

INTER-AMERICAN TROPICAL TUNA COMMISSION

94TH MEETING

Bilbao, Spain
22 – 26 July 2019

MINUTES OF THE MEETING

AGENDA

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| 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 tuna fishery, stocks, and ecosystem in the Eastern Pacific Ocean in 2018 | IATTC-94-01 |
| b. Review of the Commission staff's research | IATTC-94-04 & Add. 1 |
| c. Report and recommendations of the 10 th meeting of the Scientific Advisory Committee | IATTC-94-02 |
| d. Conservation recommendations by the Commission staff | IATTC-94-03 |
| 5. Reports of subsidiary bodies and working groups: | |
| a. 4 th Meeting of the <i>Ad Hoc</i> Working Group on FADs | |
| b. 7 th Meeting of the Committee on Administration and Finance | |
| c. 10 th Meeting of the Committee for the Review of Implementation of Measures Adopted by the Commission | |
| d. 21 st Meeting of the Permanent Working Group on Fleet Capacity | |
| 6. Report of the consultant on a fleet capacity management plan and associated measures | |
| 7. Report of the consultant on human resources | |
| 8. Observer program for transshipments at sea | |
| 9. Implementation of Article XII, paragraph 1, of the Antigua Convention | |
| 10. Discussion of resolutions and recommendations | |
| 11. Election of Chair and Deputy Chair of the Commission | |
| 12. Election of Chairs of subsidiary bodies and working groups | |
| 13. Other business | |
| 14. Place and date of next meeting | |
| 15. Adjournment | |

APPENDICES

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| 1 | List of attendees | |
| 2. | RESOLUTIONS | |
| 2a | Amendment to Resolution C-18-05 on the collection and analyses of data on fish-aggregating devices | C-19-01 |
| 2b | Amendment to Resolution C-15-01 on establishing a list of vessels presumed to have | |

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| | carried out illegal, unreported and unregulated fishing activities in the eastern Pacific Ocean | C-19-02 |
| 2c | Financing for fiscal year 2020 | C-19-03 |
| 2d | Resolution to mitigate impacts on sea turtles | C-19-04 |
| 2e | Amendment to the Resolution C-16-06 - Conservation measures for shark species, with special emphasis on the silky shark (<i>carcharhinus falciformis</i>), for the years 2020 and 2021 | C-19-05 |
| 2f | Conservation of whale sharks | C-19-06 |
| 2g | Terms of reference for management strategy evaluation workshops | C-19-07 |
| 2h | Resolution on scientific observers for longline vessels | C-19-08 |

3. PROPOSALS [Not adopted]

- 3a A-6A **Variou**s. Consolidated draft proposal on FADs
- 3b A-7 **Variou**s. FADs working group
- 3c C-2 **Colombia**. IUU fishing
- 3d D-1 **European Union**. Marine pollution
- 3e **Variou**s. Consolidated draft proposal on observers for longline vessels
- 3f F-1 **European Union**. Port State measures
- 3g G1-C **European Union**. Transshipments
- 3h G2 **Ecuador**. Transshipments
- 3i I-1 **Japan**. Bluefin tuna
- 3j J-1 **Mexico**. Confidentiality
- 3k M-1 **Ecuador**. Sorting grid

4 REPORTS

- 4a Report of the 7th Meeting of the Committee on Administration and Finance
- 4b Report of the 10th Meeting of the Committee for the Review of Implementation of Measures Adopted by the Commission ("Review Committee")
- 4c Report of the 21st Meeting of the Permanent Working Group on Fleet Capacity
- 4d Report of the 4th Meeting of the *Ad Hoc* Working Group on FADs
- 4e Recommendations of the 2nd meeting of the Tuna RFMOs Joint Working Group on FADs
- 4f Report of the Chair of the *Ad Hoc* Virtual Working Group to review the legal and operational coherence of IATTC resolutions

5 OTHER

- 5a Bolivia statement on capacity request

The 94th meeting of the Inter-American Tropical Tuna Commission (IATTC) was held in Bilbao, Spain on 22-26 July 2019. The attendees are listed in Appendix 1.

1. Opening of the meeting

The meeting was opened by the Chair of the IATTC, Mr. Carlos Marín, of Guatemala. In accordance with paragraph 10 of the Commission's Rules of Procedure, Mr. Pablo Nieto, of Peru, was elected rapporteur.

2. Adoption of the agenda

The agenda was adopted without changes, informing that, under item 13 "Other business", the Commission

would consider the following matters:

- Request by Ecuador to consider the cases of two vessels flying its flag.
- Request by Nicaragua regarding the change of closure exemption period of a vessel flying its flag.
- Request by Japan for an update on the 4th joint meeting of the Joint IATTC-WCPFC Working Group on Pacific Bluefin Tuna scheduled for September 2019.

The Commission also took note of the request of the Chairs of the Administration and Finance and Compliance Committees and of the Meeting of the Parties to the AIDCP that they be granted enough time during the week to be able to conclude the review of pending issues and close their respective meetings, so as to be able to duly inform the Commission of their results and recommendations.

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

Members that had submitted resolution proposals were given the opportunity to present them in a general manner. This presentation enabled the process of discussion and negotiation of these proposals to commence without delay, before their consideration under item 10 of the agenda. It was recalled that these proposals were uploaded to the IATTC website: [Resolution proposals](#).

Previously, Korea had expressed doubts regarding the possibility of considering some of these proposals in view of rule 15 of the rules of procedure established in Resolution [C-12-03](#), which states that "*Any proposal or other relevant document to be discussed at a meeting shall be submitted to the Director not less than twenty-one (21) days before the opening of the meeting.*" In this regard, Korea noted that some proposals had been published on the IATTC website the previous week and therefore not within the indicated time frame. The Director commented that the Secretariat had proceeded to their publication on the assumption of the good faith of the Member that had submitted them. Said Member emphasized that it had sent them previously, before the 21 days indicated in the rules of procedure, but that due to a transmission issue it had been necessary to send them again.

The long debate that resulted from this situation prompted the Commission to agree that in the future each Member should ensure that all documents they send to the Secretariat have been received by requesting the corresponding acknowledgement of receipt.

4. a. The tuna fishery, stocks, and ecosystem in the Eastern Pacific Ocean in 2018

Dr. Guillermo Compeán, Director of the IATTC, presented Document [IATTC-94-01](#): "The tuna fishery, stocks, and ecosystem in the Eastern Pacific Ocean in 2018".

He reported that the EPO yellowfin tuna catches in 2018 were 239,000 t, which is lower than the average of the previous five-year period (244,000 t). The preliminary estimate of retained skipjack catch in 2018, 287,000 t, was 8% higher than the 2003-2017 average, and 15% lower than the record catch of 2016. The average annual retained purse-seine catch of bigeye in the EPO was about 5,000 t before the increase in the use of FADs; in 1994, it reached 35,000 t, and in 1996, more than 60,000 t. Since then, it has fluctuated between 44,000 and 95,000 t. The preliminary estimate of retained catch in the EPO in 2018 is 65,000 t.

During 1989-2018, the annual retained catch of bluefin tuna in the EPO by purse-seine vessels averaged 5,000 t; the preliminary estimate for 2018 is 2,900 t.

Several delegations commented that the fishery on dolphins has reduced considerably with respect to the FAD fishery and that clear information on this matter is needed since this has caused greater pressure on the tuna resources. Costa Rica mentioned that it is necessary to apply the precautionary approach and management measures that will provide greater certainty over the resource.

Japan mentioned that it is concerned about the increase in the FAD fishery in the eastern Pacific area. It noted that this has affected the catch of bigeye tuna and that longline fishery is relatively low and purse-seine vessels put more pressure on this species, so work must be done to address this. Ecuador stated that

the FAD fishery has increased, but fishing mortality has been reduced with respect to fishing on schools and this should be taken into consideration, in addition to the fact that the EPO is the only ocean in the world where the fishery is closed for 72 days.

The Coordinator of Scientific Research, Dr. Aires-da-Silva, presented the status of the tuna and billfish stocks. Regarding tropical tunas, he mentioned that for yellowfin tuna in the EPO, the only assessment conducted in 2019 was an update assessment of yellowfin tuna. Issues similar to those in the 2018 bigeye assessment were identified, so the results of the assessment are not considered reliable, which precludes their use as a basis for supporting changes in the number of closure days currently used for managing tropical tunas in the EPO. Consequently, the staff produced stock status indicators for yellowfin, and these were used to monitor the stock in 2019. It is not clear from the indicators whether the abundance of yellowfin tuna is decreasing, or whether the fisheries are changing. Several scenarios will be explored in preparation for the 2020 benchmark assessment.

Regarding bigeye tuna in the EPO, with the expansion of FAD fisheries since 1993, the purse-seine fishery has been a growing factor in its catch. In 2018, the staff concluded that the bigeye tuna assessment model had become overly sensitive to the inclusion of new data and, for this reason, the staff did not recommend using it to define management measures in 2018. The staff has continued to work on resolving these issues in 2019 and will conduct a benchmark assessment of bigeye in 2020; in the meantime, stock status indicators are being used to evaluate the status of the stock as for yellowfin and skipjack. All the indicators, except catch, show strong trends over time, indicating increasing fishing mortality and reduced abundance, and are at, or above, their reference levels. The increasing number of sets and the decreasing mean weight of the fish in the catch suggest that the bigeye stock in the EPO is under increasing fishing pressure.

Regarding skipjack tuna in the EPO, there is a general trend toward decreasing average weight (which is near the lower reference level in 2015-2017). This could be the result of the increase in fishing mortality, in turn, as a consequence of the substantial increase in the number of sets on floating objects. A conventional assessment of skipjack is necessary to determine the status of the stock, but this is not possible without much more extensive tagging data. Implementing the large-scale tagging program in the EPO proposed in the Strategic Science Plan for 2019-2023 is therefore critical.

As for bluefin tuna, Alexandre Aires-da-Silva mentioned that the stock is currently reduced with a current biomass close to the minimum level. There is a gradual growth since around 2010 and an estimated high, but uncertain, recruitment in 2016. Regarding North Pacific albacore, he mentioned that the 2017 assessment shows an improvement over 2014 and that everything indicates that the population is not overfished.

In response to a question from the United States, it was noted that the number of sets on floating objects, per day and per vessel, is increasing, and it may be due to the increased effectiveness of vessels for finding FADs with tuna, due to both the increased number of FADs deployed and the increased use of satellite-linked fish-detecting sonar buoys.

Several delegations commented that there are discouraging issues such as the increase in fishing for juveniles, mainly yellowfin, as a result of the increase in FAD sets, which shows the importance and urgency of reviewing the number of FAD sets by fleet and analyzing how this fishing method has evolved and changed. While on the one hand the number of FAD sets has not increased, on the other hand the size of catches is smaller, so work must be done on the recommendation of the IATTC scientific staff, endorsed by the SAC, that states the need to limit the number of FAD sets. One delegation stressed that applying a limit to FAD sets should apply mainly to those vessels that do not have an observer on board.

Venezuela mentioned, as in other meetings, that it was identified that a small group of vessels are the ones that catch the largest amount of small juvenile tunas according to data collected during two years, so it would be advisable to review the situation of those vessels in order to specifically apply measures to reduce juvenile catches.

4b. Review of the Commission staff's research

The Coordinator of Scientific Research, Dr. Aires-da-Silva, presented Document IATTC-94-04, "Staff Activities and Research Plan." He pointed out that the document outlines the staff's work and research plans for the next five years, as well as the 52 research projects that are currently underway, or planned and funded for the near future.

The staff's research activities are classified into the 7 main research areas of the proposed Strategic Science Plan (SSP; IATTC-93-06a), which are as follows:

1. Data collection
2. Life-history studies for scientific support of management
3. Sustainable fisheries
4. Ecological impacts of fisheries: assessment and mitigation
5. Interactions among the environment, the ecosystem, and fisheries
6. Knowledge transfer and capacity building
7. Scientific excellence

Dr. Aires-da-Silva emphasized that this organization of the work of the Commission's scientific staff in the above-mentioned areas was in turn related to the new organigram of the Secretariat. In particular, the Commission's scientific staff working under his supervision is divided into 4 main programs: Stock Assessment; Ecosystem and Bycatch (2 subprograms: Ecosystem and Bycatch Mitigation and Gear Technology); Biology (2 subprograms: Early Life History and Life History and Behavior); Data Collection and Database (3 subprograms: Database, Observer Program, IT Support). Ecuador mentioned that work with FADs requires experienced personnel and therefore did not understand the recent changes in the IATTC staff. He requested that if such changes were made, the Members be consulted first and that sufficient time be given for an appropriate transition, considering and taking advantage of the experience gained by the staff that had led this work. Two delegations clarified that, according to the Antigua Convention, it is the prerogative of the Director to manage the staff of the Commission, including the assignment of their functions, responsibilities and specific tasks.

Dr. Jon López, of the Commission's scientific staff, presented a series of statistics related to the FAD fishery in response to several requests made by delegations during the meeting. Most of this work had been presented previously in the *Ad Hoc* Working Group on FADs and shows evidence of increased use of FADs by the majority of the fleet, spatiotemporal indices of their use, as well as the need for higher-quality data to develop better management measures, including high-resolution data from buoys associated with objects.

Dr. Aires-da-Silva presented the following table with projects that require funding to be carried out. The table includes nine research projects that are considered important by the staff, but for which there is currently a lack of human, technical or financial resources to carry them out.

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| 1. Data collection for scientific support of management |
| C.1.a: Develop an effective and reliable floating-object marking scheme to assist scientific advance |
| C.4.b: Long-term sampling program for shark catches of artisanal fisheries in Central America. Phase 1. |
| 2. Life-history studies for scientific support of management |
| E.2.a: Investigate spatiotemporal variability in the age, growth, maturity, and fecundity of yellowfin tuna in the EPO |
| 3. Sustainable fisheries |
| H.1.d (ext): Improve indices of abundance and length composition based on longline data |
| H.7.b: South Pacific swordfish assessment |
| H.8.b: Survey for dolphins in the eastern tropical Pacific Ocean (ETP) |

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| 4. Ecological impacts of fisheries: assessment and mitigation |
| M.5.c: Evaluate and reduce post-release mortality of Mobulid rays |
| 5. Interactions among the environment, the ecosystem, and fisheries |
| O.1.a: Develop a fishery-dependent ecological sampling program for EPO tuna fisheries |
| 6. Knowledge transfer and capacity building |
| 7. Scientific excellence |
| X.1.c: Workshop on good practices in fisheries stock assessment |

The European Union appreciated the presentations of the research plans and actions, whose development it had requested. It particularly referred to the tuna tagging project that is being carried out with funds it has provided and asked about the results of the cruise that took place at the beginning of the year. The Secretariat informed that the goal set had not been achieved completely, since it was impossible to access all the areas in which tuna tagging had been planned, in particular the waters of the Galapagos National Park, the Malpelo National Natural Park and the core zone of the Revillagigedo Archipelago. Colombia and Ecuador criticized this situation and requested that, in the future, planning be carried out adequately and on time so that all the areas necessary for tagging tuna can be accessed; in particular, they referred to the need to take into account the time needed so that the relevant administrations can grant the required permits.

Several delegations welcomed the work being done on sharks under the FAO-GEF-ABNJ project and encouraged the continuation and allocation of the necessary resources. They also highlighted the importance of working towards the development of electronic monitoring that will allow an increased coverage of purse-seine vessels smaller than Class 6, as well as longliners in general.

In response to a delegation's question, the Secretariat clarified that workshops had been held for fishing captains to facilitate the filing of FAD identification forms in accordance with Resolution C-18-05. It informed that one was held in May 2019 in San Diego, California, and that more are planned, as well as the production and publication of tutorials to facilitate the completion of the forms.

Chile indicated its interest in a swordfish assessment. The Secretariat informed that there is a research proposal for this year and possibly a workshop will be held in October 2020.

4.c Report and recommendations of the 10th meeting of the Scientific Advisory Committee (SAC)

The Director, in his capacity as Chair of the SAC, reported on the 10th SAC meeting held in May 2019 in La Jolla, California. He noted that the SAC endorsed 12 of the 13 recommendations of the 9th meeting of the Working Group on Bycatch, and adopted a series of recommendations (see Document IATTC-94-02, "Recommendations of the 10th Meeting of the Scientific Advisory Committee").

There were no comments or observations from the Commission regarding the report or its presentation. The representatives of some environmental non-governmental organizations expressed their support for the IATTC to continue its work on the assessment of dorado. They also supported the recommendations concerning seabirds made by the Working Group on Bycatch and expressed the wish that they be translated into improved mitigation measures, including through an amendment to Resolution C-11-02.

4.d Conservation recommendations by the Commission staff

Dr. Alexandre Aires-da-Silva presented Document IATTC-94-03, "Conservation Recommendations by the Commission Staff." He highlighted the following recommendations:

- Maintain the provisions of the current resolution on tuna conservation (C-17-02), mainly regarding the duration of the closure (72 days).
- For the purse-seine fishery, given the current concern about increasing mortality of bigeye and skipjack tunas, the number of floating-object and unassociated sets should not increase. On the

contrary, the total annual number of floating-object and unassociated sets combined by Class-6 vessels in 2019 and 2020 should be limited to 15,723. Once the limit is reached, only dolphin-associated sets should be allowed during the rest of the year, and all vessels without a Dolphin Mortality Limit should cease its activities and return to port.

- For bluefin tuna, maintain the measures of the current resolution (C-16-08).
- For north Pacific albacore tuna, the implementation of resolutions C-05-02 and C-13-03 should be continued.
- Achieve at least 20% observer coverage of longline vessels over 20 m length overall.

5. Reports of subsidiary bodies and working groups:

a. 4th Meeting of the *Ad Hoc* Working Group on FADs

Dr. Josu Santiago, Chair of the *Ad Hoc* Working Group on FADs, presented his report (Appendix 4d). He mentioned that the working group had held its fourth meeting during the previous week and recalled that the 2nd meeting of the Tuna RFMOs Joint Working Group on FADs had been held in May 2019. He took the opportunity to present in detail the recommendations adopted by the Joint Working Group, which are reproduced in its corresponding report (see Appendix 4e 2nd Meeting of the Joint Tuna RFMOs Working Group on FADs).

He also presented the recommendations adopted by the 4th meeting of the *Ad Hoc* Working Group on FADs, with the clarification that only the third one had not reached consensus.

1. That the Commission request the IATTC staff, in collaboration with the *Ad Hoc* Working Group on FADs, to identify the difficulties that different CPCs have with the implementation of the requirements established by resolutions C-18-05 and C-17-02 and develop recommendations that could improve their compliance with these requirements, in particular with regard to the submission of the corresponding reports.
2. That the Commission adopt specific requirements for CPCs to provide information regarding the make of buoys used by each of their vessels so that the IATTC staff can identify whether the information provided by the buoy data providers under Resolution C-17-02 is complete.
3. [That the Commission consider that the use of satellite buoys for FADs, instead of other types of beacons, be mandatory].
4. That Resolution C-18-05 be amended so that vessel owners and operators are not required to provide data that are collected by observers. However, captains should be responsible for providing the make, model and serial number of the buoys when the observer is unable to obtain such information, when the captain is able to provide this information.
5. That the IATTC staff give priority to training operators to comply with data provision as required by the resolutions in force, and that such training activities be included permanently in the staff's work schedule, including the use of new technologies such as videoconferences or collaboration in their implementation by staff located in the IATTC field offices, and that such activities be carried out, preferably, during closure periods.
6. The Commission should consider clarifying the terms of reference of the *Ad Hoc* Working Group on FADs, including the process related to the formulation and subsequent submission of recommendations to the Commission.

There were no comments or observations on this report or its presentation.

b. 7th Meeting of the Committee on Administration and Finance

The Chair of the Committee, Mr. Luis Fleischer, of Mexico, presented his report (Appendix 4a).

The Committee made the following recommendations:

1. Consider approving a budget for the IATTC considering three scenarios: the budget requested by the staff (US\$ 8,444,897); one considering no increase (same as in 2019 for US\$ 8,133,837); and another one that considers an average amount (US\$ 8,289,367). The third scenario would be related to the approval of new projects and also to prior knowledge of the AIDCP budget, since the Commission must contribute 30% of its amount.
2. Approve the activities planned for 2019 and 2020 related to the special fund for promoting institutional capacity-building established by Resolution C-14-03, as indicated in section 5b of the Chair's report.
3. That the Secretariat draft a proposal on the allocation of financial support through the special fund, to be reviewed during the intersessional period.
4. Approve a budget of US\$ 1,305,000 for the program of transshipments at sea in 2020 and renew the contract with MRAG for three years.

China requested that the amount of its contribution to the Commission's budget be reviewed as it had been miscalculated. Nicaragua, Belize and Ecuador indicated that they could not accept increases to the budget. Ecuador offered to host the meeting in 2020 and noted that the costs under this budget line in the proposed budget could be reduced.

Korea stated that, in the future, the possibility of holding parallel meetings should be excluded, as was the case with the *Ad Hoc* Working Group on FADs that met at the same time as the Committee on Administration and Finance (CAF), which prevented its delegation from attending the CAF meeting.

After this discussion, the Commission approved a budget of US\$ 8,133,836 for 2020, that is, a total amount identical to that of the previous year. The Commission also approved the renewal of the contract with MRAG for the observer program for transshipments at sea for three more years, as well as a budget for this program of US\$ 1,305,000. Finally, it approved the implementation of the proposed activities under the special fund for institutional capacity-building.

c. 10th Meeting of the Committee for the Review of Implementation of Measures Adopted by the Commission (“Review Committee”)

The Chair of the Committee, Mr. David Hogan, of the United States, presented his report (Appendix 4b). He noted that the Committee made the following recommendations:

a. Recommendations for the Committee/Secretariat

1. Continue the retrospective progress review represented by COR-10-01
2. Reintroduce the breakout for the status of released bycatch – disaggregate “Affected” back to more specific categories such as injured or killed.
3. Continue to track cases of discrepancies between transshipment observer estimates of transshipped fish and reported landings and other available information, and to examine other models for monitoring transshipment in other RFMOs or fora, to consider the utility of recommending the development of a threshold for determining whether any differences may be a compliance matter.
4. In order to address cases of wrapping large sharks by the tail to remove them from the net, ask the Secretariat to examine from a scientific perspective any available information on handling of large sharks based on threats to human safety, and determine at the Commission whether the existing protocols in force in the shark resolution may need to be revised. The Committee recognized and reiterated that the shark handling requirements remain in force.
5. Members that continue to experience challenges with reporting operational level data under Resolution C-11-08 should be prepared to present to the Committee with a description of those challenges and any steps they are taking to improve.

6. The Secretariat should seek to ensure coherence and reduction of discrepancies between and among the responses to the questionnaire, the issues reported in the Compliance Report, and the Compendium.
7. Secretariat should examine what types of data or monitoring would be needed to report on compliance with FAD requirements, including rules on activation/deactivation.
8. Recognizing that the requirements to retrieve FADS in the period before a closure remains in force, and consider the implications of this requirement for vessels setting opportunistically on FADs with satellite buoys they do not own.
9. The Members recommend that the Secretariat should endeavor to send all available evidentiary and documentary information when reporting any cases to Members, in particular for any possible violations that were not included on the compliance record for a trip.

b. Recommendations for the Commission

1. Renew Cooperating Non-Member status for Bolivia, Chile, Honduras, Liberia and Indonesia.
2. No changes were recommended for the IUU Vessel List.
3. Communicate to the CPCs that were absent from the CPC-by-CPC review of their responsibility to attend and participate in the work of the Committee.
4. Reiterate the recommendations arising from the 9th meeting which are still pending discussion and consideration by the Commission, and note that some actions may benefit from a Member exercising their prerogative to submit a proposal to facilitate action by the Commission.
5. In order to reduce redundant reporting, consider revising the FAO Sea Turtle Guidelines implementation reporting requirement to change it from annual to only when any changes occur, possibly taking into account a model used in ICCAT or other RFMOs.
6. Reiterate obligation to retrieve FADs within 15 days of closure regardless of whether the set is opportunistic.
7. Reiterate the Secretariat's memo to Members of 11/20/18 regarding implementation of C-17-02.

c. Discussion not resulting in a recommendation

The Committee discussed asking the Commission to review and consider affirming or, if needed, ratifying through decision making the status of work delegated to the Scientific Advisory Committee for the development of reporting standards, including forms, data fields, data resolution aspects and other work that the Committee has seen as being considered differently among CPCs where, in some cases, there is no consistent understanding of the status of those data standards.

The Committee discussed this in the context primarily of FAD data reporting as well as longline catch and observer reporting. The Commission could also take into consideration the incremental implementation by some Members, given their uncertainty around the status of the data standards, and examine the utility of a phase-in of compliance expectations or the development of an action plan to achieve full implementation over time. The Committee did not reach consensus on using this discussion as the basis for a recommendation.

After the presentation of the report and the recommendations by the Chair of the Committee, there was a discussion that allowed to clarify that, according to Resolution C-16-05, lifting sharks by the tail for their rescue or release should be considered an infraction.

Finally, the Commission agreed to approve the renewal of Cooperating Non-Member status for Bolivia, Honduras, Indonesia, Chile and Liberia. It also took note of the other recommendations without any additional comments or observations.

d. 21st Meeting of the Permanent Working Group on Fleet Capacity

The Chair of the Permanent Working Group on Fleet Capacity, Mr. Alfonso Miranda, of Peru, presented his report (Annex 4c). He noted that the consultant on a fleet capacity management plan and associated measures presented his report during the meeting of the Group (see Document CAP-21 Consultant's report) and that the following recommendation was agreed:

Gathering the elements of consensus reached during the discussion of item 4 of the agenda, the Working Group agreed to recommend the development, in coordination with the consultant, of a schedule of his visits to CPCs with purse-seine fleets in the near future. An important purpose of these visits will be to discuss the possible concerns of those CPCs regarding the proposed scheme, in order to take them into account in the review of the proposal.

He also reported that, during the meeting, Ecuador presented a request to include a vessel of its flag in the IATTC Regional Vessel Register, which had already been circulated and consulted intersessionally through an exchange of emails. However, the Group agreed that this type of decision should not be taken by correspondence during the intersessional period but rather in the framework of a face-to-face meeting. Since no consensus was reached on this matter, Ecuador informed that it would present its request at the IATTC plenary meeting under item 13 "Other business".

Bolivia presented a written statement regarding a request for the return of well capacity that it has submitted repeatedly for several years, which is included as Appendix 5a.

6. Report of the consultant on a fleet capacity management plan and associated measures

During the plenary meeting of the Commission, Dr. Dale Squires presented the report he had already presented to the Permanent Working Group on Fleet Capacity on the progress and results of his work.

