

COMISION INTERAMERICANA DEL ATUN TROPICAL INTER-AMERICAN TROPICAL TUNA COMMISSION

8604 La Jolla Shores Drive, La Jolla CA 92037-1508, USA – www.iattc.org
Tel: (858) 546-7100 – Fax: (858) 546-7133 – Director: Robin Allen

MINUTES OF THE 74TH MEETING

Busan (Korea)
26-30 June 2006

AGENDA

	Documents
1. Opening of the meeting	
2. a. Election of Chairman	
b. Adoption of the agenda	
3. Approval of the minutes of the 73 rd Meeting of the Commission	
4. Ratifications of the Antigua Convention	
5. a. The fishery in 2005 and the status of tuna and billfish stocks	IATTC-74-04
b. Report of the Stock Assessment Working Group	IATTC-74-04a
6. Conservation of tunas	IATTC-74-05
7. Report of the Permanent Working Group on Compliance	
8. Report of the Joint Working Group on Fishing by Non-Parties	
9. Report of the Working Group on Bycatch	
10. Report of the Working Group on Finance	
11. Issues regarding Resolution C-02-03 on capacity:	IATTC-74-10
a. use of gross or net measurements	
b. sealing of wells as a mechanism to reduce capacity	
c. procedure for confirming well volumes	
d. interpretation of paragraph 9	
12. Inclusion of vessels of flags of non-Parties on the IATTC Regional Register	IATTC-74-11
13. Amendment of IATTC fiscal year	IATTC-74-12
14. Amendment of Rules of Procedure regarding appointment of Chairman	IATTC-74-13
15. Review of Commission staff's research	
16. Recommended research program and budget for FY 2007 and FY 2008	IATTC-74-15
17. Cooperation with the Western and Central Pacific Fisheries Commission (WCPFC)	IATTC-74-16
18. Joint meeting of Tuna Commissions in 2007	IATTC-74-17
19. Resolution C-05-04 concerning the adoption of trade measures to promote compliance	
20. Recommendations and resolutions	
21. Election of Chairs of Working Groups	
22. Other business	
23. Place and date of next meeting	
24. Adjournment	

APPENDICES

1.	List of attendees	
2.	RESOLUTIONS:	
2.a	Resolution for a program on the conservation of tuna in the eastern Pacific Ocean for 2007	C-06-02
2.b	Resolution on full retention	C-06-03
2.c	Resolution on establishing a program for transshipments by large-scale fishing vessels	C-06-04
2.d	Resolution on financing	C-06-01
2.e	Resolution on trade measures	C-06-05
2.f	Resolution on experimental fishing (approved <i>ad referendum</i> by Ecuador and Mexico)	C-06-06
3.	IATTC List of IUU Fishing Vessels	
4.	REPORTS:	
	Reports of Working Groups	
4.a	Report of the 7 th meeting of the Permanent Working Group on Compliance	
4.b	Report of the 5 th meeting of the Joint Working Group on Fishing by Non-Parties	
4.c	Report of the 5 th meeting of the Working Group on Bycatch	
4.d	Report of the 7 th meeting of the Working Group on Finance	
	Other reports	
4.e	Estimation of numbers of bigeye caught by the purse-seine and longline fisheries in the EPO (IATTC-74-INF A)	
5.	PROPOSALS:	
5.a	F1 - United States, Japan: Resolution to mitigate the impact of tuna fishing vessels on sea turtles	
5.b	G6 - Mexico, Panama, Venezuela, Guatemala: Proposed procedure for sealing and verifying wells as a mechanism for maintaining and complying with Resolution C-02-03 on fleet capacity	
6.	STATEMENTS:	
6.a	Guatemala: Carrying capacity	
6.b	Costa Rica, El Salvador, Guatemala, Mexico, Nicaragua, Panama, Venezuela: Election of Chairman	
6.c	Japan: Tuna conservation resolution	
6.d	Belize: National fleet and compliance with IATTC measures	
6.e	Costa Rica: Control of vessels operating from national ports	
6.f	Bolivia: Rights to purse-seine vessel capacity	
6.g	Peru: Request for increase in purse-seine capacity	
6.h	Costa Rica: Procedure for utilizing fleet capacity not utilized in accordance with Paragraph 10.1 of Resolution C-02-03	
6.i	Venezuela: contribution to the budget	
6.j	Spain: contribution to the budget	

1. Opening of the meeting

The meeting was opened by Dr. Doek-Bae Park, Director of the National Fisheries Research and Development Institute of Korea. He welcomed the delegates and stressed the importance of sustainable fishing to Korea and Korea's commitment to do all it could to ensure that this meeting of the IATTC would be successful. On behalf of the Commission, Dr. Robin Allen, Director of the IATTC, thanked Mr. Park for his remarks.

The various delegations present introduced themselves, and the delegate of Guatemala made a statement regarding his country's carrying capacity (Appendix 6.a). The attendees are listed in Appendix 1.

2. a. Election of Chairman

Dr. Allen requested nominations for Chairman, to preside over the meeting and continue in that post af-

terwards. It was noted that the Commission agreed at its 73rd meeting, in June 2005, that the Chairman should be appointed for a period of two years, renewable for another two years, instead of for one year, as had been past practice. The Chairman would be selected prior to or at the annual meeting in June 2006, and the two-year period could begin with that meeting.

The Commission was not able to agree on an individual to serve as Chairman, despite holding two meetings of heads of delegation to discuss the matter. Consequently, it was agreed to elect a Chairman for the 74th meeting only, and Mr. David Hogan, of the United States delegation, was the unanimous choice. Later in the meeting, seven countries submitted a statement regarding the election of the Chairman (Appendix 6.b).

b. Adoption of the agenda

El Salvador asked that an item be added to the provisional agenda for consideration of the minutes of the previous meeting of the Commission. Several delegations noted that they wished to raise issues regarding fleet capacity under agenda item 11, and other delegations stated that they would raise issues under Item 22, *Other business*.

3. Approval of the minutes of the 73rd Meeting of the Commission

El Salvador requested some amendments to the minutes of the 73rd meeting of the Commission regarding its statements on the matter of the resolutions on trade measures and the IATTC List of IUU Vessels. It was suggested that, in future, meeting time could be saved if delegations submitted any proposed changes to the draft minutes by correspondence when these were initially distributed by the staff for review.

4. Ratifications of the Antigua Convention

The Chairman invited each delegation to describe its situation with respect to the status of the ratification of the Antigua Convention. Almost every delegation whose government had not yet ratified the Convention stated that its internal domestic process to do so was well underway.

5. a. The fishery in 2005 and the status of tuna and billfish stocks

Dr. Allen presented information on the fishery in the eastern Pacific Ocean (EPO) during 2005, elaborated in Document [IATTC-74-04](#). He indicated that this document, which will be published later as the Commission's Fishery Status Report 4, is the main source of information presented to the Commission about the fishery. He noted that the document provided information on the status of stocks of the principal tuna species, swordfish, and blue and striped marlin, and described ecosystem considerations to be taken into account in conservation and management decisions.

b. Report of the Stock Assessment Working Group

Dr. Allen presented the [report of the 7th meeting of the Working Group on Stock Assessment](#), held in May 2006, and drew the attention of the meeting to its recommendations.

6. Conservation of tunas

Dr. Allen presented the staff's assessment of the status of the stocks of tunas and billfishes, summarized in Document [IATTC-74-04](#), *Tunas and billfishes in the eastern Pacific Ocean in 2005*. He also reviewed the staff's recommendations for the conservation of tunas (Document [IATTC-74-05](#)), which had been reviewed by the meeting of the Working Group on Stock Assessment in May. The staff recommended conservation measures for 2007-2009 for yellowfin and bigeye, and for swordfish in the southeastern Pacific Ocean.

For yellowfin tuna, the staff recommended that the closure periods for the purse-seine fishery in [Resolution C-04-09](#) be extended by an additional 27 days to 69 days, and that the closure period be extended further if the carrying capacity of the purse-seine fleet continued to increase. It is expected that this would maintain the stock at the level that could provide the average maximum sustainable yield

(AMSY).

To achieve the management objective for bigeye tuna, the staff recommended that purse-seine fishing effort on floating objects be reduced by 38%. The 69-day closure of all purse-seine fishing recommended for yellowfin is not sufficient to achieve this; additional measures are required, and four options are:

- a. Close the purse-seine fishery on floating objects for an additional 95 days; this would be most effective during the second half of the year; or
- b. Close the purse-seine fishery on floating objects when the estimated purse-seine catch of bigeye tuna reaches 46,000 t; or
- c. Limit the total annual catch of bigeye by each purse-seine vessel to 930 t by prohibiting further sets on floating objects by that vessel after this limit is reached. The catch of bigeye would be estimated either by the observer or, at the request of the captain, by sampling of the vessel's catch conducted by IATTC staff members at the time of unloading. If the latter option is chosen, the vessel would be responsible for reasonable costs of the sampling. Included in this option would also be a total catch limit for bigeye of 46,000 t, after which all sets on floating objects would be prohibited; or
- d. Close an area-time stratum of the fishery to sets on floating objects. The staff presented an analysis of area-time strata closures that would be expected to achieve the objective of a 38% reduction in the fishing mortality of bigeye tuna ([Document IATTC-74-05 SUP](#)).

The estimates of the bigeye catches referred to in b and c above should be calculated on the basis of species composition sampling of unloadings, and the Director should give CPCs one month's notice of the date on which the estimates that the catch limit will be reached.

Of the four options presented, the staff believed that b and c would be most likely to achieve the reductions in the catch of bigeye with the least reduction in that of skipjack.

Dr Allen reported that the staff also recommends that the longline catch limits be reduced to 94% of those in Resolution C-04-09 for 2007-2009.

With respect to southeastern Pacific swordfish, Dr. Allen advised the meeting that, as a precautionary measure, the staff recommended that the catches be limited to recent levels, pending more certainty in the assessment.

The conservation recommendations presented by Dr. Allen generated considerable discussion and debate. Japan, Korea and the United States presented a proposal along the lines of the staff recommendations, but the Commission could not reach agreement on this proposal. In the end, the Commission agreed to a tuna conservation resolution for 2007 only ([C-06-02](#); Appendix 2.a), similar to Resolution C-04-09 for 2004-2006. The Commission agreed to convene a meeting in early 2007 to discuss the conservation and management measures for bigeye and yellowfin tuna.

Japan made a statement (Appendix 6.c) regarding the Conservation Resolution.

7. Report of the Permanent Working Group on Compliance

Mr. Hogan, who also chaired the Working Group, presented his report to the Commission (Appendix 4.a). A proposed resolution to define fishing by adopting the definition established in the Antigua Convention, had received considerable support in the Working Group, and was discussed by the Commission. However, two delegations opposed adopting this definition, so the resolution was not agreed.

The requirement of [Resolution C-04-05](#) that purse-seine vessels retain all tuna caught was not unanimously supported by the Working Group, but Japan and Mexico proposed to the Commission that it be continued for at least one more year, and a resolution to that effect ([C-06-03](#); Appendix 2.b) was adopted.

The Working Group had discussed a proposal to establish a program to monitor transshipments at sea, to

apply to large-scale tuna longline fishing vessels and to carrier vessels authorized to receive transshipments. That discussion continued during the Commission meeting, and a resolution establishing such a program ([C-06-04](#); Appendix 2.c) was agreed.

8. Report of the Joint Working Group on Fishing by Non-Parties

The Chair of this Working Group, Ms. Elisa Barahona, of Spain, presented her report to the meeting (Appendix 4.b).

Regarding the size limit of 24 meters overall length for vessels to be eligible for inclusion in the IATTC IUU Vessel List, the Working Group considered that the limit was too high, and recommended to the Commission an amendment to Resolution [C-05-07](#) which combined a length limit, to be decided by the Commission, with the criterion that all vessels with a history of fishing in waters outside the jurisdiction of their flag states be eligible for inclusion in the IUU List. The Commission did not agree to this proposal, but decided to consider it again at its next meeting.

Regarding which governments should be granted Cooperating Status for the next year, the Working Group recommended that Canada, China, Chinese Taipei, and the European Union should be granted Cooperating Status. There was no consensus in the Working Group regarding Belize, Cook Islands, or Honduras, and it was decided that these cases should be decided by the Commission. The Commission staff provided additional information regarding the applications for Cooperating Status by these governments, and the Commission agreed to grant them this status for the next year. The Director was asked to request previous years' data from Honduras.

With respect to a procedural issue, the Working Group agreed to a suggestion by Chinese Taipei that a government with Cooperating Status should not need to apply each year to have its status for the next year considered by the Commission. It was proposed that Resolution [C-04-02](#) should be modified to make this procedure clear, but the Commission did not reach a consensus on this proposal, and decided to leave it pending for consideration at its next meeting.

Regarding vessels identified as being engaged in IUU fishing, the Working Group forwarded a list of such vessels for the consideration of the Commission.

Not included in this list were the vessels *Atlantis IV* (Nicaragua) and *Athena F* (Venezuela), which have fished in the eastern Pacific Ocean but are not on the IATTC Regional Vessel Register. These cases stimulated considerable discussion regarding the inclusion of the vessels in the IUU List, but there was no unanimous agreement that they should be included.

The Working Group could not agree on how to handle the Belize-flag vessels, and referred this situation to the Commission, which agreed to remove these vessels from the IUU List. Belize made a statement on this matter (Appendix 6.d), noting that Belize vessels have been removed from the IUU list and that Belize has been granted Cooperating Status, and describing certain restrictions that Belize will adhere to relative to fishing by its flag vessels in the EPO.

Costa Rica made a statement regarding the control of longline vessels operating out of its ports (Appendix 6.e).

The Commission adopted its List of IUU Vessels (Appendix 3).

Spain introduced a modification of Resolution [C-05-07](#) to improve and clarify the procedures for establishing the IATTC List of IUU Vessels. Various delegations acknowledged the need to clarify the procedures in that resolution, and supported the proposal, but had comments on the text. Also, Costa Rica, with the support of several other delegations, produced an alternative proposal regarding these procedures. Efforts were made to reach agreement on a consolidated proposal, but this could not be achieved before the end of the meeting. Costa Rica indicated that it may pursue this issue via correspondence before the next Commission meeting in 2007.

9. Report of the Working Group on Bycatch

The chairman of this Working Group, Ing. Luis Torres, of Ecuador, presented his report (Appendix 4.c). The meeting had mostly discussed the issues of bycatches of sea turtles and seabirds.

Ing. Torres drew the attention of the Commission to the recommendations of the Working Group, that:

1. The IATTC staff present a report on the coastal longline mitigation program at the next meeting of the Inter-American Convention on the Conservation on Sea Turtles.
2. During the purse-seine closure in 2006, a purse-seine vessel be allowed to carry out research trials of a sorting grid designed to allow small tunas to escape from a purse-seine net.
3. A meeting of the Working Group be held in early 2007 to consider the results of: (a) a workshop on bycatch reduction planned for August 2006; (b) sorting grid research; and (c) other developments.

Ing. Torres noted that the next meeting of the Working Group could also usefully discuss measures to mitigate the impact of fishing vessels on seabirds.

Spain presented its experience with regard to the selectivity of different types of hooks and bait, in the capture of sea turtles, in the longline fishery targeting swordfish in the waters of the Indian Ocean. This did not produce conclusive results due to the low rate of interaction observed, lower than that obtained in other experiences carried out in other areas and in other operating conditions.

A resolution on an experimental fishing program to allow research trials of a sorting grid was approved by the Commission, pending final approval by Mexico and Ecuador, who approved it *ad referendum*.

The United States and Japan drew the attention of the meeting to their joint proposal for a resolution to mitigate the impact of tuna fishing vessels on sea turtles (Appendix 5.a). This proposal was not accepted by the Commission.

10. Report of the Working Group on Finance

The Chairman of this Working Group, Mr. Rodney McInnis, of the United States, presented his report (Appendix 4.d).

Regarding the formula to be used to determine contributions by member countries, Mr. McInnis reported that several delegations urged approval of the provisional formula forwarded to the Commission by the fifth meeting of the Working Group in 2001, but not approved by the Commission at that time. However, Spain disagreed with this formula, particularly with the use of weighting factors based on *per capita* national income which do not correspond to the factor reflecting the economic status of each country. Also, Spain expressed its disagreement with the criterion of "utilization". The Working Group could not agree on a formula to recommend to the Commission.

