

INTER-AMERICAN TROPICAL TUNA COMMISSION

PERMANENT WORKING GROUP ON COMPLIANCE

7<sup>TH</sup> MEETING

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COMPLIANCE WITH IATTC MEASURES IN 2005

The information presented in this document relates to some of the issues on the agenda of the 7<sup>th</sup> Meeting of the IATTC Permanent Working Group on Compliance, to be held in Busan, Korea, on June 22, 2006.

INDEX

|        |   |    |
|--------|---|----|
| 1.     | Relevant Commission resolutions .....   | 2  |
| 2.     | Review of possible violations during 2005 .....                                 | 3  |
| 2.1.   | Consolidated resolution on bycatch ( <a href="#">C-04-05</a> ) .....            | 3  |
| 2.1.1. | Release requirement .....   | 3  |
| 2.1.2. | Full-retention requirement .....  | 6  |
| 2.2.   | Resolution on fish-aggregating devices (FADs) ( <a href="#">C-99-07</a> ) ..... | 7  |
| 2.3.   | Resolution on at-sea reporting (C-03-04) .....                                  | 7  |
| 2.4.   | Resolution on the conservation of tuna ( <a href="#">C-04-09</a> ) .....        | 8  |
| 2.5.   | Resolution on northern albacore tuna ( <a href="#">C-05-02</a> ) .....          | 9  |
| 2.6.   | Resolution on fleet capacity (C-02-03) .....                                    | 9  |
| 2.7.   | Resolution on data provision (C-03-05) .....                                    | 9  |
| 2.8.   | Resolution on seabirds ( <a href="#">C-05-01</a> ) .....                        | 10 |
| 2.9.   | Resolution on sharks (C-05-03) .....  | 10 |
| 2.10.  | Resolution on trade measures (C-05-04) .....                                    | 10 |

All tonnages are in metric tons (t). The following abbreviations are used:

Countries and fishing entities:

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|     |                   |
|-----|-------------------|
| BLZ | Belize            |
| BOL | Bolivia           |
| CHN | China             |
| COL | Colombia          |
| CRI | Costa Rica        |
| ECU | Ecuador           |
| ESP | Spain             |
| EUR | European Union    |
| GTM | Guatemala         |
| HND | Honduras          |
| JPN | Japan             |
| KOR | Republic of Korea |
| MEX | Mexico            |
| NIC | Nicaragua         |
| SLV | El Salvador       |
| TWN | Chinese Taipei    |

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|     |                          |
|-----|--------------------------|
| USA | United States of America |
| VEN | Venezuela                |
| VUT | Vanuatu                  |

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Species:

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|     |   |
|-----|---|
| BET | Bigeye tuna ( <i>Thunnus obesus</i> )       |
| SKJ | Skipjack tuna ( <i>Katsuwonus pelamis</i> ) |
| YFT | Yellowfin tuna ( <i>Thunnus albacares</i> ) |

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Miscellaneous:

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|     |  |
|-----|--|
| CPC | IATTC Party, cooperating non-party, fishing entity or regional economic integration organization |
| FAD | Fish-aggregating device  |
| EPO | Eastern Pacific Ocean  |

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The data related to the purse-seine fisheries in this report cover all trips initiated in 2005 (2005 trips) covered by the IATTC observer program, and also includes data received from national observer programs. The total number of successful sets<sup>1</sup> in 2005 was 21,664, 18% higher than 2004 (18,379), but almost the same as 2003 (21,164, or 2% more). The number of 2005 trips is as follows:

|       | IATTC | National       | Total |
|-------|-------|----------------|-------|
| COL   | 24    | 18             | 42    |
| ECU   | 196   | 100            | 296   |
| ESP   | 18    | 0              | 18    |
| GTM   | 4     | 0              | 4     |
| HND   | 17    | 0              | 17    |
| MEX   | 104   | 104            | 208   |
| NIC   | 19    | 0              | 19    |
| PAN   | 92    | 5 <sup>2</sup> | 97    |
| SLV   | 17    | 0              | 17    |
| USA   | 4     | 0              | 4     |
| VEN   | 43    | 42             | 85    |
| VUT   | 11    | 0              | 11    |
| Total | 549   | 269            | 818   |