After taking note of this presentation, the Members generally expressed their interest and concern regarding several topics and issues related to this ongoing work.

In conclusion, the Commission approved the recommendation of the Permanent Working Group on Fleet Capacity regarding the development of a visit schedule, which would be circulated to IATTC Members within a month for consultation.

7. Report of the consultant on human resources

The consultant, Mr. Driss Meski, presented his report, which is available in its entirety on the IATTC website ([Report of the Consultation on the Management of the Human Resources at the IATTC](#)). He clarified that it was not a criticism of the current human resource management, but rather an identification of a number of opportunities for improvement in relation to both institutional and organizational aspects, including, *inter alia*, the status of the Commission and its headquarters and staff, the need to respond with appropriate human resources to the Commission's broadened mandate beyond its previous scientific functions, particularly in the field of policy and compliance, and matters related to the career development of the Commission's staff members, including their evaluation and retirement. The United States, as the host country of the Commission, expressed its willingness to discuss any aspect related to the status of the Commission, its headquarters and its staff should it be necessary to develop and complete existing arrangements. In this regard, China expressed its support for the Secretariat to initiate consultations with the United States so that the Commission can have a headquarters agreement as recommended by the consultant, similar to the headquarters agreements in force in other RFMOs. Mr. Meski noted that his study includes an example-model of a headquarters agreement that could be useful. He added that the signing of a headquarters agreement is critical to the operation of the IATTC and could facilitate and resolve several existing issues related to the operation of the Commission and its staff in the host country, and would be an important tool to improve the work of the Commission and the staff.

The European Union noted that the document was very useful and comprehensive and responded to what had been requested of the consultant and what was needed in response to the concerns that had been

expressed. The European Union added that it agreed with the analysis and conclusions of the report and requested that the Secretariat prepare a document on the staff rules based on the consultant's report and his recommendations, which would allow the Commission to make further progress in the development and adoption of relevant recommendations.

8. Observer program for transshipments at sea

Mr. Ricardo Belmontes, of the Commission staff, noted that the report on the progress of the program and its results had already been presented to the Committee on Administration and Finance (CAF) and the Scientific Advisory Committee (SAC). He recalled that the Review Committee also considered cases of possible infractions on carrier vessels. The Commission, in addition to expressing its interest in making the best use of the information collected through programs, reiterated its approval of the budget for the observer program for transshipments at sea, as well as the renewal of the contract with MRAG.

9. Implementation of Article XII, paragraph 1, of the Antigua Convention

The Chair of the Commission reported that the Heads of Delegations had met to ascertain whether, at the ordinary meeting of the Commission of the year preceding the expiration of the Director's mandate, there was consensus to reappoint him, as established in Section 1 of Resolution C-14-07 on procedures for the implementation of Article XII, paragraph 1, of the Antigua Convention. After having verified the absence of consensus, as a result of the reservations expressed by two delegations during said meeting, the Commission noted that the selection process would be initiated in accordance with the procedure under Section 2 of Resolution C-14-07.

10. Discussion of resolutions and recommendations

a. Resolutions adopted

The following resolutions were adopted:

| Subject | Resolution |
|--|------------|
| Collection and analyses of data on fish-aggregating devices | C-19-01 |
| IUU Vessel List (Amendment to C-15-01) | C-19-02 |
| 2020 financing | C-19-03 |
| Sea turtles | C-19-04 |
| Management of shark species, with emphasis on the silky shark (Amendment to C-16-06) | C-19-05 |
| Conservation of whale sharks | C-19-06 |
| Management strategy evaluation | C-19-07 |
| Observers on longline vessels | C-19-08 |

b. Proposals submitted but not approved*:

The outcomes at the end of the presentation of these proposals were as follows:

| Prop. | Subject | |
|-----------------|--|--|
| A-6A Various | Consolidated draft proposal on FADs | The Chair requested that the authors of the 5 proposals initially submitted (Venezuela, the European Union, Colombia, Mexico and Ecuador) consolidate them into one. Despite achieving this, it was finally impossible to reach consensus on the unified proposal and only the one initially submitted by Venezuela could be approved. |
| A-7 Various | Amendment of Resolution C-18-05 on the collection and analysis of data on fish-aggregating | This consolidated proposal submitted by Colombia, Ecuador, Mexico, the European Union and Venezuela, in substitution of several individual proposals that aimed to modify the rules of procedure of the <i>Ad Hoc</i> Permanent Working Group on FADs, could not reach consensus either. |

| | | |
|--------------|--|--|
| | devices | |
| C-2 COL | IUU fishing | The purpose of this proposal by Colombia was that decisions on the inclusion of vessels in the IUU list would not be taken by consensus of all the Members in attendance, to avoid, as experience has shown, making it impossible to include a vessel of the flag of these Members. As Mexico and the United States insisted that the Antigua Convention required that all decisions be taken by consensus, the proposal was not adopted. |
| D-1 EU | Marine pollution | The EU submitted this proposal that seeks to establish a regulatory framework on the marking of fishing gear and the discharge of plastics from fishing vessels in the IATTC Convention Area in order to limit the negative effects of plastic residues in the ocean affecting marine life on shore and off shore. As a result of the difficulties encountered in the consideration of the issue of the marking of fishing gear and equipment, it was not possible to reach consensus on this proposal. |
| Vari- ous | Consolidated proposal on ob- servers for long- line vessels | The main purpose of this consolidated proposal was to gradually increase observer coverage on longline vessels from 5 to 20%, and to complement it with electronic monitoring. Consensus was not reached, but a proposal submitted by the European Union was adopted, which, among other aspects, establishes specific requirements for the submission of data by on-board observers (Resolution C-19-08). |
| F-1 EU | Port State measures | Once again, no consensus was reached on this proposal, which had already been presented at previous meetings, because some Members stated that they could not support it until the FAO Agreement on the matter is ratified. |
| G-1C EU | Transshipments | The EU submitted this proposal that sought to amend and refine some elements of the current Resolution C-12-08. China and Japan indicated that they cannot accept that only vessels flying the flag of a CPC are able to receive transshipments, in addition to not accepting any modification to the current format of the transshipment declaration. |
| G-2 ECU | Transshipments | Ecuador submitted this proposal that sought to prohibit transshipments at sea and only allow them to take place in port. Objections were raised by several Members, who stated that not only was this practice common and economically important, but it was also well regulated and monitored through the Regional Observer Program on authorized carrier vessels. |
| I-1 JPN | Bluefin tuna | This proposal by Japan on possible changes to the current catch limits in the current resolution could not reach consensus, particularly due to the objections raised in order to reflect the results properly. Mexico and the United States indicated that no new measures could be accepted until the next meeting of the Joint IATTC-WCPFC Northern Committee (NC) Working Group scheduled for September. Korea also expressed its interest in holding an extraordinary IATTC meeting after that Working Group meeting, which was not agreed by the Commission. |
| J-1 MEX | Confidentiality | This proposal, whose purpose was essentially to prohibit the use of information presented in the Compliance Committee to adopt unilateral sanctions, was supported by several delegations, but could not reach the necessary consensus because of the objections presented by the USA and the EU related to transparency issues. |
| M-1 ECU | Sorting grid | The purpose of this proposal was for the Commission to approve a pilot project of sorting grid experiments. In addition to the possibly inappropriate nature of a resolution for the adoption of specific projects of this nature, a similar project had already been adopted by the Commission and is currently being implemented. After acknowledging the lack of support for its proposal, Ecuador requested a timeline of the ongoing work and added that it could provide additional resources with the support of the Ecuadorian |

| | | |
|--|--|-----------|
| | | industry. |
|--|--|-----------|

* All the original proposals can be found on the IATTC website: [94th IATTC meeting documents](#).

11. Election of Chair and Deputy Chair

The Commission elected Mr. Alfonso Miranda, of Peru, as Chair of the Commission, who expressed his gratitude for the confidence entrusted in him and his country and offered to work not only in the conduction of the meetings but also during the intersessional period to try to facilitate the necessary agreements for the benefit of the work of the IATTC. Since there was no agreement on the election of the Deputy Chair, it was left pending.

12. Election of Chairs of subsidiary bodies and working groups

The Commission elected or re-elected the following persons:

| Working Group or Committee | Chair(s) |
|---|---|
| Review Committee | David Hogan (USA) |
| Committee on Administration and Finance | Pending |
| Permanent Working Group on Fleet Capacity | Luis Molledo (EU) |
| Working Group on Bycatch | Yonat Swimmer (USA) Manuel Correia (Venezuela) |
| <i>Ad Hoc</i> Working Group on Coherence of Resolutions | Bernal Chavarría (Honduras) |

The Commission thanked Dr. Luis Fleisher, of Mexico, for his work as the CAF Chair during this annual meeting, and agreed that the election of a new Committee Chair should be postponed until next year.

13. Other business:

As announced at the beginning of the meeting, the Commission considered the following three issues under this item of the agenda:

a. 4th meeting of the Joint IATTC-WCPFC NC Working Group on Pacific Bluefin Tuna (September 2019)

Ms. Dorothy Lowman, who serves as Co-Chair of the Joint IATTC-WCPFC NC Working Group on Pacific Bluefin Tuna, reported that the 4th meeting of the group would be held on 3-5 September 2019 in Portland, Oregon, USA. She added that it is expected that, among others, this meeting would be used to discuss possible coherent and balanced conservation and management measures for this species agreed upon by the two organizations.

Japan and Mexico appreciated the information and indicated that they would be awaiting the results in order to evaluate whether additional conservation and management measures were needed for bluefin tuna in the Antigua Convention Area under the responsibility of the IATTC.

b. Situation of two Ecuadorian vessels

b.1. Inclusion of the *Maria del Mar* in the IATTC Regional Vessel Register

After a new presentation by Ecuador of this case, described as an involuntary omission of the fisheries authorities at the time of the establishment of the Regional Vessel Register, in the absence of objections and, on the contrary, with the support of several delegations, the Commission approved the inclusion of this vessel in the Register, in the list of sunk vessels, with the understanding that this concluded an old request by Ecuador and that there would not be more similar cases in the future. Furthermore, it was clarified that

issues of this nature could not be resolved by correspondence during the intersessional period but only at face-to-face meetings of the Permanent Working Group on Fleet Capacity and the Commission.

b.2. Request for additional capacity for the *Ricky A*, which had increased its well volume

Ecuador recalled that this case had been presented for several years and that it had repeatedly requested that the increase in the well volume of the *Ricky A* be recognized with the capacity of the *Victoria A* (ex *Ca-brillo*), which, as the *María del Mar*, had not been included in the Register due to an involuntary omission by the Ecuadorian authorities. Ecuador's request regarding the *Ricky A* was not approved, since several delegations pointed out that this case had been presented repeatedly to the Compliance Committee as a clear violation of Resolution C-02-03, consisting of the increase in well volume of a vessel without first having the capacity legally recognized by the Commission to do so.

c. Transfer of the exemption period granted in 2018 to the Nicaraguan vessel *Olivia D* for 2019

Nicaragua requested that it be allowed to use the reduced closure period corresponding to the exemption due to *force majeure* that was granted for the vessel *Olivia D* in 2019 instead of 2018, given the issues encountered by the vessel for its operation. Recalling similar cases that had been favorably considered in the past, and based on the provisions of Resolution C-17-02, paragraph 6.e.ii, the Commission decided to approve this request.

d. Preliminary report of the Chair of the *Ad Hoc* Working Group on Coherence of IATTC Resolutions

In his preliminary report (see Appendix 4f), the Chair of the Working Group, Mr. Bernal Chavarría, noted that the preparation of a comprehensive document as a basis for the group's work had been initiated and was underway and could be presented next year. At Mr. Chavarría's request, the Commission approved the continuation of the Working Group and the extension of its mandate.

14. Place and date of next meeting

The Commission agreed that its 94th meeting would be held on dates to be determined during the months of July or August 2020, taking into account the amendment introduced by Resolution C-17-04 to the rules of procedure so that the annual meeting would preferably be held no less than three months after the conclusion of the meeting of the Scientific Advisory Committee. With regard to the place of the meeting, the Commission welcomed the generous offers of Nicaragua and Ecuador to host the meeting, and a decision on this matter was left pending.

15. Adjournment

The meeting was adjourned at 20:00 on 26 July 2019.

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ANNEX 2. RESOLUTIONS

2.a. Resolution [C-19-01](#). Amends and replaces [C-18-05](#) FADs.

INTER-AMERICAN TROPICAL TUNA COMMISSION

94TH MEETING

Bilbao, Spain

22-26 July 2019

RESOLUTION C-19-01

AMENDMENT TO RESOLUTION C-18-05 ON THE 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 the relevant data regarding such fisheries and gears for analysis, 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 on 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;

Taking into account that the Scientific Advisory Committee has also recommended that the information on FADs be recorded by the observer on vessels with an on-board observer, and by the captain on vessels that do not carry an on-board observer; and

Noting that, based on recent scientific analysis, 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;

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 2020, on all purse-seine vessels that carry an on-board observer, observers shall be responsible for collecting all the information on FADs, and the captain shall be required to provide the observer with the FAD identification code and, as appropriate, the other information in Annex 1 of Resolution C-18-05. On purse-seine vessels without an observer aboard, the captain shall be responsible for recording the information on the FAD form developed by the IATTC staff.

3. CPCs shall provide the data recorded by the captains, pursuant to Paragraph 2, for the previous calendar year, which are available at the time of submission, to the Director. CPCs shall submit the data to the Director no later than 90 days prior to each regular meeting of the SAC.

4. No later than the IATTC annual meeting in 2020, 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*.

5. In addition, no later than the IATTC annual meeting in 2020, the scientific staff of the IATTC, in coordination with the SAC and taking into account the outcomes of the *Ad Hoc* Working Group on FADs, 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 affected 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 2020, 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. NON-ENTANGLING FADS

10. To reduce the entanglement of sharks, sea turtles or any other species, as of 1 January 2019 CPCs shall ensure that the design and deployment of FADs are 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 2018 IATTC annual meeting, consistent with Paragraph 5.

SECTION 4. *AD HOC* PERMANENT WORKING GROUP ON FADS

12. An *ad hoc* Permanent Working Group on FADs (Working Group) is established.

13. 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, who shall inform CPCs and the Chair of the FADs Working Group.

14. 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.

15. The Working Group shall report on a regular basis to the Commission and present an initial report of its findings at the 2017 meeting of the SAC.

16. The Terms of Reference of the Working Group are those indicated in Annex III.

17. The Working Group shall liaise, as far as possible, with other similar working groups on FAD management established in other tuna regional fisheries management organizations (tuna RFMOs), in particular the Western and Central Pacific Fisheries Commission (WCPFC).

18. During its 2019 meeting(s), the IATTC FAD Working group will evaluate materials and designs to further reduce entanglements in FADs and for biodegradable FADs and make recommendations to revise Annex II.

19. This Resolution replaces Resolution C-18-05.

Annex I

CPCs are required to ensure their vessel owners and operators record and report to the appropriate national authorities any interaction with FADs, using a standard format to be developed by the Commission staff. For each interaction with a FAD, the following information shall be recorded:

- i. Position;
- ii. Date;
- iii. Hour;

- iv. FAD identification¹;
- 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));
- viii. If the activity is a set, the results of the set in terms of catch and bycatch; and
- ix. Characteristics of any attached buoy or positioning equipment (positioning system, whether equipped with sonar, etc.).

Annex II

Principles for design and deployment of FADs

1. The floating or raft part (flat or rolled structure) of the FAD can be covered or not. If it is covered with mesh net, it must have a stretched mesh size less than 7 cm and the mesh net must be well wrapped around the whole raft so that there is no loose netting hanging below the FAD when it is deployed.
2. The design of the underwater or hanging part (tail) of the FAD should avoid the use of mesh net. If mesh net is used, it must be tied as tightly as practicable in the form of sausages or have a stretched mesh size less than 7 cm in a panel with weight at the end.
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.

Anexo III

The objectives of the Working Group are the following:

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 this Resolution to assess the need for revision;
3. Develop data reporting formats and definitions of terms related to FAD fishing (e.g. biodegradable FADs, non-entangling FADs, etc.), to implement obligations under this Resolution, in cooperation with the scientific staff, to be submitted to the Commission for consideration;
4. Compile information regarding developments on FADs in other tuna RFMOs;
5. Compile information regarding developments on the latest scientific information on FADs, including information on non-entangling FADs, and identify priority areas for research;

¹ 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 alphanumeric 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. by providing the FAD identification code to the observer).

6. Prepare annual reports for the SAC, including specific recommendations, as appropriate; and
7. Identify and review possible FAD management measures, in coordination with the scientific staff and the SAC, and make recommendations to the Commission, as appropriate.

2.b. Resolution C-19-02. Amends and replaces C-15-01 IUU Vessel list

INTER-AMERICAN TROPICAL TUNA COMMISSION

94TH MEETING

Bilbao, Spain

22-26 July 2019

RESOLUTION C-19-02

**AMENDMENT TO RESOLUTION C-15-01 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 management 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 transactions², 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 possible 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.

² Transactions are permitted in the case of fish seized and sold as a result of judicial or administrative sanctions.

SPECIAL PROCEDURE FOR CROSS-LISTING IUU VESSELS FROM OTHER ORGANIZATIONS

19. In addition to any relevant organization that has expressed an interest in receiving the IUU Vessel List, the Director shall transmit the IATTC Final IUU Vessel List to the FAO and to the secretariats of the following organizations for the purposes of enhancing co-operation between IATTC and these organizations aimed at preventing, deterring and eliminating IUU fishing: the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), the Commission for the Conservation of Southern Bluefin Tuna (CCSBT), the International Commission for the Conservation of Atlantic Tunas (ICCAT), the Indian Ocean Tuna Commission (IOTC), the General Fisheries Commission for the Mediterranean (GFCM), the Northwest Atlantic Fisheries Organization (NAFO), the North East Atlantic Fisheries Commission (NEAFC), the North Pacific Fisheries Commission (NPFC), the South East Atlantic Fisheries Organization (SEAFO), Southern Indian Ocean Fisheries Agreement (SIOFA), the South Pacific Regional Fisheries Management Organization (SPRFMO) and the Western and Central Pacific Fisheries Commission (WCPFC).
20. Notwithstanding paragraphs 1 to 3, IUU vessels listed by the organizations set out in paragraph 19 may be added to or deleted from the IATTC IUU Vessel List, provided that the procedures specified in paragraphs 21 to 24 are followed.
21. Notwithstanding paragraphs 6 to 10, upon receipt of the Final IUU Vessel Lists established by CCAMLR, CCSBST, ICCAT, IOTC, GFCM, NAFO, NEAFC, NPFC, SEAFO, SIOFA, SPRFMO and WCPFC, the Director shall circulate the lists to CPCs for the purpose of amending the IUU Vessel List during the intersessional period. Vessels that have been added to or deleted from the respective organizations' Final IUU Vessel Lists shall be incorporated into or deleted from, as appropriate, the IUU Vessel List, unless any CPC formally objects in writing within 30 days of the date of transmittal by the Director.
22. In the event of an objection to including in the IATTC Final IUU Vessel List a vessel listed by CCAMLR, CCSBST, ICCAT, IOTC, GFCM, NAFO, NEAFC, NPFC, SEAFO, SIOFA SPRFMO or WCPFC, the case shall be brought to the following session of the Committee for the Review of Implementation of Measures Adopted by the Commission for its examination. The Committee shall provide a recommendation to the Commission on the inclusion of the relevant vessel/s in the IUU Vessel List.
23. Vessels that have been listed under the procedures specified in paragraphs 21 and 22 and that have been removed from the Final IUU vessel lists of the relevant organizations set out in paragraph 19 shall be removed from the IATTC Final IUU Vessel List.
24. Upon amendment of the IATTC IUU Vessel List pursuant to paragraphs 20 or 22, the Director shall circulate the revised Final IUU Vessel List to all CPCs.

REMOVAL OF A VESSEL FROM THE IUU VESSEL LIST

25. 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.
26. 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.
27. 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.
28. 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.
29. 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.
30. This resolution shall apply to any fishing vessel greater than 23 meters overall length.
31. 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.
32. This resolution replaces Resolution C-15-01.

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.)

| C-15-01, para. 3 | Vessel fished for species covered by the IATTC Convention within the Convention Area and: | Indicate |
|---------------------|--|----------|
| 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-19-02

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.

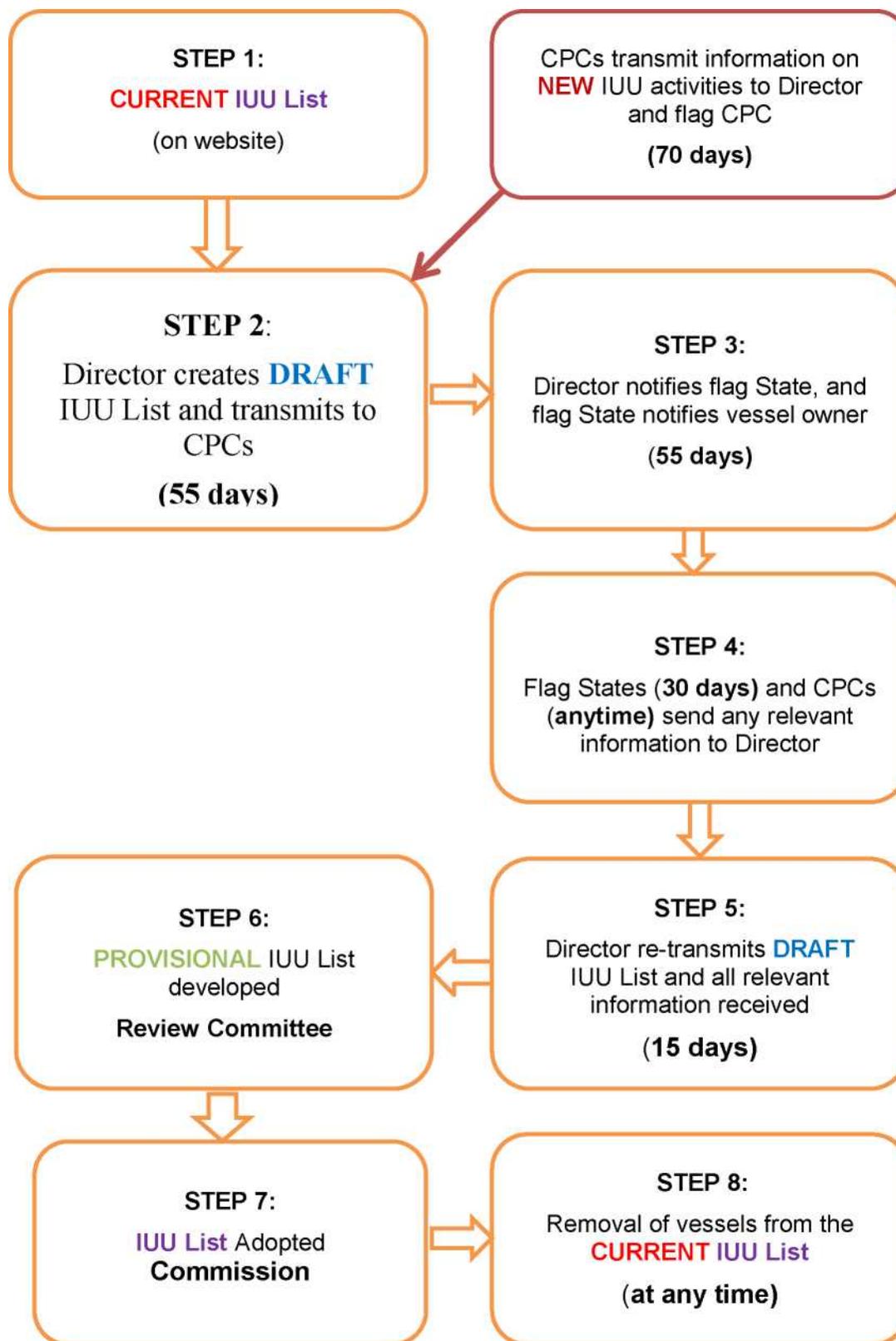
IUU VESSEL LIST

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 NEW IUU activities; CPCs and DIRECTOR notify the relevant flag States | 4,5 |
| 2 | 55 days | DIRECTOR creates the DRAFT IUU List, based on the CURRENT IUU List and NEW 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 DRAFT List | 11 |
| 5 | 15 | DIRECTOR re-circulates the DRAFT List, with all the information received, to all CPCs and to those non-CPCs with vessels on the DRAFT List | 10 |
| 6 | Review Committee | (a) Reviews the DRAFT List and all the information received | 12 |
| | | (b) Creates the PROVISIONAL List | 13 |
| | | 1. Recommends which vessels on the CURRENT List should be removed 2. Recommends which NEW vessels should be retained | 13 |
| 7 | Commission | (a) Reviews the PROVISIONAL List and all the information received | 14 |
| | | (b) Amends the PROVISIONAL List, as appropriate | 14 |
| | | (c) Adopts a new IUU List | 15 |
| 8 | Any time | Director receives request for vessel removal and all supporting information | 19 |
| | | 15 days from receipt of request: DIRECTOR transmits request and all supporting information to CPCs 30 days from receipt of request: CPCs respond with their position on removal; if CPCs approve, Director removes vessel from IUU list | 20 21, 22 |



2.c. Resolution. [C-19-03](#). Financing FY 2020.