France expressed concern that the catches by French Polynesia in the area of overlap between the IATTC and the Western and Central Pacific Fisheries Management Commission (WCPFC) were the basis for payments to both Commissions, and stated its view that this was not fair. France's view is that one-half of French catches in this overlap area should be the basis for France's contribution to each Commission. France advised that it wished to see this modification in the calculation of France's contribution to the budget be reflected in the Commission's budget for FY 2008 and thereafter. The Commission agreed that such a consideration should apply to all the Parties fishing in the overlap area.

The Commission agreed with the recommendation of the Working Group that the factor in the formula related to national income should be automatically updated in future calculations, based on the most recent information available on the economic status of each country. There was no agreement, however, that the weighting factors used in the formula should be equivalent to the factor reflecting the economic status of each country.

The Commission decided that another meeting of the Working Group should be held prior to the next meeting of the Commission.

11. Issues regarding Resolution C-02-03 on capacity

Dr. Allen presented Document [IATTC-74-10](#), which elaborates the major purse-seine capacity issues facing the Commission.

a. Use of gross or net measurements of well volume

Dr. Allen explained the background of the issue, and noted that the Commission needs to decide if this concept of net well volume, based on subtracting the space occupied by the refrigeration coils, is acceptable for purposes of the Regional Vessel Register and Resolution [C-02-03](#). If so, this could have significant implications for overall fleet capacity in the eastern Pacific, since presumably other purse-seine vessels would be eligible for revised well volumes, with the resulting new capacity available for Parties to add vessels to their fleets.

After a brief discussion, the Commission decided that the use of net well volume, as described above, would not be acceptable for the measurement of vessel capacity for Commission purposes.

b. Sealing of wells as a mechanism to reduce capacity

The sealing of wells as a mechanism to reduce the capacity of vessels was discussed extensively. Mexico opened the discussion by stating that it wishes to seal some wells on a vessel in order to reduce its capacity to the level that Mexico has available, thus allowing the vessel to participate in its bluefin tuna fishery. Mexico noted that, to comply with Resolution C-02-03, a vessel wishing to reduce its capacity in this way must physically seal the wells in a credible and verifiable manner, remove the refrigeration system from the sealed wells, be inspected by appropriate authorities, carry an observer, and not change its capacity class on the Regional Register. Mexico, along with Guatemala, Panama, and Venezuela, presented a proposal (Appendix 5.b) along these lines.

Several delegations expressed concerns and reservations regarding the sealing of wells as a means of meeting the requirements of Resolution C-02-03, and wanted more time to study the issue, so the proposal was not agreed by the Commission. It was agreed, however, that a technical working group be formed to consider the issue and recommend guidelines for the process of sealing wells. Mexico advised the meeting that, in the interim, it would proceed to reduce the capacity of the vessel by sealing some of its wells, in a manner consistent with the Resolution and with its proposal to the meeting.

c. Procedure for confirming well volumes

Dr. Allen explained that in recent months a number of issues regarding vessel measurement had arisen which are beyond the competence of the staff to resolve, and that it needed guidance from the Commission on how to address such issues. He noted, in particular, the cases of the vessels *Daniela F* and *Athena F*, both of which have 1200 m³ of additional space in the bow where fish can be stored after it is frozen in the wells but, in the case of the *Daniela F*, is not included in the vessel's capacity recorded on the Regional Register. The *Athena F* is not on the Register.

Dr. Allen noted that the staff believes that the Commission needs to address these matters, and that a clear and transparent procedure needs to be developed to ensure that the recorded well volumes of vessels are correct and acceptable. Such a process could include, for example, review by a small group with technical expertise, to be followed by approval by governments.

Several delegations agreed that it was important to have robust procedures regarding vessel measurement issues, and it was suggested that the working group previously discussed to address the sealing of wells could also explore other measurement issues more closely. The Commission agreed to convene such a working group in October.

d. Interpretation of paragraph 9 (inactive vessels)

Dr. Allen explained the background of this issue, noting that Panama had put forward an interpretation of this paragraph with which the staff disagrees. He noted the staff's understanding that the intent of paragraph 9 is to allow a participant to replace an inactive vessel on the Regional Register with an active vessel on the Register during the course of the year, without having to wait until the beginning of the next year to activate the vessel. The staff does not interpret the Resolution to allow a government to transfer an inactive vessel to another participant and then replace it with a new one that is not on the Regional Register. The Commission agreed with the staff's interpretation of paragraph 9.

Venezuela advised the meeting of its view that four vessels which changed flag from Venezuela to Panama should not have been allowed to remain on the Register, because Venezuela at no time approved the transfers. Consequently, Venezuela should be allowed to replace the four vessels with other vessels not on the Register. Dr. Allen reviewed the background and sequence of events of this matter from the point of view of the staff, emphasizing that Commission records had been changed only after the staff received official documentation indicating that a flag transfer had taken place and had made repeated efforts to contact Venezuelan authorities, from which it received no response. Several delegations, and the Chair of the Commission at the time of the transfers, supported the actions taken by the staff.

El Salvador made a statement to the effect that, should any of its vessels initiate a process of changing flag, they were to be removed from the Regional Vessel Register.

Korea presented a proposal to modify Resolution C-02-03 to allow Korean vessels operating in the western Pacific Ocean to fish occasionally in the EPO, in a manner similar to the U.S. vessels contemplated in paragraph 12 of the resolution. This proposal was not adopted, but will be considered at a future Commission meeting.

Bolivia made a statement (Appendix 6.f) regarding its rights to purse-seine vessel capacity.

Peru made a statement (Appendix 6.g) requesting an increase in the capacity allotted to it pursuant to paragraph 10 of Resolution C-02-03 from 3195 m³ to 6000 m³.

Costa Rica reported that it was working on the implementation of a procedure (Appendix 6.h) for the possible utilization of its rights to carrying capacity, according to Paragraph 10.1 of Resolution C-02-03, by means of foreign-flag vessels, and with the objective of increasing the security of the supply of tuna for its domestic tuna industry.

Japan made a proposal to add the following paragraph to Resolution C-02-03: "Any interpretation, application or implementation of this Resolution shall not result in increase of total fleet capacity, except as provided by other provisions of this Resolution, including paragraph 10." This proposal was not adopted.

The Commission agreed that the staff should continue to make changes to the Regional Register to reflect purse-seine well volumes determined in accordance with the recommendations of the 2005 *ad hoc* well volume review group.

12. Inclusion of vessels of flags of non-Parties on the IATTC Regional Register

This matter was not addressed by the Commission due to lack of time in the meeting.

13. Amendment of IATTC fiscal year

The Working Group on Finance recommended changing the IATTC fiscal year to begin on January 1 of each year, as described in Document [IATTC-74-12](#), and also to pursue option (b), as elaborated in that document, which calls for a three-month contribution for the period 1 October-31 December 2007, followed by a regular annual payment for 2008 beginning on January 1, 2008. The Commission agreed to change the fiscal year to begin on January 1 of each year, but decided to begin this on January 1, 2009, in order to give the governments additional time to make the necessary adjustments in their internal budgeting processes.

14. Amendment of Rules of Procedure regarding appointment of Chairman

At the previous meeting of the Commission, in June 2005, the United States proposed that the Commission consider appointing its Chairman for a period of two years, renewable for another two years, instead of for one year, as is currently the case. The Chairman could be selected prior to the annual meeting in June 2006, and the two-year period could begin with that meeting. Dr. Allen noted that the Commission's [Rules of Procedure](#) would need to be changed to accommodate this proposal. The Parties agreed to the proposal, and asked the Director to draft the necessary changes to the Rules of Procedure and circulate them to the governments for approval.

At the current meeting, because of the Commission's inability to agree on a long-term Chairman, the proposed amendment of the Rules of Procedure was not discussed. El Salvador, supported by other delegations, asked that the record show that the decision to move to a long-term Chairman remains valid, and that the proposed amendment to the Rules of Procedure would be considered at a future meeting.

15. Review of Commission staff's research

Due to lack of time, the Commission decided to dispense with the presentation of this item, which is summarized in the recommended research program (Document [IATTC-74-15](#)).

16. Recommended research program and budget for FY 2007 and FY 2008

Dr. Allen presented Document [IATTC-74-15](#), which presents the proposed research program and estimates of expenditure for the financial years (FY) 2007 and 2008. Consistent with last year's presentation, the paper also reflects the cost of the observer program, how it is funded jointly by the IATTC and the AIDCP, and how other AIDCP costs are funded.

Dr. Allen repeated the concern he had expressed at previous meetings regarding the budget crisis facing the Commission, mainly due to the failure of many governments to meet their financial obligations in a timely fashion or, in some cases, at all. He noted that the situation could become critical in the near future, with insufficient funds to allow the staff to continue its work.

There was little discussion by the meeting regarding what could be done to alleviate this situation. The United States reminded the Parties that, under the Antigua Convention, any country two or more years in arrears in its annual contributions would lose its right to participate in decision-making, and asked when payment might be expected from the two governments most heavily in arrears, Panama and Costa Rica. Costa Rica responded that it was in the process of organizing its payments, and that it was anticipated that by early 2007 all payments owing would be paid.

The meeting then discussed a resolution on financing for FY 2007, with a schedule of payments that took into account the draft funding formula developed at the 5th Meeting of the Working Group on Finance in 2001. The FY 2007 budget of US\$5,336,109 was agreed by the Parties. However, regarding the individual country contributions, Venezuela announced that because of the outcome of the discussion on its request regarding flag change and capacity, it did not believe it should be required to pay more than the amount of its FY 2006 assessment, and would not commit to do so (Appendix 6.i). Spain also noted that it could not commit to pay the amount assessed due to its disagreement regarding the *ad hoc* method used for calculating the assessment, but would not block the resolution and would inform the Director soon of the amount that it commits to contribute for 2007 (Appendix 6.j). As a result of these reservations, Mexico and Ecuador also refused to commit to the amounts specified for their governments in the resolution. Thus, [Resolution C-06-01](#) on financing the IATTC (Appendix 2.d) was adopted, with footnotes relating to the statements of these four countries.

Chinese Taipei stated that it would make a voluntary payment to the Commission of US\$40,000.

Belize stated that it would like to contribute but needed to become a member first.

17. Cooperation with the Western and Central Pacific Fisheries Commission (WCPFC)

Dr. Allen presented Document [IATTC-74-16](#) regarding cooperation with the Western and Central Pacific Fisheries Commission (WCPFC), including a draft memorandum of understanding (MOU) establishing procedures for systematic cooperation between the two Commissions. After discussion and some recommended drafting changes, Dr. Allen was authorized to sign the MOU on behalf of the IATTC.

18. Joint meeting of Tuna Commissions in 2007

Japan presented Document [IATTC-74-17](#), which contains information on the meeting of the Tuna Commissions that is to be held in Kobe, Japan, during 22-26 January 2007.

19. Resolution C-05-04 concerning the adoption of trade measures to promote compliance

El Salvador explained its proposal to modify Resolution C-05-04, which it had approved *ad referendum* in June 2005, to add a new paragraph calling for a review of the effectiveness of the resolution at the time of the annual Commission meeting in 2007, at which time the resolution would terminate, unless renewed. After discussion, the date was changed to 2008, and the modified resolution was adopted as Resolution [C-06-05](#) (Appendix 2.e).

20. Recommendations and resolutions

		Appendix
C-06-02	Resolution for a program on the conservation of tuna in the eastern Pacific Ocean for 2007	2.a
C-06-03	Resolution on full retention	2.b
C-06-04	Resolution on establishing a program for transshipments by large-scale fishing vessels	2.c
C-06-01	Resolution on financing	2.d
C-06-05	Resolution on trade measures	2.e
C-06-06	Resolution on experimental fishing (approved <i>ad referendum</i> by Ecuador and Mexico)	2.f

21. Election of Chairs of Working Groups

The following were elected to chair the Commission's Working Groups:

Bycatch	Ing. Luis Torres (Ecuador)
Capacity	Ing. Arnulfo Franco (Panama)
Compliance	Mr. David Hogan (United States)
Finance	Ms. Allison Routt (United States)
Joint Working Group on Fishing by Non-Parties	Sra. Elisa Barahona (Spain)

22. Other business

Guatemala raised the issue of access to transcripts of meetings, suggesting that the Commission adopt a policy of making entire transcripts of meetings available to any Party requesting them. Dr. Allen explained that currently the staff does not routinely prepare transcripts of meetings, and uses them only to help clarify questions regarding the minutes, and that any Party may request a transcript of its interventions on a particular matter. One concern expressed by the staff in the past was that it would not wish to see meeting transcripts become involved in any sort of legal proceedings.

Spain, while not opposing the Guatemalan proposal, expressed concerns over whether debate in the meetings could be stifled if transcripts were circulated. The Chairman noted that any policy on transcripts should consider whether they should be made available to the public or to other outside interests, or only to Parties. He asked that Guatemala present a written proposal if it wished to pursue this matter.

Dr. Allen announced his intention to retire as Director of the IATTC in September 2007, and noted that

the Commission would therefore need to appoint a new Director at its annual meeting in June 2007. Many delegations expressed their surprise at Dr. Allen's decision, and their appreciation for his work. It was noted that the Commission does not have a procedure for selecting a Director, and it was agreed that it would be important to have an agreed procedure in place before next June. At the meeting's request, the Chair agreed to coordinate, in cooperation with the staff, an effort to obtain agreement on such a procedure as soon as possible. It was recognized that this would need to be done through correspondence, and that it would be useful to draw on the experience of other organizations.

23. Place and date of next meeting

Panama and Mexico both offered to host the 2007 annual meeting, which was set for June 25-29, with meetings of the working groups during the previous week. The venue would be decided by correspondence.

24. Adjournment

The meeting was adjourned at 9:45 p.m. on 30 June 2006.

Appendix 1.

