

# INTER-AMERICAN TROPICAL TUNA COMMISSION

## 89<sup>TH</sup> MEETING

Guayaquil, Ecuador

6-10 July 2015

### MINUTES OF THE MEETING

#### AGENDA

	Documents
1. Opening of the meeting	
2. Adoption of the agenda	
3. General presentation of proposals submitted by Members on resolutions and others	
4. a. The fishery in 2014 and status of the tuna and billfish stocks	IATTC-89-04a
b. Review of the Commission staff's research	
c. Report and recommendations of the 6 <sup>th</sup> meeting of the Scientific Advisory Committee	IATTC-89-04c
d. Conservation recommendations by the Commission staff	IATTC-89-04d
5. Review of the IATTC rules of procedure	
6. Reports of subsidiary bodies and working groups:	
a. 3 <sup>rd</sup> meeting of the Committee on Administration and Finance	
b. 6 <sup>th</sup> meeting of the Committee for the Review of Implementation of Measures Adopted by the Commission	
c. Report of the Chairman of the virtual working group on fleet capacity	
7. Matters related to fleet capacity	IATTC-89-06
8. Observer program for transshipments at sea	IATTC-09-07
9. Review of the IATTC's performance	
10. Discussion of resolutions and recommendations	
11. Implementation of Resolution C-14-07 on procedures for implementing Article XII.1 of the Antigua Convention	
12. Election of Chair and Deputy Chair for the July 2015-July 2016 period	
13. Election of Chairs of subsidiary bodies and working groups	
14. Other business	
15. Place and date of next meeting	
16. Adjournment	

#### APPENDICES

1	List of attendees	
<b>2.</b>	<b>RESOLUTIONS</b>	
2a	Amendment to Resolution C-05-07 on IUU fishing	C-15-01
2b	Interpretation to paragraph 6 of Resolution C-02-03 on fleet capacity	C-15-02
2c	Amendment to Resolution C-13-04 on the collection and analyses of data on fish-aggregating devices	C-15-03

2d	Conservation of Mobulid rays caught in association with fisheries in the IATTC Convention Area	C-15-04
2e	Amendment to Resolution C-12-04 on the formula for calculating contributions to the IATTC budget	C-15-05
2f	Financing for fiscal year 2016	C-15-06
2g	Amendment to Resolution C-13-05 on confidentiality	C-15-07

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### 3. PROPOSALS

3a	A-1	<b>Costa Rica.</b> Amendment to Resolution C-05-03 on the conservation of sharks caught in association with fisheries in the EPO
3b	A-2	<b>European Union.</b> Resolution on the conservation of sharks caught in association with fisheries in the IATTC Convention Area
3c	A-1A	<b>Costa Rica and European Union.</b> Amendment to Resolution C-05-03 on the conservation of sharks caught in association with fisheries in the EPO
3d	A-3	<b>European Union.</b> Resolution on the conservation of silky sharks caught in the IATTC Convention Area
3e	A-4	<b>United States.</b> Resolution on the conservation of hammerhead sharks (family <i>Sphyrnidae</i> ) caught in the IATTC Convention Area
3f	E-1	<b>European Union.</b> Revision of Resolution C-11-07 on the process for improved compliance of resolutions adopted by the Commission
3g	E-2A	<b>Colombia, Costa Rica, El Salvador, Guatemala, Mexico, Nicaragua, Panama, Peru and Venezuela.</b> Resolution on the use of information on compliance
3h	F-1	<b>European Union.</b> Resolution for an IATTC scheme for minimum standards for inspections in port
3i	G-1	<b>European Union.</b> Resolution to revise Resolution C-13-01 on the basis of the best scientific advice
3j	H-1	<b>European Union.</b> Revision of Resolution C-02-03 on the capacity of the tuna fleet operating in the EPO
3k	J-1	<b>United States.</b> Resolution to aid in establishing a rebuilding plan for Pacific bluefin tuna
3l	K-1	<b>United States.</b> Amendment to Resolution C-11-02 to mitigate the impact on seabirds of fishing for species covered by the IATTC
3m	M-1	<b>Mexico.</b> Amendment to Resolution C-11-08 on observers on longline vessels
3n	N-1	<b>Guatemala.</b> Terms of Reference for the establishment of an <i>ad hoc</i> Working Group for the review of the rules of procedure of the Inter-American Tropical Tuna Commission

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### 4 REPORTS

4a	Report of the 3 <sup>rd</sup> Meeting of the Committee on Administration and Finance
4b	Report of the 6 <sup>th</sup> Meeting of the Committee for Review of the Implementation of Measures Adopted by the Commission (“Review Committee”)

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### 5 OTHER

5a	<b>Mexico:</b> Statement on bluefin tuna
5b	<b>United States:</b> Proposal on a harvest control rule
5c	<b>Colombia:</b> Capacity still to be allocated to Colombia by the IATTC
5d	<b>Mexico:</b> Proposal for resolving the capacity disputes of Guatemala and Venezuela
5e	<b>Vanuatu:</b> Proposed draft terms of reference for the Virtual Working Group of Fleet Capacity and the Permanent Working Group on Fleet Capacity
5f	<b>Costa Rica:</b> Proposal for terms of reference for the Permanent Working Group on Fleet Capacity
5g	<b>Ecuador:</b> Exhortation to WCPFC to harmonize its conservation and management measures with those of the IATTC

The 89th meeting of the Inter-American Tropical Tuna Commission (IATTC) was held in Guayaquil, Ecuador, from 29 June to 3 July 2015. The attendees are listed in Appendix 1.

## **1. Opening of the meeting**

The meeting was opened by the Chairman of the IATTC, Ing. Guillermo Morán, of Ecuador, who asked that a minute's silence be observed in memory of Dr. Robin Allen, former Director of the Commission. In accordance with paragraph 10 of the Commission's Rules of Procedure, Mr. Julio Guevara, of Nicaragua, was elected rapporteur.

## **2. Adoption of the agenda**

The agenda was adopted, with the addition at Guatemala's request of a new item 5, *Review of the IATTC rules of procedure*, and a new item 6 c), *Report of the Chair of the virtual working group on fleet capacity*. Under item 11, *Other business*, the three following items would be addressed: a) at Venezuela's request, the matter of the exemption from the closure of the Venezuelan vessel *Ventuari*; b) a proposal by Ecuador to include in the minutes of the meeting an exhortation to the Western and Central Pacific Fisheries Commission (WCPFC) to harmonize its management measures with those of the IATTC, and c) a request by Panama to begin at the next meeting work on the certification of catches not associated with dolphins.

## **3. General presentation of proposals submitted by Members on resolutions and others**

Members who had submitted proposals for resolutions were given the opportunity of presenting them in detail. This presentation, complemented by the answers to questions asked by other Members, allowed the process of discussion and negotiation of these proposals to commence in advance of their consideration under item 10 of the agenda.

### **4. a. The fishery in 2014 and status of the tuna and billfish stocks**

Dr. Guillermo Compeán, Director of the Commission, presented Document IATTC 89-04a. Regarding yellowfin tuna, the assessment results indicate that the recent fishing mortality rates are below the level corresponding to the maximum sustainable yield (MSY), and the recent spawning biomass has been at that level. It is possible that the stock has changed in the last 10 years from a high to an intermediate productivity regime.

With regard to bigeye tuna, the assessment results indicate a recovering trend in the EPO during 2005-2009, following the conservation resolutions in force since 2004. However, the reduction of the spawning biomass that started at the beginning of 2010 reduced both the summary and spawning biomasses to their lowest historical level in 2013. More recently, it is estimated that the spawning biomass ratio (SBR) has increased slightly, from 0.19 in 2013 to 0.22 at the beginning of 2015.

With regard to skipjack, the concern was the exploitation rate, which had been increasing, but has levelled off in recent years. No adverse consequences of this increase have been detected.

Regarding bluefin tuna, the impact of the fisheries in the EPO is less than that of the fisheries in the Western Pacific, and although the assessment of the status of the stock is uncertain, catches should be limited to current levels, and equivalent measures should be taken in the Western Pacific.

The European Union advised a more conservative assessment of the tropical tuna stocks. The Kobe graphs produced by the Secretariat show some stocks on the tipping point from green to red in some instances. Furthermore, if the same steepness as that used by the WCPFC was applied to assess the same shared tuna stocks, overfishing would occur for some stocks.

Costa Rica asked what the effect would be if there were more than one stock of yellowfin in the EPO, and also asked for an assessment of, and recommendations on, dorado.

Dr. Compeán explained that it is difficult to separate the two stocks of yellowfin suggested by some studies, and that stocks are defined for administrative purposes, so it would be very difficult to establish a boundary for managing two stocks.

Regarding dorado, he indicated that there is still no assessment of this species, but that a workshop would

be held in Peru in October at which more information would be available for developing an assessment.

**b. Review of the Commission staff's research**

Dr. Deriso, the Commission's Coordinator of Scientific Research, presented information on the work carried out by the Commission staff, referencing a report prepared for the meeting of the Scientific Advisory Committee in May entitled [Staff activities and research plans](#). The main fields of work are stock assessments, tagging studies, tuna biology, ecosystem studies, bycatch, data collection, and capacity building in developing countries.

Some Members asked what was being done regarding the assessment of bluefin tuna, which assessment model would be used, and the degree of cooperation and coordination with WCPFC that could be expected in this effort. They also asked whether sufficient information was available on catches of sharks in the longline fishery to support ecological risk assessments (ERAs), and inquired about participation of Commission scientists in the WCPFC's Pacific-wide bigeye stock assessment and the advisability of making greater use of input and contributions by scientists from Members and Cooperating Non-Members (CPCs).

Dr. Deriso noted that the work on bluefin tuna would continue in coordination with the bluefin working group of the International Scientific Committee (ISC), whose work plan was followed; he noted concerns with past Pacific bluefin tuna stock assessment models. He also indicated that the catch per unit of effort (CPUE) data were provided by the Commission to the Pacific Community (SPC) for the WCPFC's Pacific-wide bigeye stock assessment (the EU contributes financially to this research). Regarding data on shark catches by longliners, although access to some fisheries data had been provided during working visits to Japan, more and better data would make the work more efficient.

Some Members encouraged the scientific staff to make use of the expertise of national scientists in order to carry out some research when resources are not available *in situ*, as it is done in several other RFMOs. In this respect, Dr. Deriso indicated that throughout the year researchers visiting Commission headquarters worked with Commission scientists, and regional workshops are held to improve data collection.

Korea stated that it would continue to collaborate with financing for bigeye tagging, and that it strongly supported the cooperative work between the IATTC and the ISC.

**c) Report and recommendations of the 6<sup>th</sup> meeting of the Scientific Advisory Committee**

Dr. Deriso reported on the meeting of the Scientific Advisory Committee. After discussing and reviewing the Committee's recommendations, the Commission approved the following:

- i. The IATTC staff shall create a form to guide Members in the submission of national reports.
- ii. To include in the agendas of future SAC meetings an item for a review of the SAC recommendations from the previous year, thus providing the SAC with an opportunity to track progress and outcomes, where applicable.
- iii. The Commission shall establish a data collection program for fishing vessels smaller than 24 m length overall.
- iv. To establish a program for collecting and processing data on the fisheries for species other than tunas covered by the Antigua Convention, in order to standardize and systematize the way in which these data are handled, and reduce the levels of uncertainty regarding the impact of fishing on such species.
- v. All documents and presentations prepared for meetings of the Committee shall be available one week before the meeting.
- vi. The initiatives on sharks undertaken under the FAO-FMAM *Common Oceans* project should continue and expanded upon in order to improve data collection, cooperation, and capacity development.

- vii. The Commission shall continue and strengthen its cooperation with the WCPFC so as to ensure the recovery of Pacific bluefin tuna through the adoption of management measures for both juvenile and adult fish (Ecuador expressed interest in working with yellowfin and bigeye tunas as well).
- viii. The Commission shall strengthen its work on FADs, by holding a meeting involving managers, scientists, and other stakeholders.
- ix. The Commission shall consider requiring all Members with fleets catching sharks, skates, and rays in the region to collaborate and cooperate with the staff by providing detailed statistics that will allow the staff to conduct a comprehensive Ecological Risk Assessment of the main species of pelagic elasmobranchs.

The program for the next meeting of the Scientific Advisory Committee was also briefly discussed. It was suggested that next year's meeting should deal with the establishment of electronic observers (to compensate for current limited coverage) and also on the role of the Committee.

Guatemala stated that the agenda item referred to the report of the Scientific Advisory Committee and only the recommendations were discussed. Guatemala brought to the attention of the Members that, in the discussions of the Sixth Meeting of the Scientific Advisory Committee, as reflected in the report of that meeting, conservation measures would support an increased capacity corresponding to the activation of the capacities restored to Guatemala and Venezuela, due to the margin of 10 days of closure that allow it.

#### **d) Conservation recommendations by the Commission staff**

Dr. Deriso presented the scientific staff's recommendations (Document [IATTC-89-04d](#)). The Commission reviewed them one by one, taking note of them and agreeing that, in order to make them effective, they should be reflected in the text of a resolution adopted by the Commission.

##### **i. Yellowfin, skipjack, and bigeye tunas**

**Recommendation:** *Maintain Resolution [C-13-01](#) in 2016.*

The Commission approved the recommendation to maintain Resolution C-13-01 in 2016.

With regard to the catch limits established in paragraphs 9 and 10 of the Resolution, Japan reported that it had transferred its bigeye allocation to Korea (2,000 t) and China (6,000 t). After interventions by China, Korea, and Mexico on this matter, it was agreed that it would be desirable to start to consider a scheme enabling that kind of transfer and modifying the text of the resolution through the presentation of a proposal for an amendment the following year.

##### **ii. Pacific bluefin tuna**

**Recommendation:** *Maintain Resolution [C-14-06](#) on bluefin tuna.*

The Commission approved the recommendation to maintain Resolution C-14-06.

##### **iii. North Pacific albacore tuna.**

**Recommendation:** *Maintain Resolutions [C-05-02](#) and [C-13-03](#).*

The Commission approved the recommendation to maintain Resolutions C-05-02 and C-13-03

##### **iv. Provision of data**

**Recommendation:** *Catch-composition data provided to the IATTC should be disaggregated by the original unit of measurement (e.g. weight and length), fleet (including commercial and training vessels), and sex if available.*

Japan indicated that it supported this recommendation on the condition that the data not be broken down by individual vessels but by fleet, which was confirmed by Dr. Compeán. The Commission approved this

recommendation, and Resolution C-03-05 remained to be amended accordingly.

#### v. Harvest Control Rule

**Recommendation:** *Apply an interim harvest control rule as described in Document IATTC-89-04d and conduct additional and alternative assessments, so that a permanent harvest control rule may be adopted.*

Dr. Deriso confirmed that the recommended interim harvest control rule is for tropical tunas (yellowfin, skipjack, and bigeye). United States indicated that it would present concrete proposals for language for this item. These proposals were submitted subsequently (Appendix 5b), but were not discussed nor approved.

#### vi. Conservation of silky sharks

**Recommendation:** *Apply the following measures: (1) For purse-seine vessels: prohibit retention of silky sharks, and require that sharks be promptly released unharmed, to the extent feasible; establish observer programs for vessels of capacity classes 1 to 5 with a level of coverage sufficient for reliable monitoring of bycatches of silky sharks; (2) For vessels other than purse-seiners, require that all silky sharks captured in fisheries that do not target this species be released as soon as they are seen in the net, on a hook, or on deck, to improve their chances of survival.*

Some Members noted that, aside from the difficulty of extending observer coverage to vessels of classes 1 to 5, the recommendation was over-focused on purse-seine vessels, since coastal longline vessels catch the greatest number of silky sharks, and also the prohibition on using steel leaders was somewhat excessive. One Member suggested that the various resolutions on individual species or groups of sharks could be combined in order to have a single resolution for sharks.

The discussion of this recommendation continued subsequently in relation to the proposals for resolutions presented by the European Union (A-3; Appendices 3a and 3b), which integrated the scientific recommendations.

#### vii. Seabirds

**Recommendation:** *Modify Resolution [C-11-02](#) consistent with the current state of knowledge regarding seabird mitigation techniques, as described in document [SAC-05 INF-E](#). The Commission should take note of the updated seabird density information and consider expanding the area of application of measures to include additional waters in the North Pacific.*

The United States indicated that it supported this recommendation and would submit a proposal. Mexico stated that the 6<sup>th</sup> meeting of the Scientific Advisory Committee had not dealt with seabirds and that during the 5<sup>th</sup> meeting a map with the nesting areas had been produced that showed clearly that the Mexican jurisdictional waters should not be included. Japan (subsequently supported by Korea and Chinese Taipei), indicated that the recommendation on the use of bird-scaring lines is excessive, and that the measures should be harmonized with those adopted by the WCPFC, although it noted its general support for improving the mitigation measures if there are enough scientific data to show legitimacy of the improvement.

The discussion of this recommendation continued in connection with the proposal submitted by the United States for mitigating the impact of fishing on seabirds (K-1; Appendix 3I).

#### viii. Handling of Mobulid rays in purse-seine fisheries

**Recommendation:** *Prohibit: gaffing of rays; lifting rays by the gill slits or spiracles; punching holes through the bodies of rays; retention of Manta and Mobula rays caught incidentally during fishing operations. Large rays that cannot be released safely before being landed on deck should be returned to the water as soon as possible, preferably utilizing a ramp from the deck, or if no such ramp is available, lowered with a sling or net.*

The European Union recalled its proposal for a Resolution for the current meeting which was strongly

based on the scientific recommendations.

Japan asked whether there was information available on bycatches of Manta rays. Dr. Compeán noted that in the report on ecosystem studies by catches are mentioned and information is provided. The European Union took this opportunity, as an additional comment on the lack of data, to stress that advancing in the use of electronic observers should be considered, and expressed its willingness to seek funds for a pilot plan in the future.

This recommendation was embodied in Resolution C-15-04, submitted by the European Union, adopted subsequently during the meeting.

#### **ix. Handling of sea turtles in longline fisheries**

**Recommendation:** *encourage the use of videos and other educational materials, such as those available on the IATTC [website](#), to train captains and crews of longline vessels on when and how to dehook or disentangle a turtle, and also require that vessels carry the equipment and apply the measures described in Document IATTC-89-04d.*

Japan noted that, if Resolution C-07-03 on sea turtles were revised, it should be done in a way that would ensure that these mitigation measures were harmonized with those of the WCPFC. The United States, in addition to supporting the recommendation in general terms, added that an amended resolution should be harmonized with those adopted by the other RFMOs, as well as take into account relevant national legislation. Several Members also stated that it would be advisable to extend the workshops for fishing captains already held under the AIDCP to all captains operating in the Convention Area, in order to reach the desired training level in this matter.

#### **x. Fishing gear configurations**

**Recommendation:** *The Commission should require that vessels submit the purse-seine and longline gear description forms appended to Document [SAC-05-05](#).*

The importance of having this information for assessing fishing power was recognized. Some Members noted the importance for the longline fleet, for which there are fewer requirements and procedures for obtaining this kind of information than for the purse-seine fleet. It was also agreed that, given the difficulty of providing this information by individual vessel, it could be submitted in aggregated form by vessel category. The Commission staff was asked for more information to show the scientific appropriateness of each item of the forms.

#### **xi. Non-entangling FADs**

**Recommendation:** *Hanging any materials, such as net webbing, that may entangle any fauna under FADs deployed in the EPO should be avoided. Any non-entangling materials, such as ropes, may be used, and observer records will be used to verify their performance.*

This recommendation was subsequently discussed on the basis of the proposal by the United States for amending Resolution C-13-04, which was eventually adopted as Resolution C-15-03.

#### **xii. Identification and marking of FADs**

**Recommendation:** *In accordance with Resolution C-13-04, FADs with satellite buoys deployed after 1 January 2015 must be marked, and the staff maintains the recommendation submitted to the Commission in 2014.*

As noted by the European Union and Mexico, pursuant to Resolution C-13-04, since January 2015 FADs should already been marked and the corresponding information submitted. This requirement was not met because a system for marking FADs had not yet been approved, even though the Commission staff had circulated a concrete proposal. As with the previous recommendation, this matter was subsequently discussed on the basis of the proposal by the United States for amending Resolution C-13-04, and eventually

adopted as Resolution C-15-03.

### **xiii. Observer coverage of longline vessels**

**Recommendation:** *The staff maintains its recommendation of 20% observer coverage of large longline vessels until sufficient information is available to justify a revision.*

Mexico recalled its proposal to amend Resolution C-11-08 and increase observer coverage of longliners from the current level of 5%. Extrapolating the 29 oceanic whitetip sharks caught and the 27 interactions with sea turtles reported by observers on longliners suggests very high levels of such interactions in that fishery. The European Union supported Mexico's proposal.

Japan, Korea, and China noted the difficulty of increasing observer coverage on longliners for reasons of space and cost, plus a difficulty of complying for vessels transiting from the EPO to the Western and central Pacific, since the WCPFC has a 5% coverage requirement. It was recognized that most Members did not accomplish the current level of 5%. Japan requested the Commission staff to indicate the species for which 20% observer coverage is needed. Chinese Taipei noted that the data on catches of sharks sent to the Secretariat are not used. The European Union clarified that the reason they are not used is because they are insufficient, and it is for that reason that a higher level of coverage is proposed. The European Union plans to increase its coverage to over 10% in the coming year.

Members also noted that Resolution C-11-08 indicates that longline observer information is to be submitted to the IATTC in a format to be recommended by the SAC, but that the SAC had not yet adopted such a format, which may in turn be hindering the submission of data collected by these observer programs. The Members indicated that the SAC should be reminded of the need for this work product and suggested that the Commission staff write a paper to facilitate progress at the 7<sup>th</sup> Meeting of the SAC in 2016.

## **5. Review of the IATTC rules of procedure**

Guatemala presented a proposal (Appendix 3n) for terms of reference for a working group that would review the IATTC rules of procedure, noting the importance of working on this matter intersessionally. The United States expressed interest in offering comments on the proposal, but also noted that the proposal had not been submitted before the deadline for such submission and that as such, they were not prepared to offer a comprehensive set of comments at this meeting. The discussion was suspended at that point and the matter was not addressed again during the meeting, with the expectation that a similar proposal would be submitted for consideration at the next meeting of the Commission.

## **6. Reports of subsidiary bodies and working groups:**

### **a. 3<sup>rd</sup> meeting of the Committee on Administration and Finance**

The Chairman of the Committee, Mr. Lillo Maniscalchi, of Venezuela, presented his report (Appendix 4a). The Commission decided to approve a budget of US\$ 6,774,232 for 2016, which includes funds for holding the 90th meeting of the Commission and its subsidiary bodies, including the Permanent Working Group on Fleet Capacity, in La Jolla in 2016, and for covering the total cost of the review of the IATTC and the AIDCP. A budget of US\$ 800,000 was approved for the transshipment observer program for 2016, US\$ 700,000 of which would be paid by the participants, with the remainder paid from the existing surplus.

The Commission also clarified the procedure for accounting for the amount equal to 2% of the annual budget specified in Resolution C-11-11 that is to be allocated to the special fund for strengthening the institutional capacity of developing countries and territories. This 2% is not to be extracted from the operational budget. Rather, once the amount of the operational budget is settled, an additional amount equal to 2% of the operational subtotal shall be added to the regular budget as a separate line item, and the final budget amount will be the sum of these two components, and each Member's contribution to the 2% shall follow therefore the same distribution key as the regular budget. The question remained open whether the budget should be increased by 2% every year to cover the fund, or the decision should be taken on a yearly



basis taking into account, amongst others, the actual use of the fund.

**b. 6<sup>th</sup> meeting of the Committee for the Review of Implementation of Measures Adopted by the Commission**

The Chairman of the Committee, Mr. David Hogan, of the United States, presented his report (Appendix 4b). The Commission noted the Committee's recommendations, as follows, and decided to renew the status of Cooperating Non-Member for Bolivia, Honduras, Indonesia, and Liberia.

1. The Commission should review Resolution C-07-03 with a view toward any revisions that might be necessary to improve implementation, in particular if the reporting is repetitive and serving as a factor in a lack of reporting compliance.
2. Regarding Resolution C-11-02, the Commission and the Secretariat should review the compliance questionnaire process to determine if there is a way to elicit more information to substantiate all replies and to review the resolution to ensure it is clear what applies, how it applies, and the information the Commission wishes to receive on implementation.
3. The Commission should clarify the implementation reporting for resolution C-12-07 regarding transshipment to make clear whether the Commission expects such reporting.
4. Resolution C-11-08 should be included in the compliance questionnaire, which should differentiate between implementing an observer program and data reporting.
5. With regard to Resolution C-05-03 the Commission should explore methods for better monitoring and implementation, specifically with regard to improvement of data collection for shark conservation.
6. The Commission should consider whether it would be useful to establish a minimum threshold for tuna discards pursuant to the requirement on discards in Resolution C-13-01.
7. Future compliance reports should use the compendium produced by the Secretariat as the basis for an annex to the annual compliance report to track national reporting on implementation and compliance over time.
8. The Commission should clarify where sealing wells can be allowed for capacity management and whether and when it may be used for other purposes.
9. The Commission should encourage those Members to resolve the budget contribution arrears issue as soon as possible, and to also consider whether there are any other options the Commission could take advantage of to reinforce the collective responsibility to contribute to the IATTC budget.
10. The Commission should consider whether there was a basis to change the call for disaggregated data per resolution C-03-05 or to clarify the scientific or data management reasons to continue the current practice.
11. The SAC at its next meeting should ratify the data reporting format called for in Resolution C-11-08.
12. The Commission should reiterate the importance of all CPCs to send delegates to its subsidiary bodies, in particular the COR.
13. The Commission should send a communication to Fiji requesting additional information on the *Xin Shi Ji 16* based on the elements discussed by the Committee.
14. The Commission should renew Cooperating Non-Member status for Bolivia and Honduras, and consider renewing such status for Indonesia and Liberia, and communicate to those CPCs the responsibility to participate in the Commission's subsidiary bodies.
15. The Commission should consider reviewing its procedures regarding the observer reports to determine whether captains have an opportunity to comment on observer reports for IATTC matters and if there is a need for additional space or other adjustments of the observer forms; examine the usefulness of

additional training to make captains aware of existing opportunities to make comments; analyze the need for and possibility of how to accommodate an opportunity for captains comments on compliance matters identified in post-trip analysis of observer reports, and any other changes that may be needed to implement such a mechanism.

**c. Report of the Chairman of the virtual working group on fleet capacity**

The Chairman of the group, Mr. Bernal Chavarría, presented his report of the work carried out virtually during the intersessional period. He had circulated four questions about how the problems of capacity could be approached, but had received no replies. He had also participated in the meeting of the Scientific Advisory Committee, which had no comments in response to his presentation.

**7. Matters related to fleet capacity**

Consideration under this agenda item of the matters related to fleet capacity led to a protracted and complex discussion. In spite of several concrete proposals that were tabled to move forward, the Commission could not at this stage reach consensus to resolve the pending issues and to conciliate the different positions expressed or reiterated by various Members.

- (a) Colombia referred to its claim (Appendix 5c) and requested that the 4.772 m<sup>3</sup> still to be allocated from the historical claim recorded in the footnote to Resolution C-02-03 be included in the report SAC-06-INF-B, specifically in its “scenario 11”. The Director commented that since this document had been already considered and approved it could not be modified retroactively but that an appendix would be added to it in order to fulfil the request made by Colombia.
- (b) Costa Rica reiterated its request for an increase in its fleet capacity based on the provisions of the footnote in Resolution C- 02-03, but abstained from making a detailed presentation of its case at that stage.
- (c) For Guatemala and Venezuela, it was clear that their respective cases had already been solved at the 88<sup>th</sup> Meeting (Extraordinary) of the Commission and that the only remaining issue was that of the activation of the capacity that had been restored to them by the Commission’s decision at that meeting. In that respect, they considered that the conditions for activating this capacity had been met with the clarifications made at the recent meeting of the Scientific Advisory Committee by the IATTC Scientific Coordinator who considered that only 52 days of closure are necessary, with the 10 additional days as a precautionary measure.
- (d) Peru presented its request for 5851 m<sup>3</sup>, of which the Commission took note but without taking yet any decision.
- (e) Vanuatu, for its part, requested that its case be treated similarly to those of Guatemala and Venezuela on the ground that these cases are equivalent.
- (f) The European Union questioned the interpretation made by Guatemala and Venezuela regarding the fulfilment of the conditions for the activation of their restored capacity. It stressed that a Member cannot decide unilaterally whether or not it complies with obligations established by the Commission, particularly so when such a decision is taken on the basis of opinions that were expressed during the SAC meeting and were not even validated by the Committee. Only the Commission could decide whether the conditions were met (including upon recommendation of the SAC, which was not the case, since the SAC had not made such a recommendation). Guatemala challenged this statement, arguing that the decision on activation was not unilateral but reflected a decision of the Commission itself, since it had been informed of the clarifications resulting from the meeting of the SAC and since Resolution C- 13-01 was in force.