## 1. RELEVANT COMMISSION RESOLUTIONS

The IATTC resolutions which were in effect during 2005 and which can be analyzed in terms of compliance are:

|   | Adopted                             |
|---|-------------------------------------|
| <a href="#">C-04-05</a> <i>Consolidated resolution on bycatch</i>   | 72 <sup>nd</sup> Meeting, June 2004 |
| <a href="#">C-99-07</a> <i>Resolution on fish-aggregating devices</i>   | 64 <sup>th</sup> Meeting, July 1999 |
| <a href="#">C-04-09</a> <i>Resolution for a multi-annual program on the conservation of tuna in the EPO for 2004, 2005 and 2006</i> | 72 <sup>nd</sup> Meeting, June 2004 |
| <a href="#">C-03-04</a> <i>Resolution on at-sea reporting</i>   | 70 <sup>th</sup> Meeting, June 2003 |
| <a href="#">C-02-03</a> <i>Resolution on the capacity of the tuna fleet operating in the EPO</i>                                    | 69 <sup>th</sup> Meeting, June 2002 |
| <a href="#">C-03-05</a> <i>Resolution on data provision</i>   | 70 <sup>th</sup> Meeting, June 2003 |
| <a href="#">C-05-02</a> <i>Resolution on northern albacore tuna</i>   | 73 <sup>rd</sup> Meeting, June 2005 |
| <a href="#">C-05-01</a> <i>Resolution on the incidental mortality of seabirds</i>   | 73 <sup>rd</sup> Meeting, June 2005 |
| <a href="#">C-05-03</a> <i>Resolution on the conservation of sharks</i>   | 73 <sup>rd</sup> Meeting, June 2005 |
| <a href="#">C-05-04</a> <i>Resolution concerning the adoption of trade measures to promote compliance</i>                           | 73 <sup>rd</sup> Meeting, June 2005 |

The *Consolidated Resolution on Bycatch* calls for the full retention of all tuna caught by purse-seine vessels and a requirement to release unharmed, to the extent practicable, non-target species, with special requirements for releasing sea turtles.

The *Resolution on Fish-Aggregating Devices* continues the prohibition of transshipment of tuna at sea and of the use of tender vessels.

The *Resolution for a multi-annual program on the conservation of tuna in the EPO for 2004, 2005 and 2006* establishes a prohibition on any fishing by purse-seine vessels in of the EPO from either (1) 1

<sup>1</sup> For this report, a successful set is defined as a set in which at least one of the three species covered by the full retention requirement (yellowfin, skipjack and bigeye) is caught.

<sup>2</sup> Five trips were sampled by the Venezuelan national program before receipt by the staff of documentation of change of flag to Panama. The data collected on these five trips are grouped with the Venezuelan national program data.

August to 11 September; or (2) from 20 November to 31 December. It also limits longline catches of bigeye tuna by each CPC to its 2001 level.

The *Resolution on northern albacore tuna* establishes limits on the catch of albacore in the EPO.

The *Resolution on at-sea reporting* requires all purse-seine vessels which carry an on-board observer to transmit the observer's weekly report to the staff..

The *Resolution on the capacity of the tuna fleet operating in the EPO* establishes rules and procedures governing the entry, transfer and operation of purse-seine vessels in the tuna fisheries of the EPO.

The *Resolution on data provision* establishes the types and format of fisheries data to be provided to the Director by countries with vessels fishing for tunas in the EPO.

The *Resolution on the incidental mortality of seabirds* calls for the provision of information on the interactions of the fisheries with seabirds.

