

INTER-AMERICAN TROPICAL TUNA COMMISSION
PERMANENT WORKING GROUP ON FLEET CAPACITY
15th MEETING
Lima, Peru
12 -13 July 2014

DOCUMENT CAP-15-05

**UTILIZATION OF VESSEL CAPACITY UNDER
RESOLUTIONS C-02-03, C-12-06, AND C-12-08**

This document contains updated data on the capacity of the purse-seine fleet in the eastern Pacific Ocean, and pending issues that should be discussed by the Working Group.

It also includes information on cases arising from resolutions [C-12-06](#) and [C-12-08](#) on capacity loans or concessions and chartering of vessels with temporary transfers of capacity and on the sealing of wells, respectively.

1. INTRODUCTION

Resolution [C-02-03](#) on fleet capacity has been in force for more than twelve years. The capacity management system created by the Resolution establishes limitations essentially determined by the IATTC Regional Vessel Register. Therefore, the key elements of the Resolution address how vessels may be added to or removed from the Regional Register.

The Secretariat has made available to each government a document that shows the history of each country's flag vessels with regard to the Regional Register, and how that has affected, historically, the changes in the well volume available to each country since the Resolution entered into force. A monthly report of the movements made in the Regional Register relating to Resolutions [C-02-03](#), [C-12-06](#), and [C-12-08](#) is also sent.

It should be recalled that, in June 2005, the Commission adopted a [Plan for Regional Management of Fishing Capacity](#). The principal objective of the Plan is to establish a comprehensive program for managing the capacity of all fishing fleets operating in the eastern Pacific Ocean (EPO), to ensure the long-term sustainability of the fisheries covered by the IATTC. For the purse-seine fishery, this will mean a reduction in the current level of fishing capacity. According to section 3 of the Plan, which establishes its objectives and principles: "*CPCs¹ and all participants in these fisheries should limit the total fleet capacity to the present level and to reduce it, as appropriate, in accordance with an agreed program. After any targets for the fleet capacity have been achieved, CPCs and all participants in these fisheries should exercise caution to avoid growth in fleet capacity.*"

2. UTILIZATION OF WELL VOLUME TO DATE

The active purse-seine capacity on the Regional Register on 31 May 2014 is 237,853 m³. The capacity of inactive or sunk vessels is 5,607 m³, and the capacity available as a result of movements of vessels on the Regional Register is 50,959 m³, for a potential total of 294,419 m³. In June 2002, when the Resolution entered into force, the active capacity was 218,482 m³, while the sum total of the active and inactive capacity, plus that included in paragraph 10 of the resolution, was 273,467 m³; the current operative capacity is below that level (Figure 1). It should be noted that these numbers do not take into account the

¹ IATTC Members or Cooperating non-Members

capacity requests in the footnote to the Resolution, which two of the three countries mentioned, Peru and Colombia, have utilized partially, with the approval of the Commission.

The reason for this increase of 20,952 m³ in the potential total capacity is that, while the essential purpose of the Resolution was to freeze capacity, some of its elements allow increases: adding vessels pursuant to paragraph 10, and the specific case of the concession by the Commission of 5,000 m³ of well volume to Peru in June 2011 and of 2,024 m³ to Colombia in June 2013 to regularize the situation of the vessels *Marta Lucia R* (1,603 m³) and *Dominador I* (421 m³). Also, in the months following the adoption of the Resolution and subsequently, the Commission agreed to add several vessels to the Regional Register, to account for omissions by delegations at the meeting at which the resolution was adopted. In addition, the measurement of vessel capacity has to be taken into account. In 2002, the capacity of the great majority of vessels was estimated; currently, almost all vessels have been measured, with an overall result of greater capacity.

Moreover, Resolution C-11-12, by which the capacity was conceded to Peru, stipulates that it must be used by Peruvian-flag vessels that will operate only in waters under the jurisdiction of Peru, and that it cannot be transferred to other flags, nor be used for chartering vessels of other flags. Peru has requested the removal of the restrictions.

