

JOINT WORKING GROUP ON FISHING BY NON-PARTIES

4TH MEETING

LANZAROTE (SPAIN)
16 JUNE 2005

MINUTES OF THE MEETING

AGENDA

	<u>Documents</u>
1. Opening of the meeting	
2. Adoption of the agenda	
3. Adoption of the minutes of the 3 rd meeting	
4. Approval of corrected Spanish text of Terms of Reference	JWG-04-03
5. Compliance by non-parties	JWG-04-04
6. List of vessels identified as engaged in IUU fishing	JWG-04-06
7. Cooperating non-parties or fishing entities:	
a. Determinations of status for 2006	JWG-04-05a
b. Clarification of annual procedure	JWG-04-05b
8. Extension of Resolution C-04-04 on the IATTC IUU Vessel List to CPCs and vessels over 24 m length overall	
9. Implementation of Resolution C-03-01 on the IATTC bigeye statistical document program	
10. Recommendations for the IATTC and the Meeting of the Parties	
11. Other business	
12. Adjournment	

APPENDICES

1.	List of attendees
2.	JWG-4-INFa: Information paper on problematic fishing activities by Chinese Taipei's tuna fishing vessels
3.	JWG-4-INFb: Chinese Taipei explanatory note to Japan's information paper
4.	Recommended IATTC IUU Vessel List

1. Opening of the meeting

The meeting was opened by the Chairman, Mr. Roberto Cesari, of the European Union (EU). The attendees are listed in Appendix 1.

2. Adoption of the agenda

It was agreed to add an item to adopt the minutes of the previous meeting of the Working Group, and reverse the order of items 5 and 6 of the provisional agenda. The provisional agenda was adopted with these changes.

Documents JWG-4-INF A and INF B (Appendices 2 and 3) were introduced by Japan and Chinese Taipei, respectively, for discussion under item 4.

3. Adoption of the minutes of the 3rd meeting

The minutes of the 3rd meeting of the Working Group were adopted as presented.

4. Approval of corrected Spanish text of terms of reference

The corrections set out in Document JWG-04-03 were approved.

5. Compliance by non-parties

Dr. Allen introduced Document JWG-04-04. As there are no non-parties with purse-seine vessels in the EPO, there was no identification of co-operating or non-cooperating non-parties for the AIDCP.

Regarding longline vessels, the meeting recognized that the limits for bigeye catches established in Resolution C-04-09 had not been exceeded. Japan questioned the level of 2001 longline catches provided by Belize. Belize said that most of these catches are unloaded in Costa Rica, and agreed with the Chair's proposal that it should be possible to check these catches with Costa Rica.

Belize also stated that its vessels were licensed to fish and fished in a regulated manner and had provided copies of its pertinent regulations. Japan noted that, while Belize had the tools for managing its fleet, there was a question about their effectiveness, since the owners, operators and beneficiary owners were foreigners.

Pursuant to Resolution C-04-02, defining the criteria to be used in the consideration of the status of Co-operating Non-Party, the IATTC Parties reviewed compliance by IATTC non-parties with measures adopted by the Commission for 2004.

This review revealed that vessels of Bolivia and Colombia had not complied with the Resolution C-04-09 on tuna conservation, and Colombia has also not complied with Resolution C-02-03 on fleet capacity by having a purse-seine vessel fishing in the EPO that was not on the IATTC Regional Vessel Register.

Colombia argued that it was a non-Party to the IATTC and could not be involved in the adoption of C-04-09, and that the closure it had implemented was scientifically equivalent to the IATTC closure. It also claimed that the socioeconomic effects of the IATTC closure would be serious for Colombia. Colombia also stated that it was in the process of becoming a member of the IATTC, and that when it did, it would implement all IATTC decisions.

Several Parties noted that, under existing international standards, Colombia had a clear obligation to cooperate with the IATTC, and its status as a non-Party did not exempt it from complying with IATTC resolutions, which Colombia itself had admitted that it had not done.

Colombia reported that it was checking with its capital regarding the one longline vessel that was reported not to have provided the data required by Resolution C-03-05.

Regarding the provision of catch data, Bolivia, Chile, Colombia, Georgia, and Indonesia have not provided the required information for 2003, which is the requirement of Resolution C-03-05, and Belize has provided data for 2001 and 2004.

Japan provided an extensive report on laundering of IUU catches by large-scale tuna longline vessels. Chinese Taipei expressed its concern regarding this issue, and said that it had dealt with the specific vessels identified in the Japanese report.

6. List of vessels identified as engaged in IUU fishing

Panama pointed out that it was a member of the IATTC, and that therefore the Panamanian-flag vessel on the provisional IUU list should not be there. The meeting agreed.

Ecuador noted that two vessels on the provisional IUU list, *Don Álvaro* and *Don Luis*, were in the process of changing flag to Ecuador from Bolivia, and asked that they not be included on the list. The meeting agreed.

Colombia pointed out that the procedure established in Resolution C-04-04 had not been followed, and that therefore none of its vessels should be included in the IUU list. The Director noted that, while Colombia had not been sent the draft IUU list by the deadline, the Colombian government had pointed out the omission and responded to the draft list. The Secretariat had taken account of these comments in the preparation of the provisional list, which was sent within the required deadline.