The *Resolution on the conservation of sharks* calls for restrictions on the finning of sharks and the provision of information on shark catches.

The *Resolution on trade measures* calls for, *inter alia*, the reporting of import and landing data for species covered by the IATTC Convention.

## **2. REVIEW OF POSSIBLE VIOLATIONS DURING 2005**

### **2.1. Consolidated resolution on bycatch (C-04-05)**

There are two compliance elements to be analyzed from this resolution, the requirements to release all bycatch and to retain all tuna caught.

#### **2.1.1. Release requirement**

The resolution calls for fishermen to release unharmed, to the extent practicable, all sea turtles, sharks, billfishes, rays, dorado, and other non-target species, with specific requirements for the release of encircled or entangled sea turtles.

##### **2.1.1.a Sea turtles**

With respect to sea turtles, the resolution requires that all sea turtles be released by fishermen on purse-seine vessels. More specifically, the resolution calls for the following:

1. Require fishermen on vessels targeting species covered by the Convention to promptly release unharmed, to the extent practicable, all sea turtles.
2. Require specific measures for encircled or entangled sea turtles, as follows:
  - i. Whenever a sea turtle is sighted in the net, all reasonable efforts should be made to rescue the turtle before it becomes entangled in the net, including, if necessary, the deployment of a speedboat.
  - ii. If a turtle is entangled in the net, net roll should stop as soon as the turtle comes out of the water and should not start again until the turtle has been disentangled and released.
  - iii. If a turtle is brought aboard the vessel, all appropriate efforts to assist in the recovery of the turtle should be made before returning it to the water.

During 2005 trips, 1,350 sets were made in which sea turtles were involved, an increase of 25% compared to the number reported in 2004 (1,078), but 12% less than the 1,510 sets reported for 2003 trips. The fate of the 1,965 turtles involved in these sets in 2005 is shown in Table 2.1<sup>3</sup>; a turtle is considered "involved" if it has any interaction with the purse-seine fishing gear, regardless of whether it was encircled in a set. .

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<sup>3</sup> Percentages may not sum to 100 due to rounding

|                             | No.   | %  |
|-----------------------------|-------|----|
| Released unharmed           | 1,703 | 87 |
| Escaped                     | 137   | 7  |
| Slightly injured            | 74    | 4  |
| Severely injured            | 18    | 1  |
| Left entangled              | 1     | 0  |
| Killed                      | 6     | 0  |
| Consumed – Treated as catch | 1     | 0  |
| Other/Unknown               | 25    | 1  |
| Total                       | 1,965 |    |

**TABLE 2.1.** Fate of sea turtles involved in purse-seine sets, 2005

Clearly, turtles that are consumed or treated as catch constitute a contravention of the resolution; in 2005 there was one such case (compared with one case in 2004 and two in 2003). In that particular instance, the observer reported that the turtle went into the well and there was no effort to release it. The staff has notified the government of the vessel involved.

The number of accidental mortalities of turtles involved in the fisheries was seven, compared to two in 2004 and five in 2003. These accidental mortalities are included in this report and in the tables. On all but one occasion, there were no compliance issues associated with the accidental mortality. In that case (the turtle ‘treated as catch’ in Table 2.1), the mortality was caused by the failure to assist the turtle when it was brought aboard the vessel.

Table 2.2 indicates the fate of four turtles that passed through the power block in four sets in 2005. In comparison, six turtles were reported in this category in 2004 and eight in 2003. The staff sent letters to the flag states involved for all four of these cases.