INTER-AMERICAN TROPICAL TUNA COMMISSION

94TH MEETING

**Bilbao, Spain
15-26 July 2019**

RESOLUTION C-19-03

FINANCING FOR FISCAL YEAR 2020

The Inter-American Tropical Tuna Commission (IATTC), gathered in San Diego, California, USA, on the occasion of its 94th 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-15-05, whereby the Commission, at its 89th Meeting, agreed on a formula for calculating the contributions of the Members to the Commission's budget for the years 2013-2017 and beyond,

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-06-01; 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\$ 8,133,836 for fiscal year (FY) 2020.
2. That the Members shall contribute to the Commission's budget for FY 2020 in accordance with the following schedule:

| | FY 2020 (US\$) |
|------------|---------------------------|
| Belize | 44,994 |
| Canada | 136,554 |
| China | 241,241 |
| Colombia | 271,118 |
| Korea | 268,955 |
| Costa Rica | 131,736 |

| | FY 2020 (US\$) |
|----------------|---------------------------|
| Ecuador | 1,639,008 |
| El Salvador | 91,925 |
| United States | 1,746,553 |
| France | 151,641 |
| Guatemala | 54,239 |
| Japan | 360,248 |
| Kiribati | 44,611 |
| Mexico | 1,048,040 |
| Nicaragua | 83,060 |
| Panama | 742,352 |
| Peru | 126,209 |
| Chinese Taipei | 245,564 |
| European Union | 462,701 |
| Vanuatu | 54,250 |
| Venezuela | 188,838 |
| Total | 8,133,836 |

2.d. Resolution [C-19-04](#). Resolution to mitigate impacts on sea turtles

INTER-AMERICAN TROPICAL TUNA COMMISSION

94TH MEETING

Bilbao, Spain

22-26 July 2019

RESOLUTION C-19-04

RESOLUTION TO MITIGATE IMPACTS ON SEA TURTLES

The Inter-American Tropical Tuna Commission (IATTC) gathered in Bilbao, Spain, on the occasion of its 94th Meeting:

Considering the adverse effects of fishing for tuna and tuna-like species on the populations of sea turtles in the Eastern Pacific Ocean (EPO);

Recognizing the need for CPCs fishing for species covered by the Convention to take all reasonable steps to prevent interactions with sea turtles;

Deeply concerned about the status of all sea turtle populations in the EPO, including the marked decline in the number of nesting female leatherback turtles (*Dermochelys coriacea*) in the EPO, and that the Eastern Pacific sub-population is classified by the International Union for the Conservation of Nature as Critically Endangered;

Considering that sea turtle catch is incidental (herein “bycatch”) and according to the United Nations Food and Agriculture Organization (FAO) Code of Conduct for Responsible Fisheries, States should minimize the catch of non-target species;

Guided by recent work that has led to advancements in best practices and technologies to avoid interactions and/or to reduce mortality of sea turtles interacting with fishing gear, including:

- The 2009 FAO *Guidelines to Reduce Sea Turtle Mortality in Fishing Operations* and their recommended implementation by regional fisheries bodies and management organizations,
- FAO Common Oceans workshops (2016) on the Joint Analysis of Sea Turtle Mitigation Effectiveness, which identified the need to address sea turtle bycatch in longline fisheries, and
- International scientific studies on the use of circle hooks and whole finfish bait that demonstrate statistically significant reductions in the rates of both bycatch and mortality of sea turtles incidentally caught in longline gear;

Recognizing that the IATTC has a Memorandum of Understanding with the Inter-American Convention for the Protection and Conservation of Sea Turtles (IAC), which can contribute to collaboration in furtherance of the reduction of sea turtle bycatch and the implementation of this measure;

Acknowledging that nearly every IATTC Member has undertaken circle hook trials in their longline fisheries in the last decade;

Recalling the discussions at the 7th, 8th, and 9th meetings of the Bycatch Working Group and resulting recommendations;

Noting that increasing observer coverage and quality of data on longline vessels would allow for more refined and targeted measures to address sea turtle bycatch; and

Affirming that additional measures should be undertaken to reduce sea turtle bycatch and mortality in

IATTC fisheries;

Has agreed as follows:

IATTC Members and Cooperating Non-Members (“CPCs”) shall:

- a. Require owners/operators/vessel crew on vessels targeting species covered by the Convention to promptly release, in a manner that causes the least harm to the extent practicable, all sea turtles, without compromising the safety of any persons.
- b. Ensure that vessel operators and/or at least one crew member on board of vessels targeting species covered by the Convention in fisheries that have reported sea turtle interactions, and particularly those without observers, are trained in techniques for handling and release of sea turtles to improve survival after release.
- c. Strive to implement or enhance observer programs, including with electronic monitoring once standards are adopted by the Commission, for fisheries under the purview of the Commission that may have sea turtle bycatch, taking into consideration economic and practical feasibility.
- d. Continue to participate in and promote research to identify techniques to further reduce sea turtle bycatch in all gear types used in the EPO.
- e. Investigate the use of temporary fishing closures adjacent to nesting beaches or known foraging hotspots to reduce fishing interactions with sea turtles.

CPCs with purse-seine vessels fishing for species covered by the IATTC in the Convention Area shall:

- a. Require owners/operators of purse seine vessels to carry on board, and employ when appropriate, safe-handling tools for the release of sea turtles (e.g. dip nets).
- b. Require, in the event a sea turtle is sighted in a purse seine net, that owners/operators/vessel crew of purse seine vessels take all reasonable steps, as appropriate, to ensure its safe release by following handling and release guidelines in the Appendix, and consistent with the “Best practices for sea turtle handling and release” of the *FAO Guidelines to Reduce Sea Turtle Mortality in Fishing Operations* (2009)³
- c. Require owners/operators/vessel crew of purse seine vessels to promptly release unharmed, to the extent practicable, all sea turtles observed entangled in fish-aggregating devices (FADs).
- d. Record all observed interactions involving sea turtles during purse seine fishing operations and report such information in accordance with paragraph 4.a.ii.

CPCs with longline vessels fishing for species covered by the IATTC in the Convention Area shall:

- a. Require owners/operators of longline vessels to carry on board, and employ when appropriate, safe-handling tools for the safe release of sea turtles (e.g. de-hookers, line cutters, and dip nets).
- b. Require that owners/operators/vessel crew of longline vessels take all reasonable steps, as appropriate, to ensure the safe release of any incidentally-caught sea turtles by following handling and release guidelines in the Appendix, and consistent with the FAO "Best practices for sea turtle handling and release."
- c. Record all observed interactions involving sea turtles during longline fishing operations and report such information in accordance with paragraph 4.a.ii.
- d. Require owners/operators of longline vessels fishing in a shallow-set manner⁴ to employ at least

³ <http://www.fao.org/docrep/012/i0725e/i0725e.pdf>

⁴ For purposes of this Resolution, shallow-set manner, including surface longlines, means the majority of hooks fish at depths shallower than 100 meters.

one of the following mitigation measures:

- i. Use only large circle hooks⁵,
- ii. Use only finfish for bait, OR
- iii. Another mitigation measure to reduce sea turtle bycatch that has been approved by the Commission. A proposal for such a measure shall be submitted to the Bycatch Working Group at its meeting in the year prior to desired implementation, for review and potential recommendation to the Scientific Advisory Committee (SAC) and approval of the Commission.

Monitoring and Evaluation

- a. CPCs shall report to the Director annually, by June 30 (beginning in 2022), the information in this paragraph in a standardized format, unless it is already submitted in accordance with other requirements, such as observer programs. The IATTC staff shall develop the standardized format for this report and submit it to the 2020 Scientific Advisory Committee Meeting for review and Commission adoption.
 - i. Any changes to laws, regulations, and other instruments in place to implement the FAO *Guidelines to Reduce Sea Turtle Mortality in Fishing Operations* (2009) and this Resolution.
 - ii. For observed sea turtle interactions, the following minimum data fields:
 - a. date;
 - b. location (latitude, longitude);
 - c. fishing gear type;
 - d. species identification;
 - e. size (curved or straight carapace length);
 - f. capture and release condition (e.g., live/dead);

as well as the following details, if available:

 - a. anatomical hooking location, if applicable (e.g., flipper, mouth/jaw, swallowed, entangled);
 - b. amount of gear left on the animal, if applicable (e.g., estimated length of line);
 - c. any associated photographs.
 - iii. The mitigation measure(s) that longline vessels fishing in a shallow-set manner (as defined in footnote 2) were required to employ the previous year, pursuant to paragraph 3.d.
- b. All standardized CPC reports described under paragraph 4.a shall be made available through a controlled-access portal on the IATTC website for review by other CPCs, and consistent with Resolution C-15-07 on data confidentiality.
 - c. The Bycatch Working Group shall prioritize the identification and assessment of new scientific information regarding sea turtle bycatch mitigation and recommend, if needed, additional measures to the Commission that would strengthen this resolution. By 2021, the Bycatch Working Group and SAC shall analyze scientific information regarding different circle hooks sizes and their effectiveness at mitigating sea turtle bycatch (decreasing catch and increasing post-release survival) and provide a recommendation to the Commission for a minimum hook size as well as a schedule for implementing this recommended minimum hook size through a revision to this resolution.
 - d. Based on these CPC reports, the Commission staff shall report to the Bycatch Working Group every three years (beginning in 2024) on the extent of implementation, the level of bycatch reduction that has been achieved since adoption⁶, and related recommendations for improvement including amendments to this resolution.

⁵ Large circle hooks are defined as a hook with the point turned perpendicularly back to the shank to form a generally circular or oval shape, and the point of the hook not offset more than 10 degrees.

⁶ Bycatch reduction will be measured by observed numbers of interactions per hooks fished.

Considering the particular situation of coastal developing countries, the special fund established in Resolution C-14-03 should be strengthened through the allocation of funds, from voluntary contributions of CPCs and inclusion of specific budget lines, to facilitate the implementation of this Resolution, including for training fishermen on safe handling and release, providing related equipment, or supporting trials for new mitigation techniques.

This Resolution shall enter into force on 1 January 2021, except for the second sentence of paragraph 4.a, which shall take place prior. It will replace Resolution C-07-03 (Resolution to Mitigate the Impact of Tuna Fishing Vessels on Sea Turtles), as well as paragraph 4, except paragraph 4.d.ii, of Resolution C-04-05 (Rev. 2) (Consolidated Resolution on Bycatch).

APPENDIX

Safe Handling and Release Guidelines for Sea Turtles

1. PURSE SEINE SAFE HANDLING AND RELEASE

- a. Whenever a sea turtle is sighted in the net, all reasonable efforts should be made to rescue the turtle before it becomes entangled in the net.
- b. If a turtle is entangled during net roll, the net should be hauled over the turntable to a height of about 2 meters, the main boom should be moved to starboard or to port (depending on the vessel's direction) and the net should be rolled back, so that the crew can release the turtle from the netting as soon as possible, and return it to the sea over the starboard or port side if it is active. Net roll should not start again until the turtle has been disentangled and released.
- c. If, in spite of the measures taken under paragraphs a and b of this section, a sea turtle is accidentally brought on board the vessel and is alive and active, or dead, the sea turtle should be released as quickly as practicable.
- d. If a turtle is brought aboard the vessel and is comatose or inactive, resuscitation should be attempted (paragraph 3).

2. LONGLINE SAFE HANDLING AND RELEASE

- a. When practicable, and when operator or crew on board are trained, comatose sea turtles should be brought on board immediately.
- b. If a sea turtle is too large or hooked in such a manner as to preclude safe boarding without causing further damage/injury to the turtle, line clippers should be used to clip the line and remove as much line as possible prior to releasing the turtle.
- c. If a sea turtle is observed to be hooked or entangled by longline gear during hauling operations, the vessel operator should immediately cease hauling operations until the turtle has been removed from the longline gear or brought on board the vessel.
- d. If hooked externally or hook is fully visible, hooks should be removed from sea turtles as quickly and carefully as possible. If a hook cannot be removed from a turtle (e.g., ingested or in roof of mouth), the line should be cut as close to the hook as possible.
- e. Live turtles should be returned to the sea after handling:
 - i. By putting the vessel engine in neutral gear so that the propeller is disengaged and the vessel is stopped, and releasing the turtle away from deployed gear; and
 - ii. Observing that the turtle is safely away from the vessel before engaging the propeller and continuing operations.
- f. If the sea turtle brought aboard the vessel is comatose or inactive, resuscitation should be attempted (paragraph 3).

3. RESUSCITATION FOR A TURTLE ON BOARD

- a. When handling a sea turtle, attempts should be made to hold the animal by the shell, avoiding the head and neck region, and flippers.
- b. Strive to remove and/or disentangle any foreign items from the sea turtle, such as any plastic items, netting, or embedded hooks, etc.
- c. Placing the turtle on its bottom shell (plastron) so that the turtle is right side up and elevating its hindquarters at least 6 inches (15 cm) for a period of 4 up to 24 hours. The amount of the elevation depends on the size of the turtle; greater elevations are needed for larger turtles. Periodically, rock the turtle gently left to right and right to left by holding the outer edge of the shell (carapace) and lifting one side about 3 inches (8 cm) then alternate to the other side. Gently touch the eye and pinch the tail (reflex test) periodically to see if there is a response.
- d. Sea turtles being resuscitated should be shaded and kept damp or moist but under no circumstance be placed into a container holding water. A water-soaked towel placed over the head, carapace, and flippers is the most effective method in keeping a turtle moist.

- e. Sea turtles that revive and become active should be released over the stern of the boat only when fishing gear is not in use, when the engine gears are in neutral position, and in areas where they are unlikely to be recaptured or injured by vessels.
- f. Sea turtles that fail to respond to the reflex test or fail to move within 4 hours (up to 24, if possible) should be returned to the water in the same manner as that for actively moving turtles.

2e. Resolution [C-19-05](#). Amends [C-16-06](#) Silky shark

INTER-AMERICAN TROPICAL TUNA COMMISSION

94TH MEETING

Bilbao, Spain

22-26 July 2019

RESOLUTION C-19-05

AMMENDMENT TO THE RESOLUTION C-16-06

CONSERVATION MEASURES FOR SHARK SPECIES, WITH SPECIAL EMPHASIS ON THE SILKY SHARK (*Carcharhinus falciformis*), FOR THE YEARS 2020 AND 2021

The Inter-American Tropical Tuna Commission (IATTC), gathered in Bilbao, Spain, on the occasion of its 94th meeting:

Considering that Article VII, paragraph 1 (f), of the Antigua Convention indicates 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”;

Recalling Article IV, paragraph 3, of the Antigua Convention, which states that “where the status of target stocks or non-target or associated or dependent species is of concern, the members of the Commission shall subject such stocks and species to enhanced monitoring in order to review their status and the efficacy of conservation and management measures, revising those measures regularly in the light of new scientific information available”;

Recognizing that silky sharks (*Carcharhinus falciformis*) are the shark species most commonly caught as bycatch by purse-seine vessels in the Convention Area;

Recognizing that measures should be implemented to allow silky shark populations to rebuild in the Convention Area; and

Aware of the need to establish conservation measures for the protection of sharks, especially the silky shark;

Recalling that Resolution C-16-06 requires the IATTC scientific staff to develop complete assessments of the silky shark stocks, but that due to a lack of data it has not been possible to conduct these and thus have indicators of the status of these species.

Emphasizing the necessity of obtaining better data to achieve management measures in accordance with the variability of the fisheries, as well as to improve the understanding of fishing and pupping areas, catches and fishing effort that affect the fishing mortality of sharks by multi-species longline fleets, both artisanal and industrial, in the coastal countries.

Agrees as follows:

1. To continue the long-term sampling program (Project C.4.a), to the extent possible, in those shark fisheries related to tunas and tuna-like species in Central America with the goal of improving data collection for assessing indicators of silky shark stocks.
2. Members and Cooperating Non-Members (CPCs) shall prohibit retaining on board, transshipping, landing, or storing, in part or whole, carcasses of silky sharks (*Carcharhinus falciformis*) caught by purse-seine vessels in the IATTC Convention Area. CPCs shall require that their purse-seine vessels

release live silky sharks whenever possible. However, if silky sharks are unintentionally caught and frozen as part of purse-seine vessel's operations, if the flag CPC's governmental authorities are present at the point of landing, the whole silky shark must be surrendered to them. If the flag CPC's governmental authorities are unavailable, the whole silky shark surrendered may not be sold or bartered but may be donated for purposes of domestic human consumption. Silky sharks surrendered in this manner shall be reported to the Secretariat.

3. CPCs shall require all longline vessels whose fishing licenses do not include sharks as a fishing target but catch sharks incidentally, to limit bycatch of silky sharks to a maximum of 20% of the total catch by fishing trip in weight. The 20% limit is set as an interim limit in the absence of data and scientific analysis on which to base conservation and management measures, and will be revised, based on recommendations by the scientific staff, once improved species-level catch, and composition data are available.
4. CPCs shall require their multi-species fisheries using surface longlines⁷ to limit the catch of silky sharks of less than 100 cm total length to 20% of the total number of silky sharks caught during the trip.
5. CPCs that allow retention of silky sharks by their longline vessels, shall ensure compliance with the measures established in paragraphs 3 and 4 by means of control and inspection mechanisms, for Port CPCs and Flag CPCs as applicable, at a minimum through effective inspections at the time of first unloading in port or the catch logbooks that will allow species identification, verification of size when caught, and enforcement of applicable sanctions such as prevention of entry into markets of product caught in violation of this measure. Where applicable, internationally-recognized certification and reporting procedures for the conservation of silky sharks may be used for fulfilling the obligations of this paragraph. CPCs shall inform the IATTC Secretariat of the use of said certification procedures. Data derived from these control and inspection measures shall be communicated to the Secretariat, in accordance with IATTC data submission requirements.
6. CPCs shall require vessels to not fish in silky shark pupping areas, as may be adopted by the Commission, in accordance with the recommendation of the IATTC scientific staff, in coordination with the Scientific Advisory Committee (SAC),
7. For those multi-species fisheries using surface longlines that have captured more than 20% of silky sharks in weight on average, CPCs shall prohibit the use of steel leaders during a period of three consecutive months each year. The average proportion of silky sharks in the catch will be calculated from data of the previous calendar year. New vessels entering the multi-species fisheries affected by this Resolution and those for which no data are available from the period immediately prior shall be subject to the provisions of this paragraph.
8. At the SAC meeting in the year 2021 and at the subsequent meeting of the IATTC in 2021, the IATTC scientific staff shall present to the SAC an analysis of the unloading, observer, and long-term sampling program data on the catches of sharks in the fisheries in central America with which they shall also recommend any improvement of the resolution including an adjustment on the period of prohibition (paragraph 7).
9. CPC shall ensure that the closure period for not using steel leaders by their vessels subject to paragraph 7 coincide with the periods recommended on the basis of the analyses indicated in paragraph 8.
10. Vessels of less than 12 m length overall using manually-operated fishing gear (*i.e.* without mechanical or hydraulic winches) and that do not deliver to motherships at any time during the fishing trip are excluded from the application of this resolution. For this excluded fleet, CPCs shall continue working with the Commission's scientific staff on the strengthening of data-collection programs, which shall be

⁷ For the purposes of this resolution, surface longlines are those in which the majority of hooks fish at depths shallower than 100 meters and target species other than swordfish.

presented at the meeting of the SAC in 2020 and 2021.

11. CPCs shall notify the Director, before 1 October of 2020, the single period of restricted use of steel leaders referred to in paragraph 7 which will be observed for the calendar year.
12. CPCs shall keep a record of the vessels and the period to which each vessel operator or owner has committed for the enforcement of this resolution.
13. CPCs shall require the collection and submission of catch data for silky sharks, in accordance with IATTC data reporting requirements. CPCs shall also record, 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.
14. The Commission shall prioritize research by the scientific staff in the following areas:
 - a. Identification of the pupping areas of the silky shark.
 - b. Mitigation of bycatch of sharks, especially in longline fisheries, and survival of sharks caught by all types of gears, giving priority to gears with significant catches. Survival experiments should include studies of the effects on survival of shorter sets and the use of circle hooks.
 - c. Improve handling practices for live sharks to maximize post-release survival.
 - d. Establish the appropriateness of the percentage limit on silky sharks catch established in paragraphs 3 and 4.
15. This Resolution shall be reviewed by the scientific staff and at the meeting of the SAC in 2020 and 2021, in order to evaluate the adequacy of the measures of this Resolution.
16. This Resolution shall enter into force on 1 January 2020 and shall be reviewed at the IATTC annual meeting in 2021.

2f. Resolution [C-19-06](#). Whale sharks.

INTER-AMERICAN TROPICAL TUNA COMMISSION

94TH MEETING

Bilbao, Spain

22-26 July 2019

RESOLUTION C-19-06

CONSERVATION OF WHALE SHARKS

The Inter-American Tropical Tuna Commission (IATTC), gathered in Bilbao, Spain, on the occasion of its 94th meeting:

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”;

Recalling Article IV, paragraph 3, of the Antigua Convention, which states that “where the status of target stocks or non-target or associated or dependent species is of concern, the members of the Commission shall subject such stocks and species to enhanced monitoring in order to review their status and the efficacy of conservation and management measures, revising those measures regularly in the light of new scientific information available”;

Recognizing that whale sharks are caught as bycatch by purse-seine vessels in the Convention Area;

Recognizing that measures should be implemented to allow whale shark populations to rebuild in the Convention Area;

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. The Members and Cooperating Non-Members (CPCs) shall prohibit their flag vessels from setting a purse-seine net on a school of tunas associated with a live whale shark (*Rhincodon typus*), if the animal is sighted prior to the commencement of the set.
2. CPCs shall require that, in the event that a whale shark is not deliberately encircled in the purse-seine net, the captain 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 animal(s) on release (including whether any were released alive but subsequently died).

2g. Resolution C-19-07. Terms of reference for management strategy evaluation workshops

INTER-AMERICAN TROPICAL TUNA COMMISSION

94TH MEETING

Bilbao, Spain

22-26 July 2019

RESOLUTION C-19-07

**TERMS OF REFERENCE FOR MANAGEMENT STRATEGY EVALUATION
WORKSHOPS**

The Inter-American Tropical Tuna Commission (IATTC) gathered in Bilbao, Spain, on the occasion of its 94th Annual Meeting:

Committed to the long-term conservation and sustainable use of fish stocks in the eastern Pacific Ocean (EPO);

Recognizing that the Commission adopted an interim harvest control rules (HCR) for tropical tuna fisheries in the EPO in Resolution C-16-02;

Noting that Resolution C-16-02 calls on the IATTC scientific staff to further test the reference points and harvest control rules to support Commission adoption of a permanent HCR;

Mindful that management strategy evaluation (MSE) is the leading process to test HCRs and other management strategies for its effectiveness in attaining management objectives;

Acknowledging that MSEs are being conducted for other tuna fisheries in the Pacific Ocean;

Committed to ensuring that scientific advice is taken into account in the development of the Commission's conservation and management measures for tropical tuna; and

Further acknowledging the IATTC scientific staff's plan, set forth in the Staff's Activities and Research Plan (SAC-10-01a), to convene a series of MSE Workshops beginning in 2019.

Resolves as follows:

IATTC MSE Workshops

1. The priority species for the IATTC MSE Workshops (Workshops) shall be bigeye, yellowfin, and skipjack tunas. Recognizing that the tropical tuna species are managed together within the IATTC, and that all three species will need to be considered when reviewing management goals in the MSE.
2. The Workshops shall be co-chaired by the IATTC scientific staff and another individual nominated by the Workshop members.
3. The number of Workshops shall be subject to availability of resources, and at least one Workshop shall be held in conjunction with other IATTC meetings, such as the Scientific Advisory Committee meeting to facilitate participation from all CPCs.
4. The Workshops shall be open to the participation of various stakeholders such as scientists, fishery managers, fishing industry representatives, administrators, representatives of nongovernmental organizations, and fishers.

Objective of the MSE Workshops

5. Clarify the MSE process for tropical tunas.
6. Enhance communication and foster mutual understanding among fisheries scientists, managers,

and stakeholders on matters related to harvest strategies and MSE.

7. Engagement with managers and stakeholders on management goals for tropical tunas, harvest strategies, and reference points.
8. The MSE Workshops(s) shall undertake the following in 2019 and 2020:
9. Review fundamental concepts of MSE, including target, limit, and threshold reference points, operating models, harvest control rules (HCRs), and harvest strategies;
10. Review management objectives, performance metrics, candidate reference points, and candidate HCRs developed for testing in other MSE Workshops, such as ISC Workshops for North Pacific albacore and Pacific bluefin tuna, and in other tuna-RFMOs;
11. Propose management objectives as a first priority (i.e., first Workshop) for consideration by the IATTC scientific staff;
12. Propose a list of performance metrics, candidate reference points, operating models, and alternative HCRs as a subsequent priority (i.e., second Workshop) for consideration by the IATTC scientific staff; and,
13. Establish next steps and a timeline for the MSE process.

Workshop outcomes

14. The Scientific Advisory Committee (SAC) shall have the opportunity to review the outcomes of the Workshops at its meetings and to provide additional input if needed.

Reports

15. The IATTC scientific staff shall present the report of the Workshops including any additional input from the SAC and the plan for next steps including a timeline to the SAC in 2020.
16. The IATTC scientific staff shall provide a report at the 2020 IATTC annual meeting on progress to date. The Commission shall then consider the establishment of a working group for scientists, managers, and other stakeholders on management strategy evaluation to build on the Workshops' outcomes.

2h. Resolution C-19-08. Amends and replaces [C-11-08](#) Observers on longliners

INTER-AMERICAN TROPICAL TUNA COMMISSION

94TH MEETING

Bilbao, Spain

22-26 July 2019

RESOLUTION C-19-08

RESOLUTION ON SCIENTIFIC OBSERVERS FOR LONGLINE VESSELS

The Inter-American Tropical Tuna Commission (IATTC), gathered in Bilbao, Spain, on the occasion of its 94th Meeting;

Recognizing the need to collect 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 uniform and equitable treatment of all tuna-fishing vessels operating in the Convention Area;

Noting that all large purse-seine vessels operating in the Convention Area are required to carry scientific observers aboard, in accordance with the Agreement on the International Dolphin Conservation Program, and that the Commission has recommended the extension of observer coverage to smaller purse-seine vessels on a voluntary basis;

Taking into account that IATTC scientific staff and the IATTC Working Group on Bycatch have reiteratedly recommended at least 20% observer coverage on longline vessels fishing for tunas in the Convention Area, and that the Working Group on Bycatch suggested that human observer coverage could be supplemented by electronic monitoring systems (EMS) in order to achieve that goal; and

Noting that the Scientific Advisory Committee (SAC), at its 10th meeting in May 2019, determined that the appropriate measure of longline fishing effort for calculating observer coverage is “number of hooks.”

Agrees that:

For the purposes of this Resolution, longline fishing effort is defined as the number of effective days of fishing⁸ or hooks deployed.

The main task of the scientific observers and/or EMS shall be to record, consistent with data standards established by the SAC, 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.

Each Member and Cooperating Non-Member (CPC) shall ensure that at least 5% of the fishing effort made by its longline fishing vessels greater than 20 meters length overall carries a scientific observer.

Each CPC shall endeavor to ensure that observer coverage is representative of the activities of its fleet, including in terms of gear configuration, target species and fishing areas.

CPCs shall:

- a. Ensure that the minimum level of coverage is met;
- b. Take all necessary measures to ensure that observers are able to carry out their duties in a competent and safe manner;

⁸ As defined by SAC-03 in 2012

- c. Endeavor to ensure that observers alternate vessels between their assignments;
- d. Ensure that the vessel on which an observer is placed provide suitable food and lodging during the observer's deployment at the same level as the officers, where possible. Vessel masters shall ensure that all necessary cooperation is extended to observers in order for them to carry out their duties safely, including providing access, as required, to the retained catch, and catch which is intended to be discarded.

