

INTER-AMERICAN TROPICAL TUNA COMMISSION
PERMANENT WORKING GROUP ON FLEET CAPACITY
26TH MEETING
Panama City, Panama
25 August 2025

CHAIR'S REPORT

AGENDA

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1. Opening of the meeting	
2. Adoption of the agenda	
3. Review of changes in the utilization of fleet capacity in the EPO	CAP-26-01
4. Identification and consideration of pending issues related to the management and control of the capacity of the fleet	
5. Review of pending capacity claims, disputes, adjustments, and requests according to the list presented at the 89 th meeting of the IATTC and referred to in document CAP-17 INF-A REV (14 May 2016)	
6. Recommendations to the Commission	
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1. Opening of the meeting

The 26th meeting of the Permanent Working Group on Fleet Capacity began at 2 p.m., after the required quorum was confirmed. Fifteen Members were present: Venezuela, Vanuatu, the European Union, Chinese Taipei, Panama, Nicaragua, Mexico, Guatemala, Japan, the United States, El Salvador, Ecuador, Costa Rica, Colombia and China.

The Chair of the Working Group, Mr. Julio Guevara, of Nicaragua, announced that this would be his last meeting in this position, and that a new Chair would be elected during next week's IATTC meeting.

2. Adoption of the agenda

Venezuela proposed that the following two items be considered under item 7 of the agenda, "Other business":

- A request for transfer of fishing capacity from Venezuela sent to the Secretariat in July 2025 via a forged official letter. (This issue was addressed under "Other business").
- The issue of discrepancies between registered capacity and maximum fleet landings. (This issue was then addressed under item 4 of the agenda).

Guatemala expressed concern about the title of item 5 of the agenda, which included the words "claims" and "disputes". It was pointed out that the Commission does not have a mandate to resolve this type of conflict, which should be handled directly by the parties involved, as the function of the Working Group is to review relevant issues, namely aspirations, possibilities, requests, and capacity adjustments.

Vanuatu recalled that at last year's meeting it had already been recommended that the name of the cases be changed from "*pending disputes*" to "*cases arising from administrative problems*."

Given these proposals, it was agreed that the wording should be modified, even though it had remained unchanged for several years. Terms such as "aspirations," "possibilities," and "adjustments" would be used instead of "claims" and "disputes." To make it clear that the Working Group does not have the authority to resolve disputes, the Secretariat suggested proposing a formula that would satisfy everyone before the next meeting.

3. Review of changes in the utilization of fleet capacity in the EPO

The Director, Dr. Arnulfo Franco, presented a detailed report on fleet capacity in the eastern Pacific Ocean. This update included information from previous years and data on inactive capacity, capacity under construction, available capacity, operational capacity, active capacity, and potential capacity.

He recalled that *active capacity* includes the capacity assigned to vessels currently operating in the region and that there is capacity that can become operational at any time, such as inactive capacity (8,000 cubic meters); combined with the well volume of the two vessels included in the IATTC Regional Vessel Register as such, capacity would add up to at least 10,000 cubic meters. It should also be considered that there is available capacity of 10,222 cubic meters that can be used at any time. On the other hand, however, operational capacity as such has remained below the value recorded for active capacity in 2002 over the years.

The target capacity, established in 2005, is 158,000 cubic meters, well below the current operational and authorized capacity. Potential capacity, which includes all requests in addition to active, inactive, and available capacity, would reach 378,400 cubic meters. It was noted that Ecuador has the largest fleet of larger (Class 6) and smaller vessels, followed by Mexico, Panama, and, recently, the United States, which has experienced significant growth.

In response to a request for clarification from Guatemala and a comment from Mexico, the Director clarified that the reference to the capacity of "*unauthorized vessels*" was an error that had been carried over from previous presentations and would be corrected immediately. He also clarified that *operational capacity* refers to vessels that are registered in the Regional Register and that fished the previous year.