The Working Group agreed that, in the future, the provisional IUU list considered by the Joint Working Group should be the draft IUU list plus any comments received by the deadline.

The IATTC members of the Working Group considered two options regarding the IUU vessel list to be forwarded to the IATTC: either the draft list plus comments received plus the provisional list, or just the draft list. The Working Group decided to forward the draft list, with the removal of the Panamanian and Ecuadorean vessels.

7. Cooperating non-parties or fishing entities

7.a. Determinations of status for 2006

The following non-parties were identified by the Working Group as Co-operating Non-Parties or Fishing Entities (CPCs): Canada, China, the European Union, Honduras, Korea and Chinese Taipei.

The Working Group asked the Director to send a letter to Chinese Taipei requesting it to rectify the situation of laundering of catches and improve control of small longline vessels, overcapacity, and the fishery directed towards sharks, and report the actions it takes at the 2006 meeting of the Commission. If the Commission is not satisfied, Chinese Taipei could lose its Cooperating Status.

Regarding Bolivia, the US noted that if the position of Colombia on the date of the flag change of the five vessels whose date of flag change is disputed was accepted, Bolivia would not have been in contravention of Resolution C-04-09. However, the Joint Working Group also noted that Bolivia did not provide catch data for its longline vessels.

7.b. Clarification of annual procedure

Regarding the issue of applying for Cooperating Status described in Document JWG-04-05b, the Working Group decided that non-parties should apply for such status each year.

8. Extension of Resolution C-04-04 on the IATTC IUU Vessel List to CPCs and vessels over 24 m length overall

Dr. Allen explained that paragraph 11 of Resolution C-04-04 calls upon the Parties to decide whether to extend the resolution to CPCs and to vessels of less than 24 meters. The Working Group agreed that the resolution should be amended to include CPCs and vessels of a size to be determined by the Commission, and the Secretariat would provide a breakdown of vessels by size.

9. Implementation of Resolution C-03-01 on the IATTC bigeye statistical document program

Dr. Allen summarized the implementation of the resolution. Several countries had provided validated examples of statistical reports. Japan and Korea had provided the six-monthly reports on imports, and the

Working Group stressed the importance of obtaining the required report from exporting countries, none of which had yet been provided.

Japan stressed the importance of the implementation of the Statistical Document Program by importing CPCs to exclude IUU-caught tunas from CPC markets. The Working Group asked the Director to send a letter to those CPCs that imported tuna and had not introduced the Program, urging them to implement the program immediately.

10. Recommendations for the IATTC and the Meeting of the Parties

The Working Group recommended that the Commission endorse the identification of Canada, China, the European Union, Honduras, Korea and Chinese Taipei as Co-operating Non Parties or Fishing Entities (CPCs).

The Working Group forwarded the recommended IUU list (Appendix 4) to the Commission for consideration and adoption.

The Working Group recommended that *Resolution C-04-04* be amended to include CPCs and vessels of a size to be determined by the Commission.

11. Other business

No other business was discussed.

12. Adjournment

The meeting was adjourned on 16 June 2005.

Appendix 1.

**INTER-AMERICAN TROPICAL TUNA
COMMISSION
COMISIÓN INTERAMERICANA DEL
ATÚN TROPICAL**

**INTERNATIONAL DOLPHIN
CONSERVATION PROGRAM
PROGRAMA INTERNACIONAL PARA LA
CONSERVACIÓN DE LOS DELFINES**

**JOINT WORKING GROUP ON FISHING BY NON-PARTIES
GRUPO DE TRABAJO CONJUNTO SOBRE LA PESCA POR NO PARTES**

4TH MEETING - 4^a REUNIÓN

**June 16, 2005 – 16 de junio de 2005
Lanzarote, Spain**

ASISTENTES - ATTENDEES

COLOMBIA

HAROLD EDER
Embajada de Colombia en Washington
ARMANDO HERNÁNDEZ
Programa Nacional de Observadores

DIEGO CANELOS
LUIS PAREDES
Seatech International, Inc

COSTA RICA

ASDRÚBAL VÁSQUEZ
INCOPECA

ECUADOR

LUIS TORRES NAVARRETE
Ministerio de Comercio Exterior,
Industrialización, Pesca y Competitividad

RAFAEL TRUJILLO
Cámara Nacional de Pesquería
RAMÓN MONTAÑO
ATUNEC

EL SALVADOR

SONIA SALAVERRIA
Ministerio de Agricultura y Ganadería

MANUEL CALVO
Grupo Calvo

ESPAÑA – SPAIN

CARLOS ALDEREGUÍA
Secretaría General de Pesca Marítima
JAVIER ARÍZ TELLERÍA
Instituto Español de Oceanografía

JULIO MORÓN
OPAGAC
JUAN MONTEAGUDO
ANABAC

JAPON – JAPAN

KATSUMA HANAFUSA
YOSHITSUGU SHIKADA
TAKASE MIWAKO
SAYAKO SATO
Fisheries Agency of Japan
NAOZUMI MIYABE
National Research Institute of Far Seas Fisheries

HISAO MASUKO
PETER MIYAKE
Federation of Japan Tuna Fisheries Co-operative
Association
KINO CHIHIRO
All Japan Purse Seine Fisheries Association

MEXICO

RICARDO BELMONTES
MARIO AGUILAR
CONAPESCA
GUILLERMO COMPEÁN
MICHEL DREYFUS
Instituto Nacional de la Pesca

LUIS FUEYO
SEMARNAT/PROFEPA
JOSÉ VELÁZQUEZ
Atunera México S.A.