It should be noted that observers make an assessment of the condition of all turtles involved in sets, and specifically those passed through the power block, but do not have the time or specialized knowledge necessary to make a thorough examination.

|                   |          |
|-------------------|----------|
| Released unharmed | -        |
| Slightly injured  | -        |
| Severely injured  | 2        |
| Killed            | -        |
| Consumed          | -        |
| Other/Unknown     | 2        |
| <b>Total</b>      | <b>4</b> |

**TABLE 2.2.** Fate of sea turtles passed through power block, 2005

As indicated in Table 2.1, observers reported that, of the 1,965 turtles involved in purse-seine sets, 1,840 (94%) were released unharmed or escaped uninjured. Of the remaining 125 turtles, 92 (5%) suffered injuries, 18 severe and 74 slight, and 7 (<1%) died in the course of the set. In 2004 the corresponding numbers were 1,213 (93%), 77 (6%) and 2 (<1%), and in 2003, 1,421 (91%), 117 (8%) and 5 (<1%).

On eleven occasions (including the four referred to in Table 2.2) the requirement to stop net roll was not complied with, resulting in seven injuries, four severe and three slight.

Sea turtles can also become entangled in webbing discarded at sea or webbing hung under fish-aggregating devices (FADs). The fate of the 28 turtles that were found entangled alive in a FAD prior to the set (21 sets) is shown in Table 2.3.

|                            | No. | %  |
|----------------------------|-----|----|
| Released unharmed          | 10  | 36 |
| Released – slight injuries | 5   | 18 |
| Released – severe injuries | 2   | 7  |
| Left entangled alive       | 2   | 7  |
| Other/Unknown              | 9   | 32 |
| Total                      | 28  |    |

**TABLE 2.3.** Fate of sea turtles found entangled alive in webbing in FADs involved in sets, 2005

Not releasing a turtle that has become entangled in the FAD, while performing a set on this FAD, apparently is not a clear violation of the Resolution. The Parties may wish to consider amending the Resolution to clarify that this would be a violation.

Observers also record sightings of turtles entangled in netting associated with floating objects on which no set is made. The 170 turtles involved in the 134 sightings recorded in 2005 (excluding turtles recorded as previously dead) are broken down in Table 2.4 by the action taken by the crew after the sighting.

|                            | No.        | %  |
|----------------------------|------------|----|
| Released unharmed          | 100        | 59 |
| Released – slight injuries | 34         | 20 |
| Released – severe injuries | 19         | 11 |
| Left entangled alive       | 17         | 10 |
| Other/Unknown              | -          | -  |
| <b>Total</b>               | <b>170</b> |    |

**TABLE 2.4.** Fate of sea turtles sighted entangled in webbing (no set), 2005

Observers reported a total of 17 turtles left entangled in 134 sightings of FADs that were not set on, as compared to 26 turtles in 124 sightings in 2004 and 25 turtles in 183 sightings in 2003.

Table 2.4 does not include sightings of previously dead turtles entangled in floating objects reported by observers, because there are no compliance issues associated with this. Although it cannot be known for certain, it seems likely that these turtles die as a result of becoming entangled and, since FADs are not marked, it is possible that some of these were reported more than once by different observers. It is also possible that additional unobserved mortality of turtles occurs in floating objects.

In terms of compliance, the staff identified three different categories of violations of the sea turtle release requirements which occurred during 2005 trips:

1. Turtles retained on board the vessel or treated as catch;
2. Failure to stop net roll to release turtles;
3. Failure to release a turtle entangled in a FAD during a set.

Table 2.5 reflects the violations recorded by IATTC observers and reported to the pertinent national authorities.

| Turtle retained aboard | Failure to stop net roll | Failure to disentangle |
|------------------------|--------------------------|------------------------|
| 1                      | 11                       | 1                      |

**TABLE 2.5.** Violations involving sea turtles reported to national authorities, 2005

With respect to turtles entangled in FADs, the operative part of the resolution reads: “To encourage the release, when practicable, of sea turtles entangled in FADs.” It is thus not necessarily a violation of the resolution not to release an entangled turtle. However, in most cases it is practical to release entangled turtles; the vessel is usually stopped, checking the FAD or preparing to set when the observation is made, and it would be relatively easy to deploy a crew member on a suitable platform to release the turtle.

