

JOINT WORKING GROUP ON FISHING BY NON-PARTIES

6th MEETING

**Cancun (Mexico)
22 June 2007**

MINUTES OF THE MEETING

AGENDA

	Documents
1. Opening of the meeting	
2. Adoption of the agenda	
3. Approval of minutes of the fifth meeting	
4. Compliance by non-parties	JWG-6-04
5. List of vessels identified as being engaged in IUU fishing	JWG-6-05
6. Cooperating non-parties or fishing entities for 2008	JWG-6-06
7. Other business	
8. Recommendations for the IATTC and the Meeting of the Parties	
9. Adjournment	

The sixth meeting of the Joint Working Group on Fishing by Non-Parties was held in Cancun (Mexico) on 22 June 2007. The attendees are listed in Appendix 1.

1. Opening of the meeting

Dr. Allen opened the meeting, which was chaired by Ms. Elisa Barahona of Spain.

2. Adoption of the agenda

The agenda was adopted as presented.

3. Approval of minutes of the fifth meeting

The minutes of the fifth meeting of the Working Group were adopted without changes.

4. Compliance by non-parties

Document JWG-6-04, *Compliance by Non-Parties*, was reviewed by Dr. Allen. In response to a question, he confirmed that Honduras had not supplied all of the required data with respect to its flag vessels.

Colombia made some comments regarding the *Marta Lucia R*, noting that this vessel was authorized to fish in the region, and stating that it was Colombia's sovereign right to have this vessel fish in the EPO. Colombia would like to have the vessel added to the Regional Vessel Register as a special case, and urged the Working Group to recommend to the Commission that this be done. The Chair responded that, in her view, this matter could be forwarded to the Commission for its consideration, without a recommendation from the Working Group.

5. List of vessels identified as being engaged in IUU fishing

Dr. Allen reviewed Document JWG-6-05, *IATTC IUU Vessel List*, noting in particular the six issues identified at the end of the paper that the Working Group might wish to consider as it considers the list of vessels identified as being engaged in IUU fishing. The Chair suggested that the Working Group examine these issues one by one:

- a. i. Regarding the *Ha FA No. 21*, a Chinese Taipei flag vessel found to be in violation of an IATTC resolution by French authorities, it was reported that Chinese Taipei had taken strong and effective action against the vessel, and several delegations applauded this action. The Chair noted that if France renewed its request that this vessel be added to the IUU List, that would be considered at next year's Commission meeting, as the communication this year had come past the 1 February cutoff date for considering the addition of vessels to the List.
- ii. Regarding the *Mega Rezeki 02*, Indonesian flag, also reported by French authorities as violating IATTC resolutions, it was noted that no response had been received from Indonesia regarding this vessel or this case. Ecuador committed to investigating whether this vessel really had an Ecuadorian fishing license, as was mentioned in the letter sent to the Secretariat by the High Commissioner of French Polynesia. Several delegations stated that, as the communication from France regarding this vessel had also arrived after the 1 February cutoff date for considering the addition of vessels to the IUU List, this case should be considered at next year's Commission meeting. The Chair stated that this would be done.
- b. With regard to nine vessels – the *Chen Chieh 1, 2, 11, 12, 22, 31, 32, 61, and 62* – whose removal from the IUU List was being sought by Guatemala, the Working Group decided, after considerable discussion, to refer this matter to the Commission for consideration, and suggested that Guatemala explain in writing its reasons for seeking the removal of the vessels from the IUU List. Further, it was noted by the Working Group that the issue of the size of these nine vessels, in relation to their being on the IUU List, should be considered by the Commission.
- c. Regarding the vessel on the IUU List named *Dragon III*, the Working Group decided that the flag of the vessel should be changed from Cambodia to “unknown”. It was commented that, in future, when the staff receives information regarding changes in the names and flags of vessels on the IUU List, it should simply modify the List to incorporate the relevant changes.
- d. Regarding the *Dragon 18*, the Working Group decided that before the vessel is removed from the IUU List, confirmation should be sought that the vessel is in fact sunk.
- e. Regarding the *Wen Teng 668*, a IUU vessel of unknown flag which may have changed names, the Working Group decided that the staff should inquire of Fiji, where the vessel was last seen, to see if more information is available regarding this vessel.
- f. Regarding the flag of the *Permata 6*, which apparently unloaded fish in Costa Rica during 2006, Costa Rica offered to investigate to see if more information regarding the flag of the vessel is available.

Spain reported that it had a revised proposal to amend Resolution C-05-07 on the IATTC IUU List, explaining the background of this proposal and efforts to work with other countries.

Costa Rica commented that it has been coordinating with other Latin American countries in an effort to reach a broad consensus on an amended proposal, but that this effort had not yet been completed. Therefore, while Costa Rica could not endorse the Spanish proposal at this time, it was prepared to see it move forward to the Commission, and would address it in that forum.

6. Cooperating non-parties or fishing entities for 2008

Dr. Allen reviewed Document JWG-6-06, *Cooperating non-parties or fishing entities*. The Chair noted

that six governments - Belize, Canada, China, Chinese Taipei, Cook Islands, and the European Union - had applied for Cooperating Non-Party status, and after discussion, the Working Group recommended that the Commission approve all six applications.

In response to a question from Japan, Belize confirmed that the statements which it made last year in connection with cooperating status were still valid.

El Salvador presented a proposal for amending the Resolution C-04-02 regarding cooperating non-parties. Several countries expressed doubts about this proposal, mainly because its effect would apparently be to maintain the cooperating status of a non-party or fishing entity from year to year unless there was unanimous agreement that such status be revoked. It was agreed to forward this proposal to the Commission for its consideration, but without a recommendation.

7. Other business

The United States called the attention of the meeting to some recent amendments to US law related to IUU fishing and bycatch, noting that it would make these amendments available to the Parties.

Mexico asked how this US initiative would contribute to cooperation in the IATTC; the US responded that many of the things currently being done in the IATTC, such as the formulation of a list of IUU vessels, are already a part of this cooperative process.

Mexico also stated that some of the facts referred to in the communication from French Polynesia merited observations by his delegation, but because the request arrived late, it should not be discussed in this meeting.

Bolivia made a statement confirming its interest in purse-seine fleet capacity, and expressing concern that its rights in this area appear to have been compromised.

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

There were no recommendations to the Meeting of the Parties of the AIDCP.

The following recommendations to the IATTC were identified:

1. consider whether nine vessels – the *Chen Chieh 1, 2, 11, 12, 22, 31, 32, 61, and 62* – should be removed from the IATTC IUU List;
2. change the flag of the *Dragon III* from Cambodia to “unknown”;
3. confirm that in future, when the secretariat receives information regarding changes in the names and flags of vessels on the IUU List, it should simply modify the list to incorporate the relevant changes;
4. grant cooperating status to Belize, Canada, China, Chinese Taipei, Cook Islands, and the European Union;
5. consider the proposal from Spain regarding the amendment of Resolution C-05-07 on the IUU List;
6. consider the proposal from El Salvador regarding the amendment of Resolution C-04-02 on cooperating non-Parties.

There was no recommendation to the Commission regarding whether the *Marta Lucía R* should be removed from the IUU List. Colombia asked that the record show its extreme disappointment at the unwillingness of the Working Group to have the Commission entertain its request.

9. Adjournment

The meeting was adjourned.

Appendix 1.

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