Referring to the table in document CAP-26-01 that shows new requests made after the adoption of the capacity management plan in 2016, Bolivia requested that the reference to "*developing coastal State*" be changed to "*developing landlocked State*."

Regarding the same issue, Mexico requested that the title "*new requests*" be changed to "*requests*," as some requests have been outstanding for a long time. Guatemala supported Mexico, suggesting that new requests be presented as changes, rather than creating a distinction between "*new*" and "*old*," so as not to suggest priorities.

In response to a question from the European Union regarding the calculation of potential capacity, the Director clarified that pending requests totaling 73,400 cubic meters would increase potential capacity by 25%, to 378,400 cubic meters.

4. Identification and consideration of pending issues

Venezuela expressed concern about the discrepancy between the maximum historical landings and the confirmed and recorded vessel capacity in the Regional Vessel Register. Venezuela believes that this discrepancy could affect scientific analyses and therefore requested that the Secretariat prepare and submit a report on this matter.

In addition to supporting Venezuela's request, Guatemala and the European Union proposed that the Secretariat prepare information documents on issues such as freezing tunnels and sealing wells for fuel use. They argued that these practices could increase the fleet's capacity and that a management protocol

is necessary. The United States inquired about the Secretariat's access to information indicating whether and how freezing tunnels are considered part of a vessel's capacity and whether they are included as internal or external annexes.

Guatemala emphasized the importance of having background documents ready before making any decisions. The review should aim to identify problems, not presuppose non-compliance.

Ambassador Jean-François Pulvenis explained that the Secretariat had identified several issues and situations that the Members of the Commission needed to consider and analyze due to their practical consequences, some of which were illustrated by previous interventions. In this regard, he referred to document CAP-26-01, which provides a historical overview of the issue within the Commission and highlights some of these issues and situations. For example, he mentioned that the capacity of one-third of the purse-seine fleet in cubic meters had been automatically "confirmed" on 1 January 2017 without being measured or reported through the previously established confirmation process established by the Commission. He also referred to situations in which wells were disqualified for use as fuel storage. He suggested preparing a document with the Members to take inventory of these problems and issues for "*comprehensive and definitive*" consideration and resolution. He asked whether Members would prefer to keep sensitive information, such as the identification of vessels and flag CPCs, anonymous before publishing it. He also asked if they would prefer the information to remain anonymous and, if made public, if the CPCs concerned would want to review it beforehand. The Group agreed to collaborate (Secretariat/CPC) to prepare the relevant documents while initially maintaining the anonymity of vessels and flag CPCs, with the option of disclosing the information if necessary.

5. Review of pending capacity requests

Capacity requests from several CPCs were reviewed, as follows:

- **Bolivia:** Requested the activation of 2,000 cubic meters and that its request for 5,000 cubic meters be included in the table prepared by the Secretariat with the note that it is a landlocked developing country.
- **Vanuatu:** Requested the restitution of 12,500 tons of historical capacity that had been transferred to another flag in contravention of its country's legal and administrative procedures and asked the Working Group to recommend to the Commission in plenary the approval of these requests. Vanuatu's statement is reproduced in full in Appendix 3 to this report.
- **Venezuela:** Reiterated its request for 3,800 cubic meters of capacity.
- **El Salvador:** Reiterated its request for 2,105 cubic meters of capacity.
- **Nicaragua:** Reiterated its request for 4,200 cubic meters of capacity.
- **Guatemala:** Reiterated its request for 9,000 cubic meters of capacity as a developing coastal country with an industry that requires raw materials.
- **Mexico:** Reiterated its request for 2,000 cubic meters, but noted that, given the current state of the resource (yellowfin tuna), it would not be the right time to incorporate it as active capacity. Mexico is seeking a situation in which the resource allows for sustainable growth before activating capacity.
- **Colombia:** Reiterated its request for 4,772 cubic meters, which it considers a "*historic right*" recognized in Resolution C-02-03. It argued that its request should take precedence over new requests.