ATTEENDEES – ASISTENTES

COSTA RICA

ASDRÚBAL VÁSQUEZ - COMISIONADO
Ministerio de Agricultura, Ganadería y Pesca
vazquezal@ice.co.cr
BERNAL CHAVARRÍA - COMISIONADO
Asesor Jurídico
bchavarría@bufetel.com

KATHY TSENG CHANG
Cámara Nacional de la Industria Palangrera
tchkathy@hotmail.com

ECUADOR

BORIS KUSIJANOVIC - COMISIONADO
Ministerio de Comercio Exterior, Industrialización,
Pesca y Competitividad
subse01@subpesca.gov.ec
LUÍS TORRES - COMISIONADO
Ministerio de Comercio Exterior, Industrialización,
Pesca y Competitividad
Asesor01@subpesca.gov.ec
CÉSAR ROHÓN
Cámara Nacional de Pesquería
camnacpe@gve.satnet.net
RAFAEL TRUJILLO
Cámara Nacional de Pesquería
direjec@camaradepesqueria.com
ROBERTO AGUIRRE
Cámara Nacional de Pesquería
camnacpe@gve.satnet.net
RAMÓN SIERRA
Cámara Ecuatoriana de Industriales y Procesadores
rjsierra@eurofish.com.ec

JOSÉ A. SALVADOR
Instituto Nacional de Pesca
jas@inp.gov.ec
GUILLERMO MORÁN
Asociación de Exportadores de Pesca Blanca
gmoran@aiisat.com
PATRICIO VELÁSQUEZ
ATUNEC
info@atunec.com.ec
LUIS E. GARCÍA
Legalsa & Asociados
lgarcia@ecutel.net
FERNANDO GÓMEZ
Legalsa & Asociados
fgomez@ecutel.net
ABEL PALADINES
PH. Industria, Pesca, Construcción
paladineshnos@aiisal.net

EL SALVADOR

MANUEL OLIVA - COMISIONADO
CENDEPESCA
moliva@maag.gob.sv
SONIA SALAVERRÍA - COMISIONADO
CENDEPESCA
ssalaverría@mag.gob.sv

FERNANDO GONZÁLEZ
Grupo Calvo
Fernando.gonzalez@calvo.es
CARLOS SÁNCHEZ
Grupo Calvo
Carlos.sanchez@calvo.es

SPAIN – ESPAÑA

SAMUEL JUÁREZ - COMISIONADO
Ministerio de Agricultura, Pesca y Alimentación
juarez@mapausa.org
ELISA BARAHONA
Secretaría General de Pesca Marítima
ebarahon@mapya.es
JAVIER ARÍZ
Instituto Español de Oceanografía
javier.ariz@ca.ieo.es

IMANOL LOINAZ
Albacora, S.A.
iloinaz@albacora.es
JULIO MORÓN
OPAGAC
opagac@arrakis.es
ESTANISLAO GARAVILLA
OPAGAC
estanis@isabel.net

FRANCE – FRANCIA

PATRICK BRENNER – COMMISSIONER
Ministère de L'Outre Mer
Patrick.brenner@outre-mer.gouv.fr
MARIE-SOPHIE DUFAU-RICHET –
COMMISSIONER
Secrétariat Général de la Mer
Marie-Sophie.dufau-richet@pm.gouv.fr
STEPHEN YEN KAI SUN
Fisheries Division
Stephen.yen-kai-sun@peche.gov.pf

MICHEL DION
ORTHONGEL
orthongel@wanadoo.fr
LAURENT GUERLOU
CLS
Laurent.guerlou@cls.fr
HERVÉ JOANNES
CLS
Herve.joannes@cls.fr

GUATEMALA

ERICK VILLAGRÁN - COMISIONADO
Ministerio de Agricultura, Ganadería y Alimentación
villagranerick@hotmail.com

HUGO ALSINA
Ministerio de Agricultura, Ganadería y Alimentación
h_alsina@ufm.edu.gt

JAPAN – JAPÓN

KATSUMA HANAFUSA - COMMISSIONER
Fisheries Agency of Japan

MASAHIRO ISHIKAWA - COMMISSIONER
Japan Tuna Fisheries Co-operative Association
gyojo@japantuna.org.jp

TATSUSHI MATSUO
Fisheries Agency of Japan
tatsushi_matsuo@nm.maff.go.jp

YOSHITSUGU SHIKADA
Fisheries Agency of Japan
yoshitsugu-shikada@nm.maff.go.jp

TAKA AKI SUZUKI
Fisheries Agency of Japan
takaaki_suzuki@nm.maff.go.jp

NAOZUMI MIYABE
National Research Institute of Far Seas Fisheries
miyabe@fra.affrc.go.jp

MASASHI KIYOTA
National Research Institute of Far Seas Fisheries
hminami@affrc.go.jp

KAZUO SHIMA
Japan Far Seas Purse Seine Fishing Association
japan@kaimaki.or.jp

HISAO MASUKO
Japan Tuna Fisheries Co-operative Association
gyojo@japantuna.org.jp

PETER MIYAKE
Japan Tuna Fisheries Co-operative Association
miyake@sistelcom.com

YOSHIO YOSHINARI
Interpreter
ugh62782@nifty.com

MASAMICHI MOTOYAMA
National Ocean Tuna Fisheries Association
motoyama-enkatsu@tairyo.com

KOREA - COREA

KYU-JIN SEOK - COMMISSIONER
Ministry of Maritime Affairs and Fisheries
piscas@momaf.go.kr

KANG HYEON CHO
Ministry of Maritime Affairs and Fisheries
Kh2951@hanmail.net

HYUN WOOK KWON
Ministry of Maritime Affairs and Fisheries
hwkwonsh@yahoo.com

SUNG WOO PARK
Ministry of Maritime Affairs and Fisheries
swpark@momaf.go.kr

SOONYO JEONG
Ministry of Maritime Affairs and Fisheries
haha9944@momaf.go.kr

OK JIN JANG
Ministry of Maritime Affairs and Fisheries
Jang62@momaf.go.kr

YUN-JEONG BHU
Ministry of Maritime Affairs and Fisheries
bhuyunjeong@yahoo.co.kr

YEON-HEE RHYU
Ministry of Maritime Affairs and Fisheries
jryu20@yahoo.co.kr

DAE YEON MOON
National Fisheries Research and Development Institute
dymoon@nfrdi.re.kr

DOO HAE AN
National Fisheries Research and Development Institute
ghan@nfrdi.re.kr

DOO NAM KIM
National Fisheries Research and Development Institute
dnkim@nfrdi.re.kr

IN-KEUN PARK
Korean Deep Sea Fisheries Association
parkik@kodefa.or.kr

JAE UN PARK
Dongwon Fisheries Co., Ltd.
Jwoon76@dw.co.kr

DAE WON CHOI
Dongwon Fisheries Co., Ltd.
unforeman@dw.co.kr

JAE HOON CHOI
Dongwon Fisheries Co., Ltd.
Jordan2233@dw.co.kr

JUN KYU LEE
Dongwon Fisheries Co., Ltd.
jun79ne@dw.co.kr

KI TAE PARK
Dongwon Fisheries Co., Ltd.
pakite@dw.co.kr

WOO SUNG PARK
Dongwon Fisheries Co., Ltd.
Pws93@dw.co.kr

KYU SUK CHOI
Oyang Corporation
Kschoi@oy.co.kr

JEONG HYEN ROH
Oyang Corporation
jhroh@oy.co.kr

SEONG-WOONG LEE
Sajo Industries, Co.
honma@sajo.co.kr

JUNG SOO KIM
Sajo Industries, Co.
sajojsk@hanmail.net

CHI-GON KIM
Sajo Industries, Co.
tunaone@sajo.co.kr

KYUNG SOO LEE
Sajo Industries, Co.
kslee@sajo.co.kr

HYUN AI SHIN

Korean Deep Sea Fisheries Association
fleur@kodefa.or.kr

BYUNG-GOO MIN

Dongwon Fisheries Co., Ltd.
bgmin@dw.co.kr

WOO YOUNG JUNG

Dongwon Fisheries Co., Ltd.
wyoung@dw.co.kr

DONG-SUN LEE

Dongwon Fisheries Co., Ltd.
dslee6171@hanmail.net

SUNG-SU KIM

Dongwon Fisheries Co., Ltd.
Mally@dw.co.kr

O-TAE KIM

Dongwon Fisheries Co., Ltd.
Otae301@dw.co.kr

IL-HWAN YU

Dongwon Fisheries Co., Ltd.
litlpine@dw.co.kr

JAY HWANG

Dongwon Fisheries Co., Ltd.
pren2@dw.co.kr

GUILLERMO COMPEÁN - COMISIONADO

Instituto Nacional de la Pesca
compean@correo.inp.sagarpa.gob.mx

MICHEL DREYFUS - COMISIONADO

Instituto Nacional de la Pesca
dreyfus@cicese.mx

RICARDO BELMONTES

Comisión Nacional de Acuicultura y Pesca
rbelmontesa@conapesca.sagarpa.gob.mx

EMB. MIGUEL MARENCO - COMISIONADO

Administración Nacional de Pesca y Acuicultura
miguel.marenco@mific.gob.ni

ARNULFO FRANCO - COMISIONADO

FIPESCA
afranco@cwpanama.net

MARIA PATRICIA DÍAZ - COMISIONADA

Robles y Robles
mpdiaz@robleslaw.com

JORGE ZUZUNAGA

Ministerio de la Producción
Jzuzunaga@produce.gob.pe

EDUARDO CARCOVICH

Asesoría Marítima – Pesquera
E_carcovich@speedy.com.pe

OMAR CARCOVICH

Domar Representaciones
Dolphin_rep@speedy.com.pe

GEUM-RAE SEO

Sajo Industries, Co.
ddasik1977@sajo.co.kr

SANG DOO KIM

Sajo Industries, Co.
Ksd8911@kornet.net

KWANG-SE LEE

Silla Co., Ltd.
kslee@sla.co.kr

JAE-HAN PARK

Silla Co., Ltd.
jhp@sla.co.kr

KIL-HWAN AHN

Silla Co., Ltd.
khahn@sla.co.kr

JANG EUN SEO

Hansung Enterprise Co.
Jeseo113@han-sung.co.kr

CHANG MYENG BYEN

Korea Re-Whaling Promotion Forum
cmbyen@yahoo.co.kr

MEXICO**MARIO AGUILAR**

Comisión Nacional de Acuicultura y Pesca
mariogaguilars@aol.com

LUÍS FLEISCHER

Centro Regional de Investigación Pesquera
lfleischer21@hotmail.com

JOSÉ RODRÍGUEZ CRUZ

Marindustrias, S.A. de C.V.
joserogríguez@grupomar.com

NICARAGUA**PANAMA****DAVID SILVA**

Autoridad Marítima de Panamá
Davidsilvat@yahoo.com

VICTOR M. DE LA IGLESIA

Grupo Fevtun
victor@gruposuena.com

PERU**CLAUDIA LEÓN**

Pez de Exportación S.A.C.
Cmlr@terra.com.pe

CLARA MÁS

Corporación Oceanica del Perú S.A.
Clara_mas@terra.com.pe

UNITED STATES OF AMERICA – ESTADOS UNIDOS DE AMÉRICA

ROBERT FLETCHER – COMMISSIONER

Sportfishing Association of California
dart@sacemup.org

PATRIC ROSE – COMMISSIONER

U.S. Commissioner
skyline756@aol.com

RODNEY MCINNIS – COMMISSIONER

NOAA/National Marine Fisheries Service
Rod.Mcinnis@noaa.gov

DAVID HOGAN

Department of State
hogandf@state.gov

CLAYTON STANGER

Department of State
stangercm@state.gov

OTHA EASLEY

NOAA/National Marine Fisheries Service
Otha.Easley@noaa.gov

JUDSON FEDER

NOAA/National Marine Fisheries Service
Judson.Feder@noaa.gov

WILLIAM FOX

NOAA/National Marine Fisheries Service
William.Fox@noaa.gov

ALLISON ROUTT

NMFS/National Marine Fisheries Service
Allison.Routt@noaa.gov

WILLIAM ROBINSON

NOAA/National Marine Fisheries Service
Bill.Robinson@noaa.gov

GARY SAKAGAWA

NOAA/National Marine Fisheries Service
Gary.Sakagawa@noaa.gov

BRADLEY WILEY

NOAA/National Marine Fisheries Services
Brad.Wiley@noaa.gov

PAUL DALZELL

WPRFMC
Paul.Dalzell@noaa.gov

SVEIN FOGNER

Hawaii Longline Association
sveinfogner@cox.net

PAUL KRAMPE

American Tuna Boat Association
krampepaul@aol.com

MICHAEL MCGOWAN

Bumble Bee Seafoods, Inc.
mcgowanm@bumblebee.com

RANDI THOMAS

United States Tuna Foundation
TunaRPTThomas@aol.com

VANUATU

MOSES AMOS – COMMISSIONER

Ministry of Agriculture, Quarentine & Inspection
Service, Forestry & Fisheries
tohlolo@yahoo.com

CHRISTOPHE EMELEE – COMMISSIONER

Vanuatu Maritime Authority
tunafishing@vanuatu.com.vu

DIMITRI MALVIRLANE – COMMISSIONER

Vanuatu Maritime Authority
vma@vanuatu.com.vu

KALFAU KALORIS

Vanuatu Government
kkalons@vanuatu.gov.vu

WEN-CHENG KEVIN LIN

Tuna Fishing, Ltd.
Kevin.mdfc@msa.hinet.net

CIRIACO GAMACHO

Atunbi, S.A.
atunbi@cwpanama.net

VENEZUELA

ALVIN DELGADO – COMISIONADO

PNOV/Fundatun
fundatunpnov@cantv.net

CARLOS MILANO

Instituto Nacional de la Pesca y Acuicultura
presidencia@inapesca.gov.ve

OSNEIVER SANDOVAL

Ministerio de Relaciones Exteriores
Osneiver.sandoval@mre.gob.ve

ADAN ESSER

Agrícola Palmarichal, C.A.
Adane@progrupo.com.ve

LILLO MANISCALCHI

AVATUN

OBSERVERS – OBSERVADORES

BELIZE – BELICE

ANGELO MOUZOUROPOULOS

International Merchant Marine Registry
angelom@immarbe.com

BOLIVIA

ADALID RAMÍREZ
Ministerio de Defensa Nacional
mquirogam@hotmail.com

CANADA

BLAIR HODGSON
Fisheries and Oceans Canada
hodgsonb@dfo-mpo.gc.ca

CORY PATERSON
Fisheries and Oceans Canada
patersonc@dfo-mpo.gc.ca

CHINA

QIANFEI LIU
Bureau of Fisheries, Ministry of Agriculture
Inter-coop@agri.gov.cn

CHEN WAN
Bureau of Fisheries, Ministry of Agriculture
bofdwf@agri.gov.cn

XUE HU HUANG
Ministry of Foreign Affairs
Huang_xuehu@mfa.gov.cn

HAIYAN ZHOU
Ministry of Foreign Affairs
Zhou_haiyan@mfa.gov.cn

XIAOJIE DAI
Shanghai Fisheries University
xjai@shfu.edu.cn

CHINESE TAIPEI - TAIPEI CHINO

TZU-YAW TSAY
Fisheries Agency
tzuyaw@msl.f.gov.tw

TED TIEN-HSIANG TSAI
Fisheries Agency
ted@msl.f.gov.tw

KUO-PING LIN
Fisheries Agency
kuoping@msl.f.gov.tw

BRYAN CHEN-CHUN YEN
Oversea Fisheries Development Council
bryanyen@ofdc.org.tw

LI FANG HUANG
lfhuang@mofa.gov.tw

ANNE WANG-LING CHANG
Taiwan Tuna Association
Anne@tuna.org.tw

SHUN-LUNG WANG
Taiwan Tuna Association
tuna@tuna.org.tw

HUANG-CHIH CHIANG
National Taiwan University
hcchiang@ntu.edu.tw

HENRY YANG
YingJen Fishery Company
Yingtenfisheries505@hotmail.com

SUNNY S. CHEN
YingJen Fishery Company
YingJen.fishery@msa.hinet.net

COLOMBIA

LORENA GARNICA
Ministerio de Agricultura y Desarrollo Rural
lgarnica@minagricultura.gov.co

ARMANDO HERNÁNDEZ
INCODER / Programa Nacional de Observadores
observadores@incoder.gov.co

DIEGO CANELOS
Seatech International, Inc.
dcanelos@col3.telecom.com.co

LUÍS R. PAREDES
Seatech International, Inc.
lrparedes@lexpraxis.com

EUROPEAN UNION - UNIÓN EUROPEA

JOHN SPENCER
European Commission
edward-john.spencer@cec.eu.int

STAFFAN EK WALL
European Commission
staffan.ekwall@cec.eu.int

ALAN GRAY
European Commission
alan.gray@cec.eu.int

ALAIN FONTENEAU
Institut de Recherche pour le Développement
Fonteneau@ird.fr

INTERNATIONAL ORGANIZATIONS - ORGANIZACIONES INTERNACIONALES

FELETI TEO
Pacific Islands Forum Fisheries Agency
Feleti.teo@ffa.int

LARA K. MANARANGI-TROTT
Pacific Islands Forum Fisheries Agency
Lara.manarangi-trott@ffa.int

ANDREW WRIGHT
WCPFC
wcpfc@mail.fm

NON-GOVERNMENTAL ORGANIZATIONS – ORGANIZACIONES NO GUBERNAMENTALES

PETER FLOURNOY

American Fishermen's Research Foundation

phf@packbell.net

RUSSELL NELSON

The Billfish Foundation

drrsnnc@aol.com

REBECCA REGNERY

The Humane Society of the U.S.

regnery@hsus.org

STAFF - PERSONAL

ROBIN ALLEN, Director

rallen@iattc.org

ERNESTO ALTAMIRANO

ealtamirano@iattc.org

DAVID BRATTEN

dbratten@iattc.org

ALEJANDRA FERREIRA

aferreira@iattc.org

MÓNICA GALVÁN

mgalvan@iattc.org

BRIAN HALLMAN

bhallman@iattc.org

NICHOLAS WEBB

nwebb@iattc.org

Appendix 2.a.

