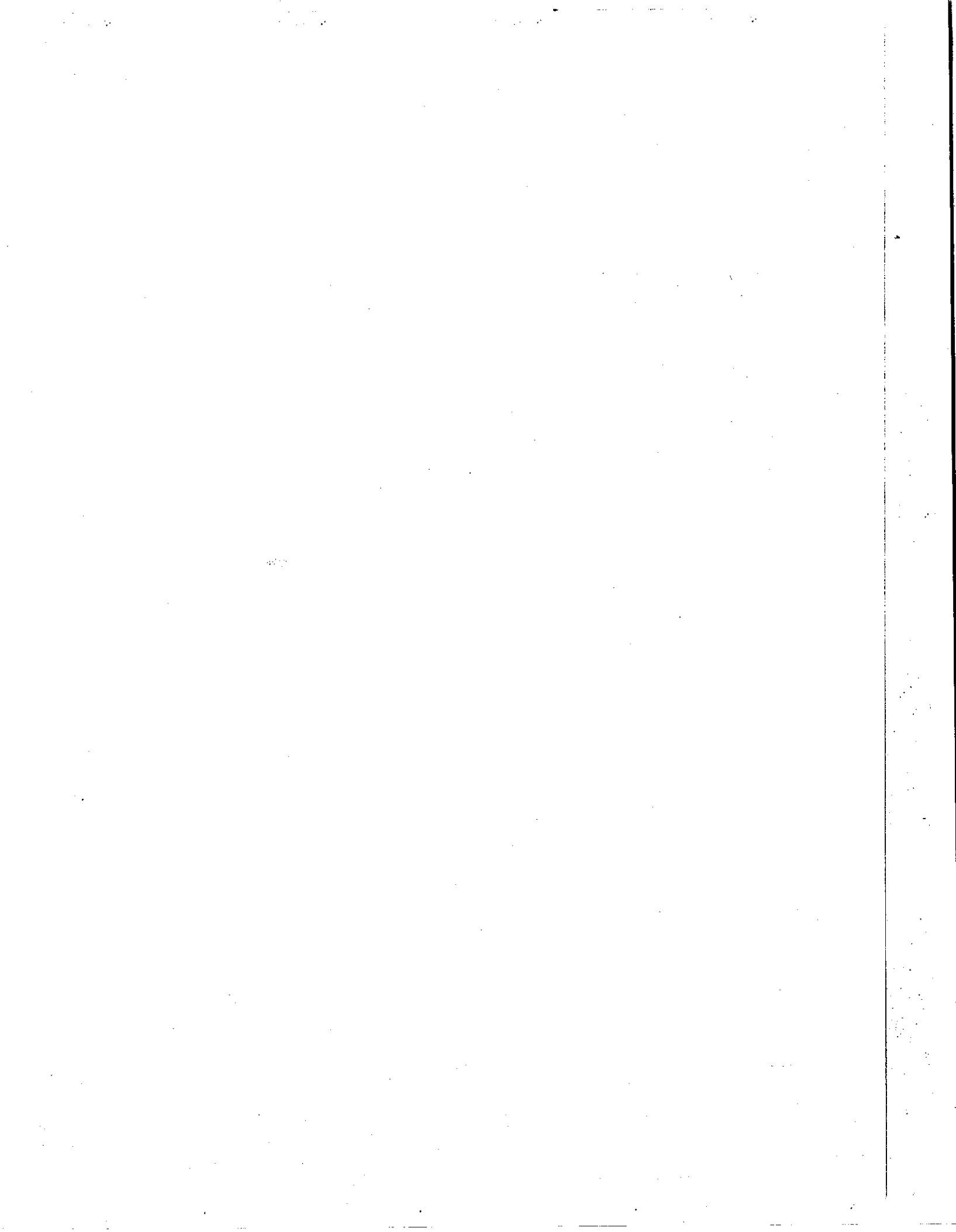


FINAL ACT

**NINETEENTH INTERGOVERNMENTAL MEETING
ON
THE CONSERVATION OF YELLOWFIN TUNA**

**Washington, D.C.
December 1975**



19TH INTERGOVERNMENTAL MEETING
ON THE CONSERVATION OF YELLOWFIN TUNA

Washington, D.C.
December 15 - 19, 1975

The 19th Intergovernmental Meeting on the Conservation of Yellowfin Tuna opened at 2:30 p.m. on December 15, 1975 in the Conference Room of the Department of State, Washington, D.C.

1. Opening of the Meeting

Miss Rozanne L. Ridgway, acting in her capacity as Head of the United States Delegation, opened the meeting by welcoming the delegates of the member countries and the observers from nonmember countries and international organizations, as listed in Annex 1.

2. Selection of Officers

Miss Ridgway called for nominations of officers to preside over the meeting.

At the Mexican Delegation's proposal, Mr. Wilvan G. Van Campen, United States Commissioner, was elected chairman of the meeting; his suggestion that Ambassador Joaquín Mercado Flores of Mexico act as Secretary was accepted by the participating delegations.

3. Agenda

A provisional agenda (Annex 2) had been proposed for the Intergovernmental Meeting.

Item 2 of that agenda was the "Appointment of a Committee on Credentials."

At the beginning of the session, several delegations had requested clarification of the nature of the meeting, that is, whether it was to be considered a continuation of the one held in Paris, October 15-17, 1975, or whether it should be regarded as a separate meeting.

It was agreed that it should be an independent meeting.

Since some delegations had considered this meeting to be a continuation of the Paris meeting, where the credentials were recorded, the chairman proposed that no Committee on Credentials/^{be}appointed on this occasion. This was agreed to by the delegations.

4. Consideration and Adoption of Agenda and Organization of Work

Since there were no comments concerning the items on the provisional agenda, it was adopted.

It was agreed with regard to the meeting's work that morning sessions would run from 9:30 a.m. to noon, and afternoon sessions from 2:00 to 5:00 p.m.

5. Consideration of Measures Relating to the Implementation of the Recommendations of the IATTC for 1976

Upon reaching item 5 on the agenda, "Consideration of Measures Relating to the Implementation of the Recommendations of the IATTC for 1976," the chairman recalled that there had been an exchange of ideas and opinions on this topic at the Paris meeting, where a resolution had been adopted.

He explained, however, that there were still points on which an agreement had to be reached such as the catch quota, adoption of a closed season

system, special quotas, etc. He also thought it would be desirable for Dr. James Joseph, Director of Investigations of the IATTC, to report on fishery developments during the latter months of the year.

Dr. Joseph not only reviewed the recent months but also spoke on the fishery situation in recent years, analyzing catch size, quantity indices, etc., referring to the documents that had been distributed to the delegations.

In his report he proposed, as he had in Paris, that the total catch quota for 1976 be set at 140,000 tons and that he be given flexibility to authorize five increments of 10,000 tons each, for a total of 190,000 tons, if he observed from the fishing operations an abundance of fish that would make such increments possible.

He also referred to the difficulties that the current regulatory system, which includes the possibility of a last unrestricted trip, causes the scientific staff, since the carrying capacity of the international fleet has made management of the fishery difficult.

Dr. Joseph mentioned not only the yellowfin tuna in his report, but also provided data on other species, especially the skipjack and bonito.

Several delegations, among them the United States and the Mexican, requested further details from Dr. Joseph on some points of his statement.

In reply to specific questions, Dr. Joseph explained that the IATTC's research has not yet uncovered the precise relationship between the size of the spawning and that of the recruitment of the populations fished; the Commission's scientists have not been able to determine even the parameters of this spawning-recruitment relationship.

On the basis of the foregoing he stressed that he should be given the necessary flexibility in setting the over-all quota, in order to have a greater safety margin.

He also explained that great quantities of class I and II fish were caught during 1973 and 1974; however, in 1975 the catch of these fish was not as high as in previous years.

The class I and II catches recorded in 1973 and 1974 could lead to the assumption that the quantity of fish of spawning age would decrease in 1976, but the proportion of this relationship is unknown.

He said that the only actual evidence is the quantity index used in recent years, that is, the catch per standard fishing day, which is apparently declining, although it has not reached the limit set as a safety measure.

Dr. Joseph's statement raised comments from the participating delegations.

The United States Delegation said that it could be inferred from the report that the IATTC's scientific staff had a recommendation on the amount of the total catch varying between a maximum and a minimum, and that according to available data there was no evidence of excessive catches of yellowfin tuna in the regulated area.

The delegation emphasized that it had not yet been possible even to establish a direct relationship between the adult and juvenile tuna populations.

It indicated that the economic and biological aspects of the problem were important, stating that if, in the final analysis, the over-all quota accepted meant a reduction in relation to other years, then that reduction

should be divided among all the fleets. However, on the basis of the available data, it considered that the over-all catch should be equal to that of the preceding year.

For its part, the Mexican Delegation explained that it could not accept the criterion of equal sacrifices or benefits proposed by the United States, since equal treatment between unequal parties was not equitable.

It indicated that a balance should be sought in the various fleets' shares, and that a genuine regulatory system should allow for the development of countries with small fishing fleets.

Moreover, the delegation pointed out that Mexico, faced with the tuna fishery situation, had reduced its requests to the minimum essential to allow it a catch consistent with its fishing effort. It maintained that Mexico needed 3,000 more tons of tuna than last year.

The United States Delegation affirmed that all the countries represented had an equal interest in this problem and that it was not denying the right of other countries to develop; nevertheless, although exceptions had been made in the past for certain fleets ~~because of~~ **special** needs, the question of how long such concessions were to continue should be studied.

The Mexican Delegation stressed that the quantity required for its needs during the next season had been set at 6,000 tons/⁻⁻an amount it had judged reasonable. However, because of the difficulties which had arisen, that amount had been cut in half. The delegation said that it was therefore not a matter of its being granted a new opportunity; rather, within the framework of its fishing effort, it was also sharing in the common sacrifice.

The Delegation of Costa Rica thanked Dr. Joseph for his explanations and indicated that it sympathized with Mexico's sacrifice in reducing its request.

At the same time, the delegation stressed the need to have a new Agreement on this subject for 1976.

In view of the apparent difficulties in achieving a solution to the problems presented, and in order to permit greater contact between participating delegations that would facilitate a satisfactory arrangement, the chairman suggested that the meeting suspend consideration of item 5 of the agenda and go on to the following item, returning to item 5 at a later time. This suggestion was accepted.

6. Consideration of Measures for Minimizing Harm to Marine Mammals in the Course of Tuna Fishing

The United States Delegation opened item 6 of the agenda, relating to the death of certain marine mammals during tuna fishing.

It reported that tuna fishing has brought with it the problem of the killing of certain mammals, especially porpoises.

This matter has been discussed since 1972, both by the Commission and at the Intergovernmental Meetings.

The delegation reported that the United States has imposed certain measures on fishing practices, attempting to reduce the death rate of such mammals. It also recognized that the United States was not the only country concerned by this problem, nor the only one that had taken measures to prevent it from becoming worse and to try to solve it.

The delegation indicated its awareness that certain countries had adopted special laws on this subject, and announced that the United States was going to issue a series of regulations that were to enter into force almost by the end of the meeting. Copies of the regulations were provided for the participating delegations.

The United States Delegation stressed the need to adopt measures protecting these mammals.

It reported that among the proposed rules were observation procedures aboard vessels and measures designed to minimize harm to marine mammals

The delegation recalled that in previous years it had requested that the IATTC Director of Investigations be authorized to make an in-depth study of the problem. It suggested that perhaps a recommendation from this Intergovernmental Meeting would be appropriate.

The delegation also stated that in order to be imported into the United States, tuna had to be fished in compliance with the pertinent requirements affecting United States nationals.

The Japanese Delegation also stressed the importance of this problem and indicated that Japan would be willing to consider new methods of protecting porpoises. It asked, in turn, what the possibilities were of reducing the mammal death rate to zero.

The United States Delegation replied that at this time there was only very general data available on the subject, and that it was necessary to collect much more.

Up to this time, the delegation added, efforts to reduce the porpoise death rate to zero had been unsuccessful, and it was necessary to join forces to properly protect the species.

The Japanese Delegation asked whether there was any competition between porpoises and tuna over their basic food sources.

The United States Delegation replied that very little was known on the subject. In general, tuna were linked with certain species of porpoise. Moreover, the stomach contents of tuna and porpoises were not very different; apparently they fed on the same organisms.

The French Delegation expressed interest in this problem and stated that it was necessary to take certain measures to protect these mammals.

It asked, however, whether it would not be necessary to amend the current Convention in order for the IATTC to be able to investigate the matter.

Dr. Joseph gave certain clarifications of the Convention's scope and the species it covered. He mentioned the skipjack, tuna, bait fish, and other species of fish taken by tuna vessels.

He said that the Convention could be interpreted not to include mammals, but a study could be made of the abundance of the species mentioned, since it was clear that there was a connection between these species and the tuna. It was necessary to keep in mind the relationship between porpoises and tuna, whereby catching tuna meant catching porpoises.

He said that in his opinion the Convention could be interpreted in this manner.

The Chairman observed that it was therefore apparently to be inferred that the Commission could not validly study the tuna while ignoring its environment,

The Mexican Delegation stated that it had always been very concerned to prevent the killing of the mammals, adding that it appreciated the intent of the United States' rules and provisions on the subject, but that it had to be careful in that regard.

