

JOINT WORKING GROUP ON FISHING BY NON-PARTIES

MINUTES OF THE 9th MEETING

**Antigua, Guatemala
25 September 2010**

AGENDA

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APPENDICES

1. List of attendees
2. Provisional IUU list
3. IATTC IUU Vessel List

The ninth meeting of the Joint Working Group on Fishing by Non-Parties was held in Antigua, Guatemala, on 25 June 2010. The attendees are listed in Appendix 1.

1. Opening of the meeting

Dr. Guillermo Compeán, Director of the Inter-American Tropical Tuna Commission (IATTC), opened the meeting. Mr. Roberto Cesari, of the European Union (EU), chaired the meeting.

2. Adoption of the agenda

The agenda was adopted without changes.

3. Future of the Joint Working Group on fishing by non-Parties

The EU proposed that the working group be abolished, and that its functions related to the IATTC be assumed by the Committee for the review of implementation of measures adopted by the Commission and those related to the AIDCP by the International Review Panel, since the tasks of the working group are to review compliance not only by Non-Parties but also by members of the IATTC, so their functions are similar.

The delegate of the United States, in his position as chair of the compliance review committee, explained

that the committee was of the same opinion regarding these various groups.

The EU's proposal received general support, and it was decided to make the respective recommendations to the IATTC and the Meeting of the Parties to the AIDCP.

4. Approval of minutes of the 8th meeting

The minutes of the eighth meeting of the working group were adopted, with a clarification by Japan that the working group had decided to recommend to the IATTC that the vessel *Taiho Maru* not be included in the IATTC's list of vessels involved in illegal, unreported, and unregulated (IUU) fishing.

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

Mr. Brian Hallman, Deputy Director of the Commission, presented Document [JWG-9-05](#), *IATTC IUU Vessel List*, noting that the working group had to decide whether to recommend to the Commission that some or all of the 11 vessels on the provisional IUU list (Appendix 2) be added to the IUU Vessel List (Appendix 3), established pursuant to Resolution C-05-07, and whether any of the vessels on the current IUU List should be removed from that list.

The EU indicated that it is not known whether sanctions are being applied to vessels on the IUU List, and that something must be done with those vessels that are on the list but that continue to fish illegally.

France and Costa Rica supported the EU's statement. Also, Costa Rica noted that it was working on a mechanism to allow vessels to be removed from the IUU list after an appropriate monitoring of the sanctions.

The discussions and recommendations of the group related to these matters were:

5.1. Removal of vessels from the current IUU Vessel List

The working group reviewed the possible removal of the Indonesian vessel *Permata* from the IUU list, after discussing information that indicated that the vessel sank. It recommended that the veracity of this information should be checked, and that the case be reviewed by the Commission. It also recommended that the other vessels on the IUU list should remain there.

5.2. Cases of vessels on the provisional IUU List

5.2.1. *Yu Long* (Belize), longliner

France requested the inclusion of this vessel, since it was found fishing in the jurisdictional waters of Clipperton Island. It carried neither transshipment records nor VMS equipment, and had on board sharks and shark fins separated from bodies. Belize had informed France that the vessel had made manual reports of its position and that the sharks were for personal consumption, and that there was an error in the license in terms of whether it was for fishing or for transshipments.

Belize informed the group that the vessel was authorized, and that it reports its catches. The vessel had been ordered to return to port, and its fishing license had been suspended for 6 months.

The group recognized that Belize had applied sanctions, and proposed not including the vessel in the IUU list but keep it on the provisional list, and that Belize report at the next meeting on further actions, since it was noted that there was confusion regarding the company's address..

5.2.2. *Yu long No. 6* (Belize), longliner

France reported that this case was similar to the previous one, in that the vessel did not report its catches or carry VMS equipment, and had sharks aboard. Moreover, its catch records did not match the information provided by Belize.

Belize stated that it had the VMS records and the unloading reports. The vessel had been ordered to return to port, but had not been sanctioned because no irregularities were found.

Japan questioned the veracity of the information regarding the company's address, and asked that Belize investigate this.

The group recommended that the vessel not be included in the IUU list but be kept on the provisional list, and that Belize report at the next meeting on further actions,

5.2.3. *Marta Lucía R.* (Colombia); purse seiner

The EU reminded the meeting that the vessel is on the IUU list because it fishes while not on the Regional Vessel Register, and stated that it should not be on the provisional list and should continue on the IUU list.

