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INTER-AMERICAN TROPICAL TUNA COMMISSION
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MINUTES OF THE 76TH MEETING

La Jolla, California (USA)
22-24 October 2007

AGENDA

	Documents
1. Opening of the meeting	
2. Adoption of the agenda	
3. Review of the fishery in 2007 and status of stocks	
4. Review of the tuna conservation proposals from the 75th meeting	IATTC-76-04
5. Tuna conservation measures for 2008 and beyond	
6. Performance review of the IATTC	Proposal B1a, June 2007
7. IUU Vessel List: amendment of Resolution C-05-07	Proposal A1, June 2007
8. Report of the 9th Meeting of the Permanent Working Group on Fleet Capacity	
9. Resolutions	
10. Other business	
11. Place and date of next meeting	
12. Adjournment	

APPENDICES

1. List of attendees
2. Statement by Colombia
3. Conservation proposal by the United States
4. Conservation proposal by Ecuador and Spain
5. Conservation proposal by Mexico
6. Conservation proposal by Venezuela
7. Proposal by Colombia
8. Proposal by Colombia, Guatemala, Nicaragua, Panama, and Peru
9. Document IATTC-76-04: Evaluation of conservation proposals
10. Conservation proposal by the IATTC staff
11. Summary of tuna conservation proposals presented at the 76th Meeting
12. Proposal on capacity by Venezuela
13. Proposal on capacity by Peru
14. Proposal on capacity by Guatemala

1. Opening of the meeting

The meeting was opened by Lic. Mario Aguilar of Mexico, the Chairman of the Commission.

Mr. Aguilar noted that this was the first meeting of the Commission with its new Director, Dr. Guillermo Compeán. He also observed that, since the last meeting of the Commission in June, Colombia had become a member of the IATTC, and he warmly welcomed Colombia on behalf of all of the other member countries.

The various delegations present, including those of observers and non-governmental organizations, introduced themselves. The attendees are listed in Appendix 1.

Colombia made a statement (Appendix 2) emphasizing the limits of the 1949 IATTC Convention, and calling upon the Parties to rectify improper or illegal actions that, over the years, have been taken contrary to that Convention.

Spain and the United States welcomed Colombia as a new member and commented that all actions taken by the Commission under the 1949 Convention have been legitimate and legal, and that all members are bound by all of the decisions taken by the Commission.

2. Adoption of the agenda

The agenda was adopted as presented.

3. Review of the fishery in 2007 and status of stocks

Dr. Compeán reviewed the fishery to date in 2007, and reviewed the status of the tuna stocks.

4. Review of the tuna conservation proposals from the 75th meeting

The delegations of the United States, Spain (on behalf of Spain and Ecuador), and Mexico presented the conservation proposals of their respective countries (Appendices 3-5), which had also been presented a at the 75th meeting of the Commission in June 2007, and Venezuela presented a proposal (Appendix 6) which had recently been circulated to the governments. Colombia noted that it also had a proposal for the meeting to consider (Appendix 7), and a group of countries – Colombia, Guatemala, Nicaragua, Panama, and Peru – presented their proposal (Appendix 8).

The IATTC staff presented Document IATTC-76-04 (Appendix 9), an evaluation of the three conservation proposals made in June (Appendices 3-5). The staff also presented a new conservation proposal, (Appendix 10); this is summarized in Appendix 11, together withthe two new similar proposals .

5. Tuna conservation measures for 2008 and beyond

The various proposals for conservation were discussed extensively, in meetings of heads of delegation as well as in the plenary. Most delegations indicated they had flexibility in their positions; however, in the end no agreement could be reached on a conservation program for 2008 and beyond.

Ecuador asked that the record show that, if no agreement were reached for 2008, Ecuador would nonetheless establish a unilateral conservation program for its vessels.

6. Performance review of the IATTC

The United States noted that this was a very important matter for the Commission to address, but that there was no time left in this meeting to have a full discussion and agree on a resolution.

Mexico noted that it had an alternative proposal on this issue, and had intended to consult bilaterally on it before presenting it to the full meeting, but there had been no time to do this. It was agreed that this issue should be taken up by the Commission at the earliest opportunity.

7. IUU vessel list: amendment of Resolution C-05-07

The European Union expressed its view of the importance of this issue. Colombia asked that the record reflect its opinion that the Colombia-flag vessel *Marta Lucía R* should not be considered an illegal vessel

and should not be on the Commission's IUU Vessel List.

The specifics of how to amend the Resolution in question was not discussed by the meeting due to a lack of time.

8. Report of the 9th Meeting of the Permanent Working Group on Fleet Capacity

The chair of this working group reported to the Commission meeting on the results of the 9th meeting of the group. He reported that no agreement could be reached on amending Resolution C-02-03 on fleet capacity, or on adding any vessels to the Commission's Regional Vessel Register. Three delegations – Guatemala, Peru, and Venezuela – asked that their proposals on this matter, originally presented at the Commission meeting in June, be added to the record of this meeting (Appendices 12-14).

9. Resolutions

There were no resolutions emanating from the meeting.

10. Other business

No other business was discussed by the meeting.

11. Place and date of next meeting

It was agreed that another meeting of the Commission to discuss conservation measures should be held in La Jolla early in 2008, with the dates to be agreed through correspondence.

12. Adjournment

The meeting was adjourned on 24 October.

Appendix 1.

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Appendix 2.

REMARKS OF THE DELEGATION OF COLOMBIA

Further to the remarks that I allowed myself to make to the distinguished delegations present at the 9th Meeting of the Permanent Working Group on Fleet Capacity, at its session last Saturday, 20 October 2007, I reiterate the greeting of the Government of the Republic of Colombia, which is especially pleased to be participating for the first time as a Party to the Inter-American Tropical Tuna Commission.

In this regard, I say again that our presence results from our interest in contributing, in conditions of equality, to the achievement of the high objectives set out in the 1949 Convention, the instrument that sets the mandate for this Inter-American Commission and from whose legal framework we cannot deviate.

The objectives therein set out may be summarized as the interest in preserving a fundamental resource for the social development of our peoples, especially those that derive or may derive an important part of that development from an appropriate utilization of the natural resources present in their jurisdictional waters or in waters adjacent to these.

But as I already said last Saturday, we cannot, because of our interest in preserving such a valuable resource, go beyond the legal limits that each one of the States here represented has voluntarily for ourselves, and much less seek to undermine the sovereignty or the judicial independence of the Parties.

This being so, I repeat that the actions of Colombia within this Commission will observe with the greatest rigor the strict implementation of the principles and rules included in the 1949 Convention, inasmuch as that instrument of international law was what was approved by the national Congress of my country and whose constitutionality and legality were reviewed by the Colombian High Courts. For this reason the statement that accompanies the Instrument of Adherence deposited in Washington on 10 October last was included.

Within the above context, the delegation of Colombia wishes to emphasize that the recommendations and the actions of the IATTC need to be framed within its basic statutes, established by the 1949 Convention, since there is evidence that not doing so undermines its legitimacy, and also promotes behaviors that are at odds with its principles and go against the main objective of the Commission for the protection of the tuna resource and against rules of international law. All of which carries the risk of leading to a generalized discontent of its members, and even, to a crisis of the Commission itself.

In view of the above, we renew our urgent call for this Commission to correct its course, restore the legality of its actions and thus repair, by rectification, those supranational actions contaminated with nullity that go against the rights of States.

With the aim of contributing in this regard and honoring the verbal commitment, we put to the consideration of the Parties the following Draft Recommendation.

Appendix 3.

PROPOSAL D1

SUBMITTED BY THE UNITED STATES

RESOLUTION ON A MULTI-ANNUAL PROGRAM ON THE CONSERVATION OF TUNA IN THE EASTERN PACIFIC OCEAN FOR 2008, 2009, AND 2010

The Inter-American Tropical Tuna Commission (IATTC), at its 75th Meeting in Cancun, Mexico, in June 2007:

Having responsibility for the scientific study of the tunas and tuna-like species of the eastern Pacific Ocean (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, and for the formulation of recommendations to Contracting Parties, cooperating non-Parties, fishing entities and regional economic integration organizations (collectively "CPCs") with regard to these tuna resources, and having maintained since 1950 a continuous scientific program directed toward the study of tuna resources;

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

Being aware with grave concern that, despite the previous conservation and management measures adopted by the Commission, although the catches of bigeye and yellowfin tunas have declined recently, capacity continues to increase and overfishing of bigeye tuna and yellowfin tuna is occurring;

Notes that the tuna resource of the EPO supports one of the most significant surface fisheries for tunas in the world;

Notes the staff's recommendation that the conservation measures for tunas for 2008 should include a closure of the purse-seine fishery of 109 days in order to conserve the stocks of yellowfin and bigeye in the EPO;

Taking into account the best scientific information available, as reflected in the recommendations of the staff and the report of the meeting of the Working Group on Stock Assessments in May 2007; and

Considering that the studies of yellowfin and bigeye tunas presented at this meeting show that the stocks are at a level below that which would produce the average maximum sustainable yield (AMSY);

Resolves as follows:

1. The objective of this Resolution is to reduce fishing levels to levels that will produce the AMSY of yellowfin tuna within three years, and of bigeye tuna within five years.
2. Pole-and-line, troll, and sportfishing vessels are not subject to this resolution.
3. In each one of the years covered by this resolution, the fishery for tunas by purse-seine vessels in the EPO shall be closed for the rest of that year when a total allowable catch (TAC) of 200,000 metric tons of yellowfin tuna is reached. The Director will be authorized to decrease or increase the TAC by no more than four reductions or increments of 30,000 metric tons each, if the Director concludes, from examination of available data, that any such decreases are required to increase the stock to the level producing AMSY or any such increases will pose no significant risk to the stock so as not to fall below the level producing AMSY. Any reduction or increase shall go into effect 30 days after the Director has notified each CPC that the Director has determined such change is appropriate and provided the information upon which the Director's determination was based.
4. In addition, during 2008, 2009, and 2010, each CPC shall limit the annual catch of bigeye tuna by each one of its purse-seine vessels to no more than 500 metric tons per vessel.