- **Ecuador:** Requested that the pending case of the vessel Victoria A be considered in the plenary meeting of the Commission and reiterated its request that this vessel be included in the Register on the list of inactive capacity.
- **Panama:** Made a presentation supporting its request for 3,000 m³, expressing its appreciation for the opportunity to present its capacity request, which is based on its operational history in the IATTC area since before 2002, strict compliance with Resolution C-02-03, the FAO Code of Conduct for Responsible Fisheries, the total ban on purse-seine fishing in its EEZ for almost two decades, and the current developments in ports, logistics, and tuna processing plants on the Panamanian Pacific coast. Panama's statement is reproduced in full in Appendix 4 of this report.

6. Other business

Venezuela reported that, in July 2025, someone attempted to transfer 2,000 cubic meters of capacity to another Member of the Commission for the benefit of a specific company. This was done by sending a forged letter with Minister Juan Carlos Loyo's forged signature through a fake email account. Venezuela thanked the Secretariat for alerting them and requested that measures be taken to prevent future fraud of this kind.

Ambassador Jean-François Pulvenis pointed out that it had been possible to immediately detect the forgery in this case due to several details. These included the absence of the reference code usually included in this type of letter and the fact that the amount of cubic meters (2,000 m³) was rounded and did not match Venezuela's available capacity. He warned that, had the forgery been more sophisticated, the Secretariat could have fallen for it and proceeded with an unauthorized transfer.

Guatemala congratulated the Secretariat and proposed that the Group recommend establishing a double verification system for any transfer of capacity between States. This system would require the Secretariat to verify the request via a second secure communication with the relevant authority.

Venezuela stated that although double verification already exists, new processes need to be added to more rigorously verify information.

7. Recommendations to the Commission

The Working Group adopted the following recommendations:

- **Preparation of informational documents:** That the Commission request the Secretariat to prepare documents on freezer tunnels and the sealing of wells for fuel storage, inter alia, to be used as reference by the Working Group in its future consideration of these matters.
- **Updating of documents:** That the Commission request the Secretariat to update document CAP-12-04 and, taking into account the status of resources, explore opportunities for resolving the capacity requests listed in that document.
- **Capacity discrepancies:** That the Commission instruct the Director to work with CPCs to review differences between landings in metric tons and vessel capacity in cubic meters of well volume, taking into account existing rules on confidentiality and/or disclosure of information.
- **Double-checking procedure:** That the Commission request the Secretariat to develop a proposal for a double-checking procedure that would include possible advanced verification methods to prevent cases of fraudulent capacity transfer requests.

8. Adjournment

The Chair of the Working Group thanked all delegations for their participation and support during his term. Panama and Guatemala also thanked him for his leadership.

The meeting was adjourned at 5:20 p.m.

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Appendix 2

Bolivia's capacity request

(Informal Translation)

Requests from the Plurinational State of Bolivia to the 26th Meeting of the Permanent Working Group on Fleet Capacity of the Inter-American Tropical Tuna Commission, Panama City, Republic of Panama, August 25, 2025

The Plurinational State of Bolivia, consistent with its statement presented at the 102nd Meeting of the IATTC, held from September 2 to 6, 2024, at this same venue, as well as its official correspondence with the Commission, requests the following from the 26th Meeting of the WG:

1. The activation, at the earliest possible date, of 2,000 m³ of storage volume, based on the reduction of the temporary closure for tropical tuna fishing using purse seines established by RESOLUTION C-24-01 ON CONSERVATION MEASURES FOR TROPICAL TUNA IN THE EASTERN PACIFIC OCEAN DURING 2025–2026, in accordance with the Report attached to this request, which was prepared on the basis of the documents submitted and the recommendations issued by the 16th Meeting of the Scientific Advisory Committee, held in La Jolla, United States of America, from June 2 to 6, 2025;
2. That, as shown in the presentation by the Director of the IATTC on agenda item 3 on the “Review of Changes in Capacity Utilization in the EPO,” Bolivia's request be included in the table on page 13 of Document CAP-26-01 REV. - UTILIZATION OF VESSEL CAPACITY IN ACCORDANCE WITH RESOLUTIONS C-02-03, C-12-06, C-12-08, C-15-02, and C-24-07, subsection c., on new requests, with the detail of “special needs and requirements of landlocked developing countries,” for 5,000 m³ of hold volume, initially submitted in 2019 and reiterated at each and every meeting of the WG and the Commission, in accordance with the extract from the Official Letter attached as an annex to this application, and that it be kept in mind for activation when the state of fish stocks so permits.

