

INTER-AMERICAN TROPICAL TUNA COMMISSION
PERMANENT WORKING GROUP ON FLEET CAPACITY

16TH MEETING

**The Jolla, California (USA)
30 October 2014**

REPORT OF THE MEETING

AGENDA

-
1. Opening of the meeting
 2. Adoption of the agenda
 3. Review of pending capacity claims, requests or disputes
 4. Plans for the reduction of the capacity of the fleet
 5. Recommendations to the Commission
 6. Other business
 7. Adjournment
-

APPENDICES

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1. List of attendees
 2. Capacity requests, claims, and disputes, and active, inactive, and available capacity
 3. Proposal H-2A. European Union. Management of capacity in the EPO
 4. Matrix from the workshop in Cartagena, Colombia
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The sixteenth meeting of the Permanent Working Group on Fleet Capacity was held in The Jolla, California (USA), on 30 October 2014. The attendees are listed in Appendix 1.

1. Opening of the meeting

In the absence of the Chair of the Working Group, Mr. Luis Dobles (Costa Rica), the meeting was opened by the Chair of the IATTC, Mr. Alvin Delgado (Venezuela). Mr. Bernal Chavarría (Belize), was elected Chair of the Working Group, and Mr. Julio Guevara (Nicaragua), was elected rapporteur.

2. Adoption of the agenda

The provisional agenda was approved without changes.

3. Review of pending capacity claims, requests or disputes

The Working Group recognized that the recommendations that it had issued at its 15th meeting regarding the various cases reviewed and resolved continue in force and would not be subject to revision or modification. Consequently those cases would not be addressed again at this meeting of the Working Group but by the 88th Extraordinary Meeting of the IATTC. These recommendations are described in the minutes of the 87th Meeting of the Commission, as follows:

- a. Consider favorably the request by Guatemala that it be granted as a replacement the amount of 3,762 m³ that was transferred without its consent.
- b. Consider favorably the requests by Ecuador (*Roberto M*; 1,161 m³), Vanuatu (*Esmeralda C*; 1,358 m³), and Venezuela (*Napoleón I*; 1,668 m³) that they be granted as restitution of the amounts corresponding to well volumes that were transferred without their consent; and
- c. Consider favorably the requests by Costa Rica (7,058 m³), Nicaragua (4,200 m³) and El Salvador

(2,105 m³), in their character of developing coastal countries.

The Group decided to review the cases that it had not addressed previously and that it had passed to the Commission for discussion in the plenary. There was no consensus to endorse them with a favorable recommendation:

- a. The requests by Ecuador to review the cases of the vessels *Victoria A* (850 m³) and *María del Mar* (281 m³), which, due to an administrative error by the Ecuadorian government, were not included in the Regional Register when it was created in 2002, as well as of the vessels *Doña Roge* (300 m³) and *Eli* (220 m³), which are cases of correcting the capacity recorded on the Regional Register. During the review of these cases the Secretariat was asked for additional information about them, so letters that were sent to Ecuador by the Secretariat about each one of these cases were read
- b. The request by Bolivia to be granted 5,830 m³ as restitution of capacity that was transferred without the consent of the Bolivian government.

The Working Group recognized that it was not competent to judge the legitimacy of the pending capacity claims and requests, and agreed that the Commission should decide on the merits of each case and resolve positively those that were deserving, taking into account the measures for the conservation of the resource that might be implemented to counterbalance the global increase in capacity.

The European Union reiterated its position that any decision taken regarding capacity claims, requests, or disputes would depend on the approval and implementation of a management plan that considered the possible future reduction of capacity, included measures that were global, not just unilateral, and which ensured the mitigation of the impacts of the increase in capacity that would result from the approval of the multiple requests presented.

Mr. Chavarría, in his capacity as Coordinator of the virtual working group created by the Commission at its meeting in July 2014, reported that participation by the delegations in the work of the group was limited, and that no effective progress was made in the search for solutions. The virtual working group received also four new requests for capacity, one by Peru for 5,851 m³, which would be used only for fishing for skipjack in its Exclusive Economic Zone, another by Honduras for 3,000 m³, and two by Ecuador, which requested a review of the allocation of capacity to the Ecuadorian vessels *Monteneme* (908 m³) and *Isabel IV* (1,534 m³) (the latter was not included in the Regional Register in 2002 nor afterwards).

The Working Group could not discuss these four new requests and decided to refer them to the Commission for review.