PANAMA

DAVID SILVA
Autoridad Marítima de Panamá

ARNULFO FRANCO
Asociación de Atuneros Panameños

UNITED STATES OF AMERICA - ESTADOS UNIDOS DE AMERICA

DAVID HOGAN
JAMES STORY
U.S. Department of State

PAUL KRAMPE
American Tunaboat Association

PAT DONLEY
JUDSON FEDER
WILLIAM FOX
JESSICA KONDEL
STEPHEN REILLY
JEREMY RUSIN
MICHELLE ZETWO
National Marine Fisheries Service

UNION EUROPEA - EUROPEAN UNION

ROBERTO CESARI
ALAN GRAY
Directorate General of Fisheries

VENEZUELA

OSWALDO VARGAS
Instituto Nacional de la Pesca y Acuicultura

ALVIN DELGADO
Programa Nacional de Observadores de Venezuela

OBSERVERS - OBSERVADORES

BELIZE – BELICE

ANGELO MOUZOUROPOULOS
International Merchant Marine Registry

CHINESE TAIPEI - TAIPEI CHINO

HONG-YEN HUANG
HSIANG-WEN HUANG
Fisheries Agency Council of Agriculture
LI FANG HUANG
Ministry of Foreign Affairs

CHEN-CHUN YEN
Overseas Fisheries Development Council
SHIH CHIEH HO
CHANG WAN-LING
Taiwan Tuna Association

KOREA - COREA

KYU JIN SEOK
Ministry of Maritime Affairs and Fisheries

JEONG RACK KOH
National Fisheries Research and Development Institute

ORGANIZACIONES NO GUBERNAMENTALES--NON-GOVERNMENTAL ORGANIZATIONS

KELLY MALSCH
Defenders of Wildlife

PERSONAL - STAFF

ROBIN ALLEN, Director
ERNESTO ALTAMIRANO
ALEJANDRA FERREIRA
MÓNICA GALVÁN

BRIAN HALLMAN
NORA ROA-WADE
NICHOLAS WEBB

DOCUMENT JWG-4-INF A

INFORMATION PAPER ON PROBLEMATIC FISHING ACTIVITIES BY CHINESE TAIPEI'S TUNA FISHING VESSELS

Submitted by the delegation of Japan

1. INTRODUCTION

Falsification and illegal activities by owners and/or operators of Chinese Taipei's fishing vessels have caused serious concerns to arise in all tuna related RFMOs. Major issues raised at other RFMOs by Chinese Taipei are:

ICCAT: Fish laundering activities and consecutive over harvest of Atlantic bigeye tuna. ICCAT identified Chinese Taipei according to its Trade Measure Recommendation;

WCPFC: Increase in number of purse seine vessels and online vessels contrary to adopted resolutions; and

IOTC: Fish laundering activities, shark fining by direct shark fishing, non reported catch by small longliners and increase in fishing effort contrary to adopted resolutions. IOTC reserved its rights to take sanction measure at its next annual meeting.

2. DETECTED LAUNDERING ACTIVITIES

On July 6, 2004, the Japan Coast Guard arrested a freezer cargo vessel named "Lung Yuin" (2,000 GRT, Panama flag, operated by a Chinese Taipei's company) for violation of the reporting requirements to the Japanese authority when the vessel stayed in Shimizu, landing frozen tunas. As a result of the investigation on this cargo vessel, it turned out that all the 28 Large Scale Tuna Longline Fishing Vessels (LSTLVs) involved submitted to the Japanese authority false information on fishing areas (e.g. eastern Pacific --> western central Pacific), vessels names (e.g. IUU LSTLVs --> Chinese Taipei's licensed LSTLVs, or LSTLV not authorized to fish for bigeye tuna --> those authorized) and/or transshipment positions and dates (e.g. at-sea --> in-ports). Two logbooks (true and false) and other evidences collected onboard the cargo vessel disclosed an organized operation that produced all the false information under the instruction from owners of the involved LSTLVs and operator of the cargo vessel. More problematically, the concerned parties informed FAJ on this case that this sort of organized laundering activity is not limited to this case but widely conducted not only in the Pacific but also in the Atlantic and Indian Oceans. This well agrees with the results of the following study.

On September 30, 2004, the Fisheries Agency of Japan (FAJ) conducted full inspection on-board another freezer cargo vessel named "Suruga No.1" (2,596 GRT, Panama flag, operated by a Japanese company). The inspection also disclosed similar organized laundering activities.