Colombia explained that a decision should be taken about this vessel, because it complies with all the requirements, reports its catches, and has a Dolphin Mortality Limit (DML), and clarified that it was an unresolved question about carrying capacity.

Various members pointed out that allocating a DML to a vessel that is not on the Regional Register is a contradiction, and should be reviewed. Another member commented that the vessel did not comply with the number of closure days, and Colombia stated that it would review this situation.

There was no consensus among the group to remove this vessel from the IUU list, and it was agreed to recommend to the Meeting of the Parties to the AIDCP review the requirements for the allocation of DMLs, and consider whether it is appropriate to allocate DMLs to vessels that do not comply with IATTC measures, and also recommend to the IATTC that it review the question of capacity.

5.2.4. *Dominador I* (Colombia); purse seiner

The EU noted that this vessel made fishing trips while not on the Register Regional. Colombia indicated that it did not agree with including the vessel in the IUU list, and there was no consensus on recommending its inclusion.

5.2.5. *Ignacio Mar I* (Ecuador); purse seiner

The EU indicated that this vessel should be included in the IUU list because it carried out fishing operations without being on the Regional Register. Ecuador explained that it was a matter of a dispute over capacity, and requested that the vessel be added to Regional Register with the capacity of another vessel, the *Roberto M*, also of Ecuadorean flag.

The group could not reach consensus on recommending the inclusion of this vessel in the IUU list.

5.2.6. *Neptune* (Georgia); longliner

France reported that this vessel was found operating in the eastern Pacific Ocean (EPO) without being on the Regional Register, and that the government of Georgia had not responded to requests for information. The group recommended that the vessel be included in the IUU list.

5.2.7. *Lina, Minako and Tomio* (Indonesia); longliners

France had proposed the inclusion of these vessels in 2009 because they transshipped fish in the EPO without being on the Regional Register, and it was thought that they had also fished in the EPO. At that time it had been decided that more information should be obtained and the cases reviewed again in 2010.

France stated that the government of Indonesia had withdrawn the fishing licenses of the *Lina* and *Minako*, and that the Western and Central Pacific Fisheries Commission (WCPFC) had removed them from its IUU list, so they should not be on the preliminary IUU list.

Regarding the *Tomio* it reported that they did not have additional elements, so reiterated its proposal to include it in the IUU list. Japan noted that this vessel was registered with the WCPFC, and so should not be considered as practicing IUU fishing.

The group decided to maintain it on the provisional IUU list, while the information regarding its status in the WCPFC was obtained. The Secretariat was asked to contact the Indonesian authorities to obtain this information and have more elements for the meeting of the IATTC to take a decision.

5.2.8. *Tunamar* (Panama); purse seiner

The EU proposed the inclusion of this vessel in the IUU list for fishing in the EPO without being on the Regional Register.

Panama reported that the vessel is already on the Regional Register, and that it had taken actions to sanction its illicit activity in the past.

The group recommended removing this vessel from the provisional IUU list.

5.2.9. *Caribbean Star No. 31* (unknown flag); purse seiner

Colombia was asked if it had information on this vessel, since its review had been left pending at the previous year's meeting. Colombia stated that the vessel was not on its register, and that it did not have unloading records.

Also, Colombia noted that the vessel had previously flown its flag, but that this was withdrawn in 2007, and indicated that a report on the activities of the vessel while it was of Colombian flag would be sent to the Secretariat. Belize reported that the vessel had previously been on the Regional Register under Belizean flag, and that the Secretariat had been informed of its removal from the national register in June 2004.

The group agreed to review the case at its next meeting, since there were doubts about whether the vessel had carried out fishing operations since 2007, and recommended that it be included in the IUU list.

5.2.10. *Don Abel* (Venezuela); purse seiner

The EU proposed reviewing this case, because the vessel fished in the EPO without being on the Regional Register. It was agreed to turn the case over to the meeting of the IATTC for discussion when the Venezuelan delegation was present.

6. Cooperating non-parties or fishing entities

The Secretariat presented Document [JWG-09-06](#), *Cooperating Non-Parties or Fishing Entities*, noting that it had received a request from Kiribati for Cooperating Non-Party status.

Japan asked whether Kiribati intended to carry out fishing operations in the EPO in the future. Kiribati expressed its intention of working toward the sustainable management of the tuna resources in the EPO, and noted that it would respond to Japan's question during the meeting of the IATTC, when the head of delegation were present.

México supported the renewal of Kiribati's Cooperating Non-Party status, and asked for Kiribati's reciprocal support in obtaining this same status in the WCPFC for members of the IATTC that wish to participate in the work of that organization.

