

INTER-AMERICAN TROPICAL TUNA COMMISSION
PERMANENT WORKING GROUP ON FLEET CAPACITY
MINUTES OF THE 6TH MEETING (REVISED¹)

La Jolla, California (USA)
7-8 March 2002

AGENDA

1. Opening of the meeting
2. Adoption of the agenda
3. Review of the Resolution on Fleet Capacity agreed 19 August 2000
4. Review of the status of the capacity of the purse-seine fleet in the EPO
5. Review of the *Draft Plan for Regional Management of Fishing Capacity*
6. Consideration of future capacity limitations
7. Other business
8. Adjournment

DOCUMENTS

CAP-6-06 Proposed elements for a resolution on controlling fleet capacity
IATTC-68-12 Draft Plan for Regional Management of Fishing Capacity

APPENDICES

1. List of attendees
2. Capacity of the purse-seine fleet, 27 February 2002
3. Draft resolution on the capacity of the tuna fleet operating in the EPO

¹ Approved by the 69th Meeting of the IATTC, June 2002

The 6th Meeting of the IATTC Permanent Working Group on Fleet Capacity was held in La Jolla, California (USA) on March 7-8, 2002. The attendees are listed in Appendix 1.

1. Opening of the meeting

The Chair of the Working Group, Lic. Mario González of El Salvador, opened the meeting. Dr. Robin Allen, Director of the Commission, noted that he had received letters from four governments that were not represented at this meeting expressing their general views on the issue of limiting fleet capacity in the eastern Pacific.

2. Adoption of the agenda

With the substitution of the word “reading” (*lectura*) for “review” (*revisión*) in item 3 of the Spanish, the provisional agenda was approved as presented.

3. Review of the Resolution on Fleet Capacity agreed 19 August 2000

Dr. Allen reviewed the resolution of 19 August 2000, the only one in force for member governments of the Commission, noting in particular paragraph 9, in which the Parties “acknowledge the commitment of each state and regional economic integration organization to limit the capacity of its fleet operating in the eastern Pacific Ocean (EPO) to a level consistent with the ongoing efforts of the Commission to establish a limit on the total capacity of the tuna purse-seine fleet operating in the EPO.”

4. Review of the status of the capacity of the purse-seine fleet in the EPO

The Working Group examined a table presented by Dr. Allen, of the current capacity of the purse-seine fleet fishing in the EPO (Appendix 2). In answer to a question about the discrepancy between the operating capacity and the capacity recorded in the Regional Vessel Register for some flags, Dr. Allen explained that the Register included vessels authorized to fish in the EPO for species under the purview of the Commission, some of which were not fishing, and that some vessels fishing are not authorized to fish. The European Union (EU) stated that figures needed to be compared on a fair basis, both in metric tons and cubic meters. For the vessels authorized to fish in the EPO, the EU recalled that it had not increased its fleet capacity since 1998.

5. Review of the Draft Plan for Regional Management of Fishing Capacity

Dr. Allen presented Document IATTC-68-12, *Draft Plan for Regional Management of Fishing Capacity*, which had been prepared for the 68th meeting of the IATTC in June 2001. There had not been time at that meeting to discuss the proposal in detail. Dr. Allen pointed out that the draft plan had been drawn up within the framework of the FAO International Plan of Action for the Management of Fishing Capacity, and also reflected the commitment of all parties to implement the FAO Code of Conduct for Responsible Fishing.

The Working Group discussed the draft plan extensively, and made various proposals for improving it. Several delegations noted the importance of limiting the capacity of all fleets and gear types operating in the region, not only purse-seine vessels. Japan, the European Union, and other delegations supported the inclusion of longline vessels, but stressed that the first priority should be the problem of excess capacity of the purse-seine fleet.