According to the Mexican Delegation, none of the Convention's provisions could be clearly applied to this subject.

It stated that if there was interest in a study being conducted and used, the United States could make an outstanding contribution. Later on, ways could be sought for approving a convention on the subject, since the current one did not contain applicable provisions.

The Panamanian Delegation referred to the Mexican Delegation's statement and to its apparent doubts regarding the possibility of making in-depth studies on porpoises.

It pointed out that the IATTC budget was small and that it would be impossible to carry out such studies with the current staff. It indicated that Panama agreed that such studies should be conducted, but that it was necessary to find an appropriate mechanism for doing so.

Dr. Joseph then explained that in his earlier statement he had not wanted to go into detail and therefore he had not mentioned the budget, among other things. He said that currently the Commission was not capable of carrying out such studies and that therefore, if it were decided to make them, the Commission would have to support the decision by hiring the appropriate staff and providing sufficient funds for the purpose.

The Canadian Delegation also referred to the need to find means of carrying out these studies with qualified personnel.

With respect to the United States regulations, the delegation commented that they appeared complicated, but that it hoped they would be enacted. It also mentioned several measures being put into practice by Canada.

The Nicaraguan Delegation expressed its concern over this problem and reported that in 1973 Nicaragua prohibited the fishing and exploitation of marine mammals.

The United States Delegation observed that the comments made indicated that all the States were concerned over this problem, and that their decision should be a careful one.

The delegation indicated that the United States was considering the possibility of an international exchange of observers and that its Government would be pleased to receive any constructive comments from other Governments regarding a mutual observation program.

It explained that the program would be for informational purposes and stressed that trained scientific observers should be used.

The Mexican Delegation said that it was taking note of the proposal and would transmit it to the Fisheries Research Institute in Mexico to see if it would be possible to accept it and prepare a program. The delegation explained that, as of the present, Mexico had not established any special provisions on this subject for foreign vessels fishing in national waters with "Vía la Pesca" licenses because fishing of all mammals was strictly prohibited.

The Panamanian Delegation observed that it would be necessary to have bilateral or multilateral agreements with other Governments in order to carry out a mutual observation program.

The Japanese Delegation pointed out that the United States Delegation had brought up the topic of observers not as a means for enforcing its regulations but as a scientific activity.

The Nicaraguan Delegation stated that it had no instructions from its Government regarding the proposed observer program and would therefore prefer to make a decision at a later date.

The Costa Rican Delegation indicated that it too had problems regarding the proposal and could therefore not give a reply until later.

The Canadian Delegation reported that Canada had studied the idea and that one difficult point to resolve was the length of time the scientific observers had to remain at sea: usually from three to six months. Countries generally do not have many scientific observers who can remain at sea for so long a time. Moreover, the procedure was very costly and not all Governments could afford it.

The United States Delegation said that it had taken note of the comments made, that it would try to make a report on the subject, and that perhaps it would be possible to return to the subject another time.

7. Consideration of Measures Relating to the Implementation of the Recommendations of the IATTC for 1976

At the close of the discussion of item 6 on the agenda, relating to measures for minimizing harm to mammals, the chairman requested the delegations to again take up the point left pending on implementation of the IATTC recommendations for 1976.

He requested that the delegations that had been negotiating a possible solution report to the meeting on the results of their efforts.

The United States Delegation said that consultations had been held on the subject which had proved useful and constructive.

The delegation then summarized the agreements reached, mentioning that the one submitted by Panama in Paris had been accepted, to the effect that the closed-season allocation of 6,000 short tons for vessels with a capacity of 400 short tons or less be applied to Panamanian vessels of up to 600 tons' capacity, in view of the reorganization of its industry for 1976.

The delegation also stated that the proposal to continue the program set up in 1975 had been accepted.

Likewise, Mexico's request for 3,000 additional short tons was accepted.

Furthermore, reported the United States Delegation, it had been decided to exclude from the CYRA for 1976, on an experimental basis, two areas to be defined in detail further along in the draft resolution.

At this point a map was distributed showing the two areas involved and their location. The map constitutes Annex 3.

The Mexican Delegation reported that the agreements accepted did not mean that the Governments were taking a position contrary to agreements already adopted or which might be adopted in the future convention on the law of the sea, and that they would not affect the sovereign rights which they themselves had adopted.

With regard to the exclusion of certain areas, the delegation said that these areas apparently had not been sufficiently explored, and that after consulting with Dr. Joseph it had decided that the proposal could be accepted.

It also indicated that during the 1976 fishing season the necessary precautions should be taken to prevent any harmful repercussions on the species.

With these comments the Mexican Delegation stated that it was able to accept the draft resolution.

Canada, France, Panama, Costa Rica, Nicaragua, and Japan expressed satisfaction that an agreement had been reached.

At the same time that the draft resolution (Annex 4) was presented for approval, an addendum (Annex 5) to Para. (c) of point C-4 was also submitted.

The Mexican Delegation gave its opinion that the addendum, which read as follows: "(c) For 1976 only, the above provision will apply to six new vessels that Mexico will incorporate to its fleet during the 1976 fishing season and which will present special problems of operation" should be placed before paragraph 2 of point C.

The chairman pointed out that that was the order in which the Secretariat had wanted to put it.

Regarding point 6(a) and (c), the Japanese Delegation pointed out that it was extremely difficult to send inspectors to the regulatory area to inspect logbooks.

The chairman suggested that this recommendation could be accepted following the applicable practice and could be enforced insofar as possible.

The Mexican Delegation suggested that although this meeting was regarded as separate from the Paris meeting, both should be taken into consideration, since both dealt with the same subjects and certain reservations were presented in both.

The Japanese Delegation again stated its reservation regarding relay of information by vessels to their Governments over certain frequencies. It explained that Japan's vessels were not equipped to comply with that provision as it was currently phrased.

The chairman reminded the meeting that the Mexican Delegation had also expressed doubts on this issue and said that if it were approved he believed that the provisions could be implemented to the extent possible.

The United States Delegation requested clarification of Japan's remarks concerning the inspectors.

In this connection, the Japanese Delegation explained that it had been agreed that "an authorized official," as stated in the resolution, could be a person traveling on the vessel and belonging to the Government of the flag country, but not to a special category of officials. If it was accepted in that form, Japan had no objection to make. In reply to a specific question by the United States Delegation, the Japanese Delegation stated that Japan was willing to inspect the records and make the appropriate reports in accordance with them.

The Costa Rican Delegation, referring to point 6, commented on the difficulty of achieving adequate surveillance.

Regarding this point the Mexican Delegation stated its understanding that the surveillance referred to by Costa Rica involved vessels and not a specific maritime zone.

Once the preceding points were clarified, the chairman put the draft resolution to a vote and it was unanimously adopted.

8. Other Business

On this item, the Mexican Delegation repeated the Paris statement regarding the invitation to be extended through official channels for a meeting of plenipotentiaries to reconsider the yellowfin tuna problem in the light of the Governments' provisions and of the convention on the new law of the sea.

The delegation was of the opinion that it was desirable to revise the convention and to adopt a new regulatory system which would be proportional and just.

The chairman gave his opinion that the proposal had its merits and that in view of the difficulties which had arisen it was perhaps necessary to create new structures.

Another topic referred to was that of the date and place of the next meeting. It was agreed to hold it at the same site as the IATTC meeting, for which Managua, Nicaragua, had been proposed.

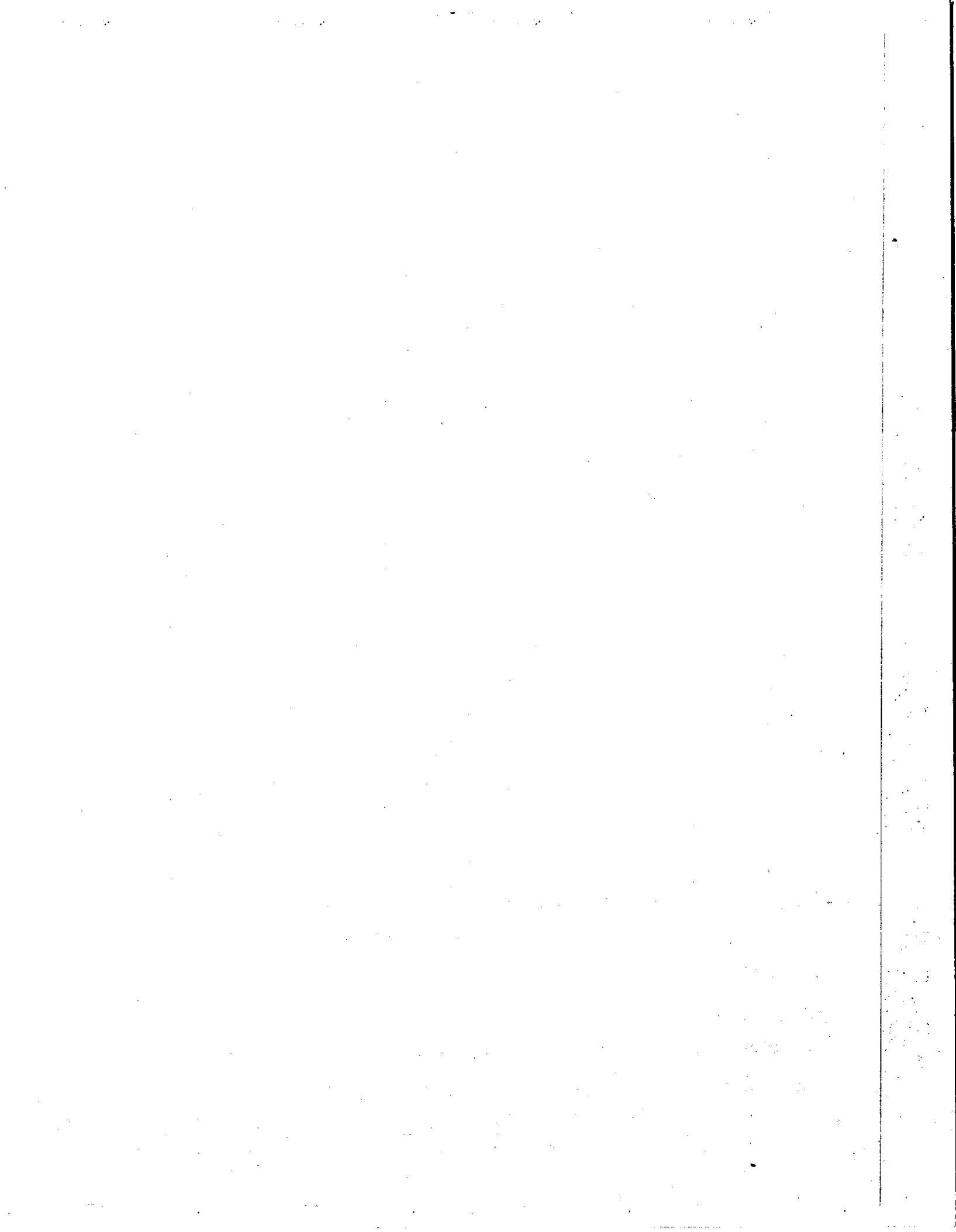
The Mexican Delegation said that in view of the concern over the mammal death toll, the United States Delegation could collaborate financially and politically with the Commission in order to obtain a budget that could be used to seek a solution to this problem.

The United States Delegation indicated that the United States had already undertaken certain research projects, which could perhaps be transmitted to the Director of Investigations and the member Governments, and that it thought Mexico's proposal a constructive one.

The Panamanian and Canadian Delegations supported Mexico's proposal.

The chairman confirmed that the meeting had achieved a consensus, and asked that it be recorded in the minutes that the Governments in a position to do so were requested to contact the Commission so that means of protecting and preventing harm to marine mammals could be studied to the extent that funds were available.

There being no further business, the meeting adjourned at 11:40 a.m. on December 18, 1976.



12TH INTERGOVERNMENTAL MEETING ON THE CONSERVATION OF WILDLIFE IN TROPICAL
AND SUB-TROPICAL AREAS
32ND MEETING OF THE INTER-AMERICAN TROPICAL WILDLIFE COOPERATION

Washington, D.C.