The reporting requirements established by the SAC pursuant to resolution C-11-08 can be found in Annex A. The SAC may decide to modify these reporting requirements or establish new ones whenever deemed necessary and shall notify the Commission as appropriate for endorsement at the subsequent annual meeting of the IATTC.

CPCs shall submit operational data collected by observers from the previous year, consistent with the Minimum Data Reporting Standards (Annex B), to the Director no later than June 30 of each year.

Unless otherwise specified by the SAC, CPCs shall submit other reporting under this Resolution by 31 March of each year.

The IATTC Scientific Staff, in consultation with CPCs, shall prepare a draft proposal for the development of minimum standards for the implementation of an EMS for the longline fleets, taking into account the experience of CPCs that are implementing EMS on longline vessels and progress made in other tuna RFMOs, to be submitted to the SAC meeting of 2020.

The SAC, in consultation with the IATTC Scientific Staff, shall present recommendations on this proposal to the Commission for its consideration at its annual meeting in 2020.

Annex A: Annual Summary Reporting (established by SAC-10)

Annex B: Minimum Data Reporting Standards (2 options, established by SAC-08)

Option 1 (harmonized with WCPFC)

Option 2 (IATTC-developed longline observer forms)

Annex A.

Template for annual summary reports on fleet information and observer data for longline vessels >20 m LOA operating in the EPO

(adopted by the 10th Meeting of the IATTC Scientific Advisory Committee, May 2019)

| | |
|-----|------|
| CPC | Name |
|-----|------|

| FLEET INFORMATION (vessels >20 m LOA) | | | | | | | | | |
|---|--|----------|------------|--|----------|------------|--|----------|------------|
| | Both set types combined | | | Shallow sets (<15 HPB/HBF ¹ or <100 m max hook depth) | | | Deep sets (≥15 HPB/HBF or ≥100 m max hook depth) | | |
| Period covered | Date range DD-MMM-YY – DD-MMM-YY | | | Date range DD-MMM-YY – DD-MMM-YY | | | Date range DD-MMM-YY – DD-MMM-YY | | |
| Area fished | from (XXX) ^o W to (XXX) ^o W and from (XX) ^o S/N to (XX) ^o S/N | | | from (XXX) ^o W to (XXX) ^o W and from (XX) ^o S/N to (XX) ^o S/N | | | from (XXX) ^o W to (XXX) ^o W and from (XX) ^o S/N to (XX) ^o S/N | | |
| | Total Fleet | Observed | % observed | Total Fleet | Observed | % observed | Total Fleet | Observed | % observed |
| No. of vessels that fished | | | | | | | | | |
| No. of trips | | | | | | | | | |
| No. of effective days fishing | | | | | | | | | |
| No. of sets | | | | | | | | | |
| No. of hooks (in thousands) <i>(If unknown, approx. no. of hooks/set, using a *)</i> | | | | | | | | | |
| Predominant ² hook type/size (IATTC code) | | | | | | | | | |
| Predominant bait type ³ | | | | | | | | | |

¹ Hooks per basket / Hooks between floats

² 'Predominant' means most common, i.e., >50%

³ Bait codes: SQ – squid; F – fishes (e.g. *Scomber* spp.); A – artificial lure (e.g. plastic jig)

| NON-RETAINED SPECIES (vessels >20 m LOA) | | | | | | | | | | |
|--|---|-----------------------------|------|-------------------|--|------|-------------------|--|------|-------------------|
| | | No. of individuals observed | | | | | | | | |
| | | Both set types combined | | | Shallow sets (<15 HPB/HBF ¹ or <100m max hook depth) | | | Deep sets (≥15 HPB/HBF or ≥100m max hook depth) | | |
| | | Released | | | Released | | | Released | | |
| Species code | Species | Alive | Dead | Condition unknown | Alive | Dead | Condition unknown | Alive | Dead | Condition unknown |
| DKK | Leatherback (<i>Dermochelys coriacea</i>) | | | | | | | | | |
| TTL | Loggerhead (<i>Caretta caretta</i>) | | | | | | | | | |
| TUG | Green (<i>Chelonia mydas</i>) | | | | | | | | | |
| LKV | Olive ridley (<i>Lepidochelys olivacea</i>) | | | | | | | | | |
| | <i>Add rows for additional species as required</i> | | | | | | | | | |
| Sharks and rays | | | | | | | | | | |
| FAL | Silky (<i>Carcharhinus falciformis</i>) | | | | | | | | | |
| OCS | Oceanic whitetip (<i>Carcharhinus longimanus</i>) | | | | | | | | | |
| BSH | Blue shark (<i>Prionace glauca</i>) | | | | | | | | | |
| SMA | Shortfin mako (<i>Isurus oxyrinchus</i>) | | | | | | | | | |
| SPL | Scalloped hammerhead (<i>Sphyrna lewini</i>) | | | | | | | | | |
| SPZ | Smooth hammerhead (<i>Sphyrna zygaena</i>) | | | | | | | | | |
| SPK | Great hammerhead (<i>Sphyrna mokarran</i>) | | | | | | | | | |
| RMB | Giant manta ray (<i>Manta birostris</i>) | | | | | | | | | |
| | <i>Add rows for additional species as required</i> | | | | | | | | | |
| Marine mammals | | | | | | | | | | |
| FAW | False killer whale (<i>Pseudorca crassidens</i>) | | | | | | | | | |
| DRR | Risso's dolphin (<i>Grampus griseus</i>) | | | | | | | | | |
| SGF | Guadalupe fur seal (<i>Arctocephalus townsendi</i>) | | | | | | | | | |
| | <i>Add rows for additional species as required</i> | | | | | | | | | |
| Seabirds | | | | | | | | | | |
| DQS | Antipodean albatross (<i>Diomedea antipodensis</i>) | | | | | | | | | |
| DPK | Waved albatross (<i>Phoebastria irrorata</i>) | | | | | | | | | |
| DIZ | Laysan albatross (<i>Phoebastria immutabilis</i>) | | | | | | | | | |
| DAQ | Short-tailed albatross (<i>Phoebastria albatrus</i>) | | | | | | | | | |
| | <i>Add rows for additional species as required</i> | | | | | | | | | |
| Billfishes | | | | | | | | | | |
| MLS | Striped marlin (<i>Kajikia audax</i>) | | | | | | | | | |
| SSP | Shortbill spearfish (<i>Tetrapturus angustirostris</i>) | | | | | | | | | |
| BUM | Blue marlin (<i>Makaira nigricans</i>) | | | | | | | | | |
| | <i>Add rows for additional species as required</i> | | | | | | | | | |

Annex B, Option 1.

| Data field | Description/Instructions/Comments |
|---|---|
| GENERAL VESSEL AND TRIP INFORMATION | |
| VESSEL IDENTIFICATION | |
| Name of vessel | Name, including all numbers or other characters |
| Flag Registration Number | The number issued to the vessel by the authorities of its flag State. |
| International Radio Call Sign | If issued. |
| Vessel Owner/Company | Name (individual or company) and contact information, if available, of the vessel owner. |
| International Maritime Organization 'IMO' or Lloyd's Register number 'LR' | If issued. |
| VESSEL TRIP INFORMATION | |
| Date and time of departure from port | The date and time the vessel leaves port to start its fishing trip. |
| Port of departure | Include both the port name and country. |
| Date and time of return to port | The day and time the vessel returns to a port at the completion of its trip. |
| Port of return | Include both the port name and country. |
| OBSERVER INFORMATION | |
| Observer name | Full name. |
| Observer provider | Name of the organization or agency that employs the observer and has placed him on the vessel. |
| Date, time and location of embarkation | The date, time, and location where the observer boards the vessel to start his trip. |
| Date, time and location of disembarkation | The date, time, and location where the observer leaves the vessel and concludes his observer duties. |
| CREW INFORMATION | |
| Name of captain | Full name. |
| Name of fishing master | Full name. |
| Total number of crew | Total number of people aboard the vessel, excluding the observer |
| VESSEL CHARACTERISTICS | |
| Note: These characteristics only need to be noted if what is observed differs from specifications reflected on the IATTC vessel register. | |
| Vessel fish hold capacity | The total combined capacity, in metric tons (MT), of the vessel freezers, wells, and any other areas that can be used to store catch. |
| Freezer type | Some vessels may have more than one type of freezer. List all types present. |
| Length Over All (specify unit) | The "LOA" can typically be found in the vessel plans or other documents. |
| Tonnage (specify unit) | The vessel tonnage, as recorded in the vessel's registration documents; may be expressed as Gross Tonnage (GT) or Gross Register Tonnage (GRT). |
| Engine power (specify unit) | The engine power is typically listed in the vessel plans. |
| VESSEL ELECTRONICS | |
| Indicate "Yes" if present, "No" if absent. If more than one of type is present, indicate the total number present | |
| Radars | "Yes" if present, "No" if absent. |
| Depth Sounder | "Yes" if present, "No" if absent. |
| Global Positioning System (GPS) | "Yes" if present, "No" if absent. |
| Track Plotter | "Yes" if present, "No" if absent. |

| | |
|--|---|
| Weather Facsimile | “Yes” if present, “No” if absent. |
| Sea Surface Temperature (SST) gauge | “Yes” if present, “No” if absent. |
| Sonar | “Yes” if present, “No” if absent. |
| Radio/ Satellite Buoys | “Yes” if present, “No” if absent. |
| Doppler Current Meter | “Yes” if present, “No” if absent. |
| Expendable Bathythermograph (XBT) | “Yes” if present, “No” if absent. |
| Satellite Communications Services (Phone/Fax/Email) | Indicate all the vessel Satellite numbers if the vessel has Satellite communications on board |
| Fishery information services | “Yes” if present, “No” if absent. Please also list the information service used. |
| Vessel Monitoring System | Indicate the type(s) of VMS used on the vessel (e.g. INMARSAT, ARGOS, etc.) |
| Refrigeration Method | List all refrigerator types used on the vessel. |
| GENERAL GEAR CHARACTERISTICS | |
| Mainline material | List the of the mainline used by the vessel (e.g. Kuralon, Braided nylon, Monofilament Nylon, etc.). |
| Mainline length (specify unit) | The total length of the mainline when it is fully set |
| Mainline diameter (specify unit) | |
| Branch line material(s) | A branch line can consist of one type of material like monofilament or it can be made up of many different materials like braided nylon wire trace and mono filament, etc. If different types are used in different branch line positions, please describe. |
| SPECIAL GEAR CHARACTERISTICS | |
| Wire trace | At the trip level indicate “Yes” or “No” -if the vessel uses wire traces on some or all of its lines. If wire traces used on all lines during the trip then record "ALL LINES." If the vessel used wire traces on certain branch line positions during the trip, describe the configuration. For example, “wire traces were used on first and tenth branch lines of each basket”. If the proportion of leaders that are wire varies within a trip, record the average based on a sample of ten total baskets from a range of sets. |
| Mainline hauler | Does the vessel use an instrument to haul in the main line after it is set or is the line hauled by hand? |
| Branch line hauler | Does the vessel use a special hauler to coil branch lines? |
| Line shooter | Does the vessel use a line shooter? |
| Automatic bait thrower | Does the vessel use a bait thrower or are bait and branch lines thrown overboard manually? |
| Automatic branch line attached | Does the vessel have an automatic branch line mechanism that attaches the branch at regular intervals or is this done manually? |
| Hook type | For each set , record the type of hook or hooks used, using the codes in the hook catalogue (e.g. J hooks, circle hooks, offset circle hooks, etc.) |
| Hook size | For each set , record the size of the hooks used. If not sure, ask the bosun or refer to a hook catalogue. |
| Tori Lines | For each set , record whether the vessel uses Tori lines when setting; if yes, how many and their length. |
| Side setting with bird curtain and weighted branch lines | For each set , record whether the vessel used side-setting with a bird curtain in combination with weighted branch lines. |

| | |
|--|---|
| Weighted branch lines- | For each trip where weighted branch lines are used, record the mass of the weight attached to the branch line. If more than one type of weighting is used during a trip, describe each type and indicate the proportion based on a sample of ten baskets from a range of different sets. |
| Shark lines | For each set , record the number of shark lines (branch lines running directly off the longline floats or drop lines) observed. Where possible, record the length of this line for each set. |
| Blue dyed bait | For each set , record whether the vessel used blue-dyed bait. |
| Distance between weight and hook (in meters) | For each set , record the distance in meters from where the bottom of the weight is attached on the branch line to the eye of the hook. |
| Deep setting line shooter | For each set , record whether the vessel used a deep setting line shooter. |
| Management of offal discharge | For each set , record whether the vessel used the management of offal discharge. |
| Date and time of start of set | For each set , record the date and time the first buoy is thrown into the water to start the setting of the line. |
| Latitude and Longitude of start of set | For each set , record the GPS reading at the time the first buoy is thrown into the water |
| Date and Time of end of set | For each set , record the date and time the last buoy (usually has radio beacon attached) at the end of the mainline is thrown into the water |
| Latitude and Longitude of end of set | For each set , record the GPS reading at the time the last buoy is thrown into the water |
| Total number of baskets or floats | For each set , record the number of baskets utilized. A basket is the sum of all the hooks set between two buoys on a longline; usually it is the same as the number of floats set minus one. |
| Number of hooks per basket (number of hooks between buoys) | For each set , record how many hooks set from one buoy to another, the number is usually constant along the line, but can vary in some cases, also if the vessel also sets a branch line on the buoy, count this as a hook between floats as well. |

| | |
|---|--|
| Total number of hooks used | For each set , record how many hooks were used. This is typically calculated by multiplying number of baskets by the number of hooks per basket. |
| Line shooter speed | For each set where the vessel uses a line shooter, record the shooter speed. The shooter will normally have an indicator to show its running speed, as well as a sound indicator or light, that beeps at a regular interval, when it is time to attach a branch line. |
| Length of float-line | For each trip , record length of the line that is attached to the floats, get a coil and measure the length. It usually remains the same throughout the trip. |
| Distance between branch-lines | For each set , record the distance between branch line attachments to the mainline. This can be determined easily if vessel has a line shooter with electronic attachment indicator. |
| Length of branch-lines | For each set , measure the length of a sample of the majority of branch lines used, some may vary slightly due to repairs. |
| Time-depth recorders (TDRs) | Does the vessel use TDRs on its line? If yes record the number of TDRs used it may use and their location along the mainline.? |
| Number of light-sticks | For each set , indicate whether the vessel uses light sticks on its line, record the number used, and where possible, information on the location (e.g. “used on first and tenth branch lines from the float”). |
| Target species | What species does the vessel target? Tuna (BET YFT), Swordfish, Sharks, etc. |
| Bait Species | For each set , record the bait species used Pilchard, Sardine, Squid, artificial bait, etc. |
| Date and time of start of haul | For each set , record the date and time the first buoy of the mainline is hauled from the water to start the haul. |
| Date and time of end of haul | For each set , record the date and time the last buoy of the mainline is hauled from the water to end the haul. |
| Total number of baskets, floats monitored by observer in a single set | For each set , record how many floats or baskets were monitored by the observer? |
| INFORMATION ON CATCH FOR EACH SET | |
| Hook number (location between floats) | For each individual capture, record the hook number that the animal is caught on, counting from the last float hauled on board. |
| Species | Use FAO species code. |
| Length of fish | Measure length of specimen, using the recommended measurement approach for the species. |
| Length measurement code | Reflect the type of length measurement taken using the appropriate measurement code. For example, all tunas are measured from the end of the upper Jaw to fork of the tail, measurement code UF. |
| Sex | Sex the species if possible. If an unsuccessful attempt is made to sex the individual, record “I” for indeterminate. If no attempt to sex the individual is made, record “U” for unknown. |

| | |
|---|---|
| Condition when caught | For bycatch species (<i>e.g.</i> sharks, sea turtles, seabird, marine mammals, etc.) also reflect hooking location [<i>i.e.</i> hooked in mouth, hooked deeply (throat/ stomach), and hooked externally]. |
| Fate | Record the ultimate disposition of the capture using the appropriate code (<i>e.g.</i> retained, discarded, etc.) |
| Condition when released | If released, record the animal's status when returned to the sea. |
| Tag recovery information | Record as much as information as possible on any tags recovered |
| SPECIES OF SPECIAL INTEREST | |
| Sea turtles, marine mammals, sea birds, and sharks | |
| GENERAL INFORMATION | |
| Type of interaction | Indicate the type of interaction (<i>e.g.</i> entangled, hooked internally, hooked externally, interaction with vessel only, etc.). |
| Date and time of interaction | Record ships date and time of interaction |
| Latitude and longitude of interaction | Record position of the interaction. |
| Species code of sea turtle, marine mammal, or seabird. | Use FAO codes for Species. |
| LANDED ON DECK | |
| Length | Measure length, in centimeters. |
| Length measurement code | Measure using the measure method determined for that species. |
| Sex | Sex the animal if possible. |
| Estimated fin weight (for sharks) | Weigh the fins separately if shark has been finned by crew. If no scales, estimate the weight. |
| Estimated carcass weight (for sharks) | Weigh the carcass of a finned shark. If no scales available, carcass is discarded, or if it is too large to handle, estimate the weight. |
| Condition when landed on Deck | Record the animal's condition when landed on deck, using appropriate code. |
| Condition when released | If released, record the animal's condition at the time of release, using appropriate code. |
| Tag recovery information | Record as much as information as possible on any tags recovered |
| Tag release information | Record as much as information as possible on any tags placed on the species before release. |

ANNEX B, (Option 2)

LONGLINE GEAR FORM

F2

VESSEL: _____ SAMPLE No: _____ OBSERVER: _____

| | | | | | | | |
|---------------------|--|------------------------|----|-----------------------------------|-----|--|-----|
| Registration | | Length | m | Fuel capacity | gal | Number of crew | |
| Company name | | Width | m | Fuel used | gal | Water capacity | gal |
| Captain Name | | Draft | m | Type of fuel | | Catch conserve method | |
| Departure date/time | | Distance deck to water | m | Type (fibre-mother ship) | | If the vessel is a 'fibre', ↓ name of mother ship ↓ | |
| Arrival date/time | | Well capacity | MT | Number of fibras | | | |
| Departure port | | Main motor | | Navigation and fishing equipment: | | | |
| Arrival port | | Aux. motor | | | | | |

| Characteristics | Quantity | Material * | Diameter | Length | Color * | Distance btwn. hooks ↓ | Max. hooks on mainline ↓ | Number of lights ↓ | Number of radio buoys ↓ |
|----------------------|----------|------------|----------|--------|---------|--|--------------------------|--|-------------------------|
| Mainline | | | mm | Nm | | bz | | | |
| Upper gangion | | | mm | fath | | <u>Mainline weights:</u> Yes () No () | | <u>Mainline retrieval</u> By hand () Manual crank () | |
| Middle gangion | | | mm | fath | | <u>Dropline connection to mainline:</u> Knots () Snaps () | | Hydraulic crank () Other _____ () | |
| Lower gangion | | | mm | fath | | Fishing gear diagram | | | |
| Floatline / dropline | | | | cm | | | | | |
| Buoy | | | cm | | | | | | |
| Flag | | | | | | | | | |
| Float | | | cm | | | | | | |

| Hooks | Type (J / C) | Size | J-straight/ J-curved | Material* | Manufacturer | Offset | Ring (Yes / No) | Other details | Observations |
|--------|--------------|------|----------------------|-----------|--------------|--------|-----------------|---------------|--------------|
| Hook A | | | | | | | | | |
| Hook B | | | | | | | | | |
| Hook C | | | | | | | | | |

* Use numbers from code tables

LONGLINE SET FORM

F3

VESSEL: _____ SAMPLE No: _____ OBSERVER: _____

| Set number | SET | | RETRIEVAL | | Number of hooks in the set by type: | Hook. A | Hook. B | Hook. C | Type of bait | % of total |
|----------------|---------------------------------------|------------------------------|---|---------------------------------------|-------------------------------------|----------------------------|-----------------|---|--------------|------------|
| | Start | End | Start | End | | | | | | |
| ↓ Date ↓ | LAT | | | | | | | | Bait 1 | |
| | LON | | | | | Total no. of hooks in set: | | | Bait 2 | |
| | TIME | | | | | No. of hooks lost: | | | Bait 3 | |
| Target Fishery | Set Special? <input type="checkbox"/> | Yes <input type="checkbox"/> | Retrieval direction Start to end <input type="checkbox"/> | End to start <input type="checkbox"/> | Sea surf. temp. | No. hooks btwn. floats | Avg. hook depth | Bottom longline? Yes <input type="checkbox"/> No <input type="checkbox"/> | | |
| | Patrolled? <input type="checkbox"/> | | | | | | fath | | | |
| Observations: | | | | | | | | | | |

| Set number | SET | | RETRIEVAL | | Number of hooks in the set by type: | Hook. A | Hook. B | Hook. C | Type of bait | % of total |
|----------------|---------------------------------------|------------------------------|---|---------------------------------------|-------------------------------------|----------------------------|-----------------|---|--------------|------------|
| | Start | End | Start | End | | | | | | |
| ↓ Date ↓ | LAT | | | | | | | | Bait 1 | |
| | LON | | | | | Total no. of hooks in set: | | | Bait 2 | |
| | TIME | | | | | No. of hooks lost: | | | Bait 3 | |
| Target Fishery | Set Special? <input type="checkbox"/> | Yes <input type="checkbox"/> | Retrieval direction Start to end <input type="checkbox"/> | End to start <input type="checkbox"/> | Sea surf. temp. | No. hooks btwn. floats | Avg. hook depth | Bottom longline? Yes <input type="checkbox"/> No <input type="checkbox"/> | | |
| | Patrolled? <input type="checkbox"/> | | | | | | fath | | | |
| Observations: | | | | | | | | | | |

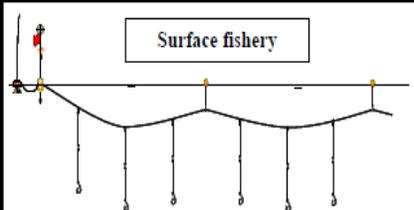
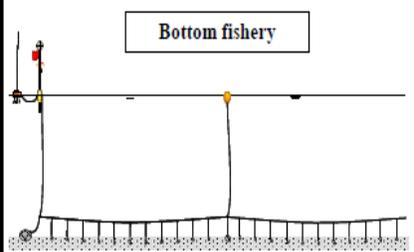
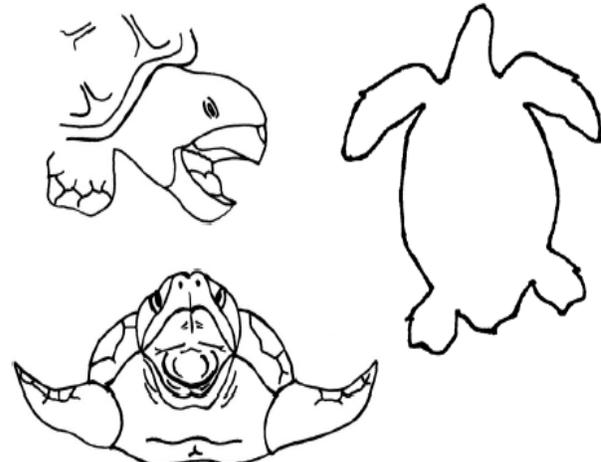
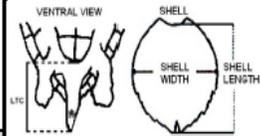
| Set number | SET | | RETRIEVAL | | Number of hooks in the set by type: | Hook. A | Hook. B | Hook. C | Type of bait | % of total |
|----------------|---------------------------------------|------------------------------|---|---------------------------------------|-------------------------------------|----------------------------|-----------------|---|--------------|------------|
| | Start | End | Start | End | | | | | | |
| ↓ Date ↓ | LAT | | | | | | | | Bait 1 | |
| | LON | | | | | Total no. of hooks in set: | | | Bait 2 | |
| | TIME | | | | | No. of hooks lost: | | | Bait 3 | |
| Target Fishery | Set Special? <input type="checkbox"/> | Yes <input type="checkbox"/> | Retrieval direction Start to end <input type="checkbox"/> | End to start <input type="checkbox"/> | Sea surf. temp. | No. hooks btwn. floats | Avg. hook depth | Bottom longline? Yes <input type="checkbox"/> No <input type="checkbox"/> | | |
| | Patrolled? <input type="checkbox"/> | | | | | | fath | | | |
| Observations: | | | | | | | | | | |

F3s v1: 02/2012

TURTLE FORM

(Record turtle sightings only for hawksbill, loggerhead and leatherback turtles)

VESSEL: _____ SAMPLE No: _____ OBSERVER: _____

| Date | Time | Set number | Species | Sex | CCL ¹ (cm) | CCW ² (cm) | Tail LTC (cm) | Hook A B C | Color of the nearest float or buoy* | | |
|---|------|-------------------|---------|---|--------------------------|--------------------------|------------------|---------------|--|---|--|
| Position: | | Latitude | | Longitude | | | | | | | |
| Condition *() | | Entanglement *() | | Hooking *() | | Disposition*() | | Observations: | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
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| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| Turtle location in relation to the fishing gear | | | | Hook location and turtle entanglement | | | | | | | |
|  <p>Surface fishery</p> | | | |  <p>Bottom fishery</p> | | | | | | <p>Existing tag 1:</p> | |
| | | | |  | | | | | | <p>Existing tag 2:</p> | |
| | | | | | | | | | | <p>New tag 1:</p> | |
| | | | | | | | | | | <p>New tag 2:</p> | |
| | | | | | | | | | |  | |

¹CCL: Curved carapace length ²CCW: Curved carapace width

* Use numbers from code tables

F5s v1: 02/2012

ANNEX 3. PROPOSALS

3a. A-6A. VAR. Consolidated draft proposal on FADs

INTER-AMERICAN TROPICAL TUNA COMMISSION

94TH MEETING

Bilbao, Spain, 22-26 July 2019

PROPOSAL IATTC-94 A-6A

CONSOLIDATED TEXT OF THE EU, MEXICO, COLOMBIA, VENEZUELA, ECUADOR AND USA PROPOSALS

AMENDMENT OF RESOLUTION C-16-01 ON THE COLLECTION AND ANALYSES OF DATA ON FISH-AGGREGATING DEVICES

RESOLUTION 19-XX

AMENDMENT OF RESOLUTION C-16-01 ON THE 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, yellow-fin 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 on 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, the development of improved FAD designs, in particular non-entangling FADs, both drifting and anchored reduce the incidence of entanglement of sharks, sea turtles and other species;

AGREES:

SECTION 1. DEFINITIONS

1. For the purposes of this Resolution, the following definitions shall apply:
 - a. Fish-Aggregating Device (FAD): anchored, drifting, floating or submerged objects deployed and/or tracked by vessels, including through the use of satellite buoys, for the purpose of aggregating target tuna species for purse-seine fishing operations.
 - b. Satellite buoy: A buoy that uses satellites to indicate its geographical position.
 - c. Activation of a satellite buoy: The act of initializing network service for transmission
 - d. Deactivation of a satellite buoy: The act of cancelling network service for
 - e. Reactivation of a satellite buoy: The act of re-initializing network service for transmission after deactivation.
 - f. Operational satellite buoy: A buoy that has undergone activation or reactivation, is deployed at sea attached to a FAD, and is transmitting data.
 - g. Loss of a buoy: The situation in which, without intervention of the owner/operator, the buoy cannot be located on the monitoring device [or drifts outside the operational area].
 - h. Vessel operator and/or manager: Any legal or natural person that is recorded in the IATTC Regional Vessel Register and in the flag State registry as operating and/or managing the vessel. The operator may or may not be the owner of the vessel.