The European Union also reminded Members that, at the 88<sup>th</sup> meeting of the Commission, it had clearly stated that the activation of capacity should be conditioned not only on the adoption of compensatory conservation measures but also on the adoption of a plan for reducing capacity in

the EPO, which has not been achieved to date. Guatemala also challenged that statement, stressing that only the first condition (the adoption of compensatory measures) had been adopted by the Commission and that the second had been only proposed by the European Union but not approved by the Commission as a whole.

In order to allow the Commission to move forward, several delegations made concrete proposals in writing, as follows:

- (a) Mexico proposed the text of an agreement on the conditions to be met for the activation and utilization of the capacity approved for Guatemala and Venezuela (Appendix 5d).
- (b) Vanuatu and Costa Rica presented successively two proposals of draft terms of reference for the Virtual Working Group on Fleet Capacity and the Permanent Working Group on Fleet Capacity (Appendixes 5e and f).

None of these proposals could reach a consensus and the discussion on this item was suspended.

### **8. Observer program for transshipments at sea**

Mr. Ricardo Belmontes, of the Commission staff, presented Document IATTC-89-07 on the operation of this program during the previous year. The program, which has been in operation for 6 1/2 years, has proceeded normally and without problems. The number of observers placed and of days at sea, as well as the number of transshipments and the quantity of fish transshipped, remained fairly constant in 2013 and 2014. Data are collected from the entire area (Western Pacific, Eastern Pacific, IATTC-WCPFC overlap area) where the transshipped tuna is caught, and are reported to the Scientific Advisory Committee.

It was agreed that the program would be continued for a further year (2016) with the contract for operating the program given to the *Marine Resources Assessment Group* (MRAG) consortium.

### **9. Review of the IATTC's performance**

Dr. Compeán reported on progress in the review of the IATTC and AIDCP, including the following:

- a) A memorandum was sent to the Members asking whether they wished to be part of the virtual Working Group. Only Japan, the European Union, Mexico, Chinese Taipei, and Canada responded. During the meeting Ecuador asked to be included.
- b) The announcement seeking bids from potential evaluators was published on the IATTC website, and other relevant sites, including the terms of reference for the review approved by the Commission. Only one bid was received, from a group with experience in this type of work.

Various Members expressed their satisfaction with the bid from that group. It was agreed that the deadline for receiving applications would be 31 July 2015 and that in the case that no additional bids were received by that date, the Commission will award the contract to the current bid.

- c) Performance reviews from other RFMOs were circulated for the Members' reference.

### **10. Discussion of resolutions and recommendations**

#### **a. Resolutions adopted:**

The Commission agreed to continue applying Resolutions C-13-01 on a multiannual program for the conservation of tunas in the eastern Pacific Ocean during 2014-2016, C-14-06 on measures for the conservation and management of Pacific bluefin tuna in the eastern Pacific Ocean during 2015-2016, and C-05-02 and C-13-03 on North Pacific albacore tuna.

Also, the following seven resolutions were approved.

<b>Resolution</b>	<b>Subject</b>	<b>Appendix</b>
C-15-01	Amendment to Resolution C-05-07 on IUU fishing	2a

C-15-02	Interpretation to paragraph 6 of Resolution C-02-03 on fleet capacity	2b
C-15-03	Amendment to Resolution C-13-04 on the collection and analyses of data on fish-aggregating devices	2c
C-15-04	Conservation of Mobulid rays caught in association with fisheries in the IATTC Convention Area	2d
C-15-05	Amendment to Resolution C-12-04 on the formula for calculating contributions to the IATTC budget	2e
C-15-06	Financing for fiscal year 2016	2f
C-15-07	Amendment to Resolution C-13-05 on confidentiality	2g

**b. Proposals submitted but not approved:**

The situation of the other proposals submitted (Appendices 3a- 3m) was as follows:

Prop	Subject	Status	Appendix
A-1	<b>Costa Rica.</b> Amendment to Resolution C-05-03 on the conservation of sharks caught in association with fisheries in the EPO	Both proposals were withdrawn to be replaced by a joint proposal by Costa Rica and the European Union (A-1A).	3a
A-2	<b>European Union.</b> Resolution on the conservation of sharks caught in association with fisheries in the IATTC Convention Area		3b
A-1A	<b>Costa Rica and European Union.</b> Amendment to Resolution C-05-03 on the conservation of sharks caught in association with fisheries in the EPO	Despite strong support from various Members, as well as from two environmental groups, and the efforts made to negotiate a formula that would make it possible to reach consensus, in the end, this could not be approved because it was formally objected to by two Members during its final reading.	3c
A-3	<b>European Union.</b> Resolution on the conservation of silky sharks caught in association with fisheries in the IATTC Convention Area	Despite strong support from various Members, and the efforts made to negotiate a formula that would make it possible to reach consensus, in the end, this could not be approved because it was formally objected to by one Member during its final reading.	3d
A-4	<b>United States.</b> Resolution on the conservation of hammerhead sharks (family <i>Sphyrnidae</i> ) caught in the IATTC Convention Area	Despite the efforts made to find a compromise formula, the persistent objections by two Members who argued, inter alia, the lack of a stock assessment for these sharks, meant that no consensus could be reached.	3e
E-1	<b>European Union.</b> Amendment to Resolution C-11-07 on the process for improved compliance of resolutions adopted by the Commission	It proved impossible to adopt this proposal due to the reservations expressed by various Members on various elements of the proposal that require further clarification.	3f
E-2A	<b>Colombia, Costa Rica, El Salvador, Guatemala,</b>	Objected by two Members, who indicated that the proposed resolution would be a backward step in	3g

Prop	Subject	Status	Appendix
	<b>Mexico, Nicaragua, Panama, and Venezuela.</b> Resolution on the use of information on compliance	terms of transparency.	
F-1	<b>European Union.</b> Resolution for an IATTC scheme for minimum standards for inspections in port	No consensus was reached on this proposal due to the persistent reservations of some Members that wanted additional financial support for the implementation of these measures and the impossibility of reaching a compromise at this meeting.	3h
G-1	<b>European Union.</b> Resolution to revise Resolution C-13-01 on the basis of the best scientific advice	Withdrawn.	3i
H-2	<b>European Union.</b> Revision of Resolution C-02-03 on the capacity of the tuna fleet operating in the EPO	Due to the persistent objections of some Members regarding the advisability of reopening or amending Resolution C-02-03, bearing in mind in particular the pending cases of capacity requests or disputes, consensus could not be reached on this proposal. Instead, a separate resolution was adopted to give interpretation to paragraph 6 of C-02-03 (appendix 2b).	3j
J-1	<b>United States.</b> Resolution to establish a rebuilding plan for Pacific bluefin tuna	Objected by one Member who could not join the consensus, indicating <i>inter alia</i> , that Pacific bluefin tuna consists of a single stock that should be managed through joint measures by the IATTC and WCPFC and not independently by each of these RFMOs, as has been the case to date and it is time for both RFMOs to jointly and cooperatively engage in long term resource recovery of this stock. Mexico and the United States made statements in this regard (Appendix 5a). The EU showed concern and disappointment and encouraged the continuation of work based on solid scientific advice.	3k
K-1	<b>United States.</b> Amendment to Resolution C-11-02 to mitigate the impact on seabirds of fishing for species covered by the IATTC	Despite the support of some Members and Birdlife International and the Agreement on the Conservation of Albatrosses and Petrels (ACAP) and the efforts made to achieve a compromise formula, it was not possible to reach consensus on this proposal due to the opposition of one Member.	3l
M-1	<b>Mexico.</b> Amendment to Resolution C-11-08 on observers on longline vessels	Some Members did not support it, noting that 20% coverage is not feasible and that it is 5% in the WCPFC.	3m

### 11. Implementation of Resolution C-14-07 on procedures for implementing Article XII.1 of the Antigua Convention

The Chairman reported that at a meeting of heads of delegation the application of the process established in Resolution C-14-07 was discussed. He stated that there was no consensus to reappoint the current Di-

rector, so the Commission would move to the second stage established in the resolution and initiate the process for selecting the Director with the drafting and publication of the vacancy advertisement. There was no objection to this.

## **12. Election of Chair and Deputy Chair for the July 2015-July 2016 period**

Mr. Guillermo Morán, of Ecuador, was re-elected Chairman of the Commission, and Ms. Bryslie Cifuentes, of Guatemala, was re-elected Deputy Chair, both for the July 2015-July 2016 period.

## **13. Election of Chairs of subsidiary bodies and working groups**

The following chairs of the subsidiary bodies and working groups were elected or re-elected:

<b>Working Group/Committee</b>	<b>Chair</b>
Working group on fleet capacity	Luis Torres (Ecuador)
Review Committee	David Hogan (United States)
Committee on administration and finance	Lillo Maniscalchi (Venezuela)

## **14. Other business**

### **a) Case of the Venezuelan vessel *Ventuari***

Venezuela reported that in 2015 it had requested an exemption from the closure for the Venezuelan vessel *Ventuari* for reasons of *force majeure*, and that this request was accepted by the Commission. However, the vessel was not in a condition to use that exemption during the current year, and would therefore use it in 2016. There was no objection to this.

### **b) Proposal by Ecuador on an exhortation to the WCPFC to harmonize conservation and management measures with the IATTC.**

The Commission received favorably, in principle, the initiative by Ecuador of a proposal to exhort the WCPFC to harmonize its conservation and management measures with those of the IATTC (Appendix 5g).

Therefore, without prejudice to the existing agreements between the IATTC and the WCPFC including various memoranda of understanding, the Commission agreed to exhort the WCPFC to consider, at its next ordinary meeting, the adoption of conservation and management measures consistent and harmonised with those already adopted by the IATTC, and to accelerate the mechanisms for cooperation and coordination between the two RFMOs to assess comprehensively the status of all the stocks of tunas and tuna-like species of the Pacific Ocean covered by their respective conventions.

### **c) Certification of catches from schools not associated with dolphins**

Panama expressed its interest in having the Commission work on a recommendation for developing a certification scheme for tuna fisheries for catches from schools not associated with dolphins. A proposal would be presented next year.

## **15. Place and date of next meeting**

It was agreed that the next meeting of the Commission will be held in July 2016. Regarding the location, a number of delegations expressed support for an alternative venue to La Jolla o Del Mar closer to a wider range of amenities and transport, and preferably in the city of San Diego itself.

## **16. Adjournment**

The meeting was adjourned at 8 PM on 3 July 2015.

## Appendix 1.

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**INTER-AMERICAN TROPICAL TUNA COMMISSION**

**89<sup>TH</sup> MEETING**

**Guayaquil (Ecuador)  
29 June – 3 July 2015**

**RESOLUTION C-15-01**

**AMENDMENT TO RESOLUTION C-05-07 ON ESTABLISHING A LIST  
OF VESSELS PRESUMED TO HAVE CARRIED OUT ILLEGAL,  
UNREPORTED AND UNREGULATED FISHING ACTIVITIES IN THE  
EASTERN PACIFIC OCEAN**

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

*Recalling* that the FAO Council adopted on 23 June 2001 an International Plan of Action to prevent, deter and eliminate illegal, unreported and unregulated fishing (IPOA-IUU). This plan stipulates that the identification of the vessels carrying out illegal, unreported and unregulated (IUU) fishing activities should follow agreed procedures and be applied in an equitable, transparent and non-discriminatory way.

*Concerned* that IUU fishing activities in the Convention area undermine the effectiveness of the IATTC conservation and management measures.

*Further concerned* that there is a possibility that vessel owners engaged in such fishing activities may have re-flagged their vessels to avoid compliance with IATTC management and conservation measures.

*Determined* to address the challenge of an increase in IUU fishing activities by way of measures to be applied in respect to vessels, without prejudice to further measures adopted in respect of flag States under the relevant IATTC instruments.

*Considering* the action undertaken in other regional tuna fisheries organizations to address this issue;

*Conscious* of the need to address, as a matter of priority, the issue of vessels conducting IUU fishing activities; and

*Noting* that the situation must be addressed in the light of all relevant international fisheries instruments and in accordance with the relevant rights and obligations established in the World Trade Organization (WTO) Agreement;

*Recognizing* the importance of due process and of the participation of the interested parties;

*Resolves as follows:*

**IDENTIFICATION OF IUU ACTIVITIES:**

1. At each Annual Meeting, the Commission shall identify those vessels that have participated in fishing activities for species covered by the IATTC Convention in the Convention Area in a manner that undermines the effectiveness of the Convention and the IATTC Conservation measures in force, due to serious non-compliance, and shall establish and amend in subsequent years if necessary a list of such vessels (The IUU Vessel List), in accordance with the criteria and procedures established in this resolution.
2. This identification shall be clearly and suitably documented, based on, *inter alia*, reports from CPCs related to compliance with IATTC resolutions in force, trade information obtained from relevant

commercial data, such as data from the Food and Agriculture Organization of the United Nations (FAO), statistical documents and other verifiable national or international statistics, as well as any other documented information obtained from port States and/or collected in fishing grounds. The information from CPCs shall be provided in the format approved by the Commission.

3. For the purposes of this resolution, vessels fishing for species covered by the IATTC Convention within the IATTC Convention Area are presumed to have carried out IUU fishing activities when an IATTC Member or cooperating non-Member (collectively "CPCs") presents suitably documented information that such vessels:
  - a. Harvest species covered by the Convention and are not on the IATTC Regional Vessel Register, or
  - b. Harvest species covered by the Convention in waters under the national jurisdiction of the coastal State in the Convention Area without authorization and/or in contravention of its laws and regulation, without prejudice to the sovereign rights of coastal States to take measures against such vessels;
  - c. Make false reports or fail to record or report their catches made in the Convention Area, or
  - d. Engage in fishing activities in a closed area or during a closure period, or
  - e. Use prohibited fishing gear or fishing methods, or
  - f. Transship with, participate in joint fishing operations with, support, or resupply vessels included in the IUU Vessel List, or
  - g. Conduct transshipment operations at sea with vessels not included on the IATTC Record of Carrier Vessels, or
  - h. Are without nationality, or
  - i. Engage in fishing activities contrary to the provisions of the Convention or any other IATTC conservation and management measures, or
  - j. Are under the control of the owner or operator of any vessel on the IATTC IUU Vessel List. (Procedures for applying this paragraph are attached as Annex B.)
4. At the latest 70 days before the Annual Meeting, each CPC shall transmit to the Director their list of vessels presumed to be carrying out IUU fishing activities in the Convention Area over the past two years, accompanied by suitably documented evidence concerning the presumption of the IUU fishing activity.

Information on IUU vessel activity submitted by CPCs pursuant to this paragraph should be provided in the format attached as Annex A of this Resolution.

5. Before or at the same time as transmitting a list of presumed IUU vessels to the Director, the CPC shall also notify the relevant flag State, either directly or through the Director, of its request to include the vessel on the list of presumed IUU vessels, provide a copy of the suitably documented information, and request the flag State to promptly acknowledge receipt of the notification. If no acknowledgement is received from the relevant flag State within 10 days of the date of transmittal, the CPC shall retransmit the notification through an alternative means of communication. Upon receipt of information pursuant to paragraph 4, the Director shall also inform the flag State of its vessel's inclusion on the list of presumed IUU vessels, provide a copy of the suitably documented information, and inform the flag State about the procedures of this Resolution, including the opportunity of the flag State and interested parties to provide information in response to the listing proposal.



## **DRAFT IUU VESSEL LIST:**

6. On the basis of the information received pursuant to paragraph 4, and any other suitably documented information at his disposal, the Director shall draw up a draft IATTC IUU Vessel List, together with the current IUU list, and shall transmit it, together with all the supporting evidence provided, to all CPCs, as well as to non-Members with vessels on the List, 55 days before the Annual Meeting. The Director shall ask each CPC and non-CPC with vessels on the Draft IUU Vessel List to notify the owners of the vessels of their inclusion in the list and of the consequences of the vessels being included in the IATTC IUU list.
7. The Draft IUU Vessel List, as well as the Provisional IUU Vessel List and the IUU Vessel List described below, shall contain the following details for each vessel, where available:
  - i. Name of vessel and previous names, if any;
  - ii. Flag of vessel and previous flag, if any;
  - iii. Name and address of owner of vessel and previous owners, including beneficial owners, if any, and owner's place of registration;
  - iv. Operator of vessel and previous operators, if any;
  - v. Call sign of vessel and previous call sign;
  - vi. IMO number, if any;
  - vii. Unique Vessel Identifier (UVI), or, if not applicable, any other vessel identifier;
  - viii. Photographs of the vessel;
  - ix. Length overall;
  - x. Date vessel was first included on the IUU List (if applicable);
  - xi. Position of alleged IUU fishing activities;
  - xii. Summary of alleged IUU activities;
  - xiii. Summary of any actions known to have been taken in respect of the alleged IUU fishing activities and its outcome.
8. CPCs and non-Members shall transmit, at the latest 30 days before the Annual Meeting, their comments to the Director, as appropriate, including evidence showing that the vessels neither have fished in contravention of IATTC conservation and management measures nor had the possibility of fishing for species covered by the IATTC Convention in the EPO.
9. Upon receipt of the draft IATTC IUU Vessel List, CPCs shall closely monitor the vessels included in the draft List in order to determine their activities and possible changes of name, flag and/or registered owner.

## **PROVISIONAL IUU VESSEL LIST**

10. On the basis of the information received pursuant to paragraph 8, the Director shall draw up a provisional IATTC IUU Vessel List, and transmit it, 15 days in advance of the Annual Meeting of the Commission, to the CPCs and the non-Members concerned, together with all the evidence provided.
11. CPCs may at any time submit to the Director any additional information which might be relevant for the establishment of the IATTC IUU Vessel List. The Director shall circulate the information, together with all the evidence provided, to the CPCs and to the non-Members concerned, at the latest before the Annual Meeting of the Commission.
12. The Committee for the Review of the Implementation of Measures Adopted by the Commission shall each year examine the provisional IATTC IUU Vessel List, as well as the information that supports the inclusion, and shall remove a vessel from the provisional IATTC IUU Vessel List if the vessel's flag State demonstrates that:

- a. The vessel did not engage in any of the IUU fishing activities described in paragraph 3, or
  - b. Effective action has been taken in response to the IUU fishing activities in question, including, *inter alia*, prosecution, and imposition of sanctions of adequate severity.
13. Following the examination referred to in paragraph 12, the Committee for the Review of the Implementation of Measures Adopted by the Commission shall recommend that the Commission approve the provisional IATTC IUU Vessel List, with the amendments agreed there.

#### **FINAL IUU VESSEL LIST**

14. At its Annual Meeting, the Commission shall review the provisional IUU Vessel List, taking into account the supporting evidence and new evidence supplied through the Director.
15. Once the IATTC IUU Vessel List is adopted by the Commission, the Commission shall ask non-Members with vessels on the IATTC IUU Vessel List to take all the necessary measures to eliminate these IUU fishing activities, including, if necessary, the withdrawal of the registration or the fishing licenses of these vessels, and to inform the Commission of the measures taken in this respect. The Director shall ask each CPC and non-CPC with vessels on the Final IUU List to notify the owners of the vessels of their inclusion in the list and of the consequences of the vessels being included in the IATTC IUU list.
16. CPCs shall take all necessary measures, under their applicable legislation and pursuant to paragraphs 56 and 66 of the IPOA-IUU, to:
- a. ensure that fishing vessels, support vessels, mother ships or cargo vessels flying their flag do not participate in any transshipment or joint fishing operations with, support, or re-supply vessels on the IATTC IUU Vessel List;
  - b. ensure that vessels on the IATTC IUU Vessel List that enter ports voluntarily are not authorized to land or transship therein;
  - c. prohibit the entry into their ports of vessels included on the IUU list, except in case of *force majeure* or where the vessel is allowed entry into port for the exclusive purpose of inspection and effective enforcement action;
  - d. prohibit the chartering of a vessel on the IATTC IUU Vessel List;
  - e. refuse to grant their flag to vessels on the IATTC IUU Vessel List, unless the vessel has changed owner, and the new owner has provided sufficient evidence demonstrating that the previous owner or operator has no further legal, beneficial or financial interest in, or control of, the vessel or, having taken into account all relevant facts, the flag CPC determines that granting the vessel its flag will not result in IUU fishing;
  - f. prohibit commercial transactions<sup>1</sup>, imports, landings and/or transshipment of species covered by the IATTC Convention from vessels on the IATTC IUU Vessel List;
  - g. encourage traders, importers, transporters and others involved, to refrain from transactions in, and transshipment of, species covered by the IATTC Convention caught by vessels on the IATTC IUU Vessel List;
  - h. collect, and exchange with other CPCs, any appropriate information with the aim of searching for, controlling and preventing false import/export certificates for species covered by the IATTC Convention from vessels on the IATTC IUU Vessel List.
17. The Director shall take any measure necessary to ensure publicity of the IATTC IUU Vessel List, in a manner consistent with any applicable confidentiality requirements, including placing it on the IATTC website. Furthermore, the Director shall transmit the IATTC IUU Vessel List as soon as pos-

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<sup>1</sup> Transactions are permitted in the case of fish seized and sold as a result of judicial or administrative sanctions.

sible to other regional fisheries management organizations (RFMOs) for the purposes of enhancing co-operation between the IATTC and these organizations aimed at preventing, deterring and eliminating IUU fishing.

18. Upon receipt of the final IUU vessel list established by another RFMO managing tuna or tuna-like species and supporting information considered by that RFMO, and any other information regarding the listing determination, the Director shall circulate this information to the CPCs.

#### **MODIFICATION OF THE IUU VESSEL LIST**

19. CPCs and non-CPCs of a vessel on the IUU Vessel List may request the removal of the vessel from the list at any time, including on the period between sessions, by submitting to the Director suitably documented information that proves that:
  - a.
    - i. it has adopted measures intended to guarantee that the vessel complies with all IATTC measures, and;
    - ii. it can effectively assume its responsibilities with regard to monitoring and control of the fishing activities of the vessel in the Convention Area; and
    - iii. it has undertaken effective actions in response to the IUU fishing activities which include judicial actions and imposition of suitably severe sanctions; or
  - b. the vessel has been sunk or scrapped; or
  - c. the vessel has changed ownership and the new owner can prove that the previous owner no longer has any legal, financial, or real interest in the vessel, nor does he exert control over it and that the new owner has not been involved in IUU activities in the previous five years.
20. The Director shall transmit the request for removal together with all the supporting information submitted by the requestor to the CPCs within 15 calendar days of the receipt of the request. CPCs shall promptly acknowledge receipt of the request for removal and may, at that time, request additional information from the requestor.
21. The decisions by the Commission regarding a request for removal of a vessel in the period between sessions shall follow the procedures established in the IATTC Rules of Procedure for intersessional decisions.
22. If the CPCs approve the removal of the vessel from the IUU Vessel List within the period stipulated in paragraph 21, the Director shall without delay proceed to remove the vessel in question from the IATTC IUU Vessel List and shall as soon as possible inform other RFMOs of the removal of the vessel, including the effective date of removal.
23. All the information received in the process of including vessels in, or excluding them from, the IATTC IUU List shall be subject to the IATTC rules of confidentiality.
24. This resolution shall apply to any fishing vessel greater than 23 meters overall length.
25. Without prejudice to the rights of CPCs and coastal states to take proper action, consistent with international law, the CPCs shall not take any unilateral trade measures or other sanctions against vessels on the draft or provisional IATTC IUU Vessel Lists, or that have been removed from the IATTC IUU Vessel List, on the grounds that such vessels are involved in IUU fishing activities.
26. This resolution replaces Resolution C-05-07.

## ANNEX A - IATTC REPORTING FORM FOR IUU ACTIVITY

Pursuant to paragraphs 4 of IATTC *Resolution [C-15-01] to Establish a List of Vessels Presumed to have Carried Out Illegal, Unreported and Unregulated Fishing Activities in the Eastern Pacific Ocean*, attached are details of alleged IUU activity.

### A. Details of Vessel

*(Please detail the incidents(s) in the format below)*

Item		Available Information
a	Name of vessel and previous names (if any)	
b	Flag and previous flags (if any)	
c	Owner and previous owners, including beneficial owner (if any)	
d	Owner's place of registration	
e	Operator and previous operators	
f	Call sign and previous call signs (if any)	
g	IMO number (if any)	
h	Unique Vessel Identifier (UVI), or, if not applicable, any other vessel identifier	
i	Length overall	
j	Photographs	
k	Date first included on the IATTC IUU list (if applicable)	
l	Date of alleged IUU fishing activities	
m	Position of alleged IUU fishing activities	
n	Summary of alleged IUU activities (see also section B)	
o	Summary of any actions known to have been taken in response to the activities	
p	Outcome of any actions taken	

**B. Details of Alleged IUU Activity**

*(Indicate with an "X" the applicable elements of the activity and provide relevant details including date, location, source of information. Extra information can be provided in an attachment if necessary.)*

<b>C-15-01, para. 3</b>	<b>Vessel fished for species covered by the IATTC Convention within the Convention Area and:</b>	<b>Indicate</b>
a	Are not on the IATTC Regional Vessel Register	
b	Harvested species covered by the Convention in waters under the jurisdiction of another State, without permission of that State, or in contravention of its laws and regulations	
c	Made false reports or fail to record or report their catches made in the Convention Area	
d	Engaged in fishing activities in a closed area or during a closure period	
e	Used prohibited fishing gear or fishing methods	
f	Transshipped with, participate in joint fishing operations with, support, or resupply vessels included in the IUU Vessel List	
g	Conducted transshipment operations with vessels not included on the IATTC Regional Vessel Register or the relevant vessel registers of other RFMOs	
h	Are without nationality	
i	Engaged in fishing activities contrary to the provisions of the Convention or any other IATTC conservation and management measures	
j	Engage in fishing for IATTC species and the flag State has exhausted or has no quota or catch limit	
k	Are under the control of the owner or operator of any vessel on the IUU Vessel List	

## **Annex B.**

### **PROCEDURES FOR APPLYING PARAGRAPH 3(j) OF IATTC RESOLUTION C-15-01**

These procedures are to be followed by the Commission in applying paragraph 3(j) of this Resolution. The procedures must work in concert and not conflict with the procedures outlined in this Resolution, and the rules and responsibilities of the Committee for the Review of the Implementation of Measures Adopted by the Commission (Review Committee) and the Commission.

#### **OWNERSHIP AND CONTROL**

1. For the purposes of these procedures, the legal or natural person(s) or entity/entities that own and control a vessel (the “owner(s) of record”) are those indicated on the IATTC Regional Vessel Register or IATTC list of large-scale tuna longline fishing vessels (LSTLFVs). If a vessel is not on either of those lists, then the owner of record is the owner or owners as indicated on the vessel’s national registration document.
2. For the purposes of these procedures, a vessel shall be considered to have the same owner(s) of record where one or more of the legal or natural person (s) or entity/entities indicated on the IATTC Regional Vessel Register or IATTC list of LSTLFVs is the same. If a vessel is not on either of those lists, then the owner(s) of record is/are the same where one or more of the legal or natural person/s or entity/entities indicated on the vessel’s national registration document is/are the same.
3. For the purpose of considering whether to add or remove a vessel or vessels from the Provisional IUU Vessel List or the IUU Vessel List pursuant to paragraph 3(j) and paragraph 19 of this Resolution, the owner(s) of record will not be considered to have changed unless the new owner(s) of record provides suitably documented information demonstrating to the satisfaction of the Commission that the ownership of the vessel has changed, that the previous owner(s) of record no longer has any legal, financial or real interests in it, and that the new owner(s) of record has not participated in any IUU fishing activities.