Japan recalled the resolution adopted in June 1999 on management of fishing capacity of large-scale tuna longline fishery, which welcomed the reduction of the capacity of its longline fleet by 20%, in accordance with the FAO International Plan of Action. Japan noted that, with this reduction, it had already achieved the goal of managing sufficiently its longline fleet capacity.

It was agreed that the Secretariat would revise the draft plan and present it to the governments for their

review.

6. Consideration of future capacity limitations

Dr. Allen presented Document CAP-6-06 (attached), containing some proposed elements for a resolution on controlling fleet capacity.

The Working Group analyzed and discussed the document in detail, and on the basis of these proposals and a number of other points raised during the discussion, agreed a draft resolution (Appendix 3) to be presented to the Commission for discussion and adoption at its meeting in June. The key elements of the resolution are (1) the adoption of a plan for regional management of fishing capacity, (2) the use of the Regional Vessel Register as the definitive list of purse-seine vessels authorized to fish for tunas in the EPO, (3) the determination that any purse-seine vessel fishing for tunas in the EPO that is not on the list would be considered to be undermining IATTC management measures, and (4) the prohibition on the entry of new vessels to the EPO purse-seine fleet.

The United States noted that, while it could agree to the draft resolution *ad referendum*, it was taking a reservation on paragraph 5 pending further discussion.

It was generally agreed that transfers of vessels among participants in the fishery should be regulated, but the mechanism by which this would be achieved was not decided. The draft resolution reflected some of the proposals on this subject. In addition, Vanuatu proposed the following language: "If a vessel transfer is to take place, the participants agree to transfer the carrying capacity together with the vessel to another state or REIO only if the vessel complies with all the requirements of the ceding state to be removed from its national register." Vanuatu indicated that, if the transfer of carrying capacity was not clearly established, it would be forced to consider going back to the capacity levels contained in the Resolution of October 1998, with vessels from the region or from outside it.

7. Other business

Ms. Rebecca Metzner, of FAO, made a presentation on a document on reducing fishing fleet capacity prepared by World Wildlife Fund, with technical input and advice from FAO, entitled *Eastern Pacific Ocean Tuna Fisheries: Options for achieving the 2005 target*.

8. Adjournment

The meeting was adjourned on March 8, 2002.

Appendix 1.

**COMISION INTERAMERICANA DEL ATUN TROPICAL
INTER-AMERICAN TROPICAL TUNA COMMISSION**

**GRUPO DE TRABAJO SOBRE LA CAPACIDAD DE LA FLOTA
WORKING GROUP ON FLEET CAPACITY**

6ª REUNION – 6TH MEETING

La Jolla, California (USA)

7 y 8 de marzo de 2002 - March 7-8, 2002

ASISTENTES - ATTENDEES

MIEMBROS--MEMBERS

COSTA RICA

**HERBERT NANNE ECHANDI
GEORGE HEIGOLD
ASDRÚBAL VASQUEZ
ALBERTO MORALES
INCOPECA**

ECUADOR

**RAFAEL TRUJILLO BEJARANO
LUIS TORRES NAVARRETE
Ministerio de Comercio Exterior, Industrialización y
Pesca
CESAR ROHON
Cámara Nacional de Pesquería**