SECTION 2. LIMITS ON THE USE OF FADs

2. CPCs shall ensure that purse-seine vessels flying their flag have no more than the following number of FADs with operational buoys attached at any one time:

| | |
|---------------------------------|----------|
| Class 6 (1,200 m3 and greater): | 450 FADs |
| Class 6 (< 1,200 m3): | 300 FADs |
| Class 4-5: | 120 FADs |
| Class 1-3: | 70 FADs |

3. A FAD shall always be attached with a satellite buoy.
4. Satellite buoys shall be activated or reactivated exclusively onboard a purse-seine vessel.
5. Each CPC shall ensure that:
 - a. its purse-seine vessels do not deploy FADs during a period of 15 days prior to the start of the selected closure period established in Resolution C-17-02;
 - b. all its Class-6 purse-seine vessels recover within 15 days prior to the start of the closure period a number of FADs equal to the number of FADs set upon during that same period.

SECTION 3. FAD DATA COLLECTION

6. CPCs shall require the purse seine vessels under their flag without an observer, when fishing on FADs in the IATTC Convention Area, the captain shall be responsible for recording the information field as adopted by the IATTC (Fish-aggregating device form (FADS), Sep 2018 ver.2.). In purse seine vessels with an observer onboard, captains should provide the observer with the ID of the FAD on which they are working.
 7. The data collected under paragraph 8 on any interactions with FADs in trips of purse-seine vessels without an observer aboard, shall be provided by the CPCs to the IATTC electronically or by other means no later than 60 days of the end of each trip. CPCs shall notify this information exclusively in the standard form developed by the Secretariat.
 8. In order to support the monitoring of compliance with the limitation established in Paragraph 2, and the work of the IATTC scientific staff in analyzing the impact of FAD fisheries, while protecting business confidential data, CPCs shall report, or require their vessels to report, daily information on all FADs with operational buoys to the Secretariat, in accordance with the procedure and data fields indicated in Annex IV, with reports at monthly intervals submitted with a time delay of at least 60 days, but no longer than 90 days.
- 8bis.** In order to collect new data on the tuna purse-seine fishery on FADs other than those contained in Annex 1, the scientific staff shall plan and coordinate the execution of technical round tables with each CPC, to be carried out quarterly from January 2020 through December 2021, with the purpose of meeting the objective of strengthening future decisions on the comprehensive management of the FAD fishery (ECU).
9. No later than the IATTC annual meeting in 2014, 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 Paragraphs 8 to 10, 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 and to identify indicators that adequately represent the number of effective floating objects, levels of deployment, and losses. The analyses shall incorporate all information collected by observers on FADs.
 10. In addition, no later than the IATTC annual meeting in 2014 the scientific staff of the IATTC, in coordination with the SAC and taking into account the outcomes of the *Ad Hoc* Working Group on FADs, 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.

11. In 2014, compliance with the FAD reporting requirements of this Resolution will be reviewed by the *Committee for the Review of the Implementation of Measures adopted by the Commission* and presented to the Commission.
12. Data collected pursuant to this resolution shall be treated under the rules established in the IATTC Resolution on Confidentiality.

SECTION 4. FAD IDENTIFICATION

13. 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 the following Commission identification scheme:

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 alphanumeric 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 satellite buoy in a location that does not cover the solar cells used to power the equipment. In circumstances where the observer is unable to view the code, the captain or crew shall assist the observer (e.g. by providing the FAD identification code to the observer).

SECTION 5. NON-ENTANGLING FADS

14. To reduce the entanglement of sharks, sea turtles or any other species, as of 1 January 2019 CPCs shall ensure that the design and deployment of FADs are based on the principles set out in Annex V.
15. Annex V 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 2018 IATTC annual meeting, consistent with Paragraph 5.

SECTION 7. WORKING GROUP ON FADS

19. A Working Group on FADs (Working Group) is established.
20. 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, who shall inform CPCs and the Chair of the FADs Working Group.

21. 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.
22. The Working Group shall report on a regular basis to the SAC and the Commission.
23. The Terms of Reference of the Working Group are those indicated in Annex VI.
24. The Working Group shall liaise, as far as possible, with other similar working groups on FAD management established in other tuna regional fisheries management organizations (tuna RFMOs), in particular the Western and Central Pacific Fisheries Commission (WCPFC).
25. During its 2021 meeting(s), the IATTC FAD Working group will evaluate materials and designs to further reduce entanglements in FADs and for biodegradable FADs and make recommendations to revise Annex V.
26. The Scientific Advisory Committee and the Working Group on FADs shall review the FAD provisions contained in this Resolution and make recommendations to the Commission, as appropriate. Working Group recommendations shall be made on the basis of consensus among representatives of IATTC Members participating in the Working Group
27. This Resolution replaces Resolution C-18-05 and the MEASURES FOR THE FISHERY ON FISH-AGGREGATING DEVICES in Paragraphs 8 through 15 of Resolution C-17-02; Resolution C-17-02 is amended by deleting Paragraphs 8 through 15.

Annex I

CPCs are required to ensure their vessel owners and operators of purse seiners without an observer aboard record and report to the appropriate national authorities any interaction with FADs, using the standard format developed by the Commission staff.

For each interaction with a FAD, the following information shall be recorded:

- i. Position;
- ii. Date;
- iii. Hour;
- iv. FAD identification;
- 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));
- viii. If the activity is a set, the results of the set in terms of catch and bycatch; and
- ix. Characteristics of any attached buoy or positioning equipment (positioning system, whether equipped with sonar, *etc.*).

Annex II

CPCs shall provide, or require their vessels to provide, to the IATTC staff buoy data corresponding to, (a) at a minimum resolution of one position per day, and (b) for any “search window”, when the vessel is communicating more frequently than usual with the buoy in order to locate it.

Data should be received in csv files named “X-YYYY-MM-ZZZZZZZ.csv” where X is the code of the buoy manufacturer (first letter of the brand), YYYY is the year, MM the month, and ZZZZZZZ the purse-seine vessel’s IMO number. Each file should contain the daily records of all the buoys managed by each individual vessel in month MM of year YYYY. The information included in these csv files should be:

- date [YYYY/MM/DD],
- time [hh:mm],
- buoy identifier code,
- latitude [expressed in degrees and minutes in decimal values],
- longitude [expressed in degrees and minutes in decimal values], and
- speed [knots]

The reports shall be submitted at monthly intervals, but no longer than 90 days after the communication with the buoys.

Annex V Principles for design and deployment of FADs

1. [The floating or raft part (flat or rolled structure) of the FAD can be covered or not. If it is covered with mesh net, it must have a stretched mesh size less than 7 cm and the mesh net must be well wrapped around the whole raft so that there is no loose netting hanging below the FAD when it is deployed.
2. The design of the underwater or hanging part (tail) of the FAD should avoid the use of mesh net. If mesh net is used, it must be tied as tightly as practicable in the form of sausages or have a stretched mesh size less than 7 cm in a panel with weight at the end.
3. CPCs are encouraged to continue trials on FAD designs that avoid the entanglement of marine species, such as research on surface and/or subsurface materials to be comprised of non-mesh materials, or materials with lesser risk of entanglements, such as tightly bound “sausages”, ropes or canvas sheets.
4. Any trial results by CPCs should be submitted and reviewed by the FAD Working Group in 2021 so that recommended changes in materials can be considered for adoption by the Commission at the 2021 annual meeting.]
5. 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 VI

The objectives of the Working Group are the following:

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 this Resolution to assess the need for revision;
3. Develop data reporting formats and definitions of terms related to FAD fishing (*e.g.* biodegradable FADs, non-entangling FADs, *etc.*), to implement obligations under this Resolution, in cooperation with the scientific staff, to be submitted to the Commission for consideration;

4. Compile information regarding developments on FADs in other tuna RFMOs;
5. Compile information regarding developments on the latest scientific information on FADs, including information on non-entangling FADs, and identify priority areas for research;
6. Prepare annual reports for the SAC, including specific recommendations, as appropriate; and
7. Identify and review possible FAD management measures, in coordination with the scientific staff and the SAC, and make recommendations to the Commission, as appropriate.

The rules of procedure of the Working Group are the following:

8. Formal recommendations of the Working Group shall be developed only during face-to-face meetings of the Working Group and shall be adopted by the consensus of the Members of the Commission present at the Working Group meeting.
9. The formal recommendations adopted by the Working Group shall be presented to the SAC for analysis and possible inclusion in its recommendations to the Commission.
10. The reports adopted by the Working Group shall form part of the appendices to the minutes of the SAC meeting.
11. The Working Group shall work by electronic means. It shall meet face-to-face at least once per year, preferably at the occasion of the SAC/Commission (to be decided) meeting.
12. The Working Group may convene additional meetings at the request of at least two (2) Members of the Commission, provided that a majority of the Members of the Commission support the request.
13. [The Working Group shall elect individuals to serve as Chair and Vice-Chair at the end of its first meeting each year. The Chair and Vice-Chair shall remain in office through the end of the first meeting the following year.]

[The Working Group shall elect individuals to serve as Chair and Vice-Chair at the end of its first face-to-face meeting in 2020. The Chair and Vice-Chair shall remain in office for a period of two years. The Chair and Vice-Chair may be re-elected unless they are no longer able to carry out their respective functions or their successors are elected.]

14. If the Chair is unable to serve as Chair at any time, the Vice-Chair shall serve as Chair until such time as the Chair is able to resume carrying out its functions or a new Chair is elected. If both the Vice-Chair and Chair are unable to serve as Chair during the intersessional period, a new Chair shall be elected by Members of the Commission following the process for intersessional decision-making specified in the IATTC Rules of Procedure, and shall serve until the end of the next meeting of the Working Group.
15. The Chair, in consultation with the participants of the Working Group, shall draw up an agenda for meetings and shall circulate it to the Members. The agenda should normally be circulated at least thirty (30) days in advance of the date fixed for the meeting.
16. In support of the work of the Working Group, the staff of the Commission shall:
 - (a) compile and present the information identified by the Working Group as necessary to carry out its functions;
 - (b) provide the statistical analyses the Working Group deems necessary to carrying out its

functions;

(c) prepare the reports of the Working Group; and

(d) distribute to the members of the Working Group any relevant information for the achievement of its objectives.

3b. A-7. VAR. FAD working group

INTER-AMERICAN TROPICAL TUNA COMMISSION

94TH MEETING

Bilbao, Spain

22-26 July 2019

PROPOSAL IATTC-94 A-7

CONSOLIDATED TEXT OF THE COLOMBIA, ECUADOR, EUROPEAN UNION, MEXICO, AND VENEZUELA PROPOSALS

RESOLUTION C-19-XX

AMENDMENT OF RESOLUTION C-16-01 ON THE COLLECTION AND ANALYSIS 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 Resolutions C-99-07, C-17-02 and C-18-05 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 on 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, 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:

The rules of procedure of the Working Group are the following:

1. Formal recommendations of the Working Group shall be developed only during face-to-face meetings of the Working Group.
2. Notwithstanding the multi-sectoral nature of the Working Group, the formal recommendations of the Working Group shall be adopted by consensus of the Members of the Commission present at the Working Group meeting.
3. The Working Group will meet at least once per year, preferably on the occasion of the Commission meeting.
4. The Working Group may convene additional meetings at the request of at least two (2) Members of the Commission, provided that a majority of the Members support the request.
5. The Working Group shall elect individuals to serve as Chair and Vice-Chair at the end of its first meeting each year. The Chair and Vice-Chair shall remain in office through the end of the first meeting the following year.
6. If the Chair is unable to serve as Chair at any time, the Vice-Chair shall serve as Chair until such time as the Chair is able to resume carrying out his or her functions or a new Chair is elected. If both the Vice-Chair and Chair are unable to serve as Chair during the intersessional period, a new Chair shall be elected by Members of the Commission, following the process for intersessional decision-making specified in the IATTC Rules of Procedure, and shall serve until the end of the next meeting of the Working Group.
7. The Chair, in consultation with the participants of the Working Group, shall draw up an agenda for meetings and shall circulate it to the Members. The agenda should normally be circulated at least thirty (30) days in advance of the date fixed for the meeting.
8. In support of the work of the Working Group, the IATTC staff shall:
 - a. compile and present information identified by the Working Group as necessary to carry out its functions;
 - b. provide the statistical analyses the Working Group deems necessary to carry out its functions;
 - c. prepare the reports of the Working Group, and transmit the reports to the SAC and to the Commission, as appropriate; and
 - d. distribute to the members of the Working Group any relevant information for the achievement of its objectives.

3c. C-2. Colombia. IUU Fishing.

INTER-AMERICAN TROPICAL TUNA COMMISSION

94TH MEETING

Bilbao, Spain, 22-26 July 2019

PROPOSAL IATTC-94 C-2

SUBMITTED BY COLOMBIA

AMENDMENT TO RESOLUTION C-15-01 ON ESTABLISHING A LIST OF VESSELS PRESUMED TO HAVE CARRIED OUT ILLEGAL, UNREPORTED AND UNREGULATED FISHING ACTIVITIES IN THE EASTERN PACIFIC OCEAN

EXPLANATORY MEMORANDUM

Considering that consensus is currently required to include a vessel on the IUU list, the probabilities of including a vessel flying the flag of an IATTC Member on that list are practically nil. This situation has been evidenced on some occasions at meetings of the Committee for the Review of the Implementation of Measures Adopted by the Commission and at meetings of the Commission itself. This decision-making methodology significantly affects the scope and applicability of the provisions of the IATTC resolutions and diminishes the effectiveness of the Organization against illegal, unreported and unregulated fishing activities.

This proposal seeks to establish a special decision-making mechanism that will be applicable only to matters related to Resolution C-15-01. Thus, exceptionally, it is proposed to implement a voting system of qualified majorities for decision-making. The proposed methodology is in accordance with the provisions of the Antigua Convention, specifically Article IX "Decision Making", which states that: "Unless provided otherwise, all decisions made by the Commission at meetings convened pursuant to Article VIII of this Convention shall be by consensus of members of the Commission present at the meeting in question."

We are convinced that such a modification will significantly contribute to the work of the Commission, as well as send a strong message to the international community of this Commission's commitment to the sustainability of the fishery resources and the conservation of species.

RESOLUTION C-19-XX

AMENDMENT TO RESOLUTION C-15-01 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), gathered in Bilbao, Spain, on the occasion of its 94th Meeting:

Agrees:

To amend Resolution C-15-01 as follows:

- a) To include a new heading after “Modification of the IUU Vessel List” entitled “Decision Making”, immediately after paragraph 25.
- b) Said heading is composed of the following paragraphs:
 - 1. By virtue of Article IX of the Antigua Convention, if all efforts to reach a decision by consensus have been exhausted, decisions shall be taken by a three-fourths majority of the CPCs present and voting.
 - 2. Each CPC shall be entitled to one vote.
 - 3. Voting shall be by show of hands, unless a CPC requests a roll-call or secret ballot.

3d. D-1. European Union. Marine pollution.

INTER-AMERICAN TROPICAL TUNA COMMISSION

94TH MEETING

Billbao, Spain, 22-26 July 2019

PROPOSAL IATTC-94 D-1

SUBMITTED BY THE EUROPEAN UNION

ON MARINE POLLUTION

EXPLANATORY MEMORANDUM

Every year very large quantities of plastic waste leak into the environment from sources both on land and at sea, generating significant economic and environmental damage. Globally, 5 to 13 million tonnes of plastics — 1.5 to 4 % of global plastics production — end up in the oceans yearly. It is estimated that plastic accounts for over 80 % of marine litter.

Plastic debris is then transported by marine currents, sometimes over very long distances. It can be washed up on land, degrade into microplastics or form dense areas of marine litter trapped in ocean gyres. UNEP estimates that damage to marine environments is at least USD 8 billion per year globally.

The current EU proposal establishes a regulatory framework on the marking of fishing gear and the discharge of plastics from fishing vessels in the IATTC Convention Area in order to limit the negative effects of plastic residues in the ocean affecting marine life on shore and off shore.

Fishing gear abandoned at sea can have particularly harmful impacts through entanglement of marine life. The implementation of the relevant provisions of the of the FAO Voluntary Guidelines on the Marking of Fishing Gear by the IATTC would help in ensuring that all fishing gear is marked, and, if lost or discarded, could be traced back to its original owner.

The Inter–American Tropical Tuna Commission (IATTC)

RECALLING the mandate of the Commission under Article VII of the Antigua Convention to 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 this Convention, with a view to maintaining or restoring populations of such species above levels at which their reproduction may become seriously threatened;

CONCERNED of the impact of Abandoned, Lost or Otherwise Discarded Fishing Gear (ALDFG) and plastic residues in the ocean greatly affecting marine life and the need to facilitate the identification and recovery of such gear;

AWARE of Article 18(3)(d) of the United Nations Fish Stock Agreement (UNFSA) in relation to the marking of fishing vessels and fishing gear for identification in accordance with uniform and internationally recognizable vessel and gear marking systems, such as the Food and Agriculture Organization of the United

Nations Standard Specifications for the Marking and Identification of Fishing Vessels and the Voluntary Guidelines on the Marking of Fishing Gear;

RECALLING that the International Convention for the Prevention of Pollution from Ships (MARPOL) seeks to eliminate and reduce the amount of garbage being discharged into the sea from ships and that its Annex V applies to all vessels but there is no monitoring mechanism provided for by MARPOL to ensure its effective implementation,

Agrees as follows:

Marking of fishing gear

1. The Director shall develop a marking scheme for consideration and adoption by the Commission in 2020, in coordination with CPCs and taking into account the FAO voluntary guidelines on the marking of fishing gear.
2. The Director should consider, at a minimum, including the following elements in the marking scheme:
 - a) The marking should provide a simple, pragmatic, affordable and verifiable means of identifying ownership and position of fishing gear and its link with the vessel(s) or operator (s) undertaking the fishing operation;
 - b) To the extent possible, be compatible with related traceability and certification systems;
 - c) When applicable, the marking should match the vessel's registration details (e.g. the vessel's port letters and numbers or International Radio Call Sign or IMO number, if issued);
 - d) Marker buoys and similar objects floating on the surface and intended to indicate the location and/or origin of fixed fishing gear shall be clearly marked at all times;
 - e) The identification should be easy to apply to the fishing gear and should be applied in such a manner that it will permit its identification or electronic recognition taking into consideration confidentiality safeguards and should not become unreadable or disassociated from the fishing gear.
 - f) The marking materials used should not contribute to marine plastic pollution, and priority should be given to the use of biodegradable materials or ones that are more buoyant which increases chance of retrieval.

Retrieval of abandoned, lost or otherwise discarded fishing gear

3. CPCs shall ensure that:
 - a) vessels flying their flag operating with any gear on board shall make all reasonable efforts to combat, minimize and eliminate abandoned⁹, lost¹⁰ or otherwise discarded¹¹ fishing gear

⁹ 'Abandoned fishing gear' means fishing gear deliberately left at sea by the vessel due to force majeure or other unforeseen reasons.

¹⁰ 'Lost fishing gear' means fishing gear over which the vessel has accidentally lost control and cannot be located and/or retrieved.

¹¹ 'Discarded fishing gear' means fishing gear released at sea without any attempt for further control or recovery by the vessel.

(ALDFG linked to those vessels);

- b) no vessels flying their flag shall deliberately abandon fishing gear linked to those vessels, except for safety reasons, notably vessels in distress and/or life in danger;
- c) vessels flying their flag that have lost gear shall not abandon it without making every reasonable attempt to retrieve it as soon as possible;
- d) any vessels flying their flag operating with any gear on board have equipment, where possible, on board to retrieve ALDFG linked to those vessels.
- e) if gear cannot be retrieved, any vessel flying their flag shall notify within 24 hours its competent authority of the following information:
 - i. the name, IMO number and call sign of the vessel;
 - ii. the type/material of lost gear;
 - iii. the quantity of gear lost or abandoned;
 - iv. the time when the gear was lost or abandoned;
 - v. the position (longitude/latitude) where the gear was lost or abandoned;
 - vi. measures taken by the vessel to retrieve lost or abandoned gear, and
 - vii. report, if known, the circumstances that led to the gear being lost, or abandoned for safety reasons.
- f) following retrieval of any ALDFG not linked to the retrieving vessel, any vessel flying their flag shall notify within 24 hours its competent authority of the following information:
 - i. the name, IMO number and call sign of the vessel that has retrieved the gear;
 - ii. the name, IMO number and call sign of the vessel that lost or abandoned the gear (if known);
 - iii. the type of gear retrieved;
 - iv. the quantity of gear retrieved;
 - v. the time when the gear was retrieved;
 - vi. the position (longitude/latitude) where the gear was retrieved and
 - vii. if possible, photographs of the gear retrieved.
- g) The IATTC Secretariat shall develop the template for the notifications referred to in subparagraphs e) and f).
- h) The authorities of the flag state referred to in paragraphs e) and f) shall promptly transmit the information received to the Director for its notification to all CPCs.
- i) Retrieved gear should be either reused or discarded at adequate port reception facilities, in view, where possible, to being recycled.

Marine pollution

4. CPCs shall prohibit vessels flying their flag from discharging into the sea all plastics¹², including but not limited to synthetic ropes, synthetic fishing nets, plastic garbage bags and incinerator ashes from plastic products. All plastics on board shall be stored on board the vessel until they can be discharged at adequate port reception facilities.
5. Paragraph 5 shall not apply to the discharge of plastics from a vessel necessary for the purpose of securing the safety of a ship and those on board or saving life at sea;
6. This Resolution does not apply to Fish Aggregating Devices and is without prejudice to Resolution 18-05 [or any subsequent revisions].

¹² Plastic means a solid material which contains as an essential ingredient one or more high molecular mass polymers and which is formed (shaped) during either manufacture of the polymer or the fabrication into a finished product by heat and /or pressure.

3e. E-1B EU Observers in longliners.

INTER-AMERICAN TROPICAL TUNA COMMISSION

94TH MEETING

**Bilbao, Spain
22-26 July 2019**

PROPOSAL IATTC-94 E-1B

SUBMITTED BY THE EUROPEAN UNION

**IATTC RESOLUTION ON SCIENTIFIC OBSERVERS FOR LONGLINE
VESSELS**

EXPLANATORY MEMORANDUM

The revision of Resolution C-11-08 proposed by the EU intends to increase observer coverage on board longline vessels from the current 5% to 20%, as recommended by the Scientific Advisory Committee (SAC), over the next 5 years. The proposal also taps into the potential offered by electronic monitoring systems of observation (EMS) in order to complement human observation and envisages the future development of standards for electronic monitoring in IATTC. The proposal also reflects the current reporting requirements that have been established by the SAC under Resolution C-11-08 and consolidates them in a single Resolution. A decision should be made on whether to use Minimum Data Reporting Standards harmonized with WCPFC or use the ones developed by IATTC (Annex C).

(REPLACES C-11-08)

**RESOLUTION ON SCIENTIFIC OBSERVERS FOR LONGLINE
VESSELS**

The Inter-American Tropical Tuna Commission (IATTC), gathered in Bilbao, Spain, on the occasion of its 94th Meeting;

Recognizing the need to collect 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 uniform and equitable treatment of all tuna-fishing vessels operating in the Convention Area;

Noting that all large purse-seine vessels operating in the Convention Area are required to carry scientific observers aboard, in accordance with the Agreement on the International Dolphin Conservation Program, and that the Commission has recommended the extension of observer coverage to smaller purse-seine vessels on a voluntary basis;

Taking into account that IATTC scientific staff and the IATTC Working Group on Bycatch have reiteratedly recommended at least 20% observer coverage on longline vessels fishing for tunas in the Convention Area, and that the Working Group on Bycatch suggested that human observer coverage could be supplemented by electronic monitoring systems (EMS) in order to achieve that goal; and

Noting that the Scientific Advisory Committee (SAC), at its 10th meeting in May 2019, determined that the appropriate measure of longline fishing effort for calculating observer coverage is “number of hooks.”

Agrees that:

1. For the purposes of this Resolution, longline fishing effort is defined as the number of effective days of fishing¹³ or hooks deployed.
2. The main task of the scientific observers and/or EMS shall be to record, consistent with data standards established by the SAC, 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.
3. Each Member and Cooperating Non-Member (CPC) shall ensure that at least 5% of the fishing effort made by its longline fishing vessels greater than 20 meters length overall carries a scientific observer.
4. Each CPC shall endeavor to ensure that observer coverage is representative of the activities of its fleet, including in terms of gear configuration, target species and areas fished.
5. CPCs shall:
 - a. Ensure that the minimum level of coverage is met;
 - b. Take all necessary measures to ensure that observers are able to carry out their duties in a competent and safe manner;
 - c. Endeavor to ensure that observers alternate vessels between their assignments;
 - d. Ensure that the vessel on which an observer is placed provide suitable food and lodging during the observer's deployment at the same level as the officers, where possible. Vessel masters shall ensure that all necessary cooperation is extended to observers in order for them to carry out their duties safely, including providing access, as required, to the retained catch, and catch which is intended to be discarded.
6. The reporting requirements established by the SAC pursuant to C-11-08 can be found in Annexes A and B. The SAC may decide to modify these reporting requirements or establish new ones whenever deemed necessary, and shall notify the Commission as appropriate for endorsement at the subsequent annual meeting of the IATTC.
7. CPCs shall submit operational data collected by observers from the previous year, consistent with the Minimum Data Reporting Standards (Annex C), to the Director no later than June 30 of each year.
8. Unless otherwise specified by the SAC, CPCs shall submit other reporting under this Resolution by 31 March of each year.
9. The IATTC Scientific Staff, shall prepare a draft proposal for the development of minimum standards for the implementation of an EMS for the longline fleets, taking into account the experience of CPCs that are implementing EMS on longline vessels and progress made in other tuna RFMOs, to be submitted to the SAC meeting of 2020. The proposal should, *inter alia*, consider the following elements:
 - i. Objectives for EMS aboard longline vessels;
 - ii. A timeline for developing data and operating standards for EMS;

¹³ As defined by SAC-03 in 2012

- iii. Minimum standards for technology systems used for EMS, including, *inter alia*, camera system requirements, software and hardware, data storage¹⁴ (including frequency of offload of video, data transmission via a harddrive or satellite, and video retention timeline once video is received for review by an EMS provider), and data protection;
 - iv. Standards and frequency for transfer of data to the Secretariat;
 - v. Data analysis standards, including practices for converting video imagery footage and sensor information into actionable data and standards for communicating results;
 - vi. Any proposed activities (e.g., research projects, pilot studies), including a budget for any additional resources and a timeline, needed to develop the work;
 - vii. The minimum acceptable software and hardware, and best practices in data storage taking into account the unique environment on fishing vessels; safeguard standards to prevent alteration and manipulation of raw EMS footage.
10. The SAC, in consultation with the IATTC Scientific Staff, shall present recommendations on this proposal to the Commission for its consideration at its annual meeting in 2020.
11. The SAC shall, no later than at its 2021 meeting, adopt any modifications or additions to the Minimum Data Reporting Standards (Annex C) needed to accommodate observations by EMS.