5. Each CPC shall, for purse-seine fisheries:

   a. Before the date of entry into force of the closure, take the legal and administrative measures necessary to implement the closure;

   b. Inform all interested parties in its national tuna industry of the closure;

   c. Inform the Director that these steps have been taken;

   d. Ensure that at the time a closure begins, and for the entire duration of the closure, all purse-seine vessels fishing for yellowfin, bigeye, or skipjack tunas flying its flag, or operating under its jurisdiction, 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.

6. Each CPC shall take the measures necessary to control the total annual longline catch of bigeye tuna in the EPO during 2008, 2009, and 2010 by longline vessels fishing under its jurisdiction.

7. China, Japan, Korea, and Chinese Taipei shall take the measures necessary to ensure that their total annual longline catches of bigeye tuna in the EPO during 2008, 2009, and 2010 does not exceed the following levels:

China	2,190 metric tons
Japan	28,283 metric tons
Korea	10,438 metric tons
Chinese Taipei	6,601 metric tons

8. Other CPCs shall take the measures necessary to ensure that their total annual longline catches of bigeye tuna in the EPO during 2008, 2009, and 2010 do not exceed 500 metric tons or their respective catches of bigeye tuna in 2001, whichever is higher.

9. 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 shall provide relevant information to the Parties to assist them in this regard. The Commission shall develop transparent and non-discriminatory criteria and procedures to promote compliance in the EPO, consistent with international law, including World Trade Organization agreements and other applicable trade agreements.

10. Catches of bigeye tuna by large-scale longline vessels (> 24 meters in length) that are not landed in ports in the EPO will be verified for the purpose of paragraphs 8-11 through either Commission-approved port sampling programs or at-sea observers. The Director shall determine, and announce to the CPCs, the appropriate level of observer coverage.

11. Each CPC shall, in each of the years covered by this resolution, notify the Director by 15 July of national actions taken to implement this Resolution, including any controls it has imposed on its fleets and any monitoring, control, and compliance measures it has established to ensure compliance with such controls.

12. Each CPC with tuna longline vessels shall provide monthly of reports of longline catches of bigeye tuna to the Director.

13. To evaluate progress towards the objectives of paragraph 2 of this Resolution, in 2008 the IATTC Scientific Working Group will analyze the effects on the stocks of the implementation of Resolution C-06-02, Resolution C-04-09, and previous conservation and management measures, and will propose to the Commission, if necessary, appropriate measures to be applied in 2009 and thereafter.

14. Each CPC shall comply with this resolution.

Appendix 4.

PROPOSAL D2A

SUBMITTED BY ECUADOR AND SPAIN

RESOLUTION FOR A MULTI-ANNUAL PROGRAM ON THE CONSERVATION OF TUNA IN THE EASTERN PACIFIC OCEAN FOR 2008, 2009, 2010 AND 2011

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 that the Resolution on the Conservation of Yellowfin and Bigeye Tuna in the Eastern Pacific Ocean approved by the IATTC at its 69th meeting in Manzanillo, Mexico;

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 2004;

Considering that the studies of yellowfin and bigeye tuna presented at this meeting show that both stocks are at a level below that which would produce the average maximum sustainable yield (AMSY);

Considering that for tuna purse-seine vessels smaller than 363 metric tons, the catch level for yellowfin tuna and bigeye tuna are not significant;

Taking into consideration the IATTC staff recommendations in relation to closing areas of high concentrations of juvenile bigeye tuna; and

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

Resolves as follows:

1. That this resolution is applicable in 2008, 2009, 2010 and 2011 to purse-seine vessels fishing for yellowfin, bigeye, and skipjack tunas, and to longline vessels fishing for yellowfin and bigeye tuna.
2. Pole-and-line and sportfishing vessels, and purse-seine vessels smaller than 363 metric tons are not subject to this resolution.

Purse-seine fishery

3. That the fishery for yellowfin and bigeye tuna 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 2008, 2009, 2010 and 2011 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 in the Convention Area during the period selected.
5. In addition to the closure contained in paragraph 1 of this Resolution, the directed fishery for yellowfin tuna by purse-seine vessels in the EPO shall be closed for the rest of that year when a total allowable catch (TAC) of 290,000 metric tons of yellowfin tuna is reached. After the TAC has been reached, the landings of fisheries not targeting yellowfin tuna may include a maximum of 15% of

yellowfin tuna relative to its total catch for all species caught.

6. Every vessel that fishes in 2008, 2009, 2010 and 2011, 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.

7. 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.

8. Each CPCs shall, for purse-seine fisheries:

   8.1. No later than 45 days before the date of entry into force of a closure:

      8.1.1. take the legal and administrative measures necessary to implement the closure;

      8.1.2. inform all interested parties in its national tuna industry of the closure;

      8.1.3. inform the Director that these steps have been taken.

   8.2. Ensure that at the time the closures begin, 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.

9. In order to reduce the level of catches of juvenile bigeye tuna, the area bounded by the 94ºW meridian, the 3ºN parallel, the 110ºW meridian, and the 5ºS parallel shall be closed to purse-seine vessels greater than 363 metric tons from 0000 hours on 1 August to 2400 hours on 31 December.

Longline Fishery

10. China, Japan, Korea, and Chinese Taipei, shall take the measures necessary to ensure that their total annual longline catch of yellowfin tuna in the EPO during 2008, 2009 and 2010 will not exceed the following catch levels.

China	1,419 metric tons
Japan	7,297 metric tons
Korea	3,016 metric tons
Chinese Taipei	3,770 metric tons

Other CPCs shall take the measures necessary to ensure that their total annual longline catch of yellowfin tuna in the EPO during 2008, 2009 and 2010 will not exceed 83% of their respective 2001 catch levels or 500 metric tons, whichever is the higher[1]. Each CPC with large-scale tuna longline vessels (LSTLVs)[2] shall provide monthly catch reports to the Director.

11. 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 2008, 2009 and 2010 will not exceed the following catch levels.

[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.

[2] Defined as vessels of more than 21 meters length overall.

China	2,190 metric tons
Japan	28,283 metric tons
Korea	10,438 metric tons
Chinese Taipei	6,601 metric tons

Other CPCs shall take the measures necessary to ensure that their total annual longline catch of bigeye tuna in the EPO during 2008, 2009 and 2010 will not exceed 83% of their respective 2001 catch levels or 500 metric tons, whichever is the higher. Each CPC with LSTLVs shall provide monthly catch reports to the Director.

12. The IATTC Scientific Working Group will analyze, in 2008 and 2009, the effect of these measures on the stocks, and will propose, if necessary, appropriate measures to the Commission in 2008 and 2009 for its consideration.

13. Each CPC shall comply with this resolution.

14. This resolution replaces Resolution C-06-02.

Appendix 5.

PROPOSAL D3

SUBMITTED BY MEXICO

RESOLUTION ON A MULTI-ANNUAL PROGRAM FOR THE CONSERVATION OF TUNA IN THE EASTERN PACIFIC OCEAN IN 2008

The Inter-American Tropical Tuna Commission (IATTC):

Having responsibility for the scientific study of the tunas and tuna-like species of the eastern Pacific Ocean (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, and for the formulation of recommendations to Contracting Parties, cooperating non-Parties, fishing entities and regional economic integration organizations (collectively "CPCs") with regard to these tuna resources, and having maintained since 1950 a continuous scientific program directed toward the study of tuna resources;

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

Notes that the tuna resource of the EPO supports one of the most significant surface fisheries for tunas in the world;

Taking into account the best scientific information available, as reflected in the recommendations of the staff and the report of the meeting of the Working Group on Stock Assessments in May 2007; and

Considering that the studies of yellowfin and bigeye tunas presented at this meeting show that the stocks are at a level below that which would produce the average maximum sustainable yield (AMSY);

Aware that Resolutions C-04-09 and C-06-02 on the conservation of tunas in the EPO, establish conservation measures for the 2004-2007 period and that they expire; and

Furthermore, that the scientific staff has stated the need to establish management measures that include those applied by the Resolutions cited in the previous paragraph, which included a 6-week closure period in the purse-seine fishery and catch levels that must not exceed those of 2001 for the longline fishery;

Resolves as follows:

1. This resolution is applicable in 2008 to all purse-seine and longline fisheries for tunas in the EPO.

2. The closure period for the purse-seine fishery will be extended in that season by 31 additional days for a total of 73 days, starting on 20 November 2007 and finishing on 2 February 2008.
3. In the event that there are two closure periods in the EPO, to ensure the effectiveness of the closures, those vessels that choose the closure period during August-October of the year shall not be able to fish north of the 5ºN parallel when this area is closed. Reciprocally, vessels that choose the closure in the November-February period will not be able to fish south of that parallel during the time that that area is closed.
4. Each CPC shall, for purse-seine fisheries:
   a. Before the date of entry into force of the closure, take the legal and administrative measures necessary to implement the closure;
   b. Inform all interested parties in its national tuna industry of the closure;
   c. Inform the Director that these steps have been taken;
   d. Ensure that at the time a closure begins, and for the entire duration of the closure, all purse-seine vessels fishing for yellowfin, bigeye, or skipjack tunas flying its flag, or operating under its jurisdiction, 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.
5. 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 shall provide relevant information to the Parties to assist them in this regard. The Commission shall develop transparent and non-discriminatory criteria and procedures to promote compliance in the EPO, consistent with international law, including World Trade Organization agreements and other applicable trade agreements.
6. Each CPC with tuna longline vessels shall provide monthly of reports of longline catches of bigeye tuna to the Director.
7. All vessels that fish on FADs shall mark (number) these devices and maintain a record of the number of FADs and beepers aboard at the beginning and end of the fishing trip, also information shall be recorded on the position of the FAD at the time it is deployed in the water and if applicable when it is recovered. In every possible case FADs will be recovered.
8. The IATTC staff shall determine the incremental vulnerability that leaving FADs at sea implies and their impact on the yield per recruit, and if applicable recommend appropriate measures.
9. Each CPC shall comply with this resolution.

Appendix 6.

PROPOSAL D4

SUBMITTED BY VENEZUELA

RESOLUTION ON A PROGRAM FOR THE CONSERVATION OF TUNA IN THE EASTERN PACIFIC OCEAN IN 2008

The Inter-American Tropical Tuna Commission (IATTC):

Considering, that it is responsible for developing and carrying out scientific studies of the tunas and tuna-like species of the eastern Pacific Ocean (EPO), defined for the purposes of this Resolution as the area

bounded by the coastline of the Americas and the 150°W meridian. From the the 40°N to the 40°S parallel.

