

INTER-AMERICAN TROPICAL TUNA COMMISSION
PERMANENT WORKING GROUP ON COMPLIANCE

MINUTES OF THE 2ND MEETING

San Salvador (El Salvador)

June 16, 2001

AGENDA

1. Opening of the meeting
2. Adoption of the agenda
3. Review of relevant Commission Resolutions
4. National reports on possible violations during 2000
5. Review of possible violations during 2000 reported by the Secretariat:
 - a) Resolution on fish aggregating devices – tender vessels
 - b) Resolution on bigeye tuna: sets on floating objects during September 15 – December 15
 - c) Resolution on yellowfin tuna: December 1 closure of the CYRA
 - d) Resolution on bycatch:
 - i) full retention
 - ii) release of live bycatch
6. Regional register of vessels
7. Fishing by non-Parties
8. Vessel monitoring systems
9. At-sea reporting
10. Other business
11. Adjournment

DOCUMENTS

- COM-2-00 Background paper
- COM-2-08 A satellite-based vessel monitoring system (VMS) for IATTC Parties

APPENDICES

1. List of attendees

The 2nd Meeting of the IATTC Permanent Working Group on Compliance was held in San Salvador (El Salvador) on June 16, 2001. The attendees are listed in Appendix 1.

1. Opening of the meeting

The Chair of the Working Group, Lic. Mara Murillo of Mexico, opened the meeting.

2. Adoption of the agenda

The provisional agenda was approved as presented.

3. Review of relevant Commission Resolutions

The staff presented a brief review of the four IATTC Resolutions which were in effect during 2000 and which can be analyzed in terms of compliance: yellowfin tuna (June 2000), bigeye tuna (June 2000), by-catch (June 2000), and fish-aggregating devices (July 1999).

4. National reports on possible violations during 2000

This agenda item presented the governments with the opportunity to report on actions taken to investigate and sanction, if appropriate, violations of Commission Resolutions, in particular with respect to possible violations reported from the national observer programs. Mexico and Venezuela indicated that they were in the process of examining the records from their national observer programs and that they would report in due course on any possible violations. Other governments indicated they were in the process of investigating the possible violations notified to them earlier in the year by the staff.

5. Review of possible violations during 2000 reported by the staff

a) Resolution on fish aggregating devices – tender vessels

There were two elements of this resolution which were considered in terms of compliance: the prohibition of transshipment of tuna at sea by purse-seine vessels fishing for tuna in the EPO, and the prohibition on the use of tender vessels operating in support of vessels fishing on FADs in the EPO.

The staff reported that it had received no reports of transshipments at sea, and that the three tender vessels that were operating in the EPO previously had all departed. The last sighting of a tender vessel in the EPO by IATTC observers was on June 17, 2000.

b) Resolution on bigeye tuna

The main element of the analysis of compliance with this resolution was a review of trips with sets on floating objects made from September 15 through December 15, 2000, the period during which all sets on floating objects were prohibited.

The staff reported that it had identified 18 Class-6 vessels from 6 countries which made a total of 28 sets on floating objects during the closed period, and 26 smaller vessels from 5 countries which made 60 sets during this period. The information for Class-6 vessels is derived from IATTC observer reports, and the information for the smaller vessels from logbook records. All relevant information regarding these apparent violations has been sent to the appropriate governments for investigation and appropriate action.

The staff noted that it had received information from the Venezuelan national program indicating one possible violation by a Class-6 vessel, and had no information on possible violations from the other national observer programs.

The Working Group discussed whether to recommend a change in the definition of a set on a floating object, and decided not to do so at this time.

c) Resolution on yellowfin tuna

The compliance element of the yellowfin resolution analyzed by the Working Group was trips with sets on yellowfin tuna and with landings of more than 15% yellowfin made inside the CYRA between December 1 and December 31. The staff reported that it had identified 36 such trips by Class-6 vessels from 9 countries, and 12 such trips by smaller vessels from 5 countries. The information for Class-6 vessels is derived from IATTC observer reports, and the information for the smaller vessels from logbook or landings data. All relevant information regarding these apparent violations has been sent to the appropriate governments for investigation and appropriate action.

