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COMPLIANCE WITH IATTC MEASURES IN 2006

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All tonnages are in metric tons (t). The following abbreviations are used:

Countries and fishing entities:

BLZ	Belize
BOL	Bolivia
CHN	China
COL	Colombia
CRI	Costa Rica
ECU	Ecuador
ESP	Spain
EUR	European Union
GTM	Guatemala
HND	Honduras
JPN	Japan
KOR	Republic of Korea
MEX	Mexico
NIC	Nicaragua
SLV	El Salvador
TWN	Chinese Taipei
USA	United States of America

VEN	Venezuela
VUT	Vanuatu

Species:

BET	Bigeye tuna (<i>Thunnus obesus</i>)
SKJ	Skipjack tuna (<i>Katsuwonus pelamis</i>)
YFT	Yellowfin tuna (<i>Thunnus albacares</i>)

Forms:

RDC	Compliance Record
RDT	Shark Record
RTM	Sea Turtle Record

Miscellaneous:

CPC	IATTC Party, cooperating non-party, fishing entity or regional economic integration organization
FAD	Fish-aggregating device
EPO	Eastern Pacific Ocean

The information presented in this document relates to some of the issues on the agenda of the 8th Meeting of the IATTC Permanent Working Group on Compliance, to be held in Cancun, Mexico, on 21 June 2007.

The data related to the purse-seine fisheries in this report cover all trips initiated in 2006 (2006 trips) covered by the IATTC observer program, and also includes data received from national observer programs. However, the data provided by the Mexican national program (PNAAPD) includes seven trips that departed in 2005 but did not start fishing operations until 2006. The PNAAPD considers that trips that had no fishing activity in 2005 should be considered 2006 trips, regardless of their departure date.

The IATTC staff considers that, for compliance purposes, trips should be classified by year of departure. This simplifies the determination of what information to include this report, does not depend on the post-trip analysis of the data or a definition of fishing, and avoids potentially long delays in reporting non-compliance. For example, one vessel departed mid-December 2006 on a trip that did not finish until mid-March 2007. If, for instance, this vessel had passed a turtle through the power block, in violation of Resolution [C-04-05](#), but had not made any sets until 2007, the Parties would not be informed of the violation until June 2008.

The Working Group may wish to provide direction to the national programs and the IATTC staff to unify the criteria. In this report, the seven Mexican trips are considered as 2006 trips.

The total number of successful sets¹ in 2006 was 20,010, 8% lower than 2005 (21,664) and 6% lower than 2003 (21,164), but 8% higher than 2004 (18,379). The number of 2006 trips is as follows:

	IATTC	National	Total
COL	21	21	42
ECU	170	84	254
ESP	11	10	21
GTM	4	0	4
HND	17	0	17
MEX	87	90 ²	177
NIC	25	1	26
PAN	64	41	105
SLV	22	0	22
USA	3	0	3
VEN	36	35	71
VUT	11	0	11
Total	471	282	753

During 2006, the IATTC program implemented a new data form, the *Registro de Cumplimiento* (Compliance Record; *RDC*), on which observers record information on compliance with several aspects of Commission resolutions, including the retention and finning of sharks, the disposal of salt bags or other plastic trash at sea, and preventing sea turtles from becoming entangled in the net. This form complements the information recorded on other forms, such as the *Registro de Tortugas Marinas* (Sea Turtle Record; *RTM*) and the *Registro de Tiburones* (Shark Record; *RDT*). The national programs did not use this form for 2006 trips; the Working Group may wish to recommend that they do so in future.

In future, the staff will make copies of any of these forms that indicate a possible contravention of a resolution available to the vessel's flag governments after each trip, so that enforcement action may be undertaken as appropriate.

¹ For this report, a successful set is defined as a set in which at least one of the three species covered by the full retention requirement (yellowfin, skipjack and bigeye) is caught.

² Includes seven trips that departed in 2005

1. RELEVANT COMMISSION RESOLUTIONS

The IATTC resolutions which were in effect during 2006 and which can be analyzed in terms of compliance are:

	Adopted
C-99-04 <i>Resolution on longline fishing capacity</i>	June 1999
C-99-07 <i>Resolution on fish-aggregating devices</i>	July 1999
C-02-03 <i>Resolution on the capacity of the tuna fleet operating in the EPO</i>	June 2002
C-03-04 <i>Resolution on at-sea reporting</i>	June 2003
C-03-05 <i>Resolution on data provision</i>	June 2003
C-04-05 <i>Consolidated resolution on bycatch (Rev 2)</i>	June 2006
C-04-06 <i>Resolution on Vessel Monitoring Systems</i>	June 2004
C-04-09 <i>Resolution for a program on the conservation of tuna in the EPO</i>	June 2004
C-05-01 <i>Resolution on the incidental mortality of seabirds</i>	June 2005
C-05-02 <i>Resolution on northern albacore tuna</i>	June 2005
C-05-03 <i>Resolution on the conservation of sharks</i>	June 2005
C-05-04 <i>Resolution concerning the adoption of trade measures to promote compliance</i>	June 2005
C-05-07 <i>Resolution on IUU Vessel List</i>	June 2005

The *Resolution on longline fishing capacity* calls upon those nations with large-scale tuna longline fishing fleets to reduce the size of such fleets by 20% through the scrapping of vessels

The *Resolution on Fish-Aggregating Devices* continues the prohibition of transshipment of tuna at sea and of the use of tender vessels.

The *Resolution on the capacity of the tuna fleet operating in the EPO* establishes rules and procedures governing the entry, transfer and operation of purse-seine vessels in the tuna fisheries of the EPO.

The *Resolution on at-sea reporting* requires all purse-seine vessels which carry an on-board observer to transmit the observer's weekly report to the staff.

The *Resolution on data provision* establishes the types and format of fisheries data to be provided to the Director by countries with vessels fishing for tunas in the EPO.

The *Consolidated Resolution on Bycatch* calls for the full retention of all tuna caught by purse-seine vessels and a requirement to release unharmed, to the extent practicable, non-target species, with special requirements for releasing sea turtles.

The *Resolution on vessel monitoring systems* calls for the establishment of national vessel monitoring systems.

The *Resolution for program on the conservation of tuna in the EPO for 2007* establishes a prohibition on any fishing by purse-seine vessels in of the EPO from either (1) 1 August to 11 September; or (2) from 20 November to 31 December. It also limits longline catches of bigeye tuna by each CPC .

The *Resolution on the incidental mortality of seabirds* calls for the provision of information on the interactions of the fisheries with seabirds.

The *Resolution on northern albacore tuna* establishes limits on the catch of albacore in the EPO.

The *Resolution on the conservation of sharks* calls for restrictions on the finning of sharks and the provision of information on shark catches.

The *Resolution on trade measures* calls for, *inter alia*, the reporting of import and landing data for species covered by the IATTC Convention.

The *Resolution on the IUU Vessel List*, *inter alia*, prohibits commercial transactions, imports, landings and/or transshipment of species covered by the IATTC Convention from vessels on the IATTC IUU Vessel List.

2. REVIEW OF POSSIBLE VIOLATIONS DURING 2006

2.1. Consolidated resolution on bycatch (C-04-05)

There are two compliance elements to be analyzed from this resolution, the requirements to release all bycatch and to retain all tuna caught.

2.1.1. Release requirement

The resolution calls for fishermen to release unharmed, to the extent practicable, all sea turtles, sharks, billfishes, rays, dorado, and other non-target species, with specific requirements for the release of encircled or entangled sea turtles.

2.1.1.a Sea turtles

With respect to sea turtles, the resolution requires that all sea turtles be released by fishermen on purse-seine vessels. More specifically, the resolution calls for the following:

1. Require fishermen on vessels targeting species covered by the Convention to promptly release unharmed, to the extent practicable, all sea turtles.
2. Require specific measures for encircled or entangled sea turtles, as follows:
 - i. Whenever a sea turtle is sighted in the net, all reasonable efforts should be made to rescue the turtle before it becomes entangled in the net, including, if necessary, the deployment of a speedboat.
 - ii. If a turtle is entangled in the net, net roll should stop as soon as the turtle comes out of the water and should not start again until the turtle has been disentangled and released.
 - iii. If a turtle is brought aboard the vessel, all appropriate efforts to assist in the recovery of the turtle should be made before returning it to the water.
3. Prohibit vessels targeting species covered by the Convention from disposing of salt bags or any other type of plastic trash at sea.

