INTER-AMERICAN TROPICAL TUNA COMMISSION

MINUTES OF THE 63RD MEETING

Guayaquil, Ecuador
June 8-10, 1999

The 63rd meeting of the Inter-American Tropical Tuna Commission (IATTC) was held in Guayaquil, Ecuador, on June 8-10, 1999.

1. Opening of the meeting

The meeting was called to order by the Chairman, Ab. Gustavo Gutiérrez Vera, of Ecuador, on June 8 at 10:15 a.m. He welcomed all the attendees, and especially Mexico, which had rejoined the Commission a few days before the meeting, and then called on the heads of the delegations to introduce themselves and the other members of their delegations. The delegations of Colombia, Guatemala and Peru expressed the intention of their countries to join the Commission. The attendees are listed in Appendix 1.

2. Adoption of agenda

The Chairman asked if there were any comments on the provisional agenda. Mexico proposed that the word "tuna" be deleted from Item 3 ('Review of current tuna research'), that Item 13 ('Report of the Working Group on Fish-Aggregating Devices (FADs), and consideration of necessary action(s)') be discussed immediately after Item 8 and that the word "necessary" be replaced with "possible", and that a new Item 13 ('Quotas for the fisheries for a) yellowfin, b) bigeye, and c) others') be added. Japan noted that Item 13(b) should refer to "juvenile bigeye". El Salvador proposed that an analysis of capacity distribution be included in the discussion of fleet capacity. The United States proposed adding an item on 'Consideration of a compliance working group'. Costa Rica supported the US proposal, and noted that the question of the membership of Taiwan should be discussed under the item on the review of the IATTC Convention. With these modifications and some re-ordering, the agenda was approved, and is attached as Appendix 2.

3. Review of current research

Dr. James Joseph, Director of the IATTC, presented information on this subject. Dr. Joseph said that the IATTC staff conducts a wide variety of research to fulfill its mandate under the convention, but that, due to time constraints, it would be possible to describe only a few projects. He then introduced Dr. Richard Deriso, head of the IATTC's Tuna-Billfish Program, to present some highlights of this program.

Dr. Deriso said that a study carried out by the IATTC staff had shown significant spawning of skipjack tuna over 50 cm in the eastern Pacific Ocean (EPO) at surface water temperatures over 25°C. The skipjack caught in sets on floating objects were often sexually mature, unlike the yellowfin and bigeye tuna caught in this mode of fishing. He described a new spatial model being used to study the population dynamics of skipjack tuna. The model's estimates of recruitment are highly correlated among areas, indicating either that there was a great deal of movement among areas or that the environmental factors affecting recruitment were similar in all areas.

Turning to the identification of yellowfin and bigeye tuna, Dr. Deriso noted that a handbook on the subject had been developed and would soon be published as an IATTC Bulletin. He described a study of the shape and volume of the swimbladder in these two species. Differences in the resonance frequency of the swimbladder in the two species, and the absence of a swimbladder in skipjack, provided the potential to distinguish schools of the three species in the water using sonar. Dr. Deriso also described a tagging study of bigeye tuna in which the fish were injected with tetracycline before being released; as a result of

this study, it had been determined that the growth marks on the otoliths (ear bones) of bigeye were deposited daily, and this information meant that the age of individual fish could be accurately determined, which would in turn lead to more reliable stock assessments.

He then discussed the work of the Working Group on Bycatch, particularly the studies of ecosystem relationships in the EPO using the Ecopath model. This study had examined predator-prey links, the biomass, productivity, and energy requirements of different components of the food web, and the effects of catches on the community structure of the ecosystem. The methods, conclusions, and future plans of the working group are described in detail in its report prepared for this meeting of the IATTC.

Dr. Deriso reported on recent progress at the IATTC's Achotines Laboratory. He said that larval and juvenile yellowfin tuna could now be routinely produced for use in experiments. A recent experiment had shown that the level of microturbulence in the water had a marked effect on survival rates of such fish, and this information could prove important for predicting recruitment to the fishery.

The delegate of Mexico informed the meeting of a similar ecosystem model which was being constructed for the Gulf of Mexico and the Pacific, and said that he would be interested in cooperating with the working group. He also asked whether any tagging studies of juvenile bigeye were planned, since these were useful for answering questions on mortality rates and fishing effort. Dr. Deriso welcomed collaboration with Mexican scientists on ecosystem studies, and said that a tagging study, focusing principally on bigeye tuna, was planned for the southern area in which the fishery on artificial fish-aggregating devices (FADs) had expanded in recent years, but that the expense involved was beyond the IATTC's regular budget and other sources of funding were being sought.

4. The 1998 fishing year

Dr. Joseph said that in 1998 the total catch of tunas from the EPO, 446 thousand tons, was second only to the 474 thousand tons caught in 1997. The catches of both skipjack and bigeye were lower in 1998 than in 1997, whereas the catch of yellowfin had increased slightly. He said that so far in 1999 catches had been very good. He noted that the capacity of the fleet had increased from 138 thousand tons in 1998 to 140 thousand tons in 1999. The catch of yellowfin in 1998 had been lower than in 1997 until late in the year, despite an increase in fleet capacity. The catches of skipjack had been good in 1997 and 1998, and in 1999 they had been extraordinarily high, some 60 thousand tons to date. During the previous record year for skipjack catches, 1978, the catch at this point had been about 80 thousand tons, and the total catch of the species for that year about 170 thousand tons. The catches of bigeye had fallen from about 50 thousand tons in 1997 to about 33 thousand tons in 1998, apparently confirming the IATTC staff's assessments of the stock. However, in 1999 the catch of bigeye had increased compared to 1998.

5. Status of tuna and billfish stocks

Dr. Joseph compared the annual catches of yellowfin from different ocean areas: the EPO, where catches were stable between about 250 to 290 thousand tons; the Atlantic, where action had been taken to halt a decline in the catch, which now ranged between about 100 and 150 thousand tons; the Indian Ocean, where, after a rapid increase to about 250 thousand tons in a fishery developed by the French and Spanish fleets, catches had now declined somewhat; and the western Pacific, where catches were above 300 thousand tons, and which had in the past been considered the one area capable of sustaining increased catches, although recent studies indicated that this might not be the case.

Dr. Joseph summarized the catches of yellowfin in the EPO since 1960. Catches had risen steadily until the late 1970s, when an increase in fleet capacity had led to over-exploitation of the resource and a consequent decrease in catches. At that time some 75% of the 30 thousand annual sets were made on schoolfish and floating objects. The El Niño of 1982-1983 reduced the availability of the fish to purse seines, and as a result many vessels had departed to the western Pacific or simply stopped fishing. The stock had recovered, and by the late 1980s catches were higher than ever before, due to a great extent to the fact

that some 70% of the fishing effort was directed at the much larger yellowfin associated with dolphins. With the introduction of the "dolphin-safe" policy in the early 1990s both catches and fleet capacity fell, the latter to some 110 thousand tons. Currently fleet capacity had risen to some 140 thousand tons, and some 60% of the sets were being made on schoolfish and floating objects, and especially FADs. Throughout this period, the indices of relative abundance calculated for yellowfin had followed the trends in catches fairly closely. However, neither the production model nor the yield-per-recruit model used by the staff to assess the condition of yellowfin in the EPO explained the large increases in the catch in the late 1980s. A third method, cohort analysis (or virtual population analysis), which attempted to estimate the number of fish entering the fishery, did to some extent account for the increase.