Members of this subsidiary body of the Commission are requested to consider these requests from Bolivia, include them in the minutes of the 26th Meeting of the WG, and submit them as a recommendation to the 103rd Meeting.

Annex to request 1:

BIOLOGICAL-SCIENTIFIC REPORT

Request from the Plurinational State of Bolivia: Reduction of the closed season to 8 days and reallocation of 2,000 m³ of capacity.

Introduction

The purpose of this technical-scientific report is to support the request made by the Plurinational State of Bolivia to the Inter-American Tropical Tuna Commission (IATTC) in relation to:

1. The reduction of the closed season from 10 days to 8 days in the tropical tuna purse seine fishery.
2. The reallocation of 2,000 m³ of tuna carrying capacity to Bolivia, as part of the equitable redistribution of capacities within the framework of the IATTC.

This request is based on the scientific evidence available in the SAC-16 reports, particularly in the baseline assessments, population status indicators, management strategies, and recommendations of the Scientific Advisory Committee. The analyses show that this adjustment would not compromise the sustainability of tropical tuna stocks in the Eastern Pacific Ocean (EPO), provided that the recommended biological and ecosystem controls are maintained.

1) Objective and scientific framework

This report evaluates, from an exclusively biological and precautionary perspective, the feasibility of adjusting the reduction of the annual closure of the OPO tropical tuna purse seine fishery to 8 days and reallocating 2,000 m³ of carrying capacity to Bolivia, in light of the recommendations of CCA-16 and the SAC-16 technical documents (assessments, indicators, management strategies, and staff recommendations). In 2025, the CCA/IATTC discussed management options that include a maximum reduction of 10 days or, alternatively, 7 days with elimination of the “corralito,” within the 2026–2028 cycle, specifying that any relaxation must be small and maintain safeguards such as the individual vessel threshold (IVT) and reinforced port sampling/monitoring so as not to increase the risk of exceeding FMSY (Maximum Sustainable Yield).

Consequently, the candidate strategy for bigeye tuna (BET) formalizes an F30–S20¹ harvest control rule, with a maximum change of ± 10 days between cycles and “exceptional circumstances” if there is a $\geq 10\%$ probability of exceeding the S20% reference point.

The scientific evidence available in the SAC-16 reports, particularly in the baseline assessments, population status indicators, management strategies, and recommendations of the Scientific Advisory Committee, demonstrates that such an adjustment would not

¹ F30: the target fishing rate is set to maintain the spawning biomass (SBR) close to 30% of the no-fishing level (management target). S20%: threshold reference point (20% of the no-fishing level). If the SBR falls toward that threshold, the rule reduces fishing mortality to allow recovery.

compromise the sustainability of tropical tuna stocks in the Eastern Pacific Ocean (EPO), provided that the recommended biological and ecosystem controls are maintained.

2) Recent status of stocks and biological signals

Yellowfin tuna (YFT). The 2025 baseline assessment explicitly incorporates spatial structure (NE vs. SW) and supports a status consistent with management toward MSY (maximum sustainable yield), with no evidence of overfishing in the EPO under current measures. The 2024 catches ($\approx 294,000$ t, EPO) exceeded the 2014–2023 average by 14%, with no anomalous increases in discards, suggesting robust biomass and productivity.