#### **2.1.1.b Sharks**

The IATTC observer program implemented the *Registro de Tiburones (Shark Record; RDT)* in 2004, to collect detailed data on the interactions of sharks with the tuna purse-seine fishery. The main difference between this form and the *Marine Fauna Record (MFR)*, used for other species, is that on the MFR the observer records only fishing mortality (animals killed by fishing operations), not any animals released alive. On the RDT, the observer records the ‘fate’ (released dead or alive, consumed) of any shark involved in a set on tunas; the data for 2005 are summarized in Table 2.6.

It should be noted that, as with turtles, the observer, with very limited time and experience, makes an

estimate of the condition of the shark. Thus, those animals reported alive and released may have injuries that are not obvious to the observer.

| <b>Sets: 2,770</b> |               |          |
|--------------------|---------------|----------|
| <b>Sharks</b>      | <b>No.</b>    | <b>%</b> |
| Released           | 1,060         | 4        |
| Discarded          | 17,581        | 67       |
| Retained           | 7,148         | 27       |
| Other              | 128           | <1       |
| Unknown            | 206           | 1        |
| <b>Total</b>       | <b>26,123</b> |          |

**TABLE 2.6.** Fate of sharks involved in purse-seine sets, 2005 (partial data)

The data indicate that the observers estimate that most sharks (24,568, or 94%) either arrive on deck dead or die soon after. They also suggest that, if the aim of the resolution is to avoid mortality of sharks, more efforts should be made to avoid capturing sharks, or at least to avoid bringing sharks onboard with the catch of tuna.

The 7,148 sharks retained may represent a violation of the Resolution C-04-05, which requires the release, to the extent practicable, of all sharks taken as bycatch.

### **2.1.2. Full-retention requirement**

Resolution C-04-05 calls for the implementation of programs 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 Commission adopted the full retention requirement in June 2000 for one year, to begin in 2001, and has been extending the requirement on an annual basis since that time. It is now due to expire on January 1, 2007.

#### **2.1.2.a. Data collected by observers**

In this report, the information provided to the Working Group in June 2005 is compared to the information collected by observers on trips that started in 2005.

Observers make an estimate of the tonnage of tuna, by species, discarded at sea, and code the reason for discarding it as follows:

| <b>Code</b> |                                    |
|-------------|------------------------------------|
| 1           | Unmarketable tuna size             |
| 2           | Unmarketable tuna condition        |
| 4           | All vessel wells are full          |
| 5           | No wells are ready to receive tuna |
| 6           | Other reason / Reason unknown      |

For this analysis, discards coded 2, 4 or 5 were considered to be covered by the exemptions specified in the resolution, so only discards coded 1 and 6 were considered to contravene the full retention requirement. All the data on discards presented in this report correspond only to discards with these two codes.

Tables 2.7 shows the number of successful sets in the EPO, the number of such sets with discards of tunas, and the estimated tonnage of tunas discarded, during 2003-2005.

|      | Successful sets | Sets with discards | Tonnage discarded |
|------|-----------------|--------------------|-------------------|
| 2003 | 21,164          | 2,583              | 17,199            |
| 2004 | 18,379          | 1,571              | 14,465            |
| 2005 | 21,664          | 1,578              | 13,802            |

**TABLE 2.7.** Number of successful sets, sets with discards (YFT, BET, SKJ) coded 1 or 6, and tonnage discarded, 2003-2005

There was almost no difference in the number of sets with illegal discards between 2004 and 2005. The tonnage discarded in these sets decreased slightly (4.8%).

### 2.1.2.b. Discards recorded by vessel personnel

The resolution, and the procedures approved by the Parties in November 2000, requires that if yellowfin, skipjack, or bigeye tuna is discarded because it is unfit for human consumption, the captain and the chief engineer document the reasons in writing. *Tuna Discard Records* (TDR) are made available to all captains for this purpose and the forms are collected at the end of each trip.

