

**INTERNATIONAL DOLPHIN
CONSERVATION PROGRAM**

**INTER-AMERICAN TROPICAL
TUNA COMMISSION**

JOINT WORKING GROUP ON FISHING BY NON-PARTIES

MINUTES OF THE 2ND MEETING

**Antigua (Guatemala)
June 20, 2003**

AGENDA

1. Opening of the meeting
2. Adoption of the agenda
3. FAO International Plan of Action on Illegal, Unreported and Unregulated Fishing
4. List of non-cooperating non-party vessels
5. Terms of reference for the Working Group
6. Measures to deter fishing by non-cooperating non-party vessels
7. Recommendations for the IATTC and the Meeting of the Parties
8. Other business
9. Adjournment

APPENDICES

1. List of attendees

DOCUMENTS

- [JWG-2-04](#) Terms of reference for the Working Group
- [JWG-2-06](#) The IATTC and the FAO International Plan of Action on Illegal, Unreported and Unregulated Fishing
- [JWG-2-07](#) Measures to deter fishing by non-cooperating non-party vessels

1. Opening of the meeting

Dr. Robin Allen, Director of the IATTC, opened the meeting and commented on a mistake on the provisional agenda. The chairman had been elected; therefore, there was no need for item 2.

2. Adoption of the agenda

The Chairman, Lic. Mario Aguilar of Mexico, recommended changing the order of the items in the provisional agenda, to have all presentations at the beginning in order to allow more time for issues needing extensive discussion. Thus, the proposed items 6 and 5 would be considered first, with the remainder of the agenda to follow. With these changes, the agenda was approved.

3. FAO International Plan of Action on Illegal, Unreported and Unregulated Fishing

Dr. Allen presented [Document JWG-2-06](#), the report on the IATTC and the [FAO International Plan of Action on Illegal, Unreported and Unregulated Fishing](#) (IPOA-IUU) submitted to FAO in February 2003. He indicated that the IATTC does not have a plan of action, but has taken actions in support of the IPOA. The report presented to FAO describes the actions already taken by the Commission to address IUU fishing in the eastern Pacific Ocean, as well as those that are in the process of being developed, and notes that unreported fishing by longline vessels flying the flags of non-member governments is probably the most serious IUU issue facing the IATTC.

The United States commented that the FAO plan establishes a deadline of March 2004 for national plans of action to be completed, and noted that it would have a national plan finalized by that time. Panama mentioned it had developed a plan of action and would be sharing it with other parties. Japan elaborated on the many efforts it is undertaking to combat IUU fishing, particularly with respect to longline vessels.

4. List of non-cooperating non-party vessels

Dr. Allen explained that the IATTC [Resolution on fishing by vessels of non-parties](#) of June 2001 requires the Commission to establish a list of non-cooperating non-party vessels, and that at the first meeting of the Joint Working Group the governments had asked the Secretariat to withdraw the preliminary draft list it had prepared until criteria for defining cooperation could be agreed. Dr. Allen requested guidelines for developing the list required by the resolution and for classifying a non-party as non-cooperating.

Several delegations commented that other international tuna management organizations had found that the establishment of a “positive list” of cooperating vessels was a better approach than the creation of a “blacklist” of non-cooperating vessels, and that the IATTC should consider adopting a similar mechanism. It was noted that this matter would be discussed later in the meeting.

The Working Group discussed measures to deter fishing by non-cooperating non-parties in the EPO. It was agreed that the Working Group should initially establish the criteria for determining which governments and/or vessels could be considered as cooperating, for the purposes of the IATTC conservation and management program, as well as for the requirements for dolphin conservation pursuant to the AIDCP. A small drafting group met to consider possible criteria with respect to the IATTC, and the Working Group agreed to recommend the resulting document to the Commission.

5. Terms of reference for the Working Group

Dr. Allen presented [Document JWG-2-04](#), explaining that, at its first meeting in June 2002, the Working Group discussed terms of reference for its activities based on a proposal by the Secretariat. A preliminary revised draft of terms of reference, based on these discussions, was subsequently prepared, and it was agreed that the Working Group would consider this revised draft at its next meeting, after receiving any additional comments from governments. No additional comments were provided, but the Secretariat suggested some modifications to Section 1 (Definitions), in response to remarks made at the first meeting

of the Working Group that it was important to keep clearly separate the responsibilities of the IATTC and the AIDCP.

Before moving on to a thorough discussion of each paragraph of the document, some delegations made general comments on the issue. Chinese Taipei made the point that, in order for it to be able to participate meaningfully in the working group, the definitions would need to reflect that members of the Commission, and not only parties, would be full participants. Several other delegations agreed with this point. The group proceeded to discuss the proposal in detail. Eventually a small drafting group was formed to incorporate the various suggestions made into the proposed terms of reference and prepare a revised draft for consideration later in the meeting.

