

INTER-AMERICAN TROPICAL TUNA COMMISSION

96TH MEETING (EXTRAORDINARY)

(by videoconference)
22 December 2020

MINUTES OF THE MEETING

AGENDA

	Documents
1. Opening of the meeting and adoption of the Resolution to establish procedures ad hoc for the 96th meeting (extraordinary) of the Commission by videoconference	
2. Adoption of the agenda	
3. Extension of the conservation and management measures for tropical tunas established in Resolution-C-17-02, in 2021	
4. Adoption of the 2021 meetings schedule	
a. Meeting of the Workshop for the Evaluation of Management Strategies	
b. Meeting of the Ad Hoc Working Group on FADs	
c. Meeting of the Scientific Advisory Committee	
d. Extraordinary Meeting for the Commission to Review the Conservation and Management Measures for Tropical Tunas for 2022 to 2024	
5. Extension of the appointment of the Director <i>at interim</i>	
6. Review and adoption of resolutions and recommendations	
7. Closure	

APPENDICES

1. List of attendees	
2. RESOLUTIONS	
2a Resolution on conservation and management measures for tropical tunas in 2021	C-20-05
2b Resolution of the conservation measures for tropical tunas in the Eastern Pacific Ocean during 2021 pursuant to Resolution C-20-05	C-20-06
3 OTHER	
3a Statement by Colombia and other countries regarding the conservation and management measures for tunas in the Eastern Pacific Ocean	

The 96th meeting (extraordinary) of the Inter-American Tropical Tuna Commission (IATTC) was held by *videoconference* on 22 December 2020. The participants are detailed in Appendix 1.

1. Opening of the meeting

The meeting was opened by the Chair of the IATTC, Mr. Alfonso Miranda, from Peru.

After the introduction of each delegation, the existence of the quorum required to proceed was noted. Only two Members, Vanuatu and Kiribati, were absent and four of the five Cooperating Non-Members, to wit, Bolivia, Chile, Indonesia, and Liberia took part in the meeting.

In response to the Chair's proposal, the Commission agreed to use the same *ad hoc* rules of procedure that it had adopted for its 95th meeting and which are embodied in Resolution C-20-01.

2. Adoption of the agenda

The agenda was adopted without changes.

3. Extension of the conservation and management measures for tropical tunas established in Resolution-C-17-02, in 2021

The Chair recalled that he had circulated a Proposal for a resolution for the conservation of tunas in 2021 and the extension for one more year of the provisions of resolution C-17-02, with the commitment to negotiate during the coming months on the adoption of additional measures.

Nicaragua, which holds the pro tempore Secretariat of the Organization of the Fisheries and Aquaculture Sector of the Central American Isthmus (OSPESCA), commented that the member countries of that organization held a meeting in which they approved an internal resolution that promotes extending the measures of resolution C-17-02 for one more year and, if consensus is not reached, most of the member countries of OSPESCA would apply it on a voluntary basis. The internal resolution, which is published in the official gazette of the Central American Integration System (SICA), enters into force on January 1, 2021.

Colombia recalled that it had circulated a statement together with the European Union, Japan, Chinese Taipei, France, the United States, Mexico, and Belize, urging that an agreement be reached that would allow tuna conservation measures to be in place for 2021 and that progress be made in the negotiation of other measures, with special attention to FADs, for the adequate management of tropical tunas (see Appendix 3a).

The Commission approved by consensus, as resolution C-20-05 (see Appendix 2a), the proposal of the Chairman to extend for one more year the conservation and management measures for tropical tunas established in resolution C-17-02, through the adoption of resolution C-20-06 (see Appendix 2b).

4. Adoption of the 2021 meetings schedule

Amb. Jean-François Pulvenis, Director ad interim, called the attention of the participants on the list of meetings that should be held in 2021, as indicated in the agenda that was approved.

The United States recalled that there are other meetings to be considered such as the Compliance Committee, the Meeting of the Parties to the AIDCP and the IRP, as well as the need to hold a meeting on the establishment of an electronic monitoring system in the Antigua Commission Area. After thanking those comments and recalling that the meeting of the Scientific Advisory Committee (SAC) should be held in May 2021, the Director committed to present a proposed schedule with these additional meetings as soon as possible.