An analysis of the 2005 trips in which IATTC observers recorded discards for any reason of any of the three species covered by the resolution shows that, as in previous years, the captains are not complying with the requirement to document the reasons for discarding tuna. During 2005, only 16% of the sets with discards were documented by captains and, in 52% of the cases they did document, the reason they gave is not valid under the resolution, like *fish too small* or *no commercial value for size/species*.

Of the 2,175 sets recorded by captains on the TDRs during 2001-2005, 1,044 were correctly documented, while for the other 1,131, illegal reasons were cited; in total, therefore, only 7% of the sets with discards have been properly documented by the captains since the resolution was implemented.

|              | Sets with discards observed | Sets included on TDRs | %         | Sets on TDRs with illegal discards | %         |
|--------------|-----------------------------|-----------------------|-----------|------------------------------------|-----------|
| 2001         | 3,406                       | 369                   | 11        | 123                                | 33        |
| 2002         | 2,855                       | 453                   | 16        | 159                                | 35        |
| 2003         | 3,751                       | 631                   | 17        | 425                                | 67        |
| 2004         | 2,193                       | 309                   | 14        | 210                                | 68        |
| 2005         | 2,644                       | 412                   | 16        | 214                                | 52        |
| <b>Total</b> | <b>14,849</b>               | <b>2,175</b>          | <b>15</b> | <b>1,131</b>                       | <b>52</b> |

**TABLE 2.8.** Discards reported by observers and on TDRs, 2001-2005

## 2.2. Resolution on fish-aggregating devices (FADs) (C-99-07)

There are two elements of this resolution which need to be 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 has received no reports of transshipments at sea. The last definitive report to the staff of a tender vessel in the EPO was on June 17, 2000. However, the staff is aware of unsubstantiated, informal reports that there may be some tender vessels operating in the region.

## 2.3. Resolution on at-sea reporting (C-03-04)

At its 70<sup>th</sup> meeting, in June 2003, the Commission adopted a modification to the resolution adopted in June 2001 regarding reporting information of fishing activities while the vessel is at sea. The operative change in the new resolution is that the vessel personnel are responsible for transmitting the observer's weekly report of catches (and dolphin mortalities, if applicable) to the staff; previously, the vessel personnel had merely been requested to allow the observer to transmit the report. The intention of the change was to improve the low percentage of reports received (48% and 51% in 2001 and 2002,

respectively). During 2003, a marked increase in compliance was observed: during the second semester, when the new resolution was in effect, the reporting rate increased to 70%, and 73% in 2004. For 2005 trips, this rate increased to 89% (Table 2.9).

#### 2.4. Resolution on the conservation of tuna (C-04-09)

Resolution C-04-09 on a multi-annual program on the conservation of tuna in the EPO for 2004, 2005 and 2006 established a prohibition on any fishing by purse-seine vessels in the EPO from either (1) 1 August to 11 September; or (2) 20 November to 31 December.

In 2005, Colombia, Ecuador, El Salvador, Guatemala, Honduras, Panama, Peru, and Venezuela implemented the closure during August-September; Mexico, Nicaragua, Spain, United States, and Vanuatu implemented it during November-December.

Resolution C-04-09 also establishes catch limits for bigeye taken by longline for China, Chinese Taipei, Japan and Korea, and requires other CPCs to “take measures necessary to ensure their total annual longline catch of bigeye tuna in the EPO during 2004, 2005, and 2006 does not exceed their respective catch levels in 2001.”