The staff reported that it had no information on possible violations from the national observer programs.

Several delegations and one environmental NGO observer expressed concern over the fact that the 2000 yellowfin closure had not been implemented by one of the major fishing fleets in the region.

d) Resolution on bycatch

i) Full retention requirement

This resolution calls for the implementation of a one-year pilot 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, in order to provide a disincentive to the capture of these small fish. Another exception is the final set of a trip, when there may be insufficient well space remaining to accommodate all the tuna caught in that set.

The staff was asked to develop appropriate terms of reference for the development and implementation of the pilot program, to include, *inter alia*, a definition of the exact time during a set at which full retention would then be required, and a definition of fish unfit for human consumption.

The staff reported on its November 2000 proposal regarding the implementation of the program, which had been accepted by the governments. The staff further reported that, at this stage, only preliminary information on the implementation of the full retention program is available, and it reported on the information it had received regarding tuna discards and the documentation associated with these discards.

Some delegations expressed an interest in seeing more precise information, such as the species composition of the discarded tunas and information on what happens to all of the landed fish.

The staff noted that the resolution calls for the Commission to evaluate the results of the program and to determine whether it should be continued or whether other management measures should be considered. The Working Group discussed this and decided to recommend to the Commission that the pilot program be continued for one additional year.

ii) Release of live bycatch

The other element of the bycatch resolution examined by the Working Group with respect to compliance was the requirement for fishermen to release unharmed, to the extent practicable, all sea turtles, sharks, billfishes, rays, mahi-mahi, and other non-target species, with specific requirements for the release of encircled or entangled sea turtles.

The staff reviewed the sea turtle release procedures, and reported on the information available with respect to encircled sea turtles, based on Sea Turtle Records completed by observers in 2000 after the resolution had been adopted (July 1 – December 31). The most relevant information for compliance purposes is that there were 383 sets recorded in which sea turtles were encircled, and that in 42 sets the requirement to stop net roll to release the turtle was not followed.

The staff also reported on the entanglement of sea turtles in net webbing hung under FADs. The Working Group decided to recommend that the Commission request the Director to explore ways to reduce the en-

tanglement of sea turtles in webbing attached to FADs.

Following further discussion, the Working Group agreed to recommend that the Commission adopt a new bycatch resolution drawing upon the 2000 resolution.

6. Regional register of vessels

The staff reported that the Regional Vessel Register, a record of vessels that have been authorized to fish in the Convention Area for species under the purview of the Commission, had been compiled. The staff stated its intention to circulate the Register to Parties every quarter, and to make it publicly available on demand.

One delegation asked for clarification whether the Register was supposed to include all types of fishing vessels, not only purse seiners. Dr. Allen confirmed that this was the case, and stated that the process of expanding the register to include all types of fishing vessels had begun.

The staff noted that a corollary to the Register is a list of vessels not authorized to fish, or which may be fishing contrary to national laws or regional conservation and management measures, and noted that the Working Group may wish to consider recommending the formal establishment of such a list of unauthorized vessels. Several delegations spoke in favor of pursuing this idea.

7. Fishing by non-Parties

The staff presented the section of Document COM-2-00 on this subject, describing the background, from both a regional and global perspective, of fishing by vessels of states which are not Parties to the IATTC Convention or to the AIDCP, and noting some possible options with respect to how to proceed. The staff also noted that the general nature of this issue and the principles associated with it were very similar for both the IATTC and the AIDCP, and that the question has been discussed in both fora.

After discussing the issue, the delegations decided that the best course of action to pursue at this time would be for the Commission to develop a procedure to identify vessels of non-cooperating non-Party States. A draft resolution to accomplish this was approved by the Working Group for recommendation to the Commission.

Several delegations stressed the importance of the criteria for deciding whether a non-Party is cooperating and whether vessels fishing under its jurisdiction should be listed as non-cooperating pursuant to the procedures established in the resolution. It was recognized by the Working Group that this was an evolving issue for the Commission and that, given its complexity, it was important to proceed carefully and to systematically review fishing by non-Parties in the region.

