INTER-AMERICAN TROPICAL TUNA COMMISSION

PERMANENT WORKING GROUP ON COMPLIANCE

7TH MEETING

BUSAN (KOREA)
22 JUNE 2006

DOCUMENT COM-7-05

DEFINITION OF FISHING

In the analysis of compliance by vessels with the IATTC conservation and management measures, it came to the attention of Commission staff that there is not an agreed definition of fishing in the IATTC context. Specifically, the question arose of whether a vessel which is not on the Regional Vessel Register should be considered to be fishing if it is placing fish-aggregating devices (FADs). The Director has advised Parties in the past that placing FADs during a closure of the purse-seine fishery pursuant to Resolution C-04-09 would likely be considered fishing by the Commission and would be reported as a violation of the Resolution.

The Antigua Convention includes a definition of fishing, as follows:

"2. 'Fishing' means:

(a) the actual or attempted searching for, catching, or harvesting of the fish stocks covered by this Convention;

(b) engaging in any activity which can reasonably be expected to result in the locating, catching, harvesting of these stocks;

(c) placing, searching for or recovering any fish-aggregating device or associated equipment, including radio beacons;

(d) any operation at sea in support of, or in preparation for, any activity described in sub-paragraphs (a), (b) and (c) of this paragraph, except for any operation in emergencies involving the health and safety of crew members or the safety of a vessel;

(e) the use of any other vehicle, air- or sea-borne, in relation to any activity described in this definition except for emergencies involving the health or safety of crew members or the safety of a vessel."

It may be useful for the Commission to formally adopt a definition of fishing pending the entry into force of the Antigua Convention. Given that the text of the Antigua Convention was approved by all of the IATTC member governments, the most straightforward approach would be to adopt a resolution agreeing to use this language as a definition of fishing for IATTC purposes.