5. Extension of the appointment of the Director at interim

The Chair recalled the terms of paragraph 22 of the Commission's Rules of Procedure, which states that the designation of the Director ad interim is made "*for a period of six months, which may be extended by the Commission, or until the conclusion of the process for the appointment of a new Director, whichever occurs first.*" He noted that, in view of the persistence of the conditions imposed by the COVID 19 pandemic that precluded holding a presential meeting in the immediate future, he proposed that the designation of Amb. Pulvenis as Director ad interim be extended.

The Commission welcomed the Chair's proposal, in addition to recognizing the work carried out by Amb. Pulvenis and the Secretariat staff during this difficult period. It approved to extend his appointment as d responsibilities of the Director established in the Antigua Convention, until August 26, 2021 or until the conclusion of the process for the appointment of a new Director.

6. Review and adoption of resolutions and recommendations

Resolution C-20-05 was adopted, through which the conservation and management measures established in Resolution C-17-02 were maintained for 2021, and commitments were established for consultations

through various IATTC discussion bodies to strengthen the conservation and management measures for tunas over a three-year period.

7. Closure

After several statements expressing satisfaction that consensus had been reached regarding the adoption of conservation and management measures for tropical tunas in 2021, the meeting was adjourned at 9:20 a.m. San Diego time.

DRAFT

Appendix 1.

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Appendix 2a.

INTER-AMERICAN TROPICAL TUNA COMMISSION

96TH MEETING (EXTRAORDINARY)

(by videoconference)

22 December 2020

RESOLUTION C-20-05

**RESOLUTION ON CONSERVATION AND MANAGEMENT MEASURES FOR
TROPICAL TUNAS IN 2021**

The Inter-American Tropical Tuna Commission (IATTC), gathered virtually, on the occasion of its 96th (Extraordinary) Meeting;

Aware of its responsibility to ensure the long-term conservation and sustainable use of the fish stocks covered by the Antigua Convention, in accordance with the relevant rules of international law;

Reaffirming its obligation pursuant to article IV of the Antigua Convention to apply the precautionary approach, as described in the relevant provisions of the FAO Code of Conduct for Responsible Fisheries and/or the 1995 UN Fish Stocks Agreement, for the conservation, management and sustainable use of fish stocks covered by this Convention;

Recognizing that the recent events worldwide as a consequence of the COVID 19 pandemic have led to the need to hold meetings by videoconference as an alternative to presential meetings, with the limitations inherent to that format;

Taking into account the recommendations of its scientific staff and of the Scientific Advisory Committee (SAC) at its 11th meeting, regarding the conservation and management of tropical tunas in 2021 and afterwards;

Acknowledging the permanent commitment of the Commission Members to build consensus for the improvement of the management of the fish stocks covered by the Antigua Convention;

Convinced that to ensure the sustainability of the tropical tuna stocks in the Convention Area, it is essential to maintain in force sufficient and effective conservation and management measures, adjusted to their period of application and the reference points adopted by the Commission;

Also noting the recommendation from the 11th meeting of the Scientific Advisory Committee (SAC) based on the best available information “to explore further actions to limit fishing mortality at appropriate levels and in particular to avoid increases of fishing mortality beyond the status quo conditions”;

Agrees:

1. To extend the validity of the current conservation and management measures established in resolution C-17-02 for the year 2021, to be recorded as Resolution C-20-06, and that they be reviewed for subsequent years no later than the annual meeting of 2021, with a view to ensuring long-term conservation and the sustainable use of fish stocks in the Convention Area;
2. To continue working on the development of comprehensive measures including, but not limited to, the improvement of the management of fish aggregating devices (FADs) and the collection of data to advance on the monitoring and assessment of the FAD fishery based on scientific advice and the precautionary approach;

3. To engage intersessionally, both bilaterally and through dedicated meetings of the relevant working groups, particularly the ad hoc Working Group of FADs, as well as at the 12th meeting of the SAC, in order to address any pending matters to facilitate agreement at an extraordinary meeting of the Commission to be held as soon as possible according to the progress of the work and at the latest in June 2021, and likewise at the regular meeting of the Commission in August of the same year, on comprehensive additional measures for the sustainable management of the tropical tuna fishery based on scientific advice.

DRAFT

Appendix 2b.