The Resolution also requires that each CPC with longline vessels over 24 meters provide monthly reports of its catches of bigeye tuna. However, the report of the 6<sup>th</sup> meeting of the Working Group states the understanding of that meeting that the annual compliance report prepared by the staff should show compliance with this requirement only for those CPCs with annual catches above 200 tons. Table 2.10 includes only those CPCs, all of which, except the United States, provided all the required monthly reports.

| t   | Limit/2001 catch | 2005 catch |
|-----|------------------|------------|
| CHN | 2,639            | 2,105      |
| JPN | 34,076           | 15,738     |
| KOR | 12,576           | 11,580     |
| TWN | 7,953            | 6,900      |
| USA | 147              | 539        |
| VUT | 3,277            | 1,031      |

**TABLE 2.10.** Longline catches of bigeye from monthly reports

However, unless the Resolution is amended, the requirement remains that CPCs with longline vessels over 24 meters provide monthly catch reports. The countries with lesser catches but with vessels over 24 meters are Belize, Bolivia, Ecuador, France, Honduras, Mexico, Panama, Peru, Spain, and the United States, none of which provided any monthly reports. In addition, Colombia, Costa Rica, El Salvador, Guatemala, Nicaragua, Peru, and Venezuela have longline vessels that are either of unknown length or not over 24 meters; they are not required to make monthly reports (unless vessels of unknown size are longer than 24 meters), but are required to limit their catches to below the 2001 levels.

It should be noted that none of the countries not included in the table has directed fisheries for bigeye

|              | Program  | Weeks        | Reports      | %          |
|--------------|----------|--------------|--------------|------------|
| COL          | IATTC    | 284          | 192          | <b>68</b>  |
|              | National | 241          | 198          | <b>82</b>  |
| ECU          | IATTC    | 1,150        | 1,032        | <b>90</b>  |
|              | National | 618          | 485          | <b>78</b>  |
| EUR          | IATTC    | 141          | 141          | <b>100</b> |
| GTM          | IATTC    | 41           | 41           | <b>100</b> |
| HND          | IATTC    | 105          | 105          | <b>100</b> |
| MEX          | IATTC    | 717          | 681          | <b>95</b>  |
|              | National | 757          | 609          | <b>80</b>  |
| NIC          | IATTC    | 168          | 168          | <b>100</b> |
| PAN          | IATTC    | 706          | 689          | <b>98</b>  |
|              | National | 47           | 47           | <b>100</b> |
| SLV          | IATTC    | 121          | 116          | <b>96</b>  |
| USA          | IATTC    | 40           | 40           | <b>100</b> |
| VEN          | IATTC    | 406          | 378          | <b>93</b>  |
|              | National | 358          | 342          | <b>96</b>  |
| VUT          | IATTC    | 91           | 90           | <b>99</b>  |
| <b>Total</b> |          | <b>5,991</b> | <b>5,354</b> | <b>89</b>  |

**TABLE 2.9.** Percentages of at-sea reports received, 2005

tuna. Of these countries, only Belize, Honduras, and the United States reported their total 2005 catches of bigeye.

## **2.5. Resolution on northern albacore tuna (C-05-02)**

Resolution C-05-02 on northern albacore tuna calls upon all CPCs to take the necessary measures to ensure that the level of fishing effort by their vessels fishing for North Pacific albacore tuna is not increased. It also calls upon all CPCs to report all catches of North Pacific albacore, by gear type, to the IATTC every six months.

The resolution does not indicate which dates correspond to the six-month periods. On the assumption that the Resolution entered into force at the time of its adoption, in January 2006 the Director asked CPCs for catch information that covered the second half of 2005.

Canada, Chinese Taipei, Korea, and the United States have submitted such reports. Japan has not submitted its report as of 15 June 2006.

## **2.6. Resolution on fleet capacity (C-02-03)**

In June 2002, the Commission adopted a resolution on the capacity of the tuna purse-seine fleet operating in the EPO. The capacity management system established by the resolution does not include the concept of national capacity allocations or limits; instead, fleet capacity limitations are essentially determined by the Regional Vessel Register. Therefore, the key elements of the resolution address how vessels may be added to or removed from the Register. The participating governments have agreed to use the Register as the definitive list of purse-seine vessels authorized by the participants to fish for tunas in the EPO. According to the resolution, any purse-seine vessel fishing for tunas in the EPO that is not on the Register would be considered to be undermining IATTC management measures.