#### **IDENTIFICATION AND NOMINATION OF VESSELS**

4. For the purposes of these procedures, a vessel may be nominated by a CPC under paragraph 3(j) of this Resolution if it meets the condition in paragraph (a) below, and the conditions in either paragraphs (b) or (c) below:
  - a. The fishing vessel to be nominated:
    - i. is currently operating in the Convention Area; or
    - ii. has operated in the Convention Area at any time since the date of the activity that led to the listing of the underlying vessel(s) on the IUU Vessel List (as defined below in paragraph (b)); and
    - iii. is, or was at any time since the date of activity that led to the listing of the underlying vessel(s) (as defined below in paragraph (b)) on the IUU Vessel List, on the IATTC Regional Vessel Register or IATTC list of LSTLFVs.
  - b. The owner of record is the owner of record of three or more vessels currently on the IUU Vessel List (hereafter “the underlying vessel(s)”).
  - c. The owner of record has one or more vessels that have been included on the IUU Vessel List for the last two years or more.
5. For the purposes of these procedures, all additional vessels fully or partly owned by the same owner of record as the underlying vessel(s) that meet condition 4(a) shall be considered together and either all or none will be placed on the IUU Vessel List. Similarly, all additional vessels fully or partly owned

by the same owner of record as the underlying vessel(s) that meet condition 4(a) will be considered as one and either all or none will be removed from the IUU Vessel List.

#### **INFORMATION TO BE PROVIDED**

6. CPCs shall submit suitably documented information demonstrating that the fishing vessels they wish to nominate under paragraph 3(j) of this Resolution meet the criteria set out in paragraph 4 of these procedures. CPC s shall submit this information to the Director 70 days before the Annual Meeting of the Commission along with the list of fishing vessels being nominated (hereinafter “3(j)” vessels).
7. Before or at the same time as transmitting a list of 3(j) vessels to the Director, the CPC shall notify, either directly or through the Director, the relevant flag State of the vessels’ inclusion on this 3(j) list, and provide a copy of the pertinent suitably documented information. The flag State shall promptly acknowledge receipt of the notification. If no acknowledgment is received within 10 days of the date of transmittal, the CPC shall retransmit the notification through an alternative means of communication.

#### **DRAFT IUU VESSEL LIST**

8. The Director shall include on the Draft IUU Vessel List, which is drawn up and circulated in accordance with the provisions of this Resolution, those 3(j) vessels that have been nominated by CPC s in accordance with these procedures.
9. The Director shall notify the relevant flag states of the inclusion of their 3(j) vessels on the draft IUU Vessel List and of the consequences of these vessels being confirmed on the IUU Vessel List.
10. As appropriate, relevant flag states with 3(j) vessels on the Draft IUU Vessel List may transmit to the Director, at least 30 days before the Annual Meeting, suitably documented information showing the 3(j) vessels do not meet the criteria outlined in paragraph 4 of these procedures. The Director shall circulate this information to all CPC s immediately upon receipt of such information.

#### **PROVISIONAL AND CURRENT IATTC IUU VESSEL LIST**

11. At its annual meeting, with respect to 3(j) vessels that are on the Draft IUU Vessel List, the Review Committee shall:
  - a. consider suitably documented information, if any, provided by a CPC or a non-CPC , as well as any relevant information regarding the status of an investigation, judicial or administrative proceeding related to the underlying vessel(s) and the cooperation and responsiveness of the owner of record in such proceedings;
  - b. following consideration of this information, decide whether to include the nominated 3(j) vessels on the Provisional IUU Vessel List developed in accordance with the provisions of this Resolution.
12. As appropriate, relevant flag states with 3(j) vessels on the current IUU Vessel List may transmit, at least 30days before the Annual Meeting of the Commission, but may submit at any time, to the Director, suitably documented information showing the 3(j) vessels do not meet the criteria outlined in paragraph 4 of these procedures, or any other relevant information. The Director shall circulate this information to all CPCs immediately upon receipt of such information.
13. The Review Committee shall not include 3(j) vessels on the Provisional IUU Vessel List if suitably documented information is provided by any CPC or relevant flag State that the vessels no longer have a common owner of record with the underlying vessel(s) that triggered the nomination under paragraph 4.
14. At its annual meeting, with respect to 3(j) vessels that are on the current IUU Vessel List the Review Committee shall:

- a. consider suitably documented information, if any, provided by a CPC or non-CPC, as well as any relevant information regarding the status of an investigation, judicial or administrative proceeding related to the underlying vessel(s) and the cooperation and responsiveness of the owner of record in such proceedings; and
  - b. following consideration of the suitably documented information, recommend to the Commission whether or not the 3(j) vessels should be removed from the IUU Vessel List.
15. The Review Committee shall recommend removal of 3(j) vessels from the current IUU Vessel List if suitably documented information:
- a. is provided that the vessels no longer have a common owner of record with the underlying vessel(s) that triggered the nomination under paragraph 4; or
  - b. is provided that demonstrates that significant progress has been made to resolve the matter related to the underlying vessel(s) that triggered the nomination of the 3(j) vessels, and the CPC that originally submitted the 3(j) vessels for listing is satisfied.

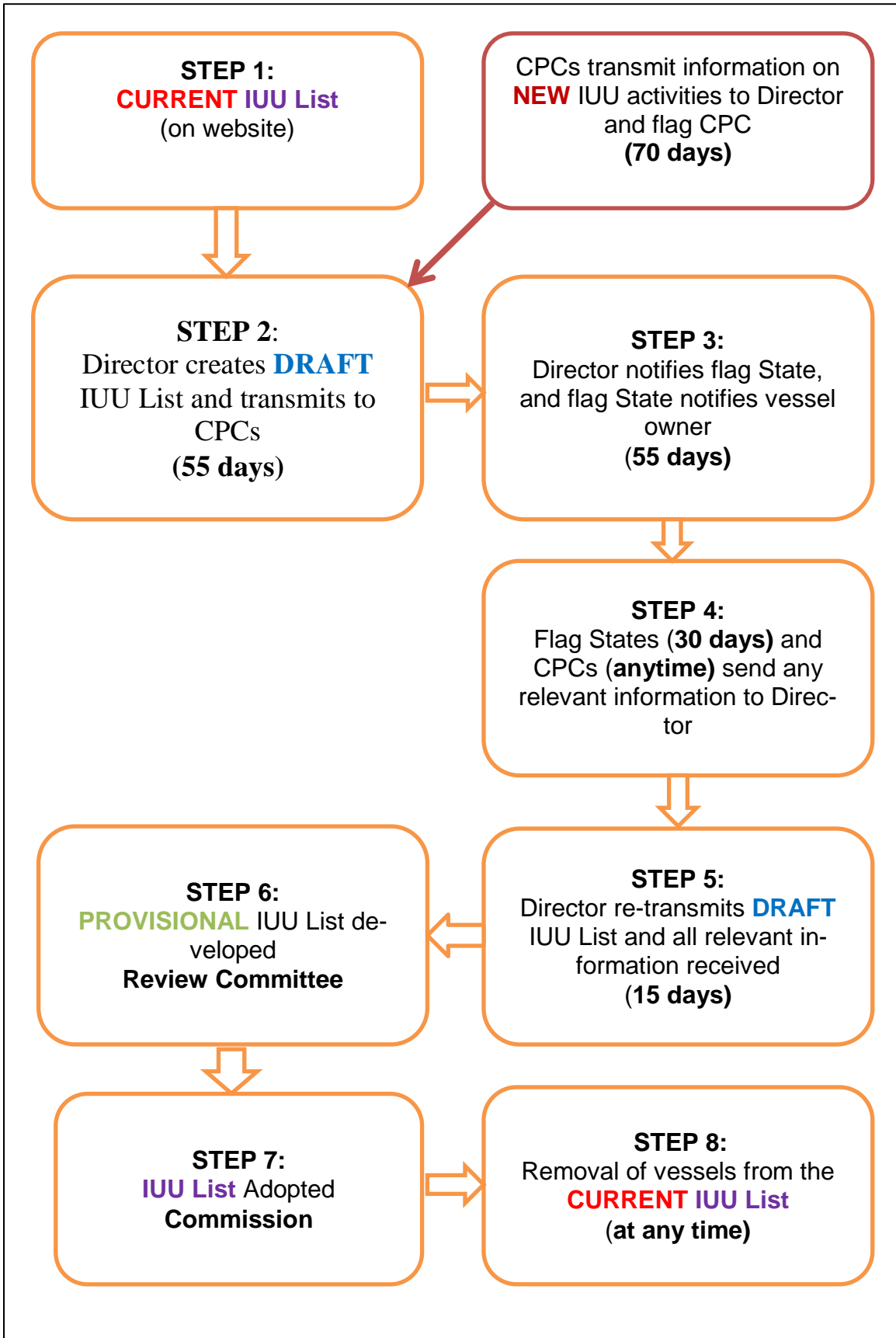
#### **IUU VESSEL LIST**

16. Once 3(j) vessels are included on the Provisional IUU Vessel List, they shall be treated as part of that list and, where appropriate, the IUU Vessel List, in accordance with paragraphs 14-17 of this Resolution.

#### **MODIFICATION OF THE IATTC IUU VESSEL LIST**

17. Relevant flag states may request to remove 3(j) vessels from the IUU Vessel List at any time during the inter-sessional period by submitting to the Director suitably documented information that:
- a. the vessels no longer have a common owner of record with the underlying vessel(s) that triggered the nomination under paragraph 4; or
  - b. significant progress has been made to resolve the matter related to the underlying vessel(s) that triggered the nomination of the 3(j) vessels, and the CPC that originally submitted the 3(j) vessels for listing is satisfied.
18. Removal requests for 3(j) vessels shall be treated in accordance with paragraphs 19-22 of this Resolution.
19. If the underlying vessel is removed from the IUU List, all additional vessels fully or partly owned by the same owner of record as the underlying vessel(s) and listed pursuant to the 3(j) procedures contained herein will be automatically removed at the same time.





Step	Before Annual Meeting	Action to be taken	Paragraph
1	70 days	CPCs transmit to the Director information on <b>NEW</b> IUU activities; CPCs and DIRECTOR notify the relevant flag States	4,5
2	55 days	DIRECTOR creates the <b>DRAFT</b> IUU List, based on the <b>CURRENT</b> IUU List and <b>NEW</b> vessels, and transmits it to all CPCs and to those non-CPCs with vessels on the List	6,7
3	55 days	(a) DIRECTOR notifies relevant flag States (b) FLAG STATES notify vessel owners	7
4	30 days	(a) FLAG STATES transmit to the Director information in defense of their vessels' activities	8
	Any time	(b) CPCs transmit to the Director any additional information related to the vessels on the <b>DRAFT</b> List	11
5	15	DIRECTOR re-circulates the <b>DRAFT</b> List, with all the information received, to all CPCs and to those non-CPCs with vessels on the <b>DRAFT</b> List	10
6	Review Committee	(a) Reviews the <b>DRAFT</b> List and all the information received (b) Creates the <b>PROVISIONAL</b> List	12
		1. Recommends which vessels on the <b>CURRENT</b> List should be removed 2. Recommends which <b>NEW</b> vessels should be retained	13 13
7	Commission	(a) Reviews the <b>PROVISIONAL</b> List and all the information received	14
		(b) Amends the <b>PROVISIONAL</b> List, as appropriate	14
		(c) Adopts a new <b>IUU List</b>	15
8	Any time	Director receives request for vessel removal and all supporting information	19
		<b>15 days</b> from receipt of request: DIRECTOR transmits request and all supporting information to CPCs	20
		<b>30 days</b> from receipt of request: CPCs respond with their position on removal; if CPCs approve, Director removes vessel from IUU list	21, 22

**INTER-AMERICAN TROPICAL TUNA COMMISSION**

**89<sup>TH</sup> MEETING**

**Guayaquil (Ecuador)**

**29 June-3 July 2015**

**RESOLUTION C-15-02**

**RESOLUTION ON THE DEADLINE APPLICABLE TO REVISIONS  
OF WELL VOLUME IN PARAGRAPH 6 OF RESOLUTION C-02-03**

*The Inter-American Tropical Tuna Commission (IATTC), gathered in Guayaquil, Ecuador, on the occasion of its 89<sup>th</sup> Meeting:*

*Agrees as follows:*

For the purposes of interpretation of paragraph 6 of Resolution C-02-03 with regard to the deadlines for confirming capacity, as of 1 January 2017 the well volume reflected on the Regional Vessel Register will be considered confirmed for vessels currently included in the Register. In the case of new vessels, the well volume notified at the time the vessel is added to the Register will be considered confirmed.

**INTER-AMERICAN TROPICAL TUNA COMMISSION**

**89<sup>TH</sup> MEETING**

**Guayaquil (Ecuador)**

**29 June-3 July 2015**

**RESOLUTION C-15-03**

**COLLECTION AND ANALYSES OF DATA ON FISH-  
AGGREGATING DEVICES**

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

*Taking into account* the best available scientific information on the status of the bigeye, yellowfin and skipjack stocks;

*Committed* to the long-term conservation and sustainable exploitation of fisheries in the eastern Pacific Ocean (EPO);

*Understanding* that all fishing gears, including fish aggregating devices (FADs), have an effect on the stocks and the pelagic ecosystem in the EPO and that such effects should be fully understood by the Members of the Commission;

*Attentive* to the provisions of IATTC Resolution C-99-07 on measures related to the regulation of FADs;

*Agreeing* that, to accurately provide the scientific advice necessary to effectively manage tuna fisheries in the EPO, it is necessary for the scientific staff of the IATTC to have access to, and analyze, the relevant data regarding such fisheries and gears, and for Commission Members to put in place measures as needed to collect such information in their fisheries;

*Acknowledging* that observers currently collect data on FADs in the EPO that have been examined by the IATTC staff (Document SAC-02-13) and that the Commission has adopted measures for further research on FADs; the significant effect that FADs may have on bigeye tuna spawning biomass, according to IATTC estimates (Document SAC-03-06); that skipjack tuna is captured by FADs and in unassociated schools in the EPO (Document SAC-03-03), and according to IATTC estimates, its exploitation rate has been increasing in recent years (Document SAC-03-07);

*Recognizing* that these measures need to be expanded and improved upon to ensure that the effects of the use of FADs on highly migratory fish stocks along with non-target, associated and dependent species, are fully understood and that the Commission can receive the best available scientific advice concerning mitigation of any negative effects;

*Committed* to ensuring that such scientific advice is taken into account in the development of the Commission's conservation and management measures concerning fishing for tunas;

*Noting* that the Scientific Advisory Committee (SAC) has recommended that the Commission should strengthen the work on FADs by holding a meeting involving managers, scientists, and other stakeholders;

*Noting* that based on recent scientific analysis of the development of improved FAD designs, in particular non-entangling FADs, both drifting and anchored, helps reduce the incidence of entanglement of sharks, sea turtles and other species;

*Further noting* that whale sharks are particularly vulnerable to exploitation, including from fishing, and

noting the ecological and economic value these species can bring to the EPO; and

*Concerned* about the potential effects of purse-seine operations on the status of whale sharks when deliberately or accidentally set upon;

*AGREES:*

1. For the purposes of this Resolution, the term “Fish-Aggregating Device” (FAD) means anchored, drifting, floating or submerged objects deployed and/or tracked by vessels, including through the use of radio and/or satellite buoys, for the purpose of aggregating target tuna species for purse-seine fishing operations.

### **Section 1. FAD Data Collection**

2. Beginning 1 January 2017, CPCs shall require the owners and operators of all purse-seine vessels flying their flag, when fishing on FADs in the IATTC Convention Area, to collect and report the information contained in Annex I. The data may be collected through a dedicated logbook, modifications to regional logsheets, or other domestic reporting procedures.
3. CPCs shall provide a summary of the data collected for the previous calendar year, pursuant to Paragraph 2, to the Director. CPCs shall submit the data to the Director no later than 30 days prior to each regular meeting of the SAC.
4. No later than the IATTC annual meeting in 2019, the scientific staff of the IATTC, in coordination with the SAC, shall present to the Commission the preliminary results of its analyses of the information collected pursuant to Paragraph 2, and shall identify additional elements for data collection, as well as specific reporting formats, necessary to evaluate the effects of the use of FADs on the ecosystem of the EPO fishery. The analyses shall also incorporate information from data on FADs collected by observers through the *Flotsam Information Record*. The scientific staff of the IATTC shall present preliminary information and analysis of the data collected pursuant to Paragraph 2 at the 2018 meeting of the SAC.
5. In addition, no later than the IATTC annual meeting in 2019, the scientific staff of the IATTC, in coordination with the SAC, shall present to the Commission initial recommendations based on information collected, based on this resolution and through other mechanisms, for the management of FADs, including possible effects of FADs in the tuna fishery in the EPO. The Commission shall consider adopting management measures based on those recommendations, including a region-wide FAD management plan, and which may include, *inter alia*, recommendations regarding FAD deployments and FAD sets, the use of biodegradable materials in new and improved FADs and the gradual phasing out of FAD designs that do not mitigate the entanglement of sharks, sea turtles, and other species.
6. The scientific staff of the IATTC, in coordination with the SAC, shall also formulate recommendations for regulating the management of the stocks for presentation to the Commission, on the basis of the results of its analyses of the collected FAD information. Such recommendations shall include methods for limiting the capture of small bigeye and yellowfin tuna associated with fishing on FADs.
7. In 2019, compliance with the FAD reporting requirements of this Resolution will be comprehensively reviewed by the *Committee for the Review of the Implementation of Measures adopted by the Commission* and presented to the Commission.
8. Data collected pursuant to this resolution shall be treated under the rules established in the IATTC Resolution on Confidentiality.

### **Section 2. FAD Identification**

9. No later than 1 January 2017, CPCs shall require the owners and operators of their applicable flagged purse-seine fishing vessels to identify all FADs deployed or modified by such vessels in accordance with a Commission identification scheme detailed in footnote 1 of Annex 1.

### **Section 3. Mitigation of FAD Bycatch**

10. To reduce the entanglement of sharks, sea turtles or any other species, the design and deployment of FADs should be based on the principles set out in Annex II.
11. Annex II is consistent with the 2015 recommendations of the scientific staff of the IATTC. The scientific staff of the IATTC, in coordination with the SAC, shall continue to review research results on the use of non-entangling material and biodegradable material on FADs and shall provide specific recommendations no later than the 2019 IATTC annual meeting, consistent with Paragraph 5.

### **Section 4. Whale Sharks**

12. CPCs shall prohibit their flag vessels from setting a purse-seine net on a school of tuna associated with a live whale shark, if the animal is sighted prior to the commencement of the set.
13. CPCs shall require that, in the event that a whale shark is not deliberately encircled in the purse-seine net, the master of the vessel shall:
  - a. ensure that all reasonable steps are taken to ensure its safe release; and
  - b. report the incident to the relevant authority of the flag CPC, including the number of individuals, details of how and why the encirclement happened, where it occurred, steps taken to ensure safe release, and an assessment of the life status of the whale shark on release (including whether the animal was released alive but subsequently died).
14. Paragraphs 12 and 13 shall enter into effect on 1 July 2014.

### **Section 5. *Ad Hoc* Working Group on FADs**

15. An *ad hoc* Working Group on FADs (Working Group) is established.
16. This Working Group shall be multi-sectorial, involving various stakeholders such as scientists, fishery managers, fishing industry representatives, administrators, representatives of non-governmental organizations, and fishers. Expressions of interest to participate in the Working Group shall be provided to the Director no later than 1 October 2015.
17. To the highest degree possible, the Working Group shall conduct its work electronically or, if convenient and cost-effective, in targeted face to face meetings that take place in conjunction with other Commission meetings.
18. The Working Group shall present an initial report of its findings at the 2017 meeting of the SAC.
19. The Terms of Reference of the Working Group are those indicated in Annex III.
20. The Working Group shall seek input from other similar working groups on FAD management established in other tuna regional fisheries management organizations (tuna-RFMOs).
21. The IATTC, at its 2017 annual meeting, will review the progress and outcomes of the Working Group and will decide on the necessity for its continuation.
22. This Resolution replaces Resolution C-13-04.

## **Annex I**

CPCs are required to ensure their vessel owners and operators maintain and report to the appropriate national authorities:

- a) An inventory of the FADs present on the vessel specifying in particular for each FAD:
  - i. FAD identification<sup>2</sup>;
  - ii. FAD type (e.g., drifting natural FAD, drifting artificial FAD); and
  - iii. FAD design characteristics (dimension and material of the floating part and of the underwater hanging structure), which can be provided by good-quality photographs.
  
- b) For every FAD activity, the:
  - i. Position;
  - ii. Date;
  - iii. Hour;
  - iv. FAD identification<sup>1</sup>;
  - v. FAD type (e.g., drifting natural FAD, drifting artificial FAD);
  - vi. FAD design characteristics (dimension and material of the floating part and of the underwater hanging structure);
  - vii. Type of the activity (set, deployment, hauling, retrieving, loss, intervention on electronic equipment, other (specify)); and
  - viii. Results of any set in terms of catch and by-catch.

## **Annex II**

### **Principles for design and deployment of FADs**

1. If a flat raft is used as a FAD, the surface structure should not be covered, or only covered with material that attempts to minimize entanglements.
2. Any subsurface component of the FAD should be constructed in a manner designed to avoid entangling marine life.
3. To reduce the amount of synthetic marine debris, the use of natural or biodegradable materials (such as hessian canvas, hemp ropes, etc.) for drifting FADs should be promoted.

## **Annex III**

The objectives of the Working Group are the following:

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<sup>2</sup> CPCs shall obtain unique alphanumeric codes from the IATTC staff on a periodic basis and distribute those numbers to the vessels in their fleets for FADs that may be deployed or modified, or in the alternative, if there is already a unique FAD identifier associated with the FAD (e.g., the manufacturer identification code for the attached buoy), the vessel owner or operator may instead use that identifier as the unique code for each FAD that may be deployed or modified.

The code shall be clearly painted in characters at least 5 cm in height. The characters shall be painted on the upper portion of the attached radio or satellite buoy in a location that does not cover the solar cells used to power the equipment. For FADs without attached radio or satellite buoys, the characters shall be painted on the uppermost or emergent top portion of the FAD. The vessel owner or operator shall ensure the marking is durable (for example, use epoxy-based paint or an equivalent in terms of lasting ability) and visible at all times during daylight. In circumstances where the observer is unable to view the code, the captain or crew shall assist the observer (e.g., share their inventory of FADs to assist in matching each FAD with the identification code), so long as such assistance does not interfere with fishing operations.

1. Collect and compile information on FADs in the EPO, including but not limited to data collected by the IATTC and reports prepared by the scientific staff of the IATTC;
2. Review the FAD data collection requirements established in Resolution C-15-03 to assess the necessity for revision;
3. Compile information regarding developments in other tuna-RFMOs on FADs;
4. Compile information regarding developments on the latest scientific information on FADs, including information on non-entangling FADs; and
5. Prepare a preliminary report for the SAC, including specific recommendations, as appropriate.



**INTER-AMERICAN TROPICAL TUNA COMMISSION**

**89<sup>TH</sup> MEETING**

**Guayaquil, Ecuador  
22 June-3 July 2015**

**RESOLUTION C-15-04**

**RESOLUTION ON THE CONSERVATION OF MOBULID RAYS CAUGHT IN  
ASSOCIATION WITH FISHERIES IN THE IATTC CONVENTION AREA**

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

*Recognizing* that fish stocks covered by the Commission include other species of fish taken by vessels fishing for tunas;

*Recalling* that Article VII, paragraph 1 (f) of the Antigua Convention establishes that the Commission shall adopt, as necessary, conservation and management measures and recommendations for species belonging to the same ecosystem and that are affected by fishing for, or dependent on or associated with, the fish stocks covered by the Convention, with a view to maintaining or restoring populations of such species above levels at which their reproduction may become seriously threatened;

*Considering* that Mobulid rays (the family Mobulidae, which includes Manta rays and Mobula rays), are extremely vulnerable to overfishing as they take a long time to reach sexual maturity, have long gestation periods, and often give birth to only a few pups;

*Recognizing* that the giant manta ray (*Manta birostris*) is considered vulnerable by the International Union for Conservation of Nature (IUCN) and the Munk's devil ray (*Mobula munkiana*) and the smoothtail devil ray (*Mobula thurstoni*) are considered near threatened by the IUCN;

*Noting* that Mobulid rays are caught as bycatch when fishing for tuna in IATTC fisheries, as presented at the IATTC Scientific Advisory Committee meeting in April 2013, and release methods for these animals do exist; and

*Further noting* the 2014 and 2015 IATTC staff's conservation recommendations and the fact that the Commission adopted recommendations on the handling of Mobulid rays on a voluntary basis;

*Agrees that:*

1. Members and Cooperating Non-Members (CPCs) shall prohibit retaining onboard, transshipping, landing, storing, selling, or offering for sale any part or whole carcass of Mobulid rays (which includes *Manta* rays and *Mobula* rays) caught in the IATTC Convention Area.
2. CPC's shall require their vessels to release all Mobulid rays alive wherever possible. Notwithstanding paragraph 1, Mobulid rays that are unintentionally caught and frozen as part of a purse-seine vessel's operation, the vessel must surrender the whole Mobulid ray to the responsible governmental authorities at the point of landing. Mobulid rays surrendered in this manner may not be sold or bartered but may be donated for purposes of domestic human consumption
3. CPCs shall require vessels flying their flag to promptly release unharmed, to the extent practicable, Mobulid rays caught in the IATTC Convention Area as soon as they are seen in the

net, on the hook, or on the deck, and do it in a manner that will result in the least possible harm to the Mobulid rays captured without compromising the safety of any persons, following the guidance in the 2014 and 2015 recommendations of the IATTC scientific staff at all times, as detailed in Annex 1 to this Resolution.

4. CPCs shall record, *inter alia* through the observer programs, the number of discards and releases of Mobulid rays, indicating the status (dead or alive) and report it to the IATTC, including those surrendered under paragraph 3.
5. As an exception, the requirements of this resolution do not apply to developing CPCs' small-scale<sup>3</sup> and artisanal fisheries exclusively for domestic consumption.
6. No later than in 2017, the Commission, on the basis of recommendations by the IATTC scientific staff in cooperation with the Scientific Advisory Committee, shall establish a species-specific Mobulid ray data-collection program for all fisheries. Such a program shall include technical assistance and capacity-building measures to assist developing CPCs in its implementation.
7. This Resolution shall enter into force on 1 August 2016 and will be revised at the 2018 Annual meeting to take into account any new scientific evidence.

#### **Annex I.**

1. Prohibit the gaffing of rays.
2. Prohibit lifting rays by the gill slits or spiracles.
3. Prohibit the punching of holes through the bodies of rays (*e.g.* to pass a cable through for lifting the ray).
4. Require that, to the extent possible, rays too large to be lifted safely by hand be brailed out of the net using methods such as those recommended in document WCPFC-SC8-2012/ EB-IP-12 (Poison *et al.* 2012, Good practices to reduce the mortality of sharks and rays caught incidentally by the tropical tuna purse seiners).
5. Require that large rays that cannot be released safely before being landed on deck, be returned to the water as soon as possible, preferably utilizing a ramp from the deck connecting to an opening on the

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<sup>3</sup> Less than 1.99 net tonnage, as defined by the 1969 International Convention on Tonnage Measurement of Ships.

**INTER-AMERICAN TROPICAL TUNA COMMISSION**  
**89<sup>TH</sup> MEETING**  
 Guayaquil (Ecuador)  
 29 June-3 July 2015

**RESOLUTION C-15-05**

**AMENDMENT OF RESOLUTION C-12-04 ON *AD HOC* FINANCING FOR FISCAL YEARS 2013-2017 AND BEYOND**

*The Inter-American Tropical Tuna Commission (IATTC), gathered in Guayaquil, Ecuador, on the occasion of its 89<sup>th</sup> Meeting:*

*Recognizing* the importance of equity and stability in the calculation of the contributions of Members to the Commission’s budget, and of fully funding the work of the Commission so that it may fulfill its duties and responsibilities;

*Giving due consideration to* the principle that the proportion of the expenses paid by each Member should be equitable, transparent, and related to its proportion of the total catch of tunas from the Convention Area and other components of the formula used to calculate the contributions, as well as to the consensus of the Members that other factors should be considered in determining their proportional contributions;

*Taking into account* the relevant provisions of the Antigua Convention;

*Resolves as follows:*

1. The following elements shall be used in the determination of the contributions of Members to the IATTC budget until such time as a Member requests review and revision of the contribution formula as provided for in paragraph 6 of this Resolution:
  - a) Each Member’s contribution shall be calculated as follows: 10% of the total budget, minus any special contribution, divided equally among all the Members (base contribution); the remaining 90% is shared among the Members, weighted by Gross National Income (GNI) category, as follows:
    - i. An operational component (10%);
    - ii. The catches by their flag vessels (70%);
    - iii. Their utilization of tuna from the Convention Area (10%).