Also, the Secretariat was asked for a list of capacity requests, claims, and disputes, and of the active, inactive, and available capacity (Appendix 2), in order to have a clear picture of the existing current capacity and of the increases that would result from the many capacity claims. One Member pointed out that there are countries with capacity currently available that are nonetheless asking for more capacity. Many delegations highlighted that the capacity requests, claims, or disputes presented add up to 44,067 m³, which, if that capacity were allocated, would mean about 53 additional days of closure.

4. Plans for the reduction of the capacity of the fleet

The Group decided to take as the basis for discussion Proposal H-2A of the European Union on an *IATTC resolution for the management of fishing capacity in the eastern Pacific Ocean (EPO)* (Appendix 3), as well as the matrix developed at the Cartagena workshop (Appendix 4). General comments were made on these documents, stressing that any granting of capacity should be done subject to the adoption of a plan for reducing the total capacity of the fleet. Also, various delegations stated that this was not the time to talk of freezing the capacity of the longline fleet, since this fishery is currently subject to catch limits, and there are no indications that it is affecting the bigeye stocks.

It was recognized that the plan must be comprehensive, and that consideration should also be given to modifying the current Resolution C-02-03, as well as other substantive aspects of the current management of capacity (capacity loans and transfers, new measurement of a vessel, etc.). The need to assess the impacts of the different fishing gears in the conservation of the resource was also recognized, in particular in the case of the longline fishery, since it is subject to less regulations than the purse-seine fishery.

World Wildlife Fund (WWF) made a statement expressing its concern that the level of capacity is above the 158,000 m³ recommended as the optimum level, which goes against the conservation of the resource. For that reason, WWF urges that an effective capacity reduction plan be developed.

5. Recommendations to the Commission

The Working Group recommended to the Commission that it continue reviewing the cases contained in the report of its 15th meeting and of the four cases presented at the current 16th meeting, taking into account the favorable recommendations already made regarding some of them, reflected in the minutes of the first part of the 87th Meeting of the Commission.

6. Other business

No other business was presented.

7. Adjournment

The meeting was adjourned at 6:36 p.m. on 30 October 2014.

Appendix 1.

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Appendix 2.

Información sobre la capacidad de la flota en el OPO al 19 de octubre de 2014 EPO Fleet Capacity Information as of 19 October 2014					Solicitudes, reclamos, y disputas de capacidad / Capacity requests, claims and disputes
Bandera Flag	Activos Active	Inactivos / hundidos Inactive / sunk	Capacidad disponible ^{1*} Available capacity*	Total	
(m ³)					
BOL	222			222	5,830
COL	14,860			14,860	
CRI			737	737	7,058
ECU	86,821	2,842	154	89,817	5,430 ²
EU (ESP)	10,116		178	10,294	
GTM	1,475		1,984	3,459	3,762
HND			141	141	3,000
MEX	58,253	3,699	4,885	66,837	
NIC	8,478		2,977	11,455	4,200
PAN	19,971		6	19,977	
PER	3,618		4,577	8,195	5,851
SLV	7,892		322	8,214	2,105
USA	2,500		29,366	31,866	
VEN	27,846		584	28,430	5,473
VUT					1,358
Total (m³)	242,052	6,541	45,911	294,504	44,067

¹ Capacidad que los participantes han mantenido para uso futuro y que es resultado de retiros de embarcaciones previamente incluidas en el Registro Regional desde la entrada en vigor de la resolución C-02-03 o derivada del párrafo 10 de dicha resolución--Capacity that the Participants have maintained for future use and resulted from the retirement of vessels previously included in the Regional Register since the entry into force of Resolution C-02-03 or from paragraph 10 of the resolution.

² *Victoria A* (850 m³), *Doña Roge* (300 m³), *Eli* (220 m³), *Ljubica M* (176 m³), *María Del Mar* (281 m³), *Monteneme* (908 m³), *Roberto M* (1,161 m³) and *Isabel IV* (1,534 m³)

Appendix 3.

INTER-AMERICAN TROPICAL TUNA COMMISSION

87TH MEETING (RESUMED)

La Jolla, California USA

27-29 October 2014

PROPOSAL H-2A

SUBMITTED BY THE EUROPEAN UNION

**IATTC RESOLUTION FOR THE MANAGEMENT OF FISHING
CAPACITY IN THE EASTERN PACIFIC OCEAN (EPO)**

The Inter American Tropical Tuna Commission (IATTC),

CONSCIOUS of the need to avoid an overexploitation of the stocks targeted by this fleet in its entire area of distribution;

AWARE that the issue of excess fishing capacity is of worldwide concern and is the subject of an International Plan of Action developed by the United Nations Food and Agriculture Organization;