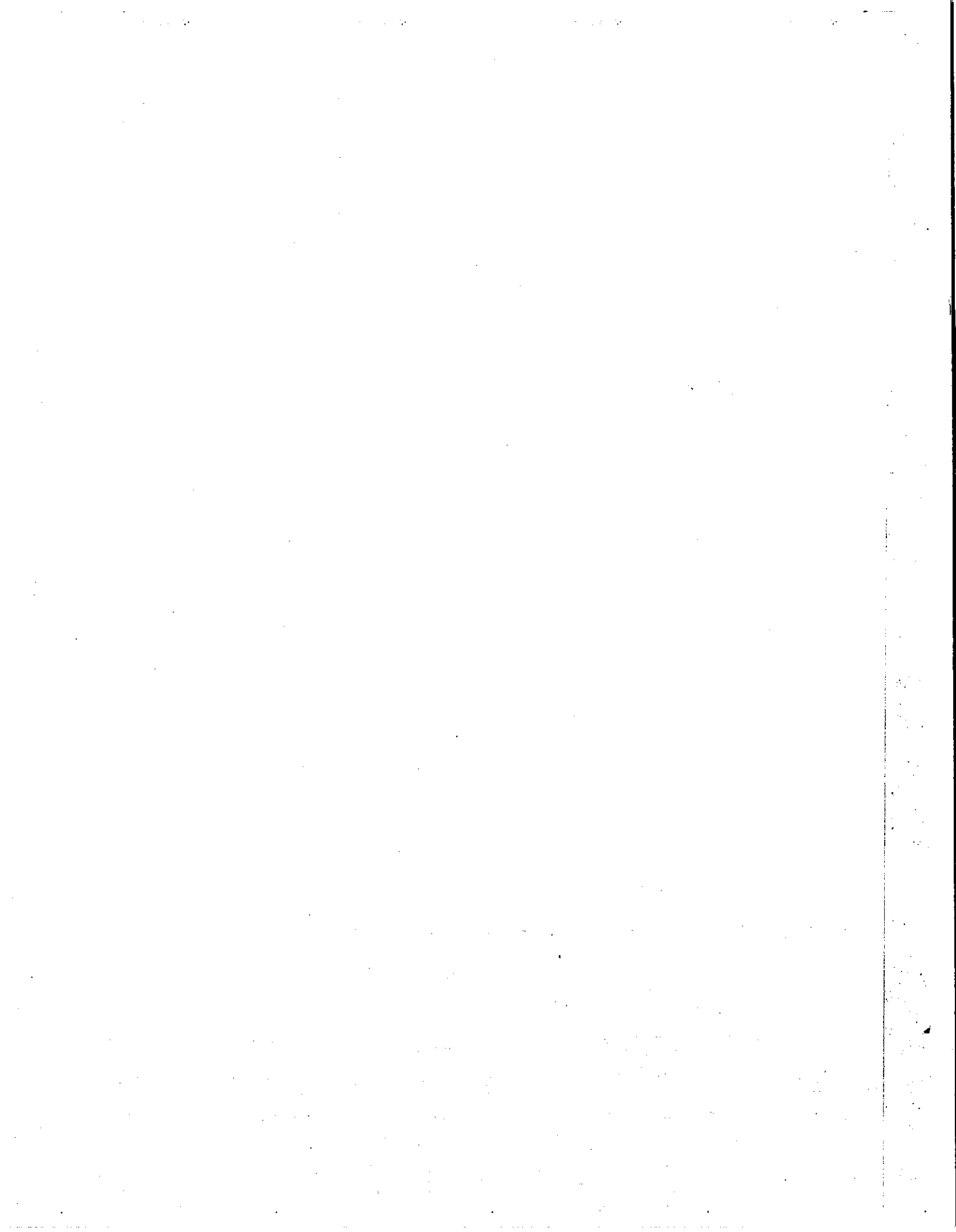
December 15-19, 1975

1975
Washington D.C. 1975

19TH INTERGOVERNMENTAL MEETING ON THE CONSERVATION OF WILDLIFE IN TROPICAL

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This list is based on registration as of 12:00 p. m., December 16, 1975.
Please report any changes or corrections to the Conference Information Center.



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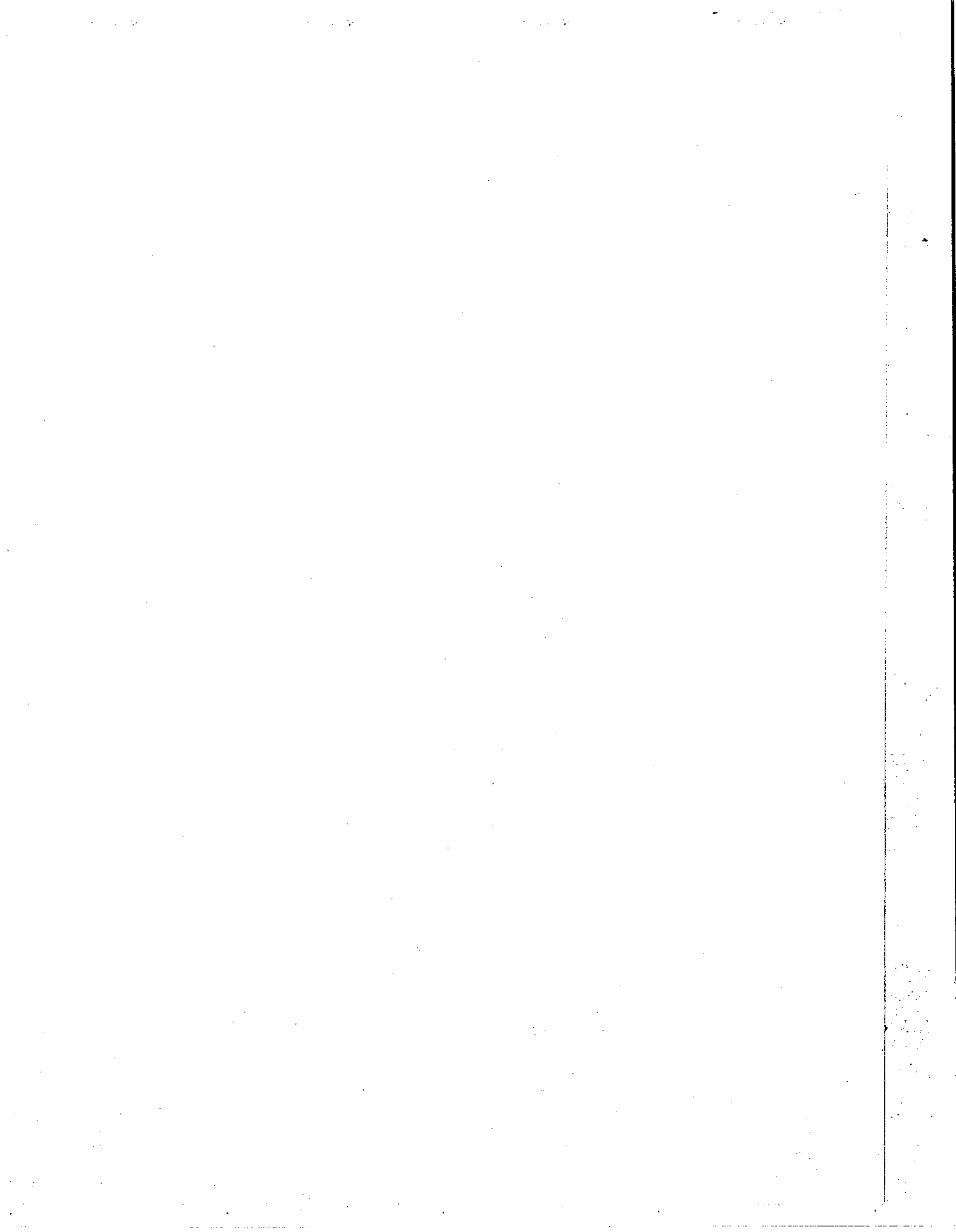
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19TH INTERGOVERNMENTAL MEETING
ON THE
CONSERVATION OF YELLOWFIN TUNA

Washington, D.C.

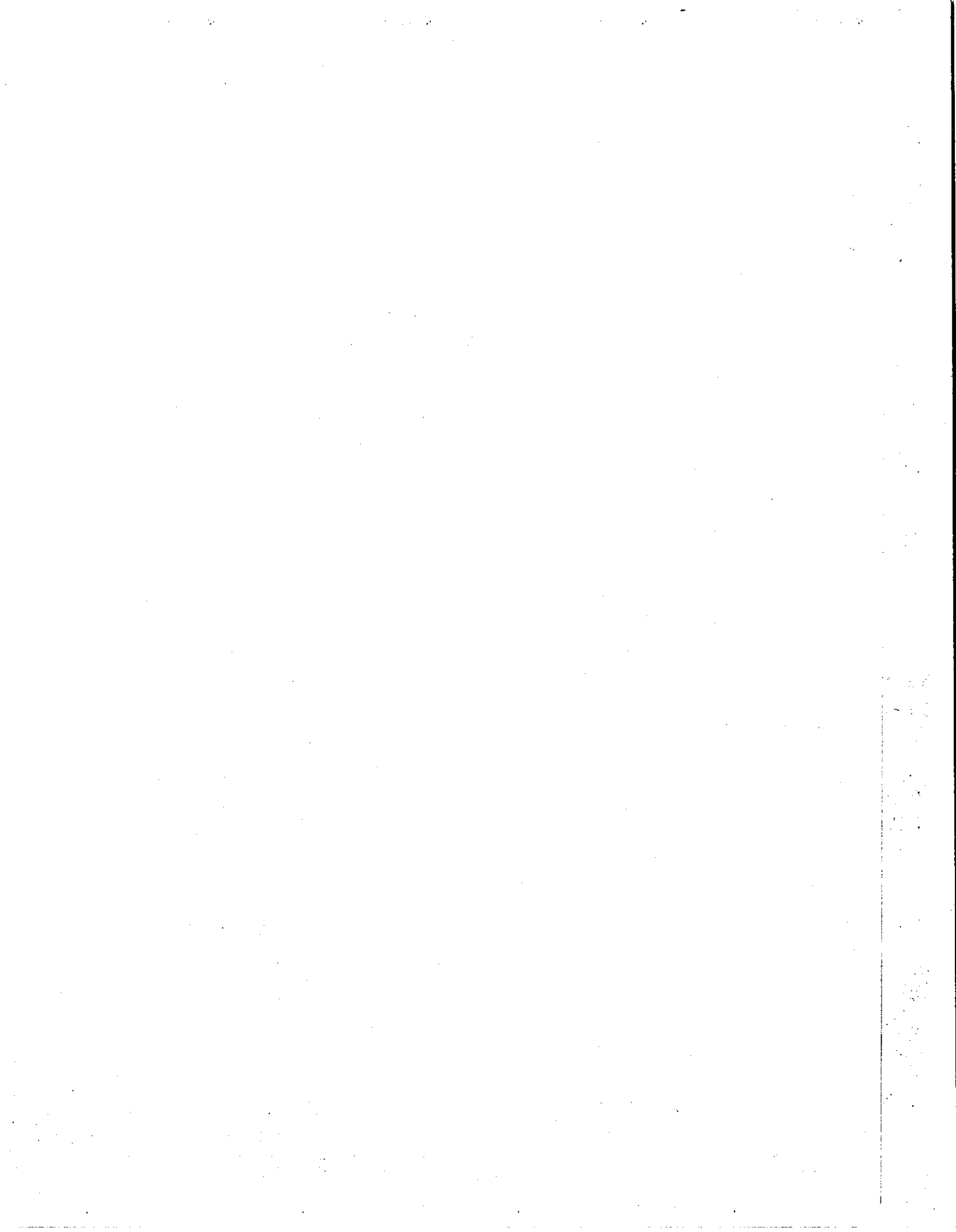
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PROVISIONAL AGENDA

1. Opening of the Meeting
2. Appointment of Committee on Credentials
3. Election of Chairman and Secretary
4. Consideration and Adoption of Agenda and Organization of Work
5. Consideration of measures relating to the implementation of the recommendations of the IATTC for 1976
6. Consideration of measures for minimizing harm to marine mammals in the course of tuna fishing
7. Other Business
8. Adjournment

