

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

4TH MEETING

Veracruz, Mexico
6-7 June 2013

REPORT OF THE MEETING

AGENDA

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2. Adoption of the agenda	
3. Compliance with IATTC measures in 2012:	
a. Report of the Secretariat on compliance	COR-04-03a
b. Review of the questionnaires completed by CPCs relating to Resolution C-11-07	COR-04-03b
4. Consideration of the provisional IUU Vessel List	COR-04-04
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APPENDICES

1. List of attendees
2. Statement by Venezuela

The fourth meeting of the Committee for the Review of the Implementation of Measures Adopted by the Commission was held in Veracruz, Mexico, on 6-7 June 2013. The attendees are listed in Appendix 1.

1. Opening of the meeting

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

2. Adoption of the agenda

The provisional agenda was adopted, with the addition of an item on research buoys under Other Business.

3. Compliance with IATTC measures in 2012:

a) Report of the Secretariat on compliance

The Commission staff presented Documents COR-04-03a and COR-04-03b, which contain detailed information on compliance with IATTC resolutions in 2012, as well as on the implementation of Resolution

C-11-07 on compliance. In addition to noting that the information was submitted to CPCs by the deadlines established in the resolution, it was emphasized that overall the number of possible infractions reported had fallen. The Director proposed a change in the schedule of the meetings of the Committee, shifting its meeting to October, in conjunction with the meetings of the AIDCP, in order to allow more time for CPCs to review and implement the corresponding administrative processes related to the possible infractions reported.

Although numerous delegations indicated that the period of one month established in the resolution for reporting on actions taken by governments regarding possible infractions is insufficient, and should be revised, and agreed that the meeting of the Committee should be held in October, other Members that are not Parties to the AIDCP pointed out the difficulty of accepting this proposal, not only because of the additional burden that this would mean for them, but also because it is important that the Committee meet at the same time as the Commission, so the matter would be presented for consideration by the Commission (Recommendation 1).

Many delegations noted that information on the longline fleet is very scanty, and greater efforts should be made to obtain it. There was also a general agreement on the advisability that, in the future, compliance with measures adopted by the IATTC should be reported, instead of emphasizing only cases of non-compliance (Recommendation 2), highlighting that in 98% of the sets made by the purse-seine fleet, all relevant measures were complied with.

Ecuador requested that its flag vessels identified in the compliance report as fishing while not on the IATTC Regional Vessel Register no longer be included, since it had explained repeatedly that they are using the capacity of the vessel *Roberto M.* Ecuador requested that the IATTC review this case, about which there is a dispute with Panama, and the Committee agreed to refer it to the Commission (Recommendation 3).

Regarding Resolution C-05-03 on sharks, it was noted that it is not clear whether catch and effort data for sharks should be sent to the Secretariat, and the potentially contradictory language in the resolution was once again noted. It was agreed to recommend that the Commission review the resolution with a view to specifying the data that should be included (Recommendation 4). Also, the Director was asked to include more information in future reports on the disposition of sharks caught incidentally, whether they are released, retained, etc.

Regarding tuna discards, it was agreed to recommend that the Commission examine the possibility of defining a minimum quantity of tuna that should be considered a discard (Recommendation 5).

The European Union requested that the information presented country by country regarding actions taken to enforce resolutions be included in the minutes of the meeting, and noted that information should be incorporated on non-compliance with Resolution C-12-09 on bluefin tuna.

Many delegations commented on the confidential character of the information that is handled by the Commission, and criticized the fact that one Member is using this information to apply unilateral measures, identifying vessels as carrying out IUU fishing practices. The fact that the possible infractions identified are not confirmed infractions was stressed, and that in many cases they are in the process of review by the flag State.

A long discussion took place about whether vessels over 24 meters length overall are required to carry VMS equipment, in accordance with Resolution C-04-06, and the United States was asked whether it would include its vessels that do not carry such equipment in the IUU list, in accordance with its domestic legislation. The United States indicated that the resolution does not define the period of its applicability, which does not represent a violation of the resolution, so it was agreed to recommend to the IATTC that the period of applicability of resolutions be reviewed, since in the case of resolutions that leave their period of applicability open there would be different interpretations (Recommendation 6).