NOTING that FAO International Plan of Action for the Management of the Fishing Capacity (IPOA) stipulates in its Objectives and Principles that States and Regional Fisheries Management Organisations confronted with an overcapacity problem which is undermining the achievement of long-term sustainability outcomes, should endeavour initially to limit at the present level and progressively reduce the fishing capacity applied to affected fisheries;

MINDFUL of IATTC Resolution C-02-03 and the IATTC 2005 Plan for Regional Management of Fishing Capacity which states in its Objectives and Principles the need for an efficient, equitable and transparent management of fishing capacity in the EPO in order to assist in achieving long-term sustainability of the fishery targeting species covered by the Convention and that this plan clearly states that capacity limitation should apply to all segments of the fleet active in the EPO, through an holistic approach to capacity management;

AWARE that the above Plan considers management of fleet capacity as complement of other measures taken to conserve the stocks of species covered by the Convention and that Members and Cooperating non-Members (CPCs) should reduce the total fleet capacity;

AWARE that any capacity management plan needs to encompass the existing capacity claims and pending disputes;

BELIEVING that it is important to limit fishing capacity in the IATTC Convention Area to a level commensurate with the target capacity established by the IATTC scientific staff in order to ensure that the fisheries in the region are conducted at a sustainable level;

MINDFUL of the legitimate rights and obligations under international law of coastal developing States in the Convention Area to pursue a responsible level of development of their own fisheries in the Convention Area;

ADOPTS, in accordance with the IATTC Convention, the following Resolution:

Purse seiners

1. On the basis of the target capacity established by the IATTC scientific staff and Scientific Advisory Committee of [X] cubic meters, the maximum total capacity of CPCs' purse-seine vessels will be

limited by [31 December 2026] to the capacity listed in Annex 1.

2. The reduction of capacity will be implemented gradually starting at the latest on 1 January [2021] in accordance with the timetable in Annex 2.
3. The target capacity will be revised periodically by the scientific staff and the Scientific Advisory Committee, taking into account *inter alia* stock status and fleet fishing efficiency. Any adjustment of the timetable and benchmarks following a revision of the target capacity will be done following the precautionary approach.
4. The entry of new vessels to the IATTC Regional Vessel Register is prohibited unless a vessel of equal or greater capacity is removed from the Register.
5. The capacity on the Regional Register is frozen at the level of the entry into force of this Resolution. No new capacity will be allowed.
6. The capacity listed in Annex 1 includes granted volumes related to disputes and pending claims referred to in Appendix B of Document CAP-15-05. No new requests for increased capacity of any nature will be considered.
7. From the date of entry into force of this Resolution, the well volume of purse-seiner vessels will be considered as confirmed. Any claim related to a revision of well volume after the adoption of this Resolution could be met only within the existing capacity allocated to that CPC and will not generate an increase of the allocated capacity.

Automatic reduction of capacity for purse-seiners

8. In addition to the reduction timetable referred to in paragraph 2, when an active purse-seine vessel is replaced by a second-hand vessel, no more than 90% of the existing vessel's capacity shall be used (*i.e.*, the capacity of the replacing second-hand vessel must be 90% or less than that of the one to be replaced). When replaced by a newly built vessel, no more than 80% of the existing vessel capacity shall be used.
9. [CPCs agree to implement other mechanisms of capacity reduction such as...].

Longliners

10. CPCs shall notify the Secretariat by 31 December 2015 the capacity of all longliners actively fishing in the Convention Area in [2012-2014].
11. In notifying their longliners, CPCs shall confirm that they have verified the effective presence and fishing activities of their vessels in the Convention Area in the referred period, through their VMS records, catch reports, port calls, or other means. The IATTC Secretariat shall have access to such information upon request.
12. CPCs shall limit the capacity of longliners fishing in the Convention Area to the number of their vessels active in the fishery in [2012-2014] and as reflected in Annex 3. No additional increase of capacity for longliners will be allowed.
13. On the basis of the target capacity for longliners established by the IATTC scientific staff and Scientific Advisory Committee by [year N], CPCs will initiate discussions on a management plan for longliners by [year N+1].

Other mechanisms

14. CPCs will continue discussions as to other methods to manage capacity, taking into consideration various options including the possibility of establishing individual transferable quotas (ITQs) for specific fisheries and others.