Considering, that it is responsible for formulating recommendations to the High Contracting Parties, cooperating non-parties, Cooperating Fishing Entity and Regional Economic Integration Organization (collectively called "CPCs") with regard to these resources.

Considering, that the Commission has maintained, since 1950, a continuous scientific program dedicated to the study of these resources.

Considering, that past experience in the fishery indicates that the potential production from the resource can be reduced by excessive fishing effort;

Considering, that the yellowfin tuna resource in the EPO supports one of the most significant surface fisheries for tunas in the world;

Considering, according to the scientific staff's statistical data, that the catches of yellowfin tunas of small sizes are being increased.

Considering, that the excessive increase of fish-aggregating devices (FADs) with the latest generation of satellite equipment and other technologies, increases in practice the fishing capacity in the EPO and, possibly alters the migration patterns of yellowfin tunas.

Taking into account the best scientific information available, provide by the scientific staff of the Commission at the 75th Meeting of the IATTC and by the Working Group on Stock Assessments in May 2007;

Taking into account, that the studies presented by the scientific staff of the Commission on the status of the stocks of yellowfn and bigeye tuna that they are below the average maximum sustainable yield (AMSY);

Recognizing, the importance of a global approach to the populations of the different oceans to achieve effectiveness in management and conservation measures.

Resolves as follows:

1. This resolution is applicable for the year 2008 to all purse-seine and longline fisheries that fish in the EPO.
2. The closure period shall be 60 days. Each IATTC Party, cooperating non-party, fishing entity or regional economic integration organization (collectively "CPCs") shall choose for each year, which of the two specified periods will be closed to purse-seine fishing by all of its vessels. The closures shall be from 0000 hours on 1 August to 2400 hours on 30 September, and from 0000 hours on 2 November to 2400 hours on 31 December. All vessels must stop fishing in the Convention Area during the period selected. Any vessel that transits in the area covered by this Convention during the closure period must have an observer aboard and/or provide to the Commission information that guarantees that the vessel will not be able to carry out fishing operations.
3. Each CPC shall, for purse-seine fisheries:
    a. Before the date of entry into force of the closure, take the legal and administrative measures necessary to implement the closure;
    b. Inform all interested parties in its national tuna industry of the closure;
    c. Inform the Director that these steps have been taken;
4. 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 shall 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 restrictive trade measures consistent with international law, including World Trade Organization agreements and other applicable trade agreements, to promote compliance in the EPO.

5. Set a minimum catch size for yellowfin (3.2 kilograms), for bigeye (3.2 kilograms) and for skipjack (1.8 kilograms). Also a catch limit shall be set for small tuna, which shall not excedd 10% of the capacity of the vessel according to the Commission's Regional Vessel Register. Each vessel that exceeds this catch shall stop making sets on floating objects.
6. Any vessel that has an annual average of more than 60% of its sets on floating objects shall place sorting grids for juveniles in a period of not more than two years from January 2008, or other method that guarantees the effective release of juvenile tuna and other non-target species.
7. The scientific staff of the Commission, may recommend, basing itself on the best available scientific evidence, the implementation of spatiotemporal closures, where there are high concentrations of juvenile yellowfin and/or bigeye.
8. All vessels at the beginning and end of the trip that fish on FADs, shall mark (number) these devices and maintain a record of the number of FADs and beepers aboard. They shall also record information on the position of the FADs at the time they are deployed in the water and if applicable when they are recovered.
9. Every purse-seine tuna vessel shall before the start of the closure period which it decided to observe, retrieve at least 40% of the FADs deployed before returning to port.
10. Each CPC with tuna longline vessels shall provide to the Director monthly reports of longline catches of bigeye tuna.
11. The Scientific Staff of the Commission, shall recommend whether or not the catch limits for bigeye tuna by the longline fleet established in previous resolutions should be modified and, whether catch limits for yellowfin tunas should be included for this fleet.
12. This resolution replaces Resolution C-06-02.

Appendix 7.

PROPOSAL

SUBMITTED BY COLOMBIA

DRAFT RECOMMENDATION

The Inter-American Tropical Tuna Commission (IATTC):

Emphasizing that the "Convention between the United States of America and the Republic of Costa Rica for the establishment of an Inter-American Tropical Tuna Commission", made at Washington on the thirty-first (31st) of May of nineteen forty-nine (1949), establishes the mandate of the Commission;

Recalling that paragraph 5 of article II of the 1949 Convention establishes that the Commission shall recommend, on the basis of scientific investigations, proposals for joint action by the High Contracting Parties designed to keep the populations of fishes covered by this Convention at those levels of abundance which will permit the maximum sustained catch;

Emphasizing that in accordance with the rules of the International Law of the Sea, the sovereignty, sovereign rights and jurisdiction of coastal States extends beyond its territory and its internal or archipelagic waters, to adjacent belts of sea, described as the territorial sea, contiguous zone and exclusive economic zone;

Recognizing that it is necessary to advance permanent research on the abundance, biology, biometry, and ecology of the target species of the Convention with the aim of maintaining the High Contracting Parties informed of current and past conditions and of the trends that may be observed, so that they may take appropriate decisions on the best scientific basis available;

Noting that only through the implementation of appropriate conservation measures by each one of the High Contracting Parties to the Convention will the conservation of the fisheries resource be achieved, avoiding overexploitation from the implementation of systems of control that have not met the needs and interests of the High Contracting Parties.

Recommends

1. Keeping updated annually all the scientific studies that allow it to know the sustainable levels of catch of tunas in the waters of the Eastern Pacific.
2. For the protection of the tuna resource, the recommendations should be based on objective and real scientific studies and research, taking into account the development of the fishery and its methods of catch, urging the Parties to not use predatory methods.
3. Calling on the Governments of the High Contracting Parties of the 1949 Convention so that, by virtue of the provisions of article III of that Convention, the internal legal measures necessary are adopted for the conservation of the tuna species at the levels that will allow maximum sustainable fishing.

Appendix 8.

PROPOSAL BY COLOMBIA, GUATEMALA, NICARAGUA, PANAMA, PERU

RECOMMENDATION ON A MULTI-ANNUAL PROGRAM ON THE CONSERVATION OF TUNA IN THE EASTERN PACIFIC OCEAN FOR 2008 AND 2009

The Inter-American Tropical Tuna Commission (IATTC):

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

Recalling the measures for the conservation of yellowfin and bigeye tuna in the eastern Pacific Ocean adopted by the IATTC at its 69th meeting in Manzanillo, Mexico;

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 2004;

Considering that the studies of yellowfin and bigeye tuna presented at this meeting show that both stocks are at a level below that which would produce the average maximum sustainable yield (AMSY);

Considering, that the excessive increase of fish-aggregating devices (FADs) with the latest generation of satellite equipment and other technologies, increases in practice the fishing capacity in the EPO,

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

Recommends:

1. That the measures be applicable in the years 2008 and 2009 to all purse-seine vessels fishing for yellowfin, bigeye, and skipjack tunas, and to longline vessels that fish for yellowfin and bigeye tunas.

2. Pole-and-line, troll, and sportfishing vessels are not subject to the measures adopted herein.

3. That in each one of the years covered by this document, the fishery for tunas by purse-seine vessels in the EPO, defined as the area bounded by the coastline of the Americas and the 150°W meridian from the 40°N parallel to the 40°S parallel, shall be closed for the rest of that year when a total allowable catch (TAC) of 200,000 metric tons of yellowfin tuna is reached. The Director is authorized to increase the TAC by no more than four increments of 30,000 metric tons each, if an examination of the data provided by the scientific staff of the IATTC leads him to that conclusion. The increments shall go into effect 30 days after the Director has notified each CPC. If the limit is reached, including the increments authorized by the Director, purse-seine fishing for tunas shall cease in the EPO.

4. Furthermore, a TAC of 52,000 metric tons is established for bigeye tuna caught with purse seines, and the Director is authorized to increment this limit by up to four increments of 5,500 metric tons each, if an examination of the data provided by the scientific staff of the IATTC leads him to that conclusion. These increments go into effect 30 days after the Director has notified each CPC. When the limit is reached, including the increments authorized by the Director, no purse-seine vessel may make sets on FADs in the EPO. A per-vessel bigeye catch limit of 2,000 metric tons is established.

5. Each CPC shall 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 shall provide relevant information to the Parties to assist them in this regard. The Commission shall develop transparent and non-discriminatory criteria and procedures to promote compliance in the EPO, consistent with international law, including World Trade Organization agreements and other applicable trade agreements.

6. Each CPCs shall, for purse-seine fisheries:
    a. No later than 45 days before the date of entry into force of a closure:
        i. take the legal and administrative measures necessary to implement the closure;
        ii. inform all interested parties in its national tuna industry of the closure;
        iii. inform the Director that these steps have been taken.
    b. Ensure that at the time the closures begin, 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.

7. China, Japan, Korea, and Chinese Taipei, shall take the measures necessary to ensure that their total annual longline catch of yellowfin tuna in the EPO during 2008 and 2009 will not exceed the following catch levels.

China	1,419 metric tons
Japan	7,297 metric tons
Korea	3,016 metric tons
Chinese Taipei	3,770 metric tons

   Other CPCs shall take the measures necessary to ensure that their total annual longline catch of yellowfin tuna in the EPO during 2008 and 2009 will not exceed 83% of their respective 2001 catch levels or 500 metric tons, whichever is the higher. Each CPC with large-scale tuna longline vessels shall provide monthly catch reports to the Director.

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 2008 and 2009 will not exceed the following catch levels.

China	2,190 metric tons
Japan	28,283 metric tons
Korea	10,438 metric tons
Chinese Taipei	6,601 metric tons

Other CPCs shall take the measures necessary to ensure that their total annual longline catch of bigeye tuna in the EPO during 2008 and 2009 will not exceed 83% of their respective 2001 catch levels or 500 metric tons, whichever is the higher. Each CPC with large-scale tuna longline vessels shall provide monthly catch reports to the Director.

9. The IATTC Scientific Working Group will analyze, in 2008 and 2009, the effect of these measures on the stocks, and will propose, if necessary, appropriate measures to the Commission in 2008 and 2009 for its consideration.
10. Each CPC shall comply with this recommendation.
11. This document replaces the conservation measures adopted in 2006.