Regarding the issue of Northern albacore tuna, China indicated that if the catches of this species are incidental, it should not be necessary to report them periodically to the the Director, instead this could be done once a year, possibly in March (recommendation 7)

Venezuela made a statement (Appendix 2) on the subject of compliance with IATTC provisions.

b) Review of the questionnaires completed by CPCs relating to Resolution [C-11-07](#)

Each CPC made a brief presentation on its responses to the questionnaire, mainly on cases of possible non-compliance recorded in 2012.

Later during the meeting, the Chair indicated that the report of the meeting would in the future include a summary of each Member's compliance information, and clarified that the report of the current meeting would not include it because it was the first year and there were concerns about delegations disagreeing with including this information in the report.

4. Consideration of the provisional IUU Vessel List

Dr. Compeán presented Document COR-04-04 on the IUU Vessel List. He reported that no nominations were received for including vessels on the list, so no provisional list had been drawn up. A request had been received from Colombia to remove the vessel *Marta Lucía R* from the IUU List.

Colombia reaffirmed its total willingness to comply with the provisions of the IATTC, and as part of that was working on regularizing the fisheries sector and that the vessel *Marta Lucía R* has not operated for a year.

The Committee as a whole recognized the measures applied by Colombia, as well as its commitment to apply the provisions of the IATTC, and supported the request to remove the vessel *Marta Lucía R* from the IUU list, except for the European Union, which asked for time to consult with its capital.

Mexico indicated that it was necessary to have a clear mechanism within the resolution that would allow vessels to be removed from the IUU List, including during the intersessional period, and suggested that a working group could develop a proposal in this regard. Various delegations supported this suggestion, but others stated that this matter should be dealt with very carefully, expressing concern that under certain provisions vessels could be removed from the list automatically, and that any mechanisms should be consistent with those of other regional fisheries management organizations. Finally, the Committee agreed to refer the suggestion by Mexico to the Commission for consideration (Recommendation 8).

5. Cooperating Non-Members

The Committee considered the requests for renewal of Cooperating Non-Member status by two countries, Bolivia and Cook Islands, and of granting such status to Honduras and Indonesia.

In response to a question by Japan, Bolivia stated that it no longer has any longline vessels, and only one purse seiner, and that it is complying with IATTC rules. With this clarification, the Committee decided to recommend renewing Bolivia's status as a Cooperating Non-Member (Recommendation 9).

In the case of Indonesia, Honduras, and Cook Islands, they were expected to be present at the meeting of the IATTC to explain their requests and answer questions by the Members of the Commission.

6. Other business

The United States announced that it had evidence of a possible irregularity regarding a fishing vessel not complying with the provisions of Resolution C-11-03 on the prohibition of making sets near fishing buoys, and that it had contacted the vessel's flag State. Regarding the possible infraction. Mexico requested that the provisions of Resolution C-11-07 on compliance regarding the identification and reporting of possible infractions be fully respected, stressing that the vessel's flag State is responsible for dealing with possible non-compliance, and the IATTC staff for communicating them. Nicaragua supported this statement.

7. Recommendations for the Commission

The Committee decided to make the following recommendations to the Commission:

1. Review the programming and scheduling of the meetings of the Review Committee.
2. Report on progress regarding compliance instead of emphasizing cases of possible non-compliance.
3. Define how the cases of Ecuadorian vessels reported as fishing while not on the IATTC Regional Vessel Register should be considered.
4. Review the inconsistencies in the provisions of the various resolutions on sharks.
5. Establish a threshold quantity for reporting discards as possible infractions.
6. Review the dates of resolutions to clarify their validity and applicability.
7. Review the frequency of submission of information on Northern albacore tuna.
8. Review the suggestion by Mexico to establish a working group to develop a draft mechanism for removing vessels from the IUU List.
9. Renew the Cooperating Non-Member status of Bolivia, and consider the requests by Honduras, Indonesia, and Cook Islands.

8. Adjournment

The meeting was adjourned at 1:30 PM on 7 June 2013.