RESOLUTION C-06-02

**RESOLUTION FOR A PROGRAM ON THE CONSERVATION OF TUNA
IN THE EASTERN PACIFIC OCEAN FOR 2007**

The Inter-American Tropical Tuna Commission (IATTC):

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

Recalling the Resolution C-04-09 for a Multi-Annual Program on the Conservation of Tuna in the Eastern Pacific Ocean for 2004, 2005 and 2006;

Taking into account the best scientific information available, as reflected in the recommendation of the staff and the report of the meeting of the Working Group on Stock Assessments in May 2006;

Considering that the studies of yellowfin and bigeye tuna presented at this meeting show that bigeye stocks are below the level that would produce the average maximum sustainable yield (AMSY) and that yellowfin stocks will decline below the AMSY level unless additional management measures are applied; and

Recognizing the importance of urging the Western and Central Pacific Fisheries Commission to adopt appropriate measures to conserve the tuna stocks in that region;

Resolves as follows:

1. That this resolution is applicable in 2007 to purse-seine vessels fishing for yellowfin, bigeye, and skipjack tunas, and to longline vessels.
2. Pole-and-line and sportfishing vessels are not subject to this resolution.
3. That the fishery for tunas by purse-seine vessels in the EPO, defined as the area bounded by the coastline of the Americas, the 40°N parallel, the 150°W meridian, and the 40°S parallel, shall for 2007 be closed from either (1) 0000 hours on 1 August to 2400 hours on 11 September; or (2) from 0000 hours on 20 November to 2400 hours on 31 December.
4. Each IATTC Party, cooperating non-party, fishing entity or regional economic integration organization (collectively "CPCs") shall for each year concerned, choose which of the two specified periods will be closed to purse-seine fishing by all of its vessels, and notify the Director by 15 July. All the vessels of a national fleet must stop purse-seine fishing during the period selected.
5. Every vessel that fishes in 2007, regardless of the flag under which it operates or whether it changes flag during the year, must observe the closure period to which it committed on 15 July of each year.
6. To prohibit landings, transshipments and commercial transactions in tuna or tuna products that have been positively identified as originating from fishing activities that contravene this resolution. The Director may provide relevant information to the Parties to assist them in this regard. The Commission shall develop transparent and non-discriminatory criteria and procedures to adopt trade restrictive measures consistent with international law and the provisions of the World Trade Organization to promote compliance in the EPO.
7. Each CPCs shall, for purse-seine fisheries:
 - 7.1. No later than 45 days before the date of entry into force of a closure:
 - 7.1.1. take the legal and administrative measures necessary to implement the closure;
 - 7.1.2. inform all interested parties in its national tuna industry of the closure;

- 7.1.3. inform the Director that these steps have been taken.
- 7.2. Ensure that at the time the closures begins, and for the entire duration of the closures, all purse-seine vessels fishing for yellowfin, bigeye and skipjack tunas flying its flag in the EPO are in port, except that vessels carrying an observer from the AIDCP On-Board Observer Program may remain at sea provided they do not fish in the EPO. The only other exception to this provision shall be that vessels carrying an observer from the AIDCP On-Board Observer Program may leave port during the closure, provided they do not fish in the EPO.
8. China, Japan, Korea, and Chinese Taipei, shall take the measures necessary to ensure that their total annual longline catch of bigeye tuna in the EPO during 2007 will not exceed the following catch levels.

China	2,639 metric tons
Japan	34,076 metric tons
Korea	12,576 metric tons
Chinese Taipei	7,953 metric tons

Other CPCs shall take the measures necessary to ensure that their total annual longline catch of bigeye tuna in the EPO during 2007 will not exceed 500 metric tons or their respective 2001 catch levels, whichever is higher.¹ CPCs whose annual catches have exceeded 500 metric tons shall provide monthly catch reports to the Director.

9. The IATTC Scientific Working Group will analyze, in 2007, the effect of these measures on the stocks, and will propose, if necessary, appropriate measures to the Commission to be applied in 2008 and thereafter for its consideration.
10. Each CPC shall comply with this resolution.
11. This resolution replaces Resolution C-04-09.

Appendix 2.b.

RESOLUTION C-06-03

RESOLUTION ON FULL RETENTION

The Inter-American Tropical Tuna Commission (IATTC):

Concerned that continuing catches of juvenile tunas adversely affect the tuna stocks in the eastern Pacific Ocean;

Resolves as follows:

To amend “Until January 1 2007” to “Until January 1 2008” in paragraph a. of Section 1 “Reduction of the incidental mortality of juvenile tunas” of the Consolidated Resolution on Bycatch (C-04-05).

To review compliance with Section 1 of Resolution C-04-05, by flag state, in the Permanent Working Group on Compliance.

¹ The Parties acknowledge that France, as a coastal State, is developing a tuna longline fleet on behalf of its overseas territories situated in the EPO.

RESOLUTION C-06-04

RESOLUTION ON ESTABLISHING A PROGRAM FOR TRANSHIPMENTS BY LARGE-SCALE FISHING VESSELS

The Inter-American Tropical Tuna Commission (IATTC):

Taking account of the need to combat illegal, unregulated and unreported (IUU) fishing activities because they undermine the effectiveness of the management regime already adopted by IATTC;

Expressing grave concern that organized tuna laundering operations have been conducted, and a significant amount of catches by IUU tuna longline fishing vessels have been transhipped under the names of duly licensed fishing vessels;

In view therefore of the need to ensure the monitoring of the transshipment activities by large-scale longline vessels in the Convention Area, including the control of their landings;

Resolves as follows:

SECTION 1. GENERAL RULES

1. Except under the special conditions outlined below in Section 2 and in accordance with Sections 3, 4 and 5 below for transshipment operations at sea, all transshipment operations of tuna and tuna-like species in the IATTC Convention Area must take place in port.
2. Each IATTC Party, Cooperating Non-party, fishing entity or regional economic integration organization (collectively “CPCs”) shall take the necessary measures to ensure that large-scale tuna fishing vessels² (“LSTLFVs”) flying its flag comply with the obligations set out in Annex 1 when transshipping in port.
3. This resolution does not apply to troll vessels, pole-and-line vessels or vessels engaged in the transshipment of fresh fish³ at sea.

SECTION 2. PROGRAM TO MONITOR TRANSHIPMENTS AT SEA

4. The Commission hereby establishes a program to monitor transshipments at sea, which applies initially to large-scale tuna longline fishing vessels (“LSTLFVs”) and to carrier vessels authorized to receive transshipments from LSTLFVs at sea.
5. Each CPC shall determine whether or not to authorize its LSTLFVs to tranship at sea. Any such transshipments must be conducted in accordance with the procedures defined in Sections 3, 4 and 5, and annexes 2 and 3 of this Resolution.

SECTION 3. RECORD OF VESSELS AUTHORIZED TO RECEIVE TRANSHIPMENTS-AT-SEA IN THE CONVENTION AREA

6. The Commission shall establish and maintain a record of carrier vessels authorized to receive tuna and tuna-like species at sea from LSTLFVs in the Convention Area (IATTC Record of Carrier Vessels). For the purposes of this Resolution, carrier vessels not on this Record are deemed not to be authorized to receive tuna and tuna-like species in at-sea transshipment operations.
7. By 1 July 2008, each CPC shall submit to the Director, in electronic format if possible, the list of the carrier vessels that are authorized to receive at-sea transshipments from its LSTLFVs in the Convention Area. This list shall include the following information for each vessel:

² For the purposes of this Resolution, “large-scale tuna fishing vessels” are defined as all vessels fishing beyond areas of national jurisdiction and targeting tuna or tuna-like species.

³ For the purposes of this Resolution, “fresh fish” means tuna or tuna-like species that are live, whole or dressed/gutted, but not further processed or frozen.

- a. The flag of the vessel;
 - b. Name of vessel, register number;
 - c. Previous name (if any);
 - d. Previous flag (if any);
 - e. Details of previous deletion from other registries (if any);
 - f. International radio call sign;
 - g. Type of vessels, length, gross registered tonnage (GRT) and carrying capacity;
 - h. Name and address of owner(s) and operator(s)
 - i. Time period authorized for transshipping
8. Each CPC shall promptly notify the Director, after the establishment of the initial IATTC Record, of any addition to, deletion from and/or modification of the IATTC Record, at the time such changes occur.
 9. The Director shall maintain the IATTC Record and take measures to ensure publicity of the Record and through electronic means, including placing it on the IATTC website, in a manner consistent with confidentiality requirements notified by CPCs for their vessels.
 10. Carrier vessels authorized for at-sea transshipment shall be required to install and operate a VMS in accordance with Resolution C-04-06 on the establishment of a Vessel Monitoring System (VMS).

SECTION 4. AT-SEA TRANSHIPMENT

11. Transshipments by LSTLFVs in waters under the jurisdiction of the CPCs are subject to prior authorization from the Coastal State concerned. CPCs shall take the necessary measures to ensure that LSTLFVs flying their flag comply with the following conditions:

Flag State Authorization

12. LSTLFVs are not authorized to tranship at sea unless they have obtained prior authorization from their Flag State.

Notification obligations

Fishing vessel:

13. To receive the prior authorization mentioned in paragraph 11 above, the master and/or owner of the LSTLFV must notify the following information to its Flag State authorities at least 24 hours in advance of the intended transshipment:
 - a. the name of the LSTLFV and its number in the LSTLFV List,
 - b. the name of the carrier vessel and its number in the IATTC Record of Carrier Vessels, and the product to be transhipped,
 - c. the tonnage by product to be transhipped,
 - d. the date and location of transshipment,
 - e. the geographic location of the tuna catches.

The LSTLFV concerned shall complete and transmit to its flag State, not later than 15 days after the transshipment, the IATTC transshipment declaration, along with its number in the IATTC LSTLFV List, in accordance with the format set out in Annex 2.

Receiving carrier vessel:

14. The master of the receiving carrier vessel shall complete and transmit the IATTC transshipment declaration to the Director and the flag CPC of the LSTLFV, along with its number in the IATTC Record of Carrier Vessels, within 24 hours of the completion of the transshipment.
15. The master of the receiving carrier vessel shall, 48 hours before landing, transmit an IATTC

transshipment declaration, along with its number in the IATTC Record of Carrier Vessels, to the competent authorities of the State where the landing takes place.

Regional Observer Program

16. Each CPC shall ensure that, not later than 1 January 2009, all its carrier vessels that tranship at sea have on board an IATTC observer, in accordance with the IATTC Regional Observer Program in Annex 3. The IATTC observer shall monitor compliance with this Resolution, and notably that the transhipped quantities are consistent with the catch reported in the IATTC transshipment declaration.
17. Vessels shall be prohibited from commencing or continuing at-sea transshipping in the Convention Area without an IATTC observer on board, except in cases of *force majeure* duly notified to the Director.

SECTION 5. GENERAL PROVISIONS

18. To ensure the effectiveness of the IATTC conservation and management measures pertaining to species covered by Statistical Document Programs:
 - a. In validating the Statistical Document, Flag CPCs of LSTLFVs shall ensure that transshipments are consistent with the reported catch amount by each LSTLFV.
 - b. The Flag CPC of the LSTLFV shall validate the Statistical Documents for the transhipped fish, after confirming that the transshipment was conducted in accordance with this Resolution. This confirmation shall be based on the information obtained through the IATTC Observer Program.
 - c. CPCs shall require that the catches of species covered by the Statistical Document Programs by LSTLFVs in the Convention Area, when imported into the territory of a CPC, be accompanied by validated statistical documents and a copy of the IATTC transshipment declaration.
19. Each CPC shall report annually before 30 June to the Director:
 - a. The quantities by species transshipped during the previous year.
 - b. The names of its vessels on the IATTC LSTLFV List which have transhipped during the previous year.
 - c. A comprehensive report assessing the content and conclusions of the reports of the observers assigned to carrier vessels which have received transshipment from its LSTLFVs.
20. All tuna and tuna-like species landed in or imported into, the territory of a CPC, either unprocessed or after having been processed on board and which are transhipped, shall be accompanied by the IATTC transshipment declaration until the first sale has taken place.
21. Each year, the Director shall present a report on the implementation of this Resolution to the annual meeting of the Commission, which shall review compliance with this Resolution.
22. These provisions will be applicable from 1 July 2008. At its 2010 Annual Meeting, the Commission shall review and, as appropriate, revise this Resolution.

ANNEX 1
CONDITIONS RELATING TO IN-PORT TRANSHIPMENT BY LSTFVS

General

1. Transshipment operations in port may only be undertaken in accordance with the procedures detailed below.

Notification obligations

2. Fishing vessel:
 - 2.1. At least 48 hours prior to transshipping, the captain of the vessel must notify the following information to the Port State authorities:
 - a. the name of the vessel and its number in the IATTC Regional Vessel Register,
 - b. the name of the carrier vessel, and the product to be transhipped,
 - c. the tonnage, by product, to be transhipped,
 - d. the date and location of transshipment,
 - e. the major fishing grounds of the tuna and tuna like species catches.
 - 2.2. The captain of a LSTFV shall, at the time of the transshipment, inform the vessel's Flag State of the following:
 - a. the products and quantities involved,
 - b. the date and place of the transshipment,
 - c. the name, registration number and flag of the receiving carrier vessel,
 - d. the geographic location of the tuna and tuna like species catches.
 - 2.3. The captain of the LSTFV shall complete and transmit to the vessel's flag State not more than 15 days after the transshipment, the IATTC transshipment declaration, along with the vessel's number in the IATTC LSTFV List, in accordance with the format set out in Annex 2.

Receiving vessel

3. Not later than 24 hours before the beginning and at the end of the transshipment, the master of the receiving carrier vessel shall inform the authorities of the Port State in which the transshipment takes place of the quantities of catches of tuna and tuna-like species transhipped to the carrier vessel, and complete and transmit to the competent authorities of the vessel's flag CPC the IATTC transshipment declaration.

Landing State

4. The master of the receiving carrier vessel shall, 48 hours before landing, complete an IATTC transshipment declaration, and transmit it to the competent authorities of the landing State where the landing is to take place.
5. The Port State and the landing State referred to in the above paragraphs shall take the appropriate measures to verify the accuracy of the information received, and shall cooperate with the flag CPC of the LSTFV to ensure that landings are consistent with the catches reported by the vessel. This verification shall be carried out so that the vessel suffers the minimum interference and inconvenience and that degradation of the fish is avoided.
6. Each flag CPC with LSTFVs shall report each year to the IATTC the details of the transshipments by its vessels.

**ANNEX 2
IATTC TRANSHIPMENT DECLARATION**

Carrier Vessel	Fishing Vessel
Name of the Vessel and Radio Call Sign: Flag: Flag state license number: National Register Number, if available: IATTC Register Number, if available:	Name of the Vessel and Radio Call Sign: Flag: Flag state license number: National Register Number, if available: IATTC Register Number, if available:

Day Month Hour Year (2_0_0_0) Agent's name: Master's name of LSTV: Master's name of Carrier:

Departure | | | | | from | |
Return | | | | | to | | Signature: Signature: Signature:
Transshipment | | | | | |

Indicate the weight in kilograms or the unit used (e.g. box, basket) and the landed weight in kilograms of this unit: | | kilograms LOCATION OF TRANSHIPMENT

Species	Port	Sea	Type of product													
			Whole	Gutted	Headed	Fileted										

If transshipment effected at sea, IATTC Observer Signature:

ANNEX 3

IATTC REGIONAL OBSERVER PROGRAM

1. Each CPC shall require carrier vessels included in the IATTC Record of Carrier Vessels which tranship at sea, to carry an IATTC observer during each transshipment operation in the Convention Area.
2. The Director shall appoint the observers, and shall place them on board the carrier vessels authorized to receive transshipments in the Convention Area from LSTLFVs flying the flag of Parties and of Cooperating non-Parties and fishing entities that implement the IATTC observer program established by this Resolution.

Designation of the observers

3. The designated observers shall have the following qualifications:
 - a. sufficient experience to identify species and fishing gear;
 - b. satisfactory knowledge of IATTC conservation and management measures;
 - c. the ability to observe and record accurately;
 - d. a satisfactory knowledge of the language of the flag of the vessel observed.