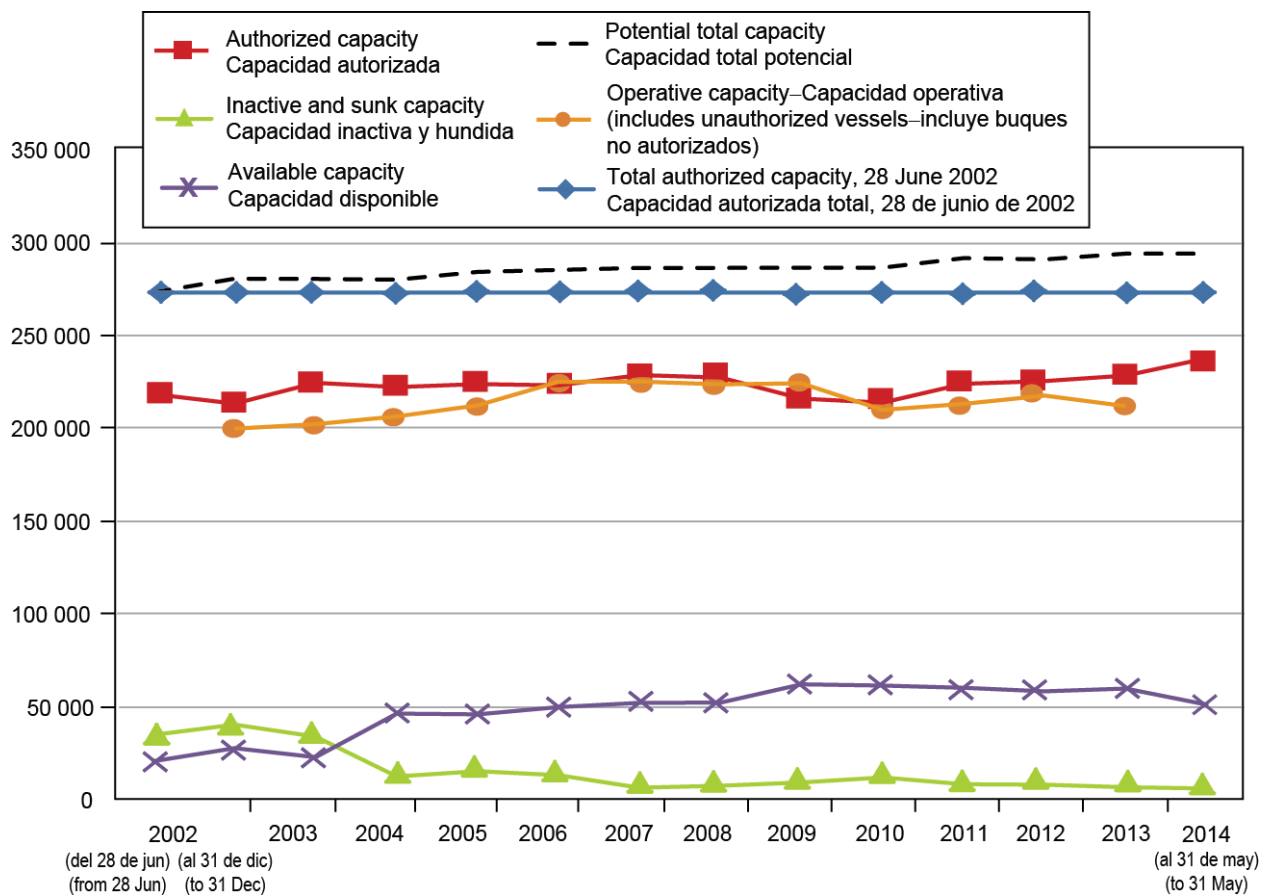


FIGURE 1. Active, inactive, available, potential total, and operative capacity, in cubic meters (m³) of well volume, 2002-2014 (see Glossary, Appendix B).

There have been several requests for changes in the capacity of vessels on the Regional Register that have sunk or been scrapped, with well volumes greater than those originally recorded in the Regional Register by the respective flag State and with which the vessels operated until they sank or were scrapped. The

Commission should consider and decide on such cases, and/or establish clear rules which will allow the staff to deal with such requests.

Figure 2 illustrates the evolution of the operative capacity of the fleets during 2002-2013.