<b>GNI CATEGORY</b>	<b>GNI RANGE (US\$)</b>
<b>0.5</b>	<b>&lt; 1,499</b>
<b>1</b>	<b>1,500 - 4,499</b>
<b>2</b>	<b>4,500 - 6,499</b>
<b>3</b>	<b>6,500 - 10,999</b>
<b>4</b>	<b>11,000 - 15,999</b>
<b>5</b>	<b>16,000 -20,999</b>
<b>5.5</b>	<b>≥ 21,000</b>

Table 1. GNI categories used for allocating contributions

- b) The weighting factors used in calculating contributions shall be the same as the GNI categories.

- c) Each Member's catch contribution shall be based on the annual average of the catches by its flag vessels in the three most recent years for which catch data are available.
  - d) In the determination of a Member's utilization, 50% of the tuna loins included in the calculation shall be attributed to the Member that exported the loins and 50% to the Member that imported them.
  - e) In the case of a Member that is also a member of the Western and Central Pacific Fisheries Commission, only 50% of catches made by its flag vessels in the overlap area between the two Commissions shall be included in the calculation of that Member's contribution based on catch.
2. That the Director shall inform each Member, at least two months prior to the annual meeting, of its projected contribution for the following two fiscal years.
  3. That the contributions of any new Member of the Commission shall be determined on the same basis as the contributions of existing Members, subject to the Commission's financial regulations.
  4. That all IATTC non Members which have vessels fishing for fish covered by the Convention, should make, and request their flag vessels to make, voluntary contributions to the Commission, preferably on the same basis as the contributions of existing Members.
  5. To invite non-governmental organizations interested in the work of the IATTC to make contributions to the Commission's budget.
  6. This *ad hoc* formula shall be used to calculate Members' contributions to the IATTC budget for the years 2013-2017, and indefinitely thereafter, unless a Member indicates that the formula is no longer appropriate and requests that a new contribution formula be considered at the following Annual Meeting of the IATTC. Any Member making a request to reconsider this formula is encouraged to provide an explanation to the Commission of the reasons for its dissatisfaction with it.
  7. This resolution replaces Resolution C-12-04.

**INTER-AMERICAN TROPICAL TUNA COMMISSION**

**89<sup>TH</sup> MEETING**

**Quayaquil (Ecuador)  
29 June-03 - July 2015**

**RESOLUTION C-15-06**

**FINANCING FOR FISCAL YEAR 2016**

*The Inter-American Tropical Tuna Commission (IATTC), gathered in Guayaquil, Ecuador, on the occasion of its 89<sup>th</sup> Meeting:*

*Understanding* the importance of ensuring sufficient funding for the Commission in a timely manner, so that it may continue to effectively develop and implement the agreed conservation and management program for the living marine resources of the IATTC Convention Area, and conduct the associated data collection and research;

*Noting* that non-payment of the agreed contributions may impair the Commission's ability to continue its operations;

*Aware* that the allocation of the costs of supporting the Commission among Members should be transparent, fair and equitable, stable, and predictable, but also should allow for redistribution of costs as new Members join;

*Taking into account* Resolution C-12-04, whereby the Commission, at its 83<sup>rd</sup> Meeting, agreed on a formula for calculating the contributions of the Members to the Commission's budget for the years 2013-2017, as adjusted at its 89<sup>th</sup> Meeting by Resolution C-15-05;

*Taking into account* the relevant provisions of the Antigua Convention;

*Noting* that several non-Members derive benefits from catching or utilizing fish covered by the Convention, but do not make contributions to the Commission's budget;

*Taking note* of the Commission staff's proposals regarding the budget presented in Document CAF-03-04; and

*Recognizing* the need to seek economies in the operation of the Commission, in order to reduce costs;

*Agrees:*

1. To adopt a budget of US\$ 6,774,232 for fiscal year (FY) 2016.
2. That the Members shall contribute to the Commission's budget for FY 2016 in accordance with the following schedule:

	<b>FY 2016 (US\$)</b>
Belize	45,506
Canada	122,147
China	128,486
Colombia	309,591
Korea	184,896
Costa Rica	78,892

	<b>FY 2016 (US\$)</b>
Ecuador	1,159,626
El Salvador	62,400
United States	1,746,553
France	101,460
Guatemala	43,863
Japan	350,029
Kiribati	33,191
Mexico	952,017
Nicaragua	62,478
Panamá	359,070
Peru	52,624
Chinese Taipei	170,553
European Union	360,763
Vanuatu	47,366
Venezuela	402,721
<b>Total</b>	<b>6,774,232</b>

**INTER-AMERICAN TROPICAL TUNA COMMISSION**

**89<sup>TH</sup> MEETING**

**Guayaquil (Ecuador)**

**29 June-3 July 2015**

**RESOLUTION C-15-07**

**AMENDMENT TO RESOLUTION C-13-05 ON DATA  
CONFIDENTIALITY POLICY AND PROCEDURES**

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

*RECOGNIZING* the need for confidentiality at the commercial and organizational levels for data submitted to the IATTC;

*CONSIDERING* the provisions set forth in IATTC Resolution C-04-10 on Catch Reporting;

*MINDFUL* of the provisions on data confidentiality set forth in Paragraph 48 of the IATTC Rules of Procedure;

*Agrees:*

**POLICY FOR RELEASING CATCH-AND-EFFORT, LENGTH-FREQUENCY AND  
OBSERVER DATA SUBMITTED BY MEMBERS AND COOPERATING NON-PARTIES TO  
THE IATTC**

The policy for releasing catch-and-effort, length-frequency and observer data submitted to the Secretariat by Members and Cooperating Non-Members in compliance with the obligations arising from IATTC Resolutions will be as follows:

**1. Standard stratification**

Catch, effort and length-frequency data grouped by 5° longitude by 5° latitude by month for longline and 1° longitude by 1° latitude by month for surface fisheries stratified by fishing nation are considered to be in the public domain, provided that the catch of no individual vessel, company, or person can be identified within a time/area stratum. In cases when an individual vessel, company, or person can be identified, the data will be aggregated by time, area or flag to preclude such identification, and will then be in the public domain.

**2. Finer level stratification**

- a) Catch-and-effort and length-frequency data grouped at a finer level of time-area stratification will only be released with written authorization from the sources of the data. Each data release will require the specific permission of the Director.
- b) IATTC Working Groups, Committees and other IATTC bodies will specify the reasons for which the data are required.
- c) Individuals requesting the data are required to provide a description of the research project, including the objectives, methodology and intentions for publication. Prior to publication, the manuscript shall be cleared by the Director. Data may be used in the research project only in a manner that does not identify individuals or individual business information. The data are released only for use in the specified research project and cannot be used for any other purposes. The data must

be destroyed upon completion of the project. However, with authorization from the sources of the data, catch-and-effort and length-frequency data may be released for long-term usage for research purposes, and in such cases the data need not be destroyed.

- d) The identity of individual vessels will be hidden in fine-level data unless the individual requesting this information can justify its necessity. The request shall be cleared by the vessel's flag State in accordance with its domestic legislation.
- e) Both Working Groups and individuals requesting data shall provide a report of the results of the research project to the IATTC for subsequent forwarding to the sources of the data.

#### **POLICY FOR RELEASING TAGGING DATA**

- 3. Detailed tagging and tag recovery data are considered to be in the public domain, with the exception of any vessel names or identifiers and detailed information about the person who recovered the tag (name and address). Tagging and tag recovery data will be available on the IATTC website.

#### **PROCEDURES FOR THE SAFEGUARD OF RECORDS**

##### **4. Procedures for safeguarding records and databases will be as follows:**

- a) Access to logbook-level information or detailed observer data will be restricted to IATTC staff requiring these records for their official duties. Each staff member having access to these records will be required to sign an attestation recognizing the restrictions on the use and disclosure of the information.
- b) Logbook and observer records will be kept locked, under the specific responsibility of the Head of the Data Collection and Database Program. These sheets will only be released to authorized IATTC personnel for the purpose of data input, editing or verification. Copies of these records will be authorized only for legitimate purposes and will be subjected to the same restrictions on access and storage as the originals.
- c) Databases will be encrypted to preclude access by unauthorized persons. Full access to the database will be restricted to the Head of the Data Collection and Database Program and to senior IATTC staff requiring access to these data for official purposes, under the authority of the Director. Staff entrusted with data input, editing and verification will be provided with access to those functions and data sets required for their work.

#### **DATA SUBMITTED TO WORKING GROUPS AND THE SCIENTIFIC ADVISORY COMMITTEE**

- 5. The above rules of confidentiality will apply to all members of Working Groups and the Scientific Advisory Committee.

#### **OTHER DATA**

- 6. In accordance with Paragraph 48 of the IATTC Rules of Procedure, all other records obtained by the staff of the Commission regarding individual persons, companies or enterprises and their operations shall be kept completely confidential and shall be available only to those members of the staff requiring access to them in the course of the scientific investigations.
- 7. This resolution replaces Resolution C-13-05.



**INTER-AMERICAN TROPICAL TUNA COMMISSION**

**89<sup>TH</sup> MEETING**

**Guayaquil (Ecuador)**

**29 June-3 July 2015**

**PROPOSAL IATTC-89 A-1**

**SUBMITTED BY COSTA RICA**

**AMENDMENT TO RESOLUTION C-05-03 ON THE CONSERVATION OF  
SHARKS CAUGHT IN ASSOCIATION WITH FISHERIES IN THE  
EASTERN PACIFIC OCEAN**

**EXPLANATORY MEMORANDUM**

The sustainable utilization of species of fisheries interest is one of the basic objectives of fisheries management. Although sharks in fisheries for tunas and tuna-like species are frequently subject to the rules on bycatch, generating in time an important interaction in catches, which, under the provisions of the Code of Conduct for Responsible Fishing, must be managed with prudence, in order to achieve the full utilization of catches and the elimination of discards.

In this context, the IATTC issued in the year 2005 Resolution C-05-03 with the manifest objective of fighting shark finning through the establishment of a weight ratio of shark fins to bodies or carcasses, since this practice not only violates the concept of full utilization of catches, but also promotes indiscriminate catching of sharks, which makes effective management of those stocks impossible. In time, various countries developed efficient alternatives to guarantee the eradication of the practice of finning, abandoning the practice of the weight ratio in order to utilize a more effective management control, conceived as the natural attachment of fins with partial cuts which, without separating the fins and body, in order to allow the proper handling and quality of the meat, by means of timely bleeding, in conjunction with the removal of the head and intestines of the animal.

Currently, the Central American countries in the framework of OSPESCA adopted Regulation OSP-05-11, by which the partial cutting of fins and maintaining a natural attachment are regulated, showing that the adopted mechanism is useful, viable, objective, transparent, and demonstrably for the elimination of finning.

Additionally, during the meeting of the Scientific Advisory Committee held on 11-15 May 2015, the representative of Costa Rica reiterated the importance that the practice of making compulsory the unloadings of sharks with fins attached to the body has had, in order to achieve a complete utilization of shark catches.

This proposal aspires to the countries subject to IATTC regulation adopting the mechanism of naturally-attached fins with partial cuts, recognizes the merit of the implementation of the regulations contained in Resolution C-05-03, for which reason what is intended with this proposal is the substitution of the mechanism that allows fins to be separated from carcasses, provided the weight of the fins is not more than 5% of the weight of the shark carcasses on board, by the practice of fins attached naturally to the body of the shark, with partial cuts.

Costa Rica intends that this proposed amendment be discussed, introducing substantive improvements to

Resolution C-05-03, which is achieved through this proposal, by modifying the Resolution, substituting paragraphs 4 and 5 of that Resolution, so that hereafter it reads:

The Inter-American Tropical Commission:

*Resolves as follows:*

[...]

4. CPCs shall require of their vessels that the sharks that they carry onboard and up to the first point of landing on *terra firma*, maintain their fins attached naturally to the carcass, allowing them to have longitudinal cuts in the muscular area adjacent to the fins of the shark and in the keel or caudal peduncle in a partial manner, and may be detached at the point of unloading. The competent authorities of the CPCs will develop the mechanisms for verifying compliance and obtaining data necessary for guaranteeing compliance with this provision.
5. Those Members or Cooperating Non-Members, or of the fishery, will have a period of two years, from the date of adoption of this Resolution, to take the necessary measures that will guarantee compliance with this practice of transporting and unloading sharks and their respective fins.

[...]

**INTER-AMERICAN TROPICAL TUNA COMMISSION**

**89<sup>TH</sup> MEETING**

**Guayaquil (Ecuador)**

**29 June-3 July 2015**

**PROPOSAL IATTC-89 A-2**

**SUBMITTED BY THE EUROPEAN UNION**

**RESOLUTION ON THE CONSERVATION OF SHARKS CAUGHT  
IN ASSOCIATION WITH FISHERIES IN THE IATTC CONVENTION  
AREA**

**EXPLANATORY MEMORANDUM**

The Antigua Convention requires IATTC to adopt conservation measures for species associated with the main targeted stocks.

The European Union is proposing a new Resolution which aims at tackling the threats to shark populations from the practice of shark finning.

**Rationale:**

This management measure aims to respond to concerns about the threats to shark populations from the practice of shark finning, in fact:

- The current percentage fins: body weight ratio requirement has no clear scientific basis as a conservation measure for sharks, rather it appears to be aimed at slowing down the rate of fishing or to deter fishing on sharks by not allowing fins only to be landed and requiring vessels to return to port more often to unload fins and body parts;
- Maintaining the use of the fin: body weight ratios will preclude the collection of essential information on species level interactions with fishing fleets, crucial for accurate stock assessments for sharks;
- Current scientific evidence clearly indicates that percentage fins:body weight varies widely among species, fin types used in calculations, the type of carcass weight used (whole or dressed), and the method of processing used to remove the fins (fin cutting technique);
- The use of the ratio measure is unlikely to address any sustainability issues that might exist for particular species;
- The only way to guarantee that sharks are not finned (and full utilization of sharks is encouraged) is to require that the trunks be landed with the fins attached.

## **RESOLUTION ON THE CONSERVATION OF SHARKS CAUGHT IN ASSOCIATION WITH FISHERIES IN THE IATTC CONVENTION AREA**

*The Inter American Tropical Tuna Commission (IATTC),*

CONSIDERING that many sharks are part of the pelagic ecosystems in the IATTC area, and that tunas and tuna-like species are captured in fisheries targeting sharks;

RECOGNISING the need to improve the collection of species specific data on catch, discards and trade as a basis for improving the conservation and management of shark stocks and aware that identifying sharks by species is rarely possible when fins have been removed from the carcass;

RECALLING that United Nations General Assembly Resolution on Sustainable Fisheries, adopted annually by consensus, since 2007 (62/177, 63/112, 64/72, 65/38, 66/68, 67/79, 68/71 and A/RES/69/109) calls upon States to take immediate and concerted action to improve the implementation of and compliance with existing regional fisheries management organization or arrangement measures that regulate shark fisheries and incidental catch of sharks, in particular those measures which prohibit or restrict fisheries conducted solely for the purpose of harvesting shark fins, and, where necessary, to consider taking other measures, as appropriate, such as requiring that all sharks be landed with each fin naturally attached;

FURTHER RECALLING that the FAO International Plan of Action for Sharks calls on States to encourage full use of dead sharks, to facilitate improved species-specific catch and landings data and monitoring of shark catches and the identification and reporting of species-specific biological and trade data;

AWARE that despite regional agreements on the prohibition of shark finning, sharks' fins continue to be removed on board and the rest of the shark carcass discarded into the sea;

EMPHASISING the recent recommendations of IOTC and WCPFC Scientific Committees that the use of fin-to-carcass weight ratios is not a verifiable means of ensuring the eradication of shark finning and that it has proven ineffective in terms of implementation, enforcement and monitoring;

WELCOMING the recent adoption of Recommendation 2015:10 on Conservation of Sharks Caught in Association with Fisheries Managed by the North-East Atlantic Fisheries Commission (NEAFC), which establishes the fins attached policy as exclusive option for ensuring the shark finning ban in the NEAFC Convention area;

*Agrees as follows:*

- a. Members and Cooperating non-Members (CPCs) should establish and implement a national plan of action for conservation and management of shark stocks, in accordance with the *FAO International Plan of Action for the Conservation and Management of Sharks*.
- b. CPCs shall prohibit the removal of shark fins on board vessels. CPCs shall prohibit the landing, retention on-board, transshipment and carrying of shark fins which are not naturally attached to the shark carcass until the first point of landing.
- c. Without prejudice to paragraph 2, in order to facilitate on-board storage, shark fins may be partially sliced through and folded against the shark carcass, but shall not be removed from the carcass until the first point of landing.
- d. CPCs shall prohibit the purchase, offer for sale and sale of shark fins which have been removed on-board, retained on-board, transhipped or landed, in contravention to this Resolution.
- e. CPCs shall take the necessary measures to require that their fishermen fully utilise their entire

catches of sharks [with the exception of those species for whom a retention ban has been adopted by the IATTC]. Full utilization is defined as retention by the fishing vessel of all parts of the shark excepting head, guts and skins, to the point of first landing.

- f. In fisheries in which sharks are unwanted species, CPCs shall, to the extent possible, encourage the release of live sharks, especially juveniles and pregnant sharks that are caught incidentally and are not used for food and/or subsistence. CPCs shall require that fishers are aware of and use identification guides and handling practices.
- g. CPCs shall report data for catches of sharks, in accordance with IATTC data reporting requirements and procedures, including all available historical data, estimates & life status of discards (dead or alive) and size frequencies. CPCs shall send to the IATTC Secretariat, by May 1, at the latest, a comprehensive annual report of the implementation of this Resolution during the previous year.
- h. CPCs shall, where possible, undertake research to:
  - a. identify ways to make fishing gears more selective, where appropriate, including research into the effectiveness of prohibiting wire leaders;
  - b. improve knowledge on key biological/ecological parameters, life-history and behavioural traits, migration patterns of key shark species;
  - c. identify key shark mating, pupping and nursery areas; and
  - d. improve handling practices for live sharks to maximise post-release survival.
- i. The Scientific Committee shall annually review the information reported by CPCs and will, as necessary, provide recommendations to the Commission on ways to strengthen the conservation and management of sharks within IOTC fisheries.
- j. The Commission shall develop and consider for adoption at its regular annual session 2016 mechanisms to encourage CPCs to comply with their reporting requirement on sharks, notably on the most vulnerable shark species identified by the Scientific Committee.
- k. The Commission shall consider appropriate assistance to developing CPCs for the identification of shark species/ groups and the collection of data on their shark catches.
- l. Resolution C-05-03 is replaced by this measure.

**INTER-AMERICAN TROPICAL TUNA COMMISSION**

**89<sup>TH</sup> MEETING**

**Guayaquil (Ecuador)**

**29 June-3 July 2015**

**PROPOSAL IATTC-89 A-1A REV**

**SUBMITTED BY COSTA RICA AND THE EUROPEAN UNION**

**AMENDMENT TO RESOLUTION C-05-03 ON THE CONSERVATION OF  
SHARKS CAUGHT IN ASSOCIATION WITH FISHERIES IN THE  
EASTERN PACIFIC OCEAN**

**EXPLANATORY MEMORANDUM**

The sustainable utilization of species of fisheries interest is one of the basic objectives of fisheries management. Although sharks in fisheries for tunas and tuna-like species are frequently subject to the rules on bycatch, generating in time an important interaction in catches, which, under the provisions of the Code of Conduct for Responsible Fishing, must be managed with prudence, in order to achieve the full utilization of catches and the elimination of discards.

In this context, the IATTC issued in the year 2005 Resolution C-05-03 with the manifest objective of fighting shark finning through the establishment of a weight ratio of shark fins to bodies or carcasses, since this practice not only violates the concept of full utilization of catches, but also promotes indiscriminate catching of sharks, which makes effective management of those stocks impossible. In time, various countries developed efficient alternatives to guarantee the eradication of the practice of finning, abandoning the practice of the weight ratio in order to utilize a more effective management control, conceived as the natural attachment of fins with partial cuts which, without separating the fins and body, in order to allow the proper handling and quality of the meat, by means of timely bleeding, in conjunction with the removal of the head and intestines of the animal.

Currently, the Central American countries in the framework of OSPESCA adopted Regulation OSP-05-11, by which the partial cutting of fins and maintaining a natural attachment are regulated, showing that the adopted mechanism is useful, viable, objective, transparent, and demonstrably for the elimination of finning.

Additionally, during the meeting of the Scientific Advisory Committee held on 11-15 May 2015, the representative of Costa Rica reiterated the importance that the practice of making compulsory the unloadings of sharks with fins attached to the body has had, in order to achieve a complete utilization of shark catches.

This proposal aspires to the countries subject to IATTC regulation adopting the mechanism of naturally-attached fins with partial cuts, recognizes the merit of the implementation of the regulations contained in Resolution C-05-03, for which reason what is intended with this proposal is the substitution of the mechanism that allows fins to be separated from carcasses, provided the weight of the fins is not more than 5% of the weight of the shark carcasses on board, by the practice of fins attached naturally to the body of the shark, with partial cuts.

Costa Rica intends that this proposed amendment be discussed, introducing substantive improvements to

Resolution C-05-03, which is achieved through this proposal, by modifying the Resolution, substituting paragraphs 4 and 5 of that Resolution, so that hereafter it reads:

*The Inter-American Tropical Tuna Commission*

*Resolves as follows:*

Paragraph 8 to 11 of Resolution C-03-05 are replaced by the following paragraphs:

6. CPCs shall submit data on catches of sharks, in accordance with the requirements and procedures of the IATTC for the provision of data. CPCs shall send to the IATTC Secretariat, by 1 May at the latest, a comprehensive annual report on the implementation of this resolution during the previous year.
7. CPCs shall, where possible, undertake research to:
  - a. identify ways of increasing the selectivity of fishing gears, as appropriate, including research into alternatives to the use of steel leaders;
  - b. improve the understanding of key biological/ecological parameters, life history and behaviour characteristics, and migration patterns of key shark species;
  - c. identify key shark mating, pupping, and nursery grounds; and
  - d. improve handling practices for live sharks to maximize post-release survival.
8. The Scientific Advisory Committee shall review annually the information submitted by CPCs and shall provide, as necessary, recommendations to the Commission on ways of strengthening the conservation and management of sharks in IATTC fisheries.
9. The Commission shall develop and consider for adoption at its regular annual meeting in 2016 mechanisms for encouraging CPCs to comply with its reporting requirements on sharks, particularly for the most vulnerable shark species identified by the Scientific Advisory Committee.
10. The Commission shall consider appropriate aid for developing CPCs for identifying species/groups of sharks and for collecting data on their catches of sharks."

The rest of the Resolution remains unchanged.

**INTER-AMERICAN TROPICAL TUNA COMMISSION**

**89<sup>TH</sup> MEETING**

Guayaquil (Ecuador)

29 June-3 July 2015

**PROPOSAL IATTC-89 A-3 REV**

**SUBMITTED BY THE EUROPEAN UNION**

**RESOLUTION ON THE CONSERVATION OF SILKY SHARKS CAUGHT  
IN THE IATTC CONVENTION AREA**

**EXPLANATORY MEMORANDUM**

The Antigua Convention requires IATTC to adopt conservation measures for species associated with the main targeted stocks.

The European Union is proposing a new Resolution which aims at adopting a series of conservation measures to manage fisheries for Silky Sharks (*Carcharhinus falciformis*).

**Rationale:**

The Scientific Advisory Committee expressed concern about the recent declining trend in catches of silky sharks (*Carcharhinus falciformis*) by purse seiners and that there is clear evidence of declining populations of silky sharks in both the northern and southern stocks. It is therefore critical that precautionary measures be implemented immediately to allow silky sharks populations to rebuild in the EPO.

Both in 2014 and 2015 the IATTC scientific staff considered that fishing mortality should be reduced in order to promote rapid rebuilding of silky sharks stocks in the EPO and put forward a series of recommendations on which the present proposal is based.

*The Inter American Tropical Tuna Commission (IATTC),*

*Considering* that many sharks are part of the pelagic ecosystems in the IATTC area, and that tunas and tuna-like species are captured in fisheries targeting sharks;

*Recalling* that Article VII, paragraph 1 (f) of the Antigua Convention establishes that the Commission shall adopt, as necessary, conservation and management measures and recommendations for species belonging to the same ecosystem and that are affected by fishing for, or dependent on or associated with, the fish stocks covered by the Convention, with a view to maintaining or restoring populations of such species above levels at which their reproduction may become seriously threatened;

*Taking due note* that the Scientific Advisory Committee expressed concern about the recent declining trend in catches of silky sharks (*Carcharhinus falciformis*) and that there is clear evidence of declining populations of silky sharks in both the northern and southern stocks; and

*Recognizing* that it is critical that fishing mortality be reduced and measures be implemented immediately to allow silky sharks populations to rebuild in the EPO;

*Agrees as follows:*

1. Members and Cooperating non-Members (CPCs) shall prohibit retaining on board, transshipping,



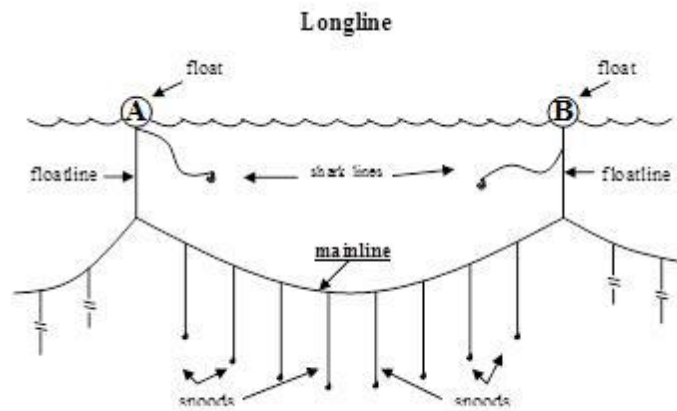
landing, storing, selling, or offering for sale any part or whole carcass of silky sharks (*Carcharhinus falciformis*) caught in the IATTC Convention Area in the fisheries covered by the Antigua Convention that do not target this species.

2. CPCs shall require purse-seine vessels flying their flag to release all silky sharks alive whenever possible. However, if silky sharks are caught and inadvertently frozen during fishing operations, they must be surrendered whole to the relevant authorities at the point of landing, and they may then be donated for purposes of domestic human consumption.
3. CPCs shall require vessels flying their flag and not targeting silky sharks to promptly release unharmed, to the extent practicable, silky sharks caught in the IATTC Convention Area as soon as possible after the shark is caught, and to do so in a manner that results in as little harm to the shark as possible, but without compromising the safety of any persons.
4. Fisheries directed at silky sharks shall be closed for a period of three months of each calendar year.
5. CPCs shall ensure that their vessels in fisheries not directed at silky sharks, but that catch the species incidentally, may continue to operate during the closure, but should comply with at least one of the following options:
  - a) Not use or carry wire traces as branch lines of leaders
  - b) Not use branch lines attached directly to the longline floats, known as shark lines (see Annex 1).
6. CPCs shall require vessels flying their flag and targeting silky sharks to endeavor to limit the retention of silky sharks of less than 100 cm total length during a trip to 20% of the total number of silky sharks retained at any time during that trip.
7. For fisheries that target silky sharks, CPCs shall declare that they have targeted fisheries, and develop a management plan for fisheries that target silky sharks that includes specific authorisations to fish such as a licence and a TAC along with other measures such as additional closed seasons or seasonal limitations on the use of wire leaders to limit the catch of silky shark to sustainable levels. These management plans must be developed and submitted to the Director by 31 December 2016 . The IATTC scientific staff in coordination with the Scientific Advisory Committee shall review the plans and provide an assessment for consideration by the Commission at its next annual meeting. Targeted fishing for silky sharks by vessels of CPCs that have not declared they have targeted fisheries in accordance with this paragraph shall be prohibited.
8. For purse-seine vessels, CPCs shall establish observer programs for capacity class 1-5 vessels, with technical assistance from IATTC staff, at a level of observer coverage adequate to reliably monitor silky shark bycatches.
9. CPCs shall require the collection and submission of catch data for silky sharks by vessels flying their flag and shall submit to the IATTC in accordance with IATTC data reporting requirements, through observer programs and other means for purse-seine vessels of all capacity classes, the number and status (dead/alive) of silky sharks caught and released and report it to the IATTC.
10. Observers shall be allowed to collect biological samples from silky sharks that are dead on haulback in the EPO, provided that the samples are part of a research project approved by the Scientific Advisory Committee. In order to get approval, a detailed document outlining the purpose of the work, number of samples intended to be collected and the spatio-temporal distribution of the sampling effect must be included in the proposal. Annual progress of the work and a final report on completion will be presented to the Scientific Advisory Committee.
11. CPCs shall, where possible, undertake research to:
  - a. Identify silky shark pupping grounds and prohibit longline fishing with steel leaders in them;

- b. Conduct experiments on mitigating shark catches, especially in longline fisheries, and on the survival of sharks captured by all gear types, with priority given to those gears with significant catches. Survival experiments should include studies of the effects on survival of shorter sets and of the use of circle hooks;
  - c. Support research on mitigation of shark bycatches and data collection projects
  - d. improve handling practices for live sharks to maximise post-release survival.
12. CPCs and the Scientific Advisory Committee shall continue work on bycatch mitigation measures and live release guidelines to avoid the initial catch of this species wherever possible, and maximize the number of incidentally caught individuals that can be released alive.
13. This Resolution shall enter into force on 1st July 2016.