Obligations of the observer

4. Observers shall:
 - a. have completed the technical training required by the guidelines established by IATTC;
 - b. be nationals of one of the CPCs and, to the extent possible, not of the flag CPC of the receiving carrier vessel;
 - c. be capable of performing the duties set forth in point 5 below;
 - d. be included in the list of observers maintained by the Director;
 - e. not be a crew member of an LSTLFV or an employee of an LSTLFV company.
5. The observer tasks shall be in particular to:
 - a. monitor the carrier vessel's compliance with the relevant conservation and management measures adopted by the Commission. In particular the observers shall:
 - i. record and report upon the transshipment activities carried out;
 - ii. verify the position of the vessel when engaged in transshipping;
 - iii. observe and estimate products transhipped;
 - iv. verify and record the name of the LSTLFV concerned and its registration number;
 - v. verify the data contained in the transshipment declaration;
 - vi. certify the data contained in the transshipment declaration;
 - vii. countersign the transshipment declaration;
 - b. issue a daily report of the carrier vessel's transshipping activities;
 - c. establish general reports compiling the information collected in accordance with this paragraph and provide the captain the opportunity to include therein any relevant information.
 - d. submit to the Director the aforementioned general report within 20 days from the end of the period of observation.
 - e. exercise any other functions as defined by the Commission.
6. Observers shall treat as confidential all information with respect to the fishing operations of the LSTLFVs and of the LSTLFVs owners and accept this requirement in writing as a condition of

appointment as an observer;

7. Observers shall comply with requirements established in the laws and regulations of the flag State which exercises jurisdiction over the vessel to which the observer is assigned.
8. Observers shall respect the hierarchy and general rules of behavior which apply to all vessel personnel, provided such rules do not interfere with the duties of the observer under this program, and with the obligations of vessel personnel set forth in paragraph 9 of this program.

Obligations of the Flag States of carrier vessels

9. The responsibilities regarding observers of the flag States of the carrier vessels and their captains shall include the following, notably:
 - a. Observers shall be allowed access to the vessel personnel and to the gear and equipment;
 - b. Upon request, observers shall also be allowed access to the following equipment, if present on the vessels to which they are assigned, in order to facilitate the carrying out of their duties set forth in paragraph 5:
 - i. satellite navigation equipment;
 - ii. radar display viewing screens when in use;
 - iii. electronic means of communication.
 - c. Observers shall be provided accommodations, including lodging, food and adequate sanitary facilities, equal to those of officers;
 - d. Observers shall be provided with adequate space on the bridge or pilot house for clerical work, as well as space on deck adequate for carrying out observer duties; and
 - e. The flag States shall ensure that captains, crew and vessel owners do not obstruct, intimidate, interfere with, influence, bribe or attempt to bribe an observer in the performance of his/her duties.

The Director, in a manner consistent with any applicable confidentiality requirements, is requested to provide to the flag State of the carrier vessel under whose jurisdiction the vessel transhipped and to the Flag CPC of the LSTLFV, copies of all raw data, summaries, and reports pertaining to the trip.

The Director shall submit the observer reports to the Compliance Working Group and to the Stock Assessment Working Group.

Observer fees

- a. The costs of implementing this program shall be financed by the flag CPCs of LSTLFVs wishing to engage in transshipment operations. Each CPC shall determine the manner in which it covers the costs. The fee shall be calculated on the basis of the total costs of the program. This fee shall be paid into a special account of the Director and the Director shall manage the account for implementing the program;
- b. No observer shall be assigned to a vessel for which the fees, as required under subparagraph a), have not been paid.

Appendix 2.d.

RESOLUTION C-06-01

RESOLUTION ON FINANCING

The Parties to the Inter-American Tropical Tuna Commission (IATTC):

Understanding the importance of ensuring sufficient funding for the Commission in a timely manner so it may continue to effectively develop and implement the agreed conservation and management program for the living marine resources of the eastern Pacific Ocean (EPO) and conduct the associated data collection and research;

Noting that non-payment of the agreed contributions may impair the Commission's ability to continue its operations;

Aware that the allocation of the costs of supporting the Commission among Parties should be transparent, fair and equitable, stable, and predictable, but also should allow for redistribution of costs as new Parties join;

Giving due consideration to the current requirement in the Convention establishing the Commission that the proportion of the expenses paid by each Party should be related to the proportion of the total catch utilized by that Party and the consensus of the Parties that other factors should be considered in determining their proportional contributions;

Taking into account the relevant provisions of the Antigua Convention, adopted in Antigua, Guatemala, on 27 June 2003;

Recognizing that the ability of a Party to make its contribution may be limited by circumstances beyond its control, and that such a situation may require reconsideration of the budget for that year;

Noting that several non-Parties derive benefits from catching or utilizing fish covered by the Convention, but do not make contributions to the Commission;

Taking note of the staff's proposals regarding the budget presented in Document IATTC-74-12 and the need to implement a long-term financing system; and

Recognizing the need to seek economies in the operation of the Commission, in order to reduce costs;

Have agreed as follows:

1. To adopt the recommended budgets of US\$ 5,336,109 for FY 2007 and US\$ 5,503,347 for FY 2008 presented in Document IATTC-74-12.
2. To contribute to the budget of the IATTC for FY 2007 in accordance with the following schedule of payments, which was developed taking into account the draft funding formula illustrated in the tables attached to the Minutes of the 5th Meeting of the Working Group on Finance, held August 29-31, 2001, in La Jolla, California.

(US\$)	FY 2007 Due 1 November 2006
Costa Rica	57,301
Ecuador	493,185 ⁴
Spain	467,865 ¹
France	110,756
Guatemala	31,004
Japan	372,329
Korea	179,262
Mexico	1,155,317 ³
Nicaragua	26,433
Panama	244,728
Peru	36,558
El Salvador	66,393
United States	1,746,553
Venezuela	304,401 ²
Vanuatu	44,025
Total	5,336,109

3. That the Working Group on Finance continue its deliberations on the funding formula in order to achieve consensus among the Parties on the use of the formula for determining each Party's contribution to the IATTC budget for FY 2008 and for the longer term.
4. That the Director shall inform each Party, at least two months prior to the annual meeting, of its projected contribution for the following two financial years.
5. That the Commission shall not pay more than 30% of the costs associated with the AIDCP On-Board Observer Program for vessels of member states.
6. That, for those countries whose catches in the EPO are made in an area in which the IATTC shares competence with another organization, the catches from that area used in the calculation of the contribution of that country shall be apportioned between the two organizations, subject to the agreement of both organizations concerned. This change shall be applied in 2008 and until a new formula for calculating the budget contributions is adopted.
7. That the contributions of any new member of the Commission shall be determined on the same basis as the contributions of existing members, subject to the Commission's financial regulations, but with the factor set equal to the number of the Gross National Income category.
8. That States not presently members of the IATTC and fishing entities which have vessels fishing for fish covered by the Convention should make, and request their flag vessels to make, voluntary contributions to the Commission, preferably on the same basis as the contributions of existing members.
9. To invite NGOs interested in the work of the IATTC to make contributions to the Commission's budget.

¹ Spain reserves its position regarding its contributions for FY 2007 and later years, and refers to its statement in the minutes of the current 74th meeting of the IATTC

² Venezuela commits to pay the amount specified in Resolution C-05-06, US\$ 276,417

³ In the light of the reservations of the other countries, Mexico commits to pay the amount specified in Resolution C-05-06, considering that it will make efforts to cover the difference between the amount established for its contribution in this resolution

⁴ Ecuador commits to pay the amount specified in Resolution C-05-06, US\$ 339,928

Appendix 2.e.

RESOLUTION C-06-05

ADOPTION OF TRADE MEASURES TO PROMOTE COMPLIANCE

The Inter-American Tropical Tuna Commission (IATTC), meeting in Busan, Korea, on the occasion of its 74th Meeting;

Noting that the objective of the IATTC is to maintain the populations of species covered by the IATTC Convention in the eastern Pacific Ocean (EPO) at the level which will permit maximum sustainable catches;

Considering the need for action to ensure the effectiveness of the measures to achieve the objectives of the IATTC;

Considering the obligation of all Parties, co-operating non-parties, co-operating fishing entities or regional economic integration organizations (collectively "CPCs") to respect IATTC conservation and management measures;

Recognizing that positive incentives constitute an important factor for promoting compliance with fisheries conservation and management measures, and further recognizing the importance of market access, consistent with national legislation, for fish and fish products caught in conformity with the conservation and management measures of the IATTC;

Aware of the need for sustained efforts by CPCs to ensure the enforcement of IATTC's conservation and management measures, and the need to encourage non-parties to abide by these measures;

Noting that trade restrictive measures should be implemented only as a last resort, where other measures have proven unsuccessful to prevent, deter and eliminate any act or omission that diminishes the effectiveness of IATTC conservation and management measures;

Noting that trade restrictive measures should be implemented in accordance with the FAO International Plan of Action to prevent, deter and eliminate illegal, unreported and unregulated fishing (IPOA-IUU);

Also noting that trade restrictive measures should be adopted and implemented in accordance with international law, including principles, rights and obligations established in the World Trade Organization (WTO) Agreements, and implemented in a fair, transparent and non-discriminatory manner;

Resolves as follows:

1. 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.

2. a. The Commission, through the Permanent Working Group on Compliance (Compliance Working Group) or the Joint Working Group on Fishing by Non-Parties (Joint Working Group), as appropriate, should identify each year:
 - i. CPCs that have failed to fulfil their obligations under the IATTC Convention in respect of IATTC conservation and management measures, in particular, by not taking measures or exercising effective control to ensure compliance with IATTC conservation and management measures by vessels flying their flags; and/or
 - ii. Non-parties that have failed to discharge their obligations under international law to cooperate with IATTC in the conservation and management of species covered by the IATTC Convention, in particular, by not taking measures or exercising effective control to ensure that vessels flying the flags do not engage in any activity that undermines the effectiveness of IATTC conservation and management measures.
 - b. These identifications should be based on a review of all information provided in accordance with paragraph 1 or, as appropriate, any other relevant information, such as: the catch data compiled by the Commission; trade information on these species obtained from national statistics; any IATTC statistical document program; the IATTC IUU Vessel List; as well as any other information obtained in ports and on fishing grounds.
 - c. In deciding whether to make such an identification, the Compliance Working Group or the Joint Working Group should consider all relevant matters, including the history, nature, circumstances, extent, and gravity of the act or omission that may have diminished the effectiveness of IATTC conservation and management measures.
3. The Commission should ask the CPCs and non-parties identified under paragraph 2 to rectify the act or omission that led to their identification, and notify them of the following:
 - a. the reason(s) for the identification, with all available supporting evidence;
 - b. the opportunity to respond to the Commission in writing, at least 30 days prior to the Annual Meeting of the Commission with regard to the identification decision and other relevant information, for example, evidence refuting the identification or, where appropriate, a plan of action for improvement and the steps they have taken to rectify the situation; and
 - c. in the case of a non-party, invite it to participate as an observer at the annual meeting where the issue will be considered.
 4. CPCs are encouraged, jointly and individually, to ask the CPCs or non-parties identified pursuant to paragraph 2 to rectify the act or omission that led to their identification identified under paragraph 2 so as not to diminish the effectiveness of IATTC conservation and management measures.
 5. The Commission, through the Director, should, by more than one means of communication, transmit the Commission's request to the identified CPC or non-party, and seek to obtain confirmation from the CPC or the non-party that it received the notification.
 6. The Compliance Working Group or the Joint Working Group should evaluate the response of each CPC or non-party, together with any new information, and recommend that the Commission decide on one of the following actions to be applied to each CPC and non-party:
 - a. revoke its identification made pursuant to paragraph 2;
 - b. continue its identification made pursuant to paragraph 2; or
 - c. adopt non-discriminatory trade restrictive measures.

In the case of CPCs, trade measures should be considered only when any such actions as the Commission may take to promote compliance either have proven unsuccessful or would not be effective.

7. If the Commission decides on the action described in paragraph 6.c, it should recommend to the Parties, pursuant to Articles I.2 and II.5 of the IATTC Convention, to take specific non-discriminatory trade restrictive measures, consistent with their international obligations. The Commission should notify the CPCs and non-parties concerned of the decision and the underlying reasons, in accordance with the procedures specified in paragraph 5.
8. CPCs should notify the Commission of any measures that they have taken for the implementation of the non-discriminatory trade restrictive measures adopted in accordance with paragraph 7.
9. In order for the Commission to recommend the lifting of trade restrictive measures, the Compliance Working Group and/or the Joint Working Group should review each year all trade restrictive measures adopted in accordance with paragraph 7. Should this review show that the situation has been rectified, the Compliance Working Group or the Joint Working Group, as appropriate, should recommend to the Commission the lifting of the non-discriminatory trade restrictive measures. Such decisions should also take into consideration whether the CPCs and/or non-parties concerned have taken concrete measures capable of achieving a lasting improvement of the situation.
10. Where exceptional circumstances so warrant or where the available information clearly shows that, despite the lifting of trade restrictive measures, a CPC or non-party continues to diminish the effectiveness of IATTC conservation and management measures, the Commission may decide on immediate action regarding that CPC or non-party, including, as appropriate, the imposition of trade restrictive measures in accordance with paragraph 7. Before making such a decision, the Commission should ask the CPC or non-party concerned to discontinue its wrongful conduct and should provide the CPC or non-party with a reasonable opportunity to respond.
11. The Commission should establish annually a list of CPCs and non-parties that are subject to a trade restrictive measure pursuant to paragraph 7 and, with respect to non-parties, are considered non-cooperating non-parties to IATTC.
12. The Commission recognizes the importance of market access, consistent with national legislation, for fish and fish products caught in conformity with the conservation and management measures of the IATTC, to promote compliance with such measures.
13. The Commission shall review the effectiveness of this Resolution at its annual meeting in 2008, when its application shall terminate, at which time it may be renewed with the adjustments that the Parties may decide.

Appendix 2.f.

RESOLUTION C-06-06⁴

RESOLUTION ON EXPERIMENTAL FISHING

Notwithstanding the requirements for closure of the purse-seine fishery stipulated in paragraph 7.1 of Resolution C-04-09 for a multi-annual program on the conservation of tuna in the eastern Pacific Ocean for 2004, 2005, and 2006, one purse-seine vessel shall be allowed to fish for purposes of a scientific experiment during the period of closure established by its flag state.

The scientific experiment shall be for the purpose of testing gear modifications designed to reduce the catches of small tunas, and shall be elaborated in a proposal submitted to the Director at least two weeks before the expected date of the beginning of the first fishing trip of the vessel, and approved by the Director in consultation with the Commission prior to the trip.

The Director shall notify the Commissioners of the proposal upon his approval of it, and the flag state of the vessel involved, in cooperation with the Director, shall report on the results of the experiment as soon as possible following the conclusion of the vessel's fishing activities.

Any economic benefits of fishing during the closure shall be shared with the Commission.

APPENDIX

EXPERIMENTAL PROJECT FOR THE PURSE-SEINE TUNA FISHERY IN WHICH A FLEXIBLE DEVICE (GRID) TO ALLOW JUVENILE TUNAS TO ESCAPE

1. INTRODUCTION:

In accordance with the Resolution which establishes the need to seek alternative methods for reducing the catch of juvenile tunas, ECUADOR has designed and built a flexible grid which when installed in purse-seine nets, will allow the small tunas to escape, a device that needs to be tested.

With the aim of avoiding operative losses to the vessel company that has borne all the costs of building the device and that will also cover 100% of the costs of the test cruise(s), it is requested that: during the 2006 closure for the purse-seine fleet operating in the EPO, a single vessel be allowed to test the device.

2. BEGINNING AND DURATION:

The experiment will take place from about 05 August and will finish its first phase in about 90 days, making as many trips as conditions permit in the usual fishing areas on FADs and schoolfish.

Depending on the initial results, the use of the grid will be continued during 90 more days in order to monitor its real effectiveness and/or make adjustments to the design, allowing at the same time operation in the months in which the oceanographic conditions vary due to seasonal changes, mainly temperature and currents,

3. IMPLEMENTATION:

The experiment will be coordinated by the Undersecretariat of Fisheries Resources of Ecuador in coordination with the fleet manager of the company that owns the tuna vessel selected.

The following will participate:

⁴ Approved *ad referendum* by Ecuador and Mexico

1. The usual crew of the vessel including the IATTC or National Program observer, as appropriate;
2. An Ecuadorean technical expert selected by the Undersecretariat of Fisheries Resources;
3. An expert from the Commission staff;
4. An expert from(of a Party interested in the case).

In addition to the forms that the observers use, a special form will be used that shall be presented to the Commission for consideration for any suggestions.

The results shall be sorted and processed by the group of experts under the coordination of the delegate of the Undersecretariat of Fisheries Resources and will be submitted to the Commission Secretariat.