**BERNARDO BUEHS
ABEL PALADINES
ATUNEC
LUIS E. GOMEZ
LEGALSA, S.A.**

EL SALVADOR

**MARIO GONZALEZ
SONIA SALAVERRIA
Ministerio de Agricultura y Ganadería**

GUATEMALA

**FRATERO DIAZ
UNIPESCA**

**ODILO ROMERO
Rianxeira America, S.A.**

JAPAN - JAPON

**DAISHIRO NAGAHATA
KENGO TANAKA
Ministry of Agriculture, Forestry and Fisheries**

**MIYAKE MAKOTO
EIKO OZAKI
SALLY CAMPEN
Federation of Japan Tuna Fisheries Cooperative
Association**

MEXICO

**RICARDO BELMONTES
CONAPESCA
GUILLERMO COMPEAN
PEDRO ULLOA
Instituto Nacional de Pesca**

**MICHEL DREYFUS
FIDEMAR**

PANAMA

**ARNULFO FRANCO
LUIS ESCARRAGA
Autoridad Marítima**

**ALFONSO PAZ
San Marino Fishing Inc.**

UNITED STATES OF AMERICA - ESTADOS UNIDOS DE AMERICA

WILLIAM GIBBONS-FLY

Department of State

SVEIN FOUGNER

NICOLE LEBOEUF

NMFS

PETER FLOURNOY

American Fisherman's Research Foundation

PAUL M. KRAMPE

United Tuna Cooperative

MANUEL SILVA

U.S. Tuna Foundation

JULIUS ZOLEZZI

VANUATU

EDWARD WEISSMAN

HUGO ALSINA LAGOS

Office of Deputy Commissioner of Maritime Affairs

OBSERVADORES--OBSERVERS

COLOMBIA

ALFONSO LIEVANO

Ministerio de Comercio Exterior

ESPAÑA – SPAIN

FERNANDO CURCIO

Ministerio de Agricultura, Pesca y Alimentación

JAVIER ARIZ TELLERIA

Instituto Español de Oceanografía

GABRIEL SARRO

OPAGAC

IGNACIO URIBE

Nicra 7

EUROPEAN UNION – UNION EUROPEA

ROBERTO CESARI

CHRISTOPHE LE VILLAIN

European Commission

PERU

JULIO GONZALES

Ministerio de Pesquería

GLADYS CARDENAS

Instituto del Mar del Perú

INTERNATIONAL ORGANIZATIONS – ORGANIZACIONES INTERNACIONALES

REBECCA METZNER

FAO – FIPP

NON-GOVERNMENTAL ORGANIZATIONS - ORGANIZACIONES NO GUBERNAMENTALES

MOISES MUG

World Wildlife Fund

PERSONAL DE LA CIAT – IATTC STAFF

ROBIN ALLEN, Director

PABLO ARENAS

ALEJANDRA FERREIRA

MONICA GALVAN

JOSHUE GROSS

MARTIN HALL

BRIAN HALLMAN

MICHAEL HINTON

BERTA JUAREZ

NICHOLAS WEBB

Appendix 2.

Capacidad de la flota cerquera operando en el Océano Pacífico oriental, por año y capacidad en el Registro Regional de Buques (27 de febrero de 2002; CIAT).

Capacity (metric tons) of the purse seine fleet operating in the eastern Pacific Ocean by year and capacity on the registry as directed by Parties (February 27, 2002; IATTC).

TONELADAS MÉTRICAS – METRIC TONS						
Flag		1998	1999	2000	2001	Vessel Register
Belize	BLZ	4,043	2,067	1,466	680	680
Bolivia	BOL	--	--	3,462	5,103	5,103
Colombia	COL	6,227	6,227	6,227	6,454	6,336
Ecuador	ECU	34,033	36,246	37,977	39,191	39,990
Spain	ESP	8,916	8,916	7,934	9,434	9,434
Guatemala	GTM	--	5,050	5,050	5,000	5,000
Honduras	HON	499	1,588	499	1,499	1,499
Mexico	MEX	40,323	39,903	41,369	40,315	48,344
Nicaragua	NIC	--	--	1,073	1,073	1,073
Panama	PAN	2,248	6,275	6,612	7,555	7,821
Peru	PER	--	--	--	--	816
El Salvador	SLV	1,364	1,411	--	3,819	4,264
United States	USA	8,934	6,740	7,750	6,183	9,095
Venezuela	VEN	22,127	23,139	23,457	26,742	25,808
Vanuatu	VUT	9,157	11,706	7,196	3,233	4,179
Unknown	?	154	--	--	1,070	--
Total	Total	138,025	149,268	150,072	157,351	169,442