Dr. Joseph said that the yellowfin stock was reasonably healthy, but that no increases in catch should be expected and, if the catches of small fish continued, productivity might well decrease. Currently, production models indicated that the yellowfin stock could support catches of some 270 to 290 thousand tons, whereas the other models suggested a slightly lower catch of about 260 thousand tons. However, if more small fish were caught, these estimates would be affected. In 1998 both the catch rate and the average size of the fish in the catch had fallen, and the yellowfin fishery in the Commission's Yellowfin Regulatory Area (CYRA) had been restricted. In 1999, with effort similar to that of 1998, the maximum sustainable yield would probably be around 275 thousand tons, but the situation was different to that of previous years. Previously, only large fish were caught outside the CYRA, and so it was necessary to limit catches only within the CYRA; however, with the development of the FAD fishery in the south small fish were being caught outside the CYRA, and so two catch quotas might be necessary, an overall limit of 255 thousand tons for the entire EPO, 90% of which would apply inside the CYRA.

The delegate from Mexico asked why, despite the catch restrictions, both fleet capacity and catches had increased during December 1998, and also asked Dr. Joseph to comment on the fleets for whose capacity and catches no information was presented and on the substantial increase in the catches of skipjack in the first quarter of 1999. Dr. Joseph answered that, with regard to catches in the current year, the increase had begun in late 1998 and had continued in 1999: the catch of yellowfin was 25% higher than at the same point in 1998, and that of skipjack was 110 thousand tons as compared to 45 thousand tons. Effort had increased, but not in proportion to the increase in catch. Climatic factors might be responsible: the 1997 El Niño had been very strong. El Niño conditions made the fish less available to purse seines, but this may have been masked to some extent by the increased use of FADs, which may have acted to keep the fish at lesser depths than usual. In October 1998 a rapid change to unusually cold conditions had commenced, and this may have led to the increase in catches beginning at the end of 1998. Regarding the fleets for which detailed catch data was not presented, he explained that these were national fleets consisting of one or two companies, and that their data were withheld in order to preserve commercial confidentiality. However, these catches were included in the totals for the entire international fleet. He noted that the data presented did not include longline catches, but that these were included in other data reported.

In answer to a question about potential changes in the fishing efficiency of vessels, which in the Atlantic and Indian Oceans was almost double that of 20 years ago, Dr. Joseph said that various technological factors had been considered, but none of them appeared to affect the catch per day's fishing. He also noted that the production and yield per recruit models assumed that all effort was directed at yellowfin, the predominant species, since in this multispecies fishery the effort could not be classified by target species. However, the recent expansion of the FAD fishery, which caught skipjack and bigeye almost exclusively, might have affected the validity of this assumption.

The delegate from Costa Rica commented that the national longline fleet had experienced low catches recently, the opposite of what has been seen with purse seining. Dr. Joseph said that longline catches of bigeye had declined througout the EPO.

Dr. Robin Allen, Assistant Director of the IATTC, discussed the status of the bigeye stock in the EPO. He said that the world catches of bigeye were less than those of yellowfin or skipjack, but the species was

of great economic importance because a great deal of the catch was sold fresh rather than canned. Purse-seine catches of bigeye in the EPO had been around 5 thousand tons until 1993, when the expansion of the FAD fishery in the south led to a rapid increase to 50 thousand tons in 1997, but in 1998 the catch had fallen to some 35 thousand tons. During that period, both the capacity and catch rates of the longline fleet had declined. The average size of the fish in the longline catch was much greater than that of the purse-seine catch. The average size of bigeye in the purse-seine catch had declined markedly since 1995 with the increased catches on FADs. Historically the production model analysis of the bigeye stock had been based on longline data, but with the increase in the purse-seine catch of the species a different approach would be required.

The interactions of the purse-seine and longline fisheries had also been studied, and the general conclusion, subject to uncertainty about the natural mortality rate and stock structure of bigeye, was that the longline catch would continue to decline if the purse-seine effort remained at or above its current levels. The situation remained much the same as the year before, and some form of catch limit for bigeye should be considered for 1999.

Dr. Joseph summarized the stock assessments for other species. He noted that the catches of skipjack varied a great deal, from a maximum of 230 thousand tons to a minimum of 120 thousand tons, with no apparent relationship between years. There appeared to be no advantage to letting the fish grow, and the yield did not appear to be affected by the level of fishing effort. The catches of bluefin tuna were relatively small and had declined in recent years, possibly as a result of the decline of the US fishery for the species off Baja California. He mentioned the results of a Japanese experiment in which a bluefin tuna tagged with an archival tag off Japan had been recaptured off Mexico, and the very detailed information which had been obtained on the movements of the fish.

With regard to swordfish, Dr. Joseph noted that at the current levels of catch, between 5 and 10 thousand tons, the species did not appear to be overfished. Finally, he reported that the stock of blue marlin, a species found all over the Pacific and much sought after by sport fishermen, was considered to be in a healthy condition, with the biomass and fishing effort currently near the levels required to maintain the maximum sustainable yield.

The delegate from the European Community (EC) commented that in the Atlantic between 5°N and 5°S there was some evidence that the use of FADs changed the behavior of skipjack, which attached themselves to a FAD and followed it as it drifted, leading to local overfishing and depletion of prey species.

Various delegations commented on the discrepancy between the purse-seine catch data, which were current, and the longline data, for which there was a two-year lag. Dr. Allen explained that the IATTC staff collected the purse-seine data, but the longline data were obtained from the vessels' flag governments, which, combined with the much longer duration of the trips made by longline vessels and the fact that most of them were from distant-water nations, accounted for the delay. In response to a request that the background papers for the meetings be distributed some time in advance in order to give the delegations time to study them, Dr. Allen noted that this could be done, although obviously the data would be less current.

6. Review of tuna-dolphin research and extension programs

Dr. Martín Hall, head of the IATTC's Tuna-Dolphin Program, presented a brief summary of the program. He said that the Tuna-Dolphin Program includes data collection, a gear program, research on dolphins, and analysis of bycatch data. The mortalities of dolphins caused by the fishery had decreased drastically, and in 1998 were, for all stocks affected by the fishery, below the target of 0.1% of N_{min}, a minimum estimate of the population size of that stock specified in the Agreement on the International Dolphin Conservation Program (AIDCP). In 1999 to date the number of sets on dolphins was 18% less than in the comparable period in 1998, but the mortality per set, the most accurate measure of the fleet's perform-

ance, was 25% lower. Dr. Hall acknowledged the efforts of all involved – fishermen, governments, and others – in achieving these results.

Dr. Hall described in detail the distribution of the catches, catches per set, discards, and discards per set for the three main species of tunas, noting that with the changes in the fishery in recent years it was difficult to separate the effects of the many factors involved, but that it was clear that discards and bycatch were greatest in the fishery on floating objects.

7. Review of the International Dolphin Conservation Program

Dr. Allen summarized the background leading to the adoption of the AIDCP, and described its similarities and differences from the 1992 La Jolla Agreement. The EC announced that it had provisionally applied the Agreement, and Colombia, El Salvador, Nicaragua, and Venezuela said that they expected to become parties to the AIDCP in the near future.

8. Results of limiting the fishery for yellowfin and bigeye in 1998

Dr. Joseph noted that the limit of 225 thousand tons established for the yellowfin catch in 1998 had been exceeded by 13 thousand tons. The restriction had been announced a week late, which accounted for some 5 thousand tons of the excess, so some 8 thousand tons of yellowfin had been caught after the closure. The catches of 18 large vessels within the CYRA during the restricted period (November 26-December 31) had consisted of more than the permitted 15% yellowfin, whereas those of 47 vessels had been within the limit. The catches of 14 small vessels without observers which departed to fish after the closure data had consisted of more than the permitted 15% yellowfin, whereas those of 19 such vessels had been within the limit.