Appendix 9.

DOCUMENT IATTC-76-04

EVALUATION OF CONSERVATION PROPOSALS MADE AT THE 75TH MEETING OF THE IATTC

Three conservation proposals for bigeye and yellowfin tunas (Annexes 1a-c) were considered at the 75th meeting of the IATTC in June 2007. This paper evaluates the expected effect of each of these proposals, based on the stock assessments that were presented at the 75th meeting. While the proposals covered different periods (2008-2010, 2008-2011, 2008), this evaluation examines the effect of continuing the application of each proposal until 2013. A different assessment model was used for each species: Stock Synthesis 2 (SS2) for bigeye and A-SCALA for yellowfin. For population projection work, A-SCALA allows the use of quarterly fishing effort rate, whereas SS2 uses only annual fishing mortality rates; accordingly, the proposals had to be evaluated slightly differently for the two species.

Details of the evaluations are provided in Annex 2.

1. Proposals

The three proposals are summarized below. All limits are annual limits, and apply to the purse-seine and longline fisheries for bigeye and yellowfin tunas only.

1.1. PROPOSAL D1

Applies to 2008-2010.

1.1.1. PURSE-SEINE

Yellowfin: Close purse-seine fishery when a total allowable catch (TAC) of 200,000 metric tons (t) of yellowfin is reached; the Director may decrease or increase the TAC by no more than four reductions or increments of 30,000 t each.

Bigeye: Limit catches by each purse-seine vessel to no more than 500 t.

1.1.2. LONGLINE

Bigeye: Fixed catch limits for China, Japan, Korea, and Chinese Taipei; catches by other CPCs not to exceed 500 t or their respective catches of bigeye tuna in 2001, whichever is higher.

1.2. PROPOSAL D2A

Applies to 2008-2011.

1.2.1. PURSE SEINE

Close purse-seine fishery either 1 August-11 September or 20 November-31 December; and:

Yellowfin: Close the directed fishery for yellowfin when a TAC of 290,000 t of yellowfin is reached; after TAC is reached, the landings of fisheries not targeting yellowfin may include a maximum of 15% yellowfin.

Bigeye: Close the area between 94ºW and 110ºW from 3ºN to 5ºS (Figure 1) to purse-seine vessels greater than 363 t, 1 August-31 December.

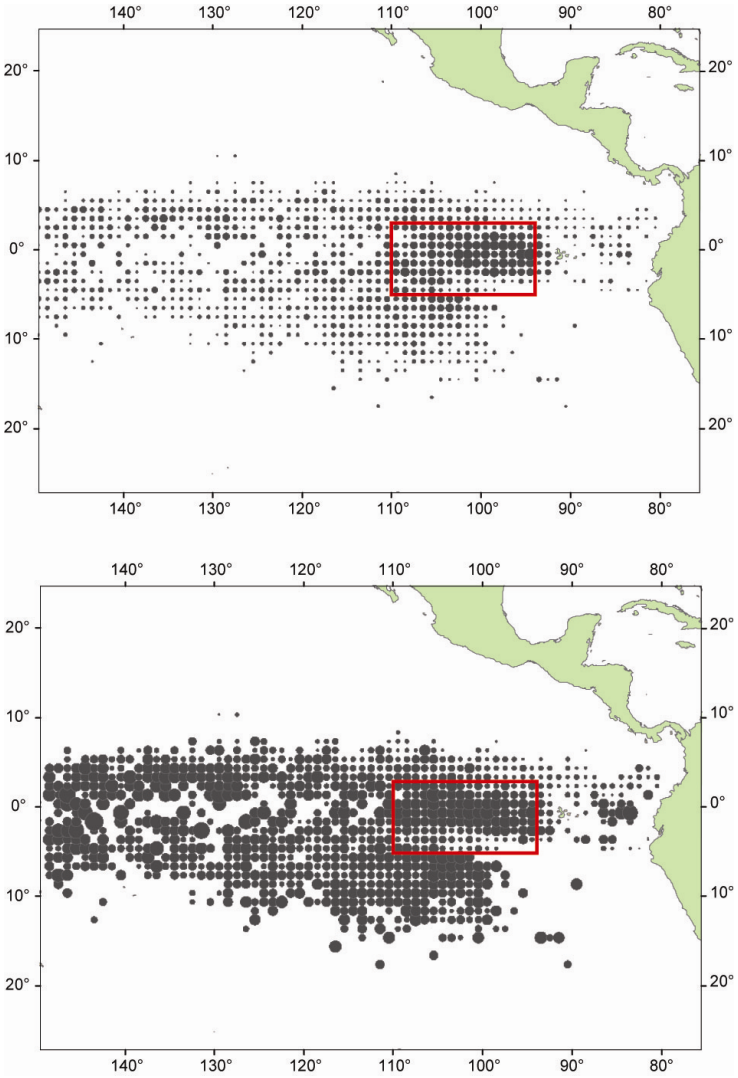

FIGURE 1. Total catch (top) and average catch per set (bottom) of bigeye in the EPO, during the closure period in Proposal D2a (1 August-31 December), 2004-2006.

1.2.2. LONGLINE

Yellowfin and bigeye: Fixed catch limits for China, Japan, Korea, and Chinese Taipei; catches by other CPCs not to exceed 500 t or 83% of their respective catches of bigeye tuna in 2001, whichever is higher.

1.3. PROPOSAL D3

Applies to 2008 only.

1.3.1. PURSE SEINE

Close purse-seine fishery for 73 days, either during August-October or from 20 November 2007 to 2 February 2008; also, no fishing south of 5ºN during the August-October, and no fishing north of 5ºN during the November-February closure.

2. Methods

Due to uncertainty in the estimates of recent recruitment, the recruitment of yellowfin for quarter 3 of 2006 and later, and of bigeye for quarter 1 of 2007 and later, were set to equal the average recruitment for 1975-2006.

2.1. PROPOSAL D1

2.1.1. PURSE SEINE

For bigeye tuna, the effect of limiting the catch of bigeye by each purse-seine vessel to 500 t was assessed by comparing the catches during 1999-2006 with the catches that would have occurred in those years had each vessel been limited to 500 t. The annual fishing mortality for 2008-2013 for the purse-seine fisheries was then set at the product of the average annual fishing mortality during 2004-2006 and 0.46 (the ratio of catches with the limit to the actual catches.)

For yellowfin tuna, the projections for the purse-seine fisheries assumed the effort level that would produce MSY, while those for the pole-and-line fishery were based on its current level of effort.

It was assumed that the yellowfin catch would not be affected by the bigeye conservation measure, and vice versa.

2.1.2. LONGLINE

For both yellowfin and bigeye, the assumed longline effort during 2008-2013 was the average effort for 2004-2005 multiplied by 0.83.

2.2. PROPOSAL D2A

2.2.1. PURSE SEINE

The average fishing effort during 2004-2006 in the floating-object fisheries (Figure 2) was multiplied by scaling factors to produce the estimated effort corresponding to the spatial closure. Quarterly changes were used for the yellowfin assessment model. The SS2 model used to assess bigeye cannot use quarterly effort data for population projection work. For this reason, the scaling factors for each quarter were converted into annual scaling factors to accommodate the SS2 model (see Annex 2 for a description of the method). Appendix 3 shows an alternative method of calculating the effect of the redistribution of fishing effort away from the closed area.

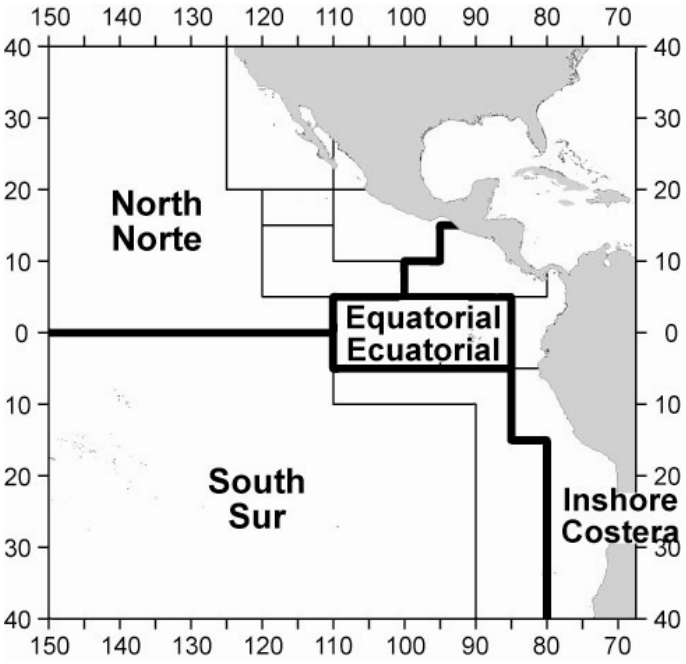

FIGURE 2. The floating-object fishery areas.

The annual scaling factors used for the annual fishing mortality of bigeye during 2008-2013 were:

South	Equatorial	Inshore	North
1.08	0.84	1.08	1.09

The corresponding quarterly scaling factors for fishing effort used for yellowfin were:

	South	Equatorial	Inshore	North
Quarter 1	1	1	1	1
Quarter 2	1	1	1	1
Quarter 3	1.04	0.94	1.04	1.04
Quarter 4	1.31	0.67	1.31	1.31

In addition, the yellowfin catch limit of 290,000 t was implemented by determining the year in which the quota would first be exceeded if there were no other restriction (2008), calculating the proportion of the year during which the purse-seine fisheries on unassociated tunas and tunas associated with dolphins would be closed, and then subtracting this from the purse-seine effort in quarter 4, by fishery. This level of effort was then applied to all years, starting in 2008. During 2004-2006, yellowfin catches on floating objects comprised between 12% and 13% of the total catch on floating objects, and it is likely that reaching the quota would have little effect on vessels fishing on floating objects. It should be noted that, unless all unloadings are scientifically sampled for species composition, the 15% limit, together with the difficulty of distinguishing small yellowfin and bigeye tuna, may lead to underestimation of the catches of yellowfin by individual vessels.

2.2.2. LONGLINE

As for Proposal D1, the assumed longline fishing effort during 2008-2013 was the average effort for 2004-2005 multiplied by 0.83.