Annex A: Annual Summary Reporting (established by SAC-10)

Annex B: Minimum Data Reporting Standards (2 options, established by SAC-08)

Option 1 (harmonized with WCPFC)

Option 2 (IATTC-developed longline observer forms)

¹⁴ Special consideration should be made for amount of data storage needed and costs for long range trips, which can be significant

3f. F-1 EU Port State measures

INTER-AMERICAN TROPICAL TUNA COMMISSION

94TH MEETING

Bilbao, Spain, 22-26 July 2019

PROPOSAL IATTC-94 F-1

SUBMITTED BY THE EUROPEAN UNION

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

EXPLANATORY MEMORANDUM

This EU proposal aims to fight against IUU fishing through the establishment of minimum standards for port inspections. Port inspection addresses an important loophole against IUU fishing. Currently IATTC is probably the only RFMO that does not have a port inspection regime in place.

The central elements of the EU proposal are the establishment of a minimum percentage of inspection for foreign vessels (5%), the designation of ports by port States, a compulsory prior notification for port access and the reporting of possible infringements detected in the inspection.

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 a more responsible and effective management of the stocks covered by the Antigua Convention.

This proposal incorporates comments made by Delegations during the 90th, 91st and 92nd IATTC Meetings. It takes into consideration comments received from developing coastal CPC, including a number of simplified provisions in order to facilitate consensus at the IATTC.

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 the definition of 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 2018, 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 all transshipments undertaken by foreign fishing vessels and to foreign fishing vessels equal to or greater than 20 meters in length overall.
9. Each CPC shall gradually 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)¹ fishing as measures applied to vessels referred to in paragraph 8. In the application of these measures CPCs may take into consideration the characteristics of the different fleets. CPCs shall inform the IATTC Director of the application and scope of the measures set out in this paragraph.
10. CPCs shall take necessary action to inform vessel owners, operators and vessel masters fishing vessels entitled to fly their flag of this and other relevant IATTC Resolutions as well as the representatives of foreign fishing vessels seeking access to their ports.

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 17. 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 immediately notified to the IATTC Director and 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.

¹ IUU fishing refers to illegal, unreported or unregulated fishing activities as defined in Annex 1.

Prior notification

17. Each port CPC wishing to grant access to its ports to foreign fishing vessels shall, except as provided under paragraph 18 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 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.

18. The port CPC may prescribe a longer or shorter notification period than specified in paragraph 17, 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.
19. After receiving the relevant information pursuant to paragraph 17, 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.

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 17;
 - 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.

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 17 and the quantities which are landed, transshipped 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 the competent authority of the CPC. The inspector shall sign 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. A copy of the report shall be provided to the Master.
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 to 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 2019, and following the result of the assessment of needs, 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 programs 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 organizations and other RFMOs, for consideration at the 2018 Annual Meeting of the Commission.
37. The Commission shall review this Resolution no later than its 2020 Annual Meeting and, if appropriate, taking into account developments in other RFMOs and/or international forums 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 1 January 2020.

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;
7. Any other areas where capacity building needs have been identified in order to ensure the effective implementation of this Resolution.

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.

3g. G-1C EU Transshipments

INTER-AMERICAN TROPICAL TUNA COMMISSION

94TH MEETING

Bilbao, Spain
22-26 July 2019

PROPOSAL IATTC-94 G-1C

SUBMITTED BY THE EUROPEAN UNION

AMENDMENTS TO RESOLUTION C-11-09 TO STRENGTHEN TRANSHIPMENTS

EXPLANATORY MEMORANDUM

The present EU proposal aims to enhance the fight against IUU fishing through the strengthening of the IATTC provisions on transshipment. Notably it reinforces the obligation that reefer vessels are to be flagged to CPCs in order to better monitor their activities; it stresses the obligations to deliver IMO numbers in coherence with Resolution C-14-01 on the Regional Vessel Registry; it ensures the applicability of the VMS provisions to vessels involved in transshipment activities; it introduces further transparency on the list of authorised vessels to tranship and it reinforces the information exchanges with coastal States when a transshipment takes place in their EEZs.

RESOLUTION C-19-xx

AMENDMENT TO RESOLUTION C-11-09 ON ESTABLISHING A PROGRAM FOR TRANSSHIPMENTS BY LARGE-SCALE FISHING VESSELS

The Inter-American Tropical Tuna Commission (IATTC), gathered in Bilbao, Spain, on the occasion of its 94th Meeting:

Taking account of the need to combat illegal, unregulated and unreported (IUU) fishing activities because they undermine the effectiveness of the conservation and management measures already adopted by the IATTC;

Expressing grave concern that organized tuna -laundering operations have been conducted, and a significant amount of catches by IUU tuna longline fishing vessels have been transhipped under the names of duly licensed fishing vessels;

In view therefore of the need to ensure the monitoring of the transshipment activities by large-scale long-line vessels in the Antigua Convention Area, including the control of their landings; and

Aware of the need to amend consequently its Resolution C-11-09 on establishing a program for trans-shipments by large-scale fishing vessels;

Agrees:

SECTION 1. GENERAL RULES

1. Except under the program to monitor transshipment at sea outlined below in Section 2, all trans-shipment operations in the Antigua Convention Area of tuna and tuna-like species and sharks caught in association with the fisheries covered by the Convention (hereinafter referred to as “tuna and tuna-like species and sharks”) must take place in port.
2. Each Member and Cooperating Non-Member of the Commission (CPC) shall take the necessary measures to ensure that large-scale tuna-fishing vessels¹⁵ (LSTFVs) flying its flag comply with the obligations set out in Annex 1 when transshipping in port.
3. This Resolution does not apply to troll vessels, pole-and-line vessels or vessels engaged in the trans-shipment of fresh fish¹⁶ at sea.

SECTION 2. PROGRAM TO MONITOR TRANSSHIPMENTS AT SEA

4. The Commission hereby establishes a program to monitor transshipments at sea, which applies only to large-scale tuna longline fishing vessels (LSTLFVs) and to carrier vessels authorized by their respective flag CPC to receive transshipments from these vessels at sea. No at-sea transshipment of tuna and tuna-like species and sharks caught by fishing vessels other than LSTLFVs shall be allowed.
5. Each CPC shall determine whether or not to authorize its LSTLFVs to transship at sea. Only LSTLFVs that are included in the IATTC list of authorized longline vessels and that operate under the jurisdiction of CPCs that participate in the observer program established by this Resolution and that finance the costs of its implementation are authorized to make transshipments at sea. The Director will maintain a publicly searchable list of LSTLFVs authorized to conduct at-sea transshipment. Any such transshipments must be conducted in accordance with the procedures defined in Sections 3, 4 and 5, and annexes 2 and 3 of this Resolution.

SECTION 3. RECORD OF VESSELS AUTHORIZED TO RECEIVE TRANSSHIPMENTS AT SEA IN THE CONVENTION AREA

6. The Commission shall establish and maintain a record of carrier vessels authorized by their respective flag CPCs to receive tuna and tuna-like species and sharks at sea from LSTLFVs in the Convention Area (IATTC Record of Carrier Vessels). Only carrier vessels flagged to a CPC may be authorized to receive tuna and tuna-like species and sharks in at-sea transshipment operations. For the purposes of this Resolution, carrier vessels not on this Record are deemed not to be authorized to receive tuna and tuna-like species and sharks in at-sea transshipment operations.
7. Each CPC shall submit to the Director, in electronic format if possible, the list of the carrier vessels that it has authorized to receive at-sea transshipments from its LSTLFVs in the Convention Area. This list shall include the following information for each vessel:
 - a. The flag of the vessel;

¹For the purposes of this Resolution, “Large-scale tuna fishing vessels” are defined as all vessels fishing beyond areas of national jurisdiction or beyond each CPC-controlled areas and targeting tuna or tuna-like species.

²For the purposes of this Resolution, “fresh fish” means tuna or tuna-like species that are alive, whole or dressed/gutted, but not further processed or frozen.

- b. Name of vessel, register number;
 - c. IMO Number;
 - d. Previous name (if any);
 - e. Previous flag (if any);
 - f. Details of previous deletion from other registries (if any);
 - g. International radio call sign;
 - h. Type of vessel, length, gross tonnage (GT) and carrying capacity;
 - i. Name and address of owner(s) and operator(s); and
 - j. Time period authorized for transshipping.
8. Each CPC shall promptly notify the Director, after the establishment of the initial IATTC Record, of any addition to, deletion from and/or modification of the IATTC Record, at the time such changes occur.
 9. The Director shall maintain the IATTC Record and take measures to ensure publicity of the Record through electronic means by placing it on the IATTC website, in a manner consistent with confidentiality requirements notified by CPCs for their vessels.
 10. Regardless of vessel size, all carrier vessels authorized for at-sea transshipment shall be required to install and operate a VMS in accordance with Resolution C-04-06* on the establishment of a Vessel Monitoring System (VMS).

SECTION 4. AT-SEA TRANSSHIPMENT

11. Transshipments by LSTLFVs in waters under the jurisdiction of the CPCs are subject to prior authorization from the Coastal CPC concerned. CPCs shall take the necessary measures to ensure that LSTLFVs flying their flag comply with the following conditions:

Flag CPC Authorization

12. LSTLFVs are not authorized to transship at sea unless they have obtained prior authorization from their flag CPC.

Notification obligations

Fishing vessel:

13. a) To receive the prior authorization mentioned in paragraph 12, the master and/or owner of the LSTLFV must notify the following information to its flag CPC authorities at least 24 hours in advance of an intended transshipment. When transmitting the following information, the LSTLFV shall provide a copy of this information to the Director and the relevant Coastal State, if transshipment occurs within an EEZ:
 - a. the name of the LSTLFV, its number in the LSTLFV List, and the vessel IMO number if available
 - b. the name of the carrier vessel, its number in the IATTC Record of Carrier Vessels, its IMO number, and the product to be transshipped,
 - c. the tonnage by product to be transshipped,
 - d. the date and location of transshipment, and

- e. the geographic location of the tuna and tuna-like species and sharks catches.
- b) The competent authorities of the LSTLFV shall provide a copy of this information to the relevant Coastal State where the transshipment occurs within an EEZ.
- c) The LSTLFV concerned shall complete and transmit to its flag CPC and the Director, not later than 24 hours after the transshipment, the IATTC transshipment declaration, along with its number in the IATTC LSTLFV List, in accordance with the format set out in Annex 2.

Receiving carrier vessel:

14. The master of the receiving carrier vessel shall complete and transmit the IATTC transshipment declaration to the Director, the flag CPC of the LSTLFV, and coastal States where applicable, along with its number in the IATTC Record of Carrier Vessels, within 24 hours of the completion of the transshipment.
15. The master of the receiving carrier vessel shall, 48 hours before landing, transmit an IATTC transshipment declaration, along with its number in the IATTC Record of Carrier Vessels, to the Director and competent authorities of the CPC where the landing takes place.

Regional Observer Program

16. Each CPC shall ensure that all its carrier vessels that transship at sea have on board an IATTC observer, in accordance with the IATTC Regional Observer Program in Annex 3. The IATTC observer shall monitor compliance with this Resolution, and notably that the transshipped quantities are consistent with the catch reported on the IATTC transshipment declaration.
17. Vessels shall be prohibited from commencing or continuing at-sea transshipping in the Convention Area without an IATTC observer on board, except in cases of *force majeure* duly notified to the Director.

SECTION 5. GENERAL PROVISIONS

18. To ensure the effectiveness of the IATTC conservation and management measures pertaining to species covered by Statistical Document Programs:
 - a. In validating the Statistical Document, flag CPCs of LSTLFVs shall ensure that transshipments are consistent with the reported catch amount by each LSTLFV;
 - b. The Flag CPC of the LSTLFV shall validate the Statistical Documents for the transshipped fish, after confirming that the transshipment was conducted in accordance with this Resolution. This confirmation shall be based on the information obtained through the IATTC Observer Program; and
 - c. CPCs shall require that the catches of species covered by the Statistical Document Programs by LSTLFVs in the Convention Area, when imported into the territory or area of a CPC, be accompanied by validated statistical documents and a copy of the IATTC transshipment declaration.
19. Each CPC shall report annually before 15 September to the Director:
 - a. The quantities by species transshipped during the previous year.
 - b. The names and IMO numbers of its vessels on the IATTC LSTLFV List which have transshipped during the previous year; and
 - c. A comprehensive report assessing the content and conclusions of the reports of the observers assigned to carrier vessels which have received transshipment from its LSTLFVs.

20. All tuna and tuna-like species and sharks landed in, or imported into, the territory or area of a CPC, either unprocessed or after having been processed on board and which are transshipped, shall be accompanied by the IATTC transshipment declaration until the first sale has taken place.
21. Each year, the Director shall present a report on the implementation of this Resolution to the annual meeting of the Commission, which shall review compliance with this Resolution.
22. This Resolution replaces Resolution C-11-09.

ANNEX 1

CONDITIONS RELATING TO IN-PORT TRANSSHIPMENT BY LSTFVS

General

1. Transshipment operations in port may only be undertaken in accordance with the procedures detailed below.

Notification obligations

2. Fishing vessel:
 - 2.1. At least 48 hours prior to transshipping, the captain of the LSTFV must notify the following information to the Port State authorities and the Director:
 - a. the name of the vessel and its number in the IATTC Regional Vessel Register,
 - b. the name of the carrier vessel, and the product to be transshipped,
 - c. the tonnage, by product, to be transshipped,
 - d. the date and location of transshipment,
 - e. the major fishing grounds of the tuna and tuna like species and sharks catches.
 - f. the vessel IMO number
 - 2.2. The captain of an LSTFV shall, at the time of the transshipment, inform the vessel's Flag CPCs and the Director of the following;
 - a. the products and quantities involved,
 - b. the date and place of the transshipment,
 - c. the name, IMO number, registration number and flag of the receiving carrier vessel,
 - d. the geographic location of the tuna and tuna like species and sharks catches.
 - 2.3. The captain of the LSTFV shall complete and transmit to the vessel's flag CPC and the Director not more than 24 hours after the transshipment, the IATTC transshipment declaration, along with the vessel's number in the IATTC LSTFV List, in accordance with the format set out in Annex 2.

Receiving vessel

3. Not later than 24 hours before the beginning and at the end of the transshipment, the master of the receiving carrier vessel shall inform the Port State authorities of the quantities of catches of tuna and tuna-like species and sharks transshipped to the carrier vessel, and complete and transmit to the Director and competent authorities of the vessel's flag CPC the IATTC transshipment declaration.

Landing State

4. The master of the receiving carrier vessel shall, 48 hours before landing, complete an IATTC trans-shipment declaration, and transmit it to the Director and the competent authorities of the landing State where the landing is to take place.
5. The Port State and the landing State referred to in the above paragraphs shall take the appropriate measures to verify the accuracy of the information received, and shall cooperate with the flag CPC of the LSTFV to ensure that landings are consistent with the catches reported by the vessel. This verification shall be carried out so that the vessel suffers the minimum interference and inconvenience and that degradation of the fish is avoided.
6. Each flag CPC with LSTFVs shall report each year to the IATTC the details of the trans-shipments by its vessels.

ANNEX 2
IATTC TRANSSHIPMENT DECLARATION

| Carrier Vessel | Fishing Vessel |
|---|---|
| Name of the Vessel and Radio Call Sign: | Name of the Vessel and Radio Call Sign: |
| Flag: <u>IMO Number:</u> | Flag: <u>IMO Number if available:</u> |
| Flag state license number: | Flag state license number: |
| National Register Number, if available: | National Register Number, if available: |
| IATTC Register Number, if available: | IATTC Register Number, if available: |

Day Month Hour Year

Agent's name: Master's name of LSTV: Master's name of Carrier:

Departure from

Return to

Transshipment

Signature: Signature: Signature:

Indicate the weight in kilograms or the unit used (e.g. box, basket) and the bonded weight in kilograms of this unit: kilograms

LOCATION OF TRANSHIPMENT:

| Species | Port | Sea | Type of product | | | | | | | | | | | | | | |
|---------|------|-----|-----------------|--------|--------|-----------|--|--|--|--|--|--|--|--|--|--|--|
| | | | Whole | Gutted | Headed | Filletted | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | |

If transshipment effected at sea, IATTC Observer Signature:

ANNEX 3

IATTC REGIONAL OBSERVER PROGRAM

1. Each CPC shall require carrier vessels included in the IATTC Record of Carrier Vessels which transship at sea, to carry an IATTC observer during each transshipment operation in the Convention Area.
2. The Director shall appoint the observers, and shall place them on board the carrier vessels authorized to receive transshipments in the Convention Area from LSTLFVs flying the flag of CPCs that implement the IATTC observer program established by this Resolution.

Designation of the observers

3. The designated observers shall have the following qualifications to accomplish their tasks:
 - a. sufficient experience to identify species and fishing gear;
 - b. satisfactory knowledge of IATTC conservation and management measures;
 - c. the ability to observe and record information accurately; and
 - d. a satisfactory knowledge of the language of the flag of the vessel observed.

Obligations of the observer

4. Observers shall:
 - a. not be, to the extent possible, nationals or citizens of the flag CPC of the receiving carrier vessel;
 - b. be capable of performing the duties set forth in point 5 below;
 - c. be included in the list of observers maintained by the Director; and
 - d. not be a crew member of an LSTLFV or an employee of an LSTLFV company.
5. The observer's tasks shall be, in particular, to:
 - 5.1. on the LSTLFV intending to transship to a carrier vessel, and before the transshipment takes place:
 - i. check the validity of the fishing vessel's authorization or license to fish for tuna and tuna-like species and sharks in the Convention Area;
 - ii. check and record the total quantity of catch on board, and the quantity to be transferred to the carrier vessel;
 - iii. check that the VMS is functioning, and examine the logbook;
 - iv. verify whether any of the catch on board resulted from transfers from other vessels, and check the documentation on such transfers;
 - v. in the case of an indication that there are any violations involving the fishing vessel, immediately report the violations to the master of the carrier vessel; and
 - vi. record the results of these duties on the fishing vessel in the observer's report.
 - 5.2. on the carrier vessel:
 - a. monitor the carrier vessel's compliance with the relevant conservation and management measures adopted by the Commission. In particular the observers shall:
 - i. record and report upon the transshipment activities carried out;
 - ii. verify the position of the vessel when engaged in transshipping;
 - iii. observe and estimate products transshipped;
 - iv. verify and record the name of the LSTLFV concerned and its registration number;
 - v. verify the data contained in the transshipment declaration;
 - vi. certify the data contained in the transshipment declaration; and

- vii. countersign the transshipment declaration;
 - b. issue a daily report of the carrier vessel's transshipping activities;
 - c. establish general reports compiling the information collected in accordance with this paragraph and provide the captain the opportunity to include therein any relevant information.
 - d. submit to the Director, Coastal state (where applicable) and the flag CPCs the aforementioned general report within [24 hours] from the end of the period of observation; and
 - e. exercise any other functions as defined by the Commission.
6. Observers shall treat as confidential all information with respect to the fishing operations of the LSTLFVs and of the LSTLFVs owners and accept this requirement in writing as a condition of appointment as an observer.
 7. Observers shall comply with requirements established in the laws and regulations of the flag CPC which exercises jurisdiction over the vessel to which the observer is assigned.
 8. Observers shall respect the hierarchy and general rules of behavior which apply to all vessel personnel, provided such rules do not interfere with the duties of the observer under this program, and with the obligations of vessel personnel set forth in paragraph 9 of this program.

Obligations of the flag CPCs of carrier vessels

9. The responsibilities regarding observers of the flag CPCs of the carrier vessels and their captains shall include the following, notably:
 - a. Observers shall be allowed access to the vessel personnel and to the gear and equipment;
 - b. Upon request, observers shall also be allowed access to the following equipment, if present on the vessels to which they are assigned, in order to facilitate the carrying out of their duties set forth in paragraph 5:
 - i. satellite navigation equipment;
 - ii. radar display viewing screens when in use; and
 - iii. electronic means of communication.
 - c. Observers shall be provided accommodations, including lodging, food and adequate sanitary facilities, equal to those of officers;
 - d. Observers shall be provided with adequate space on the bridge or pilot house for clerical work, as well as space on deck adequate for carrying out observer duties; and
 - e. The flag CPCs shall ensure that captains, crew and vessel owners do not obstruct, intimidate, interfere with, influence, bribe or attempt to bribe an observer in the performance of his/her duties.
10. The Director, in a manner consistent with any applicable confidentiality requirements, shall provide to the flag CPC of the carrier vessel under whose jurisdiction the vessel transshipped and to the flag CPC of the LSTLFV, copies of all raw data, summaries, and reports pertaining to the trip three months prior to the meeting of the Committee for the Review of Implementation of Measures adopted by the Commission.

Obligations of LSTLFVs during transshipments

11. Observers shall be allowed to visit the fishing vessel, if weather conditions permit, and shall be granted access to personnel and areas of the vessel necessary to carry out their duties set forth in paragraph 5.
12. The Director shall submit the observer reports to the Committee for the Review of Implementation of Measures adopted by the Commission and to the Scientific Advisory Committee.

Observer fees

13. The costs of implementing this program shall be financed by the flag CPCs of LSTLFVs wishing to engage in transshipment operations. The fee shall be calculated on the basis of the total costs of the program. This fee shall be paid into a special account of the Director and the Director shall manage the account for implementing the program;
14. No LSTLFV may participate in the at-sea transshipment program unless the fees, as required under paragraph 13, have been paid.

3h. G2 Ecuador Transshipments.

INTER-AMERICAN TROPICAL TUNA COMMISSION

94TH MEETING

Bilbao, Spain, 22-26 July 2019

PROPOSAL IATTC-94 G-2

SUBMITTED BY ECUADOR

**RESOLUTION ON ESTABLISHING A MANDATORY PROGRAM FOR
TRANSSHIPMENTS IN AUTHORIZED PORTS BY LARGE-SCALE FISHING
VESSELS IN REPLACEMENT OF RESOLUTION C-12-07**

RESOLUTION C-19-XX

**RESOLUTION ON ESTABLISHING A MANDATORY PROGRAM FOR
TRANSSHIPMENTS IN AUTHORIZED PORTS BY LARGE-SCALE FISHING
VESSELS IN REPLACEMENT OF RESOLUTION C-12-07**

The Inter-American Tropical Tuna Commission (IATTC), gathered in Bilbao, Spain, on the occasion of its 94th Meeting:

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 importance of the Port State to combat illegal, unregulated and unreported fishing and to monitor the compliance with measures adopted by Regional Fisheries Management Organizations for the sustainable use and the long-term conservation of living marine resources;

Bearing in mind 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 the fight to combat illegal, unreported and unregulated fishing should be based on diligent and coordinated actions among Flag States, Coastal States and Port States, using all their sovereignty and jurisdiction in accordance with international law;

Noting that transshipments of fish on the high seas contribute to hiding illegal, unreported and unregulated (IUU) fishing and degrading labor practices prohibited by the Maritime Labour Convention adopted in Geneva, Switzerland, on 7 February 2006, which threaten food security, the traceability of catches and facilitate the impunity of the perpetrators; while such operations, when carried out in authorized ports, make it possible to adopt and implement effective measures to prevent, deter and eliminate illegal, unreported and unregulated fishing, strengthen the human rights of crew members and ensure the traceability and legality of catches.

Recalling the relevant provisions of 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 the Agreement on Port State Measures aimed at preventing, deterring and eliminating Illegal, Unreported and Unregulated fishing, and other relevant international law;

Agrees:

SECTION 1. GENERAL RULES

1. All trans-shipment operations in the Antigua Convention Area of tuna and tuna-like species and sharks caught in association with the fisheries covered by the Convention (hereinafter referred to as “tuna and tuna-like species”) must take place in port.
2. Each Member and Cooperating Non-Member of the Commission (CPC) shall take the necessary measures to ensure that large-scale tuna-fishing vessels¹⁷ (LSTFVs) flying its flag comply with the obligations set out in Annex 1 when transshipping in port.
3. This Resolution does not apply to troll vessels, pole-and-line vessels or vessels under 24 meters of length overall engaged in the trans-shipment of fresh fish at sea.

SECTION 2. RECORD OF VESSELS AUTHORIZED TO RECEIVE TRANSSHIPMENTS AT SEA IN THE CONVENTION AREA

4. The Commission shall establish and maintain a record of carrier vessels authorized by their respective flag CPCs to receive tuna and tuna-like species at sea from LSTLFVs in the Convention Area (IATTC Record of Carrier Vessels). For the purposes of this Resolution, carrier vessels not on this Record are deemed not to be authorized to receive tuna and tuna-like species in transshipment operations at authorized ports.
5. Each CPC shall submit to the Director, in electronic format if possible, the updated initial list of the carrier vessels that it has authorized to receive at-sea transshipments from its LSTLFVs in the Convention Area. This list shall include the following information for each vessel:
 - a. The flag of the vessel;
 - b. Name of vessel, register number;
 - c. Previous name (if any);
 - d. Previous flag (if any);
 - e. Details of previous deletion from other registries (if any);
 - f. International radio call sign;
 - g. Type of vessel, length, gross tonnage (GT) and carrying capacity;
 - h. Name and address of owner(s) and operator(s); and
 - i. Time period authorized for transshipping at authorized ports.

¹⁷ For the purposes of this Resolution, “Large-scale tuna fishing vessels” are defined as all vessels greater than 24 meters length overall fishing beyond areas of national jurisdiction or beyond each CPC-controlled areas and targeting tuna, tuna-like species or sharks.