	COL	ECU	ESP	GTM	HND	MEX	NIC	PAN	SLV	USA	VEN	VUT	Tot	%
Escaped	2	37	4	2	-	5	1	24	-	-	9	-	84	5
Released:														
Unharmed	42	515	53	5	16	352	57	300	50	19	160	25	1,594	89
Slightly injured	5	17	8	-	-	14	8	23	-	-	8	3	86	5
Severely injured	3	3	-	-	-	-	2	3	-	1	3	-	15	1
Left entangled	-	2	-	-	-	-	-	2	-	-	-	-	4	0
Killed	-	3	-	-	-	1	-	2	-	-	-	-	6	0
Consumed	-	-	-	-	-	-	-	-	-	-	-	-	0	0
Other/Unknown	1	-	1	-	-	1	-	1	-	-	2	-	6	0
Total	53	577	66	7	16	373	68	355	50	20	182	28	1,795	

TABLE 2.1. Fate of sea turtles involved in purse-seine sets, 2006

During 2006 trips, 1,565 sets were made in which sea turtles were involved, an increase of 16% compared to the number reported in 2005 (1,350) and the highest in the previous 3 years (1,520 in 2003 and 1,078 in 2004). The fate of the 1,795 turtles involved in these sets in 2006 is shown in Table 2.1³; a turtle is considered “involved” if it has any interaction with the purse-seine fishing gear, regardless of whether it was encircled in a set.

The number of accidental mortalities of turtles involved in the fisheries was six, compared to seven in 2005, two in 2004 and five in 2003. These accidental mortalities are included in this report and in the

³ Percentages may not sum to 100 due to rounding

tables. In two sets there were compliance issues associated with the accidental mortality, with a turtles being passed through the power block in each of the sets. The staff has notified the governments of the vessels involved, Ecuador and Panama,.

There was an additional occasion where a national program reported that a turtle was passed through the power block. Although it was reported that the turtle was released unharmed, the staff was unable to obtain more details. It is also unknown whether this instance was reported to the government as a compliance issue.

Released unharmed	-
Slightly injured	-
Severely injured	-
Killed	2
Consumed	-
Other/Unknown	1
Total	3

TABLE 2.2. Fate of sea turtles passed through power block, 2006

Table 2.2 indicates the fate of the three turtles that passed though the power block, as indicated above. In comparison, four turtles were reported in this category in 2005, six in 2004 and eight in 2003.

It should be noted that observers make an assessment of the condition of all turtles involved in sets, and specifically those passed through the power block, but do not have the time or specialized knowledge necessary to make a thorough examination.

As indicated in Table 2.1, observers reported that, of the 1,795 turtles involved in purse-seine sets, 1,678 (93%) were released unharmed or escaped uninjured. Of the remaining 117 turtles, 101 (6%) suffered injuries, 15 severe and 86 slight, and 6 (<1%) died in the course of the set. In 2005, 1,965 turtles were involved, 1,840 (94%) were released unharmed or escaped uninjured, 92 (5%) suffered injuries, 18 severe and 74 slight, and 7 (<1%) died in the course of the set. In 2005, the corresponding numbers were 1,840 (94%), 92 (5%), and 7 (<1%); in 2004 1,213, (93%), 77 (6%) and 2 (<1%); and in 2003, 1,421 (91%), 117 (8%) and 5 (<1%).

Sea turtles can also become entangled in webbing discarded at sea or webbing hung under fish-aggregating devices (FADs). The fate of the 53 turtles that were found entangled alive in a FAD **prior to the set** (33 sets) is shown in Table 2.3. The number of sets and the number of turtles entangled in FADs increased from 2005 (21 and 28, respectively).

	COL	ECU	ESP	GTM	HND	MEX	NIC	PAN	SLV	USA	VEN	VUT	Tot	%
Sets	2	9	1	0	0	1	4	6	0	1	9	0	33	
Escaped	-	-	-	-	-	-	-	-	-	-	5	-	5	9
Released:														
Unharmed	1	12	3	-	-	-	4	2	-	-	16	-	38	72
Slightly injured	-	-	-	-	-	1	-	4	-	-	1	-	6	11
Severely injured	2	-	-	-	-	-	1	-	-	1	-	-	4	8
Left entangled	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Killed	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Consumed	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Other/Unknown	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Total	3	12	3	0	0	1	5	6	0	1	22	0	53	

TABLE 2.3. Fate of sea turtles found entangled alive in webbing in FADs involved in sets, 2006

Releasing a turtle that has become entangled in a FAD on which a set is being made is apparently not a clear requirement of the Resolution. The Parties may wish to consider amending the Resolution to clarify that this is a requirement, although it should be noted that, for 2006 sets, all the turtles entangled in FADs were released unharmed.

Observers also record sightings of turtles entangled in netting associated with floating objects on which **no set** is made. The 255 turtles involved in the 185 sightings recorded in 2006 (excluding turtles recorded as previously dead) are broken down in Table 2.4 by the action taken by the crew after the sighting.