Mexico proposed that the Director inform only governments of the proposed date for restricting the fishery, thus avoiding the situation that had occurred in 1998 of vessels leaving port as soon as they were informed of the impending restriction and thus avoiding the catch limit. Mexico also commented that a mechanism was needed to ensure that these measures were complied with, and that the names of vessels which did not comply should be made known. Dr. Joseph commented that, although captains and owners had signed releases allowing the IATTC to give information on their activities with respect to dolphin mortality to governments and the International Review Panel (IRP), it was not clear that these releases covered the information required to enforce tuna catch limits. This question of confidentiality would have to be considered by the working group on compliance to be considered under Item 11 of the agenda.

9. Report of the working group on Fish-Aggregating Devices (FADs), and consideration of possible action(s)

The Chair of the Working Group on Fish-Aggregating Devices (FADs), Lic. Mara Murillo of Mexico, presented the report of the meeting of the group held on Monday, June 7 (Appendix 3), noting that consensus had not been reached on several issues, and that the report reflected all the opinions expressed.

After discussing the report, the Commission asked Lic. Murillo to draft a resolution on actions to be taken regarding FADs. Since such a resolution would also cover the question of catch limits for bigeye tuna, it was agreed that it would be discussed under Item 13(b) of the agenda.

10. Report of the Bycatch Working Group

Dr. Allen summarized the report of the IATTC's Purse-Seine Bycatch Working Group, which consisted of the reports of the meetings of the two groups formed to study technology and fishing techniques and ecological studies and modeling.

The United States noted that this dealt with the technical objectives of the working group, but that the composition of the group would have to be modified and expanded to deal with the third objective, which

involved management decisions. Noting the urgency of the question, he proposed that the group's next meeting, scheduled for April 2000, be brought forward to 1999, before the AIDCP became fully operational, and that a resolution on bycatch might be appropriate. He also suggested that studies of sorting grids and the survival rates of sharks and sea turtles caught in purse seines be given priority.

Dr. Allen noted that experiments with sorting grids required the use of a fishing vessel, and thus the cooperation of a vessel and/or a government. He said that survival rates could be studied by tagging released fish and that turtles usually survived being caught, but tagging them was less likely to be successful as a basis for estimating survival because of the small numbers involved. The April date had been set in order to allow the ecosystem model to be finalized, but a preliminary meeting in 1999 would be possible.

Mexico noted that technologically the problems of bycatch were similar to those of dolphin mortality, but little progress had been made, and that there were no techniques nor equipment which could be recommended. Solving the problem would need the commitment of vessels of nations with high levels of discards. He noted that the available data were insufficient: in particular there were no data on bycatch in the longline fishery.

The EC noted that the purse-seine bycatch was relatively low, accounting for perhaps 100 thousand tons of some 2 million tons discarded worldwide. He suggested that efforts be focused on sensitive species, and said that the longline bycatch data were vital, since bycatch levels in the longline fishery could reach 50%, all of which were top predators.

Dr. Allen said that the mandate of the working group was to study the bycatch in the purse-seine fishery and its effect on the artisanal fishery, and that the extent and nature of the problem would not be known until the modeling was complete. In answer to a question about the FAO Plan of Action for sharks, he said that the working group report would provide a basis for any actions the Commission concluded were necessary.

Japan noted that the FAO Plan of Action would be implemented through national plans of action, and was not really related to the mandate of the working group. He said that, if required, Japan could voluntarily provide bycatch data for its longline fishery.

The Commission considered a draft resolution on bycatch, but there was insufficient time to reach agreement on some of the points. It was agreed that the discussion would be continued at a future meeting of the Commission.

11. Consideration of a Compliance Working Group

The Commission discussed the establishment and functions of a permanent working group to monitor compliance with the resolutions and regulations adopted by the IATTC on catch limits, restrictions on fleet capacity, and other matters such as those discussed under Items 8 and 9 of the agenda. It was agreed that establishing such a working group was both urgent and necessary, and that it should have clear mandate.

Mexico proposed that the working group should function in a manner similar to the IRP, and that the question of assigning observers to vessels of less than 400 short tons carrying capacity should be considered. Compliance with catch limits could be monitored from ports and did not require observers, but if limits were imposed on the number of sets or on the number of FADs, for instance, observers would be necessary aboard the vessels to monitor compliance. Mexico also reiterated its opinion that the names of vessels which did not comply should be made known, and also the names of states which did not enforce the resolutions and regulations.

Ecuador stressed the need for taking firm action in cases of non-compliance, and proposed that the licences of vessels which did not comply should be suspended for 30 days.

Various delegations supported these opinions, but the United States noted that confidentiality had to be balanced against compliance: vessels which did not follow the rules should not be protected, but the information should not be used for sanctions. Individual governments were responsible for sanctioning vessels, but should do so in a transparent fashion, thus building confidence in the system. Cooperation among nations would be vital, since the flag state would need information both from the IATTC and from the port state where the fish was unloaded in order to be able to act against vessels which did not comply with catch limits.

A drafting group was formed to draft a resolution covering the composition, functions, and terms of reference of the working group. The Commission discussed the resulting text at length and in detail, and after extensive revision the Parties present adopted the resolution (Appendix 4). Japan accepted the text, but noted that the requirement of six-monthly reports in paragraph 8(c) could cause difficulties.

12. Limitation of capacity of the purse-seine fleet in the eastern Pacific Ocean

Dr. Allen explained the national capacity limits agreed in the resolution adopted at the 62nd meeting of the IATTC in October 1998, pointing out that they applied for 1999 only. Factors taken into account when establishing the limits had been, for each nation, the catches within its EEZ, historical catches, fleet size in 1988 and 1995, and gross national product. He also noted that in future vessel capacity should be measured not in calculated tons of carrying capacity, which could vary depending on operational decisions but by the volume of the vessels' fish wells, a fixed quantity.

Various delegations expressed their agreement with the need to limit the overall capacity of the international fleet and their intention of working within the agreed limits for 1999, but said that they either planned to increase the capacity of their fleets or wanted their allocation increased in case they decided to increase their fleets, citing their rights as coastal states and/or as historical participants in the fishery and their right to develop their tuna industries. Costa Rica noted that the resolution of the 62nd meeting did not deal with capacities after 1999, and said that his delegation's position in future discussions would reflect national sovereignty. He recalled similar discussions during the late 1970s which were now being repeated, but in the light of UNCLOS. He announced that Costa Rica would prohibit fishing on FADs in its national EEZ from July 1. Colombia made a statement (Appendix 5) clarifying its position regarding an increase in the capacity of its fleet.

It was agreed that the permanent working group on capacity should meet soon to establish the criteria for establishing capacity limits, both for 2000 and for the longer term.

13. Quotas for the fisheries for yellowfin, juvenile bigeye, and others

The catch limits for yellowfin, mentioned by Dr. Joseph in his presentation on the status of the tuna stocks under Item 5 of the agenda, were discussed under Item 17.

The Commission discussed the draft resolution for the conservation of bigeye tuna and on the use of FADs by the purse-seine tuna fleet in the EPO prepared by the Chair of the working group on FADs, which included a limit of 40,000 metric tons on the catch of bigeye in the surface fishery in the EPO in 1999. France, noting that there was no scientific evidence to support the prohibition of tender vessels in support of vessels fishing on FADs, expressed its strong disapproval of paragraph 1(a) of the draft resolution. Japan expressed a reservation about the 40,000-ton catch limit, but agreed not to oppose a consensus on the understanding the issue would be revised in future. After an extensive discussion, the meeting approved a modified text (Appendix 6).

