

INTER-AMERICAN TROPICAL TUNA COMMISSION  
**PERMANENT WORKING GROUP ON FLEET CAPACITY**  
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**UTILIZATION OF VESSEL CAPACITY UNDER  
RESOLUTIONS C-02-03, C-12-06, AND C-12-08**

This document highlights various issues related to the procedures for applying Resolution C-02-03 that have been used since 2008 (see Annex A). It also contains updated data on the capacity of the purse-seine fleet in the eastern Pacific Ocean, and presents some topics that should be discussed by the Working Group.

It also includes information on cases arising from resolutions [C-12-06](#) and [C-12-08](#) on capacity loans or concessions and chartering of vessels with temporary transfers of capacity and on the sealing of wells, respectively.

## 1. INTRODUCTION

[Resolution C-02-03 on fleet capacity](#) has been in force for more than eleven years. The capacity management system created by the Resolution establishes limitations essentially determined by the IATTC Regional Vessel Register. Therefore, the key elements of the Resolution address how vessels may be added to or removed from the Regional Register.

The Secretariat has made available to each government a document that shows the history of each country's flag vessels with regard to the Regional Register, and how that has affected, historically, the changes in the well volume available to each country since the Resolution entered into force. A monthly report of the movements made in the Regional Register relating to Resolution C-02-03 is also sent.

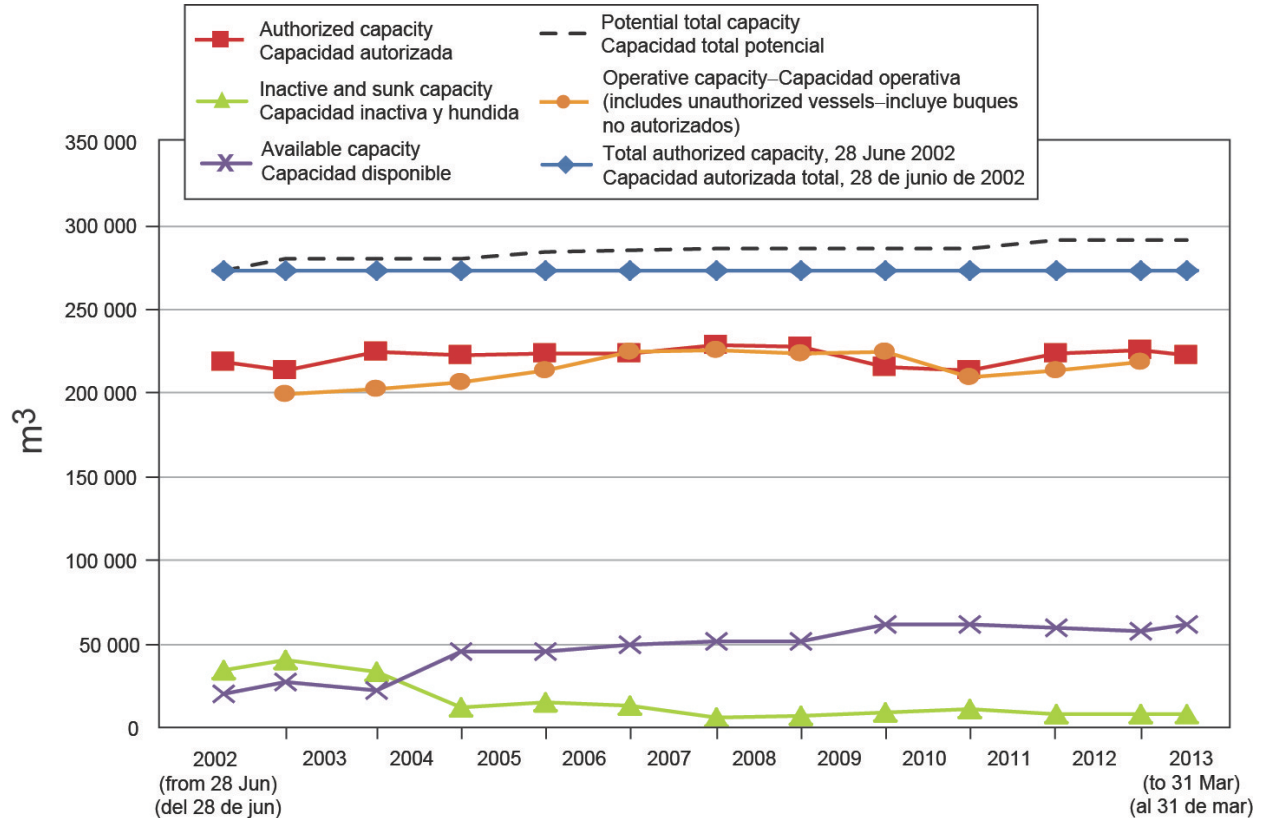
It should be recalled that, in June 2005, the Commission adopted a [Plan for Regional Management of Fishing Capacity](#). The principal objective of the Plan is to establish a comprehensive program for managing the capacity of all fishing fleets operating in the eastern Pacific Ocean (EPO), to ensure the long-term sustainability of the fisheries covered by the IATTC. For the purse-seine fishery, this will mean a reduction in the current level of fishing capacity. According to section 3 of the Plan, which establishes its objectives and principles: "*CPCs and all participants in these fisheries should limit the total fleet capacity to the present level and to reduce it, as appropriate, in accordance with an agreed program. After any targets for the fleet capacity have been achieved, CPCs and all participants in these fisheries should exercise caution to avoid growth in fleet capacity.*"