Some examples of such laundering activities disclosed by inspections are shown in Fig.1. Among them, four examples were detected directly related to the eastern Pacific Ocean (EPO) area. In those cases, the vessels used authorized vessel names and/or the western central Pacific Ocean (WCPO) as area of catch to disguise their actual catches in EPO. Those laundering activities revealed that the Chinese Taipei's vessels had close relationship with the IUU vessels and were deeply involved the IUU fishing activities.

Fig.1 Examples of laundering activities

< Actual >					< Reported >			
Vesselname	Flag	Area	Transshipment		Vesselname	Flag	Area	Transshipment
HUANG SHIN	CHINESE TAIPEI	EPO	26	⇒	HUANG SHIN	CHINESE TAIPEI	WCPO	26
CHUN YING 212	VANUATU	WCPO	96	⇒	CHUN YING 212	VANUATU	WCPO	50
CHUN YING 777	VANUATU	WCPO	50	⇒	CHUN FU YUH	CHINESE TAIPEI	WCPO	141
CHIN FU YUH	CHINESE TAIPEI	WCPO	45					
FONG KUO 3	VANUATU	EPO	60	⇒	FONG KUO 3	VANUATU	WCPO	10
					FONG KUO 136	CHINESE TAIPEI	WCPO	50
BHASKARA 9	IUU	EPO	75	⇒	LUNG SOON 666	CHINESE TAIPEI	WCPO	75
LUNG SOON 888	CHINESE TAIPEI	EPO	29	⇒	LUNG SOON 888	CHINESE TAIPEI	WCPO, EPO	96
BHASKARA 10	IUU	EPO	67					
YUH YEOU 6	CHINESE TAIPEI	AT	35	⇒	SHN YEOU 6	CHINESE TAIPEI	WCPO	82
YUH YEOU 236	CHINESE TAIPEI	AT	46					
SHANG JEN 168	CHINESE TAIPEI	AT	70	⇒	DA YANG 18	CHINA	WCPO	91
YING JEN 636	CHINESE TAIPEI	AT	70	⇒	DA YANG 11	CHINA	WCPO	100
OCEAN DIAMOND	IUU	AT	50					
RYH SING 66	CHINESE TAIPEI	WCPO	9	⇒	RYH SING 66	TAIWAN	WCPO	30
BHINEKA	IUU	WCPO	19					
CHANG LI 1	CHINESE TAIPEI	WCPO	20	⇒	CHANG LI 1	TAIWAN	WCPO	45
CHANG JAAN 1	VANUATU	WCPO	24					
XIN SHI JI 31	CHINA	WCPO	28	⇒	XIN SHIJI 31	CHINA	WCPO	50
TAI YUAN YU 008	CHINA	WCPO	22					
WAN FENG	PNG	N	85	⇒	MIRA 888	VANUATU	WCPO	85

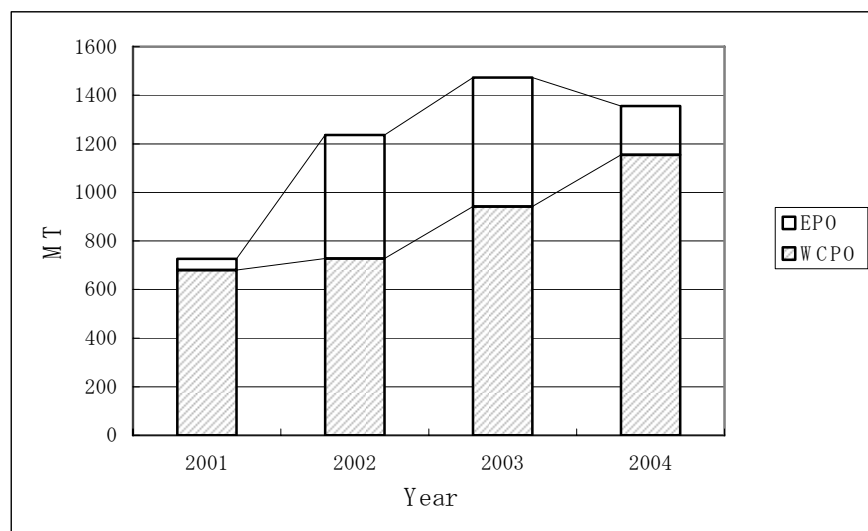
[other problematic vessels]

JIN SHUENN FA 107 (Chinese Taipei flag) has operated in the Atlantic in cooperation with IUU vessel MADURA 2 and MADURA 3.

3. IMPORT OF PACIFIC BIGEYE FROM OLD LSTLVs

Another peculiar thing FAJ found is an increasing bigeye catch of old Chinese Taipei's LSTLVs built before 1985 (Fig. 2). Some of those old LSTLVs suddenly exported large amount of bigeye, despite there was no or little import record of those vessels before (Attachment). Freezing capacity of those old vessels was deteriorated by aging and is not suitable for the production of sashimi-quality tunas. Many of those vessels have small capacity of quick freezing room for producing sashimi-quality bigeye tuna. They usually target albacore for canning purpose and land catches at other port than Japanese. Since their albacore catches never appear in the Japanese import record, old LSTLVs are used as tools for tuna laundering activities, i.e. bigeye catch in the EPO can be imported easily under old LSTLVs' names as their catch in the WCPO. Japanese investigation revealed that the three IUU vessels out of four in Fig. 1 used old LSTLVs for their laundering activities.