## Annex I

**Figure 1.** Schematic diagram of a shark line.



**INTER-AMERICAN TROPICAL TUNA COMMISSION**

**89<sup>TH</sup> MEETING**

**Guayaquil (Ecuador)**

**29 June-3 July 2015**

**PROPOSAL IATTC-89 A-4**

**SUBMITTED BY THE UNITED STATES**

**RESOLUTION ON THE CONSERVATION OF HAMMERHEAD  
SHARKS (FAMILY *SPHYRNIDAE*) CAUGHT IN THE IATTC  
CONVENTION AREA**

*The Inter American Tropical Tuna Commission (IATTC)*

*NOTING* that hammerhead sharks of the family *Sphyrnidae* are part of the pelagic ecosystems in the IATTC area and are caught by vessels fishing for tunas and tuna-like species and in fisheries targeting sharks;

*RECALLING* that under the Antigua Convention, “fish stocks covered by this Convention” means stocks of tunas and tuna-like species and other species of fish taken by vessels fishing for tunas and tuna-like species in the Convention Area, and that under Article VIII, paragraph 1 (c), the Commission shall adopt measures to ensure the long-term conservation and sustainable use of the fish stocks covered by this Convention;

*FURTHER RECALLING* that Article VII, paragraph 1 (f) of the Antigua Convention establishes that the Commission shall adopt, as necessary, conservation and management measures and recommendations for species belonging to the same ecosystem and that are affected by fishing for, or dependent on or associated with, the fish stocks covered by the Convention, with a view to maintaining or restoring populations of such species above levels at which their reproduction may become seriously threatened;

*RECOGNIZING* that the international scientific community has identified the scalloped hammerhead shark (*Sphyrna lewini*) as among the shark species with the lowest productivity, the species is considered heavily exploited throughout its range in the eastern Pacific Ocean (EPO), and is considered endangered by the International Union for Conservation of Nature (IUCN);

*TAKING INTO ACCOUNT* that it is difficult to differentiate between the various species of hammerhead sharks without taking them onboard and that such action might jeopardize the survival of the captured individuals;

*FURTHER RECOGNIZING* that the IATTC scientific staff have shown declining trends in commercial purse seine catch of hammerhead sharks and that there is a lack of data for artisanal fisheries that target hammerhead sharks;

*EMPHASIZING* that CPCs are to provide catch information to the Director on an annual basis for all of their vessels fishing for species under the purview of the Commission, in accordance with Resolution C-03-05 on Data Provision and paragraph 11 of Resolution C-05-03 on Conservation of Sharks:

*Agrees that:*

1. For the purpose of this Resolution, hammerhead shark means species of hammerhead shark of the family *Sphyrnida*.

2. Members and Cooperating Non-Members (hereafter referred to as CPCs) shall prohibit, subject to paragraph 3, vessels flying their flag that do not target hammerhead sharks from retaining onboard, transshipping, landing, storing, selling, or offering for sale any part or whole carcass of hammerhead sharks caught in the IATTC Convention Area.
3. CPCs whose vessels do not target hammerhead sharks shall require those vessels to take reasonable steps to promptly release all hammerhead sharks alive wherever possible after the shark is caught and brought alongside the vessel, and take reasonable steps for its safe release, without compromising the safety of any persons. Notwithstanding paragraph 2, if hammerhead sharks are unintentionally caught and frozen as part of a purse seine vessel's operations, the vessel must surrender the whole sharks to the responsible governmental authorities at the point of first landing. Hammerhead sharks surrendered in this manner may not be sold or bartered but may be donated for purposes of domestic human consumption.
4. For fisheries that target hammerhead sharks, CPCs shall declare that they have such targeted fisheries, and develop a management plan for those fisheries that includes specific authorizations to fish such as a license, as well as a total allowable catch (TAC) or other measures to manage the catch of hammerhead sharks to sustainable levels. These management plans must be developed and submitted to the Director by 1 March 2016. The IATTC scientific staff in coordination with the Scientific Advisory Committee (SAC) shall review the plans and provide an assessment for consideration by the Commission at its next annual meeting. Targeted fishing for hammerhead sharks by vessels of CPCs that have not declared that they have targeted fisheries in accordance with this paragraph shall be prohibited.
5. CPCs shall, where possible, conduct research on hammerhead sharks taken in the IATTC Convention Area in order to identify potential nursery areas and to address other outstanding research and data needs, and shall, as practicable, report the results of such research to the SAC. Based on this research, CPCs in their individual capacity and the Commission shall consider time and area closures and other measures, as appropriate.
6. Observers shall be allowed to collect biological samples from hammerhead sharks caught in the IATTC Convention Area that are dead on haulback in the EPO, provided that the samples are part of a research project approved by the SAC. In order to get approval, a detailed document outlining the purpose of the work, number of samples intended to be collected and the spatio-temporal distribution of the sampling effort must be included in the proposal. Annual progress of the work and a final report on completion will be presented to the SAC.
7. CPCs shall require the collection and submission of catch data for hammerhead sharks and shall submit to the IATTC in accordance with IATTC data reporting requirements. CPCs shall also record, through their observer programs and other means, such as logbooks, the number of discards and releases of hammerhead sharks, including the status upon release (dead or alive), and report this information to the IATTC by 31 July of each year.
8. CPCs and the scientific staff of the IATTC shall continue work on bycatch mitigation measures and live release guidelines to avoid the initial catch of this species wherever possible, and maximize the number of incidentally caught individuals that can be released alive.
9. The SAC shall review annually the information submitted by CPCs and shall provide, as necessary, recommendations to the Commission on ways of strengthening the conservation and management of hammerhead sharks in IATTC fisheries.
10. As appropriate, the Commission and its CPCs should, individually and collectively, engage in capacity building efforts and other cooperative activities to support the effective implementation of this Resolution, including entering into cooperative arrangements with other appropriate international bodies.

11. This measure shall be amended, if appropriate, at future Commission meetings taking into account the results of stock assessments when available.
12. This resolution shall enter into force on 1 July 2016.

**INTER-AMERICAN TROPICAL TUNA COMMISSION**

**89<sup>TH</sup> MEETING**

**Guayaquil (Ecuador)**

**29 June-3 July 2015**

**PROPOSAL IATTC-89 E-1**

**SUBMITTED BY THE EUROPEAN UNION**

**REVISION OF THE RESOLUTION C-11-07**

**RESOLUTION ON THE PROCESS FOR IMPROVED COMPLIANCE OF  
RESOLUTIONS ADOPTED BY THE COMMISSION**

**EXPLANATORY MEMORANDUM**

Paragraph 10 of Resolution C-11-07 establishes that to facilitate the implementation of IATTC reporting requirements and review pursuant to Resolution C-11-07, the Committee shall also develop a set of common guidelines and formats.

The goal of the revision proposed by the EU is to add a new Annex to provide a standardized and straight forward document to reflect compliance record, areas of possible improvement as well as any recommended actions for consideration of the Commission as required by Paragraph 5 of the Resolution as currently the IATTC lacks such a system.

The new Annex will reflect the result of the discussions of the Commission and will serve as a reference document to facilitate the follow-up of decisions taken by the Commission.

Similar documents have also been adopted by the WCPFC, CCAMLR and SPRFMO.

5. At the end of the meeting, the Committee shall identify, for each CPC, the compliance record, areas of possible improvement as well as any recommended actions for consideration of the Commission based on the results of the review and discussion in paragraph 4 and using the criteria and considerations for assessing compliance status set out in Annex II. Such identifications and recommendations shall be recorded in the report of the Committee, which shall be sent to the Commission.
6. Before proceeding with actions under section D, the CPCs will have the opportunity to reply during the meeting of the Committee, either orally or in writing,

**D) Follow-up of the Committee's work**

7. Upon receiving the report from the Committee, the Commission shall consider any comments or replies from of the CPC concerned. If necessary, the Commission will subsequently decide actions for improving compliance by each CPC, which includes sending a letter from the Commission Chairman to each CPC, indicating each CPC's compliance record, and making recommendations for possible improvement. Based on the status accorded, those recommendations may include the need for the Commission to undertake a Compliance Review, develop a Compliance Action Plan or identify a Compliance Remedy.

## Annex II

<b>Compliance Status</b>	<b>Criteria</b>	<b>Follow up</b>
<b><i>Compliant</i></b>	No compliance issues identified with respect to the relevant obligations.	none
<b><i>Non-compliant</i></b>	Non-compliance may be due to: Actions or omissions which constitute a minor infringement of relevant obligations; Insufficient, unclear or incorrect data or information;	<b><i>Undertake a Compliance Review</i></b> to identify non-compliance of a minor or technical nature or obligations with respect to which further information is required in order to identify implementation gaps and improve compliance.
<b><i>Priority non-compliant</i></b>	Non-compliance may be due to: Action or omissions that constitute a serious infringement of relevant obligations; Non-compliance that undermines the effectiveness of the Convention or IATTC Resolutions; Failure to comply with previous CTC recommendations adopted by the Commission, after sufficient time and assistance has been provided.	<b><i>Develop a compliance action plan</i></b> to assist Members and CNCPs to actively take steps to respond to and rectify non-compliance or improve implementation of relevant obligations, including through the provision of technical assistance or capacity building, where appropriate.
<b><i>Seriously/Persistently Non-Compliant</i></b>	Non-compliance may be due to: Action or omissions that constitute a repeated serious infringement of relevant obligations; Repeated non-compliance that undermines the effectiveness of the Convention or IATTC Resolutions; Repeated failure to comply with previous CTC recommendations after sufficient time and assistance has been provided.	<b><i>Identify a Compliance Remedy</i></b> to address instances of persistent non-compliance which have not been resolved even after sufficient time and assistance have been provided through a Compliance Action Plan.
<b><i>Not assessed</i></b>	Proven ambiguity of relevant obligations	<b><i>Commission to clarify obligation and if necessary, amend relevant provisions</i></b>

**INTER-AMERICAN TROPICAL TUNA COMMISSION**

**89<sup>TH</sup> MEETING**

**Guayaquil (Ecuador)**

**29 June-3 July 2015**

**PROPOSAL IATTC-89 E-2A**

**SUBMITTED BY COLOMBIA, COSTA RICA, EL SALVADOR,  
GUATEMALA, MEXICO, NICARAGUA, PANAMA, PERU, AND  
VENEZUELA**

**RESOLUTION ON THE USE OF INFORMATION ON COMPLIANCE**

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

*Recalling* that the “Antigua Convention”, in Article XXII establishes that the Commission shall determine rules of confidentiality for access, use and disclosure of information pursuant to the Convention.

*Considering* that in the framework of Resolution C-11-07 on Compliance it is established that the IATTC reviews annually the compliance and implementation by each member of the Commission resolutions, based on, *inter alia*, the compliance report provided by the Director.

*Recognizing* that multilateral actions are more appropriate and effective than unilateral actions.

*Affirming* therefore the importance of strengthening multilateral cooperation, through mechanisms agreed in the IATTC and particularly the exchange of information.

*Taking into consideration* that Article XVIII of the “Antigua Convention” on implementation, compliance and enforcement by Parties provides that each Party shall authorize the use and release, subject to any applicable rules of confidentiality, of pertinent information recorded by on-board observers of the Commission or a national program.

*Also considering* the clear reduction of the number of possible infractions of IATTC resolutions by the purse-seine vessels operating in the EPO as has been observed in the Committee for the Review of the Implementation of Measures Adopted by the Commission and which show que work is being done multilaterally and with good results.

*Agrees:*

1. That information on compliance that is provided by any Member in the framework of the IATTC resolutions is of a strictly confidential nature and its use shall be restricted for the purposes that the Commission itself may establish, unless the Member authorizes its disclosure or uses.
2. That the Commission and the member countries may use the information referred to in item 1 above only within the framework of the IATTC.
3. That resolutions adopted within the Commission, as well as their observation by the Members are for the purpose of complying with the Commission's objectives. Therefore, no Member may use the information contained in the compliance report provided by the Director particularly for unilateral processes that have not been agreed previously by the Commission.



**INTER-AMERICAN TROPICAL TUNA COMMISSION**

**89<sup>TH</sup> MEETING**

**Guayaquil (Ecuador)**

**29 June-3 July 2015**

**PROPOSAL IATTC-89 F-1 REV**

**SUBMITTED BY THE EUROPEAN UNION**

**IATTC RESOLUTION FOR AN IATTC SCHEME FOR MINIMUM  
STANDARDS FOR INSPECTION IN PORT**

**EXPLANATORY MEMORANDUM**

**Goal:** this Resolution is intended to fight against IUU fishing and contribute to the long-term conservation and sustainable use of living marine resources in the IATTC Convention Area through strengthened, harmonized and transparent minimum standards for inspections.

In line with similar proposals adopted by other RFMOs, the most essential elements of the proposal is the inspection of vessels, designation of ports, prior notifications and reporting of possible infringements. It is therefore more in line with the requests from developing coastal CPCs as it also includes a number of simplified provisions in order to facilitate consensus at the IATTC.

In addition to that, it will be the first ever port inspection measure adopted by IATTC. Therefore it will ensure consistency with management measures taken in other RFMOs and improve the results of the measures aimed towards conservation of tuna and tuna-like species in the Eastern Pacific Ocean. This will contribute to more responsible management of the stocks under the IATTC's mandate.

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

**DEEPLY CONCERNED** that illegal, unreported and unregulated fishing has a detrimental effect upon fish stocks, marine ecosystems and the livelihoods of legitimate fishers in particular in developing States,

**CONSCIOUS** of the role of the port State in the adoption of effective measures to promote the sustainable use and the long-term conservation of living marine resources,

**RECALLING** that under the 1995 FAO Code of Conduct for Responsible Fisheries, the right to fish carries with it the obligation to do so in a responsible manner so as to ensure effective conservation and management of living aquatic resources,

**RECOGNIZING** that measures to combat illegal, unreported and unregulated fishing should build on the primary responsibility of flag States and use all available jurisdiction in accordance with international law, including minimum standards for inspection in port, coastal State measures, and measures to ensure that nationals do not support or engage in illegal, unreported and unregulated fishing,

**RECOGNIZING** that minimum standards for inspections in port provide a powerful and cost-effective means of preventing, deterring and eliminating illegal, unreported and unregulated fishing,

**AWARE** of the need for increasing coordination at the regional and interregional levels to combat illegal, unreported and unregulated fishing through minimum standards for inspection in port, and

*RECALLING* the relevant provisions the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas of 24 November 1993, the 1995 FAO Code of Conduct for Responsible Fisheries, and other relevant international law,

*Agrees as follows:*

#### **Assessment in Anticipation of Implementation**

1. Following the adoption of this Resolution, the IATTC Secretariat will identify the needs of developing CPCs related to the implementation of this Resolution; to present options and facilities for capacity building for those CPCs that might require and desire such assistance; to identify and assess any other barriers to effective full implementation; and to develop solutions to any such barriers.
2. This assessment will be accomplished through consultations, through questionnaires sent to all developing CPCs as set forth in Annex 2, and through any other available information.
3. Within 60 days following the deadline for receipt of the completed questionnaires, the Secretariat shall provide all CPCs with a report summarizing the responses, identifying any developing CPCs that may not have responded, and providing a detailed description of identified barriers to implementation.
4. The Commission, at its annual meeting in 2016, shall review the assessment report of the Secretariat and any individual reports from developing CPCs, as provided in paragraph 32.

#### **Scope**

5. Nothing in this Resolution shall prejudice the rights, jurisdiction and duties of Members and Cooperating Non-Members of the Commission (hereinafter referred to as "CPCs") under international law. In particular, nothing in this Resolution shall be construed to affect the exercise by CPCs of their authority over their ports in accordance with international law, including their right to deny entry thereto as well as to adopt more stringent measures than those provided for in this Resolution.

This Resolution shall be interpreted and applied in conformity with international law, taking into account applicable international rules and standards, including those established through the International Maritime Organization, as well as other international instruments.

CPCs shall fulfill in good faith any obligations ultimately assumed pursuant to this Resolution and shall exercise the rights recognized herein in a manner that would not constitute an abuse of right.

6. With a view to monitoring compliance with IATTC Resolutions, each CPC, in its capacity as a port CPC, shall apply this Resolution for an effective scheme of port inspections in respect of foreign fishing vessels carrying IATTC-managed species caught in the IATTC Convention Area (Convention Area) and/or fish products originating from such species caught in the Convention Area that have not been previously landed or transhipped at port, hereinafter referred to as "foreign fishing vessels".
7. A CPC may, in its capacity as a port CPC, decide not to apply this Resolution to foreign fishing vessels chartered by its nationals operating under its authority and returning to its ports. Such chartered fishing vessels shall be subject to measures by the CPC which are as effective as measures applied in relation to vessels entitled to fly its flag.
8. Without prejudice to specifically applicable provisions of other IATTC Resolutions, and except as otherwise provided in this Resolution, this Resolution shall apply to foreign fishing vessels equal to or greater than 20 meters in length overall.
9. Each CPC shall subject foreign fishing vessels below 20 meters length overall, foreign fishing vessels operating under charter as referred to under paragraph 7, and fishing vessels entitled to fly its flag to

measures that are at least as effective in combating Illegal, Unreported and Unregulated (IUU)<sup>4</sup> fishing as measures applied to vessels referred to in paragraph 8.

10. CPCs shall take necessary action to inform fishing vessels entitled to fly their flag of this and other relevant IATTC Resolutions.

### **Points of Contact**

11. Each CPC wishing to grant access to its ports to foreign fishing vessels shall designate a point of contact for the purposes of receiving notifications pursuant to paragraph 18. Each CPC shall designate a point of contact for the purpose of receiving inspection reports pursuant to paragraph 28(b) of this Resolution. It shall transmit the name and contact information for its points of contact to the IATTC Director no later than 30 days following the entry into force of this Resolution. Any subsequent changes shall be notified to the IATTC Director at least 7 days before such changes take effect. The IATTC Director shall promptly notify CPCs of any such change.
12. The IATTC Director shall establish and maintain a register of points of contact based on the lists submitted by the CPCs. The register and any subsequent changes shall be published promptly on the IATTC website.

### **Designated ports**

13. Each CPC wishing to grant access to its ports to foreign fishing vessels shall designate its ports to which foreign fishing vessels may request entry pursuant to this Resolution.
14. Each CPC wishing to grant access to its ports to foreign fishing vessels shall ensure that it has sufficient capacity to conduct inspections in every designated port pursuant to this Resolution to the greatest extent possible.
15. Each CPC wishing to grant access to its ports to foreign fishing vessels shall provide to the IATTC Director within 30 days from the date of entry into force of this Resolution a list of designated ports. Any subsequent changes to this list shall be notified to the IATTC Director at least 14 days before the change takes effect.
16. The IATTC Director shall establish and maintain a register of designated ports based on the lists submitted by the port CPCs. The register and any subsequent change shall be published promptly on the IATTC website.

### **Force majeure or distress**

17. Nothing in this Resolution affects the entry of vessels to port for reasons of *force majeure* or distress or for the purpose of rendering assistance to persons, ships or aircraft in danger or distress.

### **Prior notification**

18. Each port CPC wishing to grant access to its ports to foreign fishing vessels shall, except as provided under paragraphs 17 and 19 of this Resolution, require foreign fishing vessels seeking to use its ports for the purpose of landing and/or transshipment to provide, at least 48 hours before the estimated time of arrival at the port, the following information:
  - a) Vessel identification (External identification, Name, Flag CPC, IMO No, if any, and IRCS);
  - b) Name of the designated port, as referred to in the IATTC register, to which it seeks entry and the purpose of the port call (landing and/or transshipment);
  - c) Fishing authorization or, where appropriate, any other authorization held by the vessel to support

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<sup>4</sup> IUU fishing refers to fishing activities as defined in Annex 1.

fishing operations on IATTC-managed species and/or fish products originating from such species, or to transship related fishery products;

- d) Estimated date and time of arrival in port;
- e) The estimated quantities in kilograms of each IATTC-managed species and/or fish products originating from such species held on board, with associated catch areas. If no IATTC species and/or fish products originating from such species are held on board, a 'nil' report shall be transmitted;;
- f) The estimated quantities for each IATTC-managed species and/or fish products originating from such species in kilograms to be landed or transshipped, with associated catch areas.

The port CPC may also request other information as it may require to determine whether the vessel has engaged in IUU fishing, or related activities.

- 19. The port CPC may prescribe a longer or shorter notification period than specified in paragraph 18, taking into account, *inter alia*, the type of fishery product, the distance between the fishing grounds and its ports. In such a case, the port CPC shall inform the IATTC Director, who shall publish the information promptly on the IATTC website.

### **Port inspections**

- 20. Inspections shall be carried out by the competent authority of the port CPC.
- 21. Each year CPCs shall inspect at least 5% of landing and transshipment operations in their designated ports as are made by foreign fishing vessels.
- 22. The Port CPC shall, , in accordance with its domestic law, take the following, *inter alia*, into account when determining which foreign vessels to inspect::
  - a) Whether a vessel has failed to provide complete information as required in paragraph 18;
  - b) Requests from other CPCs or relevant regional fisheries management organizations (RFMOs) that a particular vessel be inspected, particularly where such requests are supported by evidence of IUU fishing by the vessel in question;
  - c) Whether clear grounds exist for suspecting that a vessel has engaged in IUU fishing, including information derived from RFMOs.
  - d) After receiving the relevant information pursuant to paragraph 18, as well as such other information as it may require to determine whether the foreign fishing vessel requesting entry into its port has engaged in IUU fishing, the port CPC shall decide whether to authorize or deny the entry of the vessel into its port. In case the port CPC decides to authorize the entry of the vessel into its port, the following provisions on port inspection shall apply..

### **Inspection procedure**

- 23. Each inspector shall carry a document of identity issued by the port CPC. In accordance with domestic laws, port CPC inspectors may examine all relevant areas, decks and rooms of the fishing vessel, catches processed or otherwise, nets or other fishing gears, equipment both technical and electronic, records of transmissions and any relevant documents, including fishing logbooks, Cargo Manifests and Mates Receipts and landing declarations in case of transshipment, which they deem necessary to ensure compliance with the IATTC Resolutions. They may take copies of any documents considered relevant, and they may also question the Master and any other person on the vessel being inspected.
- 24. Inspections shall involve the monitoring of the landing or transshipment and include a cross-check between the quantities by species notified in the prior notification message in paragraph 18 and the

quantities which are landed, transhipped or held on board by the vessels. Inspections shall be carried out in such a way that the fishing vessel suffers the minimum interference and inconvenience, and that degradation of the quality of the catch is avoided to the extent practicable.

25. On completion of the inspection, the port CPC inspector shall provide the Master of the foreign fishing vessel with the inspection report containing the findings of the inspection, including possible subsequent measures that could be taken by competent authority of the CPC. The inspector and the Master shall sign the report and a copy of the report shall be provided to the Master. The Master's signature shall serve only as acknowledgement of the receipt of a copy of the report. The Master shall be given the opportunity to add any comments or objection to the report, to contact the competent authority of the flag CPC.
26. The port CPC shall transmit a copy of the inspection report electronically or by other means to the flag CPC point of contact and the IATTC Director no later than 14 days following the date of completion of the inspection. If the inspection report cannot be transmitted within 14 days, the port CPC should notify the IATTC Director within the 14 day time period the reasons for the delay and when the report will be submitted.
27. Flag CPCs shall take necessary action to ensure that Masters facilitate safe access to the fishing vessel, cooperate with the competent authority of the port CPC, facilitate the inspection and communication and not obstruct, intimidate or interfere, or cause other persons to obstruct, intimidate or interfere with port CPC inspectors in the execution of their duties.

#### **Procedure in the event of infringements**

28. If the information collected during the inspection provides evidence that a foreign fishing vessel has committed an infringement of the IATTC Resolutions, the inspector shall:
  - a) record the infringement in the inspection report;
  - b) transmit the inspection report to the port CPC competent authority, which shall promptly forward a copy to the IATTC Director and to the flag CPC point of contact;
  - c) to the extent practicable, ensure safekeeping of the evidence pertaining to such alleged infringement.
29. If the infringement falls within the legal jurisdiction of the port CPC, the port CPC may take action in accordance with its domestic laws. The port CPC shall promptly notify the action taken to the competent authority of the flag CPC and to the IATTC Director, who shall promptly publish this information in a secured part of the IATTC website.
30. Infringements that do not fall within the jurisdiction of the port CPC, and infringements referred to in paragraph 29 for which the port CPC has not taken action, shall be referred to the flag State and, as appropriate, the relevant coastal State.. Upon receiving the copy of the inspection report, the flag CPC shall promptly investigate the alleged infringement and notify the IATTC Director of the status of the investigation and of any enforcement action that may have been taken within 6 months of such receipt. If the flag CPC cannot provide the IATTC Director this status report within 6 months of such receipt, the flag CPC should notify the IATTC within the 6 month time period the reasons for the delay and when the status report will be submitted. The IATTC Director shall promptly publish this information in a secured part of the IATTC website. CPCs shall include in their Compliance questionnaire information regarding the status of such investigations.
31. Should the inspection provide evidence that the inspected vessel has engaged in IUU activities as referred to in Resolution C-05-07, the port CPC shall promptly report the case to the flag CPC and notify as soon as possible the IATTC Director, along with its supporting evidence.

### **Requirements of developing CPCs**

32. On the basis of the outcome of the assessment exercise set forth in Annex 2 and in paragraphs 1-3, developing CPCs requiring assistance shall submit a plan of action for the implementation of this Resolution. CPCs shall give full recognition to the special requirements of developing CPCs in relation to a port inspection scheme consistent with this Resolution. As of 1 January 2016, and following the result of the assessment of need, the Special Sustainable Development Fund established by Resolution C-14-03, either directly or through supplementary voluntary contributions from CPCs, shall provide assistance to developing CPCs in order to, *inter alia*:
- a) Develop their capacity including by providing technical assistance and establishing an appropriate funding mechanism to support and strengthen the development and implementation of an effective system of port inspection at national, regional or international levels and to ensure that a disproportionate burden resulting from the implementation of this Resolution is not unnecessarily transferred to them and
  - b) Facilitate their participation in meetings and/or training programmes of relevant regional and international organizations that promote the effective development and implementation of a system of port inspection, including monitoring, control and surveillance, enforcement and legal proceedings for infractions and dispute settlements pursuant to this Resolution.

