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**TOWARDS A NEW CAPACITY MANAGEMENT PLAN IN THE EASTERN  
PACIFIC OCEAN**

**1. INTRODUCTION**

This document intends to steer the debate on the adoption of a new management plan so to help the Working Group to elaborate concrete proposals to be forwarded to the Commission for further discussion and, possibly, endorsement and implementation.

Sustainable exploitation of fish stocks requires that the capacity of fleets is commensurate to the available resources and that it constantly adjusts to their fluctuations. However, in the latest years management of vessels capacity has proved to be one of the major challenges that RFMOs face. IATTC is no exception to this. The Organisation has tried for some years, and to a certain extent managed, to limit the increase of capacity allowed to fish in the Eastern Pacific Ocean (EPO). However, what has proved impossible to achieve until now is to reduce the existing fleet to sustainable levels.

In the EPO, the main two gears used for fishing activities are purse seiners (PS) and longliners (LL). In the current debate, considerations on fleet management do not apply to the two segments in the same way: whereas PS capacity has not declined and has remained above the reference level of sustainable capacity<sup>1</sup>, the LL capacity has progressively and spontaneously decreased over time and has remained to what is considered as being a sustainable level<sup>2</sup>. However, some lack of data for the LL fishery (in particular small-scale LL), do mitigate this positive assessment and need to be explored further.

**2. BACKGROUND**

At the end of '90s, IATTC began adopting some measures in order to manage the capacity of the fleet operating in the EPO. In 2000 it established a regional vessel register for PS<sup>3</sup> with the understanding that no PS vessel could fish in the EPO without being on the register. In 2003, IATTC adopted a similar measure for LL<sup>4</sup>.

At that stage, these measures did not aim at restricting access to EPO but only at establishing a census of the vessels in the Region. However, these Resolutions did not require that in order to remain in the register vessels had actually fished. Therefore, some vessels were, and sometimes still are, on the register without having fished in the Region for a very long time.

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<sup>1</sup> Document CAP-11-05 "Target Capacity for the Tuna Fleet in the EPO";

<sup>2</sup> idem

<sup>3</sup> Resolution C-00-06 on a Regional Vessel Register, then amended in 2011 (C-11-06)

<sup>4</sup>Resolution C-03-07 Resolution on the Establishment of a List of Longline Fishing Vessels Over 24 Meters (LSTLFVS) Authorized to Operate in the Eastern Pacific Ocean, then amended in 2011 (C-11-05)

In 2002, IATTC made an attempt to establish a freezing of PS Capacity by limiting the total authorised capacity to the one present in the Register on 28 June 2002<sup>5</sup> (around 273.000 m<sup>3</sup>); whilst establishing a target capacity of 158.000 m<sup>3</sup>.

Further to that, in 2005 IATTC adopted in Lanzarote a Capacity Management Plan based on the FAO International Plan of Action for the Management of Fishing Capacity. The plan had the merit to adopt for the first time a holistic approach to fleet management and to identify which actions were needed in order to achieve the target capacity. It applied both to PS and LL and established a step-by-step approach for the reduction of excessive capacity.

However, one major deficiency of the plan was that it left the adoption of implementing measures for most of the priorities identified to later action.

As a result, the reduction of fleet capacity remained, and still remains, an outstanding issue for PS and could still become one for LL. It is up to IATTC Members to seize the challenge and adopt new actions to address these issues.

### 3. OUTSTANDING ISSUES

#### 3.1. Purse Seine fleet

A. A first weakness of the resolutions establishing the fleet register and the one limiting PS capacity is that they do not introduce clear and explicit definitions for the different categories of capacity. Therefore, IATTC finds itself dealing with "active", "available", "inactive", "potential", "operative", "extra cubic meters" capacity without a clear common understanding of what these terms mean, what kind of status they confer to the vessels or how, and if, capacity can change from one status to the other. For example, active capacity should include only those vessels having fished in the EPO during a given period of time (e.g. 1 or two years) immediately preceding the year of reference.

- ➔ Action 1: clear and commonly agreed definitions should be adopted and should apply also to the LL fleet. As a priority, at least the definitions of "authorised" and "active" should be agreed.
- ➔ Action 2: the Director should draft a document detailing the criteria and definitions used since the establishment of the vessel registry, so to allow the Commission to have a clear overview on the management of capacity so far.
- ➔ Action 3: procedures and conditions to move from one category to the other should be explicitly defined.

A. A merit which should be recognised to Resolution C-02-03 is having frozen to a certain extent the uncontrolled growth of the PS fleet. Since its adoption, total capacity has remained within a stable range of 275.000 and 290.000 m<sup>3</sup> and, within this total capacity, the so-called 'active' capacity within an ever smaller range of 218.000 m<sup>3</sup> - 221.000 m<sup>3</sup>. However, there are recent worrying signs that this might not be the case anymore for the forthcoming future and therefore appropriate actions are needed, even more than before.

