

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

1ST MEETING

Antigua, Guatemala; 14:30
24 September 2010

AGENDA

	Documents
1. Opening of the meeting	
2. Election of Chairman	
3. Future of the Permanent Working Group on Compliance established under the 1949 IATTC convention	
4. Adoption of the agenda	
5. Approval of the minutes of the 10 th meeting of the Working Group on Compliance	
6. Compliance with IATTC measures in 2009	COR-01-06
7. National reports	
8. Unique Vessel Identifiers for tuna vessels	COM-10-05
9. Other business	
10. Recommendations for the Commission	
11. Adjournment	

The first meeting of the Committee for the Review of Implementation of Measures Adopted by the Commission was held in Antigua, Guatemala, on 24 September 2010. The attendees are listed in Appendix 1.

1. Opening of the meeting

The meeting was called to order by the Director of the IATTC, Dr. Guillermo Compeán.

2. Election of Chair

Mr. David Hogan, of the United States, was elected Chair.

3. Future of the Permanent Working Group on Compliance established under the 1949 IATTC convention

Mr. Brian Hallman, Deputy Director of the IATTC, made a brief introduction of this agenda item, followed by the chair's explanation of how the functions of the Working Group on Compliance will be addressed through the new Implementation Committee, and how the two subsidiary bodies could move forward in their operations together.

4. Adoption of the agenda

The provisional agenda was adopted without revision.

5. Approval of the minutes of the 10th Meeting of the Working Group on Compliance

The minutes of the 10th Meeting were adopted without revision.

6. Compliance with IATTC measures in 2009

Mr. Ernesto Altamirano presented Document [COR-01-06](#) on compliance with IATTC resolutions in 2009. He noted that the report included data from IATTC and national program observers from a total of 713 trips, and that it reviewed compliance with the resolutions on fish-aggregating devices, the capacity of the tuna fleet in the eastern Pacific Ocean (EPO), at-sea reports, data provision, bycatch, vessel monitoring systems, northern albacore tuna, conservation of sharks, and the tuna conservation program in the EPO.

6.1. Resolution on bycatch (C-04-05):

6.1.1. Sea turtles

Regarding sea turtles, it was noted that in 2009 there were 852 sets involving 1,036 sea turtles, compared to 1,152 sets involving 2,011 sea turtles in 2008. Of the 1,036 turtles involved in 2008, 88% were released unharmed and 4% escaped, so 92% of the turtles involved suffered no adverse effects from the fishery. Observers recorded 43 turtles released slightly injured and 8 released severely injured, as well as 10 turtle mortalities.

The discussion of section 2.1.1.a included consideration of the increase in the number of sea turtles killed, up from 3 in 2008 to 10 in 2009. The United States asked whether any information was available on three of the turtles reported to have been passed through the power block, and in particular, whether such action was intentional. The Secretariat reported that this information was not available in its records.

Consideration of notification procedures of the Commission led to a discussion of the value of the development of a document to outline the criteria for identifying and notifying members of major violations that may have been committed by their vessels and that require timely formal notification to members. The Committee considered that, in the development of such a document, the Secretariat could take into consideration the criteria for major violations contained in the Commission's procedures for including vessels in its IUU List (Resolution [C-05-07](#)). Members were advised that such formal notification is complementary to their responsibility to review and analyze the reports by observers for trips by their vessels in order to fulfill their responsibilities as flag States to identify and adjudicate possible violations themselves.

6.1.2. Sharks

Regarding sharks (section 2.1.1.b), observers reported 3,367 sets in 2009 in which 29,154 sharks were involved. Of these, 3,569 were released alive, 9,770 were discarded, and 15,415 were retained. In 14 of the 432 trips for which a Compliance Report (RDC) was completed, 184 sharks were 'finned' (their fins were cut off, and the rest of the shark discarded), down from 1,264 in 2008.

The European Union asked for an explanation of high levels of retention of sharks, and indicated that there may be some contradiction in the relevant resolutions relating to sharks ([C-04-05](#) and [C-05-03](#)) which both prohibit retention and establish conditions for landings, respectively. The Committee discussed this circumstance, and agreed that these resolutions should be examined with a view to harmonizing them and also that amendments should be considered to improve survivability of sharks taken in the fisheries in the EPO.

Mexico explained that the retention of sharks caught by its vessels may result from their fishing further south; also, the resolution is not clear regarding the prohibition on retaining sharks, since it has the exception for retaining sharks for consumption. Mexico also indicated that, despite these factors, the national authorities will be examining the situation with regard to the retention reported by the Secretariat.

6.2. Resolution on fish-aggregating devices (C-99-07)

In section 2.2 of the report, the staff indicated that it had received no reports of transshipments at sea in 2009, nor of the use of tender vessels in the fishery on fish-aggregating devices (FADs). Colombia expressed its opinion that the Commission, in its plenary session, should take steps to improve management of FADs in the EPO.

6.3. Resolution on at-sea reporting (C-03-04)

The staff reported that the reporting rate in 2009, 96.6%, was the same as in 2008, which was an improvement over 2007 (90%) and prior years.

6.4. Conservation of tunas ([C-09-01](#)):

6.4.1. Compliance with the principal closures for purse-seine vessels

The staff reported on the compliance issues associated with the actions of Colombia relative to the closure periods established in Resolution [C-09-01](#). The Colombian measure required each one of its vessels to stop fishing for 49 consecutive days at any time during the year, whereas the resolution calls for vessels to cease fishing for 59 consecutive days during two specified periods. Colombia had notified the Secretariat of the dates of the stoppages observed by nine of its 11 Class-6 vessels.