The resolution prohibits the entry of new vessels, defined as those not included on the Register, to the EPO purse-seine fleet, except to replace vessels removed from the Register. There are some limited and specific exceptions to this rule for five countries, and these are elaborated in the resolution. Thus, a country cannot add a purse-seine vessel to its fleet unless it is a replacement or the country is allowed an exception.

There are three purse-seine vessels which have been fishing in the EPO but are not on the Register: the *Marta Lucía R* (Colombia), which entered the fishery on February 22, 2004, and the *Athena F.* (Venezuela) and *Atlantis IV* (Nicaragua), both of which entered the fishery during 2006.

Another possible violation of the resolution involves the vessel *Daniela F.* (Venezuela), which has an additional space in the bow where fish can be stored after it is frozen in the wells. This space is quite significant in volume (1,200 m<sup>3</sup>), but is not included in the vessel's capacity recorded on the Regional Register.

## **2.7. Resolution on data provision (C-03-05)**

Resolution C-03-05 on data provision makes mandatory the provision of specified fisheries data to the Director, on an annual basis, for all vessels fishing for species under the purview of the Commission.

The nature and format of the data to be provided is spelled out in detail in the resolution. The aggregated data required for each year is to be provided by 30 June of the following year.

The Resolution provides an exemption from the requirement to report catch data for vessels less than 24 meters overall length. For these smaller vessels, the data requirements will not enter into force until 1 January 2007.

All of the countries with purse-seine vessels fishing in the EPO are meeting the requirements of the resolution.

With respect to catch data for longline vessels, required information for 2004 has not yet been received

from Bolivia, Cambodia, Chile, Colombia, Ecuador, El Salvador, Georgia, Guatemala, Indonesia, Korea, Nicaragua, Spain, Uruguay, and Venezuela. Spain has provided data on swordfish only. Costa Rica, El Salvador, Nicaragua, and Venezuela do not have longline vessels longer than 24 meters. Costa Rica has provided longline catch information, but without any breakdown by species. Colombia has one longline vessel of unknown length, and Guatemala has numerous longline vessels of unknown length.

It is evident that there is room for significant improvement in reporting the catches of longline vessels, particularly with respect to coastal fleets.

With respect to catch data for troll vessels, required information for 2004 has been received from Canada, Cook Islands, and the United States, the only countries with troll vessels operating in the EPO.

## **2.8. Resolution on seabirds (C-05-01)**

Resolution C-05-01 on the incidental mortality of seabirds includes a provision encouraging CPCs to collect, and voluntarily provide the Commission with, all available information on interactions with seabirds. The United States has provided a report on seabirds and fisheries in the IATTC area. China has provided data on seabirds from an observer on a longline vessel.

## **2.9. Resolution on sharks (C-05-03)**

Resolution C-05-03 on the conservation of sharks caught in association with fisheries in the eastern Pacific Ocean includes the following reporting requirements: “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 Director, by May 1, at the latest, a comprehensive annual report of the implementation of this Resolution during the previous year.”

The United States and Chinese Taipei have submitted reports pursuant to this resolution.

## **2.10. Resolution on trade measures (C-05-04)**

Resolution C-05-04 on the adoption of trade measures to promote compliance includes the following provision on reporting:

“CPCs that import products of species covered by the IATTC Convention, or in whose ports those products are landed, should collect and examine as much import or landing data and associated information as possible on such products, and submit the following information to the Commission each year:

- a. names and flags of the vessels that caught and produced such products;
- b. species of the products;
- c. areas of catch (inside or outside the EPO);
- d. product weight by product type;
- e. points of export;
- f. names and addresses of owners of the vessels;
- g. registration.”

Chinese Taipei has submitted a report pursuant to this resolution, and suggested that the Commission adopt a standard format for such reports. However, it should be noted that the legal status of the resolution may be somewhat unclear.