### **General provisions**

33. CPCs are encouraged to enter into bilateral agreements/arrangements that allow for an inspector exchange program designed to promote cooperation, share information, and educate each party's inspectors on inspection strategies and methodologies which promote compliance with IATTC Resolutions. A description of such programs should be provided to the IATTC Director which should publish it on the IATTC website.
34. Without prejudice to the domestic laws of the port CPC, the flag CPC may, in the case of appropriate bilateral agreements or arrangements with the port CPC or at the invitation of that CPC, send its own officials to accompany the inspectors of the port CPC and observe or take part in the inspection of its vessel.
35. Flag CPCs shall consider and act on reports of infringements from inspectors of a port CPC on a similar basis as the reports from their own inspectors, in accordance with their domestic laws. CPCs shall cooperate, in accordance with their domestic laws, in order to facilitate judicial or other proceedings arising from inspection reports as set out in this Resolution.
36. The IATTC Director shall develop model formats for prior notification reports and inspection reports required under this Resolution, taking into account forms adopted in other relevant instruments, such as international organisations and other RFMOs, for consideration at the 2016 Annual Meeting of the Commission.
37. The Commission shall review this Resolution no later than its 2019 Annual Meeting and, if appropriate, taking into account developments in other RFMOs and/or international fora and consider revisions to improve its effectiveness. The Secretariat will report annually on the implementation of this measure.
38. This Resolution shall enter into force on January 1, 2018.

### **ANNEX 1**

As defined by FAO in the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported

and Unregulated Fishing, IUU fishing means:

**Illegal fishing** refers to fishing activities:

- (1) conducted by national or foreign vessels in waters under the jurisdiction of a State, without the permission of that State, or in contravention of its laws and regulations;
- (2) conducted by vessels flying the flag of States that are parties to a relevant regional fisheries management organization but operate in contravention of the conservation and management measures adopted by that organization and by which the States are bound, or relevant provisions of the applicable international law; or
- (3) in violation of national laws or international obligations, including those undertaken by cooperating States to a relevant regional fisheries management organization.

**Unreported fishing** refers to fishing activities:

- (1) which have not been reported, or have been misreported, to the relevant national authority, in contravention of national laws and regulations; or
- (2) undertaken in the area of competence of a relevant regional fisheries management organization which have not been reported or have been misreported, in contravention of the reporting procedures of that organization.

**Unregulated fishing** refers to fishing activities:

- (1) in the area of application of a relevant regional fisheries management organization that are conducted by vessels without nationality, or by those flying the flag of a State not party to that organization, or by a fishing entity, in a manner that is not consistent with or contravenes the conservation and management measures of that organization; or
- (2) in areas or for fish stocks in relation to which there are no applicable conservation or management measures and where such fishing activities are conducted in a manner inconsistent with State responsibilities for the conservation of living marine resources under international law.

## ANNEX 2

### Assessment of Capacity to Implement

The Secretariat shall, within 30 days following adoption of this Resolution, transmit to all developing CPCs an assessment questionnaire designed to assess, for each obligation anticipated under this resolution, the extent to which each CPC:

1. Is already applying a particular obligation within laws and/or regulations;
2. For each obligation not already applied, the capacity of each CPC to implement it and the approximate time that will be required to do so;
3. For each obligation that a CPC deems inapplicable or unimplementable, request that the CPC provide the reasons for that determination.

The assessment questionnaire shall include the following obligations envisioned in this Resolution, *inter alia*:

1. The ability of the CPC to designate specific port(s) which foreign vessels may enter;
2. The capacity of the CPC to inspect at least 5% of foreign vessels entering the designated ports;
3. The capacity of the CPC to designate and empower a competent national authority to receive and process "Prior Notification" information as required in paragraph 18 from inbound foreign vessels;
4. The capacity under national laws of a CPC to empower inspectors to execute the "Inspection Procedures" in paragraphs 23 to 27;
5. The capacity of the CPC to implement the "Procedure in the event of infringement" set forth in paragraphs 28 to 31;
6. The specific needs identified by the CPC for assistance in the areas of capacity building;

Port State/Developing CPCs shall respond in full to the Assessment Questionnaire to the Secretariat within 90 days of receipt.

Within 60 days following the deadline for receipt of the completed questionnaires, the Secretariat shall provide all CPCs with a report summarizing the responses, identifying any developing CPCs that may not have responded, and providing a detailed description of identified barriers to implementation.



**INTER-AMERICAN TROPICAL TUNA COMMISSION**

**89<sup>TH</sup> MEETING**

Guayaquil (Ecuador)

29 June-3 July 2015

**PROPOSAL IATTC-89 G-1**

**SUBMITTED BY THE EUROPEAN UNION**

**TO REVISE RESOLUTION C-13-01 ON THE BASIS OF THE BEST  
SCIENTIFIC ADVICE**

**EXPLANATORY MEMORANDUM**

As set out in it Paragraph 19 b, Resolution C-13-01 establishes that the conservation and management measures shall be evaluated in the context of the results of the stock assessment and of changes in the level of active capacity in the purse seine fleet based on the advice of the Scientific Advisory Committee and the IATTC Staff.

In early 2015 the total Purse-seiner active capacity in the EPO dramatically increased from 243.000 m3 to roughly 271.000 m3 which is a 11,5% increase. Although most of this increase is allocated to a single fleet which operates under the conditions established in Paragraph 12 of Resolution C-02-03, it is necessary to assess its impact and, where appropriate, revise Resolution C-13-01.

**RESOLUTION C-13-01**

**MULTIANNUAL PROGRAM FOR THE CONSERVATION OF TUNA  
IN THE EASTERN PACIFIC OCEAN DURING 2014-2016**

3. All purse-seine vessels covered by these measures must stop fishing in the Convention Area for a period of 62 days in 2014, 62 days in 2015, and [to be decided by the Commission in accordance with Paragraph 19 below ] days in 2016. These closures shall be effected in one of two periods in each year as follows:

2014 - 29 July to 28 September, or from 18 November to 18 January 2015.

2015 - 29 July to 28 September, or from 18 November to 18 January 2016.

2016 - [29 July to 28 September, or from 18 November to 18 January 2017.]

**INTER-AMERICAN TROPICAL TUNA COMMISSION**

**89<sup>TH</sup> MEETING**

Guayaquil (Ecuador)

29 June-3 July 2015

**PROPOSAL IATTC-89 H-1**

**SUBMITTED BY THE EUROPEAN UNION**

**REVISION OF RESOLUTION C-02-03**

**RESOLUTION ON THE CAPACITY OF THE TUNA FLEET  
OPERATING IN THE EASTERN PACIFIC OCEAN (REVISED)**

**EXPLANATORY MEMORANDUM**

The goal of the revision of Resolution C-02-03 is to update its content in order to reflect the following:

- The adoption of a Plan for Regional Management of Fishing Capacity adopted in Lanzarote in 2005 and the need to progress in its implementation, notably as phases two and three are concerned;
- The fact that, following Paragraph 6, thirteen years after the adoption of Resolution C-02-03 some CPCs continue to submit information regarding the well capacity of their vessels, and therefore the capacity continues to increase despite the limit set in paragraph 5. Paragraph 6 was intended to provide a certain time margin for CPCs to determine the well capacity of their vessel as which was not meant to extend for thirteen years;
- The boundaries of the Eastern Pacific Ocean (EPO) as established by the Antigua Convention;
- To update the reference to CPCs instead of “participants”;
- To remove obsolete articles/references;
- To amend capacity claims in view of developments since the adoption of the resolution
- A reference to *Article VII 1 h) of Antigua Convention* stating the need to manage capacity commensurate with the fish stocks covered by the Convention.

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

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

*Understanding* that excess fishing capacity in a region makes it more difficult for governments to agree on and implement effective conservation and management measures for the fisheries of that region;

*Concerned* that purse-seine fishing capacity in the eastern Pacific Ocean (EPO) has been increasing in recent years;

*Believing* that it is important to limit fishing capacity in the EPO in order to help ensure that the tuna fisheries in the region are conducted at a sustainable level;

Aware of the importance of tuna fishing to the economic development of the Parties;

*Committed* to giving full effect to the relevant rules of international law, as reflected in the United Nations Law of the Sea Convention;

*Recalling* the resolutions to limit the capacity of the tuna purse-seine fleet in the EPO approved by the IATTC at its 62<sup>nd</sup> Meeting in October 1998 and by correspondence on 19 August 2000;

*Seeking to address* the problem of excess capacity in the tuna purse-seine fleet operating in the EPO by limiting such capacity to a level which, in harmony with other agreed management measures and projected and actual levels of catch, will ensure that tuna fisheries in the region are conducted at a sustainable level;

*Recalling* Article VII 1 h) of Antigua Convention to adopt appropriate measures to prevent or eliminate over-fishing and excess fishing capacity and to ensure that levels of fishing effort do not exceed those commensurate with the sustainable use of the fish stocks covered by the Convention:

*Have agreed as follows:*

1. Convention as defined in Article III of the Antigua Convention.
2. To finalize and adopt, as soon as possible, a plan for regional management of fishing capacity, as specified in the resolution on fleet capacity of 19 August 2000. Such a plan shall take into account the right of coastal States and other States with a longstanding and significant interest in the tuna fisheries of the EPO to develop and maintain their own tuna fishing industries.
3. To review on a regular basis, and modify if necessary, the methods for estimating fishing capacity and the target level of 158,000 m<sup>3</sup>, established in the resolution on fleet capacity of 19 August 2000, for the total capacity of the purse-seine fleet, taking into account the level of the stocks of tuna and other relevant factors.
4. To use the Regional Vessel Register ("the Register") established by the resolution of the 66th Meeting of the Commission, as of 28 June 2002, with any subsequent modifications that do not increase the total capacity of purse-seine vessels established in the Register, as the definitive list of purse-seine vessels authorized by Members and Cooperating non-Members of the Commission (hereinafter referred to as "CPCs") to fish for tunas in the EPO. Any purse-seine vessel fishing for tunas in the EPO that is not on the Register would be considered to be undermining IATTC management measures. The Register shall include only vessels flying the flags of CPCs. Each CPC shall verify the existence and operational status of, and confirm the accuracy of the information on, its vessels, as required by that resolution, including the requirement to promptly notify the Director of the Commission ("the Director") of any modifications to that information. For purse-seine vessels, the Register shall include only vessels that have fished in the EPO before 28 June 2002. A CPC may remove any vessel flying its flag from the Register by notifying the Director.
5. The well volume of each purse-seine vessel, once confirmed by the relevant CPC and verified by an independent survey supervised by the Director, shall be reflected in the Register. As from 1 January 2017 the well volume reflected in the Register will be considered as confirmed by CPCs.
6. To prohibit the entry of new vessels, defined as those not included in the Register, to the EPO purse-seine fleet, except to replace vessels removed from the Register, and provided that the total capacity of any replacement vessel or vessels does not exceed that of the vessel or vessels replaced.
7. To prohibit increasing the capacity of any existing purse-seine vessel unless a purse-seine vessel or vessels of equal or greater capacity is removed from the Register.
8. Notwithstanding paragraphs (7) and (8), above, by January 1 of each year, a CPC may notify the Director of any purse-seine vessel operating under its jurisdiction and listed on the Register that will not fish in the EPO in that year. Any vessel identified pursuant to this paragraph shall remain on the

Register as "inactive" and shall not fish in the EPO in that year. In such cases, the CPC may substitute another purse-seine vessel or vessels on the Register, and those vessels shall be authorized to fish in the EPO provided that the total "active" capacity of purse-seine vessels flying the flag of that CPC in any year does not exceed the capacity listed for such vessels on the Register as of 28 June 2002.

8.1. Guatemala may increase its purse-seine fleet by .[we believe this capacity has already been utilized; to be confirmed by Secretariat]

9. In the implementation of paragraph (10.1) above, a CPC wishing to bring a new vessel into the EPO shall (1) so notify the other CPCs, through the Director, and (2) undertake efforts to find a suitable vessel from the Register for at least four months following such notification before bringing a new vessel into the EPO.
10. Notwithstanding paragraphs (7) and (8), a limit of 32 United States vessels authorized and licensed to fish in other areas of the Pacific Ocean under an alternative international fisheries management regime, and that may occasionally fish to the east of 150° West, shall be authorized to fish in the EPO provided that: a) the fishing activity of any such vessels in the EPO is limited to a single trip not to exceed 90 days in one calendar year; b) the vessels do not possess a Dolphin Mortality Limit pursuant to the Agreement on the International Dolphin Conservation Program; and c) the vessels carry an approved observer. A similar exception shall be considered for vessels of other CPCs with a similar record of participation in the EPO tuna purse-seine fishery and that meet the criteria listed above.
11. Nothing in this resolution shall be interpreted to limit the rights and obligations of any CPC to manage and develop the tuna fisheries under its jurisdiction or in which it maintains a longstanding and significant interest.
12. To urge all non-Parties to provide the information required by this resolution and comply with its provisions.

\* Costa Rica, Colombia, and Peru maintain long-term capacity requests of up to 16,422 m<sup>3</sup>, 14,046 m<sup>3</sup>, and 9,046 m<sup>3</sup>, respectively. The Parties also acknowledge that France has expressed an interest in developing a tuna purse-seine fleet on behalf of its overseas territories in the EPO.

**INTER-AMERICAN TROPICAL TUNA COMMISSION**

**89<sup>TH</sup> MEETING**

Guayaquil (Ecuador)

29 June-3 July 2015

**PROPOSAL IATTC-89 J-1 REV4**

**SUBMITTED BY THE UNITED STATES**

**RESOLUTION TO AID IN ESTABLISHING A REBUILDING PLAN  
FOR PACIFIC BLUEFIN TUNA**

**EXPLANATORY MEMORANDUM**

**Rationale:** This proposal focuses on establishing interim rebuilding objectives and a general strategy for rebuilding Pacific Bluefin Tuna.

This proposal includes a “rebuilding strategy” with a process for obtaining information from the ISC and IATTC staff to support the development and implementation of effective conservation and management measures, harvest control rules and reference points.

*Rebuilding objectives:* The primary objective in any rebuilding plan is to rebuild the stock to a specified level (“rebuilding target”) in a specified time (“rebuilding period”) and in an equitable manner (“relative fishery impact on SSB”). Until the analysis of strategies is complete, a median SSB of 42,592mt will serve as an interim rebuilding objective.

With respect to the rebuilding period, we recognize the tradeoffs between the need to rebuild the stock quickly in order to lessen the risk of recruitment failure and the economic impacts of making rapid and large reductions in harvest rates.

In addition to the interim objective of rebuilding the Pacific bluefin tuna stock within a specific amount of time, this proposal includes secondary objectives related to fishing opportunities during the rebuilding period and equitability in the conservation burden.

*Rebuilding strategy:* This proposal would establish a process using the management strategy evaluation (MSE) approach for developing scientific advice to aid in finding an appropriate balance between the long-term benefits from rebuilding the stock and the near-term costs associated with such rebuilding, as well as to account for scientific uncertainty in stock dynamics and other factors. MSE can help identify rebuilding strategies that meet the agreed upon rebuilding objectives and that are as robust as possible with respect to uncertainty and natural variation.<sup>5</sup>

MSE involves a series of steps to evaluate a set of candidate management strategies.<sup>6</sup> The managers are generally responsible for the steps of establishing the management objectives and associated performance measures, and for identifying candidate management strategies.

<sup>5</sup> See Holland, D. S. (2010), “Management Strategy Evaluation and Management Procedures: Tools for Rebuilding and Sustaining Fisheries”, *OECD Food, Agriculture and Fisheries Working Papers*, No. 25, OECD Publishing.

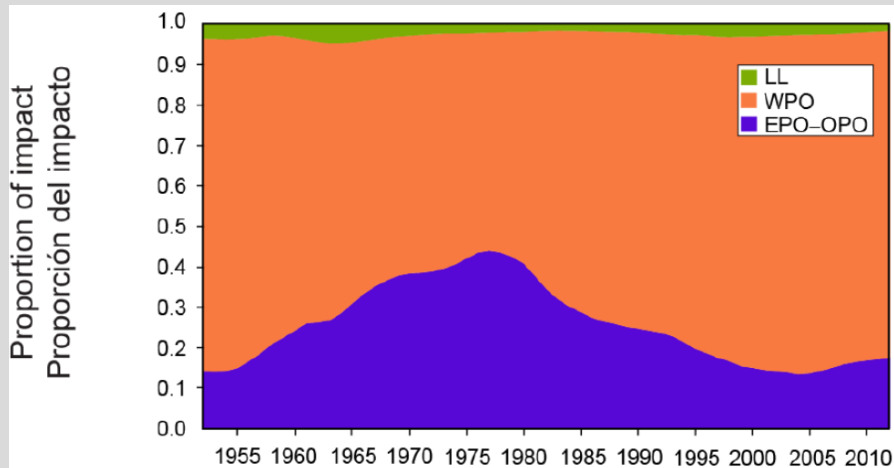
<sup>6</sup> See Punt, A. E. and G. P. Donovan. 2007. Developing management procedures that are robust to uncertainty: lessons from the International Whaling Commission. *ICES J. Mar. Sci.* (2007) 64 (4): 603-612.

The scientists are generally responsible for the steps of developing an operating model and using it to simulate the application of the candidate management strategies into the future and evaluating how they perform with respect to the management objectives, using the specified performance measures. This proposal would establish an initial set of candidate management or harvest strategies to be evaluated along with a set of performance measures. The ISC and IATTC staff would be requested to undertake the remaining steps. It is emphasized that MSE is an iterative process, evolving as the managers identify new candidate management strategies and the scientists refine the stock assessment model and operating model.

*Coordination with the WCPFC:* Although the decisions of the IATTC and WCPFC reflect their commitment to work together to rebuild the Pacific bluefin tuna stock, coordination has been challenging. This situation is a result of logistical reasons (e.g., the respective timing of their meetings) and the challenge in finding a balance in conservation actions on both sides of the ocean that is perceived to be equitable by both organizations. This challenge is exacerbated by the two organizations choosing different management strategies (effort and catch limits in the WCPO; catch limits in the EPO), and the fisheries on each side having very different histories. This proposal seeks to resolve these difficulties by reaching an understanding in balancing conservation actions.

We propose to express that balance in terms of the proportion of total fishery impact to the SSB of the respective fisheries in both sides of the ocean. We believe this is an objective and appropriate measure. After examining the history of the relative impacts of the fisheries on the two sides of the ocean, as shown in Figure 1, we suggest a range in the balance of impact of 55-85% in WCPO fisheries and 15-45% impact in EPO fisheries would be appropriate for analysis. It can be seen in Figure 1 that from 1950 to 2013 the proportional impacts of the WCPO:EPO fisheries have ranged from approximately 87:13 to 55:45, and the breakdown in 2012 was approximately 82:18.

Figure 1. Impacts of longline fisheries, WCPO non-longline fisheries, and EPO purse seine and sport fisheries on the spawning stock biomass of Pacific bluefin tuna (Figure 19 in IATTC Document SAC-05-10a; a shorter history is available as Figure 6-4 of the ISC’s “Stock Assessment of Bluefin Tuna in the Pacific Ocean in 2014”).



# **RESOLUTION TO AID IN ESTABLISHING A REBUILDING PLAN FOR PACIFIC BLUEFIN TUNA**

*The Inter American Tropical Tuna Commission (IATTC)*

*RECOGNIZING* that the latest stock assessment of Pacific bluefin tuna (PBF), completed by the International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean (ISC) in 2014, indicates that the stock is in a depleted condition, with the spawning stock biomass (SSB) in 2012 estimated to be near historically low levels.

*NOTING* that the International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean (ISC) advised that the projection by the strictest scenario results in an increase in SSB even if the current low recruitment continues.

*RECALLING* that Article VII, paragraph 1(c) of the Antigua Convention provides that the Commission shall “adopt measures that are based on the best scientific evidence available to ensure the long-term conservation and sustainable use of the fish stocks covered by this Convention and to maintain or restore the populations of harvested species at levels of abundance which can produce the maximum sustainable yield...” (MSY).

*ALSO NOTING* that the IATTC has adopted MSY-based interim target reference points for tropical tuna species.

*UNDERSTANDING* that PBF is a Pacific-wide stock that should be managed jointly by the Western and Central Pacific Fisheries Commission (WCPFC) and IATTC.

*Agrees that:*

## **SECTION 1: INTERIM REBUILDING OBJECTIVE**

1. For purposes of the initial analysis in Section 2 below, the interim rebuilding objective is to rebuild the Pacific bluefin tuna (PBF) stock SSB to the historical median (42,592 metric tons (mt)) by 2024.
2. During the interim rebuilding period, secondary management objectives are to:
  - Maintain fishing opportunities in all existing PBF fisheries to the extent compatible with the interim rebuilding objective;
  - Maintain an equitable balance of conservation burden among members and between the Eastern Pacific Ocean (EPO) and Western and Central Pacific Ocean (WCPO).

## **SECTION 2: REBUILDING STRATEGY**

3. The IATTC will work with the WCPFC and ISC to evaluate the expected performance of candidate harvesting scenarios based on the results of the most recent stock assessment, and appropriate projections/simulations.
  - a. Candidate harvesting scenarios: The following scenarios should be evaluated under low, average and high recruitment, as well as with the possible scenarios of biological assumptions (e.g., stock-recruitment relationship, natural mortality). The ISC is invited to evaluate additional candidate harvest scenarios as requested by the WCPFC. The IATTC initially agrees that the harvest scenarios that should be evaluated include:
    - i. 3,300 mt/yr in EPO commercial PBF fisheries; 2002-04 fishing effort in all WCPO PBF-directed fisheries; 50% of 2002-04 catches of <30kg PBF in all WCPO fisheries; 2002-04

catches of  $\geq 30$ kg PBF in all WCPO fisheries.<sup>7</sup> (i.e., current management measures in EPO and WCPO)

- ii. 3,300 mt/yr in EPO commercial PBF fisheries; 2002-04 fishing effort in all WCPO PBF-directed fisheries; and 50% of 2002-2004 catches in all WCPO fisheries.<sup>3</sup> (i.e., current management with additional reduction for adults in WCPFC)
  - iii. 50% of 2010-2012 catches in all WCPO and EPO fisheries and across all age classes with steepness 0.99 and 0.85.
  - iv. A 30% reduction in all catch from scenario 3.a.i, 3.a.ii, and 3.a.iii.
  - v. A 50% reduction in all catch from scenario 3.a.i, 3.a.ii, and 3.a.iii.
  - vi. A harvest control rule in which catch limits in each fishery are fixed for three years, reviewed in concert with the latest full stock assessment, with the catch limits distributed among fisheries such that the distribution of impacts on SSB is as would be expected under harvest scenarios 3.a.i, 3.a.ii and 3.a.iii. The harvest control rule shall also be set such that achieves the interim rebuilding objective. This harvest control rule shall also be evaluated with the following assumptions:
    - With an 85/15 split of impacts to the SSB in the WCPO and EPO respectively, equitably reducing the EPO and/or WCPO catch limits as appropriate
    - With an 80/20 split of impacts to the SSB in the WCPO and EPO respectively, equitably reducing the EPO and/or WCPO catch limits as appropriate.
    - With a 75/25 split of impacts to the SSB in the WCPO and EPO respectively, equitably reducing the EPO and/or WCPO catch limits as appropriate.
    - With a 70/30 split of impacts to the SSB in the WCPO and EPO respectively, equitably reducing the EPO and/or WCPO catch limits as appropriate.
    - With a 60/40 split of impacts to the SSB in the WCPO and EPO respectively, equitably reducing the EPO and/or WCPO catch limits as appropriate.
  - vii. A harvest control rule in which catches in each fishery that takes PBF of less than 30kg are limited, with the limits reset every year, in concert with the latest value of a recruitment index based on catch per unit effort in one or more of the most appropriate of Japan's inshore fisheries, lagged appropriately. The harvest control rule shall also be set such that it achieves the interim rebuilding objective, with the catch limits distributed among fisheries such that the distribution of impacts on SSB is as would be expected under harvest scenario 3.a.i.
- b. Performance measures: the IATTC, in coordination with the WCPFC and ISC, based on the stock assessment by ISC in 2016, shall seek to measure the performance of candidate harvest scenarios in the following terms, at a minimum:
- i. Probability of achieving the interim rebuilding objective.
  - ii. For scenarios 5.a.i to 5.a.iv, the time to achieve the interim rebuilding objective.
  - iii. The time to achieve possible candidates of target reference points including Bmsy. Expected average annual yield in short and long periods (i.e., 5 years from 2015 and 15 years from 2020), by all PBF fisheries. Expected annual fishing effort, by all PBF fisheries.
  - iv. Inter-annual variability in yield and fishing effort, by all PBF fisheries.
  - v. Probability of SSB falling below the historical lowest level.
  - vi. Expected proportional fishery impact on spawning stock biomass of all EPO and all WCPO PBF fisheries.
  - vii. Expected proportional fishery impact on spawning stock biomass of all EPO and all WCPO PBF fisheries.

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<sup>7</sup> For the fisheries in which  $F$  is not explicitly limited, the projections should be run such that  $F$  in the fishery is not allowed to exceed ten times the 2010-2012 average level in that fishery.



- c. On or before its 2017 Annual (Ordinary) Meeting, the IATTC, if necessary, based on the analysis described in Paragraphs 3.a and 3.b of this section, and in consideration of an analysis by the IATTC staff concerning the comparability and equity of measures taken by the WCPFC, shall develop equitable and comparable conservation and management measures that, when combined with WCPFC measures, would have at least a 60% probability of achieving the interim rebuilding objective.

### **SECTION 3: DETERMINATION OF FINAL REBUILDING OBJECTIVES**

4. The IATTC shall consider and develop reference points and harvest control rules for the long term management of PBF after the completion of the analysis in Paragraphs 3.a, 3.b and 3.c of Section 2. To this end, the IATTC shall request of the WCPFC to have a joint meeting of both organizations with stakeholders after the ISC stock assessment completed in 2016 in order to adopt the same reference points.

### **SECTION 4: MANAGEMENT AFTER REBUILDING**

5. Once the IATTC and WCPFC determine that the interim rebuilding objectives determined under section 1 have likely been achieved, and the management plan as specified in Section 3 has been approved, this resolution shall no longer apply.
6. Management of the stock then shall be guided by the management plan approved under section 3.

### **SECTION 5: COORDINATION WITH THE WCPFC**

7. If agreed by the WCPFC, the IATTC understands and expects that once the IATTC or WCPFC has adopted a binding measure for a given period, the other organization will, at its first opportunity, make best effort to adopt a complementary measure for at least the same time period. The IATTC will continue to advocate for the use of relative fishery impact on SSB as the principal measure of equity and potential allocation in its engagements with the WCPFC.
8. IATTC staff shall seek to establish a system of communication and information sharing with the WCPFC, including the real-time sharing of relevant management measures taken by either RFMO and by the Parties thereto (i.e., time and date of closure of a particular fishery).

INTER-AMERICAN TROPICAL TUNA COMMISSION

89<sup>TH</sup> MEETING

Guayaquil (Ecuador)

29 June-3 July 2015

PROPOSAL IATTC-89 K-1 REV

SUBMITTED BY THE UNITED STATES

AMENDMENT TO RESOLUTION C-11-02 TO MITIGATE THE IMPACT  
ON SEABIRDS OF FISHING FOR SPECIES COVERED BY THE IATTC

EXPLANATORY MEMORANDUM

**Description and Rationale:** The United States is proposing to revise Resolution C-11-02 (*Resolution to mitigate the impact on seabirds of fishing for species covered by the IATTC*) to generally implement recommendations from IATTC staff presented at both the 2014 and 2015 meetings of the Scientific Advisory Committee and harmonize it with the seabird conservation measure adopted by the Western and Central Pacific Fisheries Management Council (WCPFC) in 2012.

For southern areas, the proposal would require the use of at least two of the following three mitigation methods in combination, line weighting, night setting, and tori lines, which is consistent with current advice from the Agreement on the Conservation of Albatrosses and Petrels (ACAP) regarding seabird mitigation techniques, as described in document SAC-05 INF-E. In the northern areas, the two column approach would be retained (although blue-dyed bait and underwater setting chute would be removed from column B) to provide for additional options for bycatch mitigation measures. The assemblage of seabird species are different in the northern areas and, in general, do not dive as deeply as the albatrosses and petrels in the south. Furthermore, side-setting is retained in column A because it has been demonstrated to be effective in the Hawaii longline fishery in reducing bycatch of albatross species.