INTER-AMERICAN TROPICAL TUNA COMMISSION

96TH MEETING (EXTRAORDINARY)

(by videoconference)

22 December 2020

RESOLUTION C-20-06

RESOLUTION ON THE CONSERVATION MEASURES FOR TROPICAL TUNAS IN THE EASTERN PACIFIC OCEAN DURING 2021 PURSUANT TO RESOLUTION C-20-05

The Inter-American Tropical Tuna Commission (IATTC), gathered virtually, on the occasion of its 96th (Extraordinary) Meeting;

Aware of its responsibility for the scientific study of the tunas and tuna-like species in its Convention Area and for formulating recommendations to its Members and Cooperating non-Members (CPCs) with regard to these resources;

Recognizing that the potential production from the resource can be reduced if fishing effort is excessive;

Concerned that the capacity of the purse-seine fleets fishing for tunas in the Convention Area continues to increase;

Taking into account the best scientific information available, reflected in the IATTC staff's recommendations, and the precautionary approach; and

Recalling the need to take into account the special circumstances and requirements of the developing countries of the region, particularly the coastal countries, as recognized in the Antigua Convention, in particular in its Preamble and its Article XXIII, paragraph 1;

Agrees:

To apply in the Convention Area the conservation and management measures for tropical tuna set out below, and to request that the staff of the IATTC monitor the fishing activities of the respective CPC's flag vessels relative to this commitment, and also report on such activities at each annual meeting of the Commission;

1. These measures are applicable during 2021 to all CPCs' purse-seine vessels of IATTC capacity classes 4 to 6 (more than 182 metric tons carrying capacity), and to all their longline vessels over 24 meters length overall, that fish for yellowfin, bigeye and skipjack tunas in the Convention Area.
2. Pole-and-line, troll, and sportfishing vessels, and purse-seine vessels of IATTC capacity classes 1-3 (182 metric tons carrying capacity or less) and longline vessels less than 24 meters length overall, are not subject to these measures, except those related to the management of FADs.

MEASURES FOR PURSE-SEINE FLEETS

3. All purse-seine vessels covered by these measures must stop fishing in the Convention Area for a period of 72 days. This closure shall be effected in one of two periods, as follows: from 00:00 hours on 29 July to 24:00 hours on 8 October, or from 00:00 hours on 9 November to 24:00 hours on 19 January of the following year.
4. The fishery for yellowfin, bigeye, and skipjack tuna by purse-seine vessels within the area of 96° and

110°W and between 4°N and 3°S, known as the “*corralito*”, which is illustrated in Figure 1, shall be closed from 00:00 hours on 9 October to 24:00 hours on 8 November.

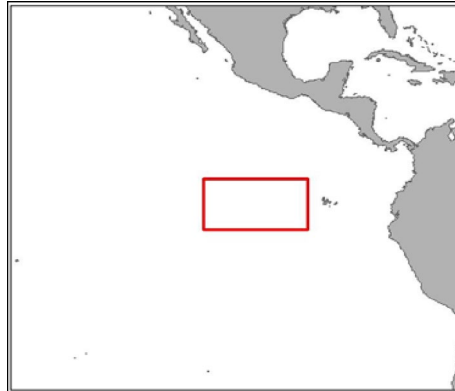


Figure 1. Closure area

5. a. Each CPC shall notify the Director, by 15 July, the names of all the purse-seine vessels that will observe each closure period.
- b. Every vessel that fishes, regardless of the flag under which it operates or whether it changes flag or the jurisdiction of the CPC under which it fishes during the year, must observe the closure period to which it was committed.
6. a. Notwithstanding the provisions of subparagraphs 5a and 5b, a request by a CPC, on behalf of any of its vessels, for an exemption due to *force majeure*¹ rendering said vessel unable to proceed to sea outside said closure period during a period of at least 75 continuous days, shall be sent to the Secretariat, at the latest one month after it happens.
- b. In addition to the request for an exemption, the CPC shall send the evidence necessary to demonstrate that the vessel did not proceed to sea and that the facts on which the request for exemption is based were due to *force majeure*.
- c. The Director shall immediately send the request and the evidence electronically to the other CPCs for their consideration, duly coded in order to maintain the anonymity of the name, flag and owner of the vessel.
- d. The request shall be considered accepted, unless an IATTC Member objects to it formally within 15 calendar days of the receipt of said request, in which case the Director shall immediately notify all CPCs of the objection.
- e. If the request for exemption is accepted:
 - i. the vessel shall observe a reduced closure period of 40 consecutive days in the same year during which the *force majeure* event occurred, in one of the two periods prescribed in paragraph 3, to be immediately notified to the Director by the CPC, or
 - ii. in the event said vessel has already observed a closure period prescribed in paragraph 3 in the same year during which the *force majeure* event occurred, it shall observe a reduced closure period of 40 consecutive days the following year, in one of the two periods prescribed in paragraph 3, to be notified to the Director by the CPC no later than 15 July the following year.
 - iii. vessels that benefit from the exemption must carry an observer aboard authorized pursuant to the AIDCP.

