

INTER-AMERICAN TROPICAL TUNA COMMISSION

**81<sup>ST</sup> MEETING**

ANTIGUA (GUATEMALA)  
27 SEPTEMBER – 1 OCTOBER 2010

**PROPOSAL F-1**

**SUBMITTED BY THE UNITED STATES**

**RESOLUTION PROHIBITING FISHING ON DATA BUOYS**

*The Inter-American Tropical Tuna Commission (IATTC):*

*Aware* that many nations, including Commission Members, operate and deploy data buoys throughout the Convention Area and oceans worldwide to gather information used to improve weather and marine forecasts, provide assistance to fisheries by collecting data on sea surface and subsurface temperatures, provide assistance to search and rescue efforts at sea, and collect critical data used to conduct research on meteorological and oceanographic topics and climate prediction;

*Knowing* that highly migratory species, in particular tunas, aggregate in the vicinity of data buoys;

*Recognizing* that the World Meteorological Organization and the Intergovernmental Oceanographic Commission have determined that vandalism and damage to data buoys by fishing vessels are a significant problem in the Pacific Ocean and worldwide;

*Concerned* that vandalism or damage to data buoys results in significant loss of data critical to weather forecasting, to the study of marine conditions, to tsunami warnings, to support search and rescue efforts at sea, and that Commission Members expend considerable time and resources to locate, replace, and repair data buoys damaged or lost due to fishing activities or vandalism;

*Alarmed* that the loss of data critical to the study of marine conditions from vandalism or damage to data buoys undermines analyses by Commission scientists seeking better understanding of tuna habitat use and relationships between climate and tuna recruitment, and research by environmental scientists in general;

*Mindful* that several data buoy programs publish information on the internet describing the type and location of such buoys;

*Noting* that it is a function of the Commission to promote, to the extent practicable, the development and use of environmentally safe fishing techniques and such other related activities, and to promote the application of the relevant provisions of the Code of Conduct for Responsible Fishing; and

*Further noting* that it is also a function of the Commission to adopt measures as may be necessary to achieve the objective of the Convention, including non-discriminatory and transparent measures to prevent, deter and eliminate activities that undermine the effectiveness of the conservation and management measures adopted by the Commission;

*Agrees as follows:*

For the purpose of this Resolution, data buoys are defined as floating devices, either drifting or anchored, that are deployed by governmental or recognized scientific organizations or entities for the purpose of electronically collecting environmental data, and not in support of fishing activities.

Members and cooperating non-members shall:

1. Prohibit their fishing vessels from fishing within one nautical mile of, or interacting with, a data buoy

in the Convention Area, which includes, but is not limited to, encircling the buoy with fishing gear, tying up to or attaching the vessel, or any fishing gear, part or portion of the vessel, to a data buoy, and, if the buoy is anchored, cutting its anchor line.

2. Prohibit their fishing vessels from taking on board a data buoy, unless specifically authorized or requested to do so by a members or cooperating non-member or owner responsible for that buoy.
3. Encourage their fishing vessels operating in the Convention Area to keep watch for data buoys at sea and to take all reasonable measures to avoid fishing gear entanglement or directly interacting in any way with those data buoys.
4. Require their fishing vessels that become entangled with a data buoy to remove the entangled fishing gear with as little damage to the data buoy as possible.
5. Members and cooperating non-members are encouraged to require their fishing vessels to report to them all entanglements and provide the date, location, and nature of the entanglement, along with any identifying information on the data buoy. Members and cooperating non-members shall notify the Commission of all such reports.
6. Fishing activities inconsistent with paragraphs 1 and 2 above shall be deemed to undermine the effectiveness of the resolutions adopted by the Commission in accordance with Article XVIII of the Antigua Convention, and shall, for purposes of paragraph (1)(e) of IATTC Resolution C-05-07, be considered the use of prohibited fishing gear.
7. Notwithstanding paragraph 1, scientific research programs notified to the Commission may operate fishing vessels within one nautical mile of a data buoy, provided they do not interact with the data buoy, as described in paragraph 1.