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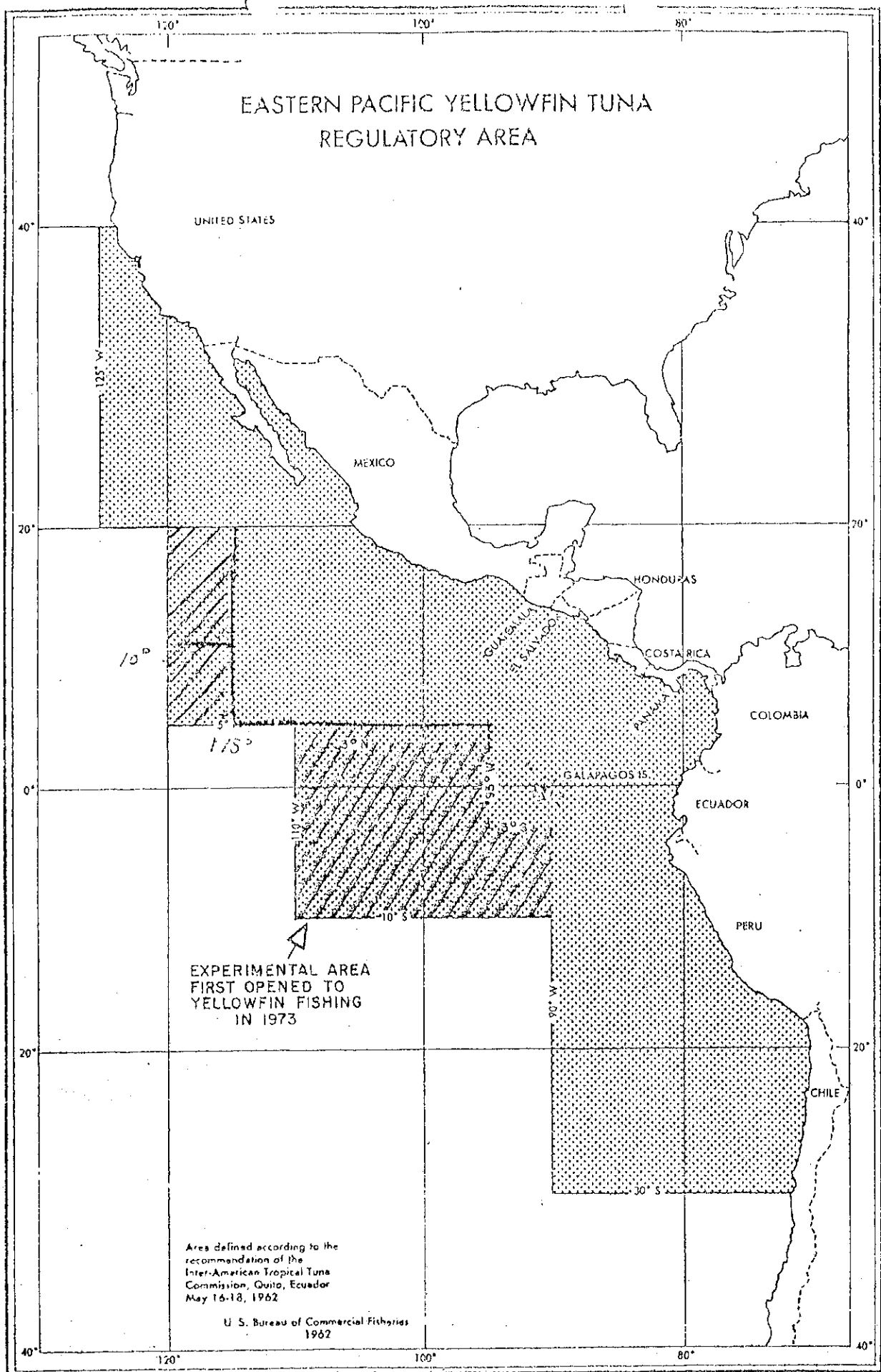
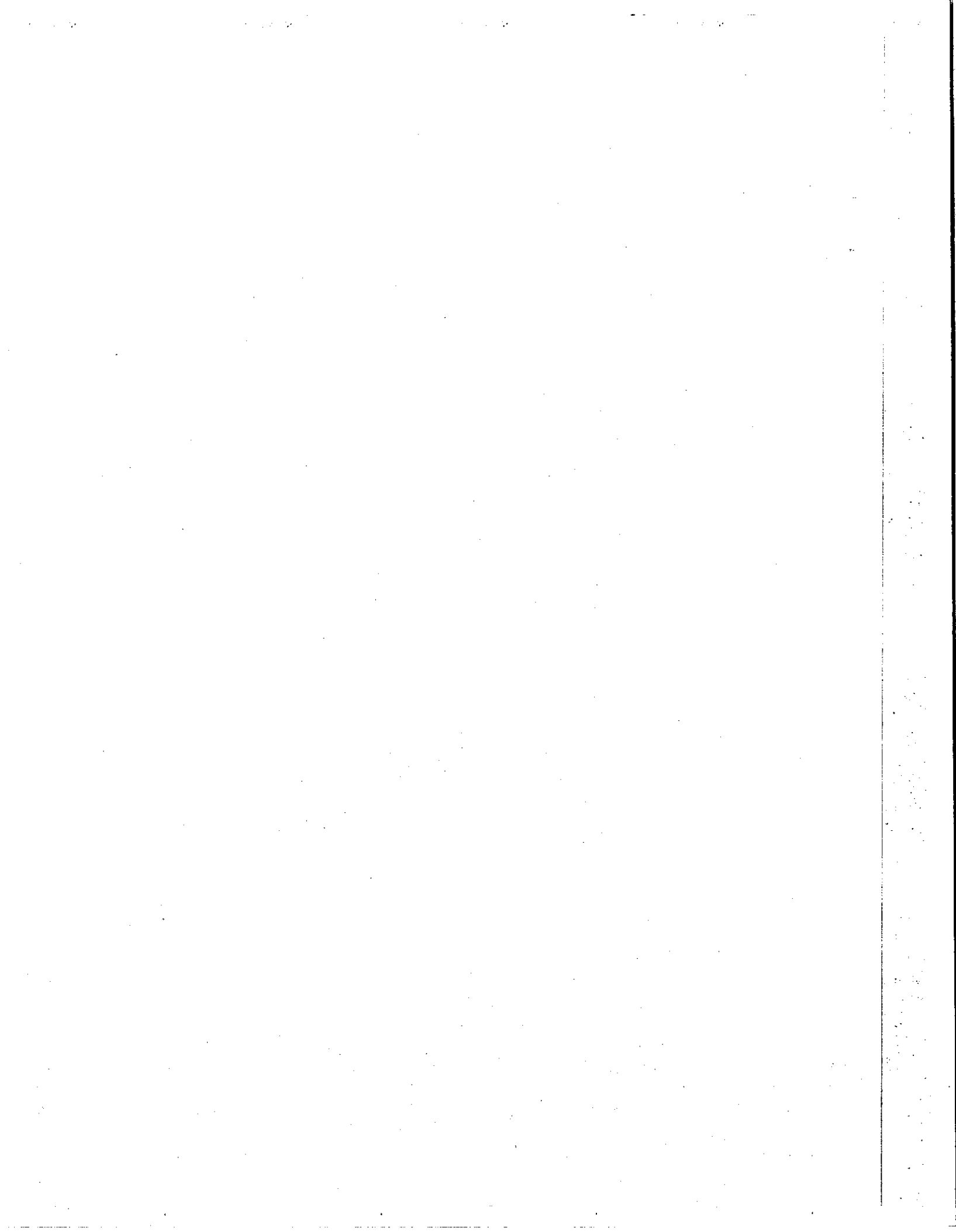


FIGURE 1



19TH INTERGOVERNMENTAL MEETING
ON THE
CONSERVATION OF YELLOWFIN TUNA

Washington, D.C.

December 15-19, 1975

RESOLUTION

The Nineteenth Intergovernmental Meeting on the Conservation of Yellowfin Tuna, taking into consideration that its recommendations are without prejudice to the sovereign rights of states or to international negotiations for a new convention on the law of the sea and related arrangements,

Resolves:

A. To support the suggestions and premises for the conservation and protection of the species that have been presented at this meeting by the Director of Investigations, Dr. James Joseph, subject to the provisions contained in this resolution;

B. To congratulate Dr. James Joseph and give him a vote of confidence for the investigation and work that he has so carefully and responsibly undertaken;

Resolves also:

C. To recommend to IATTC that it recommend to its member Governments that they continue in 1976 the same measures that were in effect for the conservation of yellowfin tuna in 1975, with the following modifications:

1. Permit, during the closed season for 1976, the newly constructed vessels of those members of the Commission which are developing countries and whose fisheries are in an early stage of development (that is, whose tuna catch in the Convention Area in 1970 did not exceed 12,000 short tons and whose total fish catch in 1969 did not exceed 400,000 metric tons) and which entered the fishery for yellowfin tuna in the Convention Area for the first time under the flag of such country during the closed season in 1971 or during 1972 and which, because of characteristics such as size, gear or fishing techniques, present special problems, to fish unrestricted for yellowfin tuna until such vessels have taken in the aggregate 13,000 short tons of yellowfin, or to fish for yellowfin tuna under such restrictions as may be necessary to limit the aggregate catch of such vessels to 13,000 tons of yellowfin tuna; provided that, if the aggregate catch of yellowfin tuna as determined by the Director of Investigations during the open season (including the last unrestricted trip) of the tuna fishing vessels of any such developing country should exceed 6,000 short tons, the allocation of 13,000 short tons of yellowfin tuna available to the above described vessels of such country during the closed season shall be reduced by the amount that the open season catch of yellowfin tuna exceeds 6,000 short tons.

- (a) Those vessels that shall enjoy the above special allocation are defined in addition to the above as:
- 1) those vessels which had an individual catch per capacity ton for 1975 of less than 75 percent of the average catch per capacity ton of all vessels in the comparable IATTC size classes engaged in the Convention Area in 1974 as determined by IATTC statistics, and
 - 2) which are designated by name in an official memorandum from the flag Government to the Director of Investigations of the IATTC.
- (b) During the 1976 season, if a vessel of a qualified country which is not included in the provision of paragraph 1, experiences problems of the nature above described or of a similar nature, that country may substitute such vessel for any other vessel which was so qualified and designated for the purpose of exercising the benefit of the above described provision and immediately notify the Director of Investigations of the IATTC of the substitution and the nature of the special problem which made the new vessel eligible.
- (c) For 1976 only, the above provision will apply to six new vessels that Mexico will incorporate to its fleet during the 1976 fishing season and which will present special problems of operation.

2. The provisions of the Commission Resolution for 1976 providing for a closed season allocation of 6,000 short tons for the vessels of each country of 400 short tons capacity or less shall apply to vessels up to 600 tons in the case of Panama, in view of the reorganization of its tuna industry this year, on the understanding that this shall apply only for the year 1976 and shall not establish a precedent for future years or other countries.

3. Further resolves to permit those member governments of IATTC which are developing nations whose fisheries are in an early stage of development and which, owing to the development of that industry, as they announced during this meeting have the possibility during 1976 of acquiring one or more fishing vessels that present special problems because of the size, gear, and fishing techniques, to request through IATTC a study of the specific problem and to recommend a solution. Unless all member governments express agreement with the proposed solution, such governments shall, jointly or individually, by the same agency, request a meeting of a special working group of all members of the Commission with the purpose of finding a satisfactory solution. Both consultations may be transmitted telegraphically to all member countries and their reply shall be transmitted within ten days.

4. For 1976 only, in order to avoid congestion of unloading and processing facilities around the date of the season closure and the danger that vessels may put to sea without adequate preparations, any vessel which completes its trip before the closure or which is in port at the closure and completed a trip in the CYRA during 1975 may sail to fish freely for yellowfin tuna within the CYRA on any trip which is commenced within 30 days after the closure.

5. Although it is recognized that the present regulatory system has served to conserve the yellowfin tuna resource, it is also resolved that because of the practical difficulties which have arisen from the present regulatory system, which was established under circumstances unlike those of the current situation in tuna exploitation, to urge all member countries to continue to make exhaustive studies and investigations in order to establish a new regulatory system beginning in 1977, or as soon as possible which would satisfy the needs and interests of all the participants in the yellowfin tuna fishery of the eastern Tropical Pacific.

6. Further resolves to recommend that the following provisions be incorporated in the Resolution of the XXXII Meeting of the Inter-American Tropical Tuna Commission requesting the governments to:

- I. Adopt adequate legislation and regulation, when these do not exist, to prohibit and prosecute those who catch tuna in violation of the Commission's recommendations by vessels of their flag.
2. Assure that the activities of their flag vessels fishing tuna in the eastern tropical Pacific during the closed season established by the Commission and which are applicable to those vessels be registered and supervised in an adequate manner. For this purpose:
 - a) these vessels will fill out daily logbooks of their tuna operations and the location of these operations, and these logbooks will be regularly inspected by authorized officials of the country of the flag to which they belong.
 - b) these vessels will make daily radio reports to the government of the country to which they belong on the frequencies 16565.0 - 12421.0 or 8281.2 KHZ when they are outside of the CYRA and they will report immediately by radio on the frequencies 16565.0 - 12421.2 or 8281.2 KHZ each time that they enter or leave the CYRA.
 - c) for those vessels that fish within as well as outside of the CYRA in the same trip during a closed season applicable to these vessels it will be considered that they have caught all the tuna that they carry aboard inside of the CYRA unless the tuna caught inside and outside of the CYRA has been stored and identified with the seal of a duly authorized official of the country of the flag before the vessel moves its fishing operations to an area inside or outside of the CYRA as the case may be.

3. Inspect or make arrangements for inspection, if bilateral agreements are established, of all of unloadings and trans-shipments of tuna by vessels of its flag that are fishing tuna in the CYRA during the closed season applicable to that vessel. The member countries which permit such unloading or trans-shipment within their jurisdiction by vessels with flags of another country will cooperate with the country of that flag to make an adequate inspection.
4. Apply the internal legislation of each country in accordance with the seriousness of the violation in order to assure compliance with the recommendations of the Commission.
5. Cooperate with the member governments in the promotion of effective implementation of this recommendation, considering and taking notice of necessary action on reports submitted by other member countries regarding tuna fishing within the CYRA.
6. Collaborate with member governments in the examination of the functioning of these recommendations.