## 2. UTILIZATION OF WELL VOLUME TO DATE

The active purse-seine capacity on the Regional Register on 31 March 2013 is 222,512 m<sup>3</sup>. The capacity of inactive or sunk vessels is 7,579 m<sup>3</sup>, and the capacity available as a result of movements of vessels on the Regional Register is 61,300 m<sup>3</sup>, for a potential total of 291,391 m<sup>3</sup>. In June 2002, when the Resolution entered into force, the active capacity was 218,482 m<sup>3</sup>, while the sum total of the active and inactive capacity, plus that included in paragraph 10 of the resolution, was 273,467 m<sup>3</sup>; the current operative capacity is below that level (Figure 1). It should be noted that these numbers do not take into account the capacity requests in the footnote to the Resolution, which at least one of the three countries

mentioned, Peru, has utilized partially, with the approval of the Commission.

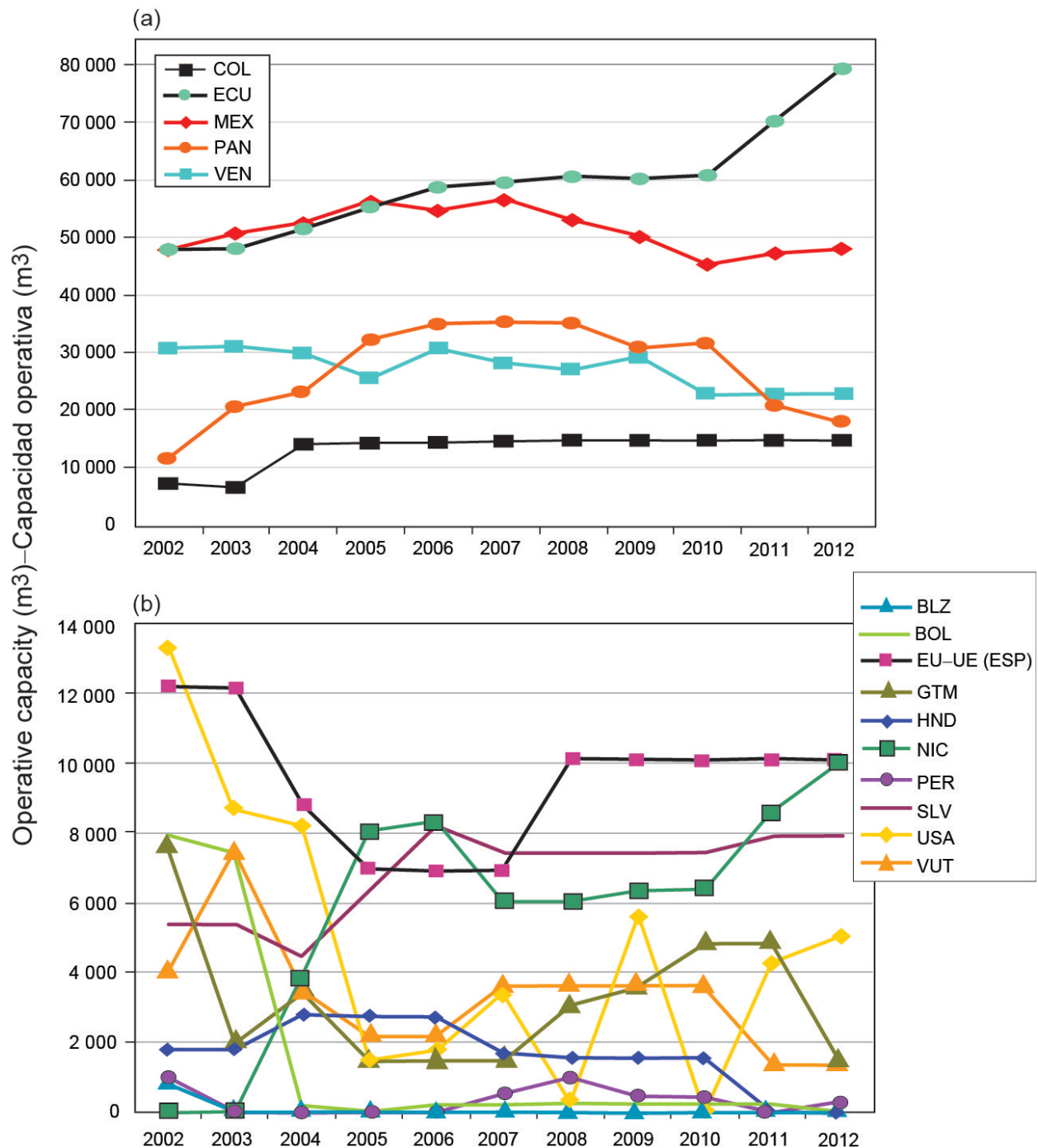
The reason for this increase of 17,924 m<sup>3</sup> in the potential total capacity is that, while the essential purpose of the Resolution was to freeze capacity, some of its elements allow increases: adding vessels pursuant to paragraph 10, and the specific case of the concession by the Commission in June 2011 of 5,000 m<sup>3</sup> of well volume to Peru. Also, in the months following the adoption of the Resolution, the Commission agreed to add several vessels to the Regional Register, to account for omissions by delegations at the meeting at which the resolution was adopted. Moreover, it is important to note that Resolution C-11-12, by which the capacity was conceded to Peru, stipulates that it must be used by Peruvian-flag vessels that will operate only in waters under the jurisdiction of Peru, and that it cannot be transferred to other flags, nor be used for chartering vessels of other flags.