14. Protocol to amend the IATTC Convention to allow adherence by the European Community

The Commission approved a Protocol amending the IATTC Convention to allow the accession of regional economic integration organizations (Appendix 7). Ecuador, France, the United States, and Vanuatu signed the protocol, and most of the other Parties stated that they would sign it in the near future. The

Commission also adopted a minute (Appendix 8) noting its agreement on the Protocol and recommending its ratification by the member governments.

15. Report of the working group on the review of the IATTC Convention

The Chairman of the working group, Ambassador Jean-François Pulvenis of Venezuela, explained that the group now had as a basis for its discussions an informal text which combined the four complete proposals presented by the European Community, Mexico, the United States, and Venezuela, with some additional points suggested by other Parties. The group would meet again in October to discuss the text and prepare a formal draft convention.

Regarding the question of Taiwan becoming a member of the Commission, Ambassador Pulvenis noted that this could be achieved either by adopting an instrument similar to the protocol adopted under Item 14 of the agenda or by including suitable provisions in a modified convention.

16. Recommended research program and budget for FY 2000-2001

Dr. Allen presented the proposed budget for the financial year 2000-2001. In response to a question regarding contributions of Parties to the budget and the level of detail about expenditures in the document, Dr. Allen said that he would be glad to expand on the information provided, and to work with the Parties in the preparation of the budget for the following year.

The Commission established a working group to review the system for calculating the contributions of the Parties to the IATTC budget, and asked the group to hold a meeting later in the summer to draw up some guidelines for its work, and subsequently present a report to the Commission.

In response to a question from Mexico, Dr. Allen said that the high cost of a tagging experiment, which involved chartering a vessel, was beyond the scope of the regular budget, but that it was planned to use some unused funds from the current year to start such an experiment in the next financial year.

The United States accepted the proposed figures and committed to its contribution with the understanding that it was a recommended budget, and Japan approved it on the condition that the proportion of the budget that it paid would not increase from the current year.

17. Recommendations and resolutions for 1999

Dr. Allen introduced the staff's recommendations for a yellowfin catch limit for 1999, noting that in the past such limits had applied only in the CYRA, but that with the expansion of the fishery in the southern part of the EPO and the large increase in the catch of small fish in that area, some form of limit might be necessary in the area of the EPO outside the CYRA. After discussing the matter, the Commission decided that the scientific evidence was insufficient to justify imposing such a limit for 1999. A resolution with a catch limit of 225,000 metric tons for yellowfin tuna in the CYRA during 1999, with the option of increasing this, at the discretion of the Director, by up to three increments of 15,000 tons each, was adopted (Appendix 9).

The Commission also adopted a resolution on the management of fishing capacity of large-scale tuna longline fishery (Appendix 10), welcoming Japan's initiative to reduce the number of its longline vessels by 20% in accordance with the FAO Plan of Action for the Management of Fishing Capacity and calling upon other states and fishing entities to undertake similar initiatives.

Finally, the Commission adopted by acclamation a resolution (Appendix 11) recognizing the contributions of Dr. James Joseph, who had announced his retirement as Director of the IATTC at the end of June 1999. Dr. Joseph thanked the delegates for the honor, and said that he could retire happily knowing that all the nations involved in the fishery were now or soon would be members of the Commission and were all working together to achieve their common objective of conserving the resources of the EPO for future

generations, and that the direction of the Commission was in the capable hands of his successor, Dr. Allen.

18. Place and date of next meeting

The Chairman noted that the year 2000 marked the Commission's 50th anniversary, so the next regular meeting in June of that year would be of special significance. It was suggested that the meeting be held either in one of the two new member countries, El Salvador and Mexico, or in one of the two founding nations, Costa Rica and the United States. The decision would be taken after consultation among the Parties.

19. Election of officers

The election of the Chairman for the next year was deferred pending the decision on the location of the annual meeting.

20. Other business

No other business was discussed.

21. Adjournment

The meeting was adjourned at 8 p.m. on Friday, June 11.

LIST OF DOCUMENTS

1 The 1998 fishing year
2 Assessment of yellowfin tuna in the eastern Pacific Ocean
3 Program and budget for fiscal year 2001
4 Assessment of skipjack tuna in the eastern Pacific Ocean
5 Assessment of bigeye tuna in the eastern Pacific Ocean
6 Tuna-dolphin Program
7 Assessment of swordfish in the eastern Pacific Ocean
8 Assessment of bluefin tuna in the eastern Pacific Ocean
9 Assessment of blue marlin in the Pacific Ocean
10 Report of the bycatch working group

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5 Statement by the Colombian delegation
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7 Protocol amending the IATTC Convention to allow the accession of regional

economic integration organizations
8 Minute regarding the Protocol amending the IATTC Convention
9 Resolution on yellowfin tuna
10 Resolution on the management of fishing capacity of large-scale tuna longline fishery
11 Resolution recognizing the contributions of Dr. James Joseph

Appendix 1.

ASISTENTES - ATTENDEES

PAISES MIEMBROS--MEMBER COUNTRIES

COSTA RICA

HERBERT NANNE ECHANDI
Comisionado
GEORGE HEIGOLD STARK
Comisionado
JAIME SOJO ROMERO
Cónsul General de Costa Rica en Guayaquil
ASDRUBAL VASQUEZ NUÑEZ
Sardimar, S.A.
JAIME BASADRE
Marítima Pesquera, S.A.

ECUADOR

GUSTAVO GUTIERREZ VERA
LUIS TORRES NAVARRETE
Ministerio de Comercio, Industria y Pesca
GUSTAVO GONZALEZ CABAL
Representante del Gobierno de Ecuador
CECILIA MARIN DE LOPEZ
JOSE LUIS PACHECO BEDOXA
Instituto Nacional de Pesca
CESAR ROHON HERVAS
WOLF HARTEN
Cámara Nacional de Pesquería
CARLOS CALERO
Conservas Isabel Ecuatoriana
AGUSTIN JIMENEZ SANTISTEVAN
PESPACA-Pesquera del Pacífico, C.A.
JOSE LUIS FLORES SANTANA
SEAFMAN, C.A.
IVO CUKA KUNJACIC
PESDEL S.A.
VICENTE PERALTA LOPEZ
Pesquera Peralta
DANIEL BUEHS BOWEN
BERNARDO BUEHS BOWEN
BERNARDO BUEHS NOBOA
Pesquera Buehs
CARLOS VÉLEZ ESCOBAR
B/P *Romeo*
MARIO DE GENNA
CROTONE, S.A.
LUCIA FERNANDEZ DE DE GENNA
B/P *Joselito, Don Mario*
JOSE DOMINGUEZ R.
MARIA EUGENIA DE GENNA
MEGAINVEST, S.A.
JOSÉ DÍAZ GARCÍA
ANGEL DÍAZ GARCÍA
TUNAMANTA/IBEROATUN
ROBERTO AGUIRRE
NIRSA
DIEGO MILETIC
Pesquera Jadran, S.A.
LUIS E. GOMEZ BEJARANO
LORENA BEJARANO DE MARTINEZ
Legalsa Asesoría Legal, S.A.
MIGUEL MOLINA
MARLON BARCHI G.
EMPESEC
ALBERTO MASPONS GUZMAN
HECTOR VILLEGAS
TUNLO, S.A.
ELY A. MACKAY MERO
INEPACA
JAMES ALEXANDER
LEONOR ALARCON S. DE ALEXANDER
AMARCON, S.A.
WALTER A. VALAREZO ANDRADE
ALFAFIO, S.A.
CHIU YU LAM
LUIS A. CHOCK LAM
Pan Pesca del Ecuador, S.A.
PEDRO CABELLO VALVERDE
SOUDRONIC Group
BYRON MOYA REYES
RENE COROZO
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HUMBERTO ROBLES RUIZ
MICHEL DREYFUS LEON
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JOSE JUAN VELÁZQUEZ MACOSHAY
Supremos del Golfo y del Pacífico, S.A. de C.V.
LUIS CALVILLO
TUNIPAC, S.A. DE C.V.
FELIPE CHARAT
ERNESTO ESCOBAR A.
Pesca Azteca, S.A. de C.V.