	COL	ECU	ESP	GTM	HND	MEX	NIC	PAN	SLV	USA	VEN	VUT	Tot	%
Sightings	10	65	9	2	2	1	11	34	18	1	32	0	185	
Escaped	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Released:														
Unharmred	9	49	9	-	-	3	13	34	22	-	31	-	170	67
Slightly injured	6	12	1	-	-	-	2	7	1	-	3	-	32	13
Severely injured	1	5	-	-	-	-	2	2	-	-	-	-	10	4
Left entangled	-	8	-	2	-	-	-	1	9	1	5	-	26	10
Killed	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Consumed	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Other/Unknown	-	1	-	-	2	-	-	-	-	-	14	-	17	7
Total	16	75	10	2	2	3	17	44	32	1	53	0	255	

TABLE 2.4. Fate of sea turtles sighted entangled in webbing (no set), 2006

Observers reported a total of 26 turtles left entangled in 185 sightings of FADs on which no set was made; the corresponding numbers in 2005 were 17 and 134 , 26 and 124 in 2004, and 25 and 183 in 2003. There are no compliance issues associated with turtles left entangled in FADs when no set is made, as the Resolution does not require, but only encourages, their release.

In terms of compliance, the staff identified, through the RDC and the RTM, three different categories of violations of the sea turtle release requirements which occurred during 2006 trips,

1. No effort to avoid entanglement of turtles;
2. Failure to stop net roll to release turtles;
3. Failure to make all appropriate efforts for the recovery of a turtle brought aboard the vessel, before returning it to the water.

In addition to the failure to stop net roll, which resulted in the three turtles going through the power block as noted above, the violations recorded by IATTC observers on 257 RDCs completed for 2006 trips, and reported to the pertinent national authorities, are listed in Table 2.5.

Vessel flag	No effort to avoid entanglement	No recovery effort	Total
COL	3	-	3
ECU	21	4	25
ESP	2	-	2
HND	3	-	3
MEX	2	-	2
NIC	2	-	2
PAN	21	1	22
SLV	1	-	1
USA	1	-	1
VEN	3	1	4
VUT	4	-	4
Total	63	6	69

TABLE 2.5. Violations of sea turtle release requirements recorded by IATTC observers, 2006

The considerable increase in the number of violations of no effort to avoid entanglement since the 11 recorded in 2005 probably reflects the more comprehensive data recorded on the RDC.

Resolution C-04-05 prohibits vessels from disposing of salt bags or any other type of plastic trash at sea. Accordingly, the RDC requires the observer to record whether any such trash was discarded. Since the size of the trash items is not defined in the resolution, the observers record, in addition to discards of salt bags, any discards of large plastic bags, like those used for trash containers. Observers do not record

each instance of such discards, nor estimate the number or volume of salt bags or other trash discarded, simply whether such trash was disposed of during the trip; therefore, Table 2.6 indicates only the number of trips during which there was at least one occurrence of discards of salt or plastic bags. However, in most cases there were several occurrences of discards during a trip.

Vessel flag	Trips with RDCs	Trips with trash discarded
COL	15	0
ECU	95	26
ESP	8	2
GTM	2	2
HND	9	1
MEX	38	14
NIC	12	2
PAN	31	12
SLV	15	4
USA	1	0
VEN	23	14
VUT	8	4
Total	257	84

TABLE 2.6. Trips with discards of trash recorded by IATTC observers, 2006

2.1.1.b Sharks

On the *Registro de Tiburones (Shark Record; RDT)*, observers record the ‘fate’ (released alive, discarded dead, consumed) of any shark involved in a set on tunas; the data for 2006 are summarized in Table 2.7.

It should be noted that, as with turtles, the observer, with very limited time and experience, makes an estimate of the condition of the shark. Thus, those animals reported alive and released may have injuries that are not obvious to the observer.

	COL	ECU	ESP	GTM	HND	MEX	NIC	PAN	SLV	USA	VEN	VUT	Tot	
Sets	109	963	311	9	88	418	150	638	80	57	343	58	3,224	%
Released	414	763	373	-	-	-	13	189	25	-	308	-	2,085	8
Discarded	487	4,297	1,279	-	32	10	1,393	2,397	691	42	582	8	11,218	45
Retained	172	484	1	-	32	6,048	190	179	-	-	4,198	5	11,309	46
Other	-	38	-	-	-	-	-	30	-	-	17	-	85	0
Unknown	-	27	53	-	-	1	-	15	-	-	3	-	99	0
Total	1,073	5,609	1,706	0	64	6,059	1,596	2,810	716	42	5,108	13	24,796	

TABLE 2.7. Fate of sharks involved in purse-seine sets, 2006

It is estimated that most of the 22,527 sharks that arrive on deck (91% of those involved in sets arrive on deck) are either dead or die soon after being brought aboard. The available data also suggest that, if the aim of the resolution is to avoid mortality of sharks, more efforts should be made to avoid capturing sharks, or at least to avoid bringing sharks onboard with the catch of tuna.