2.3. PROPOSAL D3

2.3.1. PURSE SEINE

For bigeye tuna, the annual fishing mortality rate for 2008-2013 is the average annual fishing mortality for 2004-2006 multiplied by (365-73)/(365-42) = 0.90.

For yellowfin tuna, since the projection model works in quarterly time steps, and because most yellowfin fishing during 2004-2006 has been closed during November and December, a closure during the first quarter of the year is used in the projection, reducing the average effort for 2004-2006 by 33/90 starting in 2009.

No attempt was made to simulate the effect of paragraph 3 of the proposal that required that there be no fishing north of 5^{o}N during the November-February closure and none south of 5^{o}N during the August-October closure. During 2004-2006, fewer than 2% of the total number of sets made each year were north of 5^{o}N during the November-December closure and fewer than 10% were south of 5^{o}N during the August-September closure (Annex 4). This suggests that the effect of this part of the proposal would be fairly small.

2.3.2. LONGLINE

The fishing effort rates for 2008-2013 are set at the average for 2004-2005.

3. Results

The results of the evaluations are shown in the plots of fishing mortality rates and spawning stock sizes over time in Figure 4. In each case only the central estimate is shown.

The stock assessments carried out in March 2007 showed that the bigeye stock is currently growing because of good recent recruitment and that, even without any change in the current conservation measures, it would reach the size that will produce the maximum sustainable yield (MSY) in 2008, but

would then decline after 2010. The assessment also indicated a recent increase in yellowfin recruitment, which has a shorter-term effect, but this increase is much less certain.

3.1. CATCHES

The predicted catches for each proposal, and for the six-week closure established by the current resolution (C-06-02), illustrated in Figure 3, are as follows.

	Bigeye				Yellowfin			
Year	C-06-02	D1	D2a	D3	C-06-02	D1	D2a	D3
2007	83,326	83,326	83,326	83,326	228,857	228,857	228,857	228,857
2008	65,597	31,766	65,673	59,682	302,190	300,394	302,190	296,430
2009	56,111	32,653	56,201	52,792	278,312	278,681	262,161	278,512
2010	53,742	34,598	53,702	51,499	283,018	282,665	279,707	287,759
2011	53,884	36,093	53,650	51,993	282,883	282,164	282,901	288,897
2012	54,100	36,668	53,801	52,301	282,880	282,135	283,111	288,956

Proposal D2a shows a relatively small reduction in bigeye catches compared to the status quo (Resolution C-06-02) because the bigeye catches avoided in the closed area are largely recovered by fishing in other areas. This result depends very much on how the vessels redistribute their effort from the closed area, as further discussed in Annex 3.

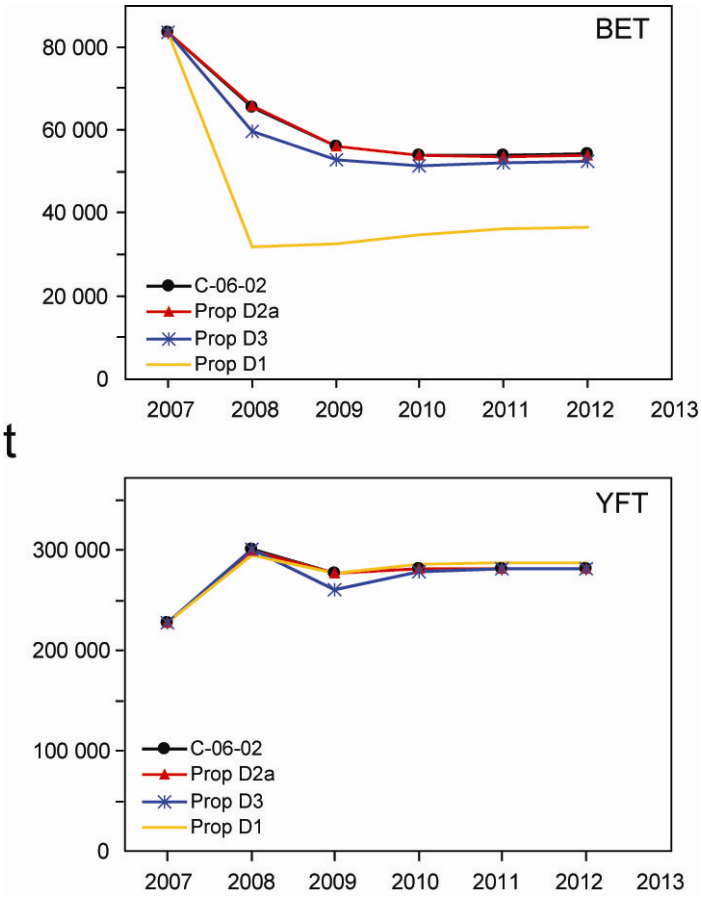

FIGURE 3. Projected catch of bigeye (BET) and yellowfin (YFT) for the current resolution (C-06-02) and Proposals D1, D2a and D3.

3.2. EFFECT ON THE STOCKS

The trends (three-year moving averages) in the trajectories of the estimates of spawning stock size and fishing mortality of bigeye and yellowfin, relative to their AMSY reference points, projected under the three proposals are shown in Figure 4.

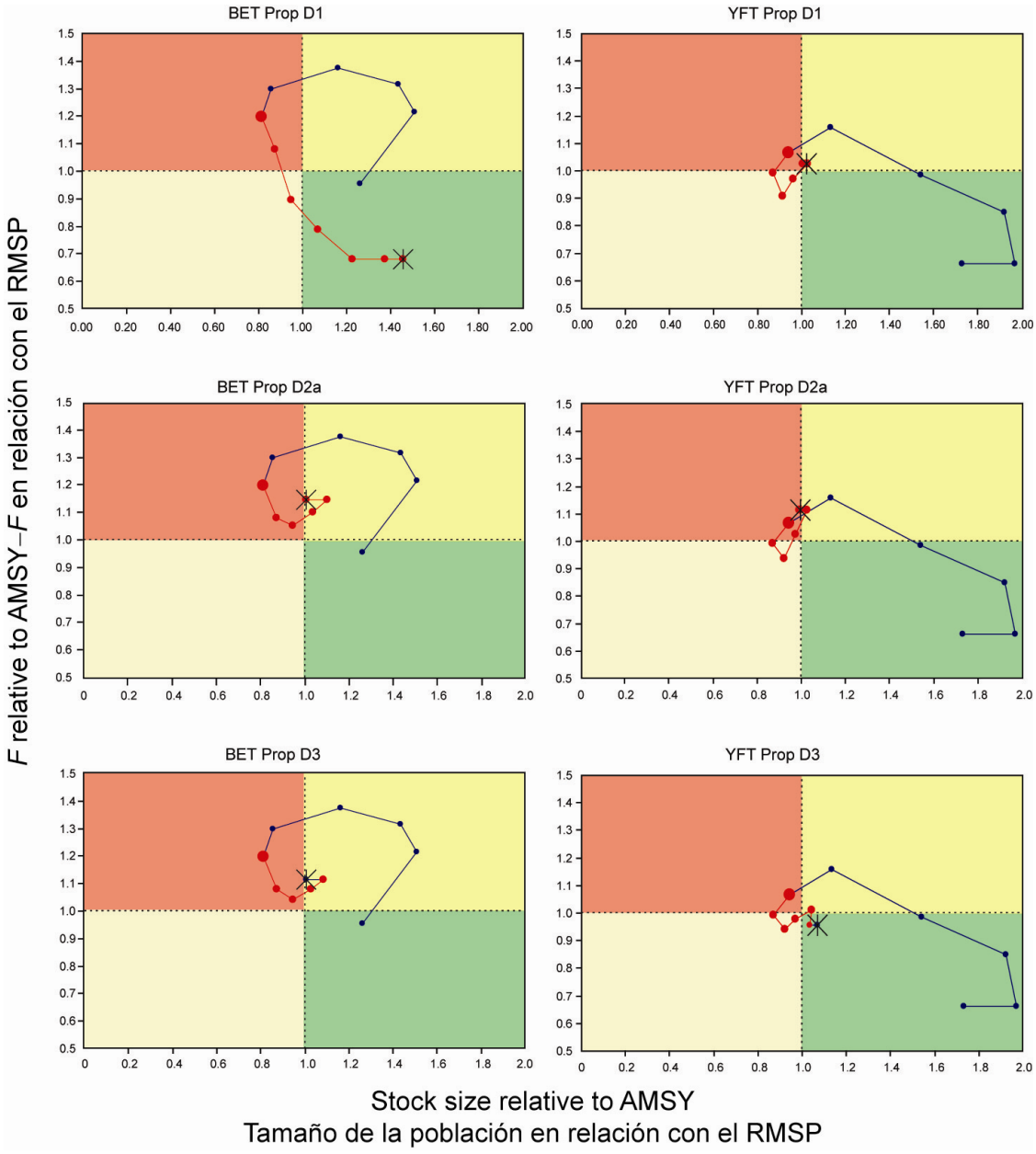

FIGURE 4. Phase plots of the time series of estimates of spawning stock size and fishing mortality (*F*) relative to their AMSY reference points, projected under proposals D1, D2a and D3 for bigeye (left) and yellowfin (right). The black segments show the past history, and the red the forecast under the three proposals. Each dot represents a running average of three years; the largest red dot represents the most recent estimate (2004-2006), and the black cross the projection for 2010-2012.

3.2.1. PROPOSAL D1

For bigeye, the effect of the proposal would be to rapidly decrease fishing effort to below the level that would produce the MSY and eventually reach 70% of that level. This would allow the stock to increase steadily. In three years it would reach the level that would produce the MSY, and it would grow to nearly 50% more than that level by 2011.

For yellowfin, the fishing mortality rate initially declines for two years, and subsequently increases to about the MSY level. The stock initially declines, but trends towards the level that would produce the MSY during 2007 and 2008.

3.2.2. PROPOSAL D2A

For bigeye, the fishing mortality rate declines during 2008-2009 to about 5% above the MSY level and subsequently increases to about 15% above that level. The stock size increases, reaching the MSY level by about 2008. The stock trend continues upwards for a short time and subsequently declines, due the high fishing mortality rate.

For yellowfin, the fishing mortality rate initially trends below the MSY level, but subsequently increases above than that level. The stock size initially declines, but recovers to the MSY level during 2007 and 2008, and thereafter remains near that level.