Fig. 2 Japanese import of Pacific bigeye from Chinese Taipei's old LSTLVs built before 1985



4. IMPORT OF PACIFIC TUNAS CAUGHT BY CHINESE TAIPEI'S LSTLVs

FAJ studied recent import record of frozen bigeye tunas. Table 1 shows substantial discrepancy between Chinese Taipei's catch data and Japanese import record. Regarding the EPO, bigeye catch amounts reported by Chinese Taipei well exceed that of Japanese import record and the differences has been decreased. There is doubt about reliability of the catch data provided by Chinese Taipei.

Table 1. Comparison between Chinese Taipei's catch data and Japan's import data of bigeye tunas (longline fishery)

		Unit: MT			
		2001	2002	2003	2004
EPO	Reported catch	9,285	17,253	12,016	7,384
	Imported amount*	2,384	12,028	7,193	6,148
	Difference	6,901	5,225	4,823	1,236

*: import of frozen bigeye tuna (round weight)

5. FISHING ACTIVITIES BY VESSELS LESS THAN 24 M AND FOC VESSELS

Japan submitted information at the 2003 IATTC meeting on Chinese Taipei's longline vessels less than 24 m that were fishing for tuna and shark species in the EPO. The Commission requested Chinese Taipei to investigate and report back the real situation. However, the Chinese Taipei has not provided a detailed report on their catch data and situation of the fishing activities in the EPO.

According to Ref. 0159-410 and JWG-4-06, during 2004, the IATTC Secretariat circulated the information on 8 Chinese Taipei's vessels departed ports in the EPO and included those vessels in the provisional IUU list. However, the Secretariat deleted 5 vessels from the list after the Chinese Taipei claimed those vessels are less than 24 m although the Chinese Taipei authority never submitted their catch data required by the relevant resolution on data submission. Usually one tuna longline vessels catch 200mt of tuna one year. Reasonably 1000mt tuna a year are estimated to be caught by 5 longline vessels. Further more, Japan received information that more than one hundred vessels less than 24m of Chinese Taipei are fishing for tuna and sharks in the world.

Also 7 Georgian, 2 Cambodian and 5 unknown vessels are listed in the provisional IUU list and most of them are obviously owned by Chinese Taipei business entity. It suggests that 2800mt tuna might be caught in the EPO by those 14 vessels.

Tuna products have not been exported to Japan by neither the above Chinese Taipei small vessel nor FOC vessels. It is plausible that those products may be exported by laundered to the authorized vessels' products or exported to other countries which have not introduced the Statistical Document Program.

6. CONCLUSION

As a result of the investigation on the tuna freezer cargo vessels as well as information on import data and other relevant issues, it turned out that fish laundering activities such as falsification of catch data of name of vessel are conducted widely and systematically by owners of Chinese Taipei's tuna longline vessels in all oceans. At this stage, the scale of laundering activities in the EPO seems to be not so large as those in the Atlantic and Indian Ocean where huge amounts of bigeye (around 18,000MT) had disguised (see IOTC-2005-S9-05 [EN]). However, taking into account the fact that ICCAT took the decisive action against the laundering activities and that LSTLVs are highly mobile, holistic approaches undertaken in close cooperation among RFMOs are definitely necessary to terminate those activities.

The Commission should take a decisive action that have similar effect to the ICCAT decision (i.e. identification) and request Chinese Taipei to rectify the situation by 2006 Commission meeting. If the Commission is not satisfied by their action in 2006, their cooperative status should be revoked.

Japan is willing to cooperate with Chinese Taipei to work out effective measures such as strict monitoring and control of transshipment and timely exchange the information on Statistical Documents and landings.

Appendix 3.

DOCUMENT JWG-4-INF B

CHINESE TAIPEI EXPLANATORY NOTE TO JAPAN'S INFORMATION PAPER

Submitted by the Delegation of Chinese Taipei

SUMMARY

To comply with the conservation and management resolutions adopted by IATTC, Chinese Taipei has taken necessary management measures, including requirement of installation of VMS, monthly reporting of catch statistics, deployment of observers on board fishing vessels, set fishing quota of bigeye tuna, and establishment of regime for the issuing of statistical documents. Some implementation reports including catch data, VMS progress report and internal action report have been submitted to Secretariat in a timely manner.

As to the cases raised by Japan, Chinese Taipei already investigated and imposed punishment on those vessels as appropriate. It is noted that transport vessels have played a significant role of acting as an intermediate in the process of fish laundering. Therefore, intensification of the monitoring and control of transport vessels is a key element to prevent fish laundry.

In its Information Paper, Japan tries to use assumption without concrete evidence to accuse of Chinese Taipei not compliant with IATTC's resolutions. We consider this assumption is rather inappropriate. We have to solemnly state that Chinese Taipei has been in compliance with IATTC resolutions.