NICARAGUA

MIGUEL ANGEL MARENCO
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JULIO CESAR SABORIO
Ministerio de Relaciones Exteriores

PANAMA

ARNULFO FRANCO
Comisionado
LUIS A. DORATI
ENZO MITROVIC
Tri-Marine International

OSVALDO ALEXIS SILVA
Caribbean Fishing Trading
RICH MONTGOMERY
ALBERTO LOPEZ
Pesqueros, S.A.

UNITED STATES OF AMERICA - ESTADOS UNIDOS DE AMERICA

JAMES MCCARTHY
Commissioner
WILLIAM HOGARTH
Commissioner
BRIAN HALLMAN
WILLIAM GIBBONS-FLY
VIOLANDA BOTET
U.S. Department of State
JAMES LECKY
SVEIN FOUGNER
GARY SAKAGAWA
CATHY EISELE
National Marine Fisheries Service
JUDSON FEDER
National Oceanic and Atmospheric Administration
RANDI THOMAS
U.S. Tuna Foundation
CHARLES R. HART
Marco Marine-Seattle
EDWARD R. VAN OS
Astilleros Marco Chilena, Ltda.
JOHN WILKIE
Valley Detroit Diesel Allison
OTTO OBRIST
Ocean Ventures
ANTHONY M. MISETICH
General Petroleum
CHUCK MC DANIEL
Petróleos Generales, S.A.
RENE AVENDAÑO
Tri-Marine International
SCOTT PARMAN
Bumble Bee Seafoods
RICHARD SANTE
Miami Crab Corp.
PAUL KRAMPE
United Tuna Cooperative

VANUATU

ANTHONY TILLETT
Commissioner
ELISEO VILLAR LOUREIRO
Pesquera San Miguel, S.A.
CIRIACO GAMECHO
ATUNBI, S.A.
MARK MCAULIFFE
Pamela Ann

VENEZUELA

JEAN-FRANÇOIS PULVENIS
Comisionado
CAROLINA BELTRAN
Comisionada
FRANCESCO ORTISI
Comisionado
SANTOS VALERO
Ministerio de Relaciones Exteriores
ZAYMAR CAROL VARGAS A.
Ministerio de Industrias y Comercio
JOSE MARIA BENGOA
AVATUN
INOCENCIO NATOLI
LILLO MANISCALCHI
Inversiones Atuneras, C.A.
RAFAEL CASTRO
CAVENPESCA
FERNANDO CALVO LEMA
Calvo Pesca
HUGO ALSINA

PAISES NO MIEMBROS--NON-MEMBER COUNTRIES

BELIZE

SABINA GONZALEZ SOLIS
IMMARBE

CHILE

RICARDO NORAMBUENA
Ministerio de Economía
PATRICIO BARRÍA
Instituto de Fomento Pesquero

COLOMBIA

GONZALO ANTONIO URZO LA REGO
Ministerio de Agricultura y Desarrollo Rural
CLARA GAVIRIA
Ministerio de Comercio Exterior
ARMANDO HERNANDEZ
ANDI
ALVARO BUSTAMANTE STEER
ALVARO NAVARRO COLEY
ATUNEC, S.A.
DIEGO CANELOS VELASCO
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BRIAN ARMITAGE SALAZAR
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ALFONSO PAZ TENORIO
CIMAR S.A.
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HUGO MARINO VILLA
GUILLERMO DAW
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HERBERT SCHULER
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EUROPEAN COMMUNITY – COMUNIDAD EUROPEA

ERNESTO PENAS LADO
BRENDAN O'SHEA
THOMAS VAN RIJN
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ESPAÑA - SPAIN

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JUAN RODRIGUEZ-SAHAGUN
ANABAC
JOSEBA ZULUETA EREKATXO
ATUNSA

GUATEMALA

MARIELA VELEZ DE GARCIA
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VICTOR LEONEL BARRIENTOS
Ministerio de Agricultura, Ganadería y Alimentación

PERU

JORGE VERTIZ CALDERON
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SEYCHELLES

JOEL NAGEON DE LESTANG
Seychelles Fishing Authority

TAIWAN

KUANG-CHUNG LIANG
WEN-LIANG CHANG
Ministry of Foreign Affairs

CHUNG-HAI KWOH
Fisheries Administration, Council of Agriculture

ORGANIZACIONES INTERNACIONALES --INTERNATIONAL ORGANIZATIONS

MANUEL FLORES
Comisión Permanente del Pacífico Sur (CPPS)
ANNA WILLOCK
Forum Fisheries Agency (FFA)
BRIAN HALLMAN
International Commission for the Conservation of Atlantic Tunas (ICCAT)

CARLOS MAZAL
Organización Latinoamericana de Desarrollo Pesquero (OLDEPESCA)
MARIO GONZALEZ RECINOS
PRADEPESCA

ORGANIZACIONES NO GUBERNAMENTALES --NON-GOVERNMENTAL ORGANIZATIONS

KITTY BLOCK
Humane Society of the United States
HÉCTOR LÓPEZ
Fundación para la Defensa de la Naturaleza
KATHLEEN O'CONNELL
Whale and Dolphin Conservation Society

HOLLY PAYNE
ANDREA OLIVER
World Wildlife Fund
ALVARO POSADA SALAZAR
Humane Society International
NINA YOUNG
Center for Marine Conservation

CIAT--IATTC

JAMES JOSEPH, Director
ROBIN ALLEN
MARTIN HALL
RICHARD DERISO
DAVID BRATTEN
ERNESTO ALTAMIRANO
BERTA JUAREZ
ERICK LARGACHA
NICHOLAS WEBB

APPENDIX 2.

AGENDA

1. Opening of the meeting
2. Adoption of the agenda
3. Review of current research
4. The 1998 fishing year
5. Report on the status of the tuna and billfish stocks:
   a) Yellowfin
   b) Bigeye
   c) Others
6. Review of tuna-dolphin research and extension programs
7. Review of the International Dolphin Conservation Program
8. Results of limiting the fishery for yellowfin and bigeye in 1998
9. Report of the working group on Fish-Aggregating Devices (FADs), and consideration of possible action(s)
10. Report of the Bycatch Working Group
11. Consideration of a Compliance Working Group
12. Limitation of capacity of the purse-seine fleet in the eastern Pacific Ocean
13. Quotas for the fisheries for:
    a) Yellowfin
    b) Juvenile bigeye
    c) Others
14. Protocol to amend the IATTC Convention to allow adherence by the European Community
15. Report of the working group on the review of the IATTC Convention
16. Recommended research program and budget for FY 2000-2001
17. Recommendations and resolutions for 1999
18. Place and date of next meeting
19. Election of officers
20. Other business

21. Adjournment

Appendix 3.

REPORT OF THE CHAIR OF THE WORKING GROUP ON FISH-AGGREGATING DEVICES

On June 7, 1999, the Working Group on Fish-Aggregating Devices met in Guayaquil, Ecuador, chaired by Lic. Mara Murillo Correa, of Mexico, with the objective of analyzing possible measures to be taken to regulate the use of fish-aggregating devices (FADs) in the tuna fishery in the eastern Pacific Ocean (EPO), in accordance with the Resolution approved by the Inter-American Tropical Tuna Commission (IATTC) at its 62nd meeting in October 1998.