**FIGURE 1.** Active, inactive, available, potential total, and operative capacity, in cubic meters (m<sup>3</sup>) of well volume, 2002-2013 (see Glossary, Appendix B).

In addition, the measurement of vessel capacity has to be taken into account. In 2002, the capacity of the great majority of vessels was estimated; currently, almost all vessels have been measured, with an overall result of greater capacity.

Figure 2 illustrates the evolution of the operative capacity of the fleets during 2002-2012.



**FIGURE 2.** Operative capacity of purse-seine fleets that fished in the EPO during 2002-2012 with current capacities (a) greater than and (b) less than 14,000 cubic meters of well volume.

### 3. EXCEPTIONS FOR ADDING NEW VESSELS TO THE REGIONAL REGISTER

Although the current system is not based on national capacity limits, paragraph 10 of the Resolution allows certain countries to add to their fleet new vessels that are not on the Register. The current situation regarding these exceptions is:

	Limit (m <sup>3</sup> )	
	Provided	Remaining
Costa Rica	9,364	6,575
El Salvador	861	0
Guatemala	1,700	0
Nicaragua	5,300	0
Peru	3,195	2,195
<b>TOTAL</b>	<b>20,420</b>	<b>8,770</b>

#### 4. VESSELS FISHING WHILE NOT ON THE REGIONAL REGISTER

As has been noted in previous documents and communications by the Secretariat, there are vessels fishing in the EPO that are not on the Regional Register. While this is essentially a compliance issue, it is important to take the capacity of these vessels into account, since it is included in the calculations of capacity operating in the EPO (219,091 m<sup>3</sup> in 2012; Figure 1) that is used in the stock assessments of tunas in the EPO. As of April 2013, these vessels are:

Name	Flag	Well volume (m <sup>3</sup> )	Fishing while not on the Register since:
<i>Dominador I</i>	COL	421	2008
<i>Marta Lucía R</i>	COL	1,603	2004
<i>Ignacio Mar I</i>	ECU	370	2007
<i>Tuna I</i>	ECU	316	2009
<i>Tuna II</i>	ECU	308	28 April 2012
<b>TOTAL</b>		<b>3,018</b>	

Furthermore, according to information available to the Secretariat, the following vessels have increased their capacity contrary to the Resolution. The Secretariat has written to the relevant government regarding these increases, but the situation has not yet been corrected.

Vessel	Flag	Well volume (m <sup>3</sup> )		Notes
		On Register	Increased	
<i>Doña Roge</i>	ECU	592	917	Pending since March 2007
<i>Ricky A</i>	ECU	818	1,208	Pending since November 2009
<i>Tarqui</i>	ECU	459	634	These cases should be reviewed by the Working Group
<i>Don Alvaro</i>	ECU	180	349	

#### 5. CAPACITY LOANS OR CONCESSIONS AND CHARTERS

Resolution C-12-06, approved in June 2012, establishes the rules of procedure regarding loans or concessions of capacity and chartering vessels with temporary transfer of capacity. The table on the next page details the agreements of this type recorded as of March 2013.