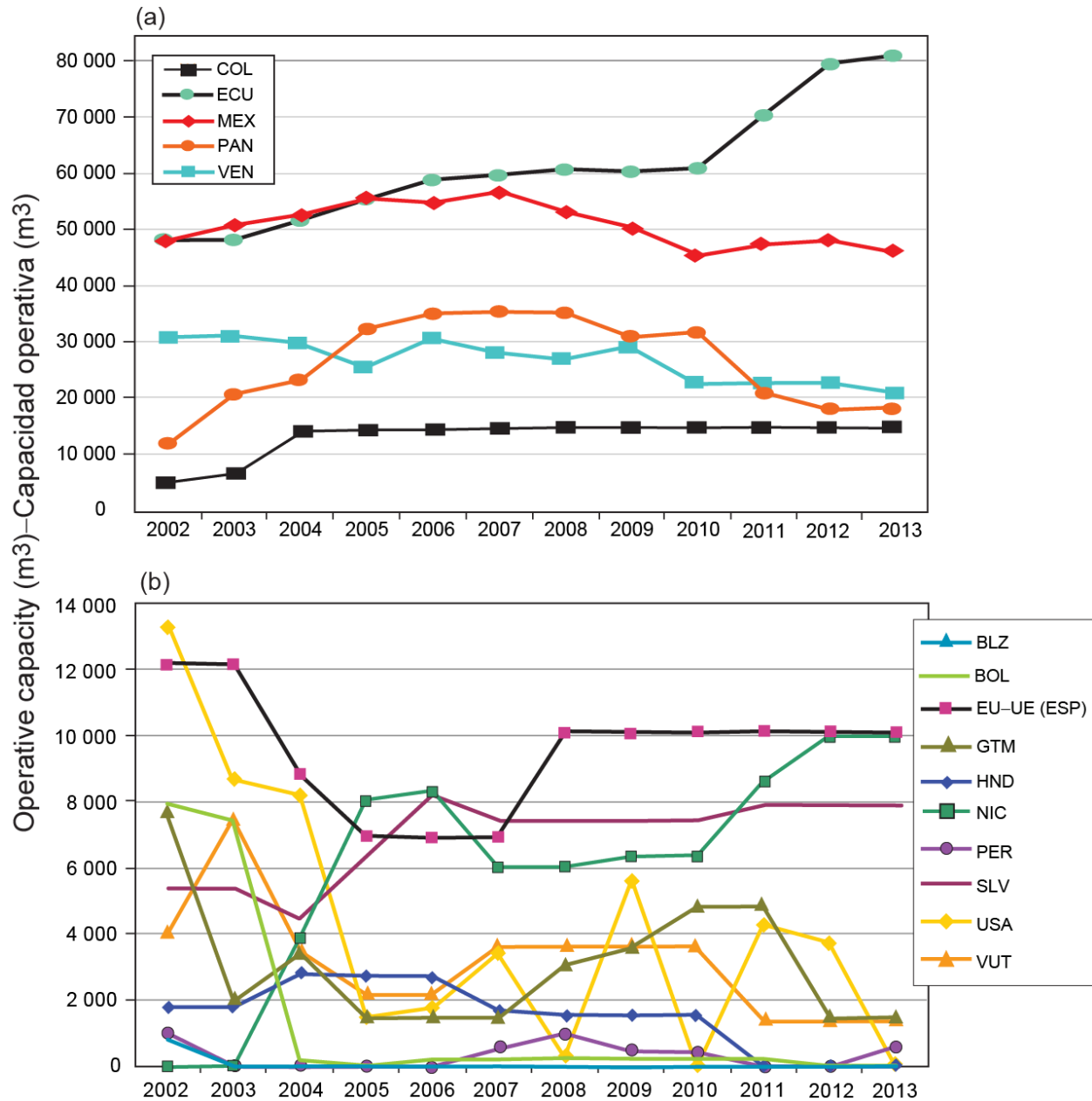


FIGURE 2. Operative capacity of purse-seine fleets that fished in the EPO during 2002-2013 with current capacities (a) greater than and (b) less than 14,000 cubic meters of well volume.