Appendix 1.

ASISTENTES - ATTENDEES

BELICE - BELIZE

JAMES AZUETA*

Ministry of Forestry, Fishery and Sustainable Development
jamesazueta_bz@yahoo.com

VALERIE LANZA

International Merchant Marine Registry of Belize
valerie@immarbe.com

FELICIA CRUZ

Ministry of Forestry, Fishery and Sustainable Development
feliciacruz@gmail.com

CANADÁ

LAUREN DONIHEE*

Fisheries and Oceans Canada
Lauren.Donihee@dfo-mpo.gc.ca

BRETT NORTON

Fisheries and Oceans Canada
Brett.Norton@dfo-mpo.gc.ca

CHINA

XIAOBING LIU*

Ministry of Agriculture
xiaobing.liu@hotmail.com

GANG ZHAO

China Overseas Fisheries Association
admin@tuna.org.cn

COLOMBIA

PATTI LONDOÑO*

Ministerio de Relaciones Exteriores
patti.londono@cancilleria.gov.co

JOHN RAMIREZ

Autoridad Nacional de Acuicultura y Pesca
john.ramirez@aunap.gov.co

JULIÁN BOTERO

Autoridad Nacional de Acuicultura y Pesca
julian.botero@aunap.gov.co

JUAN CALDAS

Ministerio de Ambiente y Desarrollo Sostenible
icaldas@minambiente.gov.co

PAULA CABALLERO

Ministerio de Relaciones Exteriores
paula.caballero@cancilleria.gov.co

ANA F. GUZMÁN

Ministerio de Comercio, Industria y Turismo
aguzman@mincit.gov.co

ALEJANDRA PELAEZ

Ministerio Relaciones Exteriores
alejandra.pelaez@cancilleria.gov.co

SANDRA MUÑOZ

Ministerio de Agricultura y Desarrollo Rural
sandra.munoz@minagricultura.gov.co

VLADIMIR PUENTES

Autoridad Nacional de Acuicultura y Pesca
vladimir.puentes@aunap.gov.com

ENRIQUE DE LA VEGA

Programa Nacional de Observadores de Colombia
edelavega@pescalimpia.org

LUISA MALDONADO

Autoridad Nacional de Acuicultura y Pesca
luisa.maldonado@aunap.gov.com

COREA - KOREA

JONG HWA BANG*

Ministry of Oceans and Fisheries
zgkim@korea.kr

JIWON YOON

Institute for International Fisheries Cooperation
jiwon.yoon@ififc.org

SUNGSU LIM

Ministry of Oceans and Fisheries
sslim789@korea.kr

HYOSANG KIM

Korea Overseas Fisheries Association
zgkim@korea.kr

ZANG GEUN KIM

National Fisheries Research and Development Institute
zgkim@korea.kr

COSTA RICA

LUIS DOBLES*

INCOPECA/Instituto Costarricense de Pesca y Acuicultura
rperez@incopesca.go.cr

ASDRÚBAL VÁSQUEZ

Ministerio de Agricultura y Ganadería
vasquezal@ice.co.cr

ECUADOR

JIMMY MARTÍNEZ*

Subsecretaría de Recursos Pesqueros
Jimmy.martinez@pesca.gob.ec

LUIGI BENINCASA AZUA

ATUNEC/Asociación de Atuneros de Ecuador
info@atunec.com.ec

LUIS TORRES

Subsecretaría de Recursos Pesqueros

CARLOS CEVALLOS

EMPROPESCA S.A.