3.2.3. PROPOSAL D3

For bigeye, the fishing mortality rate declines over the next two years to about 5% above the MSY level, and subsequently increases to about 10% above that level. The stock size increases, reaching the MSY level by about 2008. The stock continues to trend upwards for a short time and subsequently declines, due to the high fishing mortality rate.

For yellowfin, the full effect of the proposal is not felt until 2009. The average fishing mortality rate

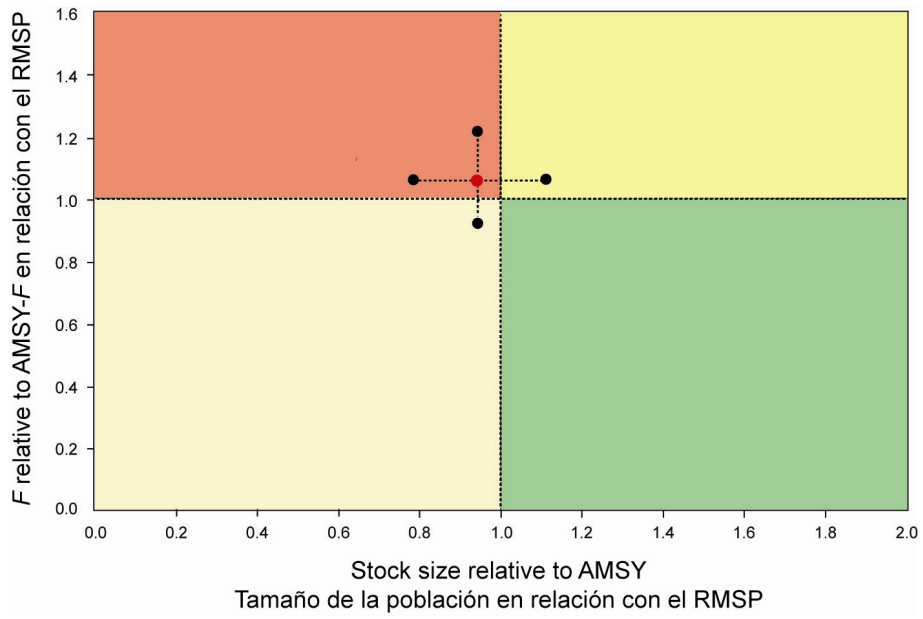

FIGURE 5. Phase plot of estimated fishing mortality (*F*) and stock size as a ratio of the levels corresponding to AMSY for yellowfin. The values are the averages for 2004-2006, and are based on the recruitment estimated in the stock assessment. The arms of the cross represent approximate 95% confidence intervals.

initially declines below the MSY level but subsequently increases to that level in 2009 and subsequently remains below the MSY level. The stock initially trends downwards but recovers to the level that would produce the MSY during 2007 and 2008 and thereafter remains above that level.

The phase plots in Figure 4 show the best estimates only. Figure 5 shows, for yellowfin, an estimate of uncertainty for the 2004-2006 averages, based on the estimated recruitment in 2006.

4. Conclusions

For bigeye, the outcome of Proposals D2a and D3 is not substantially different from that of the current conservation measure. The fishing mortality rate will remain above the MSY level (more so in the case of D2a than D3). The stock will continue its short-term increase until about 2010, and then decline. Proposal D1 would reduce the fishing mortality to below the MSY level, and maintain the stock size well above the MSY level.

For yellowfin, the effect of the three proposals on the stock is similar; in each case the stock initially declines and then recovers to the MSY level. After 2008, the fishing mortality rate is maintained near (Proposal D1), above (Proposal D2a), and below (Proposal D3) the MSY level. .

Appendix 10.

DOCUMENT IATTC-75-07b REV

CONSERVATION RECOMMENDATIONS

Resolutions C-04-09 and C-06-02 on the conservation of tunas in the eastern Pacific Ocean (EPO) establish measures for the conservation of yellowfin and bigeye tuna during 2004-2007. This paper makes recommendations for yellowfin and bigeye for 2007-2009 and for an annual limit on the catch of swordfish in the southeastern Pacific Ocean, and suggests clarification of Resolution C-05-02 concerning northern albacore tuna. It also recommends that the growing capacity of the purse-seine fleet be addressed. Summaries of the stock assessments for all species are provided in Document IATTC-75-06, *Tunas and billfishes in the eastern Pacific Ocean in 2006*.

The *ad hoc* meeting of the Commission in February 2007 asked the staff to provide information on possible area closures that would reduce catches of juvenile yellowfin and bigeye tuna, and to estimate the total allowable catches (TACs) for each species. These recommendations, therefore, include those measures, in addition to the seasonal closure that has been in effect during 2004-2007. Two points suggested by individual delegations at the February meeting, a closure of a large area to all fishing and measures affecting fish-aggregating devices (FADs), are also addressed.

1. FLEET CAPACITY

The major issue that must be addressed to facilitate conservation of the stocks and the economic viability of the fisheries for yellowfin and bigeye tunas is that of the size of the purse-seine fleet. On May 13, 2007, the carrying capacity of the purse-seine fleet fishing or expected to fish in the EPO was 228,157 m^3. While Resolution C-02-03 on capacity has limited entry, there is still room for some additional vessels to enter the fishery within the terms of the Resolution.

The staff recommends that the Commission examine means to reduce the fleet size toward the Commission's target of 158,000 m^3 as soon as possible.

2. YELLOWFIN TUNA

The stock assessment for yellowfin is similar to that of 2006. The base case assessment indicates that the spawning stock size has declined from a high point in 2001 to about 95% of the level corresponding to the average maximum sustainable yield (AMSY). The fishing mortality corresponding to the AMSY is 0.96 (*F multiplier*) times the average fishing mortality rate for the last three years. The historical status of the stock is shown in the plot in Figure 1. The trajectory starts in 1977, near the edge of the green section of the graph, and the large red dot at the end represents the average of 2004-2006.

Since 2002 recruitment has been less than the average for 1985-2002. It is possible that this lesser recruitment will persist in the future, which would produce reduced catches relative to those possible during 1987-2003.

At the beginning of 2007 the carrying capacity of the purse-seine fleet was 7% greater than the average for 2004-2006. To simply maintain the effect of Resolution C-04-09, the period during which purse-seining was permitted (46 weeks) should be reduced.[3]

The base case assessment did not include a stock-recruitment relationship; if that were incorporated (the alternative assessment) the *F multiplier* would be 0.65. The staff has attributed the increase in recruitment and stock size after 1985 to a regime change that led to greater spawning biomasses, rather than to dependence of recruitment on spawning stock size. Nevertheless, it is possible that this interpretation is wrong, and that the increase in recruitment after 1985 was related to a stock-recruitment

[3] closure = 365 – *F multiplier* × (365 – 42)/(1 + capacity increase)

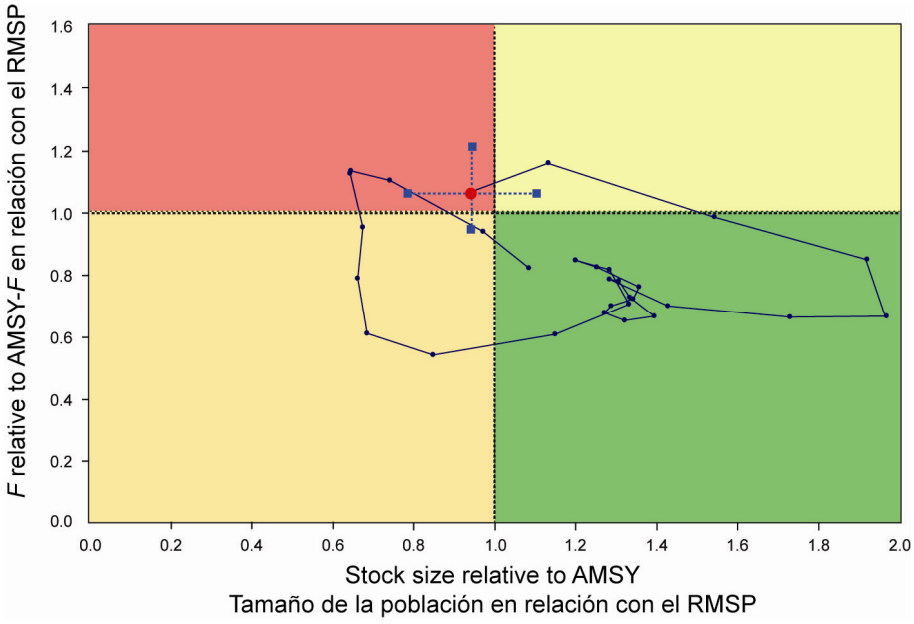

FIGURE 1.

relationship, in which moderate stock reductions cause recruitment to decline. If that were the case, the stock would currently be overfished.

Regardless of the recruitment, the total catch and stock size could be increased if the average size of the yellowfin in the catch were increased. The longline fishery catches the largest fish, but takes less than 5% of the total catch. The purse-seine fishery takes yellowfin of a wide range of sizes, depending on set type. Increasing the proportion of the catch made by longlines or by purse-seine sets on tunas associated with dolphins, particularly offshore, would increase the sustainable yields and the biomass. Area closures might be used to increase the yield per recruit of yellowfin, but their effect cannot be precisely forecast. Juvenile yellowfin tuna are taken mostly in inshore areas, and restricting fishing by vessels carrying observers in an area such as that shown in Figure 2 would increase the yield per recruit of yellowfin tuna, but would not on its own resolve the issue of too much fishing. The proposal is for large vessels only as it might be difficult for small vessels to fish in offshore areas. The Appendix gives the catches of large vessels inside the proposed area and an indication of its possible effect.

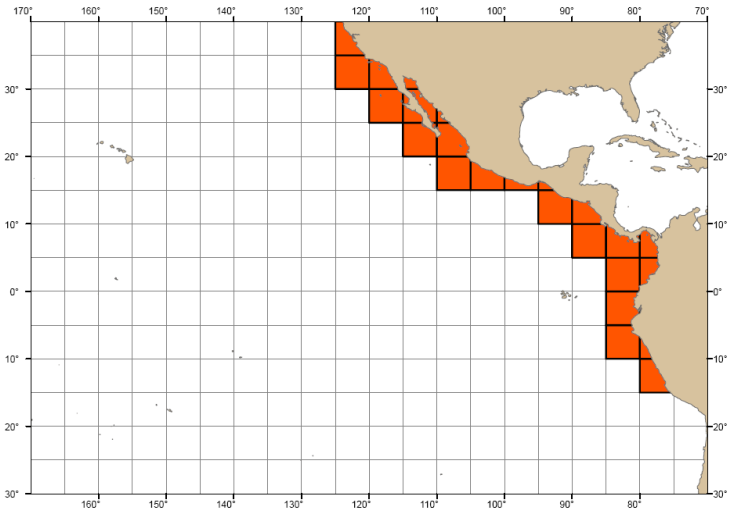

FIGURE 2.