Considering that some islands in the area currently exempted from the seabird bycatch mitigation measures are breeding habitat for the Laysan albatross and this species is known to range over coastal and pelagic areas across the North Pacific, the proposal seeks to apply the mitigation measures at least to all areas north of 23°N. The proposal would also apply the measures to all longline vessels that are not propelled by outboard motors. Longline gear is known to interact with seabirds, and there is no empirical evidence that suggests that the size of the vessel deploying the gear is a factor that influences bycatch.

The proposal includes three annexes, including: (1) an updated map of where measures to reduce seabird bycatch would be required, (2) updates to the specifications for the mitigation measures that are included in the resolution, and (3) supplemental guidelines for the design and deployment of tori lines. The specifications and supplemental guidelines are consistent with ACAP best practice advice.

*The Inter-American Tropical Tuna Commission (IATTC)*, gathered in Ecuador on the occasion of its 89<sup>th</sup> Meeting:

*Concerned* that some seabird species, notably albatrosses and petrels, are threatened with global extinction;

*Recognizing* that some threatened and endangered seabird populations are found in the eastern Pacific Ocean (EPO);

*Recalling* that tuna Regional Fisheries Management Organizations responsible for other ocean areas have adopted measures to mitigate the accidental bycatch of seabirds in longline fisheries;

*Taking account of* the work of the IATTC, including the IATTC Technical Meeting on Seabirds held on 11 May 2009, that has shown that combining different mitigation measures is more effective than using a single measure in reducing bycatch of seabirds;

*Noting* that scientific research into mitigation of seabird bycatch in longline fisheries has shown that the effectiveness of measures depends on the type of vessel, the season, and the species of seabirds present; and

*Noting* that effective mitigation measures can reduce the loss of bait and therefore increase catches;

Agrees that:

1. Commission Members and cooperating non-Members (CPCs) shall, to the greatest extent practical, implement the International Plan of Action for Reducing Incidental Catches of Seabirds in Longline Fisheries (IPOA-Seabirds) if they have not already done so.
2. CPCs shall report to the IATTC on their implementation of the IPOA-Seabirds, including, as appropriate, the status of their National Plans of Action for reducing incidental catches of seabirds in longline fisheries.

*Southern Areas (South of 30°S)*

3. CPCs shall require their longline vessels<sup>1</sup> when setting longline gear south of 30°S bounded by the coastline at 2°N, west to 2°N-95°W, south to 15°S-95°W, east to 15°S-85°W, and south to 30°S, see Annex 1), to simultaneously use at least two of these three measures: weighted branch lines, night setting and tori lines. Vessels shall follow the technical specifications for these measures provided in Annex 2. Annex 3 provides supplemental guidelines for the design and deployment of tori lines.

*Northern Areas (North of 23°N)*

4. CPCs shall require their longline vessels that use hydraulic, mechanical, or electrical systems to use at least two of the mitigation measures in Table 1 when setting gear<sup>2</sup>, including at least one from Column A, in the EPO north of 23°N. Vessels shall follow the technical specifications for these measures provided in Annex 2. Annex 3 provides supplemental guidelines for the design and deployment of tori lines.

**Table 1: Mitigation measures**

Column A	Column B
Night setting with minimum deck lighting	<i>Tori</i> line <sup>3</sup>
<i>Tori</i> line	Deep-setting line shooter
Weighted branch lines	Management of offal discharge
Side-setting with bird curtains and weighted branch lines <sup>4</sup>	Blue-dyed bait

5. CPCs are encouraged to undertake and support research and trials aimed at developing and refining

<sup>1</sup> Vessels propelled by outboard motors are not subject to this resolution.

<sup>2</sup> Management of offal discharge is a mitigation measure employed during gear hauling, as well as gear setting, and should be employed as described in the Annex 2 Technical Specifications

<sup>3</sup> If tori line is selected from both Column A and Column B this equates to simultaneously using two (i.e. paired) tori lines.

<sup>4</sup> If using side setting with a bird curtain and weighted branch lines from column A this will be counted as two mitigation measures.

mitigation methods for longline fisheries in the North Pacific Ocean that are operationally feasible, demonstrated to significantly reduce seabird interactions, and are cost-effective and to share the results of such work with the Commission. The scientific staff of the IATTC, in coordination with the Scientific Advisory Committee (SAC), shall present to the Commission at its 2017 annual meeting recommendations for whether additional best practice measures, including measures that address by-catch during hauling, should be added to Table 1, and whether any of the current measures should be removed.

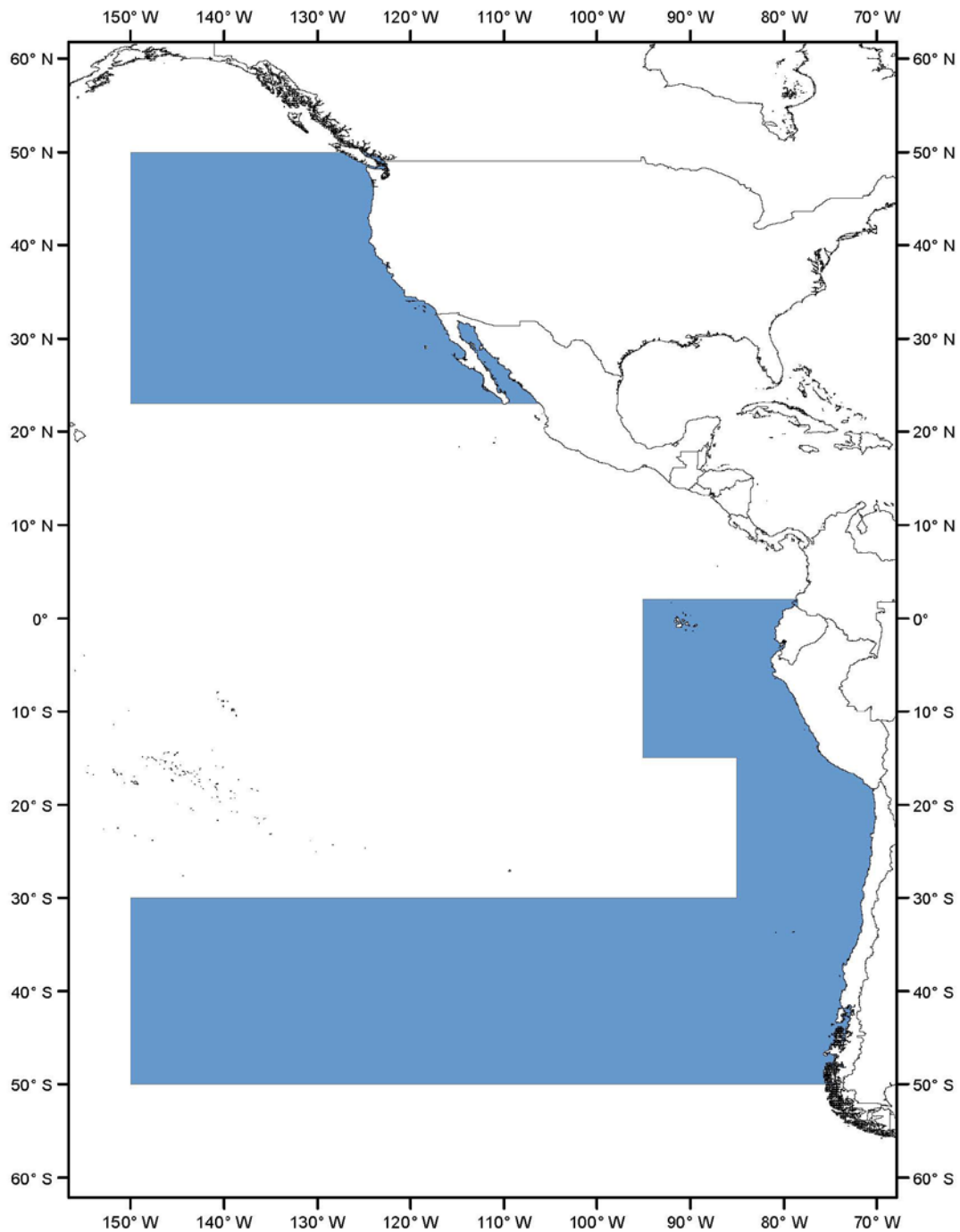
*Other Areas*

6. CPCs with longline vessels fishing in the EPO, other than the area mentioned in paragraphs 3 and 4, are encouraged to have their vessels employ at least one of the mitigation measures included in Column A of Table 1 when setting their gear.

*All Areas*

7. CPCs shall inform the IATTC, by August 1, 2016, which of the mitigation measures they require their vessels to use, as well as the technical specifications for each of those mitigation measures. Each CPC shall report for subsequent years any changes it has made to its required mitigation measures or technical specifications for those measures.
8. CPCs shall annually provide to the IATTC all available relevant information on interactions with seabirds reported, or collected by observers, including mitigation used, observed and reported species-specific seabird bycatch rates and numbers, to enable the SAC to estimate seabird mortality in all fisheries managed by the IATTC.
9. CPCs are encouraged to establish national programs to place observers aboard longline vessels flying their flags or fishing in their waters, for the purpose of, *inter alia*, gathering information on the interactions of seabirds with the longline fisheries.
10. CPCs are encouraged to adopt measures aimed at ensuring that seabirds captured alive during longline fishing operations are released alive and in the best condition possible, and that, whenever possible, hooks are removed without jeopardizing the life of the seabird. Research into the survival of released seabirds is encouraged.
11. CPCs shall implement the provisions of this resolution that differ from those in Resolution C-11-02 no later than August 1, 2016, and until that date, the provisions of C-11-02 shall remain in effect.
12. The effectiveness of this resolution to reduce seabird bycatch in the EPO, including the mitigation measures, the area of application, and the technical specifications adopted pursuant to this resolution, shall be subject to review and possible modification, taking into account the scientific advice from the SAC and the IATTC scientific staff.
13. The SAC will also consider the need to extend this resolution to other fleets operating in the EPO.
14. This resolution replaces IATTC Resolution C-11-02.

## Annex 1



Areas<sup>5</sup> (shaded) within the EPO in which the use of mitigation measures for reducing seabird bycatch is required as specified in paragraphs 3 and 4: north of 23°N and south of 30°S, plus the area bounded by the coastline at 2°N, west to 2°N-95°W, south to 15°S-95°W, east to 15°S-85°W, and south to 30°S.

<sup>5</sup> This map is for illustrative purposes only

**Technical Specifications****1. Night setting**

- i. No setting between nautical dawn and nautical dusk.
- ii. Nautical dusk and nautical dawn are defined as set out in the Nautical Almanac tables for relevant latitude, local time and date.
- iii. Deck lighting is to be kept to a minimum. Minimum deck lighting should not breach minimum standards for safety and navigation.

**2. Weighted branch lines**

- i. Following minimum weight specifications are required:
  - greater than or equal to a total of 45grams (g) attached within 1 meter (m) of the hook; or
  - greater than or equal to a total of 60 g attached within 3.5 m of the hook; or
  - greater than or equal to a total of 98 g weight attached within 4 m of the hook.

**3. Tori lines****a. For vessels  $\geq$  35 m total length**

- i. Deploy at least 1 tori line during the entire longline setting to deter birds from approaching the branch line. The tori line shall be deployed windward of sinking baits. Where practical, vessels are encouraged to use a second tori line at times of high bird abundance or activity. Both tori lines shall be deployed simultaneously, one on each side of the line being set. If two tori lines are used, baited hooks shall be deployed within the area bounded by the two tori lines.
- ii. A tori line using long and short streamers shall be used. Streamers shall be brightly colored and a mix of long and short streamers.
  - a. Long streamers shall be placed at intervals of no more than 5 m, and must be attached to the line with swivels that prevent streamers from wrapping around the line. Long streamers of sufficient length to reach the sea surface in calm conditions must be used.
  - b. Short streamers (greater than 1 m in length) shall be placed no more than 1 m apart.
- iii. Vessels shall deploy the tori line to achieve a desired aerial extent greater than or equal to 100 m. To achieve this aerial extent the tori line shall have a minimum length of 200 m, and shall be attached to a tori pole  $>$  7 m above the sea surface located as close to the stern as practical.

**b. For vessels  $<$  35 m total length**

- i. A single tori line using either long and short streamers, or short streamers only shall be used.
- ii. Streamers shall be brightly colored. Long and/or short (but greater than 1 m in length) streamers must be used and placed at intervals as follows:
  - a. Long streamers placed at intervals of no more than 5 m for the first 55 m of tori line.
  - b. Short streamers placed at intervals of no more than 1 m.
- iii. Long streamers shall be attached to the line with swivels that prevent streamers from wrapping around the line. All long streamers shall reach the sea-surface in calm conditions.
- iv. Vessels shall deploy the tori line to achieve a desired aerial extent of 75 m. To achieve this aerial extent the tori line shall have a minimum length of 100 m, and shall be attached to a tori pole  $>$  6 m above the sea surface located as close to the stern as practical. If the tori line is less

than 150 m in length, it must have a towed object attached to the end so that the aerial extent is maintained over the sinking baited hooks.

- v. If two tori lines are used, the two lines must be deployed on opposing sides of the main line.

#### **4. Tori lines (Other Areas)**

##### **a. Long streamer**

- i. Minimum length: 100 m
- ii. Must be attached to the vessel such that it is suspended from a point a minimum of 5 m above the water at the stern on the windward side of the point where the hookline enters the water.
- iii. Must be attached so that the aerial extent is maintained over the sinking baited hooks.
- iv. Streamers must be less than 5 m apart, be using swivels and long enough so that they are as close to the water as possible.
- v. If the tori line is less than 150 m in length, must have a towed object attached to the end so that the aerial extent is maintained over the sinking baited hooks.
- vi. If two (*i.e.*, paired) tori lines are used, the two lines must be deployed on opposing sides of the main line.

##### **b. Short streamer (light streamer)**

- i. Minimum length of tori line: 100 m or three times the total length of the vessel.
- ii. Must be attached to the vessel such that it is suspended from a point a minimum of 5 m above the water at the stern on the windward side of a point where the hookline enters the water.
- iii. Must be attached so that the aerial extent is maintained over the sinking baited hooks.
- iv. Streamers must be less than 1m apart and be 30 cm in minimum length.
- v. If two (*i.e.*, paired) tori lines are used, the two lines must be deployed on opposing sides of the main line.

#### **5. Side setting with bird curtain and weighted branch lines**

- i. Mainline deployed from port or starboard side as far from stern as practicable (at least 1 m), and if mainline shooter is used, must be mounted at least 1m forward of the stern.
- ii. When seabirds are present ensure the mainline is deployed slack so that baited hooks remain submerged.
- iii. Bird curtain must be employed:
  - Pole aft of line shooter at least 3 m long;
  - Minimum of 3 main streamers attached to upper 2 m of pole;
  - Main streamer diameter minimum 20 mm;
  - Branch streamers attached to end of each main streamer long enough to drag on water (no wind) – minimum diameter 10 mm.

#### **6. Management of offal discharge**

- i. Either:
  - No offal discharge during setting or hauling; or
  - Strategic offal discharge from the opposite side of the boat to setting/hauling to actively encourage birds away from baited hooks.
- ii. Ensure that all hooks are removed from the offal prior to discharge.

#### **7. Deep-setting line shooter**

- i. Line shooters must be deployed in a manner such that the hooks are set substantially deeper than they would be lacking the use of the line shooter, and such that the majority of hooks reach depths of at least 100 m.

#### **8. Blue dyed bait**

- ii. The IATTC Secretariat shall distribute a standardized color placard.
- iii. All bait must be dyed to the shade shown in the placard.

### **Annex 3**

## **Supplemental Guidelines for Design and Deployment of Tori Lines**

### ***Preamble***

Minimum technical standards for deployment of tori lines are found in Annex 2 of this Resolution, and are not repeated here. These supplemental guidelines are designed to assist in preparation and implementation of tori line regulations for longline vessels. While these guidelines are relatively explicit, improvement in tori line effectiveness through experimentation is encouraged, within the requirements of Annex 2 in the Resolution. The guidelines take into account environmental and operational variables such as weather conditions, setting speed and ship size, all of which influence tori line performance and design in protecting baits from birds. Tori line design and use may change to take account of these variables provided that line performance is not compromised. On-going improvement in tori line design is envisaged and consequently review of these guidelines should be undertaken in the future.

### ***Tori line design***

1. An appropriate towed device on the section of the tori line in the water can improve the aerial extension.
2. The above water section of the line should be sufficiently light that its movement is unpredictable to avoid habituation by birds and sufficiently heavy to avoid deflection of the line by wind.
3. The line is best attached to the vessel with a robust barrel swivel to reduce tangling of the line.
4. The streamers should be made of material that is conspicuous and produces an unpredictable lively action (e.g., strong fine line sheathed in red polyurethane tubing) suspended from a robust three-way swivel (that again reduces tangles) attached to the tori line.
5. Each streamer should consist of two or more strands.
6. Each streamer pair should be detachable by means of a clip so that line stowage is more efficient.

### ***Deployment of tori lines***

1. The line should be suspended from a pole affixed to the vessel. The tori pole should be set as high as possible so that the line protects bait a good distance astern of the vessel and will not tangle with fishing gear. Greater pole height provides greater bait protection. For example, a height of around 8 m encouraged to install manual, electric or hydraulic winches to improve ease of deployment and retrieval of tori lines.
2. If vessels use only one tori line it should be set to windward of sinking baits. If baited hooks are set outboard of the wake, the streamer line attachment point to the vessel should be positioned several meters outboard of the side of the vessel that baits are deployed.
3. Deployment of multiple tori lines is encouraged to provide even greater protection of baits from birds. If vessels use two tori lines, baited hooks should be deployed within the area bounded by the two tori lines.
4. Because there is the potential for line breakage and tangling, spare tori lines should be carried onboard to replace damaged lines and to ensure fishing operations can continue uninterrupted. Breakaways can be incorporated into the tori line to minimize safety and operational problems should a longline float foul or tangle with the in-water extent of a streamer line.
5. When fishers use a bait casting machine (BCM), they must ensure coordination of tori line and machine by:
  - a. ensuring the BCM throws directly under the tori line protection, and
  - b. when using a BCM (or multiple BCMs) that allows throwing to both port and starboard, two



- tori lines should be used.
6. When casting branchline by hand, fishers should ensure that the baited hooks and coiled branchline sections are cast under the tori line protection, avoiding the propeller turbulence which may slow the sink rate.
  7. Fishers are encouraged to install manual, electric or hydraulic winches to improve ease of deployment and retrieval of tori lines.

**INTER-AMERICAN TROPICAL TUNA COMMISSION**

**89<sup>TH</sup> MEETING**

Guayaquil (Ecuador)

29 June-3 July 2015

**PROPOSAL IATTC-89 M-1 REV**

**SUBMITTED BY MEXICO**

**AMENDMENT TO RESOLUTION C-11-08 ON OBSERVERS ON  
LONGLINE VESSELS**

**EXPLANATORY MEMORANDUM**

The current resolution C-11-08 on observers on longline vessels makes it obligatory to have a coverage of 5% of fishing effort made by its longline fishing vessels more than 20 meters long.

Within the recommendations on tuna conservation for this year, the scientific staff the IATTC notes as follows:

*“The information provided is insufficient for a rigorous evaluation of the adequacy of 5% coverage for their longline fisheries. The data show that 5% is too low a level of coverage to allow accurate estimates of the catch of species caught infrequently in those fisheries. In other studies in which large amounts of information has been collected, a 20% level of coverage has been calculated to be adequate to provide reliable estimates of the infrequently-caught species.*

*The staff maintains its recommendation of 20% observer coverage of large longline vessels until sufficient information is available to justify a revision.”*

In this context, it is considered advisable that the current resolution be modified in order to accommodate a coverage that is necessary and greater than 20%.

The changes that should be made to the current resolution are indicated below.

The Inter-American Tropical Tuna Commission (IATTC), gathered in Guayaquil, Ecuador, on the occasion of its 89<sup>nd</sup> Meeting:

*Recognizing* the need to collect better scientific information on target species as well as comprehensive data on interactions with non-target species, in particular, sea turtles, sharks and seabirds;

*Noting* the need to ensure and promote uniform and equitable treatment of all tuna-fishing vessels operating in the Convention Area;

*Noting* that large purse-seine vessels operating in the Antigua Convention Area are required to carry 100% scientific observers aboard, in accordance with the Agreement on the International Dolphin Conservation Program;

*Taking* into account and reaffirming the recommendation by the Commission’s scientific staff to increase the coverage by observers of longline vessel fishing effort to 20%;

Agrees that:

1. Each Member and cooperating non-Member (CPCs) shall ensure that, from 1 January 2016:

- b. At least 20% of the fishing effort made by its longline fishing vessels greater than 30 meters length overall carry a scientific observer.
  - c. At least % of the fishing effort made by its longline fishing vessels greater than 25 meters length overall and less than 30 meters length overall carry a scientific observer.
  - d. At least 5% of the fishing effort made by its longline fishing vessels less than 25 meters length overall carry a scientific observer.
2. Fishing effort shall be determined by the number of fishing days.
3. Each CPC shall ensure that observer coverage will be representative of the activities of its fleet.
4. The main task of the scientific observers shall be to record any available biological information, the catches of targeted fish species, species composition and any available biological information as well as any interactions with non-target species such as sea turtles, seabirds and sharks.
5. The Director, in cooperation with the Scientific Advisory Committee, shall review the reporting format detailing the required data to be collected by scientific observers on longline vessels and will communicate it to the Commission.
6. Scientific observers shall submit to their flag CPC authorities a report on these observations at the latest 30 days after the end of each fishing trip.
7. Every year, CPCs shall submit to the Scientific Advisory Committee, through the Director, by 31 March, the scientific observers' information on the previous year's fishery in a format established by the Scientific Advisory Committee.
8. Recognizing that the electronic observers systems (CCTV<sup>1</sup>) are progressing substantially and considering the good opportunity that those systems could bring to improve observer coverage, the Scientific Committee at its next meeting in 2016, is instructed by the Commission to analyze the feasibility, including costs and benefits for ~~the~~ application of verifiable electronic observer systems on board tuna vessels.

Appendix 3n

**INTER-AMERICAN TROPICAL TUNA COMMISSION**

**89<sup>TH</sup> MEETING**

Guayaquil (Ecuador)

29 June-3 July 2015

**PROPOSAL IATTC-89 N-1**

**SUBMITTED BY GUATEMALA**

**TERMS OF REFERENCE FOR THE ESTABLISHMENT OF AN *AD HOC*  
WORKING GROUP FOR THE REVIEW OF THE RULES OF  
PROCEDURE OF THE INTER-AMERICAN TROPICAL TUNA  
COMMISSION**

The Inter-American Tropical Tuna Commission (IATTC) is governed by the provisions of the 2003 Antigua Convention, which entered into force in 2010, and by the resolutions in force adopted by the Commission since its creation in 1949 and to date.

Achieving the objective of the Antigua Convention, depends in great measure on the efficacy and efficiency of the Commission's work, for which rules of procedure play a fundamental role.

The rules of procedure in force, adopted after the entry into force of the Antigua Convention by means of Resolution C-12-03 and amended by Resolution C-14-08, establish in their paragraph 50 that:

*"...The Commission shall review these rules no later than its annual meeting in 2015, and consider revising them as necessary for the effective and efficient operation of the Commission. ..."*

The call to review the Rules of Procedure contained in the transcribed paragraph, allow the Commission to carry out a comprehensive review of the procedures adopted, both in the general Rules, and in the specific rules contained in the resolutions in force, both at the specific time that decisions are taken, and in matters relating to the expected monitoring and control, and in general in the entire process of interaction of the various bodies, in a manner compatible with the provisions of the Antigua Convention, in the interests of greater efficacy and efficiency in the overall performance of the Commission.

The establishment of a technical, multidisciplinary and participative *Ad Hoc* Working Group is proposed, made up of both the specialised staff of the Commission and the CPCs, charged with considering and developing concrete proposals for amending the procedures in force, considering the existing rules, their implementation history, the outlook for the fishery and the dynamics of fishing activities under the Commission's purview. The Working Group will work through meetings or virtually during the 2015-2016 intersessional period and will report the results of its work to the Commission at its regular annual meeting in 2016.

*The Inter-American Tropical Tuna Commission,*

*Considering that the Rules of Procedure in force establish that "...The Commission shall review these rules no later than its annual meeting in 2015, and consider revising them as necessary for the effective and efficient operation of the Commission. ...",*

*Considering the advisability of utilizing this process in the interests of greater efficiency and efficacy in the Commission's work;*

*Recognising* that reviewing the Rules of Procedure is a process that involves the participation of CPCs and of the specialized staff of the Commission;

*Agrees:*

1. An Ad Hoc Working Group is established for the review of the rules of procedure of the Inter-American Tropical Tuna Commission, of a technical nature, made up of whomever the CPCs designate, the Director and the relevant specialized staff, and directed by a Coordinator appointed by the Commission;
2. CPCs shall notify the Coordinator of the Working Group and the Director of their interest in participating in the process and shall provide the mechanisms that will guarantee the participation of their representatives.
3. The Coordinator shall convene a first meeting of the Ad Hoc Group before the month of September of 2015, at which its program of work and a schedule shall be approved.
4. The Working Group shall review the different sources of the procedures agreed by the Inter-American Tropical Tuna Commission, receive comments from CPCs and the Commission staff through the Director on the matters defined in paragraph 1 *inter alia*:
  - a. Clarity of the procedures
  - b. Effectiveness of the procedures with regard to the objective that is sought.
  - c. Voids or gaps that require attention
  - d. Proposals for improvements
  - e. Other observations that they consider relevant
5. The Group's proposals shall be presented to the Commission within the period necessary for their reception by the Director in order to allow them to be discussed at the regular annual meeting of the Commission in 2016.

**INTER-AMERICAN TROPICAL TUNA COMMISSION**  
**COMMITTEE ON ADMINISTRATION AND FINANCE**  
**3<sup>RD</sup> MEETING**  
**Guayaquil, Ecuador**  
**25 June 2015**

**REPORT OF THE MEETING**  
**AGENDA**

	Documents
17 Opening of the meeting	
18 Adoption of the agenda	
19 Review of the financial audit report	
20 Review of budgets for 2016 and 2017	CAF-03-04
21 Financial contributions by Members:	
a) Regular budget (Resolution <a href="#">C-13-06</a> )	
b) Special Fund for promoting institutional capacity (Resolution <a href="#">C-11-11</a> )	CAF-03-05b
c) Program to monitor transshipments at sea (Resolution <a href="#">C-12-07</a> )	CAF-03-05c
d) Other	
22 Other business	
23 Recommendations to the Commission	
24 Adjournment	

**APPENDIX**

1. List of attendees

**1. Opening of the meeting**

Mr. Lillo Maniscalchi, of Venezuela, Chairman of the Committee, opened the meeting. The list of attendees is attached as Appendix 1.

**2. Adoption of the agenda**

The provisional agenda was adopted without changes. El Salvador asked to include in point 6 "*Other business*" a presentation of its proposal on the formula for calculating the contributions of Members to the IATTC budget.

**3. Review of the financial audit report**

It was reported that the financial audit report had been given to the Commissioners and Heads of delegations. There were no comments.

**4. Review of budgets for 2015 and 2016**

Ms. Nora Wade, of the IATTC staff, presented the document [CAF-03-04](#) recalling that the budget for the current fiscal year, 2015, is US\$ 6,554,232, and requesting approval of a budget of US\$ 7,012,647 budget for 2016. She noted that this includes an increase of approximately 2% in salaries, in line with the rate of inflation and the rising cost of living in the United States, the host country of the Commission, as well as other extraordinary costs (web page design, travel costs of candidates for Director, and translation assistance), but does not include funds for the annual meeting. She also reported that there are

US\$ 3,682,994 in outstanding contributions to date, including unpaid contributions for 2015.

The United States asked whether any country had offered to host the meeting of the Commission in 2016, as the costs of annual meetings are covered by the host country, and inquired about the additional costs stemming from the resumption of the 87<sup>th</sup> regular and 88<sup>th</sup> extraordinary meetings of the IATTC in October 2014, and the funding sources that were used to cover those expenses. The United States also asked about the substantial increase in the miscellaneous expenses category.

Dr. Guillermo Compeán, Director of the IATTC, reported that no country had yet offered to host the annual meeting in 2016, and that there are no funds available for hosting the meeting if it is held at IATTC headquarters in San Diego. He also confirmed that the 87<sup>th</sup> and 88<sup>th</sup> meetings had indeed generated extraordinary costs that had not been budgeted for. Ms. Wade explained that the primary source of the increase in miscellaneous costs was the increase in costs associated with bank transfers (both when receiving contributions from Members and when transferring money to field offices). The United States stated that any transfer fees associated with the payments of contributions due by Members should be borne by the Member making the transfer, not by the IATTC budget.