Towards the end of the meeting, the group presented its draft, and this was approved for submission to the IATTC and the Meeting of the Parties with some further small editorial changes.

6. Measures to deter fishing by non-cooperating non-party vessels

Dr. Allen presented [Document JWG 2-07](#), which describes the history of work by the Commission to address the issue of fishing by non-cooperating, non-party vessels and discusses some actions which could be taken in the near future to deal with this problem.

Dr. Allen noted that, as requested, the Secretariat had communicated with non-party governments with vessels fishing for tunas and tuna-like species in the eastern Pacific to inquire if (1) their flag vessels are authorized to so fish and (2), if they are, whether the government is willing to cooperate with the IATTC conservation program. The Secretariat had been informed by Belize, the People's Republic of China, the Republic of Korea, and Chinese Taipei that they intend to fully cooperate with the Commission and that their vessels will fish in a manner consistent with the Commission's management program. The Secretariat had not received any response to that request from Bolivia, Colombia, Honduras, Indonesia, or St. Vincent and the Grenadines.

Dr. Allen noted that the document suggests that one action which could be taken at this meeting is the establishment of a list of cooperating vessels. This is a corollary to the June 2001 IATTC [Resolution on fishing by vessels of non-parties](#), which requires the Commission to establish a list of non-cooperating vessels.

A positive list for longline vessels should be relatively easy to establish, and Dr. Allen noted that Japan has proposed a draft resolution to this effect. Both ICCAT and the IOTC have such schemes. The IATTC has already taken an important step towards creating a positive list with the establishment of the [Regional Vessel Register](#). However, the Register includes all vessels authorized to fish in the eastern Pacific, including those of non-parties, regardless of whether they are cooperating with the IATTC.

Dr. Allen observed that the establishment of a positive list for purse-seine vessels could be more complicated, because of the difficulty of determining whether a vessel or party is cooperating.

Japan presented a proposal to create a positive list of longline vessels over 24 meters in length. The Working Group discussed the proposal in detail, noting in particular that it was linked to the establishment of general criteria for determining whether a non-party is cooperating. Any such criteria should take into account a non-party's compliance with any conservation and management measures adopted, not merely its stated intention to cooperate.

A small drafting group met to work on the proposal by Japan and on criteria for determining whether a non-party is cooperating with the IATTC and AIDCP.

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

The Joint Working Group recommended that the IATTC and the Meeting of the Parties to the AIDCP approve the draft *Terms of Reference for the Joint Working Group on Fishing by Non-Parties* and

Criteria for attaining the status of cooperating non-party or cooperating fishing entity to AIDCP and IATTC, and, for the IATTC only, a draft Resolution on the establishment of a list of longline fishing vessels over 24 meters authorized to operate in the EPO.

8. Other business

Japan asked the meeting to address a matter of great concern to his government, namely, the recent increase in purse-seine fishing capacity in the western Pacific. Japan had information, which it had presented to the 4th Meeting of the IATTC Permanent Working Group on Compliance, that fishing industries, principally in Taiwan, are building a significant number of purse-seine vessels which are considerably larger and have much greater fishing capacity than traditional purse-seine vessels. According to fishing industry sources, twenty of these “superseiners” have already been built in Taiwan, and at least six more are being built. Japan further advised the meeting that it had information that one of the main fishing grounds of these new superseiners is the south Pacific area around 150°W, namely the boundary area of IATTC and the emerging Western and Central Pacific Fisheries Commission (WCPFC).

Many delegations spoke on this matter, sharing Japan’s concern. The main concern was the potential effect of such an increase on bigeye tuna in the Pacific, in light of the fact that there is some interaction among the stocks in the central and eastern Pacific, and that conservation and management must to some extent be considered on a Pacific-wide basis. The Working Group agreed to recommend to the IATTC that the Director write to the Interim Secretariat of the WCPFC on behalf of the IATTC members, expressing their concern over the situation.

9. Adjournment

The meeting was adjourned on June 20, 2003.

Appendix 1.

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

**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**

2nd MEETING - 2^a REUNION

**June 20, 2003 – 20 de junio de 2003
Antigua, Guatemala**

ASISTENTES - ATTENDEES

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PAUL ORTIZ

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National Marine Fisheries Service

PETER FLOURNOY

Western Fishboat Owners Association

U.S. Tuna Foundation

KELLY MALSH

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KEVIN LIN

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Ministry of Maritime Affairs and Fisheries

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Humane Society

NINA YOUNG

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