Entry into force

15. This Resolution shall be binding 45 days after its notification to the CPCs.

ANNEX 1

To be decided by the Members

[Annex 1 will contain a table reflecting the maximum capacity allowed to purse-seiners flagged to CPC by a given date to be decided. The table will reflect the maximum capacity by CPC. It will be discussed and agreed by the CPCs on the basis of, among others, the following elements:

- Initial capacity to be reduced (active, inactive, claims and disputes)
- Final reduction percentage
- Formula for reduction (proportional, linear, a combination of various possibilities)
- Mechanism to reflect the rights of developing coastal states
- Production and economic yield
- Socio-economic impact
- Applicable conservation measures including closures
- Type of fisheries, targeted species and situation of the stocks
- Trade-offs between fisheries and gears
- Size of the fleet
- Fishing opportunities
- Other]

ANNEX 2

To be decided by the Members

[Annex 2 will reflect the timetable agreed for capacity reduction for CPCs' purse-seiners. It will be discussed and agreed by the CPCs on the basis of the following elements, among others:

- Number of years
- Timetable and benchmark for each reduction period
- Other]

ANNEX 3

Maximum capacity allowed for CPCs' longliners by [year N]

]

Appendix 4.

PROPOSALS CHART - MATRIZ DE PROPUESTAS

EFFECT ON REDUCTION EFECTO EN LA REDUCCION				PRI- RITY PRIORID AD	ADVANTAGES VENTAJAS	DISADVANTAGES DESVENTAJAS			
TOOLS HERRAMIENTAS	TERM - PLAZO			CONDITIONS CONDICIONES	ACTIONS NEEDED ACCIONES REQUERIDAS	ADDITIONAL INFORMATION NEEDED NECESIDAD DE INFORMACIÓN ADICIONAL			
	SHORT CORTO	MED	LONG LARGO						
<p>PROGRESSIVE REDUCCION (vessel by vessel)</p> <p>REDUCCIÓN PROGRESIVA (buque por buque)</p>			X	<p>Agreement on % level of reduction Acuerdo sobre % nivel de reducción</p>	<p>Negotiation to define to which vessels the reduction will apply Negociación para definir a cuáles buques aplicará la reducción</p> <p>Supplementary analyses of alternative methodologies, for example country by country Análisis suplementarios de metodologías alternativas, por ejemplo país por país</p>	<p>Assessment of time needed to reach the target capacity Evaluación del tiempo necesario para alcanzar capacidad meta</p> <p>Measurement of vessel capacity Arqueo de buques</p> <p>Take into consideration the special conditions of countries that are developing their fishing industry Tomar en cuenta las condiciones especiales de países que están en desarrollo de su industria pesquera</p>		<p>Simple implementation Sencilla de implementar</p> <p>Time savings Ahorro de tiempo</p>	<p>Slow reduction [efficiency problems] Reducción muy lenta [problemas de eficacia]</p> <p>No reduction of fishing mortality due to increased efficiency of new vessels No reducción de la mortalidad por aumento de la eficiencia en las embarcaciones nuevas</p> <p>Negative incentive to reduce capacity when replacing old vessels Incentivo negativo por disminuir capacidad al remplazar embarcaciones viejas</p> <p>Negative incentive to reduce and seal wells on second-hand vessels Incentivo negativo por reducción y sellamiento de bodegas a embarcaciones de segunda mano</p> <p>Fleet asymmetries Asimetría en las flotas</p>
<p>MORATORIUM (freezing capacity to the present level -- as a first step towards capacity reduction) MORATORIA</p>	X			<p>Agreement to stop any increase of capacity Acuerdo para detener cualquier aumento de capacidad</p>	<p>1.Negotiation to resolve all capacity claims and disputes without increasing capacity 1. Negociación para</p>	<p>Precise assessment of the present capacity level (taking into account claims and disputes) Evaluación precisa del</p>			<p>Does not take account of the need to settle claims and requests No se tiene en cuenta la necesidad de resolver reclamos y solicitudes</p>