The staff recommends that the Commission:

1. (a) Extend the closure periods for the purse-seine fishery in Resolution C-06-02 by an additional 32 days, to 74 days, and that the closure period be extended further if the carrying

capacity of the purse-seine fleet continues to increase; or

(b) Set a TAC of 200,000 metric tons [4] (t) for yellowfin taken by purse seine in the EPO, but that the Director be authorized to increase the limit by up to four increments of 30,000 t each if he concludes, from examination of available data, that such increments would pose no significant risk to the stock. If the limit, including any increments authorized by the Director, is reached, purse-seining for tunas will cease.

2. Examine the effectiveness of closing coastal areas, such as that shown in Figure 2 to purse-seine vessels fishing for tropical tunas that are required by the AIDCP to carry observers, with the objective of improving the yield per recruit of yellowfin tuna. The examination might include closing an area for one quarter of the year and evaluating the result.

In case of Option 1(b), the Director should give CPCs one month's notice of the date on which he estimates that the catch limit will be reached.

3. BIGEYE TUNA

The stock assessment results are generally similar to those of previous assessments, except that the recruitments in 2001 and 2002 are now estimated to be less than they were estimated to be in 2006.

The stock remains below the AMSY level, but a recent large recruitment has mitigated the overfishing. The stock is expected to approach the level corresponding to the AMSY in 2010, and subsequently to decline. The fishing mortality corresponding to the AMSY is 0.83 times the average fishing mortality rate during 2004-2006. The historical status of the stock is shown in the plot in Figure 3. The trajectory starts in 1977, at the lower right of the graph, and the large red dot at the end represents the average of 2004-2006.

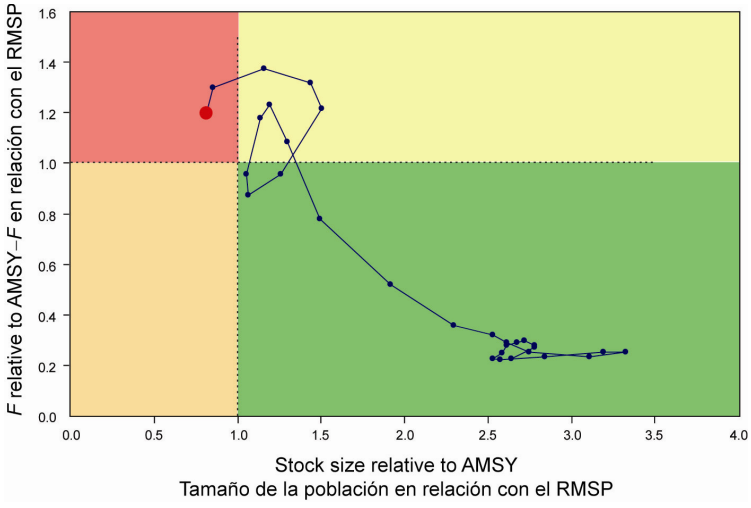

FIGURE 3.

The base case assessment did not include a stock-recruitment relationship; if that were incorporated (the alternative assessment) the *F multiplie*r would be 0.59.

The staff recommendation is based on the base case assessment. In contrast to yellowfin, there is no information in the history of the fishery that supports a stock-recruitment relationship in which moderate stock reductions cause recruitment to decline. However, the steepness of the stock-recruitment relationship is difficult to estimate, and there remains a possibility that inferences made using the base case assessment underestimate the extent to which the stock is overfished.

The staff has made an evaluation of the effect of closing the area shown in Figure 4 to fishing by large purse-seiners. The absolute effect is uncertain because the response of fishermen, the variability of the stocks, and the variability of the environment cannot be predicted, but it would be likely to lead to a reduction of bigeye and skipjack catches and to increased catches of yellowfin. If that were coupled with

[4] The initial TAC and range for yellowfin tuna are calculated as the AMSY during the period of low recruitment (1975-1982), with the increments such that four increments would produce a TAC equal to the AMSY during the period of high recruitment (1983–2001).

restrictions in fishing inshore (Figure 1), at least some of the increase in yellowfin catches would probably be made up of large fish taken in association with dolphins. An indicative evaluation of the effect of closing the area for a year is given in the Appendix.

Longline catches have declined to less than the levels allowed by Resolution C-06-02, making the impact of this fishery less than envisaged in the Resolution. On the other hand, the growth in the carrying capacity of the purse-seine fleet has militated against the effect of the Resolution in limiting purse-seine catches.

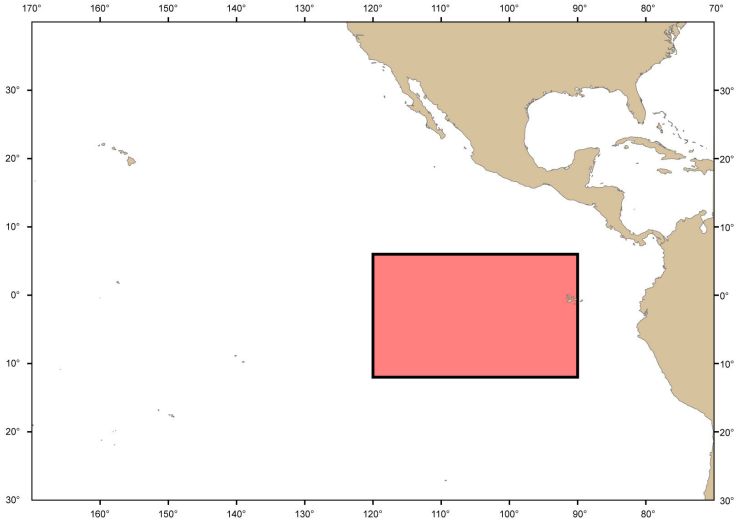

FIGURE 4.

Recent catches of bigeye tuna		
	Purse-seine	Longline
2003	54,509	59,666
2004	67,337	43,354
2005	68,699	43,433
2006	71,195	30,271

Further measures are necessary to allow the stock to be maintained at or above the AMSY level.

The AMSY has been significantly reduced by purse-seine catches of small bigeye, and measures that encourage purse-seine vessels to avoid catching bigeye while fishing for skipjack would be beneficial. The aggregation of fish by FADs is a major part of the fishing effort for that fishery, but there is little information available about deployment and disposition of FADs. Such information is critical as a basis for any decisions about management of the use of FADs.

The combined fishing effort (longline and purse-seine) should be reduced to 83% of the level of 2004-2006. Reductions of differing amounts for each of the two fleets could also achieve the goal of producing the AMSY, as shown in Figure 5.

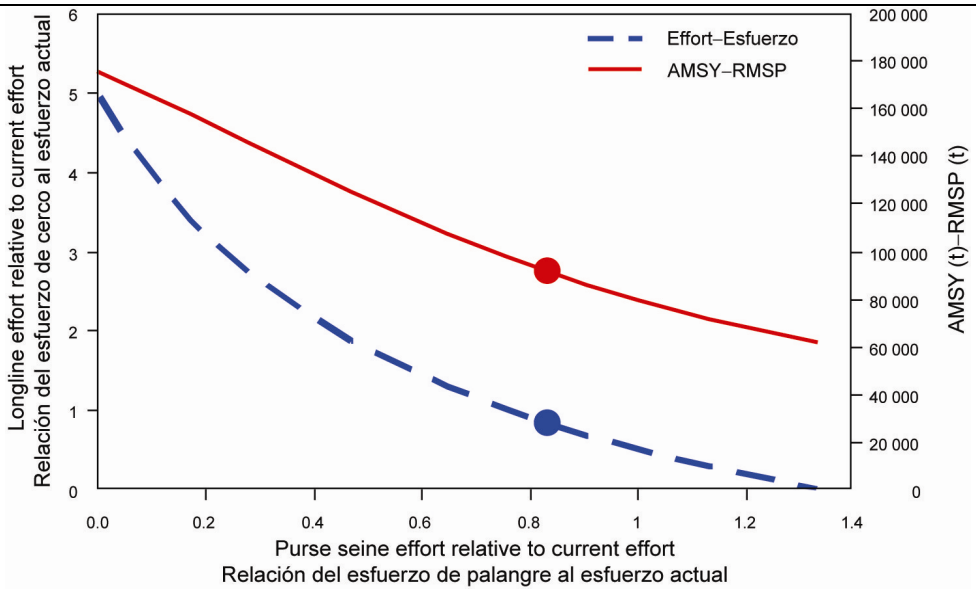

FIGURE 5. The dashed line shows combinations of longline and purse-seine fishing effort (compared to 2004-2006 levels) that will produce the AMSY. The solid line shows the relationship between the AMSY for the whole fishery and purse-seine effort when longline effort is adjusted appropriately to produce the AMSY.

The staff recommends that the Commission:

1. Determine the appropriate adjustments to the balance of the longline and purse-seine fisheries, and note the following three examples of different reductions in each of the two fisheries that would achieve an AMSY level with a different mix of the two gears.