Canada asked whether the difference of US \$ 129,000 between the actual total current expenditures in 2014 and the agreed budget for that year was incorporated into the 2016 budget, and also asked what would be done with the pending contributions if they were paid.

Dr. Compeán explained that there was no surplus of US\$ 129,000 in 2014, but rather a shortfall of about US \$ 1,500,000 due to unpaid contributions. In the event of payments of past-due contributions, some of that income would necessarily be used to cover approved expenditures that had been suspended due to inadequate funding. Any remainder would likely be used in a discretionary manner, such as for modest salary increases for the staff, whose salaries have been frozen for a number of years. He explained that staff salaries are the greatest expense, and that operating costs are much lower than in other similar organizations. He reiterated that the requested increase is coherent, and aims to take into account inflation and the rising cost of living and salaries in the host country, in addition to including extraordinary costs.

Responding to the European Union, Dr. Compeán explained that the IATTC website needed improvements to make it more efficient, but it could be maintained as is, and that, regarding the costs of travel of the staff, these would be continued to be kept as low as possible.

Several delegations expressed their support for approving the proposed budget.

The European Union noted that the agreed performance evaluation has not been carried out, so they were not able to assess whether the activities specified in the proposed budget should be carried out. Therefore, the European Union maintained its position of not accepting any increase in the budget until the performance evaluation is completed.

The Chairman recalled that Members had been informed by the Director about the progress made in the process of the performance review of the IATTC and AIDCP under Resolution C- 14-09, including the formation of the virtual working group and the posting on the IATTC website (and other relevant sites) of the call for bids from potential evaluators. A bid from a company with experience in such work had already been received.

Ecuador stated that it could not accept any budget increase at this time.

After long discussions, and in view of the objections of the European Union and Ecuador, the Committee concluded that it could only approve a budget for the same amount as in 2015, and this would be reported to the Commission.

Dr. Compeán noted that all delegations should clearly understand that the amount of the approved budget is not necessarily the same as the amount of contributions received, as the latter is generally lower due to non-payment by some Members, which results in a significant challenge for the Commission and its staff.

## 5. Financial contributions by Members

### a. Regular budget (Resolution [C-13-06](#))

Panama reported that it had recently made payments, and that would make great efforts to make contributions and gradually eliminate the overdue balance.

The European Union stated that the delay of Panama in its payments and the accumulation of the debt is a problem for all Members, and the commitment by Panama to make efforts to pay the pending contributions should be clearly reflected in the minutes. Other delegations supported this idea.

### b. Special Fund for promoting institutional capacity (Resolution [C-11-11](#))

Dr. Compeán presented Document CAF-03-05b on the special fund for building capacity in developing countries. Noting that Resolution C-14-03 stipulates that 2% of the Commission's budget should be allocated to the fund, he asked that the Commission indicate where the funds should come from, since they are not included in the proposed budget.

Several delegations stated that these 2% should be added to the amount of the agreed operational budget, and the sum of these two amounts would form the basis for calculating the amount of each Member's annual contribution. The European Union supported that approach, and the resulting increase in the total budget amount for 2016, because that would not represent an increase in the operational budget, but rather an additional contribution in accordance with the provisions of Resolution C-14-03.

Ecuador reiterated that it could not accept any budget increase, so there was no consensus on the matter.

### c. Program to monitor transshipments at sea (Resolution [C-12-07](#))

Mr. Ricardo Belmontes, of the IATTC staff, presented Document C-03-05c, indicating that there was a surplus in 2014, and a surplus was expected at the end of 2015. Also, the Members participating in the program had approved continuing through 2016 the contract with the *Marine Resources Assessment Group* consortium for operating the program.

A budget for 2016 of US\$ 800,000 was presented. The total contribution for 2016 by the participating Members would be US\$ 700,000; the balance would be covered by the existing surplus and the expected surplus for 2015.

## 6. Other business

El Salvador presented its proposal (IATTC-89 B-1) to modify the gross national income (GNI) categories in the formula for the calculation of contributions.

After a presentation on what the Members' contributions would be with the changes proposed by El Salvador, it was agreed to recommend to the Commission that the contributions be calculated on the basis of that proposal.

## 7. Recommendations to the Commission

After further consultations between its members, the Committee agreed to submit to the Commission the following recommendations:

1. Approve a budget of US\$ 6,774,232 for 2016, which includes funds for holding the 90th meeting of the Commission and its subsidiary bodies, including the Permanent Working Group on Fleet Capacity, in La Jolla in 2016, and for covering the total cost of the review of the IATTC and the AIDCP.
2. Approve a budget of US\$ 800,000 was approved for the transshipment observer program for 2016, US\$ 700,000 of which would be paid by the participants, with the remainder paid from the existing surplus.



**Adjournment**

The meeting was adjourned on 2 July 2015.

## Appendix 4b

**INTER-AMERICAN TROPICAL TUNA COMMISSION  
COMMITTEE FOR THE REVIEW OF IMPLEMENTATION OF  
MEASURES ADOPTED BY THE COMMISSION**

**6<sup>TH</sup> MEETING**

**Guayaquil, Ecuador  
24-25 June 2015**

## REPORT OF THE MEETING

### AGENDA

	Documents
1. Opening of the meeting	
2. Adoption of the agenda	
3. Compliance with IATTC measures in 2014:	
a. Report by the staff on compliance	COR-06-03
b. Interactions of fishing vessels with data buoys	
c. Review of the questionnaires completed by CPCs relating to Resolution <a href="#">C-11-07</a>	
4. Consideration of the IUU Vessel List	COR-06-04
5. Cooperating non-Members	COR-05-05
6. Other business	
7. Recommendations for the Commission	
8. Adjournment	

### APPENDIX

#### 1. List of attendees

The sixth meeting of the Committee for the Review of the Implementation of Measures Adopted by the Commission (COR) was held in Guayaquil, Ecuador, 24-25 June 2015.

#### 1. Opening of the meeting

The meeting was opened by the Chair of the Committee, Mr. David Hogan, of the United States. Mr. Luis Torres, of Ecuador, was appointed rapporteur.

#### 2. Adoption of the agenda

The provisional agenda was adopted with a modification to include as a new item 3b) a presentation by the United States on interactions of fishing vessels with data buoys.

#### 3. Compliance with IATTC measures in 2014:

##### a. Report by the staff on compliance

Mr. Ricardo Belmontes, of the staff, presented Document COR-06-03, which contains detailed information on compliance with IATTC resolutions in 2014, as well as on the implementation of Resolution C-11-07 on compliance. He reviewed the timeline established in Resolution C-11-07 for the

distribution and submission by CPCs of the Standard Questionnaire on Compliance, and it was emphasized that the number of infractions continues to decline. A number of Members made corrections and clarifications that reports or data had been submitted, and requested that the Secretariat update the report.

The Government of Colombia requested the removal from the report of the vessel *Nazca*, which is related to alleged non-compliance with Resolution C-04-05, in trip 146043, because that case was not reported by the Secretariat and on reviewing the compliance report prepared by the observer for that trip, the non-existence of the alleged infraction could be determined. The Secretariat stated that this was an error, which would be deleted from the report.

The European Union commented that it is interesting to see the tables of the evolution of compliance and that efforts must be made to continue to improve. They also added that the question of arrears in the payment of contributions to the budget is a matter for concern, and reminded the meeting that a Member of the Commission in arrears by an amount equal to or greater than its contributions for the preceding 24 months shall not have the right to participate in decision-making in the Commission.

Mexico noted that the information dealt with in the meeting of the Committee should be used only within the Commission.

Recommendations by the Committee arising from the discussions of this agenda item:

- a) The Commission should review Resolution C-07-03 with a view toward any revisions that might be necessary to improve implementation, in particular if the reporting is repetitive and acts as a factor in the lack of compliance with reporting requirements.
- b) Regarding Resolution C-11-02, the Commission and the Secretariat should review the compliance questionnaire process to determine if there is a way to elicit more information to substantiate all replies and to review the resolution to ensure it is clear what applies, how it applies, and what information on implementation the Commission wishes to receive.
- c) The Commission should clarify the requirement for reporting implementation in Resolution C-12-07 on transshipments, to make clear whether it expects such reports.
- d) Resolution C-11-08 should be included in the compliance questionnaire, which should differentiate between implementing an observer program and data reporting.
- e) With regard to Resolution C-05-03, the Commission should explore methods for improving monitoring and implementation, specifically with regard to data collection for shark conservation.
- f) The Commission should consider whether it would be useful to establish a minimum threshold for tuna discards pursuant to the requirement on discards in Resolution C-13-01.

**b. interactions of fishing vessels with data buoys**

The United States presented information on multiple cases of fishing in association with data buoys, including cases resulting in damage and loss of the data buoys themselves or their functions. Most of the instances of data buoy vandalism in the EPO occur in the areas to the west of the Galapagos Islands, and the United States asked Members for their help in indentifying and prosecuting offending vessels. The Committee acknowledged the important data and environmental services derived from these buoys and which all Members, benefit from and discussed ways to improve compliance with C-11-03. One Member suggested that it would be useful if the relevant section (17.2.5) of the manual used by observers provided some examples of the types of interactions that are problematic, noting that such examples are given in the text of the resolution. Another Member suggested that education on data buoy issues should be covered in the courses provided to all purse-seine captains, regardless of the size class of the vessels. The United States committed to follow up with Members on the existing cases, and also to engage with interested delegations on how they could use VMS or other methods to identify where their vessels may

be fishing in proximity to data buoys. In view of the importance of the matter, it was suggested that the training of captains and observers on this issue should be reinforced.

**c. Review of the questionnaires completed by CPCs relating to Resolution C-11-07**

The Committee provided a summary of possible non-compliance cases, identified either by the CPC in the Questionnaire or by the Secretariat, as well as the corresponding responses by each CPC. Each CPC was given the opportunity to explain measures taken to, (1) ensure the CPC remains compliant, such as in reporting, or (2) ensure compliance among its vessel owners/operators, in part by investigations, fines, etc. Only one member, Kiribati, did not have representatives present at the meeting of the Committee or in the IATTC to participate in the review process. .

Also, a number of Members noted that the data examined are for the purse-seine fleet only, and that the performance of the longline fleet is largely unknown in addition to the fact that there is not even full compliance with the requirement an observer of coverage rate of 5%..

Recommendations by the Committee arising from the discussions of this agenda item :

- g) Future compliance reports should use the compendium produced by the Secretariat as the basis for an annex to the annual compliance report to track national reporting on implementation and compliance over time.
- h) The Commission should clarify where sealing wells can be allowed for capacity management and whether and when it may be used for other purposes.
- i) The Commission should encourage those Members to resolve the budget contribution arrears issue as soon as possible, and to also consider whether there are any other options the Commission could take advantage of to reinforce the collective responsibility to contribute to the IATTC budget.

Panama indicated that it had initiated procedures with its Ministry of Economy and Finance, and hoped to make payments during the current year and be in a better situation by 2016. The European Union asked that this statement be reflected in the minutes.

- j) The Commission should consider whether there was a basis to change the call for disaggregated data per resolution C-03-05 or to clarify the scientific or data management reasons to continue the current practice.
- k) The SAC at its next meeting should approve a data reporting format called for in Resolution C-11-08.
- l) The Commission should reiterate the importance of all CPCs to send delegates to its subsidiary bodies, in particular the Review Committee.

**4. Consideration of the provisional IUU vessel list**

The Secretariat presented document COR-06-04. There was one request from Fiji to remove a vessel, the *Xin Shi Ji 16*, from the current list IUU vessel list. France presented an analysis of the substantiating information presented by Fiji and identified several areas of concern based on a lack of information or clarity. The concerns were shared by some other Members and there was no consensus to remove this vessel from the IATTC IUU vessel list.

- m) The Committee recommended that the Commission send a communication to Fiji requesting additional information based on the elements discussed by the Committee.

**5. Cooperating Non-Members**

There were four renewal requests to be considered for cooperating non-member status from Bolivia, Indonesia, Liberia and Honduras. Bolivia and Honduras were present at the Committee meeting and no

objections were raised to renewing their status. Indonesia and Liberia did not have representatives at the meeting.

- n) The Committee recommended that the Commission renew cooperating non-member status for Bolivia and Honduras, and consider renewing cooperating non-member status for Indonesia and Liberia, while reminding them of their responsibility to attend and participate in the work of Commission and its subsidiary bodies.

## **6. Other business**

Colombia raised the usefulness of considering revising the IATTC compliance information reporting procedures to provide an opportunity for vessel captains to express their comments, e.g., on fishing conditions or other factors, regarding issues of compliance contained in the observer report in a way similar to how the process works under the AIDCP. Such a process could assist flag state CPCs in any investigation of compliance issues.

- o) The Committee recommended that the Commission consider reviewing its procedures regarding the observer reports to determine whether captains have an opportunity to comment on observer reports for IATTC matters and if there is a need for additional space or other adjustments of the observer forms; examine the usefulness of additional training to make captains aware of existing opportunities to make comments; analyze the need for and possibility of how to accommodate an opportunity for captains comments on compliance matters identified in post-trip analysis of obsv reports, and any other changes that may be needed to implement such a mechanism.

The European Union made a presentation of its proposal IATTC-89 E-1 on improving compliance, which is pending before the Commission. The presentation generated some discussion regarding the classification of the infractions contained in the proposal. .

## **7. Recommendations for the Commission**

The Committee made several recommendations to the Commission as detailed above, under the various items of the agenda.

## **8. Adjournment**

The Committee was adjourned on July 2, 2015.

## Appendix 5a

### MEXICO: Bluefin tuna

Mr. Chairman, Mexico wishes to express its sincere appreciation to the various delegations with whom we have had the privilege and pleasure of working over recent days to reach consensus on several very important resolutions, including: port state measures, management of FADs, conservation of silky and hammerhead sharks, substantial increase in observer coverage aboard longline vessels, manta rays and others.

It is unfortunate that in several of the most important issues that this Commission faces, some delegations were unable to join the consensus. Perhaps the most important is the adoption of a resolution which defines our responsibility and position regarding a plan for the management and recovery of the stock of Pacific bluefin tuna that MUST be coordinated between the IATTC and the WCPFC. To our knowledge, one delegation has apparently decided that it will not allow consensus for the adoption of that resolution.

Mr Chairman, the best available science indicates that the stock of Pacific bluefin tuna is in delicate condition and that it is imperative that very significant actions be taken to address this situation. It is also a fact that, given that 84 percent of the impact on this stock occurs in the Western Pacific and that therefore, what does not happen there regarding management and reducing pressure on the biomass of the breeding stock has a significant effect on those of us who participate in this important fishery here in the Eastern Pacific.

As stated in Resolution C-14-06, on the management of bluefin that we adopted last year, "any measure adopted in the EPO will have less benefit than expected for the stock unless the [WCPFC] adopts strong measures. " This has clearly not happened.

One of the most important aspects of the draft resolution that we have been working on with the United States to help to establish a recovery plan for Pacific bluefin tuna, is the requirement and absolute commitment to close cooperation between the IATTC and the WCPFC in developing a single unified and fair plan for the recovery of this stock.

Not achieving joint management will be catastrophic for the stock of Pacific bluefin. In fact, failing to get our two commissions to work together to manage this shared population, has already led us to the situation we now face. But it is not too late.

It is not too late and we still have time, to work together and achieve the recovery of this important resource and it is not too late either to reach an agreement at this meeting and to express the position of this Commission on how to proceed to cooperate constructively with the WCPFC, the Northern Committee and the ISC.

Nor is it too late for US to take significant further action here in the EPO, as a precaution and as a further signal to the Western Pacific that the time to act is NOW. It is past the time when we had the luxury of waiting for someone else to act.

Mr. Chairman, last year when we adopted management measures for bluefin tuna under Resolution C-14-06, we agreed and later implemented a 40-percent reduction for all sizes of the catch composition of bluefin. By indicating this, the resolution was saying that the measures should serve as an interim step to ensure the sustainability of Pacific bluefin tuna and called upon the WCPFC to take fair and comparable actions. It was foreseen in the resolution that future conservation measures would not be based solely on these interim measures, but also on the future development of information and the advice of the scientific staff of the IATTC.

The latest scientific findings of the National Research Institute of Far Seas Fisheries of Japan indicate a serious and further decline in the levels of recruitment of Pacific bluefin tuna, well below those recorded in 2013 and the advice of our scientific staff at the IATTC that the spawning biomass is very low, suggest that further reductions of catches should be implemented throughout the range of the stock and of all sizes

and ages.

Mr. Chairman, in keeping with our precautionary approach and based on the best available science, Mexico announces that it will voluntarily implement a further reduction in the commercial catch of Pacific bluefin tuna to 2,750 tons in 2016, a volume that is below the mandate of Resolution C-14-06 in force.

Furthermore Mexico, in keeping with that resolution, will be implementing a National Catch Documentation System (CDS) for Pacific bluefin tuna, which includes audits of existing inventories of captured bluefin destined for the farms, catch and market data, based on tonnage as well as number of individual fish. Mexico believes that the data collected through these actions would not only improve our internal ability to ensure compliance, but could also provide useful information that can be used by the scientific staff of the IATTC and the ISC to assess the relative impacts of Mexican bluefin tuna fishery in the Pacific.

Mexico will continue to work tirelessly to ensure the recovery of the bluefin tuna stock. Mexico has done and will continue to do its part. Mexico urges all parties involved with this resource in the IATTC and WCPFC to do the same.

Finally, Mr. Chairman, Mexico again calls on all Commissioners around this table, to keep up the commitment to finding a way to the adoption of a resolution that will guide our interactions with the WCPFC, the Northern Committee and the ISC for the development of a truly collaborative, truly cooperative and truly effective management for the joint management of Pacific bluefin tuna.

## **Appendix 5b**

### **Suggested edits to the interim HCR from the United States**

Interim HCR for tropical tunas (i.e., bigeye and yellowfin)

#### ***In relation to target reference points:***

1. Management measures shall be established such that  $F$  can be expected to equal the  $F$ -target on average.

#### ***In relation to limit reference points:***

2. If probability that  $F$  exceeds  $F$ -limit  $>10\%$ : Establish measures to reduce to  $F$  to the  $F$ -target (with at least 50% probability), and with less than 10% probability that  $F$  will exceed  $F$ -limit.
3. If probability that  $S$  is below  $S$ -limit is  $>10\%$ : Establish measures to rebuild to  $S$ -target (at least 50% probability) within 2 generations or 5 years (whichever is greater), and with less than 10% probability that  $S$  will fall below  $S$ -limit within 2 generations or 5 years (whichever is greater).

## **Appendix 5c**

### **COLOMBIA: Capacity still to be allocated to Colombia by the IATTC**

Thank you Mr. Chairman,

We also support the proposal by Vanuatu on the procedure to follow regarding requests for increased capacity. As Costa Rica has said, a clearly defined road map will be the best product we can reach at this session.

Since our request is different to that of other countries in the list mentioned at the beginning of this agenda item, and given that we are making our request to the secretariat, and not to the Parties, we want to make the following statement, and ask that it be reflected in the minutes of the meeting and in future iterations of the studies of the SAC.

The Government of Colombia, would like to recall that at the 69<sup>th</sup> Meeting of the Parties to the Inter-American Tropical Tuna Commission, Colombia, like Peru and Costa Rica, presented a claim for increased capacity of "up to 14,046 m<sup>3</sup>" in Resolution C-02-03, as a claim because we are a coastal State, with a prolonged and significant interest in developing and maintaining our tuna-fishing industry in the EPO.

My delegation would like to reiterate the statements made at the 87<sup>th</sup> and 88<sup>th</sup> Meetings of the Parties to the Commission, held in Lima and La Jolla respectively, as well as what we expressed at the Sixth Scientific Advisory Committee, where our country has highlighted the importance of taking into account in the capacity analyses, the historical rights of coastal States, especially countries which expressed their claims under the asterisk in Resolution C-02-03.

Therefore, we have asked the Secretariat to include the missing capacity to be allocated to the government of the Republic of Colombia as recorded under that asterisk, equivalent to 4,772 m<sup>3</sup> of carrying capacity, in the capacity analyses conduct by the IATTC, as can be seen in the document that was circulated yesterday afternoon.

The Government of the Republic of Colombia emphasizes, that this request should not be interpreted as a request for current capacity to be resolved in the Capacity Working Group, but should be understood as a reaffirmation of the interest in the future recognition of the missing carrying capacity that our country possesses, as a result of a historical right, recognized by the Commission in Resolution C-02-03 and regarding which there has not been any renunciation.

I thank the Secretariat for including this statement in the minutes of this meeting.

## **Appendix 5d**

### **MEXICO: Proposal to consider the cases of capacity of Guatemala and Venezuela**

During the discussion of item 6 of the agenda of the 89th meeting of the Tropical Tuna Commission "Matters related to fleet capacity" and the debate on the cases of activation of carrying capacity approved for Guatemala and Venezuela at the 88th Extraordinary Meeting of the Commission, the Members agree:

The activation of 3,762 m<sup>3</sup> for Guatemala and 1,668 m<sup>3</sup> for Venezuela, whose merits were recognized at the 88th Extraordinary Meeting of the Commission, is subject to the adoption by the Commission in 2016 of appropriate conservation measures for tuna in the Eastern Pacific Ocean on the basis of a recommendation by the IATTC scientific staff in consultation with the Scientific Advisory Committee.

Such measures shall be established on the basis of capacity scenarios that also include such capacity as



available for the purpose of establishing appropriate conservation measures for all the fleet.

The utilization of such capacity will be effective from the entry into force in 2017 of the aforementioned conservation measures and may only be conditioned on the adoption of a capacity management plan in the EPO if by the time of adoption of the conservation measure the plan has already been approved by the Commission

## **Appendix 5e**

### **VANUATU: Proposed draft terms of reference for the Virtual Working Group of Fleet Capacity and the Permanent Working Group on Fleet Capacity**

1. The Commission approved the development of a draft IATTC Resolution addressing all capacity claims, requests and disputes with a view finalizing a list that would constitute the closed list of all pending cases to be considered favourably by the Commission at its 90th Meeting and place them on a “carrying capacity waiting list”<sup>6</sup>.
2. The Commission agreed that said draft IATTC Resolution should give the necessary guarantees to the CPCs concerned that the listed capacity claims, requests and disputes should all be considered favourably without need for further review, but be conditioned on the adoption by the Commission of appropriate conservation measures (that would apply to all CPCs) and a Capacity Management Plan (that would apply to all CPCs), which should offset the contemplated increase in capacity.
3. In addition, the Commission agreed that the draft IATTC Resolution should as far as possible address the principles covering possible conservation measures and the Capacity Management Plan referenced in paragraph 2 above.
4. The Commission was of the view that by doing so, the merits of all capacity claims, requests and disputes would never be debated again (on the understanding that no more capacity claims, requests and disputes would be submitted to the Commission in the future), allowing the Commission to concentrate on ways to address the anticipated increase in capacity.

### **Establishment of a Virtual Working Group on Fleet Capacity**

The Commission decided to establish a Virtual Working Group on Fleet Capacity under the coordination of Ecuador and instructed it, taking into account the decisions taken by the Commission, to:

1. Prepare a list of all pending capacity claims, requests and disputes, using document “SAC-06 INF-B-Capacity Scenarios” as a basis;
2. Prepare draft guidelines on a methodology for determining conservation measures that would offset the contemplated increase in capacity;
3. Develop a Capacity Management Plan using documents “IATTC-73-EPO-Capacity-Plan”, “IATTC-85-PROP-H-2-JPN- Management-of-fishing-capacity”, “CAP-14-INF-A-EU-Capacity-management-plan” as a basis, and any other relevant documents deemed appropriate;
4. Prepare a Draft IATTC Resolution on Capacity Claims, Requests, and Disputes taking into account the outcomes of items 1, 2 and 3 above and the decisions taken by the Commission;

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<sup>6</sup> Said « capacity waiting list » refers to all capacity claims, requests and disputes to be considered favourably by the Commission but not activated until such as time the Commission has adopted appropriate conservation measures and a capacity management plan to offset the contemplated capacity increase.

5. Submit a report on the progress made by the group to the 17th Meeting of the Permanent Working Group on Fleet Capacity, to be convened in 2016.

#### **Convening of the 17th meeting of the Permanent Working Group on Fleet Capacity**

The Commission decided to schedule the 17<sup>th</sup> meeting of the Permanent Working Group on Fleet Capacity in 2016 under the coordination of Ecuador and instructed it, taking into account the decisions taken by the Commission, to continue, but not be limited to, the work of the Virtual Working Group on Fleet Capacity, with the following provisional agenda:

1. Opening of the meeting;
2. Adoption of the agenda;
3. Review of the report of Virtual Working Group on Fleet Capacity;
4. Continue the work of the Virtual Working Group on Fleet Capacity, based on the terms of reference approved by the Commission at its 89th Meeting;
5. Finalize the draft IATTC Resolution on capacity claims, requests, and disputes for submission to the 90th meeting of the Commission for review and subsequent adoption;
6. If time permits, draft a set of conservation measures that could offset the increase in capacity contemplated in the capacity claims, requests and disputes, and subsequently develop a draft Capacity Management Plan.
7. Other business
8. Adjournment

#### **Appendix 5f.**

##### **COSTA RICA: Proposal for terms of reference for the Permanent Working Group on fleet capacity**

1. Charge the Permanent Working Group on Fleet Capacity with preparing and presenting a draft resolution that addresses the capacity requests, claims and disputes, as presented and recommended by the Permanent Working Group on Fleet Capacity at the 87th Meeting of the IATTC, and the conservation measures necessary to offset any increase in capacity. Furthermore, this draft resolution shall contain concrete proposals for measures for implementing a capacity management plan in the EPO.
2. The approach and analysis shall be comprehensive, but maintain the approach of different categories of requests, included in the report of the Permanent Working Group on Fleet Capacity presented at the 87th and 88th Meetings of the IATTC.
3. New requests that are not included in the footnote to Resolution C-02-03 shall be included on a waiting list in order of the date of their submission, and analyzed and reviewed at a later date.
4. Any increase in capacity agreed by the Commission shall be in accordance with the conservation measures and with a Plan for the Management of Capacity adopted by the Commission, with the exception of Guatemala and Venezuela, whose requests for restitution were recognised and whose conditions for activation were adopted at the 88th meeting of the IATTC.
5. The Permanent Working Group on Fleet Capacity shall present the elements necessary to set out the different capacity scenarios, before the meeting of the Scientific Advisory Committee in 2016 for analysis by that Committee.

## Appendix 5g

### **ECUADOR: Text for the minutes of the 89th meeting of the IATTC**

In order to improve coordination between IATTC and WCPFC, The Commission decided to exhort the Western and Central Pacific Fisheries Commission (WCPFC), to consider at its next WCPFC annual meeting

1. To strengthen cooperation with the IATTC in the scientific areas, in order to improve their work dynamic jointly, using similar assessment models for analyzing the status of all the shared stocks of tropical tunas in the Pacific Ocean as a whole.
2. To identify differences in characteristics and structure of purse-seine operation and stock dynamics in the Central and Western Pacific and Eastern Pacific.
3. To develop management measures established as a total closure of catches for the purse-seine fishery for skipjack, bigeye and yellowfin tunas, whereby the operation of the fleets is totally stopped, in order to achieve greater efficiency of the measures for the sustainability of these species throughout the Pacific Ocean. The number and timing of days of closure should be based on the best available science. The WCPFC could consider making appropriate adjustments to other existing conservation and management measures if a total closure is adopted.
4. To work in the development of a coordinated rebuilding and management plan for the bluefin tuna stock. The IATTC shall ask the WCPFC for a joint meeting with all interested parties after the stock assessment by the ISC is carried out in 2016, in order to adopt equivalent points of reference.

The United States does not take a position at the IATTC regarding specific conservation and management approaches enacted at the WCPFC. The United States recognizes there was widespread support at the IATTC for urging the WCPFC to consider a science-based total closure for an agreed period of time as a more effective conservation measure than certain existing approaches at the WCPFC, and to control overall fishing capacity in the Western and Central Pacific Ocean.