METROS CUBICOS – CUBIC METERS						
Flag		1998	1999	2000	2001	Vessel Register
Belize	BLZ	4,732	2,249	1,752	809	809
Bolivia	BOL	--	--	3,956	5,830	5,830
Colombia	COL	7,127	7,127	7,127	7,397	7,259
Ecuador	ECU	41,062	44,169	45,888	47,248	49,230
Spain	ESP	11,438	11,438	10,080	12,137	12,137
Guatemala	GTM	--	7,640	7,640	7,640	7,640
Honduras	HON	628	1,926	628	1,798	1,798
Mexico	MEX	47,031	46,615	48,358	47,145	56,161
Nicaragua	NIC	--	--	1,229	1,229	1,229
Panama	PAN	3,341	8,082	8,413	9,517	9,829
Peru	PER	--	--	--	--	902
El Salvador	SLV	1,523	1,523	--	4,469	5,489
United States	USA	10,720	8,039	9,229	7,362	10,721
Venezuela	VEN	26,530	27,733	28,025	31,687	30,577
Vanuatu	VUT	11,240	13,468	8,483	3,920	5,066
Unknown	?	180	--	--	1,242	--
Total	Total	165,552	180,009	180,808	189,430	204,677

Appendix 3.

INTER-AMERICAN TROPICAL TUNA COMMISSION

**DRAFT RESOLUTION ON THE CAPACITY OF THE TUNA FLEET OPERATING IN
THE EASTERN PACIFIC OCEAN**

8 March 2002

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 in the EPO approved by the IATTC at its 62nd Meeting in October 1998 and 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:

Have agreed as follows:

1. For the purposes of this Resolution, the EPO is defined as the area bounded by the coastline of the American continents, the 40° North parallel, the 150° West meridian and the 40° South parallel.
2. For the purposes of this Resolution, “participant” means Parties to the IATTC, and States and regional economic integration organizations (REIOs), and fishing entities that have applied for membership of the Commission or that cooperate with the management and conservation measures adopted by the Commission. The Commission shall determine which States, REIOs and fishing entities are considered to be cooperating with such management and conservation measures.
3. To adopt 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.
4. To review on a regular basis, and modify if necessary, the target level of 158,000 m³, 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.
5. To use the Regional Vessel Register (“the Register”) established by the resolution of the 66th Meeting of the Commission, as of [18 June 2002] and as subsequently modified, as the definitive list of purse-seine vessels authorized to fish for tunas in the EPO. Any purse-seine vessel fishing for tunas in the EPO that is not on the list would be considered to be undermining IATTC management measures. The Register shall include only vessels flying the flags of participants. Each Party 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 any modifications to that information.
6. To prohibit, 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:

- 6.1. Increasing the capacity of any existing vessel; and
 - 6.2. The entry of new vessels, defined as those not included in the Register, to the EPO purse-seine fleet.
7. Subject to the provisions of this resolution:
- 7.1. Notwithstanding paragraphs (5) and (6), the following States may increase the number of vessels on the Register as of [18 June 2002], as verified in accordance with paragraph 6 above, within the following limits*:

Costa Rica:	9364 m ³
El Salvador:	861 m ³
Nicaragua:	4038 m ³
Peru:	3195 m ³
 - 7.2. Guatemala maintains its request to increase its fleet by 1700 m³ and commits to obtaining that capacity by transfers of vessels from the region.
8. In the implementation of paragraph (7.1) above, a participant wishing to bring a new vessel into the fishery shall (1) so notify the other participants, 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 fishery.
 9. The capacity levels established above shall not apply to 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, 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; and c) the vessels carry an approved observer. A similar exception shall be considered for vessels from other countries with a similar record of participation in the EPO tuna purse-seine fishery and that meet the criteria listed above.
 10. [When a vessel on the Register transfers from one participant to another, in accordance with the laws and regulations of both parties involved, the vessel's capacity is also transferred.] [When a vessel is transferred from one participant to another, the disposition of its capacity shall be governed by guidelines developed as part of the plan for regional management of fishing capacity.] [Delete paragraph]
 11. 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 m³, 14,046 m³, and 14,046 m³, 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.

