

INTER-AMERICAN TROPICAL TUNA COMMISSION
PERMANENT WORKING GROUP ON COMPLIANCE
10TH MEETING

La Jolla, California (USA)
5 June 2009

MINUTES OF THE MEETING

AGENDA

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The tenth meeting of the Permanent Working Group on Compliance was held in La Jolla, California (USA) on 5 June 2009. The attendees are listed in Appendix 1.

1. Opening of the meeting

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

2. Adoption of the agenda

The provisional agenda was adopted as presented.

3. Compliance with IATTC measures in 2008:

Mr. Brian Hallman, Deputy Director of the IATTC, presented Document COM-10-03 on compliance with IATTC resolutions in 2008. He noted that the report covered a total of 776 trips made in that year.

a) **Resolution on bycatch (C-04-05):**

Regarding bycatches of sea turtles, it was noted that in 2008 there were 841 sets involving 1,112 sea turtles, compared to 1,152 sets and 2,011 turtles in 2007. Of the 1,112 turtles involved in 2008, 95% were released unharmed. Observers recorded only 3 slightly injured turtles, and 5 that were seriously injured.

As regards discards of trash, it was reported that in 2007 observers reported such discards in 29% of trips (130 of 453), while in 2008 this had fallen to 18% of trips (85 of 471).

Regarding bycatches of sharks, observers reported 44,168 sharks involved in 3,817 sets, of which 3,461 were released alive, 11,261 were discarded, and 29,827 were retained. In 42 of the 471 trips for which a Compliance Report (RDC) was completed, 1,264 sharks were 'finned' (had their fins cut off).

The EU and the United States recognized that the number of sharks finned is falling, but commented that it was still too high. They also stated that the retention and finning of sharks in the longline fishery

should also be reviewed.

Mexico requested that the table in the document regarding the incidental catches of sharks be reviewed, since the numbers reported for Mexico seemed too high. He explained that a similar phenomenon was reported last year, and upon investigation it was shown that 90% of the catch was by a single vessel that was not Mexican, but had been chartered and did not fish in association with dolphins. Also, Mexico urged the Commission to set up a shark-management program, noting that the Antigua Convention provides for this.

Dr. Guillermo Compeán, Director of the IATTC, commented that, depending on the circumstances of the set, sharks could be taken as bycatch by Mexican vessels, and stated that he viewed the idea of initiating a shark-management program very positively.

b) [Resolution on fish-aggregating devices \(C-99-07\)](#)

The staff indicated that it had received no reports of transshipments at sea by purse-seine vessels in 2008, nor of the use of tender vessels in the fishery on fish-aggregating devices (FADs).

c) **Tuna conservation**

The Secretariat reminded the meeting that in 2008 the IATTC did not adopt a resolution on tuna conservation; nevertheless, many member countries adopted unilateral conservation measures. It was clarified that, consequently, compliance with a Commission resolution was not being reviewed under this heading. Nonetheless, the Secretariat noted that data recorded by observers aboard vessels of carrying capacity greater than 363 tons indicated that approximately 18% of those vessels made sets on tunas during the unilateral closures of the entire EPO enacted by their respective flag states, and about 29% during closure of the offshore area.

Several countries stressed that lack of compliance with some of the unilateral measures, and the inability of Commission staff to monitor compliance, underlined the need for a multilateral measure. Japan reported that it had adopted measures for its longline fleet, and expressed its disappointment regarding the lack of compliance with the purse-seine closures. Japan stressed that multilateral conservation measures must be taken and properly observed.

Chinese Taipei also reported that it had voluntarily adopted unilateral measures limiting its bigeye catch.

d) [Resolution on at-sea reporting \(C-03-04\)](#)

The staff reported continued improvements in compliance with sending the required weekly reports, which had reached its highest level (96.5%) in 2008.

e) [Resolution on fleet capacity \(C-02-03\)](#)

The Secretariat reported that several purse-seine vessels fished in the eastern Pacific Ocean (EPO) in recent years while not on the IATTC Regional Vessel Register, and were therefore in violation of Resolution C-02-03. In 2007, 2008, or 2009, these vessels were: *Marta Lucía R* and *Dominador I* (Colombia); *Ignacio Mar I* (Ecuador); *Tunamar* (Panamá); *Don Abel* (Venezuela); and *Caribbean Star No. 31* (flag unknown).

The Secretariat reported that in 2008 one vessel – *Cabo Marzo* (Nicaragua) – stored fish in wells that were supposedly sealed, and that four vessels – *Tarqui* and *Doña Roge* (Ecuador), and *Taurus Tuna* and *Taurus I* (Venezuela) – increased their capacity, in contravention of the Resolution.

Japan and the EU noted that the question of sealing wells is a matter of concern, and should be reviewed. The EU stated its concern regarding the lack of measures for reducing the capacity of the fleet in the EPO pursuant to the IATTC regional capacity plan. Also, the EU reported that, beginning in 2010, it would limit trade in catches by vessels on the IUU list.

The meeting entered into a discussion on the relationship between vessels identified in the compliance

report and those nominated for inclusion in the IUU list. The EU and France proposed that vessels that did not comply with the resolution on fleet capacity should be automatically included in the draft IUU vessel list. In this regard, it was noted that information on vessels fishing illegally often rested with the Secretariat, and not necessarily with the Parties.