Considering that the most updated target capacity is 158.000 m<sup>3</sup>, and taking into account the precautionary principle and the overarching obligation to ensure the sustainable exploitation of stocks, IATTC members should find an agreement to limit the total authorised capacity to the active capacity (current or that of a given date) so to make sure that no further increases to the number of vessels currently fishing in the EPO occur.

- ➔ Action 4: freeze PS capacity to current levels of vessels effectively fishing in the EPO so to remain as close as possible to the current target capacity.

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<sup>5</sup> Resolution C-02-03 on the Capacity of the Tuna Fleet Operating in the Eastern Pacific Ocean

- B. As already mentioned, resolution C-02-03 establishes a target capacity limit of 158.000 m<sup>3</sup> and it calls for a recurrent update of this target in order to adjust it to the current state of the stocks in the EPO. It is therefore intended that this target is a changing value and that fleets operating in the EPO shall adjust to it. However, in a recent document<sup>6</sup>, the Secretariat has updated this target according to the conservation measures that IATTC has adopted<sup>7</sup>. However, target capacity should be based on scientific advice, namely on the current state of fish stocks and on MSY, rather than on the existing conservation measures.
- ➔ Action 5: IATTC should give to its scientific staff and to the Scientific Advisory Committee a standing mandate to regularly update the capacity target (both for PS and LL) based on the state of the stocks.
- A. At the time of the adoption of Resolution C-02-03, a number of requests for capacity coming from Members or Cooperating Non-members could not be attended and were recorded as 'wishes' in a footnote to the Resolution. During the Working Group on Fleet Capacity held in Costa Rica in April 2011, discussions on how to solve these issues have started and are ongoing.
- ➔ Action 6: pending requests should be treated and solved, by 2012 if possible.
- B. Furthermore, the same Resolution does not foresee procedures for the transfer, lending, chartering or scrapping of capacity. Over time, this has created a grey zone for interpretation which has resulted in some disputes over the ownership of capacity.
- ➔ Action 7: current disputes shall be solved by an *ad-hoc* independent panel (already ongoing) and mechanisms for the solution of possible future disputes should be established.
- ➔ Action 8: clear procedures for the transfer, lending, chartering or scrapping of capacity as well as for any issue linked to the management of the vessel registry shall be adopted.

### 3.2. Longline fleet

The evolution of the longline fleet fishing in the EPO has been different from that of PS. The latest trend<sup>8</sup> shows that LL fleet is experiencing a spontaneous decline since 2003, to the point that the total capacity is estimated as being lower than the maximum target capacity. This finding is encouraging however it should not divert the focus from some main points:

- The fact that overcapacity of LL is not a problem at this stage, it does not mean that it will never become one in the future if Members of IATTC do not take preventive actions to stabilise the situation;
- Although in the EPO there are two main different fishing gears (PS and LL), each stock is a single one and receives pressure from fishing activities regardless of the gear. Therefore excess of pressure on fish stocks derives from the sum of capacities of both gears. Overcapacity is an issue which jointly concerns PS and LL.
- The knowledge on the composition of the LL fleet, as well as on their fishing patterns and catch levels are currently incomplete (especially for longliners under 24 m length overall)

Taking the above into consideration, once MSY is established for each stock, Members of IATTC shall decide how to share this MSY between the two gears. If LL capacity has decreased below historical levels, it might not have to undergo further reductions in the framework of a new capacity plan. However, this should not confer a permanent right to increase its capacity whereas other gears need to undertake substan-

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<sup>6</sup> Document CAP-11-05 "Target Capacity for the Tuna Fleet in the EPO"

<sup>7</sup> IATTC 78-06b and IATTC-81-06b

<sup>8</sup> Document CAP-11-05 "Target Capacity for the Tuna Fleet in the EPO"

tive reductions.

#### **4. WAY FORWARD**

IATTC has already tried in the past to address the difficult issue of overcapacity and has managed to a certain extent to limit an uncontrolled increase of capacity. Despite having adopted a comprehensive plan in 2005, the Organisation has not been able to put in practice most of the priorities which had been identified at that time. Also considering the recent entry into force of the IATTC Convention, which gives increased competences to IATTC for the conservation of stocks in the EPO, it is now time that Members take responsibility and adopt a new Capacity Reduction and Management Plan which:

- (1) Addresses the outstanding issues outlined above;
- (2) for both gears: introduces a freeze of the capacity to the level of vessels currently fishing in the EPO (so-called freezing of active capacity);
- (3) for the PS fleet: establishes a scheme for progressive reduction of capacity. This can be done through a linear reduction for each Member and, or, through the creation of a buy-out fund managed by the Secretariat which would create the incentive for shipowners to scrap their vessels through a system of auctions. Nevertheless, since these, or other, measures would take some time to be agreed and then completely implemented, and taking into account the precautionary approach and the obligation to immediately release the excess of pressure on fish stocks, these measures could be accompanied by temporary and immediate alternatives such as, for instance, an increased period of fishing closure or other additional management measures.