COMISIÓN INTERAMERICANA DEL ATÚN TROPICAL
INTER-AMERICAN TROPICAL TUNA COMMISSION
PERMANENT WORKING GROUP ON FLEET CAPACITY
6TH MEETING

LA JOLLA, CALIFORNIA (USA)
7-8 MARCH 2002

DOCUMENT CAP-6-06

**PROPOSED ELEMENTS FOR A RESOLUTION ON CONTROLLING
FLEET CAPACITY**

1. Use the Regional Vessel Register (“the Register”) as the definitive list of purse-seine vessels authorized to fish for tunas in the EPO. Any purse-seine vessel fishing for tunas in the EPO that is not on the list would be considered to be undermining IATTC management measures.
2. Exclude from the Register vessels flying the flag of any State or regional economic integration organization (REIO) that has not applied for membership in the IATTC and does not cooperate with the management and conservation measures adopted by the IATTC.
3. Prohibit extending the capacity of existing vessels and 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 fleet, and provided that the total fish-carrying capacity, measured in cubic meters (m³) of well volume, of any replacement vessel or vessels does not exceed that of the vessel or vessels replaced.
4. Endorse the draft *Plan for Regional Management of Fishing Capacity*, and in particular accept a target level of 158,000 m³ for the total fleet capacity.
5. Agree that vessels included in the Register may transfer to another participating State or REIO with the mutual agreement of the States or REIO involved in the transfer.

**SPECIFIC EXCEPTIONS FROM CURRENT FLEET CONTAINED IN THE DRAFT
RESOLUTION OF JULY 2001**

1. Costa Rica – up to 9364 m³ (8000 metric tons)
2. El Salvador – up to 4682 m³ (4000 metric tons)
3. Nicaragua – up to 4682 m³ (4000 metric tons)
4. Peru - up to 4097 m³ (3500 metric tons)
5. United States – up to 32 vessels from other areas of the Pacific Ocean, for a single trip of no more than 90 days
6. A similar exception may be considered for vessels from other participants that meet the criteria described for US vessels

INTER-AMERICAN TROPICAL TUNA COMMISSION
COMISION INTERAMERICANA DEL ATUN TROPICAL

68TH MEETING

SAN SALVADOR (EL SALVADOR)

JUNE 19-21, 2001

DOCUMENT IATTC-68-12

DRAFT PLAN FOR REGIONAL MANAGEMENT OF FISHING CAPACITY

The Permanent Working Group on Fleet Capacity was established at the 61st Meeting of the IATTC in June 1998. During its meetings, the group has discussed various aspects of tuna-fishing capacity in the eastern Pacific Ocean (EPO), including the consideration of a regional plan of action for the management of that capacity.

The draft Plan of Action (EPO Plan) presented in this document was prepared in accordance with the terms of the IATTC resolutions on bigeye and fleet capacity, adopted in June and August 2000, respectively. In these resolutions, the Commission requested the staff to prepare a comprehensive draft plan for the regional management of tuna fishing capacity, in accordance with the FAO International Plan of Action for the Management of Fishing Capacity.

The draft EPO Plan follows the FAO Plan closely, and retains its major elements, such as nature and scope, a description of objectives and principles, the identification of urgent, immediate and long-term actions, and references to the Code of Conduct and other international instruments. It also contains elements from several IATTC resolutions and text that has been discussed at meetings of several Commission working groups.

The draft EPO Plan is presented as the basis for discussion and, if appropriate, approval by the Commission. It should be noted that most of the urgent actions (*e.g.* the establishment of a Regional Vessel Register) and several of the immediate actions are either completed or have already been discussed.

