

INTER-AMERICAN TROPICAL TUNA COMMISSION

MINUTES OF THE 64TH MEETING

La Jolla, California, USA
July 21-22, 1999

The 64th meeting of the Inter-American Tropical Tuna Commission (IATTC) was held in La Jolla, California, USA, on July 21-22, 1999.

1. Opening of the meeting

The meeting was called to order by Dr. Robin L. Allen, Director of the IATTC, on July 21 at 9:35 a.m.. He called for nominations for Chairman of the meeting. The representative of Costa Rica nominated the United States, and this was seconded by the representative of Mexico and passed by the membership. Mr. William Gibbons-Fly of the United States assumed the position of Chairman. He called upon the heads of the member and observer delegations to introduce themselves and the other members of their delegations. These, and the members of the IATTC staff who were present, are listed in Appendix 1 of these minutes.

It was pointed out that there was no representative of El Salvador at the meeting, and that this might cause problems because decisions require unanimous votes. Dr. Allen said that he had written to Commissioners about this. He said that in the past, when a nation was not represented at a meeting, officials of that nation were contacted after the meeting to obtain a vote. Until this year all the votes of the absentee nations were affirmative. However, two parties which were not present at the relevant point of the 63rd IATTC meeting had not approved the resolution on bigeye tuna and fish-aggregating devices (FADs) which the members present had debated and approved. It was agreed that this situation might cause more problems in the future, and that legal experts should examine the Convention and the Rules of Procedure to determine whether the past practice was correct.

It was pointed out that the representative of El Salvador had agreed with the bigeye and FAD resolution at the 63rd meeting of the IATTC, and it was likely that he would not oppose similar bigeye and FAD resolutions from the present meeting.

2. Adoption of the agenda

The Chairman called for comments on the draft agenda (Appendix 2). After some discussion, the agenda was adopted without change.

3. Resolution on bigeye tuna

A draft resolution on bigeye tuna was circulated, similar but not identical to the bigeye parts of the combined draft resolution on bigeye and FADs discussed at the 63rd meeting of the IATTC. Some suggestions for additional changes were discussed, and after a recess a new draft (Appendix 3), incorporating the changes which had met with general approval, was approved.

The next day Dr. Allen announced that he had obtained the approval of El Salvador of this resolution by telephone. He also pointed out that the resolution calls for the Director to notify the nations participating in the fishery when 30,000 metric tons of bigeye had been caught, and he said that that amount had been reached that week.

4. Resolution on fish-aggregating devices

A draft resolution on FADs was circulated, similar but not identical to the FADs parts of the combined draft resolution on bigeye and FADs discussed at the 63rd meeting of the IATTC. The Chairman called for comments, and a long discussion, mostly about transshipment and the use of tender vessels, ensued. The representative of Costa Rica was concerned about the language of the sentence on transshipment, which might be taken to mean that transfer of fish from fishing vessels to freezer vessels in ports would be prohibited. Most of the representatives of the member nations were opposed to the use of tender vessels, but those of Nicaragua and Panama had reservations about this. They prepared a joint proposal which stated that the use of tender vessels would be permitted, but not to deploy FADs. The tender vessels would have to carry observers and cooperate in various research programs. The representative of the United States asked how many tender vessels are currently in use and for other information on their use. The representative of the European Community said that one tender vessel was currently in use in the eastern Pacific Ocean (EPO). The representative of the United States said that the language of the draft resolution was perhaps vague, but noted that most nations were opposed to the use of tender vessels and asked that this be reflected in the minutes of the meeting. The representative of the European Community said that in its view the resolution from 1998 did not provide a clear basis for banning tender vessels, and that its preference was for clearer language in a resolution. A modified draft resolution was distributed; the Chairman called for comments, and another lengthy discussion ensued. Some delegates maintained that the use of tender vessels is obviously harmful, and others stated that there is no scientific evidence of this. France expressed its concern concerning the resolution on the banning of tender vessels, considering the lack of scientific basis, and expressed its general preference for measures of regulation based on scientific advice. It was finally agreed that tender vessels would be prohibited while research on the effects of their use was carried out. It was further agreed that the scientific working group referred to in the resolution would address the question of scientific evidence and make recommendations as to the type of research that might be conducted, who might conduct the research, and how it might be funded, and report to the Commission at its principal meeting in 2000. In this form the resolution (Appendix 4) was approved.

The next day Dr. Allen announced that he had obtained the approval of El Salvador on this resolution by telephone.

5. Other business

The Chairman asked if anyone had any suggestions for other topics for discussion. The representative of Mexico said that the question of voting should be considered. There was some discussion, and it was agreed that the procedures for voting could be changed only by changing the Rules of Procedure of the IATTC. Some of the delegates did not have instructions from their governments on this matter, so this would have to be taken up at a future IATTC meeting.

The representative of the United States announced that Spain had applied for admittance to the IATTC, and that it would be admitted if and when all the member governments had consented. The representative of Mexico asked if the fact that Spain is a member of the European Community would create a conflict, and the representatives of Spain and the European Community assured him that it would not.