¹ For the purposes of paragraph 6, only cases of vessels disabled in the course of fishing operations by mechanical and/or structural failure, fire or explosion, shall be considered *force majeure*

This exemption applies to the vessels of fleets that observe either of the closure periods prescribed in paragraph 3.

7. Each CPC shall, for purse-seine fisheries:
 - a. Before the date of entry into force of the closure, take the legal and administrative measures necessary to implement the closure;
 - b. Inform all interested parties in its tuna industry of the closure;
 - c. Inform the Director that these steps have been taken;
 - d. Ensure that at the time a closure period begins, and for the entire duration of that period, all the purse-seine vessels fishing for yellowfin, bigeye, and/or skipjack tunas that are committed to observing that closure period and that fly its flag, or operate under its jurisdiction, in the Convention Area are in port, except that vessels carrying an observer authorized pursuant to the AIDCP may remain at sea, provided they do not fish in the Convention Area. The only other exception to this provision shall be that vessels carrying an observer authorized pursuant to the AIDCP may leave port during the closure, provided they do not fish in the Convention Area.

MEASURES FOR THE FISHERY ON FISH-AGGREGATING DEVICES

8. CPCs shall ensure that purse-seine vessels flying their flag have no more than the following number of fish-aggregating devices (FADs), as defined in Resolution C-19-01, active at any one time:

Class 6 (1,200 m ³ and greater):	_____	450 FADs
Class 6 (< 1,200 m ³):	_____	300 FADs
Class 4-5:	_____	120 FADs
Class 1-3:	_____	70 FADs
9. A FAD shall be activated exclusively onboard a purse-seine vessel.
10. For the purposes of this resolution, a FAD is considered active when it:
 - a. is deployed at sea; and
 - b. starts transmitting its location and is being tracked by the vessel, its owner, or operator.
11. In order to support the monitoring of compliance with the limitation established in Paragraph 8, 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 active FADs to the Secretariat, in accordance with FAD Working Group Guidance on Reporting on FADs, with reports at monthly intervals submitted with a time delay of at least 60 days, but no longer than 90 days.
12. 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;
 - 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.
13. The Scientific Advisory Committee and the *Ad hoc* Permanent Working Group on FADs shall review the progress and results of the implementation of the FAD provisions contained in this Resolution and make recommendations to the Commission, as appropriate.
14. To reduce the entanglement of sharks, sea turtles or any other species, CPCs shall ensure that the design and deployment of FADs shall be based on the principles set out in paragraphs 1 and 2 of Annex II of Resolution C-19-01.

MEASURES FOR THE LONGLINE FISHERY

15. China, Japan, Korea, United States, and Chinese Taipei undertake to ensure that the total annual catches of bigeye tuna by their longline vessels in the Convention Area during 2021 do not exceed 55,131 metric tons, distributed at the following levels:

Country	Metric tons
China	2,507
Japan	32,372
Korea	11,947
Chinese Taipei	7,555
United States	750

16. All other CPCs undertake to ensure that the total annual catches of bigeye tuna by their longline vessels in the Convention Area do not exceed the greater of 500 metric tons or their respective catches of bigeye tuna in 2001^{2,3}. CPCs whose annual catches have exceeded 500 metric tons shall provide monthly catch reports to the Director.
17. A CPC referenced in paragraph 15 may make a single transfer of a portion of its bigeye tuna catch limit to other CPCs that also have a bigeye tuna catch limit listed in paragraph 15, provided that the total transferred by any CPC does not exceed 30 percent of its catch limit. These transfers cannot be made to retroactively cover an overage of another CPC's catch limit. Both CPCs involved in a transfer shall, separately or jointly, notify the Director 10 days in advance of the intended transfer. This notification shall specify the tonnage to be transferred. The Director shall promptly notify the Commission of the transfer.
18. The CPC that receives the transfer shall be responsible for management for the transferred catch limit, including monitoring and monthly reporting of catch. A CPC that receives a one-time transfer of bigeye tuna catch limit shall not retransfer that catch limit to another CPC. The amount of bigeye transferred shall be considered without prejudice by the Commission for the purposes of establishing any future limits or allocations.