3. EXCEPTIONS FOR ADDING NEW VESSELS TO THE REGIONAL REGISTER

Although the current system is not based on national capacity limits, paragraph 10 of Resolution C-02-03 and Resolution C-11-12 allow certain countries to add to their fleet new vessels that are not on the Register. The current situation regarding these exceptions is:

	Limit (m ³)	
	Provided	Remaining
Costa Rica	9,364	754
El Salvador	861	0
Guatemala	1,700	0
Nicaragua	5,300	0
Peru	3,195	1,414
	5,000	5,000
TOTAL	25,420	7,168

4. VESSELS FISHING WHILE NOT ON THE REGIONAL REGISTER

As has been noted in previous Commission documents and in communications from the Director, there are vessels fishing in the EPO that are not on the Regional Register. Cases of this kind should usually be discussed within the Review Committee, but those referred to in this document concern three specific vessels linked to a pending dispute, which the 85th meeting of the IATTC decided should be considered by this Working Group.

It is important to take into account the capacity of these vessels, since it is included in the calculations of capacity operating in the EPO (212,087 m³ in 2013; Figure 1) that is used in the stock assessments of tunas in the EPO. These vessels are:

Name	Flag	Well volume (m ³)	Fishing while not on the Register since:
<i>Ignacio Mar I</i>	ECU	370	2007
<i>Tuna I</i>	ECU	316	2009
<i>Tuna II</i>	ECU	308	2012
TOTAL		994	

5. VESSELS THAT INCREASED THEIR CAPACITY

According to information available to the Commission staff, the following vessels have increased their capacity contrary to Resolution C-02-03. The Director has written to the relevant government regarding these increases, but the situation has not yet been corrected. The working group is encouraged to seek a recommendation on a possible solution.

Vessel	Flag	Well volume (m ³)		Notes
		On Register	Increased	
<i>Doña Roge</i>	ECU	592	917	Pending since March 2007
<i>Ricky A</i>	ECU	818	1,208	Pending since November 2009
<i>Tarqui</i>	ECU	459	634	Pending since July 2006

Doña Roge. Ecuador stated that the increase in the capacity of this vessel was made with the capacity of the sunken vessel *Eli* (capacity 984 m³) and that it authorized this increase and presented the relevant information at the 82nd Meeting of the IATTC.

Ecuador requested on 2 August 2006 that 300 m³ of capacity be transferred from the *Eli* to the *Doña Roge*. The Secretariat replied on 11 September 2006 that: a) the capacity of the *Eli* had already been transferred, mainly to the vessels *Alessia* and *Alexandra* (ex *Southport*); b) at the time, Ecuador had only 229 m³ of capacity available; and c) the difference to cover was 325 m³ and not 300 m³, since the *Doña Roge* had increased its capacity to 917 m³ from the 592 m³ recorded on the Regional Register.

Ricky A. Ecuador stated that the increase in capacity of this vessel was made with capacity from the vessel *Victoria A*, which operated in the EPO but sank in October 1995, and which was inadvertently omitted from the list of vessels supplied by Ecuador for inclusion in the Regional Register.

Tarqui. The Secretariat received information that this vessel added 4 wells (from 9 to 13) in 2006. A request for an updated measurement of the vessel was sent to the Ecuadorian Government. In 2013, the IATTC field office in Manta reported that the vessel's well volume, with 13 wells, is 411 m³, which is less than the well volume of 459 m³ recorded on the Regional Register. In addition, even with 411 m³, the vessel is class 5 instead of class 4 as it is currently listed on the Regional Register. This issue has not been clarified yet; a response from the Ecuadorian authorities is pending.

6. CAPACITY LOANS OR CONCESSIONS AND CHARTERS

Resolution C-12-06, approved in June 2012, establishes the rules of procedure regarding loans or concessions of capacity and chartering vessels with temporary transfer of capacity. The table details the agreements of this type recorded as of May 2014.