4. COSTS:

Shall be covered by the national vessel company as regards the installation of the device in the net and those corresponding to the trips including board for the experts, fuel and supplies

Each participating expert and/or institution shall bear the costs of transportation, expenses, insurance, etc.,

The Undersecretariat shall provide assistance and will provide a vehicle for transporting the experts from Guayaquil to the port of departure.

The experts may, if they wish, remain for one or two trips during this first experimental phase.

Appendix 3.

IATTC IUU VESSEL LIST

LISTA DE BUQUES INN DE LA CIAT

Adopted by the IATTC at its 74th Meeting on 30 June 2006, in accordance with [Resolution C-05-07](#)
 Adoptada por la CIAT en su 74ª Reunión el 30 de junio de 2006, de conformidad con la [Resolución C-05-07](#)

ame Nombre	Gear Arte	Flag Paellón
<i>Marta Lucia R.</i>	PS	COL
<i>Chen Chieh 1</i>	LL	GEO
<i>Chen Chieh 11</i>	LL	GEO
<i>Chen Chieh 12</i>	LL	GEO
<i>Chen Chieh 2</i>	LL	GEO
<i>Chen Chieh 22</i>	LL	GEO
<i>Chen Chieh 31</i>	LL	GEO
<i>Chen Chieh 32</i>	LL	GEO
<i>Bhaskara No. 10</i>	LL	IDN
<i>Bhaskara No. 9</i>	LL	IDN
<i>Bhineka</i>	LL	IDN
<i>Hiroyoshi 17</i>	LL	IDN
<i>Jimmy Wijaya XXXV</i>	LL	IDN
<i>Permata</i>	LL	IDN
<i>Permata 1</i>	LL	IDN
<i>Permata 102</i>	LL	IDN
<i>Permata 2</i>	LL	IDN

ame Nombre	Gear Arte	Flag Paellón
<i>Permata 6</i>	LL	IDN
<i>Permata 8</i>	LL	IDN
<i>Dragon III</i>	LL	KHM
<i>Camelot</i>	LL	UNK
<i>Chen Chieh No. 61</i>	LL	UNK
<i>Chen Chieh No. 62</i>	LL	UNK
<i>Chi Hao No. 66</i>	LL	UNK
<i>Dragon 18</i>	LL	UNK
<i>Jyi Lih 88</i>	LL	UNK
<i>Mary Lynn</i>	PS	UNK
<i>Ming Yu Sheng 8</i>	LL	UNK
<i>Orca</i>	LL	UNK
<i>Permata 138</i>	LL	UNK
<i>Reymar 6</i>	LL	UNK
<i>Ta Fu 1</i>	LL	UNK
<i>Wen Teng No. 688</i>	LL	UNK

PS	Purse seine—Red de cerco
LL	Longline—Palangre
COL	Colombia
GEO	Georgia
IDN	Indonesia
KHM	Cambodia--Camboya
UNK	Unknown—Desconocido

Appendix 4.a.

INTER-AMERICAN TROPICAL TUNA COMMISSION
PERMANENT WORKING GROUP ON COMPLIANCE

7TH MEETING

BUSAN (KOREA)
22 JUNE 2006

CHAIR'S REPORT

AGENDA

	Documents
1. Opening of the meeting	
2. Adoption of the agenda	
3. Review of relevant Commission Resolutions	
4. Compliance with IATTC measures in 2005:	COM-7-04
a) Resolution on bycatch (C-04-05):	
i. release of live bycatch	
ii. full retention	
b) Resolution on fish-aggregating devices (C-99-07)	
c) Resolution on the conservation of tuna (C-04-09):	
i. Purse-seine closures	
ii. Limitation on longline catch	
d) Resolution on at-sea reporting (C-03-04)	
e) Resolution on fleet capacity (C-02-03)	
f) Resolution on data provision (C-03-05)	
g) National reports	
5. Definition of fishing	COM-7-05
6. Recommendations to the Commission	
7. Other business	
8. Adjournment	

The meeting was called to order by the chairman, David Hogan of the United States.

The provisional agenda was adopted as presented with one addition regarding an information item on transshipment proposed by Spain.

The staff presented its report on compliance in 2005 (Document COM-7-04), beginning with the review of relevant Commission Resolutions under agenda item 3 and continuing with the review of possible violations under agenda item 4.

Regarding sea turtles, it was noted that in 2004 there were 1,350 sets involving 1,965 sea turtles, compared to 1,078 sets involving 1,299 turtles in 2004. Of the 1,965 turtles involved in 2005, 87% were released unharmed and 7% escaped, so 94% of the turtles involved suffered no adverse effects from the

fishery, and only 7 turtle mortalities were recorded by observers. In 2005 a total of 13 violations were identified and reported to governments.

Regarding sharks, observers reported 2770 sets that involved 26,123 sharks. Of these, 1,060 were released alive.

Regarding the requirement for purse-seine vessels to retain on board all tuna caught, the staff reported that observers reported 14,849 sets with discards during 2001-2005, and that only 7% of the sets with discards have been properly documented by the captains since the resolution was implemented. Of the 14,849 sets, only 2,175 were recorded on the required Tuna Discard Record. Further, in 52% of those 2,175 sets, the captain recorded discards that are prohibited by the resolution.

Regarding at sea-reporting, the staff reported that the reporting rate of 89% in 2005 was an improvement from the 73% rate from 2004. The range of reporting rates varied from 68% to 100%.

Regarding compliance with the purse-seine closures, there were no reported violations.

Regarding the bigeye catch limits, none of the reported catches, except for the United States, exceeded the established limits.

Regarding the resolution on northern albacore tuna, the staff reported that four Parties and one cooperating fishing entity have submitted the reports called for in the resolution, and that one report from Japan was outstanding.

Regarding the resolution on fleet capacity, the staff reported that the Colombian vessel *Martha Lucía R* continued to fish in the EPO in 2005 without being on the Regional Vessel Register. The staff also reported that two other vessels, the *Atlantis IV* and the *Athena F*, fished in the EPO in 2006 while not on the Regional Vessel Register, and that one vessel, the *Daniela F*, has a well/hold capacity that is not reflected in its capacity recorded in the Regional Vessel Register.

The staff also presented information on compliance with the resolution on data provision, noting that although the provision is seeing good compliance from the purse-seine fleet, there is room for improvement for the catches of longline vessels.

The discussion of the compliance report first touched on the lack of any information on the provisions of the IUU resolution, and although the Secretariat explained that it had not received any information on non-compliance, some could come forward in national reports. Several delegations highlighted the significance of compliance with these provisions, and that national reporting not only include information on compliance matters and responses to reports of illegal fishing, but also on what steps each CPC was taking to implement the various IATTC measures.

Compliance with the sea turtle measures was discussed, and Mexico noted that entanglement of sea turtles in FAD webbing remained a problem. The Chairman suggested that the topic of release of turtles from webbing could be raised during the Bycatch Working Group.

The discussion of the section on sharks included questions about information on the circumstances of retention of sharks. The Secretariat staff noted that most sharks came on board vessels already dead. It was noted that this provision was not legally binding but advisory, citing the phrase "if practicable."

Discussion of the full-retention requirements centered first on the new presentation of retention compliance by flag states, and many CPCs stated that the staff presentation was the first time that they had received this compliance information, and that it was surprising. Some Parties requested additional information on these cases.

Next, the discussion touched on the effectiveness of the full retention measure, and whether it should be renewed. The United States stated it was not effective, as compliance with the measure was poor and that it should not be renewed. Other delegations expressed the view that the measure could have some value both for the conservation of bigeye and also for scientific purposes, noting the value of data from sam-

pling of fish that are retained. Other delegates note that this information was available for scientific purposes regardless of the compliance rule. The discussion included contemplation of the extension of the measure with no exemptions, but in the end there was no consensus to recommend extension. Japan indicated that it would propose extension of the measure to the Commission.

The Working Group agreed that the cases of the *Atlantis IV* and the *Athena F* would be reviewed at the Commission.

El Salvador clarified the status of the resolution on trade measures.

The working group next examined the document regarding a definition of fishing, exploring the benefits of adopting the definition from the Antigua Convention. The adoption of the definition received considerable support. The EU stated that it would prefer bringing a more comprehensive set of concepts from the Antigua Convention into the Commission, and that if possible the Antigua Convention should be applied provisionally by all Parties.

The EU presented a proposed resolution on transshipment that it explained would be presented to the Commission. Japan indicated that it would also bring forward a transshipment proposal to the Commission.

Recommendations:

No recommendation was agreed by the Working Group on extension of the full retention measure

The Commission should examine the compliance cases of the *Atlantis IV* and the *Athena F* in the context of other resolutions.

The Working Group will meet in conjunction with the annual meeting of the IATTC in 2007.

JOINT WORKING GROUP ON FISHING BY NON-PARTIES

5TH MEETING

BUSAN (KOREA)
23 JUNE 2006

CHAIR'S REPORT

Dr. Allen opened the meeting and advised that Roberto Cesari, the chair of the Working Group, was not available to chair the meeting. The Working Group then elected Ms. Elisa Barahona of Spain to chair the meeting.

1. Compliance by non-parties

Dr. Allen presented Document JWG-5-04 on compliance by non-parties. Bolivia, Colombia and the United States made comments on the presentation. It was agreed to ask the Secretariat to send letters to all the governments that had not submitted the information on catches by their fleets.

2. Consideration of size limit for IUU vessels

Japan suggested that the size limit of 24 meters for vessels to be eligible for inclusion on the IATTC IUU list was too high, and proposed that the criterion should be that all those vessels capable of fishing in waters outside the jurisdiction of their flag states were eligible for inclusion in the IUU List. After discussing the matter, the Working Group decided to present to the Commission an amendment to Resolution C-05-07 which combined a length limit, to be decided by the Commission, with the criterion that all vessels with a history of fishing in waters outside the jurisdiction of their flag states be eligible for inclusion in the IUU List.

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

The meeting reviewed the Provisional IATTC Vessel List, prepared by the IATTC staff, which consisted of the current IATTC IUU List and a series of comments regarding these and other vessels which had been sent to the staff by various governments.

After considerable discussion, a revised list of vessels was prepared, and the Working Group agreed that this list would be transmitted to the Commission for its consideration. Among the comments provided by the IATTC staff which were considered by the meeting, the cases of the vessel *Atlantis IV*, Nicaragua flag, and *Athena F*, Venezuela flag, stimulated considerable discussion. These two vessels have been fishing in the eastern Pacific Ocean but are not on the IATTC Regional Vessel Register.

Some delegations expressed their view that the flag governments of these two vessels had not received sufficient notification that the vessels might be considered IUU, and Venezuela stated its view that all appropriate steps had been taken regarding the placement of the *Athena F* onto the IATTC Regional Vessel Register.

Also, Venezuela, Nicaragua and Panama stated that the procedure for including the vessels *Atlantis IV* and *Athena F* in the IUU List violates due process and the right to defence, also the deadlines established for this purpose in paragraph 3 of Resolution C-05-07 had not been complied with, so they were opposed to their inclusion in the IUU List.

Several delegations made it clear that the proper procedures had been followed for these two vessels in

terms of following the requirements of Resolution C-05-07, and expressed their view that it was simply unacceptable for a purse-seine vessel to fish in the Convention Area if it was not on the Register. In the end, it was decided that the issue of whether these two vessels, plus four troll vessels currently of unknown flag, should be placed on the IUU list would be further addressed by the Commission plenary.

Another matter which the Working Group decided should be addressed by the Commission was whether the Belize flag vessels should remain on the IUU list.

Spain introduced a modification of Resolution C-05-07 in order to improve and clarify the procedures associated with establishing the IATTC List of IUU vessels. Various delegations acknowledged the need to clarify the procedures contained in that resolution, and supported the proposal, but had comments on the text. It was agreed that the comments would be provided to the delegation of Spain in order to have a more consolidated proposal before discussing it in an informal working group, and presenting the result to the plenary.

4. Cooperating non-parties or fishing entities for 2007

Dr. Allen presented Document JWG-5-05, noting that applications requesting Cooperating Status in IATTC for this year have been sent by seven governments: Belize, Canada, China, Chinese Taipei, Cook Islands, the European Union, and Honduras. The working group considered each application individually, and after doing so, recommended that Canada, China, Chinese Taipei, and the European Union should be granted Cooperating Status. There was not a consensus in the Working Group regarding Belize, Cook Islands, or Honduras; it was decided instead that these cases should be considered by the Commission plenary. Further, the staff was asked to provide additional information regarding the applications and fishing activities of Belize, Canada, the Cook Islands and Honduras prior to the consideration of this matter at the Commission meeting.

5. Procedural matters

The Working Group agreed that, in deciding upon the IUU list each year, the Commission should consider its existing list and add and/or delete vessels to it, rather than building a completely new list each year.

With respect to another procedural issue, the Working Group agreed to a suggestion by Chinese Taipei that it should not be necessary for a government with Cooperating Status to make a new application each year in order to have its status for the next year considered by the Commission. It was agreed that Resolution C-04-02 should be modified to make this procedure clear, and Costa Rica offered to draft a proposal on this matter for presentation to the Commission.

INTER-AMERICAN TROPICAL TUNA COMMISSION

WORKING GROUP ON BYCATCH

5TH MEETING

BUSAN (KOREA)

24 JUNE 2006

CHAIR'S REPORT

The fifth meeting of the IATTC Working Group on Bycatch was held in Pusan (Korea) on 24 June 2006.

Dr. Allen opened the meeting, and Ing. Luis Torres of Ecuador was elected chair of the meeting.

The provisional agenda was adopted with the inclusion under other business of a request by Venezuela to address the issue of catches of juvenile tunas. Next, the minutes of the 4th meeting of the IATTC Working Group on Bycatch, held in Kobe, Japan, on 14-16 January 2004.

1. SEA TURTLES

Spain made a presentation on a pilot study evaluating circle hooks and baits carried out in the Indian Ocean by two Spanish longline vessels during one year, with a rate of 0.047 turtles caught per 1,000 hooks, y 0.046 turtles per set. He stated that 1,162 tons of fish were caught, of which 1,076 were sold, the rest consisting of 15 mt discarded due to predation, 30 mt of bycatch, y 40 mt of discards. Only 25 sea turtles were taken during the study, 19 of which were entangled in the gear and the rest were hooked, mainly on J hooks, so not enough information was obtained to assess the effectiveness of circle hooks for reducing mortality.

Japan reported on its mitigation measures (Document BWG-5-INF B), including modification of gear and bait, fishing practice modification, and handling and rescue of sea turtles. Japan is taking a holistic approach to sea turtle conservation, including conservation of breeding habitat and education of fishers in Japan and coastal countries.

Dr. Allen introduced Document BWG-5-04, describing the cooperative sea turtle mitigation program for coastal longline fleets. This program is supported by the Turtle Voluntary Fund established by the Commission, with contributions from the Japan Overseas Fisheries Cooperative Foundation, the United States National Marine Fisheries Service, the U.S. Western and Central Pacific Fisheries Management Council, the World Wildlife Fund and the Ocean Conservancy. The preliminary results show that the use of circle hooks is effective in reducing turtle mortality in coastal longline fisheries.

Mexico proposed that the staff present the information on the IATTC mitigation program at the next meeting of the Inter-American Convention on the Conservation on Sea Turtles, and noted that Mexico carries out experiments in various fisheries, including that for swordfish.

The Working Group recalled the information on the status and distribution of sea turtles presented at the 4th meeting of the Working Group in Kobe in January 2004. The importance of improving information from distant-water longline fisheries was noted. Estimates of longline mortality provided by Japan at the 4th meeting were based on fishermen's reports and involved some extrapolation. One observer report from a Chinese longline vessel was noted. Given the difficulty of using observers on distant-water longline trips, Japan is developing an automated observer system. Spain noted that the mortality of sea turtles in its swordfish fishery in the southeast Pacific was low, and said it would provide data shortly. Korea said it had carried out a pilot program using circle hooks on longline vessels fishing in the eastern Pacific this year and would carry out another, and provide the Commission with a report on the results

next year.

The US said it would provide a draft resolution containing specific measures on bycatch mitigation. Spain noted that IOTC had recently developed a package of measures to protect seabirds, and that it might be possible to draw on that experience.