Skipjack tuna (SKJ). A highly productive species; in 2024, the EPO catch reached 645,000 t (an all-time high, +100% vs. the 2014–2023 average), with discards $<1.2\%$ in purse seine; there are no signs of overexploitation based on operational indicators.

Bigeye tuna (BET). Status indicators (SSI) show that fishing mortality of juveniles decreased after the implementation of Individual Thresholds per Vessel (ITP) (C-21-04), with a positive effect confirmed in 2022–2024. However, Catch per Unit Effort (CPUE) and average size in sets on floating objects have shown long-term declines, so the relaxation of the ban must be prudent and accompanied by safeguards. In 2024, purse seine catches of BET ($\approx 34,000$ t) and longline catches ($\approx 18,000$ t) were low in historical terms, reducing the risk that a moderate adjustment (8 days) would push F above FMSY, provided that the control framework (ISB, sampling, observers, etc.) is maintained.

The species is considered highly productive and resilient to intensive fishing, according to results confirmed by stock status indicators (SSI) and recent baseline assessments (SAC-16-02 and SAC-16-03).

3) Biological support for the reduction of the closure to 8 days

- **Flexibility in the design of management strategies (EEO):**
SAC-16-06 establishes that the maximum permitted changes in closed season days are limited to ± 10 days, provided that the precautionary rule F30–S20 is respected. In this context, an 8-day reduction falls within the biologically acceptable range.
- **Recent population indicators:**
The SSI show stable trends for yellowfin and skipjack tuna, and in the case of bigeye tuna, they reflect improvements in the reduction of juvenile mortality following the application of individual vessel thresholds (IVT). This indicates that small adjustments to the closed season do not pose a risk of population collapse.
- **Minimizing the risk of exceeding Fmsy²:**
The US recommendation to the SAC emphasizes that any reduction in the closed season must be “small” so as not to increase the risk of exceeding FMSY. The difference between 10 and 8 days constitutes an adjustment with low biological impact, within the precautionary threshold.

² In accordance with scientific advice from the CCA/CIAT, F_{MSY} (or F_{RMS}) is defined as the fishing mortality rate that produces the maximum sustainable yield of the stock; therefore, measures must maintain $F \leq F_{MSY}$ to avoid overfishing and ensure the long-term productivity of the resource.

- **Multispecies balance:**
The SAC recommended that any measure should consider multispecies effects (bigeye, yellowfin, skipjack). Recent analyses show that the resilience of yellowfin and skipjack allows them to absorb the marginal fishing pressure resulting from a closure reduction of only 2 days compared to the baseline scenario.
- **Evidence by species:**
 1. YFT: 2025 assessment plus 2024 catches above the decade average point to resilience under the current mix of sets; the 8-day cut would not impose pressures incompatible with MSY.
 2. SKJ: High productivity and record 2024 catches suggest low biological risk from a moderate adjustment to the closed season, provided that FAD sets continue to be managed with thresholds and indicators.
 3. BET: UIBs have reduced catches and mortality in juveniles; maintaining UIBs + monitoring mitigates the risk of 8 days raising F above reference levels. HCR F30–S20 provides an automatic brake (reduction of F if SBR falls toward S20%).
 4. Multispecificity and EEO/MSE (Management Strategy Evaluation) testing: The CCA urged testing candidate strategies for purse seine and longline in 2025–2026 and evaluating cross-species impacts; the 8-day adjustment is more conservative than 10 and compatible with the recommended triennial adaptive management cycle.

4) Justification for the allocation of 2,000 m³ to Bolivia: Biological neutrality under capacity control

Fleet capacity in the OPO is managed through the Regional Vessel Register (C-02-03). The requested reallocation (2,000 m³) is marginal in relation to the regional total and, under the current capacity ceiling and compliance with observers, sampling, and more UIB, its expected biological impact is neutral (it does not significantly modify cumulative F). In strictly population terms, what is relevant is not the origin of the flag, but that the aggregate capacity remains within the limit and that its operation complies with the HCR (Harvest Control Rule)³, the UIBs, and the monitoring programs. The request to reallocate 2,000 m³ to the Plurinational State of Bolivia represents a marginal increase in relation to the total capacity of the regional registry, without significantly altering overall effort levels.