DRAFT PLAN FOR REGIONAL MANAGEMENT OF FISHING CAPACITY

INDEX

Introduction.....	1
I. Nature and Scope of the Regional Plan of Action	1
II. Objective and Principles	2
III. Urgent Actions	3
IV. Immediate Actions	3
V. Long-term Actions	4

INTRODUCTION

1. The issue of excess fishing capacity in the tuna fishery of the Eastern Pacific Ocean (EPO) is causing increasing concern. Excessive fishing capacity is a problem that, among others, can contribute substantially to overfishing, the degradation of marine fisheries resources, and the decline of food production potential, and inevitably causes significant economic waste.
2. The overall issue of fishing capacity in the EPO is one that should be considered within the context of the FAO Code of Conduct for Responsible Fisheries and its general objective of sustainable fisheries. The Code of Conduct provides that States shall take measures to prevent or eliminate excess fishing capacity and shall ensure that levels of fishing effort are commensurate with sustainable use of fishery resources.
3. In 1997, the FAO Committee on Fisheries (COFI) requested FAO to address the issue of fishing capacity. FAO organized a Technical Working Group on the Management of Fishing Capacity in La Jolla, USA, from 15 to 18 April 1998. A subsequent FAO consultation was held in Rome from 26 to 30 October 1998, preceded by a preparatory meeting from 22 to 24 July 1998. The International Plan of Action for the Management of Fishing Capacity was adopted at the 23rd Session of COFI in February 1999.
4. At the 61st Meeting of the Inter-American Tropical Tuna Commission (IATTC), held in La Jolla, USA, on 10-12 June 1998, a Permanent Working Group on Fleet Capacity was established. The Working Group met in La Jolla, USA, on 3-4 September 1998 and on 8-9 October 1999; in San Jose, Costa Rica, on 26-28 January 1999; in Panama City, Panama, from 31 July to 2 August 2000, and in La Jolla, USA, on 25-26 October 2000. At the 62nd Meeting of the IATTC, held in La Jolla, USA, on 15-17 October 1998, a resolution limiting the capacity of the tuna purse-seine fleet in 1999 was adopted. At its 66th Meeting, held in San Jose, Costa Rica, on 12-15 June 2000, the IATTC adopted two resolutions which included instructions to the staff to prepare a comprehensive draft plan for the regional management of fishing capacity in the EPO.

1. NATURE AND SCOPE OF THE REGIONAL PLAN OF ACTION

5. This Plan of Action for the Regional Management of Tuna Fishing Capacity (the EPO Plan) has been elaborated within the framework of the FAO International Plan of Action for the Management of Fishing Capacity and the FAO Code of Conduct for Responsible Fisheries, as envisaged by Article 2(d) of the Code. The provisions of Article 3 of the Code apply to the interpretation and application of this Regional Plan of Action and its relationship with other international instruments.

6. The EPO Plan reflects the commitment of all States to implement the Code of Conduct. States² shall apply this Plan consistently with international law.

7. The EPO Plan is an element of fishery conservation and sustainable management.

2. OBJECTIVE AND PRINCIPLES

8. The objective of the EPO Plan is to achieve, by 1 January 2005, an efficient, equitable and transparent management of tuna fishing capacity in the EPO. *Inter alia*, to achieve long-term sustainability of the tuna fishery of the EPO, States shall endeavor initially to limit the total fleet capacity at the present level and to progressively reduce it. After targets for the fleet capacity have been achieved, States shall exercise caution to avoid growth in capacity.

9. The immediate objective shall be achieved through a series of actions related to two major strategies:

a. The updating of a comprehensive regional assessment of tuna fishing capacity and improvement of the capability for monitoring fishing capacity;

b. The development and implementation of a reduction schedule to effectively manage tuna fishing capacity.

10. These strategies may be implemented through complementary mechanisms to promote implementation of this EPO Plan: awareness building and education, technical cooperation at the international level, and coordination.