The Working Group also decided to recommend to the Commission the establishment of an IATTC-AIDCP Joint Working Group on Fishing by Non-Parties, so that the issue could be addressed in a coherent and efficient manner by all the governments involved. The Working Group drafted a resolution for recommendation to the Commission, which noted that the Commission and the Meeting of the Parties to the AIDCP should seek agreement on the terms of reference for this Joint Working Group.

8. Vessel monitoring systems

At its 66th meeting in June 2000 the Commission endorsed a proposal from the Working Group for the staff to investigate the potential of vessel monitoring systems (VMS) to assist in the monitoring of fishing fleets and present its analysis to the Commission for consideration. The staff prepared a paper (COM-2-08) for the Commission, as requested, which offered an overview of how the satellite system works, describes systems currently in use or soon to be implemented, with emphasis on those being implemented by States and regional fisheries organizations with active interests in the Pacific Ocean, and discusses issues regarding implementation of such a system for the Commission.

This issue was thoroughly discussed by the Working Group. Several countries reported on the development of national programs applicable to their fishing fleets. While most delegations recognized the potential value of VMS in the monitoring of fleets and the implementation of management programs, there was a general consensus that, at this stage, the establishment of VMS requirements should proceed on a voluntary basis at the national level. The Working Group did not believe it was urgent that the Commission move to establish a centralized, mandatory VMS, mainly because all large purse-seine vessels operating the eastern Pacific are required to carry on-board observers.

It was agreed that the Commission should keep this issue under review and consider it again at some point in future. It was also agreed that Commission staff should collaborate with interested countries which do have national VMS in the transmission of test messages, for the purpose of exploring the feasibility of a more centralized system, should the Commission decide to proceed in that direction in future.

9. At-sea reporting

The staff introduced this agenda item by noting that the issue of at-sea reporting has been discussed in some detail by the Parties to the AIDCP for purposes of monitoring the mortality of dolphins by stock on a weekly basis, but has not really been addressed by the IATTC members in terms of the Commission's fisheries conservation and management regime. At-sea reporting, by whatever means, could be of assistance in the implementation of measures relating to catch quotas. Currently the staff uses a combination of observer reports and estimates and extrapolations of catch to determine the amount of fish at sea which has been caught at a particular time. It would assist the staff in this process if a strict requirement to report weekly catches by species were adopted, with appropriate penalties applied by the Parties against their flag vessels which did not comply, and such an approach would no doubt be of assistance to the AIDCP Parties in the implementation of that Agreement's requirements regarding dolphin mortalities.

The Working Group was favorably disposed towards taking steps to improve reporting of fisheries-related information that is part of the Commission's conservation and management program, and agreed to recommend that the Commission adopt a Resolution requesting all purse-seine vessels which carry an on-board observer to allow the observer to make a weekly report to the Secretariat of relevant information, and to encourage fishing companies to cooperate by providing to the Secretariat this same information with respect to fishing vessels which do not carry on-board observers.

10. Other business

Japan requested permission from the Chair to distribute a brochure regarding a new Japanese organization, the Organization for Promotion of Responsible Tuna Fisheries (OPRT; www.oprt.or.jp), which was established to combat IUU fishing. The brochure was subsequently distributed and the Japanese delegation briefly explained the purposes of the organization.

Japan also noted that it favored enhanced diplomatic actions to deal with non-Party fishing.

The United States requested that the agenda of the next meeting of the Working Group include an item relating to follow-up actions by governments on possible infractions which have been referred for investigation and sanction, if appropriate.

11. Adjournment

The meeting adjourned on June 18.

Appendix 1.

**COMISION INTERAMERICANA DEL ATUN TROPICAL
INTER-AMERICAN TROPICAL TUNA COMMISSION**

**GRUPO DE TRABAJO SOBRE CUMPLIMIENTO
WORKING GROUP ON COMPLIANCE**

2ª REUNION – 2ND MEETING

**16 de junio de 2001 – June 16, 2001
San Salvador, El Salvador**

ASISTENTES - ATTENDEES

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