Capacity concessions and charters carried out in accordance with Resolution C-12-06				
	Loaning CPC	Receiving CPC	Vessel	Well volume (m ³)
CAPACITY CONCESSIONS				
2010	CRI	PAN	<i>Txopituna</i>	1,881
2013	BLZ	ECU	<i>Florentino</i>	220
	CRI	ECU	<i>Monteneme</i>	908
	NIC	ECU	<i>Aldo</i>	134
2014	CRI	ECU	<i>Cap. Danny B</i>	356
	CRI	ECU	<i>PS-1</i>	300
	CRI	ECU	<i>Ugavi Dos</i>	1,864
	CRI	PAN	<i>Diva Maria</i>	1,420
	CRI	PAN	<i>Txopituna Dos</i>	1,881
	ECU	PAN	<i>Diva Maria</i>	130
	NIC	GTM	<i>Vicente</i>	1,024
CHARTERS				
2010	VUT	ECU	<i>Jo Linda</i>	407
2011	PAN	ECU	<i>Esmeralda C</i>	1,358
	PAN	ECU	<i>Esthercho</i>	1,170
	VUT	ECU	<i>Adriana (ex. Amalia)</i>	1,446
	VUT	ECU	<i>Chiara</i>	803
2012	GTM	PAN	<i>Reina de la Paz</i>	2,100
	PAN	ECU	<i>María Del Mar A</i>	2,304
	PAN	ECU	<i>Milena A</i>	996
2013	NIC	ECU	<i>Florentino</i>	2,938
	PAN	ECU	<i>Delia</i>	995
	PAN	ECU	<i>Tunamar</i>	1,402
2014	PAN	ECU	<i>Julie L</i>	2,056
	VUT	NIC	<i>Capt. Joe Jorge</i>	1,198
	VUT	PAN	<i>Mirelur</i>	1,360

7. SEALED WELLS

Resolution C-12-08, approved in June 2012, contains a protocol for sealing fish wells on purse-seine vessels. The following cases were recorded through May 2014:

Vessel	Flag	Capacity (m ³)		Well volume sealed or disabled (m ³)
		Total	On Register	
<i>Cabo Marzo</i>	ECU	1,242	1,083	159
<i>Giulietta*</i>	ECU	1,126	1,069	57
<i>Vicente</i>	GTM	3,158	2,982	176
<i>Ljubica</i>	PAN	2,000	1,546	454

* Wells not to be used for fish storage.

Paragraph 5 of the resolution states that: *"Any vessel with one or more of its wells sealed to reduce its well volume recorded on the Regional Vessel Register shall be required to carry an observer from the International Dolphin Conservation Program (IDCP) on board"*.

Furthermore, these vessels must pay their assessment for the AIDCP on-board observer program based on their total capacity, including sealed wells.

One of the requirements outlined in Resolution C -12-08 is that *"The well must be physically sealed in a tamper-proof manner, and in such a way that it does not communicate with any other space on the vessel and that its use for any other storage is prevented. The inspection and verification of the vessel's sealed wells for the first time shall be carried out by vessel's flag government"*. However, there have been several cases of vessels which the respective government reported would seal wells pursuant to the Resolution, but which had used them for storing fish, as reported by observers on the AIDCP Tuna Tracking Forms (TTFs).

These cases of possible non-compliance were reported to the relevant governments, and will be brought to the Review Committee for its consideration. However, it is important that this working group be informed, because these vessels are effectively increasing the capacity of the fleet by operating in the EPO with capacities greater than those recorded in the Regional Register.

8. PENDING CASES OF CAPACITY REQUESTS AND CLAIMS AND DISPUTES IN THE WORKING GROUP

During the 11th meeting of the Permanent Working Group in April 2011, a number of pending cases were identified and reflected in a table attached to the [minutes of the meeting](#). An updated version of that table, which lists pending disputes and capacity requests separately, is attached as Appendix B. The cases of Colombia and Peru have been resolved, and removed from the table; however, as noted in section 2 above, Peru has asked that the restrictions on the use of its capacity be removed. It is also understood that Korea withdrew its request, which was also removed.

The table also includes new cases presented by Vanuatu and Costa Rica

Appendix A.

GLOSSARY OF TERMS USED IN THE IMPLEMENTATION OF RESOLUTIONS [C-02-03](#), [C-12-06](#), AND [C-12-08](#)

a. Resolution [C-02-03](#)

Active capacity. See Resolution [C-02-03](#). The total well volume, in cubic meters, of vessels that are on the IATTC Regional Register and can fish in the EPO. Can change status to inactive at any time during the year..

Inactive capacity. See Resolution [C-02-03](#). The total well volume, in cubic meters, of vessels that are on the IATTC Regional Register and have declared that they will not fish during a given year, but retain the right to become active provided they remain on the Regional Register, or vessels that have sunk. Can change status to active only at the end of the year

Available capacity. The total well volume, in cubic meters, that a participant has available for allocation to vessels as the result of: (a) vessels withdrawing from the Regional Register; (b) changes of flag, when the participant ceding the vessel can choose whether to retain the right to the vessel's capacity for future use; (c) residuals from transfers and movements of vessels on the Regional Register; (d) the national capacity allocations specified in paragraph 10 of Resolution [C-02-03](#).