The 11,309 sharks retained may represent a violation of the Resolution C-04-05, which requires the release, to the extent practicable, of all sharks taken as bycatch. It is not practical to compare the numbers presented to the Working Group for 2005, as those data covered only part of the year.

Observers record on the RDC information on ‘finned’⁴ sharks, which are also recorded on the RDT as ‘Discarded’. Table 2.8 shows the number of sharks caught in sets on tunas and finned, during 2006 trips for which an RDC was completed (257 trips, 34%).

⁴ Defined as cutting the fins from the shark and discarding the rest of the animal

Sometimes vessel crews fish for sharks with hand lines while the vessel is stopped, usually at night. It is not clear whether this activity is prohibited by any IATTC resolution. Observers record any instances this practice that they witness, and also the number of sharks caught and finned. It should be noted that these observations are made opportunistically, as this fishing occurs mainly when the observer is off duty or asleep. Nonetheless, for the 257 trips with RDCs, the observers recorded at least 97 sharks that were finned.

Vessel flag	Trips with RDC	Trips with finned sharks	%	Finned sharks	Finned sharks caught outside sets
COL	15	7	47	93	-
ECU	95	40	42	1,357	-
ESP	8	0	0	-	-
GTM	2	0	0	-	-
HND	9	2	22	3	-
MEX	38	0	0	-	22
NIC	12	9	75	1,218	-
PAN	31	12	39	1,111	-
SLV	15	7	47	285	-
USA	1	1	100	93	-
VEN	23	5	22	331	75
VUT	8	4	50	35	-
Total	257	87	34	4,526	97

TABLE 2.8. Finned sharks recorded by IATTC observers, 2006

2.1.2. Full-retention requirement

Resolution C-04-05 calls for the implementation of programs to require all purse-seine vessels to first retain on board and then land all bigeye, skipjack, and yellowfin tuna caught, except fish considered unfit for human consumption for reasons other than size, in order to provide a disincentive to the capture of these small fish. Another exception is the final set of a trip, when there may be insufficient well space remaining to accommodate all the tuna caught in that set.

The Commission adopted the full retention requirement in June 2000 for one year, to begin in 2001, and has been extending the requirement on an annual basis since then.

2.1.2.a Data collected by observers

Observers make an estimate of the tonnage of tuna, by species, discarded at sea, and code the reason for discarding it as follows:

Code	
1	Unmarketable tuna size
2	Unmarketable tuna condition
4	All vessel wells are full
5	No wells are ready to receive tuna
6	Other reason / Reason unknown

For this analysis, discards coded 2, 4 or 5 were considered to be covered by the exemptions specified in the resolution, so only discards coded 1 and 6 were considered to contravene the full retention requirement. All the data on discards presented in this report correspond only to discards with these two codes.

Tables 2.9 shows the number of successful sets in the EPO, the number of such sets with discards of tunas, and the estimated tonnage of tunas discarded, during 2003-2006.

	Successful sets	Sets with discards	Tonnage discarded
2003	21,164	2,583	17,199
2004	18,379	1,571	14,465
2005	21,664	1,578	13,802
2006	19,329	1,098	6,297

TABLE 2.9. Number of successful sets, sets with discards (YFT, BET, SKJ) coded 1 or 6, and tonnage discarded, 2003-2006

It is noteworthy that the data for 2006 indicate significantly less sets with discards and tonnage discarded compared with previous years. While there was a reduction of 11% in successful sets in 2006, the reduction of sets with discards and tonnage discarded was very marked (30% and 54%, respectively).

2.1.2.b Discards recorded by vessel personnel

The resolution, and the procedures approved by the Parties in November 2000, require that if yellowfin, skipjack, or bigeye tuna is discarded because it is unfit for human consumption, the captain and the chief engineer document the reasons in writing. *Tuna Discard Records* (TDR) are made available to all captains for this purpose and the forms are collected at the end of each trip.