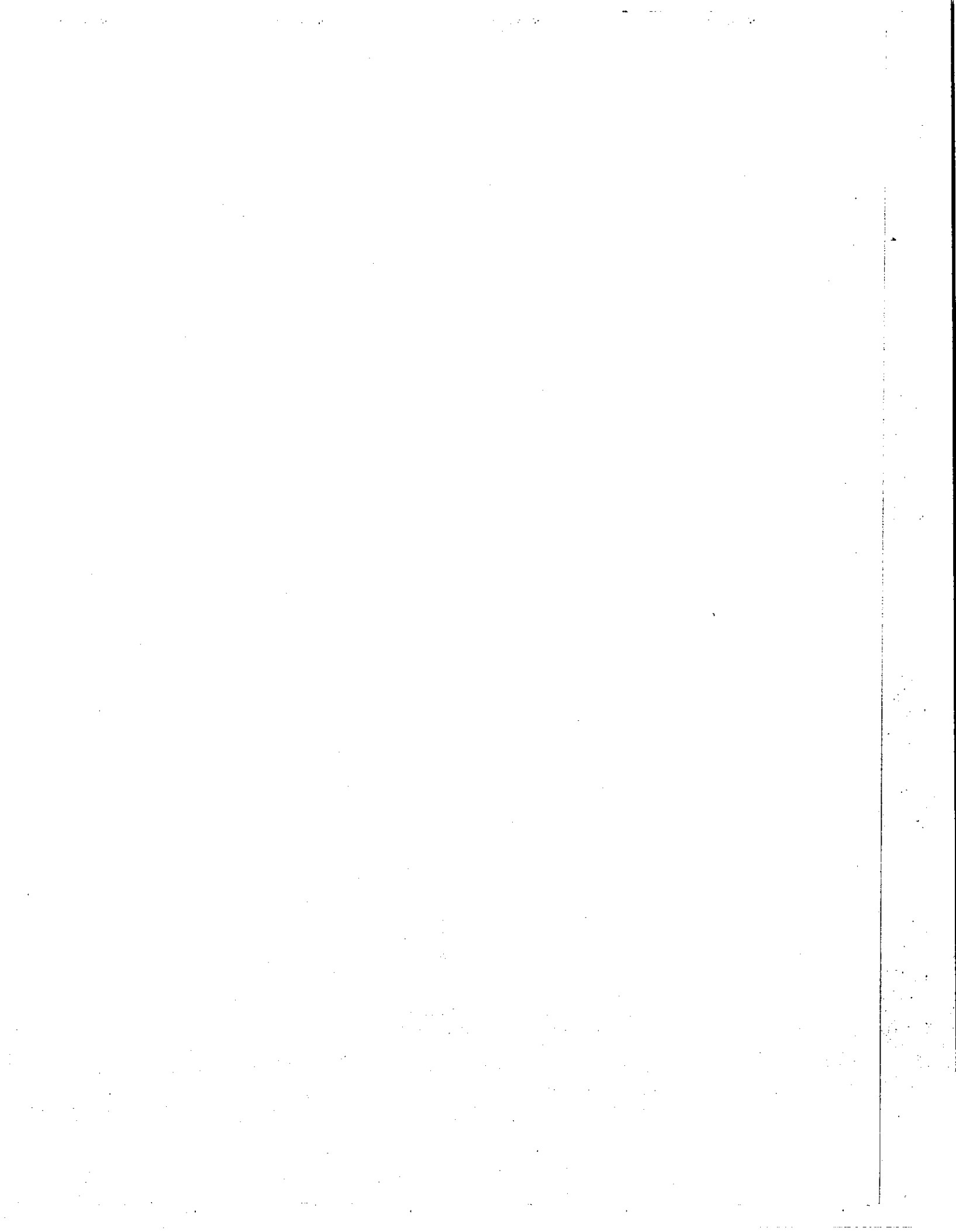
7. For 1976 only, exclude from the CYRA on an experimental basis the two areas defined as follows: (1) the area encompassed by a line drawn commencing at 110° W. longitude and 5° N. latitude extending east along 5° N. latitude to 95° W. longitude; thence south along 95° W. longitude to 3° S. latitude; thence east along 3° S. latitude to 90° W. longitude; thence south along 90° W. longitude to 10° S. latitude; thence west along 10° S. latitude to 110° W. longitude; thence north along 110° W. longitude to 5° N. latitude and (2) the area encompassed by a line drawn commencing at 115° W. longitude and 5° N. latitude extending west along 5° N. latitude to 120° W. longitude; thence north along 120° W. longitude to 20° N. latitude; thence east along 20° N. latitude to 115° W. longitude; thence south along 115° W. longitude to 5° N. latitude.

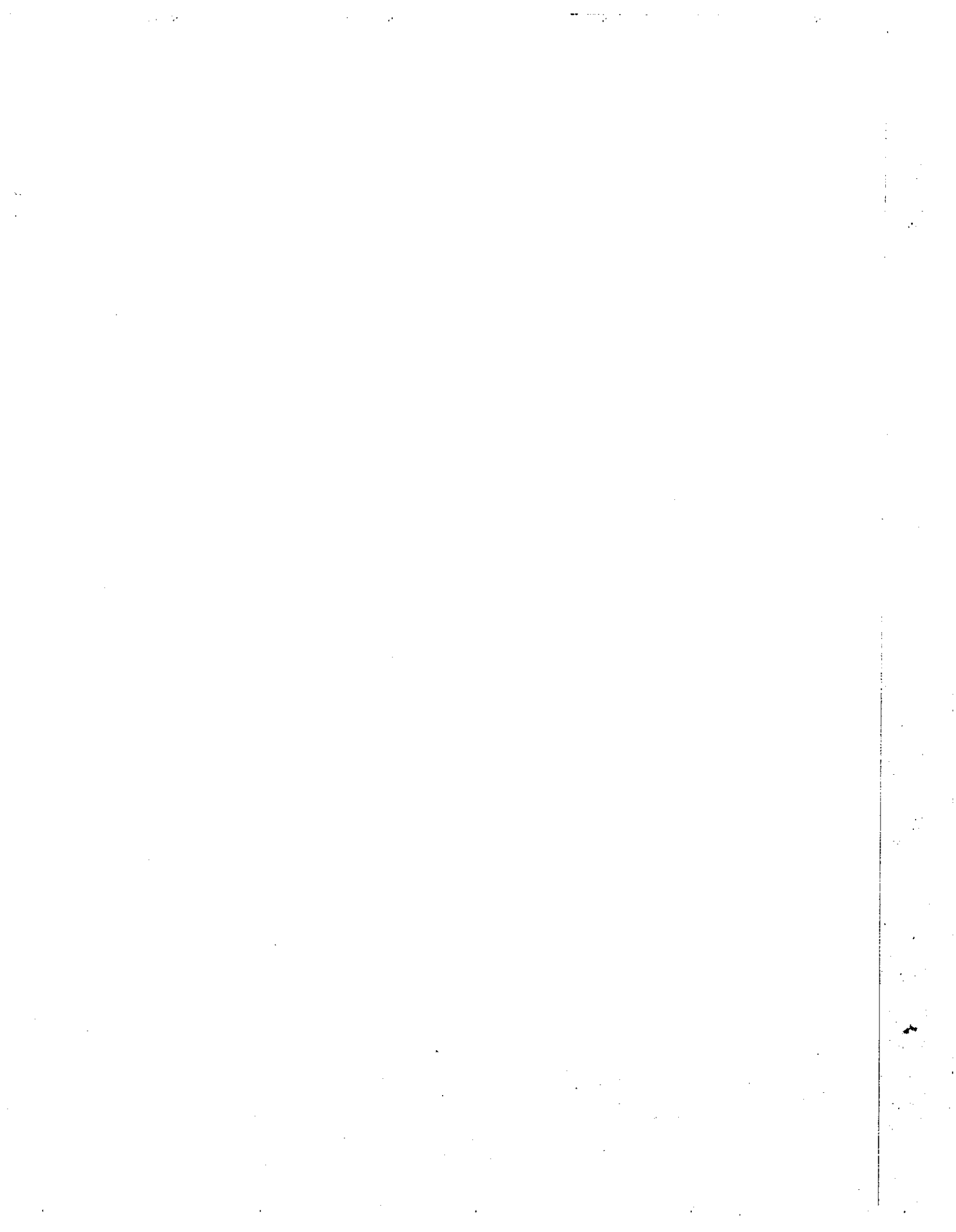
Because of the lack of data from these areas, it is also resolved:

- (a) To urge all member governments to take the necessary steps to assure that data collected from vessels fishing in these areas is transmitted to the Commission.
- (b) That if the Commission's staff determines that experimental fishing in the areas outlined above is adversely affecting the management program, the Director of Investigations be authorized to call a special meeting of the Commission to review the data and make appropriate recommendations.

8. Given a level of fishing effort in 1976 similar to that of 1975, the closure date of the open season in 1976 is expected to be approximately the same as that in 1975, recognizing that in determining the closure date, the Director of Investigations will take into consideration all available evidence related to the status of the stocks.

- (c) For 1976 only, the above provision will apply to six new vessels that Mexico will incorporate to its fleet during the 1976 fishing season and which will present special problems of operation.







19TH INTERGOVERNMENTAL MEETING ON THE CONSERVATION OF YELLOWFIN TUNA
AND THE
32ND MEETING OF THE INTER-AMERICAN TROPICAL TUNA COMMISSION

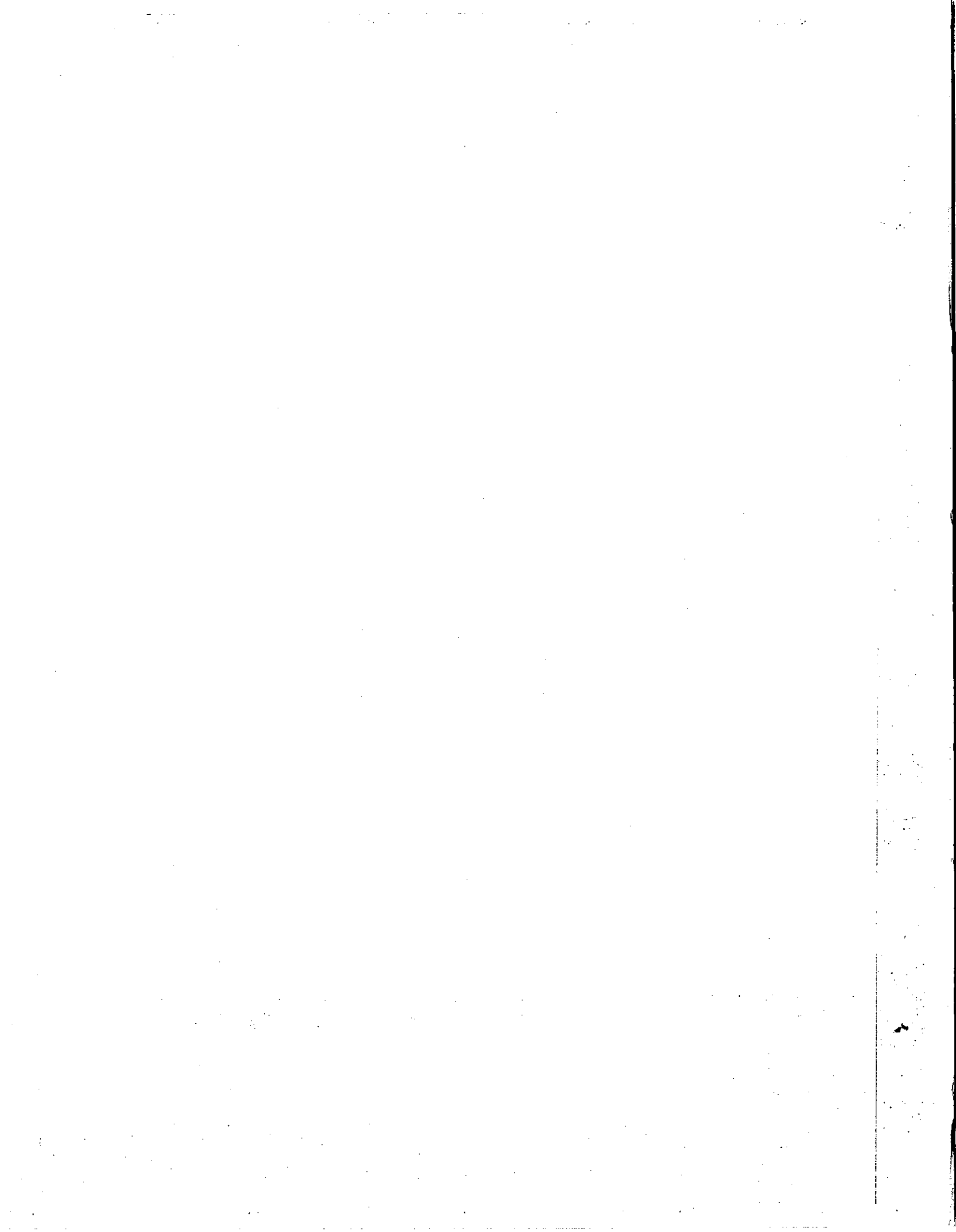
Washington, D.C.