The group agreed to recommend to the Commission that Kiribati's Cooperating Non-Party status be renewed.

7. Other business

No other business was discussed.

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

The group recommended that the Meeting of the Parties to the AIDCP review the process for allocating DMLs, and also that the Joint Working Group be abolished and its duties be assumed by the International Review Panel in matters related to the AIDCP.

The group had the following recommendations for the IATTC:

1. Abolish the Joint Working Group and assign its duties with regard to the IATTC to the Compliance Review Committee.
2. Contact Indonesia to request information on its vessels on the preliminary IUU List and on the IUU list.
3. Renew the Cooperating Non-Party status of Kiribati.
4. Take the respective decisions regarding the cases addressed regarding the provisional IUU list detailed under item 5 of these minutes.
5. Maintain on the List of IUU Vessels all the vessels currently included in it, but remove the vessel *Permata* if it is confirmed that it sank.
6. Discuss the question of capacity.
7. Work on the procedures for including vessels in the IUU list.

9. Adjournment

The meeting was adjourned at 13:30 on 25 September.

Appendix 1.

ATTENDEES - ASISTENTES

BELIZE -BELICE

Abilio Dominguez

IMMARBE/International Merchant Marine Registry of Belize

abilio@immarbe.com

CANADA - CANADÁ

Lauren Donihee

Fisheries and Oceans Canada

lauren.donihee@dfp-mpo.gc.ca

COLOMBIA

Carlos Robles*

Ministerio de Agricultura y Desarrollo Rural

carlos.robles@minagricultura.gov.co

Vladimir Puentes

Ministerio de Ambiente, Vivienda y Desarrollo Territorial

vpuentes@minambiente.gov.co

Armando Hernández

Programa Nacional de Observadores de Colombia

dirpescalimpia@cable.net.co

Diego Canelos

Seatech International, Inc.

dcanelos@seatechint.net

Alejandro Londoño

ANDI/Asociación Nacional de Empresarios de Colombia

alondono@andi.com.co

Luís Paredes

Seatech International, Inc.

paredeslr@lexpraxis.com

COSTA RICA

Luís Dobles*

INCOPECA/Instituto Costarricense de Pesca y Acuicultura

ludora@ice.co.cr

Bernal Chavarría*

Ministerio de Agricultura

bchavarría@bcvabogados.com

Asdrúbal Vásquez*

Ministerio de Agricultura y Ganadería

vazquezal@ice.co.cr

José Carvajal

INCOPECA/Instituto Costarricense de Pesca y Acuicultura

carva77@gmail.com

ECUADOR

Luís Torres*

Subsecretaría de Recursos Pesqueros

luís.torres@pesca.gov.ec

Rafael Trujillo

Cámara Nacional de Pesquería

dirjec@camaradepesquería.com

Luigi Benincasa

ATUNEC/Asociación de Atuneros del Ecuador

luigibenincasa@gmail.com

EL SALVADOR

Sonia Salaverría*

Ministerio de Agricultura y Ganadería – CENDEPESCA

sonia.salaverría@mag.gob.sv

Raúl Aguilar

Ministerio de Agricultura y Ganadería – CENDEPESCA

raguilar@mag.gob.sv

Elsy Sorto

Ministerio de Agricultura y Ganadería - CENDEPESCA

elsy.sorto@mag.gob.sv

Carlos Sánchez

CALVO Pesca - Grupo Calvo

carlos.sanchez@calvo.es

EUROPEAN UNION - UNION EUROPEA

Roberto Cesari*

European Commission

roberto.cesari@ec.europa.eu

Marco D'Ambrosio*

European Commission

marco.dambrosio@ec.europa.eu

Santiago Neches

Ministerio de Medio Ambiente, Medio Rural y Marino

neches@mapausa.org

Javier Aríz

Instituto Español de Oceanografía

javier.ariz@ca.ieo.es

FRANCE - FRANCIA

Jonathan Lemeunier*

Ministere de l' agriculture et de la peche
jonathan.lemeunier@agriculture.gouv.fr

GUATEMALA

Jorge Girón*

Ministerio de Agricultura, Ganadería y Alimentación
jgiron@maga.gob.gt

Hugo Alsina*

Ministerio de Agricultura, Ganadería y Alimentación
hugo@alsina-et-al.org

Bryslie Cifuentes*

Ministerio de Agricultura, Ganadería y Alimentación
brysliec@hotmail.com

Estrella Marroquín*

Ministerio de Agricultura, Ganadería y Alimentación
estrellamarroquin@hotmail.com