5) Proposed monitoring plan

- Maintain UIB and reinforced port sampling/EMP as a condition for the reduction to 8 days.
- Apply HCR F30–S20 with monitoring of the probability of exceeding S20% (trigger for “exceptional circumstances”), i.e., if at any time monitoring shows too high a probability of exceeding S20%, the rule automatically corrects: it would not allow the ban to be relaxed and, on the contrary, would adjust the measures.

³ A Harvest Control Rule (HCR) is a predefined procedure that adjusts effort or catch based on stock status indicators and reference points (target and limit). Within the CIAT framework, HCR F30–S20 for bigeye tuna keeps fishing mortality compatible with a target SBR level and automatically reduces exploitation if there is a risk of reaching the biological limit.

- Monitor SSI (Stock Status Indicators) (CPUE, average size, effort on floating objects) for YFT, BET, and SKJ with annual reports; include specific analysis of class 4 vessels and effects on recruitment (CCA mandate).
- Align with the Strategic Science Plan 2026–2030 (data, life cycle, sustainable fisheries, environment–ecosystem–fisheries interaction) to support robust assessments and continuous MSE (Management Strategy Evaluation).

6) Biological conclusion

According to the evidence from the SAC/IATTC 2025, an adjustment of the closed season to 8 days is biologically compatible with HCR F30–S20, maintains the precautionary principle (“small reduction” with active safeguards), and is consistent with the recent performance of stocks (robust YFT and SKJ; BET with juvenile mortality contained by UIB). The reallocation of 2,000 m³ to Bolivia, within the registry and capacity ceilings, is biologically neutral under the current control and monitoring framework. Therefore, a request is submitted to the Commission to adopt an 8-day reduction in the closed season instead of 10 and to approve the reallocation, with annual monitoring of SSI and adaptive adjustments if the indicators so require. Finally, it is recommended that scientific personnel be instructed to monitor the impacts of this measure on populations, using SSI indicators and baseline assessments, ensuring transparency and rigor in adaptive implementation.

Technical bibliography (IATTC/CCA, 2025)

- SAC-16 – Conclusions and Recommendations/Proposals (management options; “small reductions,” UIB, EMP/IPSP; class 4 analysis).
- SAC-16-06 – Candidate management strategy for bigeye tuna (BET): HCR F30–S20; ±10-day limit; exceptional circumstances.
- SAC-16-03 – 2025 baseline assessment of yellowfin tuna (YFT): spatial structure, performance toward MSY.
- SAC-16-02 – Stock status indicators (SSI): trends in FO-sets, mean size, UIB effects 2022–2024.
- SAC-16-01 – The tuna fishery in the EPO in 2024: catches by species, discards, reference to C-02-03 (capacity).
- SAC-16-11 & CCA-16 Recommendations – Staff recommendations and EEO mandate 2025–2026; multispecies assessment.

Annex to request 2:

Excerpt from Official Letter DGIMFLMM – UBPM No. 050/2024 of September 18, 2024, addressed to the President of the Commission, Mr. Arens:

Subsection c. on new requests:

- 1.1. Bolivia is disappointed that, once again, its request for 5,000 cubic meters of new capacity has not been included in the merit document, which it has submitted every year since 2019, as have other CPCs, some submitting theirs even after that year.