6. Each CPC shall promptly notify the Director, of any addition to, deletion from and/or modification of the IATTC Record, at the time such changes occur.
7. The Director shall maintain the IATTC Record and take measures to ensure publicity of the Record through electronic means, including placing it on the IATTC website, in a manner consistent with confidentiality requirements notified by CPCs for their vessels.
8. Carrier vessels authorized for at-sea transshipment shall be required to install and operate a VMS in accordance with Resolution C-14-02 on the establishment of a Vessel Monitoring System (VMS).

SECTION 3. TRANSSHIPMENTS IN PORT

9. Transshipments by LSTLFVs in ports under the jurisdiction of the CPCs are subject to prior authorization from the Port State of said port. CPCs shall take the necessary measures to ensure that LSTLFVs flying their flag comply with the following conditions:

Flag CPC Authorization

10. LSTLFVs are not authorized to transship at sea unless they have obtained prior authorization from their flag CPC, as evidenced by their inclusion in the Commission's **RECORD OF VESSELS AUTHORIZED TO RECEIVE TRANSSHIPMENTS IN THE CONVENTION AREA**.

Fishing vessel:

11. Before the transshipment, the master and/or owner of the LSTLFV must notify the following information to its flag CPC authorities and the Port State at least 24 hours in advance of an intended transshipment
 - a. the name of the LSTLFV, and its number in the LSTLFV List,
 - b. the name of the carrier vessel and its number in the IATTC Record of Carrier Vessels, and the product to be transshipped,
 - c. the tonnage by product to be transshipped,
 - d. the date and location of transshipment, and
 - e. the geographic location of the tuna catches.

The LSTLFV concerned shall complete and transmit to its flag CPC, not later than 45 days after the transshipment, the IATTC transshipment declaration, along with its number in the IATTC LSTLFV List, in accordance with the format set out in Annex 2.

Receiving carrier vessel:

12. The master of the receiving carrier vessel shall complete and transmit the IATTC transshipment declaration to the Director, the flag CPC of the LSTLFV, along with its number in the IATTC Record of Carrier Vessels, within 24 hours of the completion of the transshipment.

13. The master of the receiving carrier vessel shall, 48 hours before landing, transmit an IATTC transshipment declaration, along with its number in the IATTC Record of Carrier Vessels, to the competent authorities of the CPC where the landing takes place (Port State) which shall authorize and monitor the operation.

SECTION 4. GENERAL PROVISIONS

14. To ensure the effectiveness of the IATTC conservation and management measures

a) The flag CPCs of LSTLFVs shall ensure that transshipments are consistent with the reported catch amount by each LSTLFV⁵ and confirm that the transshipment was conducted in accordance with this Resolution. This confirmation shall be based on the information obtained through the IATTC Observer Program and the information gathered by the CPC of the Port State.

b) CPCs shall require that the catches of species covered by the Statistical Document Programs by LSTLFVs in the Convention Area, when imported into the territory or area of a CPC, be accompanied by validated statistical documents and a copy of the IATTC transshipment declaration.

15. Each CPC shall report annually before 15 September to the Director:

a. The quantities by species transshipped by their vessels and/or at its ports during the previous year.

b. The names of the LSTLFVs and carrier vessels authorized to receive transshipments, registered with the IATTC, which have transshipped during the previous year.

16. All tuna and tuna-like species and sharks landed in, or imported into, the territory or area of a CPC, either unprocessed or after having been processed on board and which are transshipped, shall be accompanied by the IATTC transshipment declaration until the first sale has taken place.

17. Each year, the Director shall present a report on the implementation of this Resolution to the annual meeting of the Commission, which shall review compliance with this Resolution.

18. These provisions shall apply from...

19. The Commission shall review and, as appropriate, amend this Resolution at the next annual meeting.

20. This Resolution replaces Resolution C-12-07.

3i. I-1. Japan. Bluefin tuna

INTER-AMERICAN TROPICAL TUNA COMMISSION

94TH MEETING

Bilbao, Spain, 22-26 July 2019

PROPOSAL IATTC-94 I-1 SUBMITTED BY JAPAN

AMENDMENT TO RESOLUTION C-18-01. MEASURES FOR THE CONSERVATION AND MANAGEMENT OF PACIFIC BLUEFIN TUNA IN THE EPO, 2019 AND 2020

EXPLANATORY MEMORANDUM

The 4th joint IATTC-WCPFC Northern Committee (NC) Working Group Meeting on Pacific Bluefin Tuna (PBF) Management is scheduled in September this year in Portland, U.S. A., to review and discuss the Pacific-wide conservation and management measures for this stock, including the adjustment of the catch limits.

Japan's proposal is to develop provisions for possible changes to the catch limits in the current resolution, in order to reflect the outcome of the joint IATTC-WCPFC NC Working Group Meeting and meetings of WCPFC in a proper manner.

RESOLUTION C-19-xx

AMENDMENT TO RESOLUTION C-18-01 ON MEASURES FOR THE CONSERVATION AND MANAGEMENT OF PACIFIC BLUEFIN TUNA IN THE EPO, 2019 AND 2020

The Inter-American Tropical Tuna Commission (IATTC) gathered in Bilbao, Spain, on the occasion of its 93rd Meeting:

Taking into account that the stock of Pacific bluefin tuna is caught in both the western and central Pacific Ocean (WCPO) and the eastern Pacific Ocean (EPO);

Recognizing with concern that the 2018 stock assessment of Pacific bluefin tuna by the International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean (ISC) shows the following:

- Although the spawning stock biomass (SSB) appears to have grown slightly in the last few years, SSB remains near the historic low point (ratio of SSB in 2016 relative to the theoretical unfished SSB ($SSB_{2016}/SSB_{F=0}$, the depletion ratio) estimated in this assessment is 3.3%);
- The stock is overfished relative to 20% $SSB_{F=0}$, which is the second rebuilding target recommended by the Joint IATTC-Western and Central Pacific Fisheries Commission (WCPFC) Northern Committee (NC) Working Group, and is subject to overfishing relative to most of the common fishing intensity-based reference points;
- The projection results are strongly influenced by the inclusion of the relatively high, but uncertain recruitment estimate for 2016; and,

Taking into consideration that IATTC Members, through resolutions and voluntary actions, have, since 2012, effected 40% reductions in the catch of Pacific bluefin tuna across the entire range of age classes available in the EPO;

Noting that in 2019 the IATTC Scientific Staff did not recommend additional measures because the measures established in Resolution C-16-08 are adequate to meet the rebuilding targets recommended by the Joint IATTC-WCPFC NC Working Group;

Recognizing the IATTC scientific staff's recommendation at the tenth meeting of the Scientific Advisory Committee (SAC) in May 2019, "*Increased catches based on the scenarios analyzed are possible under the harvest strategy prepared by the joint RFMO working group. The choice of catch scenario should take into account the desired rebuilding rate and the distribution of catch between small and large bluefin*"

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 re-store the populations of harvested species at levels of abundance which can produce the maximum sustainable yield...*";

Urging all IATTC Members and Cooperating Non-Members (CPCs) involved in this fishery to participate in a fair and equitable manner, and without exceptions, in the discussion and adoption of conservation measures applicable to the stock throughout its entire range;

Mindful that these measures are intended as an interim step towards assuring sustainability of the Pacific bluefin tuna resource, consistent with the precautionary approach, and the objectives of the long-term management framework for the conservation and management of Pacific bluefin tuna in the EPO;

Noting that the IATTC has adopted mandatory conservation and management measures for Pacific bluefin tuna for 2012-2018, and that the measures resulted in reducing catches in the EPO; and,

Desirous that combined conservation and management measures by the WCPFC and the IATTC, together with other voluntary measures aimed at controlling fishing mortality, should be implemented to better the condition of the Pacific bluefin tuna stock;

Resolves as follows:

1. The Commission shall implement this Resolution in accordance with the long-term management objectives of Pacific bluefin tuna in paragraph 1 of Resolution C-18-02 [Amendment to Resolution C-16-08].
2. Each CPC shall report sport fishery catches of Pacific bluefin tuna semi-annually to the Director. Each CPC shall continue to ensure that catches of Pacific bluefin tuna by sport-fishing vessels operating under its jurisdiction are reduced in a manner commensurate with reductions in commercial catches.
3. During 2019 and 2020, in the IATTC Convention Area, combined total commercial catches of Pacific bluefin tuna by all CPCs shall not exceed the catch limit of 6,147 metric tons. No CPC shall exceed 3,500 metric tons in 2019.
4. Any CPC other than Mexico with historical commercial catches of Pacific bluefin tuna in the Convention Area may catch 630 metric tons of Pacific bluefin tuna in commercial fisheries in 2019 and 2020, combined, but not exceeding 425 metric tons in any year. The 630 metric ton catch limit for each CPC under this paragraph will be subtracted and reserved from the total catch limit in paragraph 3 for the exclusive use of that CPC.\

5. Any over-harvest shall be deducted from catch in the following year in accordance with Paragraph 3 of Resolution C-18-02 [Amendment to Resolution C-16-08]. Over-harvest of the biennial catch limits established in Resolution C-16-08 shall be deducted from catch limits applicable to this Resolution.
6. Under-harvest of biennial catch limits established in Resolution C-16-08 shall be added to catch limits applicable to this Resolution in accordance with Paragraph 4 of Resolution C-18-02.
7. CPCs should endeavor to manage catches by vessels under their respective national jurisdictions in such a manner and through such mechanisms as might be applied, with the objective of reducing the proportion of fish of less than 30 kg in the catch toward 50% of total catch, taking into consideration the scientific advice of the ISC and the IATTC staff. At the annual meeting of the IATTC in 2020, the Scientific Staff shall present the results of the 2019 fishing season in this regard for the Commission's review. CPCs shall take the necessary measures to ensure that the catch limits specified in paragraphs 3 and 4 are not exceeded in 2019 and 2020, without prejudging the adoption by the CPCs of additional management and conservation measures within their national jurisdiction
8. In 2019 and 2020, each CPC shall report its catches to the Director weekly after 50% of its annual catch limit in each year is reached.
9. The Director will send out notices to all CPCs when 75% and 90% of the limits in Paragraphs 3 or 4 have been reached. The Director will send out a notice to all CPCs when the limits in Paragraphs 3 or 4 have been reached. CPCs shall take the necessary internal measures to avoid exceeding the limits established in Paragraphs 3 or 4.
10. By January 31 in 2019 and 2020, the Director shall notify all CPCs of the catch limit for 2019 and 2020 in accordance with Paragraphs 3 and 4 of this resolution and considering any over-harvest or under-harvest in accordance with Paragraphs 3 and 4 of Resolution C-18-02 [Amendment to Resolution C-16-08].
11. In 2019 and 2020, the IATTC Scientific Staff shall present an assessment to the Scientific Advisory Committee of the effectiveness of this resolution also taking into consideration the results of the ISC's latest Pacific bluefin tuna stock assessment, harvest scenario projections performed by the ISC, and conservation and management measures for Pacific bluefin tuna adopted by the WCPFC. The Commission shall consider new management measures to apply beyond 2020 based on the results of the assessment.
12. The total catch limit (6,147 metric tons) in Paragraph 3 may be revised¹ based on the outcomes of the Joint IATTC-WCPFC NC Working Group on Pacific bluefin tuna and meetings of the WCPFC. If the total catch limit is changed to a new figure, the individual catch limits shall be automatically changed based on the existing ratio of 10:1 between Mexico and other CPCs with historical catches of Pacific bluefin tuna in the Convention Area.

¹ Upon a request by at least three (3) Members that have made a proposal on possible changes to the catch limits, the Director will notify the proposal for approval by the Commission subject to the Commission's rules for intersessional decision-making (Rules of Procedure, Section VIII).

3j. J-1 Mexico Confidentiality.

INTER-AMERICAN TROPICAL TUNA COMMISSION

94TH MEETING

Bilbao, Spain, 22-26 July 2019

PROPOSAL IATTC-94 J-1

SUBMITTED BY MEXICO

**PROPOSAL FOR A RESOLUTION ON CONFIDENTIALITY IN THE USE OF
INFORMATION ON COMPLIANCE**

EXPLANATORY MEMORANDUM

Article XXII of the Antigua Convention establishes that the Commission shall determine rules of confidentiality for access, use and disclosure of information pursuant to the Convention. Moreover, Article XVIII on the 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.

RESOLUTION C-19-XX

CONFIDENTIALITY IN THE USE OF INFORMATION ON COMPLIANCE

The Inter-American Tropical Tuna Commission (IATTC), gathered in Bilbao, Spain, on the occasion of its 94th Meeting:

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’s 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 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, which shows that multilateral work is being done and with good results.

Agrees:

1. That information on compliance that is provided by any Member in the framework of IATTC resolutions is of a strictly confidential nature and its use shall be restricted to the purposes that the Commission itself may establish, unless the Member authorizes its disclosure or use.
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.

3k. M-1 Ecuador Sorting grids.

INTER-AMERICAN TROPICAL TUNA COMMISSION

94TH MEETING

Bilbao, Spain, 22-26 July 2019

PROPOSAL IATTC-94 M-1

SUBMITTED BY ECUADOR

RESOLUTION FOR A PILOT PROJECT OF SORTING-GRID EXPERIMENTS

EXPLANATORY MEMORANDUM

The Inter-American Tropical Tuna Commission (IATTC) urged governments to reduce incidental mortality of juvenile tunas through Resolution C-04-05 (REV 2), where Article 1, paragraph b.i. states: *"Develop technology for releasing juvenile tunas, particularly sorting grids."*

Ecuador, concerned about maintaining the sustainability of the tuna resource, in June 2008 undertook to develop its own study on sorting grids, which would be adopted for its tuna purse-seine fleet. Through Ministerial Agreement 133 from July 2008, it was provided that all Ecuadorian Class-6 (>364 t) tuna purse-seine vessels will install a sorting grid in their purse-seine nets. Ecuador's Under-secretariat of Marine Resources experimented with six models of sorting grids between 2009 and 2011 to evaluate their effectiveness and suitability for use in fishing operations. It was concluded that the sorting grid represents a good alternative, since its practical and effective use could be demonstrated in the context of normal fishing operations and it is suggested that investigations be conducted on the behavior of the fish within the purse-seine net and the survival of the fish that are released through the sorting grid.

The Scientific Advisory Committee, at its eighth meeting in May 2017, made the following recommendation to the Commission:

"The SAC recommends that the scientific staff prepare a strategic science plan for the 2018-2022 period, which includes clear objectives, specific priorities, strategies, actions, responsibilities, and resources, including a tentative budget."

In accordance with this recommendation, the staff developed a Strategic Science Plan (SSP), which establishes objectives, activities, and research priorities for the 2019-2023 period. The SSP classifies seven main research areas called Themes, and each Theme is divided into Strategic Goals. The fourth theme, **Ecological impacts of fishing: assessment and mitigation**, includes within its goals project M.1.b. **Test sorting grids**.

The Inter-American Tropical Tuna Commission convened the "Workshop on analysis and improvement of the use and function of sorting grids for juvenile tunas and bycatch species in the purse-seine fishery for tunas in the eastern Pacific Ocean" on 8 and 9 April 2019 in Manta, Ecuador, the results of which were presented in report BYC-09-INF-A in May 2019.

RESOLUTION C-19-XX

RESOLUTION FOR A PILOT PROJECT OF SORTING-GRID EXPERIMENTS

The Inter-American Tropical Tuna Commission (IATTC), gathered in Bilbao, Spain, on the occasion of its 94th Meeting:

Agrees the following:

1. TITLE

Pilot Project of Sorting-Grid Experiments

2. OBJECTIVE

Conduct sorting-grid experiments on purse-seine vessels in order to reduce bycatches of small fish (tunas and others).

3. BACKGROUND INFORMATION AND RATIONALE

Mitigating the ecological impacts of the tuna purse-seine fishery is of great importance for fisheries management in the EPO; releasing small individuals of any species (target and non-target) through techniques and fishing gear technologies would reduce the impacts of fishing operations and improve the sustainability of the fishery.

Sorting grids allow the escape of small individuals that can pass through the mesh of the grid in a purse-seine net. These may include: small tunas of all species and individuals of other species associated with FADs.

Many purse-seine vessels carry sorting grids, of different models and dimensions, to allow fish to escape, but their use has not been well documented. Some captains do not submerge them 100%, others might take them out of the water in order not to lose potential catches.

During the "Workshop on analysis and improvement of the use and function of sorting grids for juvenile tunas and bycatch species in the purse-seine fishery for tunas in the eastern Pacific Ocean" held on 8 and 9 April 2019 in Manta, participants discussed the different types and models of sorting grids used in other fisheries of the world that were presented. After discussing the pros and cons of the different options, most agreed that the current design used (4 m x 3 m rectangular shape) by the Ecuadorian fleet was rather adequate and that perhaps it could be improved with some modifications.

It was proposed to carry out an experiment with two prototype models of grids defined at the workshop and involving four tuna vessels (two vessels per model) or more that wish to participate. In addition, it was proposed to put additional grids that could go in the section of the net before the sack.

To evaluate the effectiveness of sorting grids, a two-phase experiment could be considered:

- a) Estimate which species and sizes leave the net.
- b) Estimate the survival of those that escape.

For a), the main options are:

- To use a small net outside the grid to catch the fish that leave the net.
- To use visual records of observers or scientists located near the grid.
- To use video cameras focused on the net.
- To compare the catches in sets with and without the grid.

For **b)**, it is much more complex. To estimate the survival of those that escape, we need to track their condition over a period of several weeks. Therefore, this pilot project would not include this phase.

4. DESCRIPTION OF PROPOSED ACTIVITIES

This Pilot Project of Sorting-Grid Experiments would be mainly focused on ensuring consistent results; the grids should be as similar as possible (materials, design, etc.) and their location in the net and mode of use should be directly comparable, considering the differences between the vessels.

The characteristics of the grids, location and date of testing would be:

- Materials: Grid frame (7/8" Samson rope), 5/16" polyethylene mesh (Tenax plus); meshes are inserted and reinforced with nylon string and coated with organic resin.
- The dimensions (length and depth) of the two grid models would be as follows: One grid of 4 m x 4 m and another one of 5 m x 4 m.
- Mesh: (width - height) 9 cm x 10 cm.
- Vertical location of the grid: Under the valance, same location near the foredeck.
- Horizontal location of the grid: It will be defined once we know the configuration according to the maneuver of the participating vessels.
- Test date: During the closure period.

Experiment:

a) Single sorting grid experiment in the sack area:

- a.1) One 4 m x 4 m grid with 9 cm x 10 cm mesh in the sack area.
- a.2) One 5 m x 4 m grid with 9 cm x 10 cm mesh in the sack area.

b) Main grid experiment with additional auxiliary grids:

- b.1) One 4 m x 4 m grid in the sack, plus a 4 m x 2 m grid in the part before the sack, both with 9 cm x 10 cm mesh.
- b.2) One 4 m x 4 m grid in the sack, plus two 4 m x 2 m grids in the part before the sack, all with 9 cm x 10 cm mesh.

As a first step, the escape of fish will be estimated with an auxiliary net placed outside the net to recapture the fish that escaped. To prevent the auxiliary net from blocking the exit, it may be necessary to add floats and weights to keep this net open. The catches of other purse-seine vessels fishing in the same time and area can be used as controls. The sets of the four purse-seine vessels over a period of months (which is suggested to be within the closure periods) will be analyzed to decide the need for an additional period.

Establish, with two or more purse-seine vessels, a commitment to cooperate by leaving the grid completely submerged in all sets.

Monitor the use of the grid in all sets with video cameras. Use a speedboat with a researcher aboard to film the escape through the grid. This initial pilot project will seek to measure the amount and characteristics of the escaped fish, not their survival. Evaluate the significance of the releases,

assuming survival. If significant, design a project to measure survival in a floating cage. Discuss ways to improve their operation with captains, if necessary.

5. REPORTS

The activities and results of the project would be reported in IATTC quarterly and annual reports and in oral presentations at scientific meetings.

6. FUNDING

The IATTC would carry out this Pilot Project of Sorting-Grid Experiments in collaboration with the Industry, according to the work plans that combine research activities from different parts of the SSP already funded.

7. BUDGET

| | |
|--|---------------------|
| Construction of (4) main and (2) auxiliary prototype grids | \$ 15.000,00 |
| Research team (Ecuador), days at sea | \$ 15.000,00 |
| Cameras, equipment, etc. | \$ 15.000,00 |
| | |
| Total | \$ 45.000,00 |

REFERENCES

RESOLUTION C-04-05 (REV 2) CONSOLIDATED RESOLUTION ON BYCATCH

REDUCCIÓN DE LA MORTALIDAD DE ATUNES PEQUEÑOS EN OPERACIONES DE PESCA UTILIZANDO REJILLAS EXCLUIDORAS, “Ríos, B.F and Sondheimer, F.” Under-secretariat of Marine Resources, Ministry of Agriculture, Livestock, Aquaculture and Fisheries. Manta, Manabí, Ecuador. June 2011.

DOCUMENT IATTC-93-06a, IATTC STRATEGIC SCIENCE PLAN, 2019-2023

DOCUMENT -INF-A Report of the workshop on analysis and improvement of the use and function of sorting grids.

ANNEX 4. REPORTS.

4a. Chair Report of the 7th Meeting of the Committee on Administration and Finance

**INTER-AMERICAN TROPICAL TUNA COMMISSION
COMMITTEE ON ADMINISTRATION AND FINANCE
7TH MEETING
Bilbao, Spain
19 July 2019**

**CHAIR'S REPORT
AGENDA**

| | Documents |
|---|-----------|
| 1. Opening of the meeting | |
| 2. Adoption of the agenda | |
| 3. Review of the financial audit report | |
| 4. Review of proposed budgets for 2020 and 2021 | CAF-07-01 |
| 5. Financial contributions of Members: | |
| a) Regular budget (Resolutions C-15-05 , C-18-04) | |
| b) Special Fund for promoting institutional capacity-building (Resolution C-14-03) | CAF-07-02 |
| c) Program to monitor transshipments at sea (Resolution C-12-07) | |
| d) Other | CAF-07-03 |
| 6. Other business | |
| 7. Recommendations to the Commission | |
| 8. Adjournment | |

APPENDICES

1. List of attendees

The seventh meeting of the Committee on Administration and Finance was held in Bilbao, Spain, on 19 July 2019.

1. Opening of the meeting

The meeting was opened by the Director of the IATTC, Dr. Guillermo Compeán, who requested nominations to elect the Chair of the Committee since Mr. Lillo Maniscalchi, of Venezuela, resigned due to health reasons. Dr. Luis Fleischer, of Mexico, was elected.

2. Adoption of the agenda

The provisional agenda was adopted without changes.

3. Review of the financial audit report

It was reported that the financial audit report was provided to the Commissioners and heads of delegation. There were no comments.

4. Review of proposed budgets for 2020 and 2021

Ms. Nora G. Roa, from the IATTC staff, presented [Document CAF-07-01, "Review of proposed budgets for 2020 and 2021"](#). She explained the financial activity in 2018, the status of the contributions for 2019 and the requested and projected budgets for 2020 and 2021, respectively.

She noted that the budget needs to at least keep pace with inflation, which affects all expenditures related to the activities of the Commission, both at headquarters and abroad, including staff salaries and related benefits. She recalled that the scope of the activities of the Commission and its staff continues to grow, derived from both the broader mandate of the Antigua Convention and in response to the wishes and requests from Members, which has involved hiring more staff, as well as remunerating the current staff for increased work. It is therefore essential that the Commission adopt the requested budget for 2020 of US\$ 8,444,897.

Some Members pointed out that Document CAF-07-01 could be improved, for example, combining tables 5 and 6, presented in relation to Member contributions in arrears, and following a historical sequence.

Nicaragua and Ecuador expressed that they were unable to accept increases to the budget; a review process was therefore initiated to identify elements of the budget that could be reduced. The discussion focused on the option of reducing the percentage of the IATTC budget contribution to the AIDCP, not increasing salaries for field staff, considering that a Member host the 2020 annual meeting, although it was clarified that there was currently no offer to do so and only one Member had consulted the Secretariat on the costs involved in organizing the meeting.

Venezuela recalled that the increase presented by the Secretariat was around 3% and only considered the increase in the cost of living, which had been accepted in the past, and invited the delegations to consider this situation. Three contribution scenarios were presented: one considering the same budget as in 2019 (US\$ 8,133,836) without any increase, another one considering the budget requested by the Secretariat for 2020 (US\$ 8,444,897), and one considering an average amount between the two of US\$ 8,289,367.

It was concluded that the issue would be reviewed during the IATTC plenary meeting since, in order to approve the budget, it was necessary to review both the pending AIDCP budget (30% of which is provided by the IATTC), as well as the review and approval of projects that require funding.

5. Financial contributions of Members

a. Regular budget (Resolution C-16-07)

The Secretariat presented information on the Members' pending arrears, emphasizing that, as of 31 December 2018, they amounted to US\$ 5,400,371—which represents about 68% of the approved budget for 2018 (US\$ 7,977,003)—and that two Members, Venezuela and Panama, are two or more years behind on their contributions. The Secretariat noted that, even though the total pending contributions to date of \$5,822,579 represents almost 72% of the 2019 budget, it was not very far from the 80% of the budget of pending contributions reflected at the 2018 annual meeting.

Since there are past-due contributions for a significant amount, some delegations expressed the need for Panama to be present at this CAF meeting and the IATTC meeting in order to report and reestablish its commitment to making its pending payments. Delegations such as Nicaragua, Venezuela, Guatemala and Peru made comments on their outstanding contributions, indicating their intention to pay them as soon as their administrative processes are concluded. China mentioned that it was necessary to review an element of the formula applied to its country regarding an adjustment of its catch.

Several delegations asked about the status of the surplus and its availability, so it was explained that the surplus only exists in theory and does not have real funds and the corresponding explanation was given about the surplus to the 2017 carryover and the 2018 deficit. It was reiterated that it is essential that Members pay contributions on time, and that the situation of outstanding payments be resolved without further delay. Belize congratulated Colombia for having paid its past-due contributions.

b. Fund for promoting institutional capacity-building (Resolution C-14-03)

Mr. Ricardo Belmontes, from the Commission staff, presented Document [CAF-07-02, “Special fund for promoting institutional capacity-building”](#) for developing Members, established by Resolution C-14-03. He reported that the balance as of 30 April 2019 is US\$ 247,996.

In 2018, the activities developed with resources from the fund focused on supporting the participation of developing countries in meetings of the IATTC and the Scientific Advisory Committee (SAC), and the collection of shark data in Central American countries.