#### 6. SEALED WELLS

Resolution C-12-08, approved in June 2012, contains a protocol for sealing fish wells on purse-seine vessels. The following cases were recorded through April 2013:

Vessel	Flag	Capacity (m <sup>3</sup> )		Well volume sealed or disabled (m <sup>3</sup> )
		Total	On Register	
<i>Aldo (ex Atunmanta)</i>	ECU	555	477	78
<i>Cabo Marzo</i>	ECU	1,242	1,083	159
<i>Cap. Danny B</i>	ECU	337	265	72

<i>Giulietta</i> <sup>1</sup>	ECU	1,126	1,069	57
<i>Vicente</i>	NIC	3,158	1,958	1,200

It is important to note that paragraph 5 of the resolution states that: "Any vessel with one or more of its wells sealed to reduce its well volume recorded on the Regional Vessel Register shall be required to carry an observer from the International Dolphin Conservation Program (IDCP) on board".

Furthermore, these vessels must pay their assessment for the on-board observer program based on their total capacity, including sealed wells,.

Capacity concessions and charters carried out in accordance with Resolution C-12-06				
Year	Loaning CPC	Receiving CPC	Well volume (m <sup>3</sup> )	Vessel
<b>Capacity concessions</b>				
2010	CRI	PAN	1,881	<i>Txopituna</i>
2013	CRI	ECU	908	<i>Monteneme</i>
<b>Charters</b>				
2010	VUT	ECU	407	<i>Jo Linda</i>
2010 (renovado en 2012)	VUT	NIC	1,198	<i>Capt. Joe Jorge</i>
2011	BLZ	ECU	3,158	<i>Florentino</i>
	VUT	ECU	1,446	<i>Amalia</i>
	VUT	ECU	803	<i>Chiara</i>
	NIC	ECU	1,083	<i>Cabo Marzo</i>
	PAN	ECU	1,358	<i>Esmeralda C</i>
	PAN	ECU	1,170	<i>Esthercho</i>
2012	GTM	PAN	2,100	<i>Reina de la Paz</i>
	GTM	NIC	1,958	<i>Vicente</i>
	PAN	ECU	2,304	<i>María Del Mar A</i>
	PAN	ECU	996	<i>Milena A</i>
<b>TOTAL</b>			<b>20,770</b>	

<sup>1</sup> Pending verification by Ecuador of the information regarding the sealed or disabled well

## Appendix A.

The procedures followed by Commission staff in implementing the Resolution, and in particular in maintaining the official records associated with the Regional Register and other Commission vessel lists, have been improved and formalized since 2002. Following is a summary of the current procedures:

1. In order to be included on the Register, a vessel must provide all of the information required in Resolution C-00-06 on the Regional Vessel Register. The well volumes of purse-seine vessels should be measured; however, this is not a condition for inclusion in the Regional Register. It is necessary, at a minimum, that the flag government of the vessel provide an official well volume, whether measured or otherwise determined by the government. Also, it is useful for the Secretariat to have a breakdown and/or diagram showing the volumes of each of the vessel's wells; again, this is not a requirement for inclusion in the Register.
2. For a new vessel to be included in the Regional Register, the flag government must advise the Secretariat in writing, and must have sufficient capacity available, *i.e.*, equal to or greater than the well volume of the vessel to be added. If the new vessel is replacing another vessel that has been or is being removed from the Register, that vessel must be identified. If the new vessel has recently been granted its flag, documentation showing its new registration must be provided, as well as documentation regarding the deletion of its previous flag.
3. For a vessel on the Regional Register to change flag and remain on the Register, both governments associated with the change must agree, and must confirm this to the Secretariat in writing. At its 73<sup>rd</sup> meeting in June 2005, the Commission agreed that: "A change of flag by a vessel from one CPC to another, and the vessel's status on the Regional Register, shall not be considered effective until the Director has received official notification of the change from both governments involved". The Secretariat has interpreted this to mean that the approval must come from the government agency responsible for fisheries matters.

It is now very difficult for a vessel on the Regional Register to change flags and remain on the Register, because nearly all governments have made clear their interest in removing their flag vessels from the Register if they want to change flags.

4. A vessel may be removed from the Regional Register if its flag government so requests in writing. In this case, the well volume of the vessel removed will be available to the government for adding vessels in the future. If a vessel with a smaller well volume than the vessel removed is later added, the excess, or residual, is retained by the government, and is so documented in the Commission's records.