An analysis of the 2006 trips in which IATTC observers recorded discards for any reason of any of the three species covered by the resolution shows that, as in previous years, the captains are not complying with the requirement to document the reasons for discarding tuna. During 2006, only 15% of the sets with discards were documented by captains and, in 39% of the cases they did document, the reason they gave is not valid under the resolution, such as *fish too small* or *no commercial value for size/species*.

Of the 2,415 sets recorded by captains on the TDRs during 2001-2006, 1,190 were correctly documented, while for the other 1,225, invalid reasons were cited; in total, therefore, only 7% of the sets with discards have been properly documented by the captains since the resolution was implemented.

	Sets with discards observed	Sets included on TDRs	%	Sets on TDRs with illegal discards	%
2001	3,406	369	11	123	33
2002	2,855	453	16	159	35
2003	3,751	631	17	425	67
2004	2,193	309	14	210	68
2005	2,644	412	16	214	52
2006	1,189	241	15	94	39
Total	16,038	2,415	15	1,225	51

TABLE 2.10. Discards reported by IATTC observers and on TDRs, 2001-2006

2.2. Resolution on fish-aggregating devices (FADs) (C-99-07)

There are two elements of this resolution which need to be considered in terms of compliance: the prohibition of transshipment of tuna at sea by purse-seine vessels fishing for tuna in the EPO, and the prohibition on the use of tender vessels operating in support of vessels fishing on FADs in the EPO.

The staff has received no reports of transshipments at sea. The last definitive report to the staff of a tender vessel in the EPO was on 17 June 2000.

2.3. Resolution on at-sea reporting (C-03-04)

In June 2003, the Commission adopted a modification to the resolution adopted in June 2001 regarding reporting information of fishing activities while the vessel is at sea. The operative change in the new resolution is that the vessel personnel are responsible for transmitting the observer's weekly report of catches (and dolphin mortalities, if applicable) to the staff; previously, the vessel personnel had merely

been requested to allow the observer to transmit the report. The intention of the change was to improve the low percentage of reports received (48% and 51% in 2001 and 2002, respectively). During 2003, a marked increase in compliance was observed: during the second semester, when the new resolution was in effect, the reporting rate increased to 70%. The rate improved to 73% in 2004 and 89% in 2005, but in 2006 it decreased to 85% (Table 2.11).

2.4. Resolution on the conservation of tuna (C-04-09)

Resolution C-04-09 on a multi-annual program on the conservation of tuna in the EPO for 2004, 2005 and 2006 established a prohibition on any fishing by purse-seine vessels in the EPO from either (1) 1 August to 11 September; or (2) 20 November to 31 December.

In 2006, Colombia, Ecuador, El Salvador, Guatemala Honduras, Nicaragua and Peru implemented the closure during August-September; Bolivia, Mexico, Panama, Spain, United States, Vanuatu and Venezuela implemented it during November-December.

There were two instances of non-compliance with the closure during 2006 :

1. The Ecuadorian vessel *Emperador*, a vessel with a well volume of 82 cubic meters, made five sets in the EPO after the 1 August closure date. Ecuador was advised on 1 September and responded that it would be pursuing the matter in accordance with its domestic laws.
2. During the November-December closure, the Spanish vessel *Albacora Uno* made four sets in the EPO, due to extraordinary circumstances. The vessel did follow the August-September closure.

Resolution C-04-09 also establishes limits on longline catches of bigeye for China, Chinese Taipei, Japan and Korea, and requires other CPCs to “take measures necessary to ensure their total annual longline catch of bigeye tuna in the EPO during 2004, 2005, and 2006 does not exceed their respective catch levels in 2001.” The Resolution also requires that each CPC with longline vessels over 24 meters provide monthly reports of its catches of bigeye tuna.

The report of the 6th meeting of the Working Group states the understanding of that meeting that the annual compliance report prepared by the staff for Resolution C-04-09 should show compliance with this requirement only for those CPCs with annual catches above 200 tons.

t	Limit/2001 catch	2006 catch
CHN	2,639	709
JPN	34,076	13,618
KOR	12,576	8,694
TWN	7,953	6,412
USA	147	78
VUT	3,277	648

TABLE 2.12. Longline catches of bigeye, from monthly reports

	Program	Weeks	Reports	%
COL	IATTC	218	195	89
	National	191	182	95
ECU	IATTC	999	829	83
	National	550	445	81
EUR	IATTC	74	74	100
	National	60	60	100
GTM	IATTC	29	24	83
HND	IATTC	103	93	90
MEX	IATTC	578	500	87
	National	592	437	74
NIC	IATTC	222	197	89
	National	9	9	100
PAN	IATTC	493	446	90
	National	290	243	84
SLV	IATTC	161	155	96
USA	IATTC	30	30	100
VEN	IATTC	341	300	88
	National	290	237	82
VUT	IATTC	73	62	85
Total		5,303	4,518	85

TABLE 2.11. Percentages of at-sea reports received. 2006

Table 2.12 includes only those CPCs, all of which provided all the required monthly reports, except that Vanuatu did not provide reports for October, November, or December, and China did not report any of its 2006 monthly catches until after the end of the year.