- 1.2. The request was substantiated at the 2022 and 2023 GTP meetings, with the relevant explanations being provided on both occasions via email, at the request of the Acting Director of the IATTC and the Chair of the GTP, respectively. For your records, I am attaching the messages of substantiation, marked as Annex Alpha and Annex Bravo, together with the acknowledgment of receipt from the GTP Chair, marked as Annex Charlie.
- 1.3. This request is particularly relevant because subsection c. of the categories identified in section 7 refers to "requests for new capacity increases by coastal and non-coastal States of the OPO" (emphasis added).
- 1.4. Bolivia had never heard, until Saturday, August 31, 2024, that its request was inadmissible on the grounds that it had been decided, at some point, not to admit new capacity requests to the list. On the contrary, we appreciate and agree with the statement made by the Chair of the GTP that the only thing that was closed was the admission of new capacity claims and disputes; this corresponds with what this delegation recalls about the status of this matter.
- 1.5. Based on the foregoing, Bolivia requests that its "new request" for 5,000 m³ be included in subsection c. of the table with a detail that reads as follows: "Special needs and requirements of landlocked developing countries" (emphasis added)

Appendix 3

Vanuatu's intervention on the Esmeralda C case

Thank you chairman, I would like to introduce Vanuatu's request, to confirm approval of the restitution and activation of 1,358 m³ of well volume to Vanuatu's Active PS Capacity List, corresponding to the well capacity of the vessel Esmeralda C, registered in 2001 under the Vanuatu flag and re-flagged to another Member in 2005, due to the permanent transfer of well capacity without its consent and therefore, in contravention of the IATTC Convention and resolutions. Specifically, this transfer of well volume took place in the absence of direct notification from Vanuatu to the Director of IATTC.

This case was reviewed and resolved in 2014 at the 15th meeting of this Working Group and ratified and confirmed at its 16th meeting with a favorable recommendation to the Commission. Notwithstanding the positive recommendation from this Working Group, no consensus was achieved at the 88th meeting of the Commission.

Vanuatu would like to recall Annex 1 of the Convention and Resolutions C-02-03 and C-24-07 which requires a notification from the relevant Member to the IATTC Director to proceed with any changes on the information contained in the Record of vessels. In the transfer of Esmeralda C, Vanuatu did not issue any direct notification regarding the transfer of its well volume. The only notification issued by Vanuatu was regarding the cancellation of Vanuatu's flag to the Esmeralda C to be re-flagged to another member, without any mention of a change regarding its well volume. No transfer of well volume was approved by Vanuatu. An administrative error in 2005 allowed the transfer of its well volume and this action has produced serious damages for Vanuatu, resulting from the inability to utilize its well volume for twenty years.

At the 15th meeting of Working Group, in 2014, Vanuatu and three other Members presented "pending capacity requests" based on transfers of well volume without their consent and it was agreed and recommended to the Commission that all 4 Members be granted as a restitution the amounts corresponding to the well volume transferred without their consent".

At the 16th meeting of this working group, held also in 2014 the previous recommendation was confirmed and declared that this case was reviewed and resolved stating that: "The Working Group recognized that the recommendations that it had issued at its 15th meeting regarding the various cases reviewed and resolved continue in force and would not be subject to revision or modification. Consequently, those cases would not be addressed again at this meeting of the Working Group but by the 88th Extraordinary Meeting of the IATTC. These recommendations are described in the minutes of the 87th Meeting of the Commission, as follows: b. Consider favorably the requests by Ecuador Vanuatu and Venezuela that they be granted as restitution of the amounts corresponding to well volumes that were transferred without their consent..." A similar recommendation was agreed for Guatemala.

It must be noted that at the 88th meeting of the Commission, Vanuatu's case did not reach consensus. At that meeting, one of the four Members with an originally favorably recommendation obtained the restoration of its well volume and the other two also received the approval of the Commission but conditioned to its future activation, which occurred in 2017.

Additionally, Vanuatu recalls the 2016 agreement on the elements for the development of a capacity management plan for EPO which includes among others that pending capacity requests and claims

should be activated in a gradual manner, notably taking into account their antiquity, justification and urgency.

