*, as well as the *Doña Roge*.
9. Take note of Korea's interest in the entry of its flag vessels to the purse-seine fishery in the EPO, and

of Korea's commitment to not request their entry before the status of the stocks allows it.

#### **7. Other business**

No other matters were discussed.

#### **8. Adjournment**

The meeting was adjourned at 7 p.m. on 8 June 2013.

#### **Appendix 5a. Colombia: statement on capacity**

### **STATEMENT BY COLOMBIA**

The Republic of Colombia thanks the Parties for their recognition of the actions of the Colombian government to adapt its institutional arrangements and its legal framework to the IATTC's management and conservation measures.

Likewise, it thanks all the countries that, on the basis of this recognition, have supported the requests by Colombia in the removal of the vessel *Marta Lucía R*, from the IUU list, as well as the approval of 2,024 m<sup>3</sup> to the Colombian State, within its historical request, recorded in the footnote to Resolution C-02-03.

Pursuant to the above, the IATTC Secretariat is kindly asked to include the vessels *Marta Lucía R* and *Dominador I* in the Regional Vessel Register, since the Colombian state has sufficient carrying capacity to regularize its fleet. Also, it requests that official notes be sent to the other RFMOs, so that the vessel *Marta Lucía R* be removed from their IUU lists.

We request that this statement be included in the minutes.

#### **Appendix 5b. Peru: statement on capacity**

### **STATEMENT BY PERU**

This Statement, issued on 12 June 2013, is distributed at the request of the Delegation of Peru, asking that it be included verbatim in the Minutes of this 85th Meeting of the Inter-American Tropical Tuna Commission (IATTC).

Aware of the importance of the IATTC as a regional management organization for the fishery for tunas and tuna-like species in the Eastern Pacific Ocean (EPO), to maintain the abundance of its stocks at suitable levels, in order to guarantee their maximum sustainable yield, is that Peru decided to become a full Member of the Commission in 2002, in addition to its status as Party of the Agreement on the International Dolphin Conservation Program (AIDCP)

In the course of recent years, Peru has maintained its firm conviction and desire to develop the tuna fishery in the EPO by means of the creation of its own tuna fleet, a situation which motivated its participation in meetings convened by the IATTC. Currently Peru is carrying out important actions for the utilization of the allocation conferred on it by means of Resolution C-11-12 adopted in July 2011. Resolution C-02-03

on the "*Capacity of the Tuna Fleet operating in the Eastern Pacific Ocean (revised)*" regulated, among other matters, attempts to add purse-seine vessels to the IATTC Register after 28 June 2002, indicating clearly that Peru maintains its long-term request for up to 14,046 m<sup>3</sup>, allocated to preserve its expectant right to consolidate the national tuna fleet; having demonstrated, in good faith, a marked flexibility in order not to impede the consensus necessary for the adoption of the above-mentioned Resolution.

Through this Statement, Peru requests a modification of the geographical range of operation of its tuna vessels, *i.e.*, that they be allowed to carry out extractive activities in all the EPO. The following summarizes the principal grounds that justify and support this request, which is totally legitimate in accordance with International Law, considering, in particular, Peru's rights as a coastal State, as well as a Member of the IATTC and Party to the AIDCP.

Peru, in the framework of its food security policy aimed at reducing the high indices of poverty and malnourishment of a significant part of the population, has been promoting the development of its national productive capacity. To this end, it has designed and initiated the execution of a national strategy which involves the optimal utilization of marine resources, among them tunas, for the supply of food to the population, on the basis of ensuring compliance with the commitments adopted within the IATTC and AIDCP.

Peru has been and is respectful of the agreements adopted by this Organization, having complied fully with all the conservation, management and other measures related to the tuna fishery. While obtaining the 5000 m<sup>3</sup> of carrying capacity is a valuable step forward for Peru, that measure limited it to utilizing the tuna resource in its jurisdictional waters only, a restriction which is notably unjust given the situation of the other Members of the IATTC, which carry out tuna-harvesting activities in all the EPO; more so if its status as a developing coastal State needing to achieve food security, guaranteeing the consumption of hydro-biological products for the economically less favored population, is taken into account.

In summary, Peru understands and shares the intention and prudent scope of the application of measures that limit fleet capacity at the level of the EPO; however, they cannot alter, much less modify, the sovereign rights of coastal States to the development of the tuna industry for the benefit of feeding its population, whose development depends mainly on creating a specialized national tuna fleet. In the case of Peru, this involves the national tuna fleet fishing outside jurisdictional waters during the periods in which the resource is less available, given the characteristics of the highly migratory behavior of tunas, which is influenced mainly by environmental variability.

It is also pertinent to highlight the actions initiated by Peru within its national development plan for tuna fisheries:

- Modifying the Regulations for the Management of Tuna Fisheries, in force since 2003, in order to promote the tuna industry for direct human consumption, which currently has a capacity sufficient to process these resources;
- Concluding the development of the National Plan of Action on Sharks, which is in the process of internal consultations, prior to its approval and implementation; and,
- 75% progress in the National Plan of Action on Sea Turtles, having finished a diagnosis of the current status of these species.