(congelar capacidad a nivel actual – como primer paso para reducir la capacidad					<p>resolver todos los reclamos y disputas sin aumentar la capacidad</p> <p>2. Negotiation of agreed schedule and target for reducing capacity 2. Negociación sobre cronograma y meta de reducción de capacidad</p> <p>3. Complete and conclude the confirmation of well volume 3. Completar y concluir la confirmación del volumen de bodega</p>	<p>nivel actual de capacidad (tomando en cuenta los reclamos y solicitudes)</p> <p>Define the framework for applying the moratorium Definir el marco de aplicación de la moratoria</p> <p>Define the time for applying the moratorium Definir el tiempo de aplicación de la moratoria</p> <p>Guarantee special conditions for developing coastal states Garantizar condiciones especiales a los países ribereños en vía de desarrollo</p>		
<p>ALLOCATIONS (TAC) as a tool to promote the reduction of capacity ASIGNACIONES (CTP) como herramienta para promover la reducción de la capacidad</p>		X	<p>1. Selection of target stocks 1. Selección de poblaciones objetivo</p> <p>2. Definition of terms of reference 2. Definición de los parámetros de referencia</p>	<p>Negotiation to define EEZ-TAC and HS-TAC Negociación para definir CTP-ZEE y CTP-AM</p>	<p>1. Precise assessment of EEZ and HS catches during reference period 1. Evaluación precisa de capturas en ZEE y AM durante período de referencia</p> <p>2. Simulation of effects of allocation scheme on fleet capacity 2. Simulación de efectos del sistema de asignación sobre la capacidad de la flota</p> <p>3. Study of details to to review the proposal in</p>	<p>Gradual capacity reduction Reducción paulatina de la capacidad</p> <p>Flexibility in program design to take into account social considerations Flexibilidad en el diseño de los programas para el reconocimiento de consideraciones sociales</p> <p>Positive incentives [minimize operating costs] Incentivos positivos</p>	<p>Uneven distribution of species in the EPO Distribución no homogénea de las especies en el OPO</p> <p>Possible over-exploitation of one species Posible sobreexplotación de una de las especies</p> <p>Implementation and enforcement problems Problemas de implementación y cumplimiento</p> <p>Greater effect for vessels with historical catches on the high seas Mayor afectación para embarcaciones</p>	

					<p>detail</p> <p>3. Estudio de los detalles para examinar a detalle la propuesta</p> <p>4. Determine the duration of the quota and incentives according to the quota</p> <p>4. Determinar la duración de la cuota y determinar los incentivos de acuerdo a la cuota</p> <p>5. Analyze the design of the quota system and recommend design options to solve the identified problems</p> <p>5. Analizar el diseño del sistema de cuotas y recomendar opciones características de diseño para resolver los problemas identificados</p>	<p>[minimizar costos operativos]</p> <p>No negotiation of exclusions</p> <p>No negociación de exclusiones</p> <p>Transfer of fishing rights</p> <p>Transferencia de derechos de pesca</p> <p>Obtaining maximum profits</p> <p>Obtención de máxima ganancias</p>	<p>con capturas históricas en alta mar</p> <p>Countries with small EEZs that fish on the high seas</p> <p>Países con ZEE pequeña que pescan en alta mar</p>
<p>TRADE-OFFS</p> <p>COMPENSACIONES</p>		X	<p>Clear economic benefits for all potential participants in the scheme</p> <p>Beneficios económicos claros para todos los participantes potenciales del sistema</p> <p>Determine the quota system to implement the market</p> <p>Determinar sistema de cuotas para implementar el mercado</p>	<p>1. Definition of gears and/or fleets that may participate in the trade-off scheme</p> <p>1. Definición de artes y/o flotas que podrían participar en el sistema de compensación</p> <p>2. Agreement about the elements that can be traded off</p> <p>2. Acuerdo sobre qué puede ser intercambiado</p> <p>3. Determine the</p>	<p>Perform simulations, similar to a "corralito" but with trade-off</p> <p>Realizar simulaciones similar a un "corralito" pero con compensación</p>	<p>Complementarity of the measure</p> <p>Complementariedad de la medida</p> <p>Seeks to increase the economic benefits to participants</p> <p>Busca aumentar los beneficios económicos de los participantes</p>	<p>External factors could affect the incentives included in the system</p> <p>Externalidades podrían afectar los incentivos que se incluyan en el sistema</p> <p>Legal constraints [inalienable sovereign rights]</p> <p>Limitaciones jurídicas [derechos soberanos inalienables]</p>

					<p>actors in the trade-off</p> <p>3. Determinar los actores de la compensación</p> <p>4. Action guide for members</p> <p>4. Guía de acción para los miembros</p>				
<p>BUYBACKS</p> <p>RECOMPRAS</p>		x		<p>Availability of necessary funds</p> <p>Disponibilidad de fondos necesarios</p> <p>Creating incentives</p> <p>Creación de incentivos</p>	<p>Definition of vessels and/or rights subject to buyback</p> <p>Definición de los barcos o derechos sujetos a recompra</p> <p>Condition for fishing right</p> <p>Condición para derecho de pesca</p> <p>Define criteria for an effective system</p> <p>Definir los criterios para que el sistema sea efectivo</p>			<p>Effective capacity reduction</p> <p>Reducción efectiva de la capacidad</p>	<p>Resolve differences between effective and potential capacity</p> <p>Resolver diferencias entre capacidad efectiva y potencial</p> <p>Expensive</p> <p>Costoso</p>
<p>OTHERS</p> <p>OTROS</p>									