Operative capacity. The total well volume, in cubic meters, of all vessels actually operating in the EPO, regardless of whether they are on the Regional Register. This is the capacity used by the IATTC scientific staff for its assessments of the tuna stocks.

Potential total capacity. The sum of active capacity, inactive capacity, and available capacity. The total well volume, in cubic meters, that would be operating in the EPO if all participants activated all their vessels and used all their available capacity (including inactive/sunk capacity) to bring new vessels into the fishery.

Vessels authorized to fish. The vessels currently listed on the Regional Vessel Register as active pursuant to Resolution C-11-06. .

Total capacity of vessel. The total well volume of the vessel, including the volume of any wells sealed or disabled for fish storage..

b. Resolution [C-12-06](#)

1. **Capacity loans or concessions.** Temporary loan by a CPC² of an available well volume capacity for use by a vessel of another CPC's flag.
2. **Vessel charters with temporary capacity transfer.** Vessel charters which include the temporary transfer of the capacity of the chartered vessel from the CPC granting the charter ("chartering CPC") to the receiving CPC ("charterer CPC").

c. Resolution [C-12-08](#)

Sealed well. Any space aboard a vessel, intended for freezing, maintenance, or storage of fish, access to which has been blocked to prevent its use for these purposes.

² IATTC Member or Cooperating non-Member

Appendix B.

CAPACITY REQUESTS, CLAIMS, AND DISPUTES, 2014

Country	Request	Background	m ³
Capacity claims and disputes of capacity			
ECU	Capacity of three purse-seine vessels:	<ul style="list-style-type: none"> - <i>Roberto M</i> (1,161 m³). Ecuador has argued that the vessel had left the country illegally and was auctioned afterwards in Panama, without having been removed ever from the Ecuador maritime registry or fishing vessels registry, and without any notification to the IATTC concerning an eventual change of flag . - <i>Victoria A</i> (850 m³): Ecuador has argued that the vessel operated and paid the fees for the observer program in years prior to 2002, and was not included in the Regional Register due to an omission only. The vessel sank on 8 October 1995. - <i>María del Mar</i> (198 m³): Ecuador argued that this class-2 vessel, which, sank (11 July 1998),. was not included in the Regional Register as inactive, due to an omission only =. 	2,209
GTM	Recover 3,762 m ³ of capacity, claimed since 2003	<p>The dispute is recorded in the Regional Register, through notes in the margin</p> <p>The volume makes up 40% of national capacity. Guatemala has underlined that not having almost half of its volume harms its chances of development in terms of fleet, facilities on shore, historical rights to participate in coastal fisheries, employment, food security, niches in international markets.</p>	3,762
VEN	Recover 5,473 m ³ of capacity lost due to movements of vessels	Venezuela has argued that the 5,473 m ³ of capacity corresponds to 4 vessels that the IATTC authorized to transfer to another member without previous confirmation and acceptance by Venezuela, in violation of the procedures adopted by the IATTC for the transfer of vessels between different countries.	5,473
VUT	Capacity of <i>Esmeralda C</i> vessel	Vanuatu argues that the carrying capacity of the vessel <i>Esmeralda C</i> (1,358 m ³). was unduly transferred to Panama and asks for its restitution.	1,358
Requests for increasing capacity			
SLV	2,105 m ³ (20 May 2014; previously 1,861 m ³)	<p>El Salvador claims 2,105m³- of capacity for the following reasons: Considering that 'is a coastal developing country; and in order to get opportunities for developing the fishery.</p> <ul style="list-style-type: none"> - Tuna has a very high importance; the economy is vulnerable and small-scale, tuna increases sources of jobs. - The industry needs raw material to ensure its production, estimated at the capacity of a new vessel. 	2,105
NIC	3,000 tons (or equivalent in m ³)	Nicaragua has claimed formally this amount of capacity since 2008, based on its needs as a coastal country, including with regard to increasing tuna activities to attend to the legitimate requirements of coastal communities concerning opportunities for work. F	4,200
CRI	7,058 m ³	Costa Rica claims 7,058 m ³ , based on paragraph 10.1 of Resolution C-02-03, as its right as a coastal State, which has complied strictly with IATTC measures.	7,058