1. THE INVESTIGATION RESULTS OF THE "LUNG YUIN" AND "SURUGA NO. 1" CASES

To the cases of fish laundering by transport vessels, we are as much alarmed and regretful as others. Based on the information provided by Japan, our investigation shows that:

- Transshipment of catches on the high seas has been carried out commonly by all major distant fishing nations (including Japan, Korea and China), and presently IATTC and other RFMOs have not prohibited at sea transshipment. Though Japanese domestic regulations forbid at sea transshipment of catches, it seems that Japanese government has some understanding on the practical operation and accepts the existence of such practice.
- "Lung Yuin" and "Suruga No. 1" case:

Among the 12 vessels under Chinese Taipei flag in these two cases, 7 of them were found to have involved in fish laundry in the Pacific, 5 in the Atlantic Ocean. For showing our serious consideration on the issue of fish laundry as concerned internationally, they have been penalized with suspension of fishing license for a period of 3 months.

For the implementation of the execution, those vessels entered ports to carry out the penalty for the suspension of the fishing licenses respectively in January 2005. The punishment actually completed in April 2005.

It shows that the present cases are in fact individual cases, and they could be considered as cases not of generality in nature. Japan's description in the Information Paper is over exaggerating and unjustifiable.

2. EXPORT OF PACIFIC BIGEYE FROM OLD LSTLVs

As for the arguments whether old LSTLV is capable or has the freezing capacity to produce sashimi-grade tuna, similar debate was encountered in ICCAT, WCPFC, and IOTC meetings in the past months. We pointed out that the development of Chinese Taipei ultra low temperature tuna longline fishery could

be traced back to 1970, and in 1980 Chinese Taipei already had 72 ultra low temperature tuna longline vessels. This can be confirmed by the records in Tuna Yearbook of Japan. Furthermore, conventional longline fishing vessels are all equipped with blast freezing rooms, capable of bringing the temperature of the fish to -45°C . Therefore, it should not be considered as unreasonable. Among the 46 old vessels in Attachment 1 of Japan's Information Paper, only 9 of them have caught bigeye tuna over 40 t averages since 2001 to 2004.

From the information provided by Japan, we have making some checking against our statistical files from those 9 vessels, and picked up a vessel that VMS tracking record showed in Figure 1. During 2003, the vessel was operating between 5°N and 10°S in the Pacific. It can be interpreted that the vessel was targeting for tropical tunas, including bigeye tuna. The square box on the distribution chart of catches of bigeye tuna in the Pacific Ocean, provided by IATTC, as shown in Figure 2, can prove that the area of operation of this vessel could be abundant in bigeye.

Furthermore, old vessels could replace the facilities in order to maintain the frozen ability. For example, the vessel No. 1 in the said Attachment has replaced ultra frozen facilities in 2002 and fishing for bigeye tuna. We provided the detailed information to Japan, and Japan's government knew the situation very well.

In conclusion, we would like to emphasize that one cannot determine whether a vessel has the capacity of ultra low temperature freezing from the vessel's age, and it is the freezer on board that makes the difference.

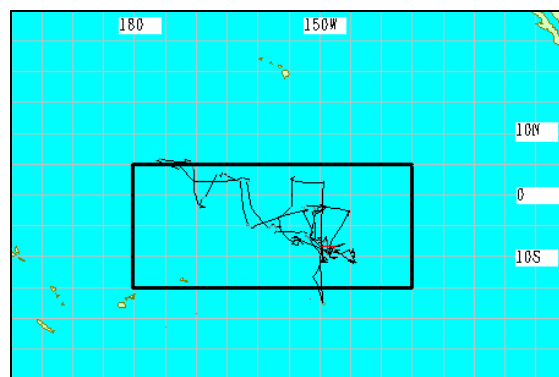


Figure 1. VMS tracking from 1 January to 31 December 2003 of No. 39 listed in the Attachment of Information Paper.

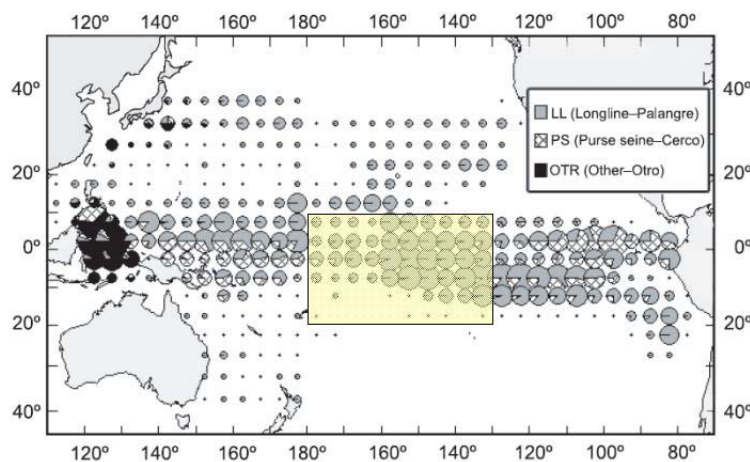


Figure 2. Distribution of catches of bigeye tuna in the Pacific Ocean, in metric tons, 1990-2000. The

sizes of the circles are proportional to the amounts of bigeye caught in those 5° by 5° areas.