11. The management of tuna fishing capacity shall be based on the Code of Conduct for Responsible Fisheries and shall take into consideration the following major principles and approaches.

a. **Participation:** The EPO Plan shall be implemented through the IATTC, in cooperation with other appropriate intergovernmental organizations.

b. **Phased implementation:** The management of fishing capacity shall be achieved through the following three phases: (1) urgent actions (updated assessments and diagnoses to be completed within six months of the adoption of the EPO Plan); (2) immediate actions (to be completed within one year after the adoption of the EPO Plan); and (3) long-term actions (periodic adjustment of assessment and diagnosed measures, as appropriate). The IATTC shall progressively implement the EPO Plan and achieve the target capacity by 1 January 2005.

c. **Holistic approach:** The management of tuna fishing capacity in the EPO shall be comprehensive and consider all factors affecting capacity in both national and international waters.

d. **Conservation:** The management of fishing capacity shall facilitate the conservation and sustainable use of tuna stocks in the EPO and the protection of the marine environment. It shall be consistent with the precautionary approach, the need to minimize bycatch, waste, and discards, and ensure selective and environmentally safe fishing practices and the protection of biodiversity in the marine environment.

e. **Priority:** Priority shall be given to managing the fishing capacity in the tuna purse-seine fishery, in which there already exists excess fishing capacity. However, the management of longline fishing capacity shall also be addressed.

f. **New technologies:** The management of fishing capacity shall take into account the incorporation of environmentally-sound and evolving technology in all fisheries covered by this Plan.

g. **Mobility:** The management of fishing capacity shall encourage the efficient use of fishing

² For the purposes of this document, "States" are States or Regional Economic Integration Organizations that are either members of the IATTC or that cooperate with the management and conservation measures adopted by the IATTC.

capacity, allow the legitimate transfer of vessels among States, and discourage entry of new vessels into the EPO if that leads to excess capacity.

h. **Transparency:** The EPO Plan shall be implemented in a transparent manner in accordance with Article 6.13 of the Code of Conduct.

12. The implementation of the EPO Plan shall give due recognition to Article 5 of the Code of Conduct, in relation to enhancing the ability of developing countries to participate in tuna fisheries, including access to such fisheries, in accordance with their legitimate rights and their obligations under international law.

3. URGENT ACTIONS

Section I: Assessment and monitoring of fishing capacity

Measurement of fishing capacity

13. The IATTC shall monitor, through the Permanent Working Group on Fleet Capacity, the capacity of the tuna purse-seine fleet operating in the EPO. The well volume of vessels, in cubic meters, will be used as the primary basis for measuring the capacity of the fleet.

Diagnosis and assessment

14. The IATTC shall establish the target fishing capacity of all the tuna-fishing fleets in the EPO within six months of the adoption of the EPO Plan.

15. The target level for the purse-seine fishery is 145,000 cubic meters of total well volume.

Regional Vessel Register

16. The IATTC has established, in accordance with its Resolution of June 2000, a Regional Register of Vessels authorized to fish in the Convention Area for species under the purview of the Commission. States shall provide the Director with information concerning any change to their fleets.

17. States shall support FAO in the development of appropriate and compatible standards for records of fishing vessels.

18. The IATTC shall maintain a list of non-member States that implement the EPO Plan as well as a list of States whose actions undermine the EPO Plan.

4. IMMEDIATE ACTIONS

Section I: Capacity limits

Limit at present level

19. Each State shall endeavor to limit the capacity of its fleet operating in the EPO consistent with the objective of this Plan to establish a limit on the total capacity of the tuna purse-seine fleet operating in the EPO.

Section II: Progressive reduction

Regional management of fishing capacity

20. States agree to develop and implement a reduction schedule to achieve the target level of 145,000 cubic meters of well volume by 1 January 2005. The reduction schedule, once adopted, will serve as the basis for further action by the IATTC with respect to the distribution and allocation of capacity within the EPO tuna fleet and, in particular, for achieving a target reduction in overall fleet capacity.