2.5. Resolution on northern albacore tuna (C-05-02)

Resolution C-05-02 on northern albacore tuna calls upon all CPCs to take the necessary measures to ensure that the level of fishing effort by their vessels fishing for North Pacific albacore tuna is not increased. It also calls upon all CPCs to report all catches of North Pacific albacore, by gear type, to the IATTC every six months.

It is very difficult, if not impossible, to monitor compliance with this resolution because of the way that it is structured. Specifically, the requirement is to limit effort, but it is catches that are reported, not effort. Also, the resolution calls for limiting effort to “current” levels, but “current” is not defined.

Canada, Chinese Taipei, Japan, Korea, the United States, and Vanuatu submitted the required catch reports for 2006. China did not submit the required biannual reports. The United States reported its catch for the entire north Pacific, whereas other CPCs reported catches from the EPO only.

Because of the difficulties associated with the proper implementation and monitoring of this resolution, the Working Group may wish to consider modifying the resolution to define what is meant by “current” effort, to require reporting of effort in addition to catch, and to clarify that the six-month catch and effort reports should be for the EPO only. The Working Group may also wish to ask the Commission to evaluate the value and implications of establishing catch limits at some point in the future.

2.6. Resolution on fleet capacity (C-02-03)

In June 2002, the Commission adopted Resolution C-02-03 on the capacity of the tuna purse-seine fleet operating in the EPO. The capacity management system established by the resolution does not include the concept of national capacity allocations or limits; instead, fleet capacity limitations are essentially determined by the Regional Vessel Register. Therefore, the key elements of the resolution address how vessels may be added to or removed from the Register. The participating governments have agreed to use the Register as the definitive list of purse-seine vessels authorized by the participants to fish for tunas in the EPO. According to the resolution, any purse-seine vessel fishing for tunas in the EPO that is not on the Register is considered to be undermining IATTC management measures.

The resolution prohibits the entry of new vessels, defined as those not included on the Register, to the EPO purse-seine fleet, except to replace vessels removed from the Register. There are some limited and specific exceptions to this rule for five countries, and these are elaborated in the resolution. Thus, a country cannot add a purse-seine vessel to its fleet unless it is a replacement or the country is allowed an exception.

There are four purse-seine vessels which have fished in the EPO during 2006 or 2007 while not on the Register, and are thus in violation of Resolution C-02-03:

1. The *Marta Lucía R* (Colombia), which entered the fishery on 22 February 2004.
2. The *Athena F* (Venezuela), which entered the fishery on 15 March 2006 while not on the Register, was reported to the Working Group in June 2006. The vessel was added to the Register on 28 March 2007.
3. The *Don Abel* (Venezuela) was removed from the Register, at the request of Venezuela, on 19 December 2006. The vessel has continued to fish in the EPO since that time.
4. The *Vicente F* (Panama) was removed from the Register on 20 April 2007, and has continued to fish in the EPO since that time.

There are three purse-seine vessels that have stored fish in wells which were supposedly sealed in order for the vessels to be able to fish in compliance with Resolution C-02-03:

1. The *Aracely F* (Panama) during a February-March 2007 fishing trip, stored 97 tons of tuna in a well which was supposed to be sealed.
2. The *Jeannine* (Mexico), during a January-March 2007 fishing trip, stored 112 tons of tuna in wells which were supposed to be sealed.
3. The *Atlantis IV* (Nicaragua), during two fishing trips, October-December 2006 and January-February 2007, stored 723 tons of tuna in wells which were supposed to be sealed.

2.7. Resolution on data provision (C-03-05)

Resolution C-03-05 on data provision makes mandatory the provision of specified fisheries data to the Director, on an annual basis, for all vessels fishing for species under the purview of the Commission.

The nature and format of the data to be provided are spelled out in detail in the resolution. The aggregated data required for each year are to be provided by 30 June of the following year.

The Resolution provided a temporary exemption from the requirement to report catch data for vessels less than 24 meters overall length. For these smaller vessels, the data requirements entered into force on 1 January 2007.

All the countries with purse-seine vessels fishing in the EPO are meeting the requirements of the resolution.