Source: IATTC, 2004, Fishery Status Report - Tunas and billfishes in the Eastern Pacific Ocean in 2003.

3. EXPORT OF PACIFIC TUNAS CAUGHT BY CHINESE TAIPEI'S LSTLVS

The figures provided by the flag state should be regarded as the official ones. We don't know how Japan separated the catch data. In the IATTC 1st Meeting of Data Correspondents held in La Jolla from April 29 to 30 this year, our scientist submitted a report "Review of Taiwanese Data Collection and Processing System and Plans of Improvements for the Taiwanese Tuna Longline Fleet in the Pacific Ocean (Document DC-1-02f)" for discussion. That document explained our system in which the actual catch was estimated from five resources including Traders' sales record, verification of fishing vessels' sales settlement, certified weight reports of New Japan Surveyors and Sworn Measures Association, verification records by Taiwan Tuna Association", and statistical documents for regulated species (such as bigeye).

Our data collection and processing system were respected and recognized by all participants in the meeting despite of the need for further improvement in the future. We are willing to check the statistics with Japan, and see where really the discrepancy is. But Japan only has imported data. Therefore, we believe our reported catch data will be more accurate than the data summed up by Japan.

4. FISHING ACTIVITIES BY VESSELS LESS THAN 24 M AND FOC VESSELS

To respect IATTC's suggestion, we have presented our fishing activities by vessels less than 24 meters in the last Commission meeting and submitted a written report last year (Appendix 3.c., MINUTES OF THE 72ND MEETING, IATTC). We also included the catch data of those smaller vessels in our catch databank and submitted the tuna and tuna-like species catch to IATTC in a timely manner. As for the catch data of sharks, we also have not seen shark data provide by Japan or other parties, due to no specific data requirement by IATTC. If IATTC adopts the relevant resolutions, we will provide the informal data subject to the resolutions.

As for those 5 vessels less than 24 m once ever included in the provisional IUU list, we have requested those vessels to provide the catch data upon receiving the memorandum of Director Dr. Allen on February this year. The catch data were already included in our annual catch data. Besides, those vessels were mainly targeted on sharks. The shark catch was around 100 t each, with full-utilization but not fining. As for the tuna and tuna-like species catch of those vessels are less than 5 t each rather than 200 t estimated in Japan's information paper.

Regarding 7 Georgian, 2 Cambodian and 5 unknown vessels listed on provisional IUU list, we would like to cooperate with Japan and all parties concerned to track those vessels from where they came and where they are now, and jointly combat their IUU fishing activities.

As for the marketing of those IUU fishing vessels, there are some possibilities just like the different cases in "Suruga No.1" and "Lung Yuin". The catch might trade through some countries that did not fully implement the Statistical documents system. Or the cargo vessels and buyers assisted those vessels to involve in some fish laundry. Or they might use the name of Japan's vessels since they did not need statistical documents and with plenty of quota, which might be the easiest way. However, we would not jump to any conclusion since we have not any evidence. It is very unreasonable and rude to accuse of others without any foundation. We strongly suggest IATTC provides the final IUU list to other RFMOs, so all concerned parties could cooperate together to eliminate those IUU fishing activities. But we could never accept Japan's assumption to implicate that our nationals involved in those 14 vessels and illegally caught 2800 tuna catch.

5. CONCLUSION

We appreciate Japan taking its time in exploring the matter. However, it needs cooperation among all concerned parties to investigate and crack down any possible case of violation. We welcome any party to provide us with any evidence of violation of fisheries regulations. We will take appropriate measures to

penalize those illegal activities if the evidence is confirmed, just like the results of Suruga No.1 and Lung Yuin cases. However, it is not appropriate to make misrepresentation or over exaggeration for the purpose of attacking Chinese Taipei.

We recognized that the bigeye quota limit set in C-04-09 was very severe to our industries. In respect of the resolution, our Agency has taken every effort to comply with the resolution. Under our stringently monitoring on vessels, the catch of bigeye tuna was about 7384 t last year, far below our catch limit. In our views, Chinese Taipei has been totally in compliance with the C-04-09 and other related resolutions. We feel we should deserve to be respected.

Appendix 4.