2. SEABIRDS

The US presented Document BWG-5-INF A, which summarized the interactions of its longline fisheries with seabirds. Research on mitigation techniques has led to mandatory mitigation measures, and others are the subject of research projects.

Japan presented a report on seabirds (Document BWG-5-INF B, which focused on mitigation measures.

Dr. Allen presented Document BWG-5-05.a.i, which provided an assessment of the impact on seabirds of fisheries under the purview of the IATTC, and identified geographic areas where there could be interactions between longline fisheries and seabirds.

Spain noted there was a continuous observer program in its swordfish fishery in the southeast Pacific, and that the fishery had a relatively low seabird bycatch rate. He undertook to provide mortality data.

3. OTHER BUSINESS

Venezuela raised the issue of discards of tuna from purse-seine vessels that fished on FADs. It is important that the fleet that fishes for tunas associated with FADs seek methods for releasing juvenile tunas and non-target species, such as sorting grids and other mechanisms. Its proposal that this should be considered by the Commission was supported by other delegations. The US advised the Working Group that it had conducted a workshop with IATTC staff on research projects to reduce bycatches, and that a second workshop, at which scientists from CPCs would be welcome, would be held in August 2006. Spain mentioned research from the Indian Ocean, including a FAD designed to eliminate entanglement of turtles and the use of sonar and echosounders to identify the species and size composition of fish schools before setting purse-seine nets.

Ecuador raised the possibility of the opportunity being provided to a purse-seine vessel to carry out trials with a sorting grid during the closure this year. The Working Group agreed that this would be a useful approach.

The Working Group agreed to hold a meeting early next year to focus on the problem of discards of tunas.

4. RECOMMENDATIONS TO THE COMMISSION

The Working Group recommends that:

1. The IATTC staff present a report on the coastal longline mitigation program at the next meeting of the Inter-American Convention on the Conservation on Sea Turtles.
2. A purse-seine vessel be allowed to carry out research trials during the period of the purse-seine closure of a sorting grid designed to allow small tunas to escape from a purse-seine net.
3. A meeting of the Working Group be held in early 2007 to consider the results of the workshop planned for August 2006, sorting grid research, and other developments.

Appendix 4.d.

INTER-AMERICAN TROPICAL TUNA COMMISSION

WORKING GROUP ON FINANCE

7TH MEETING

BUSAN (KOREA)

27 JUNE 2006

CHAIR'S REPORT

It was agreed to add to the agenda of the meeting the point included as item 12 of the agenda for the 74th Meeting of the IATTC, *Amendment of IATTC fiscal year* (Document IATTC-74-12).

Dr. Allen reviewed the results of the fifth and sixth meetings of the Finance Working Group, as well as Document IATTC-74-12.

The meeting agreed to change the IATTC fiscal year to begin on January 1 of each year, as described in Document IATTC-74-12. The meeting also agreed to pursue option (b), as elaborated in that document, which calls for a three-month contribution for the period 1 October-31 December 2007, followed by a regular annual payment for 2008.

With regard to the timing, the meeting agreed to recommend that the Commission consider the adoption of the new fiscal year to begin on January 1, 2008, if this was practical in terms of the internal budgetary processes of the member governments.

The meeting discussed the formula to be used to determine member country contributions. Several delegations urged approval of the provisional formula forwarded by the fifth meeting of the Working Group to the Commission but that was not approved by the Commission at that time. The delegation of Spain expressed its disagreement with this calculation formula, particularly with the use of weighting factors for the contributions based on per capita National Income which do not correspond to those that are really applicable. Also, Spain expressed its disagreement with the criterion of "utilization", and asked that it be deleted. This delegation expressed its opinion that this calculation system gives rise to an unbalanced and untransparent situation, and that under these conditions it had difficulties in approving its contribution.

Spain introduced a proposal to the meeting which elaborated a contribution formula without the category of utilization, as well as a proposal with the category of utilization accounting for 5% of the total budget. These proposals received little support from other delegations.

France expressed concern that catches of French Polynesia in the area of overlap between the IATTC and the WCPFC were the basis for payments to both Commissions, and stated its view that this was not fair. The second proposal of Spain took this concern into account, by adding a footnote stating that one half of French catches in this overlap area should be the basis for France's contribution to each Commission.

The United States presented a proposal for the member country contributions to the FY 2007 budget of the Commission that the United States will present to the Commission. The merits of that proposal were not discussed.

The Working Group agreed that the factor for countries related to the national income category in the formula should be automatically updated in future calculations based on the status of each country according to the most recent information available.

It was recognized that the next meeting of the Working Group would be determined by the Commission.

Appendix 4.e.

DOCUMENT IATTC-74-INF A

ESTIMACIÓN DEL NÚMERO DE PATUDOS CAPTURADOS POR LAS PESQUERÍAS DE CERCO Y DE PALANGRE EN EL OPO

ESTIMATION OF NUMBERS OF BIGEYE CAUGHT BY THE PURSE-SEINE AND LONGLINE FISHERIES IN THE EPO

	Captura – Catch			
	Cercos – Purse seine		Palangre - Longline	
	(t)	Peces - Fish ¹	(t)	Peces - Fish ²
2000	94,115	4,606	47,506	847
2001	61,404	5,527	68,698	1,388
2002	57,457	8,389	74,396	1,570
2003	54,137	8,595	60,272	1,503
2004	67,179	9,867	40,614	1,191
2005	70,294	11,979	32,082	*

¹ Miles – Thousands

² Miles; calculado utilizando el promedio de talla de la captura de acuerdo a la Tabla A-12 del Documento IATTC-74-04 – Thousands; calculated using the average size of the catch as provided in Table A-12 of Document IATTC-74-04

Appendix 5.a.

PROPOSAL F1

SUBMITTED BY THE UNITED STATES AND JAPAN

**RESOLUTION TO MITIGATE THE IMPACT OF TUNA FISHING VESSELS
ON SEA TURTLES**

The Inter-American Tropical Tuna Commission (IATTC):

Considering the adverse effects of tuna fishing on the populations of sea turtles in the eastern Pacific Ocean (EPO) through capture and mortality;

Recalling the *Resolutions on Bycatch* adopted at the 66th, 68th, 69th, 72nd, and 73rd Meetings of the Commission in June 2000, 2001, 2002, 2004, and 2005 respectively;

Recalling the *Resolution on a Three-Year Program to Mitigate the Impact of Tuna Fishing on Sea Turtles* adopted at the 72nd Meeting of the Commission in 2004;

Recognizing that the Minutes of the 4th Meeting of the Working Group on Bycatch include longline fisheries data that identify the incidental capture of thousands of sea turtles and their subsequent high mortality in the EPO;

Recognizing that the Twenty-sixth Session of the Committee on Fisheries United Nations Food and Agriculture Organization (FAO), held in March 2005, adopted *Guidelines to reduce sea turtle mortality in fishing operations*, and recommended their implementation by regional fisheries bodies and management organizations;

Noting that recent international scientific studies on circle hooks show a statistically significant decrease in sea turtle bycatch when such hooks are used in shallow set pelagic longline fishing, but that studies and trials continue in different geographic areas;

Further noting that scientific studies indicate that the hooking location can lead to a decrease in the post-release mortality of incidentally caught sea turtles; and

Agreeing that additional measures should be undertaken to reduce sea turtle bycatch and mortality in tuna fisheries;

Has agreed as follows:

ACTIONS BY GOVERNMENTS

Contracting Parties, cooperating non-Parties, fishing entities and regional economic integration organizations (collectively “CPCs”) shall:

1. Implement the FAO Guidelines to reduce the bycatch, injury, and mortality of sea turtles in fishing operations and to ensure the safe handling of all captured sea turtles, in order to improve their survival.
2. Beginning in 2007, report annually to the IATTC on the progress of implementation of the FAO Guidelines, including collection of information on interactions with sea turtles in fisheries managed under the Convention.
3. Using the best scientific information available, enhance the implementation of their respective sea turtle bycatch, injury, and mortality reduction measures that are already in place, and collaborate with other CPCs in the exchange of information in this area.

4. Implement observer programs for fisheries that may have impacts on sea turtles and are not currently being observed, to the extent practicable.
5. Require fishermen on vessels targeting species covered by the Convention to bring aboard, if practicable, any comatose or inactive sea turtle as soon as possible and foster recovery, including resuscitation, before returning it to the water.
6. CPCs with purse-seine vessels fishing for target species covered by the Convention in the EPO shall:
 - a. Avoid encirclement of sea turtles to the extent practicable.
 - b. Take actions necessary to monitor Fish-Aggregating Devices (FADs) for the entanglement of sea turtles, and provide the monitoring results to the Commission as part of the requirement of paragraph 2.
 - c. Require fishermen to release safely all sea turtles observed entangled in FADs.
 - d. Conduct research and development of modified FAD designs to reduce sea turtle entanglement. Take measures to encourage the use of designs found to be successful at such reduction.
7. CPCs with longline vessels fishing for target species covered by the Convention in the EPO shall:
 - a. Require, by 1 January 2007, or as soon as possible thereafter, the use of circle hooks with no greater than 10 degrees offset in longline fishing operations.
 - b. Require fishermen to carry and, when sea turtle interactions occur, employ the necessary equipment (e.g. de-hookers, line cutters, and scoop nets) for the prompt release of incidentally-caught sea turtles.
 - c. Continue to improve techniques to further reduce sea turtle bycatch.

ACTIONS BY IATTC STAFF

8. The Commission staff shall review information submitted as part of paragraph 2 of this Resolution, results of research and fishing trials provided by CPCs (including the development of modified FADs), and any new information available regarding proven techniques to reduce sea turtle bycatch, injury and mortality in fisheries targeting tuna and tuna-like species. Results of this review shall be made available to all CPCs and shall be presented at the next meeting of the IATTC Bycatch Working Group, with the view toward strengthening these resolutions as necessary.

Appendix 5.b.

PROP G6

**PRESENTED BY MEXICO, PANAMA, VENEZUELA AND GUATEMALA
PROPOSED PROCEDURE FOR SEALING AND VERIFYING WELLS AS
A MECHANISM FOR MAINTAINING AND COMPLYING WITH THE
RESOLUTION ON FLEET CAPACITY C-02-03**

In order to apply the provisions of paragraph 6 of Resolution C-02-03 to the effect that the well volume of each purse-seine vessel, once confirmed by the relevant participant and verified by an independent survey supervised by the Director, shall be reflected in the Regional Register.

In accordance with that resolution, whose paragraph 7 indicates that vessels removed from the Register may be replaced and provided that the total capacity of any replacement vessel or vessels does not exceed that of the vessel or vessels replaced, a procedure is described from which the sealing of wells could be considered to be in accordance with the requirements of a possible substitution.

The general measure that shall be taken for the procedure of sealing wells to be considered acceptable are:

1. That the wells be physically sealed or closed by means of secure installations, removal of the refrigeration systems from those wells, as well as establishing their eventual use or purpose, and that these modifications be certified by the competent national authority.
2. That the sealing of such wells be subject to a measuring procedure and official certification of the capacity of the vessel after the wells are sealed.
3. That the modified vessel required to do so because of its size, continue to carry an observer on board in order to guarantee and confirm at all times that the sealed wells are not used to store fish.
4. That as a result of this procedure the vessel not be eligible for a nominal change in the Register, and maintains its class. In the case of Class-6 vessels that are modified by sealing wells, in all cases they will continue to be obliged to carry an observer aboard and shall comply with their financial commitments pursuant to the AIDCP.

Notwithstanding the above, if necessary this procedure shall be reviewed by a specialized technical working group which shall meet to review the cases recorded, as well as to adopt or incorporate additional measures in accordance with future needs.

Appendix 6.a.

STATEMENT BY GUATEMALA

Guatemala must declare before this forum of the IATTC, once again, its rejection and disagreement due to the deplorable situation of being temporarily deprived, by main force, of the carrying capacity that belongs to it to make progress in the development of its own tuna fleet and industry. Neither does it accept, as it has never accepted nor will never accept, that a voluntary surrender of its carrying capacity to other States occurred, since the General Fisheries and Aquaculture Law, its Regulations and the administrative contract expressly and strictly forbid it. Therefore, it reaffirms its indeclinable right to replace such capacity, including with vessels from outside the Register if the case arose, as well as to resort to all the means provides in Domestic Law and in International Law for the resolution of disputes.

It is pleased that today there are mechanisms to prevent attempted dispossession of the States, by means of the double consultation by the Director with the States concerned in cases of change of flag, as well as the receipt and implementation of clear and exact instructions by the States regarding the management of their capacity. It regrets, however, that such mechanisms did not exist when the attempt was made to dispossess Guatemala of its capacity.

It must recall, with frustration, that at the last meeting of the IATTC, a proposal for an *ad hoc* resolution from Guatemala could not be appropriately considered, since the mechanism of decision-taking by consensus that rules in this forum was not followed. On that occasion, comments made by some delegations in a general context and in a subsidiary body of the Commission were taken as read, without any opposition being heard to the concrete Guatemalan proposal presented as a stand-alone Resolution to the Parties. The denied result of Guatemala's initiative does not match the silence which, on the the contrary, denoted the absence of opposition to the proposal.

Within these ideas, it is important to emphasize the public nature of the statements that the official delegates make in the name of the nations that they represent. These statements are the expression of the will of the High Contracting Parties of the IATTC, given in an forum which is open even to the presence of observers and of the press, thus can never be subject to reservation, since they are not covered by the Rules of Confidentiality in force. The transcriptions of the plenary meetings that the States may see fit to request for the purposes that concern them should be supplied by the Director and his staff in complete and unabridged form, at the request of a Party, without edition or mutilation.

Guatemala comes prepared to exercise its rights, using in a valid manner negotiation in the framework of an international organization such as that which meets today, together with other efforts at a bilateral level with friendly nations, all in the framework of cooperation between States.

In view of the presence of the other matters of great importance that are contemplated in the revised provisional agenda, it is necessary that the Parties cooperate in a constructive manner to reach the necessary consensuses. Our countries need to be rise to the occasion.

Appendix 6.b.

STATEMENT BY COSTA RICA, EL SALVADOR, GUATEMALA, MEXICO, NICARAGUA, PANAMA, AND VENEZUELA

The Delegations that sign this Declaration declare their wish to reaffirm a point of great interest and priority for this Commission and consequently for our respective countries.

The tuna fishery represents for our respective countries an opportunity for great development and for food security. For that reason and through the IATTC we have taken the responsibility of managing the fishery in a responsible and recognizedly successful manner. We have adopted measures that have not been

without serious economic sacrifices and which, it must be said, are pioneers in relation to other similar commissions.

Therefore we are convinced that it is imperative to ensure a more effective management of the IATTC, and it is for that reason that when the 73rd meeting of the Commission concluded in 2005, it was agreed to establish for the first time and in harmony with the practice of other commissions, a Chairmanship for a term of two years with the possibility of reelection for an additional period of two annual terms.

Also and consistent with the Agreement, our countries gave themselves the task of identifying alternative candidatures that would make possible a balanced and productive representation of the Commission that would be adopted with these criteria and not on the basis of a specific nationality.

Therefore and given the clear absence of other candidatures or expressions of interest, prior to the meeting held in Busan, Central America agreed to propose the nomination of Mario Aguilar who in the opinion of the proposers possesses the characteristics necessary for the above-mentioned responsibility. This proposal which was supported by various countries, having earned the consensus of the great majority of the members of the Commission, will allow for a better coordination of the member countries and especially the Latin American ones.

We are convinced that the member countries of the Inter-American Commission are capable of taking decisions and to do so in an appropriate manner. For more than 50 years we have been able to do it by consensus in matters of particular difficulty and with success. It is for that reason that as responsible parties we must participate in consensus-building and all of us present must dedicate ourselves to that.

In view of the above we invite all the delegations including those that have not done so to join the consensus that has been built by the other member delegations of the IATTC, as well as to respect the commitments that our countries assumed at the last meeting of the IATTC where we recognized the need to have a two-year chairman and that it would begin from the present meeting.

In view of the above we reiterate our firm decision to propose Mario Aguilar, for this Chairmanship and invite the delegations that still do not do so, among them, in particular Spain, to maintain the spirit of collaboration that must prevail in this Commission and to join this proposal.

Signed by the delegations of:

MEXICO, EL SALVADOR, VENEZUELA, COSTA RICA, GUATEMALA, NICARAGUA, PANAMA

Appendix 6.c.

