

INTER-AMERICAN TROPICAL TUNA COMMISSION
COMMITTEE FOR THE REVIEW OF IMPLEMENTATION OF
MEASURES ADOPTED BY THE COMMISSION

5TH MEETING

Lima, Peru
9-10 July 2014

REPORT OF THE MEETING

AGENDA

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APPENDIX

1. List of attendees

The fifth meeting of the Committee for the Review of Implementation of Measures Adopted by the Commission was held in Lima, Peru, on 9-10 July 2014. The attendees are listed in Appendix 1.

1. Opening of the meeting

The meeting was opened by the Chair of the Committee, Mr. David Hogan, of the United States. Ms. Celia Barroso, of the United States, was appointed rapporteur.

2. Adoption of the agenda

The provisional agenda was adopted without changes.

3. Compliance with IATTC measures in 2013

a) Report by the staff on compliance

The Secretariat presented the document COR-05-03a, which contains detailed information on compliance with IATTC resolutions in 2013, noting that during the year the generally downward trend in possible infractions continued, and that responses had been received to all the possible infractions reported by the Secretariat. The need to submit the questionnaires completed by Members and Cooperating Non-Members (CPCs) within the deadlines established by C-11-07 was stressed, in order to have enough time to review and circulate them.

Mexico expressed its concern about the fact that the United States had not reported the increase in the effort for North Pacific albacore tuna in excess of the limits established in Resolution C-05-02, resulting from US vessels that previously fished for salmon now fishing for tuna. The United States responded that although effort had increased, it had returned to normal levels in 2013, but did welcome any suggestions from the Committee for a better implementation of the Resolution; additionally, all vessels fishing for albacore are licensed by the United States and added to the Regional Vessel Register.

Referring to the submission of information on North Pacific albacore, Canada noted the need to establish a mechanism with a summary of responses that will make it possible to determine what information is submitted and what is missing. Also, he noted that there should be a mechanism for monitoring cases of non-compliance. Additionally, multiple delegations indicated it would be helpful to define the base line of “current level” of effort in Resolution C-05-02.

Regarding tuna discards, the IATTC staff presented a graph depicting the quantities of fish in the majority of discards, as recommended at the Review Committee meeting last year. The majority of discards consisted of 0.0-0.5 t and 0.5-1.0 t of tuna. Many delegations noted the need to establish a threshold or minimum amount of tuna that may be discarded before it is considered an infraction.

The European Union commented that information on sharks is limited, and that it is worrying that there are few reports from CPCs on compliance with Resolution C-05-03. She asked that actions be taken to stimulate such compliance. Furthermore, the EU noted that the type of information contained in the reports (*e.g.*, as required under Resolutions C-05-03 and C-11-02), if submitted, was not detailed in the summary provided by the staff. It is possible that the reports were incomplete. The EU suggested that follow-up to compliance issues be required, and that the Secretariat initiate such a follow-up. It was recommended that the Committee and CPCs use the procedures outlined in Resolution C-11-07 to conduct follow-ups on compliance.

Regarding reports from observers on longliners, the European Union acknowledged that it had not sent them, and furthermore that it had not been able to ensure the 5% coverage required by Resolution C-11-08, adding that many Members had this same problem. She recalled that there was a recommendation to further increase coverage, but it should be borne in mind that there are problems in covering the 5%. Japan noted that it had achieved the 5% coverage, but that it would be difficult to increase that percentage due to the financial consequences of the increase. Mexico also expressed its concern that certain vessels could be unilaterally accused of being IUU on the sole basis of the identification of possible infractions committed without waiting for or taking into account the Committee’s decisions in this regard.

Nicaragua noted that it would be important to ensure that developing CPCs are able to count on appropriate support regarding training with the aim of improving compliance with the conservation and management measures adopted by the Commission. The United States recalled that there was a draft resolution on this matter, which would have its support. Overall, delegations expressed interest in assistance for CPCs to be able to comply with resolutions, especially as regards observer programs. The Chairman suggested that CPCs that are having difficulties in complying with adopted resolutions explain these difficulties to the Committee.

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

Each CPC, except Cook Islands, which was not present at the meeting, made a brief presentation on its responses to the questionnaire and mainly on the possible cases of non-compliance recorded in 2013.