It should be noted that the carrying capacity allocated to Peru by Resolution C-11-12 is currently open to bids.

Finally, Peru reiterates that, as is stated in Resolution C-02-03, it reserves its right to a carrying capacity of 14,046 m<sup>3</sup>, having been allocated part of that capacity to date. The utilization of that capacity will be subject to compliance with the conservation and management members adopted in the framework of the IATTC and the AIDCP, as well as the principles, guidelines and criteria for responsible fishing at the international level.

**Appendix 5c.** Bolivia: statement on capacity

**STATEMENT BY BOLIVIA**

The delegation of the Plurinational State of Bolivia, ratifies that the capacity corresponding to it in accordance with the minutes of Manzanillo in 2002, is for a capacity of 5,830 cubic meters for Bolivia.

The Delegation of Bolivia declares expressly for the pertinent ends, **that there is no documentation where my country grants a loan or transfers totally or partially its carrying capacity to another country.**

**Appendix 5d.** Statement on capacity by Costa Rica, El Salvador, Guatemala, Nicaragua and Peru

**STATEMENT BY COSTA RICA, EL SALVADOR,  
GUATEMALA, NICARAGUA AND PERU**

On the occasion of the 85<sup>th</sup> Meeting of the Inter-American Tropical Tuna Commission (IATTC) the delegations of Costa Rica, El Salvador, Guatemala, Nicaragua and Peru wish to present and distribute this statement so that it may be addressed during the following ordinary or extraordinary meeting of the Commission:

It is necessary to reiterate the urgency that the Commission currently has to attend to the solutions to the unfortunate situations regarding capacity, specifically the old cases of capacity and modification of the geographical range. This is based on the image that the Commission's decisions are reflecting not only for its Members, but also for the International Community in general, distorting the equitable manner in which all the Members should be treated and even more worrying recognizing different mechanisms to those that are used in accordance with International Law above all to those developing coastal Countries.

The Members of the Commission are urged to analyze and resolve all cases of capacity and modification of its geographical range in a just and equitable manner giving priority to the oldest and most special cases. It is worth highlighting that, throughout the historical requests, various countries have respected all IATTC conservation and management measures without undermining compliance by having exercised their sovereign rights.

Finally, it should be taken into consideration that there are many countries that have recently initiated the development of their high-seas fisheries and the problems of capacity limit their right to participate in the progress in these fisheries. Consequently, it is urgent that the oldest and most special cases be resolved within the Commission.

As indicated in Resolution C-02-03, paragraph 13, nothing in this resolution shall be interpreted in such a way as to limit the rights and obligations of any participant to manage and develop the tuna fisheries under its jurisdiction or in which it has a significant and prolonged interest.

## **IATTC's Secretariat Organizational assessment**

### **General objectives**

An organizational assessment is a process to reflect and look at the various areas of the organization in regards to what is working and what could be improved. An assessment helps to create an objective view of an organization's current reality in regards to its funding streams, work flow processes, organizational structure, outcomes measurement, in order to maximize efficiency and effectiveness in achieving the organization's mission.

The objective of the Secretariat's assessment would be to evaluate whether financial and human resources, including the scientific staff, are properly managed, whether appropriate operating structures and management processes are in place, whether the financial management and overall performance of the Secretariat is effective and efficient, whether it would be feasible to achieve the same objectives with less resources and make recommendations, where necessary, to further improve the functioning of the Secretariat.

The assessment will look into the following specific areas:

#### **1. Human resources planning, managing and development**

- Existence of agreed HR strategy, policies and procedures, (e.g. recruitment/discipline/leave/class of travel etc.), management practices;
- Relationship between tasks and objectives and human resources planning;
- Appropriate identification of competencies/qualifications for each post, personnel policy, guidelines and manuals, ability to forecast and identify needs in terms of human resources, ratio permanent/seasonal staff;
- Staffing procedures, approach to staffing, job descriptions, selection of candidates, open and merit based recruitment procedures;
- Job descriptions appropriateness, managerial and professional accountability;
- Regular reviews of progress against objectives; annual objective setting and appraisal for all staff.

#### **2. Operating structure, decision making, planning and communication**

- Annual management planning, planning procedures;
- Secretariat's goals and tasks, efficiency of the structure, coordination between departments, organizational sense of the structure, centralization and decentralization, procedures, roles and responsibilities, problem solving, subcontracting of activities, use of new technologies;
- Decision making processes;
- Adequate top-down and bottom-up communication flows, vehicles of internal communication, circulation of information in the Secretariat;
- External relations (web content, interaction with other RFMOs, interaction with academic institutions, etc)

#### **3. Financial planning, accountability and monitoring:**

- Adequate and regular budgetary planning, timely budget plans, adequate forecasts;
- Adequate financial and procurement procedures, audit control on revenues and expenditures, overseeing of financial matters;
- Adequate bookkeeping, regular reports to allow for control of revenues and expenses;

#### **4. Effectiveness and efficiency**

- Extent to which the objectives are achieved as established in the Antigua Convention and Resolutions and other Commission's decisions;
- Relationship between the available human, financial and technical resources and the objectives of Secretariat as established in the Antigua Convention, Resolutions and other Commission decisions;
- Cost efficiency.