Jasmine Andaraus

Ministerio de Agricultura, Ganadería y Alimentación
unipesca04@yahoo.com.mx

Francisca Barrera

Ministerio de Agricultura, Ganadería y Alimentación
licdabarrera@yahoo.com

Juan Campollo

Ministerio de Agricultura, Ganadería y Alimentación
unipesca04@yahoo.com.mx

Dennis Dieguez

Ministerio de Agricultura, Ganadería y Alimentación
dennisdieguez@homail.com

Henry Hernández

Ministerio de Agricultura, Ganadería y Alimentación
unipesca04@yahoo.com.mx

Juan Hernández

Ministerio de Agricultura, Ganadería y Alimentación
unipesca04@yahoo.com.mx

Luis López

Ministerio de Agricultura, Ganadería y Alimentación
luis.paredes@gmail.com

Rubén López

Ministerio de Agricultura, Ganadería y Alimentación
rubenlopezbran@yahoo.com

Ivo Orellana

Ministerio de Agricultura, Ganadería y Alimentación
ivoorellana@gmail.com

Jorge Ruano

Ministerio de Agricultura, Ganadería y Alimentación
biojorge@yahoo.com

Heidy Xalín

Ministerio de Agricultura, Ganadería y Alimentación
hxalin@yahoo.com

Guillermo Rodríguez

Rianxeira América, S.A
mahuad51@gmail.com

JAPAN – JAPÓN

Shingo Ota*

Fisheries Agency of Japan
shingo_ota@nm.maff.go.jp

Takaaki Suzuki

Fisheries Agency of Japan
takaaki_suzuki@nm.maff.go.jp

Haruo Tominaga

Fisheries Agency of Japan
haruo_tominaga@nm.maff.go.jp

Hisao Masuko

Japan Tuna Fisheries Co-operative Association
masuko@japantuna.or.jp

MÉXICO - MEXICO

Mario Aguilar*

CONAPESCA/ Comisión Nacional de Acuicultura y Pesca
mariogaguilars@aol.com

Michel Dreyfus*

Instituto Nacional de la Pesca
dreyfus@cicese.mx

Luis Fleischer*

Instituto Nacional de la Pesca
lflischer21@yahoo.com

NICARAGUA

Armando Segura*

Cámara de la Pesca de Nicaragua
capenic@ibw.com.ni

Julio Guevara*

INATUN
juliocgq@gmail.com

PANAMÁ - PANAMA

Maricel Morales*

ARAP/Autoridad de los Recursos Acuáticos de Panamá
mmorales@arap.gob.pa

Arnulfo Franco

FIPESCA
arnulfol.franco@gmail.com

Orlando Bernal*

ARAP/Autoridad de los Recursos Acuáticos de Panamá
obernal@arap.gob.pa

CHINESE TAIPEI - TAIPEI CHINO

Chung-Hai Kwoh*

Fisheries Agency
chunghai@fa.gov.tw

Chien-Nan Lin

Fisheries Agency
chiennan@msl.f.gov.tw

Yi-Chi Huang

Ministry of Foreign Affairs
chiennan@msl.f.gov.tw

Shyue-Min Hwang

Ministry of Foreign Affairs
chiennan@msl.f.gov.tw

Peter Hung-Wei Ting

Ministry of Foreign Affairs
chiennan@msl.f.gov.tw

Wei-Yang Liu

Overseas Fisheries Development Council
weiyang@ofdc.org.tw

UNITED STATES OF AMERICA - ESTADOS UNIDOS DE AMERICA

NOAA/National Marine Fisheries Service

rod.mcinnis@noaa.gov

Malcolm Stockwell*

U.S. Department of State
edstockwell@insightbb.com

Randall Robinson

U.S. Department of State
robinsonr2@state.gov

David Hogan

U.S. Department of State
hogandf@state.gov

Judson Feder

NOAA - Office of General Counsel Southwest
judson.feder@noaa.gov

Paul Ortiz

NOAA – Office of General Counsel
paul.ortiz@noaa.gov

Derek Campbell

NOAA/National Marine Fisheries Service
derek.campbell@noaa.gov