OTHER PROVISIONS

19. Landings and transshipments of tuna or tuna products that have been positively identified as originating from fishing activities that contravene these measures are prohibited. The Director is requested to provide relevant information to CPCs to assist them in this regard.
20. Each CPC shall submit to the Director, by 15 July, a national report on its updated national compliance scheme and actions taken to implement these measures, including any controls it has imposed on its fleets and any monitoring, control, and compliance measures it has established to ensure compliance with such controls.
21. In order to evaluate progress towards the objectives of these measures, the IATTC scientific staff will analyze the effects on the stocks of the implementation of these measures, and previous conservation and management measures, and will propose, if necessary, appropriate measures to be applied in future years.
22. Subject to the availability of the necessary funding, the Director is requested to continue the experiments with sorting grids for juvenile tunas and other species of non-target fish in the purse-seine nets of vessels that fish on FADs and on unassociated schools, by developing an experimental protocol,

² The Commission acknowledges that France, as a coastal State, is developing a tuna longline fleet on behalf of its overseas territories situated in the Convention Area.

³ The Commission acknowledges that Peru, as a coastal State, will develop a tuna longline fleet, which will operate in strict compliance with the rules and provisions of the IATTC and in accordance with the resolutions of the Commission.

including parameters for the materials to be used for the sorting grids, and the methods for their construction, installation, and deployment. The Director shall also specify the methods and format for the collection of scientific data to be used for analysis of the performance of the sorting grids. The foregoing is without prejudice to each CPC carrying out its own experimental programs with sorting grids and presenting its results to the Director.

23. Renew the program to require all purse-seine vessels to first retain on board and then land all bigeye, skipjack, and yellowfin tuna caught, except fish considered unfit for human consumption for reasons other than size. A single exception shall be the final set of a trip, when there may be insufficient well space remaining to accommodate all the tuna caught in that set.
24. The IATTC shall continue efforts to promote compatibility between the conservation and management measures adopted by the IATTC and WCPFC in their goals and effectiveness, especially in the overlap area, including by frequent consultations with the WCPFC, in order to maintain, and inform their respective members of, a thorough understanding of conservation and management measures directed at bigeye, yellowfin, and other tunas, and the scientific bases and effectiveness of those measures.
25. In 2021 the results of these measures shall be evaluated in the context of the results of the stock assessments and of changes in the level of active capacity in the purse-seine fleet and, depending on the conclusions reached by the IATTC scientific staff, in consultation with the Scientific Advisory Committee, and based on such evaluation, the Commission shall take further actions including substantial extension of closure days for purse-seine vessels or equivalent measures, at its meeting in 2021.
26. Except in cases of *force majeure* prescribed in paragraph 6, no exemptions will be allowed with regard to the closure periods notified to the Director in accordance with paragraph 5a, nor with regard to the fishing effort of the purse-seine fleets of the respective CPCs.

Attachment 3a.

Statement by Colombia and the EU [and XXX] at the 96th meeting (extraordinary) of the IATTC

Colombia and the European Union (EU) [and XXX],

Noting with concern the lack of agreement at the 95th meeting of the Inter-American Tropical Tuna Commission (IATTC) regarding the review and strengthening of the conservation measures for tropical tuna in the Eastern Pacific Ocean (EPO) currently defined in Resolution C-17-02;

Acknowledging the extraordinary challenge to the status of the stocks presented by the possible absence of rules for the management of tropical tunas in the EPO and, to avoid jeopardising the sustainability of fishery in the area, agree to a one-year extension of the current conservation measures to be reviewed at the 2021 annual meeting to ensure the long-term conservation and sustainable use of the fish stocks in the EPO;

Also *noting* the recommendation from the IATTC scientific staff and the 11th meeting of the Scientific Advisory Committee (SAC) to explore further options to limit fishing mortality at appropriate levels and in particular to avoid increases of fishing mortality beyond the status quo conditions based on the best available information;

Call on the IATTC to continue working on the development of comprehensive measures including, but not limited to, the improvement of the management of fish aggregating devices (FADs) and the collection of data to advance on the monitoring and assessment of the FAD fishery based on scientific advice and the precautionary approach;

Urge the IATTC and its Members to engage intersessionally, including bilaterally, through dedicated meetings of the ad hoc Working Groups of FADs, at the 12th meeting of the SAC and, where appropriate, at an extraordinary meeting of the Commission, in order to address any pending matters to facilitate agreement at the 2021 annual meeting on comprehensive additional measures for the sustainable management of the tropical tuna fishery based on scientific advice.