The Chairman pointed out that the schedule of meetings currently planned for September and October might be insufficient for the work that needed to be done, and would also involve a great deal of travel for many delegates. After considerable discussion, due to other commitments of the attendees, it was agreed that the IRP would meet in Ensenada (Mexico) on October 1 and 2, and that the 65th Meeting of the IATTC and the meetings of the working groups on fleet capacity, the IATTC Convention, and finance would be held on October 4-11, with a exact timetable to be determined nearer to the date of the meetings.

6. Adjournment

The meeting was adjourned on July 22, 1999, at 6:45 p.m.

LIST OF APPENDICES

- 1 List of attendees
- 2 Agenda
- 3 Resolution on the conservation and management of bigeye tuna in the eastern Pacific Ocean
- 4 Resolution on fish-aggregating devices

Appendix 1.

ASISTENTES - ATTENDEES

PAISES MIEMBROS--MEMBER COUNTRIES

COSTA RICA

HERBERT NANNE ECHANDI
Comisionado
GEORGE HEIGOLD
Comisionado

ASDRUBAL VASQUEZ NUÑEZ
Sardimar, S.A.

ECUADOR

GUSTAVO GUTIERREZ VERA
LUIS TORRES NAVARRETE
Ministerio de Comercio, Industria y Pesca

CESAR ROHON
CARLOS CALERO
LUIS EDUARDO GOMEZ BEJARANO
Cámara Nacional de Pesquería
CARLOS VELEZ
ATUNEC

FRANCE - FRANCIA

JULIEN TURENNE
French Ministry for Agriculture and Fisheries

JAPAN - JAPON

JUN-ICHIRO OKAMOTO
Commissioner

EIKO OZAKI
SALLY J. CAMPEN
Federation of Japan Tuna Fisheries Cooperative
Associations

MEXICO

CARLOS CAMACHO GAOS
ANTONIO J. DIAZ DE LEON CORRAL
JERONIMO RAMOS PARDO
PABLO ARENAS FUENTES
LUIS FUEYO MCDONALD
GUILLERMO COMPEAN JIMENEZ
PEDRO ULLOA RAMIREZ
RICARDO BELMONTES ACOSTA
TOBIAS CONTRERAS TREJO
SANTIAGO GOMEZ
Secretaría de Medio Ambiente, Recursos Naturales y
Pesca

MARK ROBERTSON
Janus-Merritt Strategies, L.L.C
ALFONSO ROSIÑOL LLITERAS
JOSE VELAZQUEZ CARDENAS
JUAN JOSE VELAZQUEZ MACOSHAY
GERARDO LOJERO WHEATLEY
CANAINPES
FELIPE CHARAT
Maricultura del Norte, S. de R.L. de C.V.

NICARAGUA

MIGUEL ANGEL MARENCO
ADPESCA

PANAMA

ORCILA V. DE CONSTABLE
Autoridad Marítima de Panamá
ARNULFO FRANCO
Comisionado

HUGO ALSINA
Overseas Tuna Pacific, S.A.

UNITED STATES OF AMERICA - ESTADOS UNIDOS DE AMERICA

JAMES T. MCCARTHY
Commissioner
WILLIAM HOGARTH
Commissioner
BRIAN HALLMAN
WILLIAM GIBBONS-FLY
U.S. Department of State
MICHAEL TILLMAN
JAMES LECKY
SVEIN FOUIGNER
PAT DONLEY
GARY SAKAGAWA
National Marine Fisheries Service
JUDSON FEDER
National Oceanic and Atmospheric Administration

DAVE BURNEY
U.S. Tuna Foundation
PETER FLOURNOY
International Law Offices
CARLOS ARBELAEZ
Seatrading International, Inc.
MICHAEL MCGOWAN
Bumble Bee Seafoods
JULIUS ZOLEZZI
Zolezzi Enterprises
ARNOLD FREITAS
Caribbean Marine Service Co., Inc.
PETER DILEVA
Caribbean Fishing, Inc.
GUILLERMO GOMEZ
Gomez-Hall Associates

VANUATU

ED WEISSMAN
Special Agent

MARK MCAULIFFE
Deputy

VENEZUELA

JEAN-FRANÇOIS PULVENIS
Comisionado
CAROLINA BELTRAN
Comisionada

JESUS MARCANO
FONAIAP
JOSE MARIA BENGUA
AVATUN

PAISES NO MIEMBROS--NON-MEMBER COUNTRIES

COLOMBIA

GONZALO URZOLA
Ministerio de Agricultura y Desarrollo Rural

ESPAÑA - SPAIN

IGNACIO YBAÑEZ RUBIO
Secretaría General de Pesca

JOAQUIN GOMEZ
OPAGAC

EUROPEAN COMMUNITY - COMUNIDAD EUROPEA

JOHN SPENCER
Commission of the European Community
HEIKKI LEHTINEN
Presidency of the European Union

LUC LAPERE
Council Secretariat of the European Union

ORGANIZACIONES NO GUBERNAMENTALES --NON-GOVERNMENTAL ORGANIZATIONS

NINA YOUNG
Center for Marine Conservation
ANDREA OLIVER
World Wildlife Fund

KITTY BLOCK
Humane Society of the United States
KATHLEEN O'CONNELL
Whale and Dolphin Conservation Society

CIAT--IATTC

ROBIN ALLEN, Director
MARTIN HALL
WILLIAM BAYLIFF
DAVID BRATTEN
MICHAEL SCOTT

BERTA JUÁREZ
NICOLAS WEBB
MARCELA CAMPA
TERESA MUSANO
JOYDELEE MARROW

Appendix 2.