December 15-19, 1975

Inf/3 (Rev.1)
December 17, 1975

19TH INTERGOVERNMENTAL MEETING ON THE CONSERVATION OF YELLOWFIN TUNA

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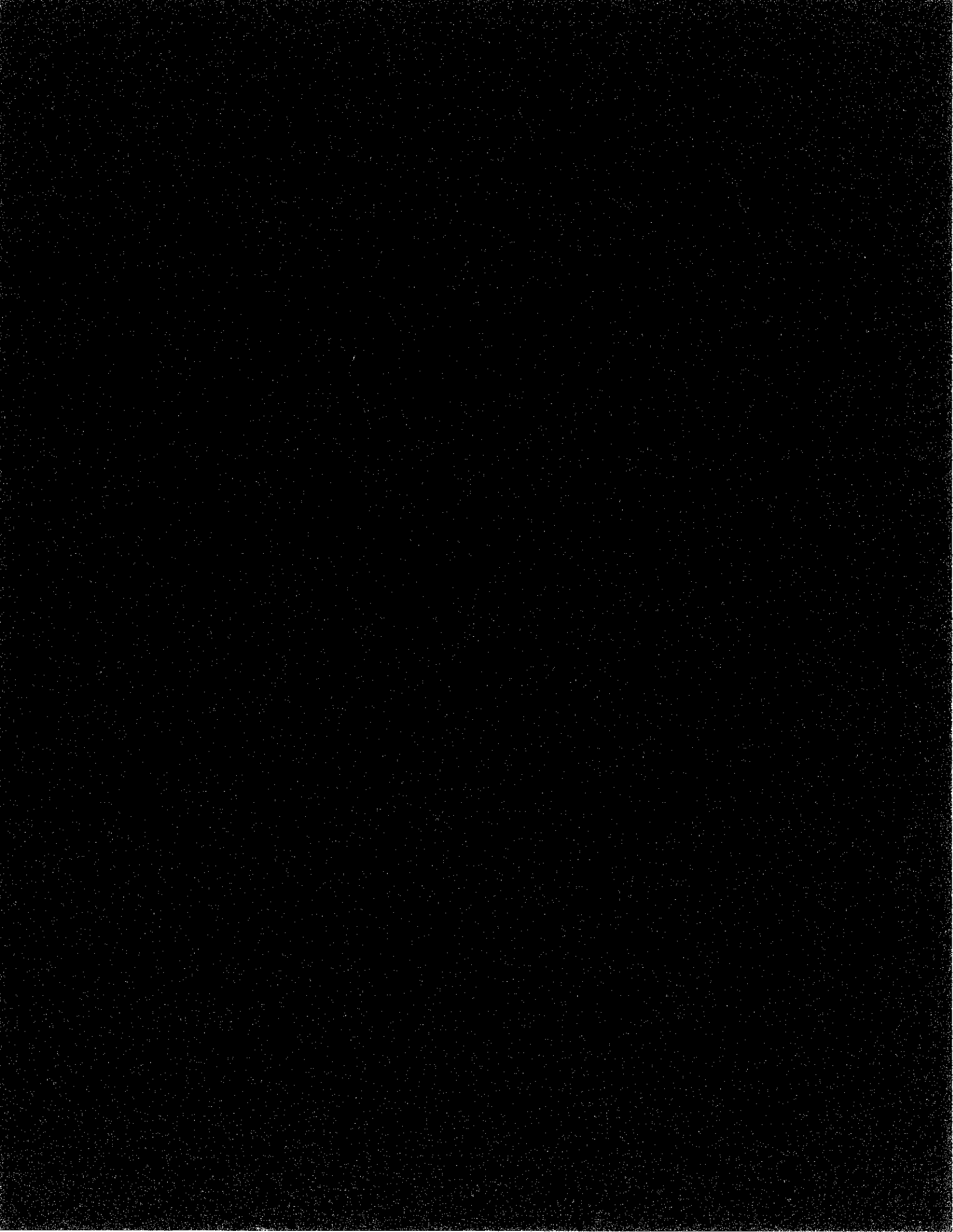
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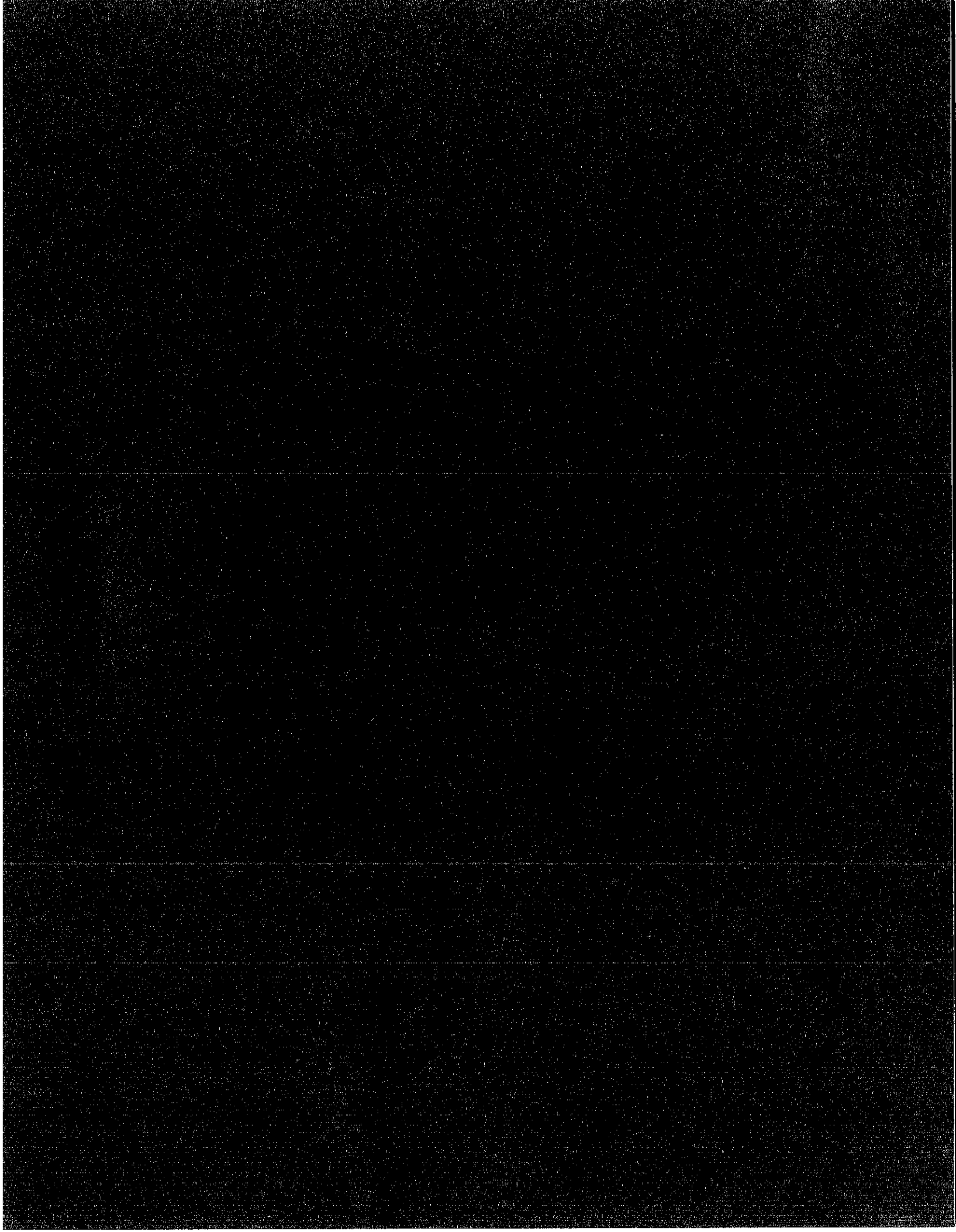
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IATTC SECRETARIAT

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19TH INTERGOVERNMENTAL MEETING
ON THE
CONSERVATION OF YELLOWFIN TUNA

Washington, D.C.

December 15-19, 1975

DRAFT RESOLUTION

The Nineteenth Intergovernmental Meeting on the Conservation of Yellowfin Tuna, taking into consideration that its recommendations are without prejudice to the sovereign rights of states or to international negotiations for a new convention on the law of the sea and related arrangements,

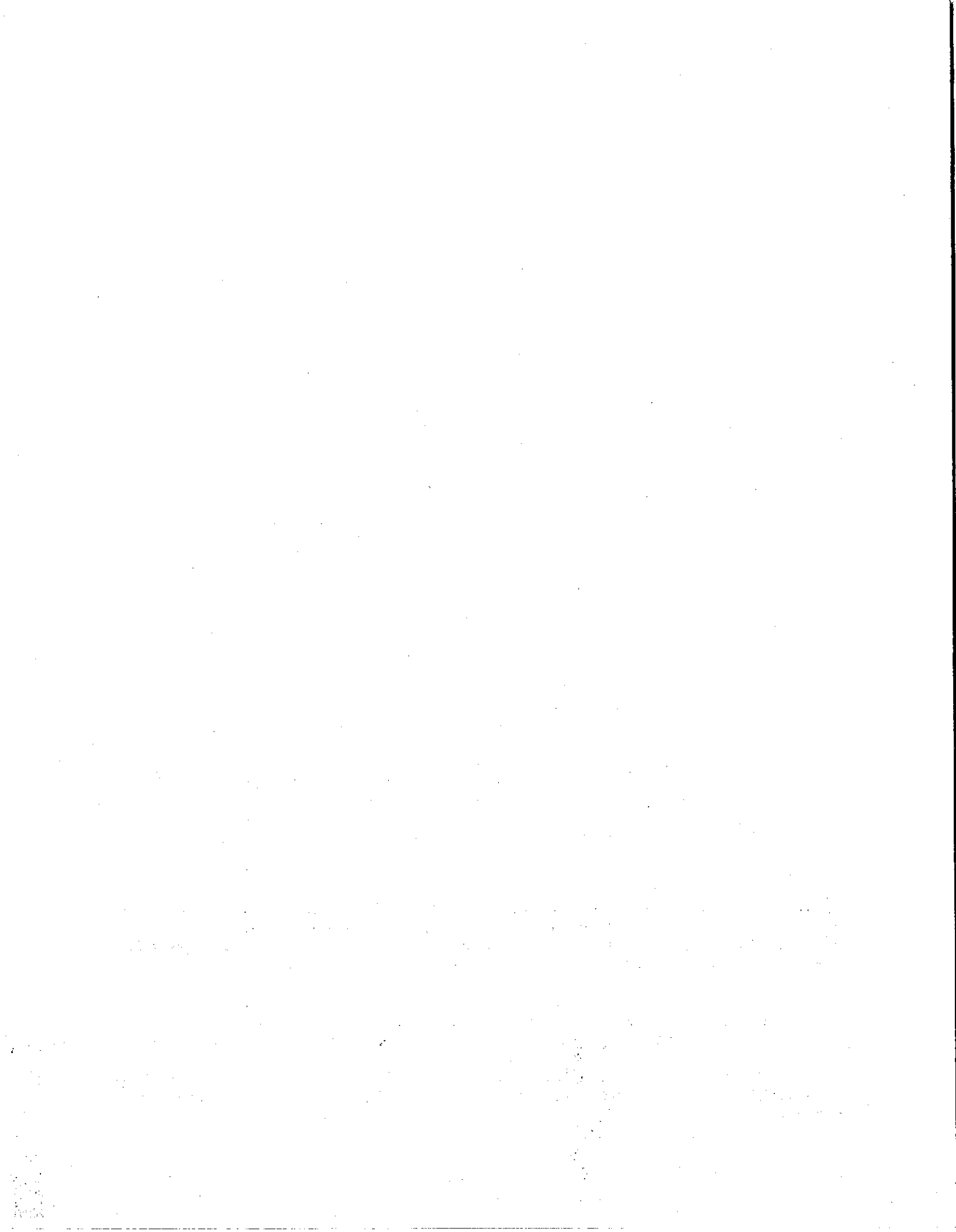
Resolves:

- A. To support the suggestions and premises for the conservation and protection of the species that have been presented at this meeting by the Director of Investigations, Dr. James Joseph, subject to the provisions contained in this resolution;
- B. To congratulate Dr. James Joseph and give him a vote of confidence for the investigation and work that he has so carefully and responsibly undertaken;

Resolves also:

- C. To recommend to IATTC that it recommend to its member Governments that they continue in 1976 the same measures that were in effect for the conservation of yellowfin tuna in 1975, with the following modifications:

1. Permit, during the closed season for 1976, the newly constructed vessels of those members of the Commission which are developing countries and whose fisheries are in an early stage of development (that is, whose tuna catch in the Convention Area in 1970 did not exceed 12,000 short tons and whose total fish catch in 1969 did not exceed 400,000 metric tons) and which entered the fishery for yellowfin tuna in the Convention Area for the first time under the flag of such country during the closed season in 1971 or during 1972 and which, because of characteristics such as size, gear or fishing techniques, present special problems, to fish unrestricted for yellowfin tuna until such vessels have taken in the aggregate 13,000 short tons of yellowfin, or to fish for yellowfin tuna under such restrictions as may be necessary to limit the aggregate catch of such vessels to 13,000 tons of yellowfin tuna; provided that, if the aggregate catch of yellowfin tuna as determined by the Director of Investigations during the open season (including the last unrestricted trip) of the tuna fishing vessels of any such developing country should exceed 6,000 short tons, the allocation of 13,000 short tons of yellowfin tuna available to the above described vessels of such country during the closed season shall be reduced by the amount that the open season catch of yellowfin tuna exceeds 6,000 short tons.