luis.torres@pesca.gob.ec

RAFAEL TRUJILLO

Cámara Nacional de Pesquería
direjec@camaradepesqueria.com

cevallos.c@gmail.com

JOSÉ OLMEDO

Servipuertos, S.A.
ab.joseolmedo@gmail.com

EL SALVADOR

SALVADOR SIU*

Ministerio de Agricultura y Ganadería
Salvador.siu@mag.gob.sv

OSCAR ÁLVAREZ

Grupo Calvo
oscar-gustavo.alvarez@calvo.es

ESTADOS UNIDOS DE AMÉRICA - UNITED STATES OF AMERICA

RODNEY MCINNIS*

NOAA/National Marine Fisheries Service
rod.mcinnis@noaa.gov

ERIKA CARLSEN

NOAA/National Marine Fisheries Service
erika.carlsen@noaa.gov

DONALD HANSEN

U.S. Commissioner
don@danawharfspoortfishing.com

MARTINA SAGAPOLU

NOAA/National Marine Fisheries Service
Martina.sagapolu@noaa.gov

ED STOCKWELL

U.S. Commissioner
edstockwell@insigntbb.com

HEIDI TAYLOR

NOAA/National Marine Fisheries Service
heidi.taylor@noaa.gov

DAVID HOGAN

U.S. Department of State
hogandf@state.gov

PETER FLOURNOY

American Albacore Fishermen's Association
phf@international-law-offices.com

ADAM BLOOMQUIST

U.S. Department of State
bloomquista@state.gov

GUILLERMO GÓMEZ

Gomez-Hall Associates
gomezhall@gmail.com

DEREK CAMPBELL

NOAA/National Marine Fisheries Service
derek.campbell@noaa.gov

JOHN ZUANICH

Tri MarineManagement LLC
jzuanich@trimarinegroup.com

FRANCIA - FRANCE

THOMAS ROCHE*

Ministry of Ecology, Sustainable Development and Energy
thomas.roche@developpement-durable.gouv.fr

GUATEMALA

CARLOS MARÍN*

Ministerio de Agricultura, Ganadería y Alimentación cfma-rin1058@gmail.com

JAPÓN - JAPAN

KENGO TANAKA*

Fisheries Agency of Japan
kengo_tanaka@nm.maff.go.jp

WADA MASATO

Fisheries Agency of Japan
masato_wada@nm.maff.go.jp

YUJIRO AKATSUKA

Fisheries Agency of Japan
yujirou_akatsuka@nm.maff.go.jp

MÉXICO

LUIS FLEISCHER*

Instituto Nacional de la Pesca
Lfleischer21@hotmail.com

RIGOBERTO GARCÍA

CONAPESCA
rgarcias@conapesca.gob.mx

MICHEL DREYFUS

Instituto Nacional de la Pesca
dreyfus@cicese.mx

ISABEL C. REYES

CONAPESCA
ireyesr@conapesca.gob.mx

MARTHA ESTRADA

CONAPESCA
mestrada@conapesca.gob.mx

MARK ROBERTSON

Potomac Global Advisors, LLC
mrobertson@potomacglobal.com

NICARAGUA

JULIO GUEVARA*

INATUN
juliocgp@gmail.com

PANAMÁ

RAÚL DELGADO*

ARAP/Autoridad de los Recursos Acuáticos de Panamá
arnulfofranco@fipescas.com

ARNULFO FRANCO

FIPESCA
arnulfofranco@fipescas.com

PERÚ

GLADYS CÁRDENAS*

Instituto del Mar del Perú
gcardenas@imarpe.gob.pe

ERICH DÍAZ

Instituto del Mar del Perú
ediaz@imarpe.gob.pe

TAIPEI CHINO – CHINESE TAIPEI

TED TIEN-HSIANG TSAI*

Fisheries Agency / Council of Agriculture
ted@msl.f.a.gov.tw

WEI-YANG LIU

Overseas Fisheries Development Council wei-yang@ofdc.org.tw

GUANN-DER LEE

Dept. of International Organizationz
gdlee@mofa.gov.tw

GERVASIO HSU

Oficina Económica y Cultural de Taipei en México
gervasiomateo@gmail.com

CITAI LING

Fisheries Agency / Council of Agriculture
chitai@msl.f.a.gov.tw

UNIÓN EUROPEA - EUROPEAN UNION

ANGELA MARTINI*

European Commission
angela.martini@ec.europa.eu

JAVIER ARÍZ

Instituto Español de Oceanografía
javier.ariz@ca.ieo.es

LUIS MOLLEDO

European Commission
luis.molledo@ec.europa.eu

JULIO MORÓN

OPAGAC
opagac@arrakis.es

MARIA MOSET

Ministerio de Agricultura, Alimentación y Medio Ambiente
(España)
smosetma@magrama.es