In this regard, the transfer without Vanuatu's consent occurred twenty years ago, and its claim was assessed and recommended favorably in 2014 by this Working Group, and since then, another ten years has passed without resolution. Vanuatu, as a Member, considers that an administrative problem cannot be a permanent obstacle for a Member to exercise its rights. The cause of this case is not simply against Vanuatu's rights but contrary to the Convention and the rules of procedure and resolutions of the Commission and with this arises the urgent need to reestablish Vanuatu's right.

Vanuatu also considers that the need for the reduction of the capacity in the years long-process cannot be the argument to deny the restitution of Vanuatu's rights that were deprived by an error of the Administration, in particular taking into account the healthy status of the resources base on the latest scientific report and the possibility to grow at it was just mentioned.

To finalize our intervention I would like to recall that Vanuatu is a small island developing State and is the most economically disadvantaged, least- developed Member of this Organization, as measured by per capita GDP, and, pursuant to paragraph 11 of Lanzarote Plan, should be given due recognition in accordance with paragraph 5 of the FAO Code of Conduct for responsible Fisheries, through enhancing the ability of such countries to develop their own fisheries as well as to participate in high seas fisheries, including access to such fisheries. The restitution of the well capacity of the Esmeralda C will provide a significant income stream to Vanuatu for the benefit of its people and it would represent a small foothold in the purse seine fishery from which Vanuatu will again seek to expand its presence.

Appendix 4

Panama's capacity request

(Informal Translation)

Office of the General Administration

Panama City, August 25, 2024

The delegation of the Republic of Panama appreciates the opportunity to present and substantiate its request for 3,000 m³ of carrying capacity, corresponding to three vessels that have conducted fishing operations within the IATTC Convention Area. These vessels hold IATTC registration numbers, have carried observers onboard, have operated on species regulated by the Commission, and possess duly registered cubic meter.

In April of this year, Panama submitted to the Secretariat a note containing information on 35 vessels that meet these criteria, amounting to a total of 30,920 m³ with operational periods prior to 2002. This demonstrates a solid and well-documented operational history. In addition to the supporting documentation evidencing the consistent operation of Panamanian-flag vessels before 2002, our request rests on three essential pillars that reflect our commitment to conservation, our legitimate right as a developing coastal State, and our vision of responsible fisheries management.

First, Panama has strictly — and even beyond — complied with the provisions established under Resolution C-02-03. As a coastal and developing State, Panama exercises its right to promote the sustainable development of tuna fisheries, consistent with Article 5 of the FAO Code of Conduct for Responsible Fisheries, which recognizes the need to strengthen the capacity of these States to exploit their resources sustainably.

Second, for nearly two decades, Panama has maintained a unique policy in the region: the total prohibition of purse-seine fishing within its Exclusive Economic Zone. This measure has directly and consistently contributed to the conservation of tropical tunas in the Eastern Pacific Ocean, supporting the recovery of tuna stocks and generating benefits for all stakeholders. This long-term commitment to conservation, in our view, should be duly recognized within the framework of the evaluation of our request.

Furthermore, Panama promotes a vision of responsible development aimed at strengthening the national tuna fleet, modernizing port and processing infrastructure, and fostering complementary economic activities such as tourism and recreational fishing — always in harmony with the principles of sustainability. In this regard, the Government has implemented a national policy focused on the productive development of the tuna fleet in the Eastern Pacific Ocean, with the objective of supplying the national industry, contributing to food security, and ensuring compliance with IATTC conservation measures.

This plan includes, among other components, the establishment of modern processing facilities in free zones for value-added products, the modernization of ports and logistical infrastructure, and the promotion of tourism and recreational fishing. These pillars aim to invigorate the local economy, create jobs, attract investment, and strengthen both national and international logistics services.

Finally, Panama calls for due recognition of its documented operational history, sustained conservation measures, and status as a developing coastal State. On this basis, we respectfully request that our application for 3,000 m³ of capacity be favorably considered by the Standing Working Group on Fleet Capacity, in support of regional management and the strengthening of responsible tropical tuna fisheries.