It is important to note that these residuals are available to governments as a result of vessels being removed not only from the list of active vessels, but also from the list of inactive/sunk vessels.

If a vessel is removed from the Regional Register, the Secretariat needs to know whether the government is also removing the vessel from its national register.

5. A vessel may change its status from active to inactive, and vice versa. Paragraph 9 of the Resolution addresses the matter of inactive vessels. It has several elements:
  - a. Notification of vessels that will be inactive must be provided to the Secretariat by January 1 of each year;
  - b. A vessel declared inactive must remain in that status for the entire year;
  - c. An active vessel may replace an inactive one during the year, provided that the total active capacity of the vessels of the country receiving the vessel does not then exceed the active

capacity of all of its vessels on 28 June 2002.

The Secretariat considers that there are some technical problems with the language on inactive vessels in the Resolution, and that the drafting should be improved, since there could be a contradiction between paragraph 9 and paragraph 5, which establishes that the vessels authorized to operate are those included in the list of June 2002, as subsequently modified, without distinguishing between active and inactive vessels. However, in practice, vessels rarely change their status on these lists during the course of a year; if a vessel wishes to do so, its flag government must notify the Secretariat in writing. If there are no comments to the contrary, the Secretariat will continue to include vessels to the list of active vessels at any part of the year.

6. The Commission approved a protocol for the sealing of wells in its 2012 meeting. Accordingly, it is applied such protocol included in resolution C-12-08. It is important remind that the flag government must provide to the Secretariat information regarding the capacity of the wells to be sealed and an official diagram of the vessel with the dimensions of each of its wells. At their 18th meeting in October 2007, the Parties to the Agreement on the International Dolphin Conservation Program (AIDCP) decided that the assessments paid by vessels to support that program should be based on a vessel's total capacity, regardless of any sealed wells.
7. In accordance with the above, it is considered that a vessel whose original total capacity was 363 t or more, and was therefore required to carry an AIDCP observer on board, shall continue to be subject to that requirement even if its capacity is reduced below that level as a result of sealing or disabling wells. Furthermore, the fees paid to the AIDCP observer program shall be calculated on the basis of the vessel's total capacity, regardless of any sealed or disabled wells. Both the total capacity of the vessel and the reduced capacity resulting from sealing or disabling wells are recorded on the Regional Register.
8. The Commission adopted rules of procedure for loans or concessions of capacity and the chartering of vessels with temporary transfer capacity at its meeting in 2012. For this reason these rules are applied according to resolution C-12-06 in such cases.
9. The Secretariat should have a list of the authorities in each country competent for carrying out transfers of vessels and their capacities on the Regional Register.
10. The residual capacity that is allocated to a vessel of another flag should be duly recorded on the Regional Register, and it should specify whether the transfer of capacity is temporary or permanent.

## Appendix B.

### GLOSSARY OF TERMS USED IN THE IMPLEMENTATION OF RESOLUTION C-02-03

**Active capacity.** See Resolution [C-02-03](#). The total well volume, in cubic meters, of vessels that are on the IATTC Regional Register and can fish in the EPO. Can change status to inactive at any time during the year..

**Inactive capacity.** See Resolution [C-02-03](#). The total well volume, in cubic meters, of vessels that are on the IATTC Regional Register and have declared that they will not fish during a given year, but retain the right to become active provided they remain on the Regional Register, or vessels that have sunk. Can change status to active only at the end of the year

**Available capacity.** The total well volume, in cubic meters, that a participant has available for allocation to vessels as the result of: (a) vessels withdrawing from the Regional Register; (b) changes of flag, when the participant ceding the vessel can choose whether to retain the right to the vessel's capacity for future use; (c) residuals from transfers and movements of vessels on the Regional Register; (d) the national capacity allocations specified in paragraph 10 of Resolution [C-02-03](#).

**Operative capacity.** The total well volume, in cubic meters, of all vessels actually operating in the EPO, regardless of whether they are on the Regional Register. This is the capacity used by the IATTC scientific staff for its assessments of the tuna stocks.

**Potential total capacity.** The sum of active capacity, inactive capacity, and available capacity. The total well volume, in cubic meters, that would be operating in the EPO if all participants activated all their vessels and used all their available capacity (including inactive/sunk capacity) to bring new vessels into the fishery.

**Vessels authorized to fish.** Specified in Resolution [C-00-06](#) on a Regional Vessel Register. Currently, the sum of active and inactive/sunk vessels.

**Total capacity of vessel.** The total well volume of the vessel, including the volume of any wells sealed or disabled for fish storage in order to reduce the vessel's capacity.