For 2019 and 2020, the following activities are expected to be carried out with resources from the fund:

1. Recruitment and training of port samplers and collection of shark fishery historic information from Central American sources.
2. Capacity-building seminar/workshop for decision makers from developing CPCs on topics such as concepts in scientific advice, the Commission's strategic work plan, research needs, etc.
3. Annual IATTC scholarship for developing scientific capacity in developing CPCs (2019).
4. Participation of representatives of developing Members in the annual meeting of the IATTC and its subsidiary bodies.

The Committee approved the recommendation to the Commission to approve these activities, emphasizing the need of using the fund mainly for building capacity in developing Members and not only for supporting attendance to meetings of the IATTC and its subsidiary bodies. Additionally, the need to develop criteria for the allocation of resources from the fund—such as application deadlines and performance reports—was stressed. The Secretariat was asked to draft proposals on this regard to be analyzed and reviewed during the next annual meeting.

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

Mr. Belmontes presented Document [CAF-07-03, “Program to monitor transshipments at sea”](#), covering both the operational and financial aspects of the program in order to save time at the plenary meeting since this item is also included in the IATTC agenda.

For 2020, a budget of US\$ 1,305,000 is required, as well as the renewal of the contract with MRAG for a three-year period, from 2020 to 2022, with frozen costs during that period. The Committee approved these budgetary issues and decided to endorse them to the Commission.

The Committee was informed of a proposal to be submitted to the Commission on a recommendation from the Scientific Committee that, on the transshipment declaration, a column be included to record the species of shark being transshipped, in support of scientific research.

6. Other business

No other business was discussed.

7. Recommendations to the Commission

The Committee agreed to submit the following recommendations to the Commission:

1. Consider approving a budget for the IATTC considering three scenarios: the budget requested by the staff (US\$ 8,444,897); one considering no increase (same as in 2019 for US\$ 8,133,837); and another one that considers an average amount (US\$ 8,289,367). This would be considering whether new projects are approved and after knowing the AIDCP budget since 30% of its amount is contributed by the IATTC.
2. Approve the activities planned for 2019 and 2020 related to the special fund for supporting developing countries mentioned in section 5b of this report.
3. That the Secretariat draft a proposal on the allocation of financial support through the special fund, to be reviewed during the intersessional period.
4. Approve a budget of US\$ 1,305,000 for the program of transshipments at sea in 2020 and renew

the contract with MRAG for three years.

8. Adjournment

The meeting was adjourned at 17:10 on 19 July 2019.

4b. Chair Report of the 10th Meeting of the Committee for the review of implementation of measures adopted by the Commission

**INTER-AMERICAN TROPICAL TUNA COMMISSION
COMMITTEE FOR THE REVIEW OF IMPLEMENTATION OF
MEASURES ADOPTED BY THE COMMISSION
10TH MEETING
Bilbao, Spain
17-18 July 2019**

CHAIR'S REPORT

AGENDA

| | Documents |
|---|-----------|
| 1. Opening of the meeting | |
| 2. Adoption of the agenda | |
| 3. Recommendations of the 9 th meeting of the Committee: progress report | COR-10-01 |
| 4. Compliance with IATTC measures in 2018: | |
| a. Report by the staff on compliance | COR-10-02 |
| b. Review of the questionnaires submitted by CPCs in compliance with Resolution C-11-07 | |
| 5. Identification of Members and Cooperating Non-Members whose implementation of IATTC measures is inadequate, and mechanisms to improve compliance | |
| 6. Consideration of the provisional IUU Vessel List | COR-10-03 |
| 7. Cooperating non-Members | COR-10-04 |
| 8. Other business | |
| 9. Recommendations for the Commission | |
| 10. Adjournment | |

The 10th meeting of the Committee for the Review of Implementation of Measures Adopted by the Commission (Review Committee) was held in in Bilbao, Spain on July 17-18, 2019.

1. Opening of the meeting.

The meeting was opened by the Chair of the Committee, Mr. David Hogan, of the United States.

2. Adoption of the agenda

The Committee adopted its agenda with additions of 2 items under item 8. Other Business.

3. Recommendations of the 9th meeting of the committee

The Secretariat presented meeting document COR-10-01 which reported on the status of consideration or implementation of the recommendations arising from the 9th Meeting of the Committee.

4. Compliance with IATTC measures in 2018

a. Report by the staff on compliance

Mr. Ricardo Belmontes, of the Commission staff, presented the document COR-10-02, which summarized compliance with IATTC resolutions in 2018. Consistent with the recommendations from the 9th Committee meeting, the report was streamlined in certain areas and circulated in advance to attempt to collect corrections in advance. During the meeting, a number of Members asked questions, sought clarification and identified errors to be corrected. Overall trends in compliance are improving. Most measures show that over time there has been a decrease in infractions. Newer measures still do not have complete implementation, and a number of CPCs pointed out a need for improvement regarding measures addressing observer coverage and FAD data reporting.

b. Presentations by CPCs

The Committee heard presentations by each CPC present at the meeting, including explanations of certain responses to the compliance questionnaire, explanations and clarifications of certain cases that appeared in the compliance report, and follow-up to prior cases. The Committee used the compendium of compliance matters to also help guide the discussion, and after each presentation other CPCs were provided the opportunity to ask questions and make comments.

5. Identification of Members and Cooperating Non-Members whose implementation of IATTC regulations is inadequate, and mechanisms to improve compliance

No individual CPCs were identified. The committee discussed institutional and systemic implementation issues, in particular with regard to longline data reporting, and solicited suggestions on improving procedures, engagement and reporting by CPCs, and related matters.

6. Consideration of the provisional IUU Vessel List

The Committee reviewed the document prepared by the Secretariat, COR-10-03, which indicated there were no requests by Members or other information available to the Secretariat to warrant a proposal to make a change to the IATTC IUU Vessel List.

7. Cooperating non-Members

The Committee reviewed Document COR-10-04, concerning the renewal of Cooperating Non-Members. The Committee recommended that all 5 Cooperating Non-Members (Bolivia, Chile, Honduras, Indonesia, and Liberia) be renewed by the Commission.

8. Other business

Two Presentations were made during other business:

- a) Adriana Fabra made a presentation on the ongoing work of the Tuna Compliance Network, an initiative supported by the GEF ABNJ project designed to connect the compliance officers and processes in the tRFMOs to promote harmonization, efficiency, and improved implementation by Members in each organization.
- b) A representative of The Pew Charitable Trust presented a study done in conjunction with Global Fishing Watch identifying transshipment issues relevant to the IATTC, including identifying information about the activities of carrier vessels which indicates transshipment may be occurring in the IATTC area outside of the IATTC scheme for monitoring transshipment.

9. Recommendations

d. Recommendations for the Committee/Secretariat

1. Continue the retrospective progress review represented by COR-10-01
2. Reintroduce the breakout for the status of released bycatch – disaggregate “Affected” back to more specific categories such as injured or killed.
3. Continue to track cases of discrepancies between transshipment observer estimates of transshipped fish and reported landings and other available information, and to examine other models for monitoring transshipment in other RFMOs or fora, to consider the utility of recommending the development of a threshold for determining whether any differences may be a compliance matter.
4. In order to address cases of wrapping large sharks by the tail to remove them from the net, ask the Secretariat to examine from a scientific perspective any available information on handling of large sharks based on threats to human safety, and determine at the Commission whether the existing protocols in force in the shark resolution may need to be revised. The Committee recognized and reiterated that the shark handling requirements remain in force.
5. Members that continue to experience challenges with reporting operational level data under Resolution C-11-08 should be prepared to present to the Committee with a description of those challenges and any steps they are taking to improve.
6. The Secretariat should seek to ensure coherence and reduction of discrepancies between and among the responses to the questionnaire, the issues reported in the Compliance Report, and the Compendium.
7. Secretariat should examine what types of data or monitoring would be needed to report on compliance with FAD requirements, including rules on activation/deactivation.
8. Recognizing that the requirements to retrieve FADS in the period before a closure remains in force, and consider the implications of this requirement for vessels setting opportunistically on FADs with satellite buoys they do not own.
9. The Members recommend that the Secretariat should endeavor to send all available evidentiary and documentary information when reporting any cases to Members, in particular for any possible violations that were not included on the compliance record for a trip.

e. Recommendations for the Commission

1. Renew Cooperating Non-Member status for Bolivia, Chile, Honduras, Liberia and Indonesia.
2. No changes were recommended for the IUU Vessel List.
3. Communicate to the CPCs that were absent from the CPC-by-CPC review of their responsibility to attend and participate in the work of the Committee.
4. Reiterate the recommendations arising from the 9th meeting which are still pending discussion and consideration by the Commission and note that some actions may benefit from a Member exercising their prerogative to submit a proposal to facilitate action by the Commission.
5. In order to reduce redundant reporting, consider revising the FAO Sea Turtle Guidelines implementation reporting requirement to change it from annual to only when any changes occur,

possibly taking into account a model used in ICCAT or other RFMOs.

6. Reiterate obligation to retrieve FADs within 15 days of closure regardless of whether the set is opportunistic.
7. Reiterate the Secretariat's memo to Members of 11/20/18 regarding implementation of C-17-02.

f. Discussions (not resulting in recommendations)

The Committee discussed asking the Commission to review and consider affirming or, if needed, ratifying through decision making the status of work delegated to the Scientific Advisory Committee for the development of reporting standards, including forms, data fields, data resolution aspects and other work that the Committee has seen as being considered differently among CPCs where, in some cases, there is no consistent understanding of the status of those data standards. The Committee discussed this in the context primarily of FAD data reporting as well as longline catch and observer reporting. The Commission could also take into consideration the incremental implementation by some Members, given their uncertainty around the status of the data standards, and examine the utility of a phase-in of compliance expectations or the development of an action plan to achieve full implementation over time. The Committee did not reach consensus on using this discussion as the basis for a recommendation.

10. Adjournment

The initial Committee session was left open to continue working through the agenda and to await the participation of France, Kiribati, Panama, Vanuatu, as well as Cooperating Non-Members Bolivia and Chile if those delegations attend the plenary. A session was re-convened on the afternoon of Jul 22, which was left open to await the report of France. The Committee reconvened on July 23 and adjourned that same day.

4c. Chair Report of the 21st meeting of the permanent working group on fleet capacity

INTER-AMERICAN TROPICAL TUNA COMMISSION PERMANENT WORKING GROUP ON FLEET CAPACITY

21ST MEETING

Bilbao, Spain

20 July 2019

CHAIR'S REPORT

AGENDA

| | Documents |
|---|-----------|
| 1. Opening of the meeting | |
| 2. Adoption of the agenda | |
| 3. Review of changes in the utilization of fleet capacity in the EPO | |
| 4. Consultant's report on the proposal to address the management of fishing capacity in the EPO: presentation and discussion of the proposal | |
| 5. Review of pending capacity claims, disputes, adjustments, and requests according to the list presented at the 89 th meeting of the IATTC and referred to in document CAP-17 INF-A REV (14 May 2016) | CAP-21-01 |
| 6. Recommendations to the Commission | |
| 7. Other business | |
| 8. Adjournment | |

APPENDIX

1. List of attendees

The 21st meeting of the Permanent Working Group on Fleet Capacity was held in Bilbao, Spain, on 20 July 2019.

1. Opening of the meeting

The Meeting was opened by the Chair of the Working Group, Mr. Alfonso Miranda, of Peru.

2. Adoption of the agenda

The provisional agenda was adopted without changes with the announcement by Peru and Ecuador that they would give presentations under agenda items 5 and 7, respectively.

3. Review of changes in the utilization of fleet capacity in the EPO

Dr. Guillermo Compeán, Director of the IATTC, presented Document [CAP-21-01, "Review of changes in the utilization of fleet capacity in the EPO"](#). He reported that, as of 31 May 2019, the active purse-seine capacity on the Regional Register was 288,850 m³; the capacity of inactive or sunk vessels, 5,673 m³; and the capacity available as a result of movements of vessels on the Regional Register, 7,838 m³, for a potential total of 302,361 m³. In June 2002, when Resolution [C-02-03](#) entered into force, the active capacity was 218,482 m³, while the total sum of the active and inactive capacity, plus that included in paragraph 10 of the resolution, was 273,467 m³; this represents an increase of 28,894 m³ in the potential total capacity.

There were no comments or questions from the participants.

4. Consultant's report on the proposal to address the management of fishing capacity in the EPO: presentation and discussion of the proposal

Dr. Dales Squires gave a detailed presentation of his proposal, which was received with interest by the members of the Group, many of whom asked questions about specific aspects of the proposal and asked that some of those aspects be clarified or developed further. In general, the Member countries made comments on the following aspects:

- Countries with small fleets will have a disadvantage in the allocation of quotas or catch limits per fishing days.
- It is noted that the proposal would bring economic benefits, but it is not clear how the sustainability of the resource would be supported. The concept of maximum sustainable yield is not considered. There are risks of increasing the fishing effort since inoperative vessels could sell their fishing days to those that are operating.
- The system is based on supporting vessels that maintain a level of efficiency, however, the performance of the fleet that fishes in association with dolphins is extremely variable.
- A three-year period may not be enough to perceive benefits from the system and it is very unlikely that a country would decide to give up its capacity during this period to opt for a catch-per-fishing day system.
- It is important to look for a process that changes the vision of how to apply catch limits. If the IATTC decides to work on this proposal, it will take time since there are a lot of things that have to be polished, for example, if the fishing days are owned by a company or a country.
- The measures taken in relation to the proposal should consider the best scientific evidence available. The proposal should be accompanied by an evaluation of the management measures in accordance with the mandate of the Antigua Convention.
- The system should consider a comprehensive approach and take environmental and social circumstances into account. The proposal only favors economic aspects and disregards environmental and socioeconomic issues.
- How to calculate the basis for the fishing effort limits. The calculation should be based on operational or current allowable capacity since there are currently vessels that have not fished recently.

5. Review of pending capacity claims, disputes, adjustments, and requests according to the list presented at the 89th meeting of the IATTC and referred to in document CAP-17 INF-A REV (14 May 2016)

Peru gave a presentation to expand on the argument justifying the approval of its request for 5,851 m³ of capacity granted in the footnote of paragraph 10 of Resolution C-02-03. The reasons presented mainly include:

- Peru, as the sovereign country of its national waters, has the right to use its hydrobiological resources, and needs to create opportunities to improve the socioeconomic status of the population, given its status as a developing country.
- Peru agrees that there is a need for measures to limit fleet capacity in the EPO, but they cannot ignore the rights of a coastal country to consolidate its own fleet, even more so when Peru is committed to conservation and management measures.
- Skipjack stock indicators do not show decline, which allows the harvest of this resource without major risks of overexploitation; skipjack would mainly be its target species due to its presence in its jurisdictional waters.
- The fishing by the Peruvian fleet is limited to jurisdictional waters. The vessels only catch tunas temporarily; they mainly catch anchovy and jack mackerel. They only fish for tuna when the

anchovy and jack mackerel fishing seasons are closed, with no more than 180 fishing days per year. Therefore, the fishing effort on skipjack and yellowfin is much lower in comparison with any tuna vessel that operates around 300 days per year in the EPO.

- The granting of fishing capacity would encourage the development of the tuna industry by reactivating investment in a vertical integration scheme in which the plant has its fleet for its supply, it would promote job creation and increase production by more than 50%.
- Peru has solid national regulations that ensure the implementation of the conservation measures applied in the IATTC, as well as the protection of species associated with tuna.

Some delegations noted that it was not the time to make decisions on capacity requests or claims since, like in this particular case, it would be very hard to define the compensatory measures needed to compensate for the increase in capacity, as has been addressed in previous meetings of the Working Group.

6. Recommendations to the Commission

Gathering the elements of consensus reached during the discussion of item 4 of the agenda, the Working Group agreed to recommend the development, in coordination with the consultant, of a schedule of his visits to CPCs with purse-seine fleets in the near future. An important purpose of these visits will be to discuss the possible concerns of those CPCs regarding the proposed scheme, in order to take them into account in the review of the proposal.

7. Other business

Once again, Ecuador presented the case of the vessel *María del Mar*, which was circulated during the intersessional period.

Several delegations stated that decisions on these types of issues cannot be made intersessionally, in accordance with the specific provisions of the Antigua Convention. The European Union recalled that this case had already been considered and discussed in the Working Group in the past and reiterated its already-expressed position of not being able to give a positive response to this kind of request at the time. Nicaragua and Venezuela supported Ecuador's request to include the vessel in the Register on the list of sunk/inactive vessels; however, they agreed that these types of decisions should not be made through mail but at face-to-face meetings.

As there was no consensus, Ecuador requested that the case of the vessel *María del Mar* be referred to the Commission for discussion at its plenary meeting.

8. Adjournment

The meeting was adjourned at 17:00 on 20 July 2019.

4d. Recommendations of the 4th meeting of the IATTC working group on FADs.

**INTERAMERICAN TROPICAL TUNA COMMISSION
AD HOC WORKING GROUP ON FADS**

4^a MEETING

Bilbao, Spain

1. That the Commission directs the IATTC staff, in collaboration with the Working Group on FADs, to further investigate CPCs' difficulties with the FAD data reporting provisions set forth in resolutions C-18-05 and C-17-02 and develops recommendations for improved reporting.
2. That the Commission adopt specific provisions to require CPCs to provide information regarding the brand of buoys that each of its vessels use so that the IATTC staff can identify if the information provided by data buoy providers under Resolution C-17-02 is complete.
3. That Resolution C-18-05 be amended so that vessel owners and operators are not required to provide data already collected by observers. However, vessel captains should be responsible for providing the observer with the make, model and serial number of the buoys, when the observer is not capable of obtaining this information, when the captain has the capability of providing this information.
4. That the IATTC staff give priority to the training of operators to comply with the data provisions on the resolutions and that the staff include this as a constant plan of activities and that new technologies are considered, like videoconferences, or seeking the collaboration with the IATTC's field office staff, and that this is done, preferably, during the fishery closures.
5. The Commission should consider clarifying the terms of reference for the FAD WG, including the process for making WG recommendations to the Commission

4e. Recommendations of the 2nd meeting of the joint T-RFMO FAD working group.

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| <p style="text-align: center;">Second Meeting of the Joint T-RFMO working group on Fads May 8-10 2019, San Diego, California, USA</p> |
|--|

GENERAL:

The Working Group recommends that:

1. The mandate and responsibilities of the Joint t-RFMO Working Group on FADs (JWG) be discussed within each t-RFMO, and that guidance on these matters be provided by the RFMOs (perhaps through the Kobe process steering committee) in order to clarify and define the respective roles of the JWG and the Joint Technical Working Group (JTWG).
2. The agendas of future meetings of the JWG should focus on a limited number of key issues, thus allowing more progress to be made on identified priority issues. The JTWG should identify the key issues to be discussed.

SESSION 4: MANAGEMENT

3. t-RFMOs should prioritize scientific studies which provide advice on potential limits on FAD deployments /sets and/or the current active FAD/buoy limits, in relation to management objectives.
4. The t-RFMOs should explore opportunities for consistency and harmonization, if possible, across t-RFMOs in FAD management measures.
5. Each t-RMFO should develop, as a matter of priority, systematic monitoring and reporting procedures on the number of active FADs/buoys in its Convention Area.
6. FAD management objectives should be defined, both within each t-RFMO and jointly, to guide research, data collection, and the development of effective conservation measures.

SESSION 5: DEFINITIONS

7. Each t-RFMO should adopt definitions of priority terms related to the FAD fishery.
8. The JTWG should identify definitions whose harmonization is a priority.
9. Any definitions proposed by the JTWG should be reviewed by the Scientific Committee of each t-RFMO.

SESSION 6: DATA COLLECTION

10. The minimum standards for data collection should be reviewed by the relevant technical or scientific working groups within each t-RFMO, and revised or adopted as appropriate.
11. Discussions on minimum data collection standards should be prioritized in the future work of the JTWG.

SESSION 7: MARKING AND TRACKING

12. Given the possibility of buoys becoming separated from a FAD or being replaced, a system for marking both buoys and FADs should be explored.
13. High-resolution buoy position data should be made available for research purposes.

SESSION 8: INDICATORS

14. The suite of indicators prepared by the JTWG and presented during the meeting should be reviewed, and used as appropriate, by each t-RFMO.

15. Those indicators should be extended to include research on overall biomass indicators, such as buoy-derived indices and the status of stocks/species.
16. Time series should be developed by each t-RFMO for all the indicators, including buoy-related indicators, using historical data to capture fishery evolution and seasonality and ENSO-cycle variability.
17. The development of indicators should be consistent with data collection criteria and definitions.

SESSION 9: RESEARCH

18. The JTWG should develop a five-year joint research plan on FADs, with input from the Scientific Committees of the t-RFMOs.
19. The joint FAD research plan should define priorities for each of the research actions, with higher priority for items that benefit all t-RFMOs or more than one t-RFMO, and organize *ad hoc* scientific meetings, as appropriate.
20. t-RFMOs should set aside and invest resources in medium- and long-term research on FADs, preferably research that is conducted jointly or transferable across t-RFMOs.
21. The Scientific Committees of the t-RFMOs should consider the positive experience of the workshops for vessel captains, owners and crew, and develop a mechanism for regular exchange of scientific information and stakeholder knowledge across t-RFMOs.
22. The results of research conducted by different groups and/or with the support of different fleets should be promptly and widely shared with all fleets and researchers involved and other interested parties.
23. t-RFMOs should facilitate cooperation/collaboration with t-RFMOs actively involved with acoustics, promote professional development in acoustics and, where necessary, hire scientists with expertise in acoustic data analysis, to work with the data related to acoustic buoys.

SESSION 10: MITIGATION

24. t-RFMOs should accelerate progress to reduce contributions of FADs to marine litter and mitigate negative impacts on coastal habitats and marine ecosystems and endangered, threatened and protected species, such as use of FADs without netting and those made with biodegradable materials, as well as mechanisms and incentives for recovering FADs.
25. At its next meeting, the JWG should consider the impact of FADs on juvenile tunas and review mitigation measures to reduce those impacts.
26. Continue to involve fishers in the process of finding solutions.
27. Conduct region-specific research to test mitigation strategies, as solutions adapted to each ocean and region.
28. Consider incentives to promote implementation of technological solutions.

SESSION 11: INITIATIVES FOR SUSTAINABILITY

29. Collaboration, mutual trust, and sharing of knowledge and data among t-RFMOs, scientists, industry and NGOs should be strengthened in order to tackle unresolved issues related to the sustainability of the FAD fishery.

SESSION 12: COLLABORATION ACROSS RFMOS

30. Hold a meeting to evaluate the information available to assess the effect of each t-RFMO's measures on FADs, with special focus on sharing information on challenges and successes.

4f. Report by the president ad hoc working group to review the legal and operational coherence of IATTC resolutions

**PRELIMINARY REPORT BY THE PRESIDENT
AD HOC WORKING GROUP TO REVIEW THE LEGAL AND OPERATIONAL
COHERENCE OF IATTC RESOLUTIONS
RESOLUTION C-17-05**

July 26, 2019

Ing. Carlos Marin, President
Inter-American Tropical Tuna Commission
Bilbao, Spain

Mr. President,

I am pleased to address this to you, on the occasion of informing you about the progress made in the context of the **AD HOC WORKING GROUP TO REVIEW THE LEGAL AND OPERATIONAL COHERENCE OF THE RESOLUTIONS OF THE IATTC**, created by RESOLUTION C-17-05, whose presidency was entrusted to me in the 93rd. Meeting held in 2019.

In accordance with paragraph 2, subparagraph *b*) of Resolution C-17-05, the mandate of the Group is the analysis of the conceptual coherence used in the language of the resolutions in force, as well as its structural and operational coherence, to determine whether it is necessary to recommend clarification amendment or reform in some or several resolutions to ensure its coherence. As a starting point, before March 15, 2018, there should have been a report on the coherence of the current resolutions document of the Secretariat for the consideration of the Working Group in its discussions.

The Secretariat prepared a compendium of the resolutions in both official languages of the Commission (<http://www.iattc.org/PDFFiles/Resolutions/IATTC/Compendium-of-active-resolutions-and-recommendations.pdf>) This compendium does not, however, contain the analysis referred to in Resolution C-17-05, which is why which I held meetings with the Commission Staff during the week of June 24-28, 2019 to develop the requested analysis which was advanced at that time by approximately 60%.

As a result of this initial analysis, it was possible to identify situations of legal and operational inconsistency of the resolutions adopted and in force in the Commission, which can be characterized as:

- a) Inconsistency in content and contradiction between the English and Spanish language versions;*
- b) Problems of systematization due to multiple resolutions on the same subject that should be considered; and*
- c) Accuracy in the language used;*

As President, I acknowledge the merit of advancing the work proposed by the Commission and which have not been completed. I believe that an additional impulse to conclude with the report requested from the Secretariat would facilitate the start of the Group's participatory work. I have talked with the Secretariat and it has been stated that next autumn we could have the required

document and start the virtual or correspondence exercise necessary to deliver the report to the Commission at its 95th. Meeting.

I therefore suggest, Mr. President, and I request that the Commission authorize the extension of the mandate of this Group, with the addition of urging the CPCs to designate their representatives and electronic contact points in order to properly execute the work.

ANNEX 5.

Statement of the Plurinational State of Bolivia before the 94th meeting of the Inter-America Tropical Tuna Commission, Bilbao, Spain, 22-26 July 2019

The Plurinational State of Bolivia, present at the 94th Meeting of the Commission and acting in its capacity as a Cooperating Non-Member of the organization, hereby declares:

First, it sustains and reaffirms its claim for five thousand eight hundred and thirty cubic meters (5,830 m³) of well volume that it has sustained uninterruptedly since 2004;

Second, it reiterates its willingness to apply a provisional compromise solution, which considers the immediate activation of two thousand four hundred and thirty-nine cubic meters (2,439 m³) with new well volume, to meet an actual need to flag a tuna purse-seine vessel, for which purpose it invokes the precedent of the Bolivarian Republic of Venezuela in 2017, recognizing it as a way to give partial satisfaction to its claim in a pragmatic manner, based on equity; and

Third, it requests the allocation of five thousand cubic meters (5,000 m³) of additional well volume, as a new capacity request that will allow it, in the near future, to have a fleet flying the national flag, requesting that this new request be added to the list of other CPC aspirations, so that it will henceforth be taken into consideration for the development of future management measures.

Bolivia bases its three requests to the Members of the Commission on its prolonged and permanent interest in the tuna fisheries of the eastern Pacific Ocean, as well as on the subjective rights it is entitled to as a landlocked State under international law, especially those referring to equitable access to living marine resources as a way to promote its economic, social and human development, and thus exercise its irrevocable and inalienable maritime vocation.

In the city of Bilbao, Spain, on 26 July 2019.