Dr. Robin Allen, of the IATTC staff, presented to the Working Group the analysis of the various proposals made by the delegations at the previous meeting on possible measures for regulating the use of FADs . Dr. Allen explained the methodology and the various sources of the information used for the analysis, and gave a thorough explanation of the possible effects of the proposed measures.

Dr. Allen summarized the resolution on this matter taken by the IATTC at its 61st Meeting in June 1999.

With regard to the document presented by the IATTC staff, some delegations asked that the analysis include the possible effects not only on the catches of the various species of tuna, but also on their biomass, in order to give a full picture of the impacts on the sustainable management of the fisheries. They also noted the need to carry out the analysis with modifications of the sensitivity of the variables, as well as the uncertainty by interval.

Dr. Alain Fonteneau, of the European Community, presented data on fisheries on floating objects in various oceans of the world, as well as some of the regulations which have been implemented in order to reduce the catches and discards of juvenile tuna.

M. en C. Rafael Solana and Dr. Michel Dreyfus, of Mexico, presented analyses of the effects of the various fishing methods (on dolphins, schoolfish, and floating objects) in the last five years, with particular reference to catches of juveniles, average sizes of the fish caught, bycatch of other species, and the need to regulate the fishery on floating objects, which produces the greatest catches of juveniles and bycatch species.

After the scientific information was presented, the Working Group discussed possible measures to be recommended for consideration by the IATTC.

From the discussions there appears to be a general consensus on the need to establish management measures for the fishery on FADs, in particular to reduce the catch of juvenile tuna (bigeye and yellowfin).

However, some delegations commented that the information available is insufficient for taking regulatory measures on the use of FADs and asked that the IATTC staff carry out further studies on the matter. It was also suggested that the question of bycatch be dealt with in the Working Group on Bycatch.

On the other hand, some delegations indicated that, even though there were some additional questions, the information presented by the IATTC staff was sufficient for taking decisions, since many of the hypotheses analyzed give clear indications of the effects on the populations, and that measures should be adopted taking the precautionary principle into account, and these could be ratified, refined or eliminated as the information required by the various delegations became available.

Some delegations stressed that any measures established be complete, in order to ensure the sustainability of the various fisheries for tunas in the EPO.

In this regard, there was general agreement on the need for compliance with the agreements on limits on fishing capacity.

Regarding the measures to be established, the Working Group discussed, but did not reach a consensus on, the following:

- Application of the precautionary approach.
- Reaffirming the resolution on bigeye, adopted during the 61st Meeting of the IATTC, but with a reduction of the maximum catch of bigeye by the purse-seine fishery to less than 25,000 tons. In this respect, and considering the analysis presented by the IATTC staff, a reduction of the quota to 30,000 tons was proposed.
- Establish a limit on the depth of FADs. Some delegations requested that the IATTC staff study this matter further.
- Limit the number of sets on floating objects to around 2,300.
- Establish a limit on the number of FADs that a vessel can carry.
- Analyze the effects of the use of bait with FADs.
- Limit the size of vessels operating in the EPO.
- Reiterate and, if applicable, clarify regulations governing tender vessels, in order to avoid interpretations of how they can be used.
- Seasonal area closures, in particular in Areas 4 and 5 and possibly Area 2.
- Ban on discards.
- Place observers on vessels under 400 metric tons fishing on FADs.
- Research and develop technology to avoid the capture of small fish and/or release them if they are captured.
- Combine some of these measures, as for example:
    - Limit the number of sets on floating objects to the levels recorded during the 1991-1992 period.
    - Seasonal bans on the use of FADs in Areas 4 and 5.
    - Reduce the maximum bigeye quota to 30,000 tons.

Finally, Dr. Joseph, Director of the IATTC, commented on the importance of the work done by the Commission staff, as well as the scientific information currently available, which should allow decisions to be taken on regulating the use of FADs, and avoid a situation such as that which the fishery faced in the 1970s. In this regard he noted that the current situation of increasing use of FADs was very similar to that which arose at the end of the 1970s, when the fishing effort on floating objects increased and led to a substantial reduction in the catches of tuna.

Appendix 4.

RESOLUTION ON THE ESTABLISHMENT OF A PERMANENT WORKING GROUP ON COMPLIANCE

The Inter-American Tropical Tuna Commission (IATTC), meeting in Guayaquil, Ecuador, on the occasion of its 63rd Meeting, agrees to establish a permanent Working Group on compliance with conservation and management measures adopted by the IATTC, in accordance with the following provisions:

1. Definitions

For the purposes of this resolution:

a) "Party" means a Contracting Party of the IATTC;

b) "Non-party" means a state/entity/fishing entity or regional economic integration organization to which its member states have transferred competence over matters covered by this Resolution, that is not a Contracting Party of the IATTC whose coast borders the eastern Pacific Ocean or with vessels fishing under its jurisdiction in the eastern Pacific Ocean.

2. The functions of the Working Group shall be:

a) to review and monitor compliance with conservation and management measures adopted by the IATTC;

b) to recommend to the IATTC means of promoting compatibility among the national fisheries management measures of the Parties, including infractions and sanctions;

c) to recommend to the IATTC appropriate measures for addressing matters related to compliance with fisheries management measures;

d) analyze information by flag and, as necessary, by vessel, and other information necessary to carry out its functions;

e) to report the results of its work to the IATTC, which will in turn inform the Parties and Non-parties;

3. The Working Group shall be made up of representatives of each of the Parties ("governmental members").

4. Representatives of Non-parties, pertinent intergovernmental organizations, non-governmental environmental organizations with recognized experience in matters pertaining to this Working Group, and owners of tuna vessels fishing in the eastern Pacific Ocean (EPO) under the jurisdiction of any of the Parties, may participate in the Working Group as observers.

5. All participants in the Working Group shall have speaking rights, but only the Parties shall have voting rights. The Working Group shall adopt its reports and recommendations by consensus.

6. The Working Group shall hold at least one meeting every year, if possible in conjunction with a meeting of the IATTC, and at its first meeting shall adopt the rules of procedure necessary for the performance of its functions.

7. The Parties shall, through the IATTC staff:

a) inform the Working Group of legal and administrative provisions applicable to compliance with conservation and management measures adopted by the IATTC, including régimes of infractions and sanctions and measures applicable to vessels of less than 363 metric tons carrying capacity.

b) inform the Working Group of measures taken to ensure compliance with conservation and management measures adopted by the IATTC, including, if appropriate, an analysis of individual cases and the final decision taken.

8. The Parties shall:

a) authorize the use and release, subject to any applicable rules of confidentiality, of pertinent information recorded by observers of the IATTC or a national program;

b) ensure that vessel owners and/or captains consent to allow the IATTC to analyze information on the operation and compliance of the fleets;

c) provide to the IATTC every six months a report on the activities of its tuna-fishing vessels and any other information necessary for the work of the Working Group;

9. The staff of the IATTC shall:

a) collect the information necessary for the work of the Working Group and develop a data base;

b) provide to the Working Group such statistical analyses as the Working Group deems necessary for carrying out its functions;

c) prepare the reports of the Working Group;

d) distribute all pertinent information to the members of the Working Group, particularly that set out in paragraph 7(a).

e) inform Parties and Non-parties of measures taken under IATTC resolutions, with enough notice for their implementation at the national level.

10. All information provided to the Working Group shall be subject to the confidentiality rules of the IATTC.

11. Non-parties shall be requested and encouraged to comply with the requirements and commitments established in paragraphs 7 and 8 above.