AGENDA

1. Opening of the meeting
2. Adoption of the agenda
3. Resolution on bigeye tuna
4. Resolution on fish-aggregating devices
5. Other business
6. Adjournment

Appendix 3.

RESOLUTION ON THE CONSERVATION AND MANAGEMENT OF BIGEYE TUNA IN THE EASTERN PACIFIC OCEAN

The Inter-American Tropical Tuna Commission (IATTC), having responsibility for the tunas and tuna-like fishes of the eastern Pacific Ocean (which for the purposes of this resolution is the area bounded by the coastline of the Americas, the 40°N parallel, the 150°W meridian, and the 40°S parallel) and having maintained since 1950 a continuing scientific program directed toward the study of these resources:

Recalling the Resolution adopted by the IATTC at its 61st Meeting regarding the conservation of bigeye tuna in the eastern Pacific Ocean (EPO);

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

Concerned about the reduction in the average size of bigeye tuna caught by the purse-seine fishery in the EPO;

Reiterating the need to reduce the incidental catches of juvenile bigeye tuna in the purse-seine fishery in the EPO;

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

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

1. Limit the catch of bigeye tuna taken in the purse-seine fishery in the EPO to 40,000 metric tons in 1999, this limit to be implemented by prohibiting sets on all types of floating objects at such time as the limit is reached;
2. Review the status of the bigeye tuna stock and consider further reductions of the catches of small bigeye tuna at the time of the meeting of the IATTC in October 1999, commensurate with the scientific advice of the IATTC staff;
3. Establish a scientific working group to carry out comprehensive research, in conjunction with the IATTC staff, to include, but not be limited to:

- (a) an estimate of the natural mortality rate of bigeye tuna, and
 - (b) an assessment of the impact on the stock of bigeye tuna of catches by purse-seine vessels of less than 400 short tons carrying capacity and longline vessels;
4. Work diligently to implement this conservation program for bigeye tuna for 1999.

Requests the Director to establish a system for notifying all Parties and non-parties with vessels fishing in the EPO under their jurisdiction when three-quarters of the quota has been reached. The IATTC staff shall also notify all such Parties and non-parties at least two weeks in advance of the closure date of the fishery on floating objects, in order to provide sufficient time to ensure that the quota is not exceeded.

Appendix 4.

RESOLUTION ON FISH-AGGREGATING DEVICES

The Inter-American Tropical Tuna Commission (IATTC), having responsibility for the tunas and tuna-like fishes of the eastern Pacific Ocean (which for the purposes of this resolution is the area bounded by the coastline of the Americas, the 40°N parallel, the 150°W meridian, and the 40°S parallel) and having maintained since 1950 a continuing scientific program directed toward the study of these resources:

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

Noting that the fishery on fish-aggregating devices (FADs) has grown substantially in the last five years, increasing catches of juvenile tunas, in particular yellowfin and bigeye, in the purse-seine fishery in the eastern Pacific Ocean (EPO);

Concerned about the reduction in the average size of bigeye tuna caught by the purse-seine fishery in the EPO;

Reiterating the need to reduce incidental catches of juvenile bigeye and yellowfin tuna in the purse-seine fishery in the EPO;

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

Recalling that Resolutions adopted by the IATTC at its 61st and 62nd Meetings contained recommendations that the Parties prohibit the transshipment of tuna at sea, and prohibit the use of tender vessels whose role it is to deploy, repair, pick up, or maintain FADs at sea;

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

1. Reaffirm their commitment to prohibit the transshipment of tuna by purse-seine vessels fishing for tuna in the EPO, unless such transshipment takes place in port;
2. Prohibit the use of tender vessels operating in support of vessels fishing on FADs in the EPO, without prejudice to similar activities in other parts of the world;
3. Establish a scientific working group to carry out comprehensive research, in conjunction with the IATTC staff, to include, but not be limited to
 - a) The relationship between catches of bigeye and yellowfin tuna and the maximum depth of FADs;
 - b) The effect of the use of baited FADs on catch rates and size composition of the catch of tunas;
 - c) Estimates of the natural mortality of the various populations of tunas;
 - d) The establishment of a maximum number of sets on floating objects which the tuna fishery in the EPO can support;

- e) The catches of tunas and associated and dependent species in the fishery on floating objects between 130°W and 150°W;
- f) The impact of permanent or temporary closure of areas to the use of FADs, especially in combination with other regulatory measures being considered by the Commission;
- g) The feasibility of a program to place observers on purse-seine vessels of less than 400 short tons carrying capacity and the appropriate level of observer coverage necessary to obtain reliable scientific information.

Requests that the Director continue research into the use of fishing gear and/or techniques to reduce the catch of small tunas and the bycatch of non-target species and continue to report to the Commission on the results of this research.