RECOMMENDED LIST OF IUU VESSELS
LISTA RECOMENDADA DE BUQUES INN

22 JUN 2005

	Name-Nombre		
1.	<i>Chen Chieh No .61</i>	LL	BLZ
2.	<i>Chen Chieh No. 62</i>	LL	BLZ
3.	<i>Chi Hao No. 66</i>	LL	BLZ
4.	<i>Chin Jui Yng No. 11</i>	LL	BLZ
5.	<i>Conchita VI</i>	LL	BLZ
6.	<i>Conchita VIII</i>	LL	BLZ
7.	<i>Dragon VI</i>	LL	BLZ
8.	<i>Dragon XIII</i>	LL	BLZ
9.	<i>Dragon 16</i>	LL	BLZ
10.	<i>Dragon 18</i>	LL	BLZ
11.	<i>Dragon 28</i>	LL	BLZ
12.	<i>Hsin Chi Wang No. 8</i>	LL	BLZ
13.	<i>Hsin Tsan No. 2</i>	LL	BLZ
14.	<i>Jin Shyang Yih 666</i>	LL	BLZ
15.	<i>Long Yu Sheng</i>	LL	BLZ
16.	<i>Primero VI</i>	LL	BLZ
17.	<i>Primero VIII</i>	LL	BLZ
18.	<i>Reymar No. 1</i>	LL	BLZ
19.	<i>Reymar No. 2</i>	LL	BLZ
20.	<i>Sheng I Tsai 313</i>	LL	BLZ
21.	<i>Talamanca</i>	LL	BLZ
22.	<i>Tarzan III</i>	LL	BLZ
23.	<i>Tarzan VIII</i>	LL	BLZ
24.	<i>Tarzan XII</i>	LL	BLZ
25.	<i>Tarzan 18</i>	LL	BLZ
26.	<i>Tarzan 28</i>	LL	BLZ
27.	<i>Wan Jia Men No. 88</i>	LL	BLZ
28.	<i>Wang Jia Men 99</i>	LL	BLZ
29.	<i>Wen Teng No. 688</i>	LL	BLZ
30.	<i>Yu Long</i>	LL	BLZ
31.	<i>Yu Long No. 10</i>	LL	BLZ
32.	<i>Yu Long 125</i>	LL	BLZ

	Name-Nombre		
33.	<i>Yu Long No. 21</i>	LL	BLZ
34.	<i>Yu Long 26</i>	LL	BLZ
35.	<i>Yu Long 27</i>	LL	BLZ
36.	<i>Yu Long 33</i>	LL	BLZ
37.	<i>Yu Long 35</i>	LL	BLZ
38.	<i>Yu Long 37</i>	LL	BLZ
39.	<i>Yu Long No. 6</i>	LL	BLZ
40.	<i>Yu Long 66</i>	LL	BLZ
41.	<i>Yu Long 68</i>	LL	BLZ
42.	<i>Yu Long 70</i>	LL	BLZ
43.	<i>Yu Long 88</i>	LL	BLZ
44.	<i>Yuh Shan</i>	LL	BLZ
45.	<i>Zhou Yu 625</i>	TL	BLZ
46.	<i>Zhou Yu 632</i>	TL	BLZ
47.	<i>Zhou Yu 641</i>	TL	BLZ
48.	<i>Zhou Yu 642</i>	TL	BLZ
49.	<i>Amanda S</i>	PS	COL
50.	<i>American Eagle</i>	PS	COL
51.	<i>Cabo de Hornos</i>	PS	COL
52.	<i>El Rey</i>	PS	COL
53.	<i>Gold Coast</i>	PS	COL
54.	<i>Grenadier</i>	PS	COL
55.	<i>Sandra C</i>	PS	COL
56.	<i>Sea Gem</i>	PS	COL
57.	<i>El Dorado</i>	PS	COL
58.	<i>Marta Lucia R.</i>	PS	COL
59.	<i>Chen Chieh 1</i>	LL	GEO
60.	<i>Chen Chieh 11</i>	LL	GEO
61.	<i>Chen Chieh 12</i>	LL	GEO
62.	<i>Chen Chieh 2</i>	LL	GEO
63.	<i>Chen Chieh 22</i>	LL	GEO
64.	<i>Chen Chieh 31</i>	LL	GEO

	Name-Nombre		
65.	<i>Chen Chieh 32</i>	LL	GEO
66.	<i>Bhineka</i>	LL	UNK
67.	<i>Hiroyoshi 17</i>	LL	IDN
68.	<i>Jimmy Wijaya XXXV</i>	LL	IDN
69.	<i>Permata</i>	LL	IDN
70.	<i>Permata 1</i>	LL	IDN
71.	<i>Permata 102</i>	LL	IDN
72.	<i>Permata 138</i>	LL	IDN
73.	<i>Permata 2</i>	LL	IDN
74.	<i>Permata 6</i>	LL	IDN
75.	<i>Permata 8</i>	LL	IDN
76.	<i>Dragon III</i>	LL	KHM
77.	<i>Tarzan XVIII</i>	LL	KHM
78.	<i>Bhaskara No. 9</i>	LL	UNK
79.	<i>Bhaskara No. 10</i>	LL	UNK
80.	<i>Camelot</i>	LL	UNK
81.	<i>Jyi Lih 88</i>	LL	UNK
82.	<i>Ming Yu Sheng 8</i>	LL	UNK
83.	<i>Orca</i>	LL	UNK
84.	<i>Reymar 6</i>	LL	UNK
85.	<i>Ta Fu 1</i>	LL	UNK

BLZ	Belize—Belice
COL	Colombia
GEO	Georgia
IDN	Indonesia
KHM	Cambodia--Camboya
UNK	Unknown—Desconocido
PS	Purse seine-Red de cerco
LL	Longline—Palangre
TL	Troll—Curricán