21. The Permanent Working Group on Fleet Capacity shall, by 1 June 2002, develop rules and procedures for the implementation of the reduction schedule, based on the following general principles and approaches.

- a. No transfer of vessels to the jurisdiction of another State shall be allowed without the express consent and formal authorization of both States.
- b. The corresponding portion of any capacity limit shall accompany any such transfer of vessels.
- c. States shall avoid approving the transfer of vessels under their jurisdiction to the EPO where such transfers are inconsistent with responsible fishing under the Code of Conduct or with the provisions of the EPO Plan.
- d. The economic importance of the tuna-fishing fleets and the need to limit the size of these fleets to a level commensurate with economic viability shall be considered in implementing the EPO Plan.
- e. A system to deal with new vessels (defined as those not included in the Regional Vessel Register) entering the EPO tuna-fishing fleet shall be developed. The system shall include rules on capacity transfer to allow States not currently participating in the tuna fishery in the EPO to enter the fishery, replacement of lost or retired vessels, and loss of capacity due to non-utilization. In particular, the entry of new vessels to the EPO tuna purse-seine fleet shall be prohibited except for the replacement of vessels removed from the fleet and then only if all reasonable efforts to find a suitable vessel from those included in the Regional Vessel Register are unsuccessful.
- f. The capacity target shall be reviewed regularly to ensure that it remains in balance with the available fishery resources and management objectives.
- g. States shall consider participating in international agreements that relate to the management of fishing capacity, and, in particular, the 1993 FAO Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas.
- h. The IATTC shall support co-operation and the exchange of information with FAO and relevant regional fisheries organizations.
- i. The IATTC shall identify States whose vessels fish for tunas in the EPO that do not exercise effective jurisdiction and control over their vessels, or whose vessels do not comply with this Plan. States shall take measures to encourage such States to implement this Plan.

5. LONG-TERM ACTIONS

Section I: Subsidies and economic incentives

22. States shall assess the possible impact of all factors, including subsidies, contributing to overcapacity on the sustainable management of tuna fisheries in the EPO, distinguishing between factors, including subsidies, which contribute to overcapacity and unsustainability and those which produce a positive effect or are neutral.
23. States shall reduce and progressively eliminate all factors, including subsidies and economic incentives and other factors that contribute, directly or indirectly, to the build-up of excessive fishing capacity, thereby undermining the sustainability of the tuna resources in the EPO.

Section II: Mechanisms to promote implementation

Awareness building and education

24. States shall develop information programs at national and regional levels to increase awareness about the need for the management of tuna fishing capacity, and the costs and benefits resulting from adjustments in that capacity in the EPO.

Scientific and technical cooperation

25. States shall support training and institutional strengthening and consider providing financial, technical, and other assistance to developing countries on issues related to the management of fishing

capacity.

26. States shall strive to collaborate, through FAO and through international arrangements, in research, training, and the production of information and educational material aiming to promote the effective management of tuna fishing capacity.
27. The IATTC shall keep FAO updated on progress on the assessment, development, and implementation of the EPO Plan.

Section III: Compliance

28. The Permanent Working Group on Compliance shall review and monitor compliance with the EPO Plan, and shall recommend to the IATTC appropriate measures for addressing matters related to compliance with the EPO Plan.

Section IV: Periodic review and adjustments

29. The Permanent Working Group on Fleet Capacity shall review annually the entry of new vessels to the EPO tuna fleet, and shall recommend to the IATTC measures for addressing matters related to the EPO Plan, including adjustments as appropriate.
30. At least every four years, the IATTC shall review the implementation of the EPO Plan for the purpose of identifying cost-effective strategies for increasing its effectiveness and the consideration of different management systems and fishing capacity.