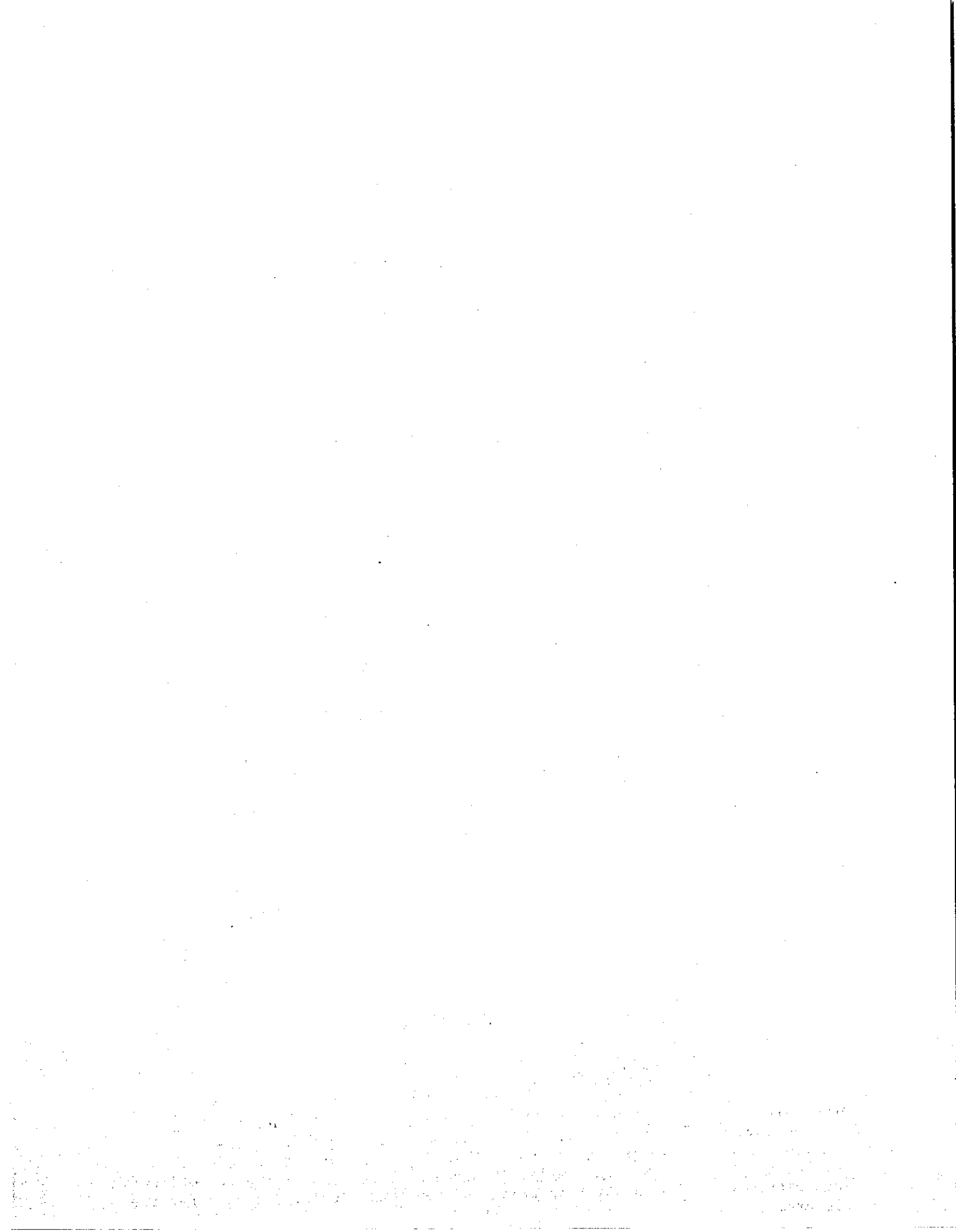


- (a) Those vessels that shall enjoy the above special allocation are defined in addition to the above as:
- 1) those vessels which had an individual catch per capacity ton for 1975 of less than 75 percent of the average catch per capacity ton of all vessels in the comparable IATTC size classes engaged in the Convention Area in 1974 as determined by IATTC statistics, and
 - 2) which are designated by name in an official memorandum from the flag Government to the Director of Investigations of the IATTC.
- (b) During the 1976 season, if a vessel of a qualified country which is not included in the provision of paragraph 1, experiences problems of the nature above described or of a similar nature, that country may substitute such vessel for any other vessel which was so qualified and designated for the purpose of exercising the benefit of the above described provision and immediately notify the Director of Investigations of the IATTC of the substitution and the nature of the special problem which made the new vessel eligible.

2. The provisions of the Commission Resolution for 1976 providing for a closed season allocation of 6,000 short tons for the vessels of each country of 400 short tons capacity or less shall apply to vessels up to 600 tons in the case of Panama, in view of the reorganization of its tuna industry this year, on the understanding that this shall apply only for the year 1976 and shall not establish a precedent for future years or other countries.

3. Further resolves to permit those member governments of IATTC which are developing nations whose fisheries are in an early stage of development and which, owing to the development of that industry, as they announced during this meeting have the possibility during 1976 of acquiring one or more fishing vessels that present special problems because of the size, gear, and fishing techniques, to request through IATTC a study of the specific problem and to recommend a solution. Unless all member governments express agreement with the proposed solution, such governments shall, jointly or individually, by the same agency, request a meeting of a special working group of all members of the Commission with the purpose of finding a satisfactory solution. Both consultations may be transmitted telegraphically to all member countries and their reply shall be transmitted within ten days.

4. For 1976 only, in order to avoid congestion of unloading and processing facilities around the date of the season closure and the danger that vessels may put to sea without adequate preparations, any vessel which completes its trip before the closure or which is in port at the closure and completed a trip in the CYRA during 1975 may sail to fish freely for yellowfin tuna within the CYRA on any trip which is commenced within 30 days after the closure.

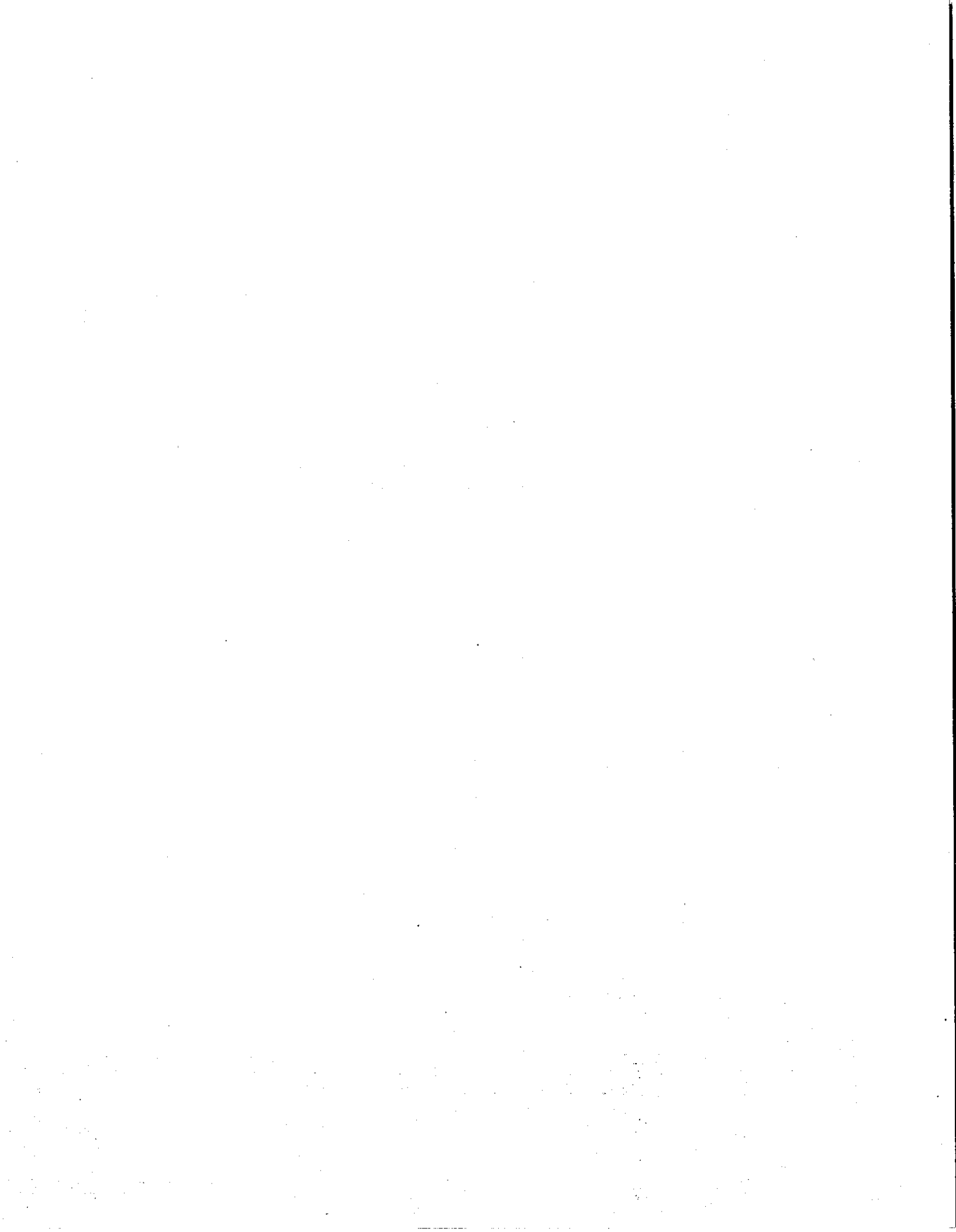


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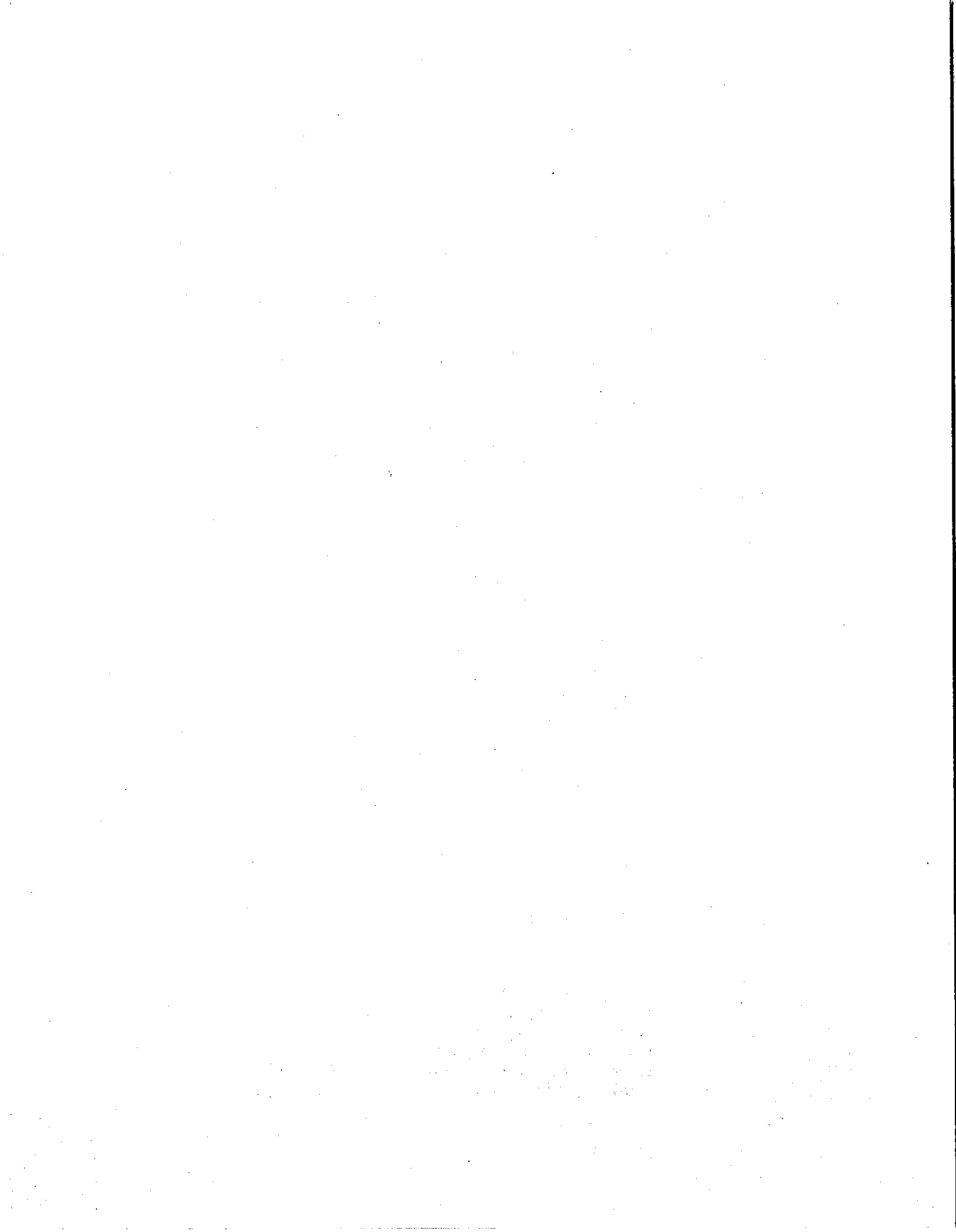
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6. Further resolves to recommend that the following provisions be incorporated in the Resolution of the XXXII Meeting of the Inter-American Tropical Tuna Commission requesting the governments to:

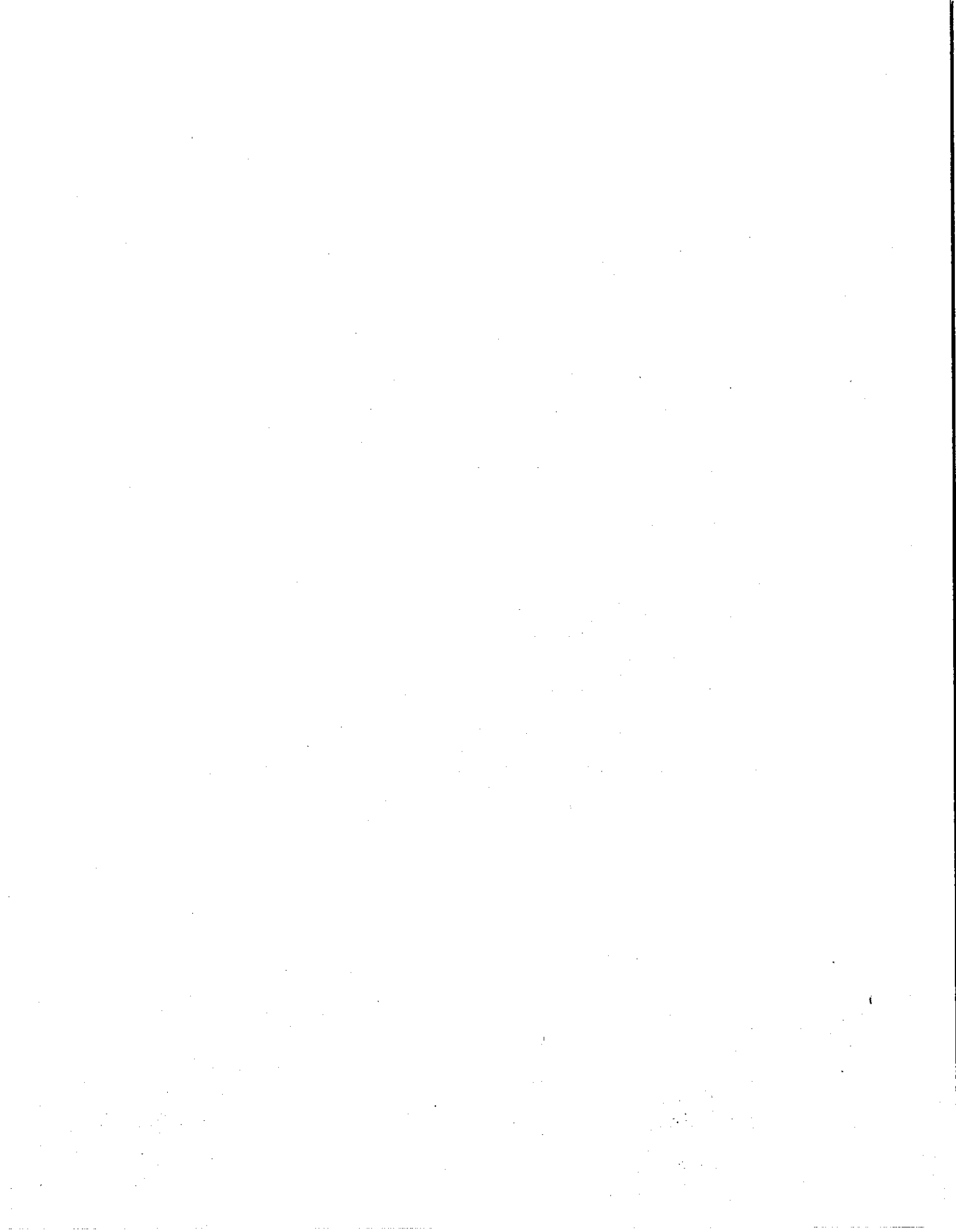
1. Adopt adequate legislation and regulation, when these do not exist, to prohibit and prosecute those who catch tuna in violation of the Commission's recommendations by vessels of their flag.
2. Assure that the activities of their flag vessels fishing tuna in the eastern tropical Pacific during the closed season established by the Commission and which are applicable to those vessels be registered and supervised in an adequate manner. For this purpose:
 - a) these vessels will fill out daily logbooks of their tuna operations and the location of these operations, and these logbooks will be regularly inspected by authorized officials of the country of the flag to which they belong.
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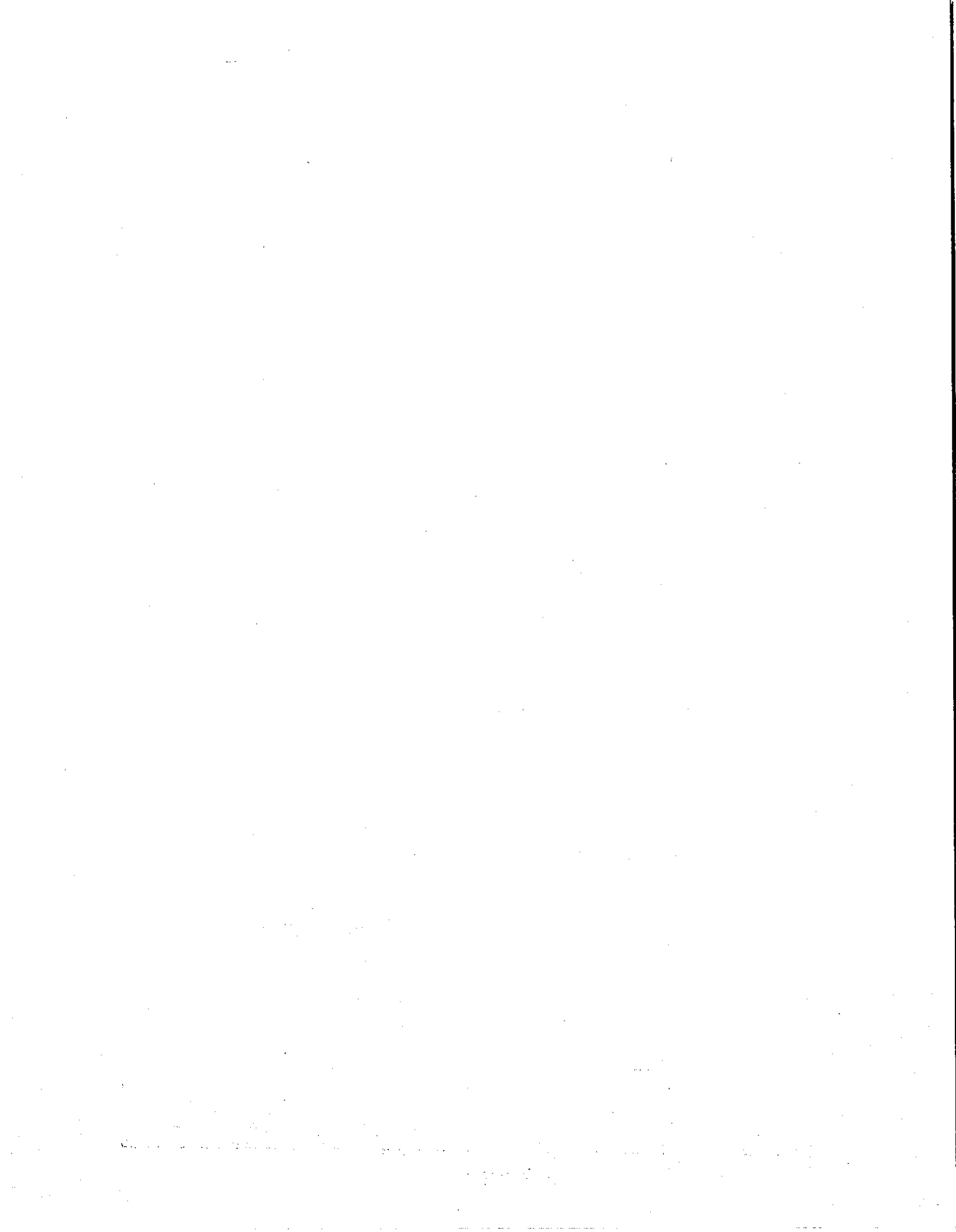
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7. For 1976 only, exclude from the CYRA on an experimental basis the two areas defined as follows: (1) the area encompassed by a line drawn commencing at 110° W. longitude and 5° N. latitude extending east along 5° N. latitude to 95° W. longitude; thence south along 95° W. longitude to 3° S. latitude; thence east along 3° S. latitude to 90° W. longitude; thence south along 90° W. longitude to 10° S. latitude; thence west along 10° S. latitude to 110° W. longitude; thence north along 110° W. longitude to 5° N. latitude and (2) the area encompassed by a line drawn commencing at 115° W. longitude and 5° N. latitude extending west along 5° N. latitude to 120° W. longitude; thence north along 120° W. longitude to 20° N. latitude; thence east along 20° N. latitude to 115° W. longitude; thence south along 115° W. longitude to 5° N. latitude.

Because of the lack of data from these areas, it is also resolved:

- (a) To urge all member governments to take the necessary steps to assure that data collected from vessels fishing in these areas is transmitted to the Commission.
- (b) That if the Commission's staff determines that experimental fishing in the areas outlined above is adversely affecting the management program, the Director of Investigations be authorized to call a special meeting of the Commission to review the data and make appropriate recommendations.



8. Given a level of fishing effort in 1976 similar to that of 1975, the closure date of the open season in 1976 is expected to be approximately the same as that in 1975, recognizing that in determining the closure date, the Director of Investigations will take into consideration all available evidence related to the status of the stocks.



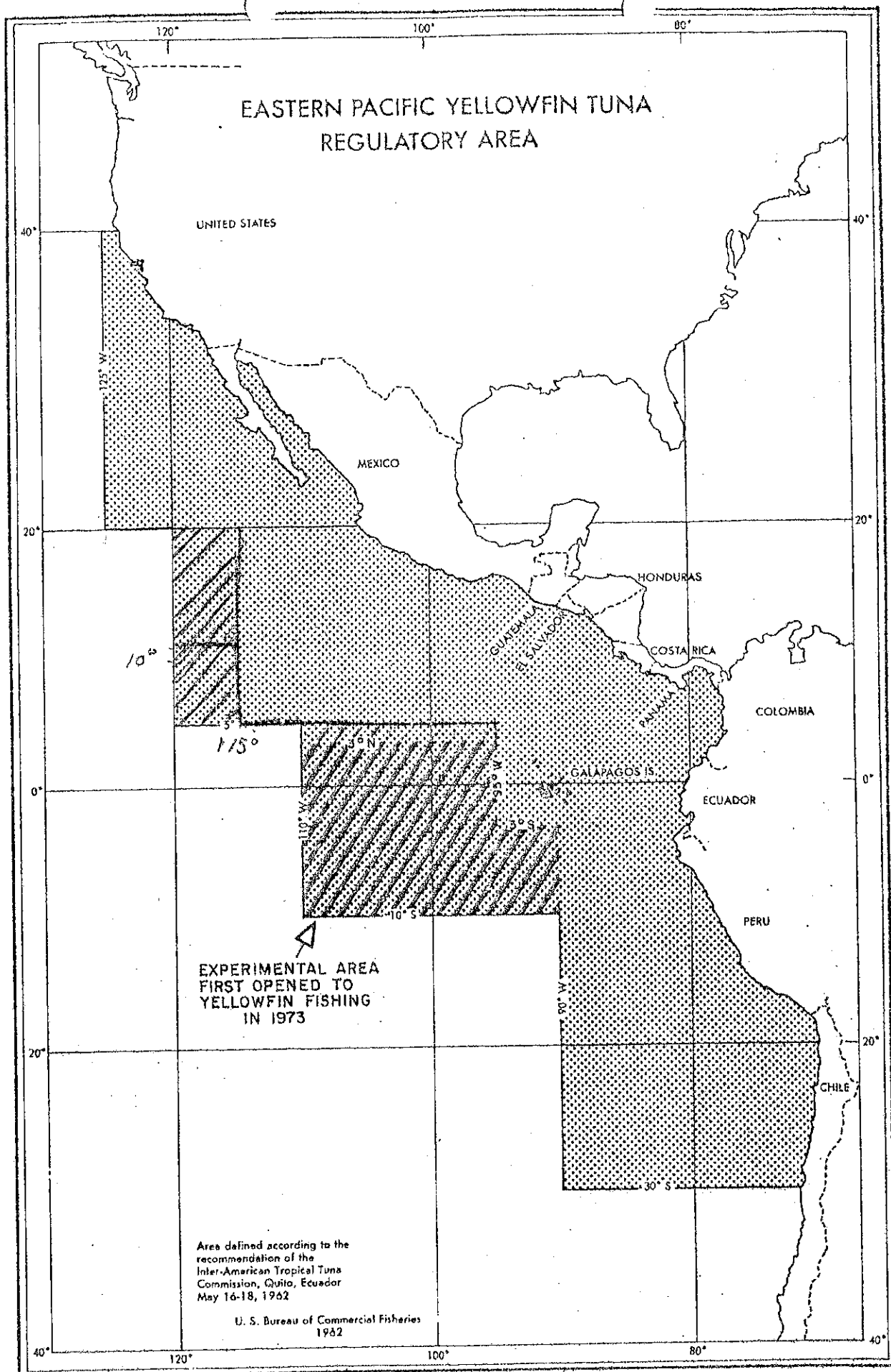


FIGURE 1