JAPANESE STATEMENT ON TUNA CONSERVATION RESOLUTION

Agenda Item 6. Conservation of tunas

Japan has a grave concern over the way this meeting is going on. People just focused on increasing vehicles and tools to catch more fish and spent substantial amount of time for fleet capacity discussion. On the other hand, very little time was used for the discussion on the conservation and management of tuna stocks, especially bigeye tuna, which is in a very serious stock condition and further decline of stock is forecasted and warned by the Stock Assessment Working Group. Japan received an impression that many CPCs seem to have a desire to further increase their fleet capacity.

Japan has 35 purse-seiners in the Pacific and as I stated and recorded in the Capacity Working Group in February 2004, some of them have been authorised to fish in the EPO much before the establishment of the Regional Vessel Register. The reason why the Japanese purse-seiners are not in the Regional Vessel Register although they are authorised to fish in the EPO is that EPO is the vitally important fishing grounds for our bigeye longline fishery and as a result of domestic coordination and adjustment on use of fishing grounds, longliners use EPO and purse-seiners use WCPO, and we have been maintaining this

regime for tens of years.

But now, purse-seiners in this area are limitlessly increasing their capacity and catch substantial amounts of small bigeye tuna (for your information, Document IATTC-74-INF A shows that purse-seiners catch about ten times more bigeye than longliners in terms of number of fish). This substantial catch of juvenile bigeye by purse-seiners drives longline fisheries to the point of collapse.

Under this circumstance, it is meaningless to maintain the Japanese domestic regulation to separate fishing grounds between purse-seiners and longliners in the Pacific Ocean. Japanese purse-seiners have no reason for refraining from fishing in the EPO and may start fishery in the EPO as a substitute of our longliners.

Japan will exercise its right to first put its purse-seiners in the Regional Vessel Register as inactive and then operate purse-seine fishery in the EPO in the future if the same situation continues.

Japan does hope and sincerely requests purse-seine States and purse-seine fishermen to find alternative ways to reduce bigeye catches and come to the next meeting with concrete proposal.

Appendix 6.d.

INTERVENTION BY BELIZE

We would like to recall that:

- We have stated that no Belize registered vessel should be on any IATTC IUU List for the reasons given in our extensive correspondence on this topic which has been circulated to you all. As the Director had informed the Commissioners by Circular Letter 0611-410 dated 2nd August 2005 “none of the nine reasons contained in paragraph 1 of the Resolution C-05-07 for which vessels may be included in an IUU List apply to Belize at this time, including issues associated with catch reporting and adherence to management measures.”
- We have applied for Co-operating non-Contracting Party Status and you had been informed by Document JWG-05-05 and the statements of the Director during the meeting of the Joint Working Group on Fishing by Non Parties that the requirements of Resolution C-04-02 had been met by Belize.
- We have applied for Contracting Party Status of IATTC and our government has issued diplomatic notes to all the High Contracting parties requesting their consent in accordance with the provisions of paragraph 3 of Article V of the IATTC Convention.

Now, in consideration for the Commission’s agreement at this meeting to:

- Remove all Belize registered vessels from the IATTC IUU List and to place those vessels which are currently fishing in the IATTC Convention area on the Regional Vessel Register.
- Grant Belize Co-operating non-Contracting Party Status.
- In addition, Belize would like to request each High Contracting Party to consent to its application for contracting party status as soon as possible. As we have already stated, we have received the support of the USA, Mexico, Peru, Korea, Costa Rica, and Panama for which we wish to express our sincere gratitude. However, we are awaiting the responses of the remaining High Contracting Parties. This is vital importance to Belize.

We will:

1. Not register any additional fishing vessels beyond our level in 2005 with the exception of any transfers of fishing vessels which are already authorized to fish in the IATTC Convention area, provided

that the total fishing capacity will not be allowed to increase by such transfer. This restriction will be adjusted annually in line with any relevant resolution which may be adopted by the Commission and applicable to all Contracting Parties.

2. Not register any purse seiners to fish in the IATTC Convention area.
3. Continue our current fishing practices, that is, a non-sashimi non-ultra low temperature longline fishery.
4. Check the length of our registered fishing vessels and if any serious discrepancy is found the respective fishing vessel will be sanctioned appropriately.

We look forward to your Commission's cooperation and approval of the above. At the same time we wish to restate Belize's commitment to the objectives of your organization and to making a useful contribution to the furtherance thereof.

Appendix 6.e.

STATEMENT BY THE DELEGATION OF COSTA RICA

With reference to the list of vessels currently on the IUU Vessel List published by the Inter-American Tropical Tuna Commission, with Belize flag, this Commission is aware that there are vessels on the mentioned List that belong to Costa Rican owners who, due to legal limitations, maintain a foreign flag, however, Costa Rica applies effective control actions in the processes of unloading products in accordance with domestic and international legislation.

Costa Rica has considered as a substantive element that the Secretariat has not indicated in its recent reports regarding those vessels or the Flag State, non-compliance that would justify the continued presence of the indicated vessels on the IUU List and in that sense, Costa Rica supports the removal of the Belize-flag vessels from the IUU list and as regards the management of Costa Rican owners of vessels with Belizean flag, Costa Rica will:

1. Continue to work to obtain the registration under its flag of all foreign-flag tuna longline vessels of length less than 24 meters.
2. Work with the flag state of tuna longline vessels of more than 24 meters, to establish a system for monitoring and control of those vessels, based on the operative conditions of those vessels in Costa Rica.
3. Inform the Commission of the progress of the indicated tasks.

This statement may be included in its entirety in the minutes of the Session of the 74th Meeting of the Inter-American Tropical Tuna Commission.

Appendix 6.f.

STATEMENT BY BOLIVIA

Distinguished Mr. Chairman, distinguished Dr. Robin Allen Director of the IATTC, distinguished delegates of the various countries:

It is an honor for the Bolivian delegation, to address all the participants at this important meeting.

The reason for this statement, is to put inform you of the problem that the Bolivian State has regarding its carrying capacity, which is being made use of currently by five fishing vessels with current Colombian flag; but which from 2002 to the end of 2004, were under the flag of Bolivia.

I. BACKGROUND.

- A. The Bolivia State since 1964 is party to the United Nations Convention on the Law of the Sea and ratified its accession in 1994.

All the delegates are aware that this convention offers a new framework, for a better management and exploitation of living marine resources, furthermore this legal regime of the world's oceans and seas "Regulates" the enshrined rights and responsibilities of states coastal and non-coastal, as is the case of my country; also, the management and utilization of the countries' EEZs.

- B. Bolivia, in application of the United Nations convention regarding the register of merchant vessels, between 1999 and 2004, the Bolivian International Vessel Register (RIBB), registered more than 500 vessels, of which currently 220 vessels remain under Bolivian flag.
- C. Within this Bolivian Register, fishing vessels were also registered which currently number more than 43 vessels; which would be removed from the Bolivian registers in 60 days, if they do not comply with national regulations and international Conventions; since the flag state is responsible for all their activities.
- D. The State of Bolivia adhered to the AIDCP in August 2001 by means of a Biministerial Resolution, in this National Rule it is resolved to apply the Agreement on the International Dolphin Conservation Program in accordance with its Article XXI "Rights of States". Since that year the AIDCP Agreement enters into force and is applied to all fishing vessels that operate in the EPO; also, DMLs were granted to five Bolivian-flag fishing vessels in 2003 and they were the following: AMANDA S; GOLD COAST, SEA GEM, CABO DE HORNOS and NAZCA, these 5 vessels as proposed by the Maritime Authority of Bolivia to the IATTC Director were assigned a carrying capacity of 5103 MT or 5,830 m³ of tuna in the EPO.

II. SANCTIONS FOR FISHING VESSELS

- A. In accordance with the reports of the IATTC observers, the Maritime Authority of Bolivia found out about the constant infractions of the AIDCP agreement, the Code of Conduct for Responsible Fishing, UNCLOS and other regulations by the 5 above-mentioned vessels, which led to sanctions for the company that owns the fishing vessels.
- B. The Maritime Authority of Bolivia, in application of chapter XI of the Bolivian Maritime Fisheries Regulation "Infractions and Sanctions", sanctioned the fishing vessels: AMANDA S; GOLD COAST, SEA GEM, CABO DE HORNOS and NAZCA in 2004, for infractions committed in 2003 and 2004, respectively.
- C. The Maritime Authority of my country, as is applicable in such cases, informed the Management of the Company that owns the fishing vessels by signed notifications, in summary the company has to date not paid its sanctions and therefore owes money to the Bolivian State.
- D. It should be stressed that the Code of Conduct for Responsible Fishing in its Art. 7 "Fisheries management" recommends that States should ensure that laws and regulations provide for sanctions applicable in respect of violations which are adequate in severity to be effective, including sanctions which allow for the refusal, withdrawal or suspension of authorizations to fish in the event of non-compliance with conservation and management measures in force.

III. ACTIONS BY THE COMPANY THAT OWNS THE FISHING VESSELS (SEATECH INTERNATIONAL INC.)

- A. In order to not pay the sanctions to the Bolivian State, the company through its legal representative in La Paz Bolivia, dedicated itself to presenting legal and constitutional appeals against the Maritime Authority of Bolivia, the Director General of the RIBB and the Minister of National Defence; these actions were not successful and were declared improper, unfounded and rejected by the Superior

Court of Justice and the Tribunal of the highest level of justice of Bolivia, this company also used false certificates of termination of flag.

IV. DOCUMENTS SUBMITTED BY THE BOLIVIAN DELEGATION AT THE 15TH MEETING OF THE PARTIES TO THE AIDCP.

- A. On 21 June of this year, the Bolivian Delegation submitted to the chairman of the Meeting of the Parties to the AIDCP and to the Director of the IATTC the following documentation:
1. An original copy of the Administrative Resolution signed by the Maritime Authority of Bolivia No. 05/06.
 2. A certified copy of Constitutional Ruling No. 085812005-R issued on 27 July 2005, which revokes Resolution No. 051/2004-SSAIII, by which the fishing company obtained 5 certificates of termination of flag.

V. CONCLUSIONS

- A. On the basis of Resolution No 051/2004-SSAIII, issued on 17 December 2004 by the Tribunal of the Superior Court of the District of La Paz - Bolivia, and in an inexact interpretation of legal scope and effect, the Director of the Commission took actions, which favored the other state, which claimed jurisdiction over the fishing vessels mentioned in paragraph "D" of this document, a situation which has been the object of permanent protest by my government.
- B. When Constitutional Ruling No. 085812005-R was issued by the highest constitutional tribunal of Bolivia and which has revoked the above-mentioned Resolution; the basis and support that the "Termination of Flag", of the five vessels and subsequent registration in another state, disappeared.
- C. The carrying capacity of those vessels should be returned in the Regional Vessel Register to the State of Bolivia, since the previous Resolution was revoked, its effects were nullified and the re-registration of the vessels in the RIBB was ordered.
- D. My government hopes that the Commission will show the same observance of the Constitutional Ruling of appeal as it did in applying the Resolution issued by the Tribunal, and that its legal effects will be immediately applied and prevail, and request that this statement be included in the minutes.

Thank you for your attention Mr. Chairman.

Appendix 6.g.

STATEMENT BY PERU REGARDING CARRYING CAPACITY

The Government of Peru reiterates at this 74th Meeting of the Inter-American Tropical Tuna Commission (IATTC) its support for the work that the IATTC does, particularly regarding the issue linked to the regulation of the capacity of the fleet in the Eastern Pacific Ocean (EPO), which is an important axis in the policies for the conservation of the tuna resources and for regional fisheries development.

As in previous years, the Government of Peru for the reasons that it has presented at past meetings and which it wishes to reiterate at this meeting, reserves its right for a fleet of 14,046 cubic meters of carrying capacity, as was reflected in Resolution No. C-02-03 of June 2002, on the Capacity of the Tuna Fleet operating in the EPO y asks the Member States of the IATTC that they afford their support for the increase of the carrying capacity to 6,000 m³ for the short term, instead of the 3,195 m³ assigned in the above-mentioned resolution.

The Government of Peru formulates this petition, by reason of its rights as a coastal state and Member State of the Inter-American Tropical Tuna Commission and the Agreement on the International Dolphin Conservation Program, and bases it on the following elements:

- The fishing activity that Peru has developed with regard to the tuna resources throughout its history, both as regards catch volumes and processing capacity dates from the year 1939.
- Catch volume, according to historical records, indicate that between the 1940s and 1970s the maximum development of the tuna fishery in Peru was observed.
- The great availability of tuna resources in the waters of the Peruvian maritime domain in these recent years, as demonstrated by the catches of foreign-flag tuna vessels.
- The volume of processing in Peru, currently has processing capacity on land for canned and frozen tuna of the order of 40,000 metric tons annually of raw material.
- The Peruvian legislative framework which ensures compliance with the commitments adopted within the IATTC and the Agreement on the International Dolphin Conservation Program, like the Plan for Tuna Fisheries Management, establishes conservation measures for the resource, following the guidelines and criteria for responsible fishing adopted at the international level.
- The national fisheries policy that promotes the development of the tuna fishery as well as the canning and freezing industry for this species.

In view of all the above, the Government of Peru reiterates to the IATTC member countries that they support this request for the increase of carrying capacity to 6,000 m³ for the short term, maintaining its long-term request of 14,046 m³.

Appendix 6.h.

COMMUNIQUÉ BY COSTA RICA

PROCEDURE FOR UTILIZING FLEET CAPACITY NOT UTILIZED IN ACCORDANCE WITH PARAGRAPH 10.1 OF RESOLUTION C-02-03 ON THE CAPACITY OF THE TUNA FLEET

With the intention of facilitating communication between the PARTICIPANTS in the tuna fishery in the EPO and avoid confusion and potential conflicts, Costa Rica wishes to indicate:

The capacity quota in current inactive status, covered by paragraph 10.1 of Resolution C-02-03 may be granted by the country that owns that quota in temporary concession to vessel with the flag of another Participant.

Under the protection of the sovereign right of each Participant to decide the requirements of assigning and suspending the capacity quota of a vessel, as well as the conditions of utilization of the capacity quota given in temporary concession.

For the implementation of the indicated procedure, both Participants, *i.e.* the country that owns the capacity quota and the flag country of the vessel that will use that quota temporarily, are required to ratify through the Chancelleries of the two countries, the agreement for utilization of the capacity quota and notify the IATTC Director, simultaneously and officially through their Chancelleries, of the contents of the agreement signed to that end, in order to guarantee to the Commission the record on the state of operation of the capacity of the tuna fleet operating in the EPO, and that there be no doubt in the future that the capacity quota given in temporary concession, belongs to the country that granted that quota and that in the face of the term of the concession agreement for whatever reason, only the Participant currently recognized in Resolution C-02-03 as owner of the carrying capacity quota in accordance with the terms of paragraph 10.1 or its amendments, is the titular owner the rights to the indicated capacity quota.

The application of this procedure is voluntary for the countries that currently have an inactive quota under paragraph 10.1 of Resolution C-02-03.

Appendix 6.i.

VENEZUELAN RESERVATION ON THE BUDGET RESOLUTION

For Venezuela it is impossible to approve the payment set out in the calculation formula, since in view of the fact that the plenary did not approve the proposal by Venezuela, to ratify the legitimacy of its capacity quota of which the Secretariat of the IATTC irregularly attempts to deprive it without having complied with the appropriate procedures, now sees its fleet depleted, therefore it is irrational to accept that with less vessels in the Venezuelan fleet, an increase in the annual contribution should have to be paid.

Given the above, Venezuela reserves its rights as a nation party to the Commission, since it is unjustifiable for our government to pay more while having less, we will thus pay for the 2007 budget the same contribution as to that of 2006.

Appendix 6.j.

**STATEMENT BY SPAIN REGARDING THE RESOLUTION ON
FINANCING**

Since it joined the Commission, Spain has complied promptly with its financial obligations, and has striven to reach an agreement regarding the system for calculating the contributions to the budget of the organization. The Spanish delegation regrets that the finance working group held on the occasion of the 74th Annual Meeting of the IATTC could not reach agreement on an objective, transparent and fair system for calculating the contributions. In these circumstances, the Spanish delegation cannot approve the contribution that has been calculated for its country for 2007 and subsequent years.