With respect to catch data for longline vessels over 24 meters, the minimum required information for 2005 has not been received from Bolivia, Chile, Ecuador, Georgia, Honduras, and Vanuatu. Vanuatu provided the required catch reports for bigeye and albacore, but did not provide information on catches of other species. Guatemala has not provided data, but it is not known whether any of its vessels are larger than 24 meters. Spain did not submit the bycatch information for its longline fleet until February 2007.

With respect to catch data for troll vessels, the required information for 2005 has been received from all three countries with troll vessels operating in the EPO, Canada, Cook Islands, and the United States.

2.8. Resolution on seabirds (C-05-01)

Resolution C-05-01 on the incidental mortality of seabirds includes a provision encouraging CPCs to collect, and voluntarily provide the Commission with, all available information on interactions with seabirds. The United States has provided a report on seabirds and fisheries in the IATTC area, China has provided data on seabirds from an observer on a longline vessel, and Chinese Taipei has provided information from its observer program on seabird interactions.

2.9. Resolution on sharks (C-05-03)

Resolution C-05-03 prohibits the finning of sharks, and establishes that any shark fins on board a vessel must account for at least 5% of the weight of sharks on board the vessel. On 14 February 2007, the High Commissioner of French Polynesia informed the staff that a Chinese Taipei vessel, the *Hai Fa No. 21*, had been found in possession of shark fins in the port of Papeete, and that it appeared that the vessel was in violation of Resolution C-05-03. Chinese Taipei investigated and advised the staff on 28 May (with a follow-up on 8 June) that it had found the vessel to be in violation of the Resolution, and had confiscated the vessel's bigeye vessel quota and suspended its fishing license for two months.

Resolution C-05-03 also includes the following reporting requirements: "each CPC shall annually report data for catches, effort by gear type, landing and trade of sharks by species, where possible, in accordance with IATTC reporting procedures, including available historical data. CPCs shall send to the Director, by May 1, at the latest, a comprehensive annual report of the implementation of this Resolution during the previous year."

Only the United States and Chinese Taipei have submitted reports pursuant to this Resolution.

2.10. Resolution on trade measures ([C-06-05](#))

Resolution C-05-04 on the adoption of trade measures to promote compliance includes the following provision on reporting:

“CPCs that import products of species covered by the IATTC Convention, or in whose ports those products are landed, should collect and examine as much import or landing data and associated information as possible on such products, and submit the following information to the Commission each year:

- a. names and flags of the vessels that caught and produced such products;
- b. species of the products;
- c. areas of catch (inside or outside the EPO);
- d. product weight by product type;
- e. points of export;
- f. names and addresses of owners of the vessels;
- g. registration.”

Chinese Taipei has submitted a report pursuant to this Resolution, and suggested that the Commission adopt a standard format for such reports.

During the 7th meeting of the Working Group in 2006, Japan stated its interpretation of the Resolution that the provision of such data should only be made in association with the identification process. It would be useful to know if there is a consensus view on this matter.

2.11. Resolution on Vessel Monitoring Systems ([C-04-06](#))

The *ad hoc* meeting of the IATTC to consider management options for bigeye and yellowfin tuna, held in La Jolla in February 2007, agreed that the Working Group should review the implementation of Resolution [C-04-06](#) on the establishment of a vessel monitoring system (VMS).

Accordingly, the Director sent a memorandum reminding governments to be prepared to address VMS implementation during the June meeting, most appropriately under agenda item 4(h), “National reports”. The memorandum also noted that written submissions on this matter during or prior to the meeting would be welcome, and written submissions were subsequently received from Belize and the European Union.

2.12. Resolution on the IATTC IUU Vessel List ([C-05-07](#))

Paragraph 9.e. of this Resolution prohibits commercial transactions, imports, landings and/or transshipment of species covered by the IATTC Convention from vessels on the IUU List. The staff has information that, contrary to this provision of the Resolution, fish was landed in Puntarenas, Costa Rica, by the IUU vessels *Chen Chieh 1* (July and August 2006), *Chen Chieh 31* (July and August 2006), and *Permata 6* (June 2006).

2.13. Resolution on longline fishing capacity ([C-99-04](#))

This Resolution, adopted in June 1999, notes an initiative by Japan to reduce 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, and calls upon others with large-scale tuna longline vessels to undertake similar initiatives with respect to their tuna longline fleets in the EPO.

The staff is not aware of the extent to which such reductions may have taken place, or whether the Parties wish to pursue the implementation of this resolution.