Appendix 5.

STATEMENT BY THE REPUBLIC OF COLOMBIA

The Delegation of the Republic of Colombia ratifies the position it has presented at meetings of the IATTC on the allocation of a quota of 12,000 tons of carrying capacity for its purse-seine tuna fleet, considering our position as a coastal country of the eastern Pacific Ocean and the growth of the tuna industry, with its clear social and economic impact for our Country.

Our position is based on established rights and is in agreement with international law and the Declarations expressed in all international fora on the use of fisheries resources and the law of the sea.

If we do not realize our aspirations in this meeting, we will declare a reservation on any decision which goes against our interests at the 63rd Meeting of the IATTC.

The Republic of Colombia will continue actions for the growth of its tuna industry, which requires the parallel increase of its fishing fleet.

We hope that the various countries here represented will support this just right of the Republic of Colombia.

Signed in the city of Guayaquil, June 10, 1999.

For the Delegation of the Republic of Colombia

GONZALO URZOLA REGO
Fisheries Director, Ministry of Agriculture
President of the Delegation of Colombia

ARMANDO HERNANDEZ
Member of the Board of Directors INPA
Cámara Industria Pesquera - ANDI

DIEGO CANELOS
Manager, Atunes de Colombia, S.A

ALFONSO PAZ
Manager, CIMAR, S.A

CLARA GAVIRIA AGUDELO
Advisor
Ministry of Foreign Trade

ALVARO BUSTAMANTE
President, ATUNEC, S.A.

HUGO MARINO
President, FRIGOGAN, S.A

BRIAN ARMITAGE
Manager, Compañía Atunera del Pacífico

Appendix 6.

RESOLUTION FOR THE CONSERVATION OF BIGEYE TUNA AND ON THE USE OF FISH-AGGREGATING DEVICES BY THE PURSE-SEINE TUNA FLEET IN THE EASTERN PACIFIC OCEAN

The Inter-American Tropical Tuna Commission (IATTC), meeting in Guayaquil, Ecuador, on the occasion of its 63rd Meeting:

Considering the information presented by the scientific staff of the IATTC in the documents on "Estimated Effects of Various Restrictions on the Fishery for Tunas in the Eastern Pacific Ocean" and on "Assessment of Bigeye Tuna in the Eastern Pacific Ocean" and the Report of the Working Group on Bycatch;

Reiterating the need to reduce the incidental catches of juvenile tunas, in particular of yellowfin and bigeye, in the surface fishery in the eastern Pacific Ocean (EPO);

Recalling that the surface fishery on fish-aggregating devices has grown substantially in the last five years, increasing the catch of juvenile bigeye and yellowfin tuna;

Concerned about the reduction in the average size of bigeye tuna caught by the aforementioned surface fishery;

Reaffirming its commitment to the application of the precautionary approach, which establishes that lack of scientific information shall not be used as a reason for not taking management measures for fisheries resources;

Recommends to the Parties and non-parties under whose jurisdiction vessels operate in the eastern Pacific Ocean that they:

1. Taking into account previous resolutions of the Commission on the conservation of bigeye tuna and on the use of fish-aggregating devices, agree to, in addition to the existing measures regarding the use of such devices:

   a) Prohibit the use of tender vessels in support of vessels fishing on fish-aggregating devices in the EPO, without prejudice to activities in other parts of the world;

   b) Prohibit the transshipment of tuna at sea;

   c) Limit the catch of bigeye tunas in the surface fishery in the EPO to 40,000 metric tons in 1999. Once this limit is reached, all sets on floating objects in the EPO shall cease;

   d) Review the status of the bigeye stock at the time of the 2000 Annual Meeting of IATTC, and give consideration to future reductions of the catches of small bigeye tuna commensurate with the scientific advice of the IATTC staff.

   With the aim of not exceeding the quota, the IATTC staff shall establish a system for notifying all Parties and non-parties under whose jurisdiction vessels fish in the EPO when three-quarters of the quota has been reached. It shall also notify them at least two weeks in advance of the closure date for the fishery on floating objects, in accordance with the dispositions of that same regulation, in order to give them sufficient time to implement this resolution.

2. Establish a scientific working group to carry out comprehensive research, in conjunction with the IATTC staff, to include but not be limited to:

   a) The effect on the populations of bigeye and yellowfin of the depth at which the fish-aggregating devices operate;

b) The effects on the catch rates and the size composition of the catch of tunas of the use of bait associated with fish-aggregating devices;

c) Estimates of the natural mortality of the various populations of tunas, in particular bigeye tuna;

d) The establishment of a maximum number of sets on floating objects which the tuna fishery in the EPO can support;

e) The impact of the fishery on floating objects between 130°W and 150°W.

f) Study the impact of permanent and/or temporary closures of areas to the use of fish-aggregating devices, especially in combination with the other regulatory measures set out in this resolution.

g) The impact on the stock of bigeye tuna of catches by small purse-seine vessels (of less that 400 short tons carrying capacity) and longline vessels; and

h) Advise on the feasibility of a program for the placement of observers on small purse seiners, and recommend the appropriate level of observer coverage necessary to obtain reliable scientific information.

3. Ask the Director to continue research on the use of gear and/or techniques to reduce the catch of small tunas and other bycatches.

4. Ask the Director to provide the reports concerning this research to the Commission, which may, if appropriate, reconvene the Working Group.

Appendix 7.

PROTOCOL TO AMEND THE 1949 CONVENTION ON THE ESTABLISHMENT OF AN INTER-AMERICAN TROPICAL TUNA COMMISSION

The Contracting Parties to the 1949 Convention on the Establishment of an Inter-American Tropical Tuna Commission have agreed as follows:

Article I

1. In Article I, paragraphs 1, 6, 7, 8, 12 and 15, the references to "national section" and "national sections" shall be changed to read "section" and "sections".

2. In Article I, paragraph 1, the phrase "Governments of the respective High Contracting Parties" shall be changed to read "the respective High Contracting Parties".

3. In Article I, paragraph 2, the phrase "the Government of each High Contracting Party" shall be changed to read "each High Contracting Party", and the phrase "such Governments" shall be changed to read "such High Contracting Parties".

4. Article I, paragraph 12, shall be changed to read as follows:

"12. The Commission may hold public hearings. Each section also may hold public hearings within its own territory."

5. In Article II, paragraphs 1 and 7, the phrase "nationals of the High Contracting Parties" shall be changed to read "nationals under the jurisdiction of each High Contracting Party".

6. Article III shall be changed to read as follows:

"The High Contracting Parties agree to take such internal measures as may be necessary to carry out the purposes of this Convention."

7. Article V, paragraph 3, shall be changed in its entirety to read as follows:

"Any government or regional economic integration organization (constituted by states that have transferred to such organizations competence over matters within the purview of this Convention, including the competence to enter into agreements in respect of those matters) which have jurisdiction over nationals who participate in the fisheries covered by this Convention, desiring to adhere to the present Convention, shall address a communication to that effect to each of the High Contracting Parties. Upon receiving the unanimous consent of the High Contracting Parties to adherence, such government or regional economic integration organization shall deposit with the Government of the United States of America an instrument of adherence which shall stipulate the effective date thereof. In the case that a regional economic integration organization adheres to this Convention, each of its member states is barred from becoming a party (or continuing to be a party) to the Convention unless the member state represents a territory which lies outside the territorial scope of the treaty establishing the regional economic integration organization and provided that such member state's participation be limited to representing only the interests of its territories. The Government of the United States of America shall furnish a certified copy of the Convention to each government and regional economic integration organization desiring to adhere thereto. Each adhering government and regional economic integration organization shall have all the rights and obligations under the Convention as if it had been an original signatory thereof."