IMANOL LOINAZ

Albacora S.A.
iloinaz@albacora.es

VENEZUELA

ALVIN DELGADO*

PNOV/FUNDATUN
adelgadopnov@cantv.net

LILLO MANISCALCHI

AVATUN
lillomaniscalchi@yahoo.com

OSNEIVER SANDOVAL

Ministerio de Relaciones Exteriores
osneiversandoval@gmail.com

OBSERVADORES - OBSERVERS

BOLIVIA

ALFREDO FLORES *

Ministerio de Defensa
pescamar@mindef.gob.bo

LIMBER MOLLERICON

Ministerio de Defensa
limber10palermo@hotmail.com

ORGANIZACIONES NO GUBERNAMENTALES – NON-GOVERNMENTAL ORGANIZATIONS

SANDRA ANDRAKA

World Wildlife Fund
sandra.andraka@wwfus.org

REBECCA REGNERY

Humane Society International
regnery@hsi.org

SUSAN JACKSON

ISSF
sjackson@iss-foundation.org

LUIS ZAPATA

World Wildlife Fund
lzapata@wwf.org.co

HOLLY KOEHLER

ISSF
hkoehler@iss-foundation.org

OTROS OBSERVADORES - OTHER OBSERVERS

ATSUSHI ISHII

US-Japan Research Institute
ishii@cneas.tohoku.ac.jp

JESSICA MCCLUNEY

University of Washington
jkmcluney@gmail.com

ISAO SAKAGUCHI

US-Japan Research Institute
isao.sakaguchi@gakushuin.ac.jp

GUILLERMO COMPEÁN, Director

gcompean@iattc.org

MARISOL AGUILAR

maguilar@iattc.org

ERNESTO ALTAMIRANO

ealtamirano@iattc.org

RICARDO BELMONTES

rblemontes@iattc.org

MÓNICA GALVÁN

mgalvan@iattc.org

JEAN-FRANCOIS PULVENIS

jpulvenis@iattc.org

SECRETARÍA – SECRETARIAT

JOYDELEE MARROW

jmarrow@iattc.org

TERESA MUSANO

tmusano@iattc.org

SONIA SALAVERRIA

ssalaverria@iattc.org

ENRIQUE UREÑA

eurena@iattc.org

NORA ROA-WADE

nwade@iattc.org

NICHOLAS WEBB

nwebb@iattc.org

COMMENTS TO THE COMMITTEE FOR THE REVIEW AND IMPLEMENTATION OF MEASURES ADOPTED BY THE COMMISSION

With the permission of the Chair, the Delegation of Venezuela would like to make some comments we consider very important, mainly because of the statements that appear in the preambles of some proposals that will be presented at the 85th Meeting of the IATTC. With due respect to the Parties that make these proposals, my Delegation like others, with whom we have spoken, do not agree that they should say such things as "*deeply concerned about the continuation of illegal, unreported and unregulated fishing in the IATTC Area*", since this broadcasts the message that this Commission is not complying, which for us is a matter of concern and far from reality. In this organisation as in that of the AIDCP, a high compliance with all the resolutions or obligations that emanate from them has been demonstrated, so that we have a record of fairly high compliance and that should be presented in the compliance report more extensively so that the magnitude of those achievements may be visualised. The report that the Secretariat presents, should be more detailed as regards compliance with the various resolutions, since it has all the information and it would not be difficult for it to present it in the most detailed manner possible. I also wish to express:

1. As everybody knows this Commission receives information from an Observer Program (of the AIDCP), which monitors the great majority of the fishery with tuna purse seiners that is carried out in the Eastern Pacific Ocean (EPO), and 100% coverage of the purse-seine fleet of more than 363 m³. This monitoring is carried out in such a way that the observers report everything that occurs, not only matters related to tuna catches, but also all activities carried out by the vessel during the trip, unlike other programs that only oversee effort and catches. These data are used not only by the scientific staff of the Commission for statistics and research, there are also useful for monitoring compliance with all the management and conservation measures of this Organisation.
2. Over the years the high compliance and the significant reduction of **possible non-compliance** with the various IATTC resolutions can be clearly seen. This is something that as mentioned above, should be highlighted and not mention comments that express the opposite as appears in the above-mentioned preambles. On the other hand, the day that this Commission talks of 0% non-compliance, we should be concerned, since the possibility would exist that the data reported were not 100% objective and reliable, because whenever an activity is carried out with the intensity of this one, the possibility of a voluntary and/or involuntary non-compliance occurring will always be there. We must ensure that it is kept at very low levels and attempt to sanction identified cases.
3. The purse-seine fleet in recent years has made an average of approximately 22,000 sets among the different modes, tuna associated with dolphins, on pure schools and on floating objects, and the number of possible infractions reported is minimal.
4. I will now list some of the possible infractions that have diminished since the entry of the into force of certain resolutions:
 - a. At-sea reports, in 2001 compliance was 48%, in 2012 99%.
 - b. In 2008 the number of sharks retained was 29,287, in 2012 it was 8,769, *i.e.* there was a reduction of 334%. Unfortunately the report did not report the number of sharks released alive, which is increasing significantly due to the resolutions and due to the entry into force of some internal ordinances adopted by the countries, as for example, the one adopted by the Venezuela in 2012.
 - c. The number of shark finnings in 2006 was 4,526 and in 2012 was 13, *i.e.* there was a reduction of 34,815%.
 - d. Sets with discards in 2005 was 1,578 sets and in 2012 was 88. *i.e.* there was a reduction of 1,793%

- e. More than 75% of discards in 2012 were of less than three tons of the various species of tunas.
- f. In 2007 130 trips with plastic trash discarded at sea were reported, in 2012 it had fallen to 19, which represents a reduction of 684%.
- g. In the case of turtles killed in the various sets in recent years it has been less than or equal to 10 and 2012 was eight, a quite low number in relation to the 22,000 sets that are made per year. We must stress that the crews of purse-seine vessels rescue every year a great number of turtles enmeshed in fish-aggregating devices, FADs and drifting gear, mainly remains of longlines. It is important to point out that at the 4th Meeting of the Scientific Advisory Committee held last May in Document SAC-04-08 "Ecosystem Considerations" it is noted that "*The mortalities of sea turtles due to purse seining for tunas are probably less than those due to other types of human activity ... and impacts of other fisheries*". That same document states " *Estimates of incidental mortality of turtles due to longline and gillnet fishing are few*". At the fourth Meeting of the Working Group on Bycatch in January 2004 it was reported that the incidental catch of sea turtles in the longline fishery of one country in the EPO was 6,000 turtles per year and approximately half of them died. At the sixth Meeting of the Working Group in February 2007 it was reported that the surface longline fleet, of another country, that fishes for swordfish in the EPO had an average of 65 interactions with turtles and 8 mortalities per million hooks between 1990-2005. Some 23 million of the 200 million books deployed each year in the EPO by longline vessels are aimed at swordfish.
- h. In the year 2012 no vessel was reported contravening the closure periods indicated in Resolution C-12-01.
- i. As regards the AIDCP the incidental mortality of dolphins is less than 20% of that allowed and as regards the infractions reported at recent meetings it is minimal.

With this degree of compliance the great commitment of crews, captains, vessel owners and governments to comply with the various conservation and management resolutions of this Commission is clearly shown. In conclusion I would like to express that our position is not to stop sanctioning, but that with the comments expressed we can send a wrong signal about the achievements of this Convention. On the other hand, a time should be given for the Parties to carry out the due processes of investigation and determine whether it is an infraction or not, before other countries or organisations place the names of these vessels and their flag as presumably involved in illegal, unreported and unregulated fishing, due to the implications that this has, and that at the end of the due processes it is shown that not all of them had committed that infraction.

Finally, this Committee is called "Committee for the Review of the Implementation of Measures Adopted by the Commission" and what we review and highlight is non-compliance. Therefore, we believe that both the Committee and the report should reflect all the compliance as well as non-compliance and compare it with previous years to determine what is the behaviour over time of the various resolutions.