Purse-seine : longline reduction – *F multipliers*	73% : 1.06%	83% : 83%	93% : 0.66%
Longline catch at AMSY	50,229	38,210	28,828
Purse-seine catch at AMSY	49,476	53,308	56,109
AMSY	99,704	91,518	84,937

2. If it wishes to make equal reductions (83%:83%) compared to the provisions of Resolution C-06-02

   2.1. Reduce the catch limits for longline fishing to 83% of their previous values, to:

China	2,190
Japan	28,283
Korea	10,438
Chinese Taipei	6,601

   and, for other CPCs, to the greater of 83% of the 2001 catches or 500 t, and

   2.2. Choose one of the three following options for purse-seine limits:

      2.2.1. In addition to the yellowfin closure in 1 (a) above, close the purse-seine fishery on floating objects in the EPO for an additional 35 days[5]; or

      2.2.2. Set a TAC for bigeye tuna taken by purse-seine, and prohibit sets on floating objects after the catch limit has been reached. The initial TAC would be 48,000 t[6], but the Director

[5] Closure = 365 – *F multiplier* × (365 – 42)/(1 + capacity increase)

[6] The initial value of the TAC is 90% of the AMSY for the purse-seine catches. Four increments would provide a TAC of 70,000 t, to accommodate uncertainty in the most recent estimates of recruitment.

would be authorized to increase the limit by up to four increments of 5,500 t each, if he concludes, from examination of available data, that such increases would pose no significant risk to the stock; or

2.2.3. Limit the total annual catch of bigeye tuna by each purse-seine vessel in such a way that the sum of the individual-vessel limits equals 68,000 t[7], and prohibit further sets on floating objects by any vessel that reaches its limit. A vessel's 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.

3. Require that vessels that use FADs mark the FADs in accordance with international standards for marking fishing gear, and maintain a record of the numbers of FADs on board at the beginning and end of each fishing trip and of the numbers and positions of FADs deployed at sea, and make this information available to the Commission.

The estimates of the bigeye catches referred to in section 2.2, except for the observer estimate in 2.2.3, should be calculated on the basis of species composition sampling of unloadings, and the Director should give the CPCs one month's notice of the date on which he estimates that the catch limit will be reached.

4. SOUTHEASTERN PACIFIC SWORDFISH

The stock assessment for southeastern Pacific swordfish (east of 150°W and south of 5°S) indicates that the stock is currently above the level corresponding to the AMSY, but that the current catches are slightly above the AMSY level. The staff assessment for 2004 suggested that the stock was overfished. As a precautionary measure, **the staff recommends that** the annual catches be limited to 13,000 t, by allocating limits to the CPCs involved in the fishery.

5. NORTHERN ALBACORE TUNA

The staff's assessment for northern albacore has not been updated. For clarity, **the staff recommends that** the meaning of the words "current levels" in paragraph 1 of Resolution C-05-02 should be specified.

[7] It is likely that individual vessel limits will produce a total catch less than the sum of the individual limits, and this would reduce catches by more than the initial TAC plus two increments.

Appendix 11. Summary of tuna conservation proposals presented at the 76th Meeting of the IATTC, October 2007.

	IATTC staff	Venezuela	Colombia, Guatemala, Nicaragua, Panama, Peru
Duration	2008-2010	2008	2008-2009
Coverage	All purse-seine and longline fisheries for tunas	All purse-seine and longline vessels	All purse-seine and longline fisheries for bigeye
PURSE SEINE			
Closures/Catch limits	2 components: a) 12-week closure in the entire EPO, 20 June-11 September, b) Close offshore area (94ºW-110ºW, 3ºN-5ºS), 12 September-31 December.	a) Close fishery for 60 days, either 1 August-30 September, or 2 November-31 December b) Set minimum catch size for yellowfin (3.2 kg), bigeye (3.2 kg), and skipjack (1.8 kg) c) Catch of small tunas not to exceed 10% of vessel capacity d) Time/area closures in areas of high concentrations of juvenile yellowfin and/or bigeye	Close the fishery for the rest of the year when a TAC of 200,000 t of yellowfin is reached; TAC may be increased by no more than 4 increments of 30,000 t each
Specific measures for bigeye	None	None	TAC of 55,000 t; up to 3 increments of 5,500 t each
Specific measures for FADs	Mark FADs; maintain a record of the number of FADs on board at the beginning and end of each trip and of the numbers and positions of FADs deployed at sea; make this information available to IATTC	Vessels with an annual average of 60% of its sets on floating objects shall place sorting grids for juveniles. Mark FADs; maintain record of number of FADs and beepers aboard; record position of deployment and recovery of FADs; retrieve at least 40% of FADs deployed before returning to port	None
LONGLINE			
Specific catch limits	China 2,190 t Japan 28,283 t Korea 10,438 t Chinese Taipei 6,601 t	None	China 2,190 t Japan 28,283 t Korea 10,438 t Chinese Taipei 6,601 t
Limits for other CPCs	For each CPC, annual longline catches of bigeye not to exceed the greater of 83% of 2001 catches or 500 t	Each CPC to provide monthly reports of longline catches of bigeye	For each CPC, annual longline catches of bigeye not to exceed the greater of 83% of 2001 catches or 500 t

Appendix 12.

PROPOSAL F1

PRESENTED BY VENEZUELA

CLAIM FOR THE 5,473 CUBIC METERS OF CAPACITY OF VENEZUELA

Considering: that in notification, dated 21 October 2005, identified with Ref. 0834-549 the IATTC, stated that it knew that four Venezuelan vessels were in the process of changing flag.

Considering: that on 16 December 2005 the Commission was answered by a communication sent by the National Institute of Fisheries and Aquaculture, reference INAPESCA/ORI/Nº1958, which stated that there was no knowledge of the intention of the Venezuelan vessels *El Templario, Jane, La Foca, and Napoleón* of changing flag.

Considering: that subsequent to the above-mentiond communication, the Commission circulated a notification dated 30 December 2005, Ref: 1030-410 which stated that cancellation certificates had been receved from Venezuela for the vessels El Templario, Jane, La Foca and Napoleón and subsequently the Director of the Commission changed the flag of the four (4) vessels.

Considering: that at the 73rd Meeting of the IATTC in Lanzarote, Spain, it was agreed, as is stated in the minutes of that Meeting, specifically in item 15 that **"A change of flag by a vessel from one CPC to another, and the vessel's status on the Regional Register, shall not be considered effective until the Director has received official notification of the change from both governments involved"**

Considering: that at the 14th meeting of the Parties held in La Jolla, California, on 20 October 2005 it was agreed as stated in the minutes of that Meeting specifically in item 6.a of the report of the IRP in the first paragraph, quote "it was agreed that the nine vessels in question could have DMLs allocated to them if, by 1 January 2006, they **had clearly changed flag**". (To clarify, among these 9 vessels were the 4 vessels in question).

Considering: that Venezuela in a communication dated 16 December 2005 declared itself, not authorizing the transfer of the capacity of these 4 vessels y ratified its position that the carrying capacity belongs to the flag State.

Considering: that neither in Resolutions, nor in procedures is a time limit or deadline regulated for a Party to declare itself for or against a change of flag in the IATTC Regional Vessel Register.

Considering: even if there is no regulation, Resolution y/o procedures that establish time limits for the Parties to declare themselves for or against a change of flag, at the 14 Meeting of the Parties for this specific case 1 January 2006 was established as a deadline for the change of flag to come into effect.

Considering: that Venezuela in repeated communications sent to the Secretariat has stated that the carrying capacities belong to the country.

Considering: that the Director of the IATTC cannot, in accordance with the procedures agreed by the Commission, consider effective a change of flag, without having the documentation or express will of the competent Authorities of both governments involved.

Considering: that the elements expressed show a violation of the procedures agreed by the Commission for changes of flag by a vessel on the IATTC Regional Vessel Register

Proposes:

1. That the Commission ratify the procedure established by the IATTC for the transfer of capacity of vessels from one CPC to another.

2. That the Commission indicate the time limit for the CPCs involved to declare themselves on the acceptance or not of a transfer of capacity quota on the IATTC Regional Vessel Register.
3. That the Commission declare which document, resolution or rule establishes the deadline for CPCs to declare themselves on the transfer of carrying capacity.

In view of the elements categorically presented, Venezuela requests the Plenary of this Commission that it recognize the legitimacy that it has over the 5,473 cubic meters of capacity belonging to the Venezuelan State.

Appendix 13.

PROPOSAL F2

SUBMITTED BY PERU

RESOLUTION ON THE RESERVE OF CARRYING CAPACITY ESTABLISHED IN RESOLUTION C-02-03, BY THE PERUVIAN GOVERNMENT

The Inter-American Tropical Tuna Commission:.

Aware that Peruvian legislation ensures compliance with the commitments acquired in the IATTC and in the Agreement on the International Dolphin Conservation Program, such as the Tuna Fisheries Management Plan, which establishes measures for the conservation of the resource, and following the criteria for responsible fishing adopted internationally,

Noting the need to ensure a uniform and equitable treatment of all the members that form part of the IATTC and knowing that the government of Peru has reiterated its reserve on the right to a fleet of 14,046 m^3 of carrying capacity, reflected in Resolution C-02-03, of June 2002,

Resolves:

1. To recognize that the reserve of volume of carrying capacity for Peru is equivalent to 14,046 m^3, including the carrying capacity (3,195 m^3) that it possesses to date, authorized by Resolution C-02-03.
2. To stipulate that the Peruvian government inform the IATTC opportunely of the names of the vessels to which the tuna-fishing permit is granted, so that they may be included in the IATTC Regional Vessel Register.

Appendix 14.

PROPOSAL F3

PROPOSAL BY GUATEMALA

DRAFT RESOLUTION

The Inter-American Tropical Tuna Commission (IATTC),

Considering that:

1. Guatemala and other Parties concerned have acted in good faith and have made different interpretations of the Resolution on the capacity of the tuna fleet operating in the eastern Pacific

Ocean (Resolution C-02-03), adopted by the 69th Meeting of the Commission in Manzanillo, Mexico, on 28 June 2002;

2. The vessels *Albacora Doce* (now *Guayatuna Uno*) y *Albacora Catorce* (now *Guayatuna Dos*) have in effect been transferred to other States;
3. Guatemala has defended, for many years, its legitimate rights under international law to participate in the tuna fisheries in the EPO;
4. There is no intention of affecting adversely any third party or national interest;

Agrees to:

1. Recognize the effective transfer of the above-mentioned vessels, including their carrying capacity, to the registries of other pertinent States;
2. Recognize as a unique case the need for Guatemala to restore the carrying capacity lost due to the removal of the above-mentioned vessels and due to a difference in interpretation of the above-mentioned Resolution;
3. Accept Guatemala's commitment to restore the carrying capacity, up to a limit of 3760 m^3, mainly with vessels from the region and within a period of not more than two (2) years;
4. Declare that this is a solution of an exceptional nature, that will not establish any precedent and will not prejudge the positions of the other participants in the Resolution regarding the management of carrying capacity.