8. In Article V, paragraph 4, the phrase "notifying government" shall be changed to read "notifying government or regional economic integration organization".

Article II

1. This Protocol shall be open for signature, at Guayaquil, Ecuador, on June 11, 1999 by all States that are High Contracting Parties to the Convention and thereafter shall remain open for signature at Washington.

2. This Protocol shall be subject to ratification, acceptance, approval or accession, in accordance with the domestic laws and procedures of each Party.

3. The original of this Protocol shall be deposited with the Government of the United States of America, which shall communicate certified copies thereof to all High Contracting Parties to the Convention.

4. This Protocol shall enter into force on the thirtieth day following the date upon which all High Contracting Parties to the Convention have indicated their consent to be bound, as provided in paragraph 2.

5. The Government of the United States of America shall inform all High Contracting Parties to the Convention of all signatures, all instruments of ratification, acceptance, approval or accession received and of the date upon which this Protocol enters into force.

6. Following entry into force of this Protocol, any States or regional integration economic organizations, adhering to the Convention shall adhere to the Convention as amended by this Protocol.

Appendix 8.

MINUTE

adopted at the 63rd Meeting of the Parties to the 1949 Convention for the Establishment of an Inter-American Tropical Tuna Commission

The Inter-American Tropical Tuna Commission, at its 63rd Meeting, held at Guayaquil, Ecuador, on June 8-10, 1999, taking note of the interest of the European Community in becoming party to the Convention, reached agreement on the Protocol to Amend the 1949 Convention for the Establishment of an Inter-American Tropical Tuna Commission, the text of which is attached to this Minute. The original of the Protocol was opened for signature in Guayaquil at the conclusion of the 63rd Meeting of the Parties and thereafter will remain open for signature by all Contracting Parties at Washington. Noting that the Protocol requires ratification, acceptance, approval or accession by all Parties to the Convention, the Representatives stated their intention to recommend to their respective governments to implement the internal procedures necessary for the ratification, acceptance, approval or accession so as to ensure the entry into force of the Protocol at the earliest possible time.

Appendix 9.

RESOLUTION ON YELLOWFIN TUNA

The Inter-American Tropical Tuna Commission, having responsibility for the scientific study of the tunas and tuna-like fishes of the eastern Pacific Ocean, which for the purpose of this Resolution is the area bounded by the coastline of the Americas, the 40°N parallel, the 150°W meridian, and the 40°S parallel, and for the formulation of recommendations to the High Contracting Parties with regard to these resources, and having maintained since 1950 a continuing scientific program directed toward the study of those resources,

Notes that the yellowfin tuna resource of the eastern Pacific supports one of the most important surface fisheries for tunas in the world, and

Recognizes that, based on past experience in the fishery, the potential production from the resource can be reduced by excessive fishing effort, and

Recalls that from 1966 through 1979 the implementation of a successful conservation program maintained the yellowfin stock at high levels of abundance, and

Notes that from 1980 through 1998, excepting 1987, conservation measures were recommended to the Commissioners by the scientific staff, and that in turn such measures were approved by the Commissioners for recommendation to their respective governments, and

Observes that, although the stock of yellowfin is currently near a level of optimum abundance, nevertheless it can be over-exploited, and

Understanding that yellowfin tuna in the area west of the Commission's Yellowfin Regulatory Area (CYRA) (as defined in the resolution adopted by the Commission on May 17, 1962) and east of 150oW are of such a size that limiting the catches in that area is currently not necessary, and

Concludes that, if conditions warrant, a limitation on the catch of yellowfin tuna should be implemented during 1999.

The Inter-American Tropical Tuna Commission therefore recommends to the High Contracting Parties that a quota of 225,000 metric tons be established for the 1999 calendar year on the total catch of yellowfin tuna from the CYRA, and that the Director be authorized to increase this limit by up to three successive increments of 15,000 metric tons each if he concludes from examination of available data that such increases will pose no substantial danger to the stocks, and

Finally recommends that all member states and other interested states work diligently to achieve the implementation of such a yellowfin conservation program for 1999.

Appendix 10.

RESOLUTION ON THE MANAGEMENT OF FISHING CAPACITY OF LARGE-SCALE TUNA LONGLINE FISHERY

The Inter-American Tropical Tuna Commission (IATTC):

Recalling that the FAO Committee on Fisheries adopted the International Plan of Action for the Management of Fishing Capacity (the FAO Plan of Action) in February 1999,

Further recalling that the Rome Declaration on the Implementation of the Code of Conduct for Responsible Fisheries (the Code of Conduct) adopted by the FAO Ministerial Meeting on Fisheries in March 1999 underlines the important role of regional fishery management organizations in respect of the implementation of the Code of Conduct,

Concerned that excessively high catches of juvenile tuna species in the EPO, particularly of yellowfin tuna and bigeye tuna, would result in irretrievable damage to the resources concerned,

Recalling that the IATTC is now undertaking measures to control the fishing capacity of purse-seine fleets in the EPO,

Taking into account the current IATTC's initiative for further consideration of measures necessary to conserve juvenile tuna stocks,

Aware that excess fishing capacity with respect to some types of fishing gear needs to be addressed on a global basis,

Welcomes Japan's initiative to immediately implement the reduction in the number of large-scale tuna longline fishing vessels by 20% (132 vessels) by the scrapping of those vessels in accordance with the FAO Plan of Action,

Calls upon other large-scale tuna longline fishing states/entities/fishing entities to undertake similar initiatives with respect to their tuna longline fleets in the EPO.

Appendix 11.

RESOLUTION

RECOGNIZING THE CONTRIBUTIONS OF DR. JAMES JOSEPH

The Inter-American Tropical Tuna Commission, having responsibility for the study of tunas and tuna-like fishes in the eastern Pacific Ocean, for the formulation of a multilateral management regime for the sustainable use of these resources, and for the development and implementation of the International Dolphin Conservation Program for this international fishery,

Acknowledging the complexities of managing this high-visibility international fishery on a rational and scientific basis, particularly given substantial diplomatic, political, economic and public influences,

Recalling the tremendous economic and social importance of the tuna fishery to the coastal states of the eastern Pacific Ocean and other nations participating in this fishery,

Reaffirming the commitment of all the Parties and of other nations participating in this fishery to the principles of ensuring the sustainability of the tuna resource and to the protection of dolphins,

Observing that the success of the many programs developed and implemented under the auspices of the Commission since its inception in 1949 has earned the praise, recognition, respect and admiration of nations, multilateral fisheries management organizations, non-governmental organizations and fishermen from around the world,

Understanding that the success and global recognition of these programs has become a source of great pride for all nations participating in the Commission and its programs, particularly when the eastern Pacific Ocean is viewed in the context of the many troubled fisheries of the world,

Acknowledging that the management of the eastern Pacific tuna fishery demands the support and commitment of all participant nations, but that the success of its programs ultimately rests on the shoulders of its manager, on his dynamism, creativity, integrity, and scientific and professional expertise,

Concluding that, to a degree that is impossible to quantify, these countless, notable and persistent successes, international recognition and the national pride of participant nations are attributable to a man who has dedicated his professional life to lead us to where we are today,

The Inter-American Tropical Tuna Commission therefore resolves that Dr. James Joseph be recognized and commended for his four decades of service to our common goals and their aforementioned success; that the immeasurable respect, admiration and gratitude of its members be extended to Dr. Joseph by the Commission; and that, accompanying those sentiments, the Commission looks forward to many more years of expert counsel from Dr. Joseph.