Heidi Hermsmeyer

NOAA/National Marine Fisheries Service
heidi.hermsmeyer@noaa.gov

Rodney McInnis* William Jacobson

NOAA/National Marine Fisheries Service
bill.jacobson@noaa.gov

Jeremy Rusin

NOAA/National Marine Fisheries Service
jeremy.rusin@noaa.gov

Martina Sagapolu

NOAA/National Marine Fisheries Service
martina.sagapolu@noaa.gov

Brad Wiley

NOAA/National Marine Fisheries Service
brad.wiley@noaa.gov

Sarah Wilkin

NOAA/National Marine Fisheries Service
sarah.wilkin@noaa.gov

Christopher Dahl

Pacific Fishery Management Council
kit.dahl@noaa.gov

Randi Thomas

National Fisheries Institute / USTF
rthomas@nfi.org

VENEZUELA

Lillo Maniscalchi

AVATUN/Asociación Venezolana de Armadores Atunero
lillomaniscalchi@yahoo.com

OBSERVERS - OBSERVADORES

KIRIBATI

Kintoba Teaero

Ministry of Fisheries and Marine Resources Development
kintobat@mfmrd.gov.ki

Aketa Taanga

Ministry of Fisheries and Marine Resources Development
aketatanga@gmail.com

NON-GOVERNMENTAL ORGANIZATIONS - ORGANIZACIONES NO GUBERNAMENTALES

Cristobel (Kitty) Block

The Humane Society of the U.S
kblock@hsus.org

Rebecca Regnery

Humane Society International
rregnery@hsus.org

Peter Flournoy

American Fishermen's Research Foundation
phf@international-law-offices.com

SECRETARIAT - SECRETARIA

Guillermo Compeán, Director

gcompean@iattc.org

Ernesto Altamirano

ealtamirano@iattc.org

Ricardo Belmontes

rbelmontes@iattc.org

Mónica Galván

mgalvan@iattc.org

Martín Hall

mhall@iattc.org

Brian Hallman

bhallman@iattc.org

Teresa Musano

tmusano@iattc.org

Nora Roa-Wade

nwade@iattc.org

Cynthia Sacco

csacco@iattc.org

Nick Webb

nwebb@iattc.org

Appendix 2.

PROVISIONAL IATTC IUU LIST – 10 September 2010

Vessel	Flag	Gear
<i>Yu Long</i>	BLZ	LL/MR
<i>Yu Long No.6</i>	BLZ	LL
<i>Marta Lucía R.*</i>	COL	PS
<i>Dominador I</i>	COL	PS
<i>Ignacio Mar I</i>	ECU	PS
<i>Neptune</i>	GEO	LL
<i>Minako</i>	IDN	LL
<i>Tomio</i>	IDN	LL
<i>Lina</i>	IDN	LL
<i>Tunamar</i>	PAN	PS
<i>Caribbean Star No. 31</i>	UNK	PS

* This vessel is on the current IATTC IUU List

Appendix 3

CURRENT IATTC IUU LIST

<http://www.iattc.org/VesselRegister/IUU.aspx?Lang=en>

Vessel	Flag	Gear
<i>Marta Lucia R.</i>	COL	PS
<i>Bhineka</i>	IDN	LL
<i>Hiroyoshi 17</i>	IDN	LL
<i>Jimmy Wijaya 35</i>	IDN	LL
<i>Mutiara 28</i>	IDN	LL
<i>Permata</i>	IDN	LL
<i>Permata 1</i>	IDN	LL
<i>Permata 102</i>	IDN	LL
<i>Permata 138</i>	IDN	LL
<i>Permata 2</i>	IDN	LL
<i>Permata 6</i>	IDN	LL
<i>Permata 8</i>	IDN	LL
<i>Bhaskara No. 10</i>	UNK	LL
<i>Bhaskara No. 9</i>	UNK	LL
<i>Camelot</i>	UNK	LL
<i>Chia Hao No. 66</i>	UNK	LL
<i>Dragon III</i>	UNK	LL
<i>Goidau Ruey No. 1</i>	UNK	LL
<i>Jyi Lih 88</i>	UNK	LL
<i>Orca</i>	UNK	LL
<i>Reymar 6</i>	UNK	LL
<i>Ta Fu 1</i>	UNK	LL
<i>Tching Ye No. 6</i>	UNK	LL
<i>Wen Teng No. 688</i>	UNK	LL

BLZ	Belize	PAN	Panama
COL	Colombia	UNK	Unknown—Desconocido
ECU	Ecuador	LL	Longline—Palangre
GEO	Georgia	MR	Carrier vessel—Carguero
IDN	Indonesia	PS	Purse seine—Red de cerco