Guatemala noted that the resolution established that only the Parties may make proposals for including vessels in the draft or provisional IUU lists, so that procedurally there was no possibility of having automatic additions to the draft IUU list. Guatemala was not opposed to the concept of automatic inclusion of vessels in a draft list, but the resolution would have to be modified in order to achieve this.

Japan supported Guatemala's comment, noting that the resolution should be modified to provide for automatic inclusion of vessels in the draft IUU list. Japan also supported including on the draft list vessels that had increased their capacity in a manner inconsistent with Commission resolutions.

Japan, the EU and Mexico stated that the Secretariat should be able to propose vessels for inclusion in the draft IUU list, and that this should be reflected in the revision of the resolution which was being considered.

f) **Resolution on data provision (C-03-05) and other data reporting requirements**

The staff reported that all the countries with purse-seine vessels fishing in the EPO are meeting the requirements of the resolution. With respect to catch data for longline vessels, particularly smaller vessels based in coastal countries, the minimum required information for 2008 had not been received from a number of countries.

The Secretariat also noted that four other resolutions required reports, very few of which were provided.

g) **Resolution on northern albacore tuna (C-05-02)**

The Secretariat reiterated its comments from the previous year regarding the great difficulty in monitoring compliance with this resolution, due to the way in which it is structured, since it requires that effort be limited, but what is reported are catches, not effort. Furthermore, the resolution seeks to limit effort to 'current' levels, but does not define 'current'.

The Chairman and Japan noted the Secretariat's concerns, and acknowledged that a definition of fishing effort should be developed, but observed that doing so for longline vessels which catch albacore as by-catch could be difficult. The United States suggested that one way to progress on this issue might be to hold a small, informal technical meeting to develop a recommendation on exactly what is meant by "current effort" in the resolution. Other members of the working group supported this idea.

4. National reports

Mexico reported on the vessel *Cabo Marzo*, which in 2008 caught 90% of the total bycatches of sharks attributed to Mexican vessels, stating that, as noted earlier it was a chartered vessel and did not land any sharks in Mexico.

Ecuador reported that the *Ignacio Mar*, reported as fishing illegally because it is not on the Register, should be on the Register since it is using the capacity of the *Roberto M*, which is in dispute with Panama.

France reported that a regulation had entered into force prohibiting transshipments at sea in French Polynesia.

The Chairman expressed his concern at the lack of detailed national reporting on the disposition of cases of non-compliance, and stated that this matter needed to be addressed.

The Working Group agreed that at its next meeting it would include on the agenda an item about the request for national reports, considering section by section the cases reported in the compliance report.

Spain suggested that future national reports in the working group should include information on the ac-

tions taken by Parties to implement the requirements stipulated in Resolution C-05-07 on IUU fishing, for which the countries should send the Secretariat information on this matter.

5. Unique Vessel Identifiers (UVI) for tuna vessels

The Secretariat presented Document COM-10-05, prepared by the Secretariats of the five tuna regional fisheries management organizations (RFMOs) as part of the implementation of the Course of Actions agreed at the joint meeting of these RFMOs at Kobe (Japan) in January 2007. It will be presented at the second meeting of the tuna RFMOs, to be held in San Sebastian (Spain) on June 29-July 3, 2009.

The Secretariat noted that securing a UVI for each vessel authorized to fish is considered an important tool to combat IUU fishing. The twenty seventh FAO Committee on Fisheries, in 2007, endorsed a Feasibility Study report which concluded that there is a need to introduce a system through which any vessel could be clearly identified over time, irrespective of change of name, ownership or flag. In relation to the concept of a unique method to identify vessels over time, the Feasibility Study recognized the advantages that would accrue from the use of the Lloyds Registry-Fairplay (LR-F) Number (LR Number - that forms the basis for the IMO number and is obligatory for certain classes of fishing vessels), which would include, *inter-alia*, that, "...the identification number remains with the vessel irrespective of change of name or ownership and/or flag thus it provides a possibility to follow the history of a vessel"

The Secretariat reported that the t-RFMO Secretariats reviewed the information on individual vessels currently collected for their respective vessel records. This has been reconciled against information required by LR-F to generate a UVI. The information requirements to generate a UVI, and the information on fishing vessels currently collected by each t-RFMO, are summarised in Document COM-10-05. This matrix identifies that information which each t-RFMO currently does not collect but which is required by LR-F to generate a UVI, and indicates that, in the case of the IATTC, nine additional fields of information would need to be collected.

Japan and Spain emphasized the importance of having such a system, which would allow vessels to be identified unequivocally, since it would help to combat IUU fishing. They noted that this matter was on the agenda for the meeting of the five tuna Commissions in San Sebastian in July, and would be further discussed at that meeting.

6. Other business

The United States stated that progress had been made in resolving the problem of vandalism of research buoys noted at the meeting in 2008.

7. Recommendations for the Commission

The Working Group recommends that the Commission:

1. Adopt tuna conservation measures multilaterally.
2. Clarify and improve the procedures for formulating the IUU Vessel List.

8. Adjournment

The meeting was adjourned at 6 p.m. on 6 June 2009.

Appendix 1.

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