4. Consideration of the provisional IUU Vessel List

The European Union noted that the Secretariat should include in the draft IUU list all vessels identified by a CPC as presumed to be involved in IUU fishing activities in the Convention Area, regardless of the possible response of other CPCs, since in the final analysis it is the Review Committee that determines whether a vessel should be identified as IUU or not.

The Chairman explained that this year the Secretariat had decided to not enter into conflict with the different positions assumed by CPCs regarding the inclusion of vessels on the draft IUU list, and that avoiding any possibility of conflict should be attempted in the future, by clarifying the rules established in Resolution C-05-07.

The Committee reviewed the three following cases nominated for the provisional IUU vessel list:

a) Vessel *Xin Shi Ji 16* (Fiji)

France recalled that this vessel had fished in the Convention Area without being on the Regional Vessel Register. Noting that the Government of Fiji had been duly informed, the Committee decided to recommend to the Commission that the *Xin Shi Ji 16* be included in the IUU List.

b) Vessels that fished for bluefin in 2012

The European Union noted that Resolution C-12-09 establishes not only biannual limits but also annual limits on the catch of bluefin tuna, and the latter were exceeded. Mexico questioned this interpretation, noting that only the biannual catch limit is obligatory, and that it was respected: the excess catch in the first year was subtracted from the remaining limit for the following year.

Moreover, the Chair recalled that the request to for inclusion in the provisional IUU list did not identify specific vessels, but rather asked the Director to identify them, which was not in accordance with the procedure established in Resolution C-05-07. Mexico added that, if accepted, this would constitute a very dangerous precedent.

The Chair noted that in these circumstances it was a matter of compliance by the CPCs involved, and not of IUU fishing.

The Committee agreed that this was not a case of IUU fishing.

c) Vessel *Carmela* (Venezuela)

The European Union stated that it had already received explanations from Venezuela regarding the case and that it recognized that confusion had arisen as a result of the objection submitted regarding the request for exemption due to *force majeure* not being circulated immediately, which had led to the vessel being authorized to fish by the competent authorities in spite of that objection.

The Committee agreed that this was not a case of IUU fishing, and emphasized that objections should be circulated immediately in their original language to the CPC involved in order to avoid repetitions of this type of situation.

Finally, the Chair reported that no requests had been received to remove vessels from the current IUU list.

5. Cooperating non-Members

The Committee, after considering the respective requests, recommended that the Commission renew the Cooperating Non-Member status for Bolivia, Indonesia, and Honduras, and grant it to Liberia.

The Committee also noted that it was necessary to remind Cooperating Non-Members of the importance of participating effectively at meetings of the IATTC and its subsidiary bodies, more so in the case of countries requesting that status for the first time. The need to observe the deadlines established in Resolution C-07-02 regarding the submission of requests was also emphasized.

It was noted that Cook Islands did not send its renewal request, nor was it present at the meeting.

6. Other business

The European Union asked whether those countries that fish in the Convention Area had been invited to become Members or Cooperating Non-Members of the Commission. The Director said that they had, and that furthermore all those countries with a right to be Parties to the Antigua Convention of Antigua had

been invited to ratify it or adhere to it.

7. Recommendations for the Commission

The Committee made the following recommendations to the Commission:

- a) Recognize the need to ensure the strengthening of capacities, including the aspects of implementation and compliance.
- b) Add to the IATTC IUU vessel list the Fijian-flag vessel *Xin Shi Ji 16*.
- c) Renew the Cooperating Non-Member status of Honduras, Indonesia, and Bolivia , and grant it to Liberia.
- d) Review Resolution C-05-02 on North Pacific albacore, in particular with regard to a clearer and more accurate definition of "current level" of fishing effort.
- e) Objections to requests for *force majeure* exemptions should be sent directly to the requesting CPC as well as to the Secretariat, and the Secretariat should circulate any objections it receives immediately, in their original language, with the translation to follow, as appropriate.
- f) Establish, if appropriate, a minimum threshold for considering tuna discards an infraction, and maybe a general review of the rules concerning discards so they are clear to CPCs.
- g) Reiterate the importance of strengthening overall compliance with Resolution C-11-08, considering that only five reports under that Resolution have been received.
- h) Prepare a history of cases of repeated non-compliance, or where an action is pending and follow-up is necessary, so we can have long-term overview of compliance.

8. Adjournment

The meeting was adjourned on 16 July 2014 at 9:55 a.m., during the annual meeting of the IATTC.