The information available to the Secretariat regarding Colombian Class-6 vessels, based on observer reports, indicated that four vessels stopped fishing for 59 days or more, and the other seven for less than 59 days. One vessel, the *Marta Lucía R*, stopped fishing for 43 days. Two Class-5 Colombian vessels were assigned 30-day stoppages, but no information was presented regarding whether the vessels abided by these measures, but both were at sea during both the closure periods established in Resolution C-09-01.

Colombia explained the circumstances of the implementation of its measure, referring to the legal difficulty that arose because, in the absence of a Commission measure adopted in advance of 2009, its national authorities had established a measure for that year, as reported in previous communications to the Commission. Colombia also stated that the information presented by the Secretariat regarding the stoppages by its vessels was incorrect. The Chair requested that Colombia present a report to the Commission indicating the different information, as well as the specific dates of the closures assigned to the vessels that had not previously been provided. Colombia also stated that the measures in effect for its fleet in 2010 were those of Resolution C-09-01.

The Secretariat reported that two Class-6 vessels fished during a closure, three vessels made trips without an observer during a closure, and one other did not remain in port during a closure. Also, three vessels fished in the offshore area during the closure of that area.

Bolivia was not present to address the actions of the vessel *Mar Cantábrico*, which was reported to have been at sea during both closure periods in 2009.

Panama reported that the vessel *La Parrula*, reported in Table 2.14 as having made sets during the closure, would be sanctioned. Panama also reported that the vessel was no longer in the EPO but in the Atlantic Ocean.

Ecuador reported that an administrative proceeding had been initiated against the vessel *Ocean Lady*, which had been reported as making trips during both closure periods prior to its flag and capacity was communicated to the Secretariat for its inclusion in the Regional Register..

Regarding the vessels of Ecuador, Panama and Venezuela that were reported in Table 2.15 as being at sea during a closure, Ecuador reported that administrative proceedings had been initiated against the vessels *Ingalápagos* and *Ignacio Mar I*.

Section 2.4.2 of the report described three incidents of vessels not complying with the closure of the

offshore area. Ecuador reported that an administrative proceeding is ongoing for the vessel *Lizi*. Mexico reported that a procedure had been initiated for the vessel *Nair*, and Panama indicated a procedure is ongoing for the vessel *Julie L*.

6.4.2. Limitation on longline catch

Regarding the bigeye catch limits, none of the reported catches exceeded the established limits.

6.4.3. Resolution on northern albacore tuna

Upon review of Section 2.5 of the report, the United States indicated that, although its catches were initially reported for the entire Pacific, a supplemental report had been submitted with reporting for the EPO only.

6.5. Resolution on fleet capacity (C-02-03)

In reviewing section 2.6 of the report, the Committee considered seven vessels that fished in the EPO in 2009 while not on the Regional Vessel Register and thus in contravention of Resolution C-02-03.

The European Union stated that in some cases these vessels could be considered, or were in fact nominated as, IUU vessels and would be discussed in the Joint Working Group on fishing by non-Parties in that context.

Ecuador reported on the situation with regard to its vessels, indicating that the circumstances of the *Tuna I* and the *Ignacio Mar* result from a dispute over capacity between Ecuador and Panama. Ecuador reported that the *Cap. Tino B* and *Ocean Lady* had administrative proceedings pending.

Panama reported that the inclusion of the vessel *Tunamar* involved extensive circumstances and would be discussed in the Joint Working Group.

Colombia stated that it had provided an explanation of the circumstances of the *Marta Lucía R* and *Dominador I* at previous meetings, and that its position remains the same. Colombia also reiterated that it wanted the Commission to discuss how to resolve this issue in the context of Resolution C-02-03.

Regarding the vessels reported as having changed their capacity, Ecuador reported that the increase in the capacity of the *Doña Roge* had been done using capacity from a sunken vessel, and that a report on the *Ricky A* would be provided to the Joint Working Group. The situation with the *Tarqui* was reported to have legal complications, and Ecuador undertook to advise the Committee on this case in the future.

6.6. Resolution on data provision (C-03-05)

The staff reported that the requirements of this resolution are being met with regard to purse-seine vessels, but some of the reports from the longline fishery had not been submitted. Troll fishery data has been submitted. The report stated that data reporting called for in other resolutions is also not always being submitted in a timely and/or comprehensive manner. Japan commented that, while it has been submitting information in a timely way, it is concerned about the lack of data collection and reporting.

7. National reports

No national reports were submitted other than the specific cases addressed in the discussions of other areas of the report. The Chair indicated that, at the next meeting of the Committee, members should report on actions taken regarding 2008 and 2009 violations or other issues that had been identified. Based on the comments of several delegations, the Chair also requested that the annual compliance report and responses by members be provided for consideration well in advance of the meetings of the Committee, in order to foster more productive and effective work within the Committee.

8. Unique Vessel Identifiers for tuna vessels

The Secretariat presented Document [COM-10-05](#), describing the work undertaken by the tuna RFMOs to develop a system of Unique Vessel Identifiers (UVIs) for tuna vessels. The Committee agreed that the

Commission staff should continue its work to develop the system, including meeting with other tuna RFMO staff at the margins of the next meeting of the FAO Committee on Fisheries (COFI).

9. Other business

There was no other business.

10. Recommendations for the Commission

The Committee recommends that the Commission:

- a. Explore the steps necessary to dissolve the Joint Working Group and allocate its functions to the Committee and the International Review Panel of the AIDCP, as appropriate, including examining any necessary changes to rules of procedure or terms of reference. A concrete proposal could be considered at the Commission level, and the Chair committed to develop one.
- b. Examine any changes needed to reconcile the resolutions related to sharks in order to avoid contradictions, and also incorporate any changes necessary to improve the survivability of sharks in the fisheries in which they are caught.
- c. Approve the proposed course of action for the staff to continue work on UVIs.

11. Adjournment

The meeting was adjourned.

Anexo 1.

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