

MEXICO-UNITED STATES OF AMERICA BILATERAL MEETING
CONVENED BY THE 15TH INTERGOVERNMENTAL MEETING
ON THE CONSERVATION OF YELLOWFIN TUNA

Mexico, January 29 - February 1, 1974

A bilateral meeting between Mexico and the United States of America concerning the 1974 regulatory regime of the Inter-American Tropical Tuna Commission (IATTC) took place in Mexico City, January 29 - February 1, 1974.

The bilateral meeting was convened by the 15th Intergovernmental Meeting on the Conservation of Yellowfin Tuna, held in Washington, D.C., December 6-8, 1973. The United States and Mexico were to attempt to reach an acceptable agreement on the IATTC regulatory system for 1974. Any proposed solution was then to be communicated by telegraph to the other members of the Intergovernmental group for their approval or rejection.

The meeting was opened by Ambassador Fernando Castro y Castro, Director in Chief of the Ministry of Foreign Affairs and head of the Mexican delegation, who welcomed the observer from Japan and the delegation of the United States, headed by Mr. Wilvan Van Campen of the Department of State.

Mr. Joaquin Mercado of Mexico was named Chairman for the Discussions and Mr. Brian Hallman of the United States was named rapporteur.

The list of participants at the meeting is attached as Annex 1 to this report.

It was agreed that there would be a brief press release at the end of the meeting, and that working schedule

would be from 10:00 a.m. to 1:30 p.m. for the morning sessions and from 3:30 to 7:00 p.m. for the afternoon sessions.

The United States regretted not being able to meet with Mexico January 14-16, 1974, in Mexico City, as originally scheduled, but noted that delays were caused by the disruption in leadership resulting from the departure of Ambassador Donald McKernan of the U.S. Department of State and remarked that the postponement was also a measure of the difficulties of the problems encountered in attempting to reach agreement on a resolution for 1974.

Dr. James Joseph, Director of Investigations of the IATTC, reported on the status of the 1974 fishery up until that time, noting that if conditions in the fishery remain the same a very early closure date would be likely. He emphasized that if there is to be an effective management program for 1974, agreement on the regulatory system must be reached very soon, by the end of January or early February at the latest.

The consideration of measures for implementing the recommendations of the IATTC for 1974 was the subject of this bilateral meeting, as no such measures could be agreed upon after intensive negotiations at the 14th Intergovernmental Meeting in Washington, November 14-16, 1973, and the 15th Intergovernmental Meeting, also held in Washington, December 6-8, 1974. Once again this subject generated a great deal of intense debate and serious negotiation, with various proposals and ideas being suggested and considered by both countries. Finally, agreement was reached by Mexico and the United States on a proposal to implement the recommendations of the IATTC for 1974. This proposal, attached as Annex 2 to report, was put into the form of a draft resolution to be considered by

the other member countries telegraphically as was agreed at the 15th Intergovernmental Meeting.

Included in the draft resolution was a statement agreed to by Mexico and the United States recognizing the difficulties which have arisen from the present regulatory system, and urging all member countries to work toward establishing a new regulatory system as soon as possible. Toward this end, it was agreed to convene once again the Working Group already established for this purpose by an earlier Intergovernmental meeting.

The delegation of the United States also raised two issues which had been brought up previously at the Commission and Intergovernmental meeting in Washington. One issue was the need to ensure the effective enforcement of the Commission's conservation recommendations by all countries participating in the fishery. The United States remarked on the proposals for dealing with this problem which it had submitted to all concerned Governments for their consideration at the Washington meeting, and asked the Mexican delegation to study these ideas with a view toward considering the extent to which Mexico could join with other nations in cooperating with the United States on this problem.

The other issue raised by the United States was that of the incidental take of marine mammals while purse-seining for tuna. In this connection, the United States delegation stated its hope that the Government of Mexico would find it possible to implement appropriate measures for protecting these marine mammals taken incidentally to tuna fishing.

The Mexican delegation responded to these two issues raised by the United States by noting, with respect to the enforcement problem, that it would study the measures proposed by the United States and in due time would express an opinion on these suggestions. The Mexican delegation also noted that the problem of dealing with the enforcement of the Commission's recommendations was one that touched on the question of national sovereignty.

On the issue of incidental marine mammal take associated with purse-seining for tuna, the Mexican delegation remarked that it was in favor of the goal of protecting these marine mammals and that Mexican laws already existed for this purpose. It noted that some Mexican vessels had already adopted some of the measures designed to reduce incidental porpoise take which would soon be required for U.S. tuna fishermen. The Mexican delegation further noted that it would study very carefully all United States regulations and proposals relative to this issue.

The Mexican delegation asked to let the record reflect the feeling of cooperation which existed between the two countries at this meeting as well as the dissatisfaction felt by both relative to the difficult problems considered here.

The United States agreed to circulate to all countries concerned the Intergovernmental resolution agreed to by Mexico and the United States. Their responses would be given to the United States Government, which in turn would notify the Director of Investigations as to the acceptance or rejection of the resolution by each country. Upon receipt of this information from the U. S. Government, the Director of Investigations agreed to circulate to all member countries the 1974 Commission resolution for their consideration.

With the work of this bilateral meeting concluded, and with nothing further to discuss, the Delegations agreed to close the meeting on February 1, 1974.

15TH INTERGOVERNMENTAL MEETING
ON THE CONSERVATION OF YELLOWFIN TUNA

LIST OF PARTICIPANTS

UNITED STATES OF AMERICA

Head of Delegation:

Mr. Wilvan G. Van Campen,
Office of the Special Assistan to the
Secretary for Fisheries and Wildlife,
Department of State,

Deputy Head of
Delegation:

Mr. Steven E. Schanes,
U. S. Commissioner, IATTC,

Delegates:

Mr. Robert C. MacDonald,
U.S.A. Section of IATTC,
Commissioner,

Mr. Brian S. Hallman,
National Marine Fisheries Service
National Oceanic and Atmospheric
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Office of International Affairs,
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Mr. Doyle E. Gates,
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Mr. John G. Driscoll Jr.,
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Advisers:

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Mr. Peter Buchan,
Vice President - Purchasing
Van Camp Sea Food Company.

Mr. Robert Insinger,
Special Representative
Western Fishboat Owners Association
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Mr. Eugene Cabral,
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American Tunaboat Association.

Mr. August J. Felando,
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Mr. Manuel Andrade,
Treasurer,
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San Diego, California.

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Sr. Nicolás Bojórquez Ayala,
Cooperativa "Juan Abelardo Rodríguez
Sullivan, S. C. L.",
Ensenada, Baja California.

Sr. Juan Rivas A.,
Consejero de Pesca de la I.P.I.S.A.,
Industria Pesquera Integral.

Adviser of the
Meeting:

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C.I.A.T.
Director de Investigaciones,
San Diego, California.

Observador:

Sr. Yoichi Watanabe,
Primer Secretario y Cónsul,
Embajada del Japón en México.

15TH INTERGOVERNMENTAL MEETING
ON THE CONSERVATION OF YELLOWFIN TUNA

Mexico, January 29 - February 1, 1974

Draft resolution

The fifteenth Inter-Governmental Meeting on the Conservation of Yellowfin Tuna resolves:

To recommend to IATTC that it recommend to its member Governments that they continue in 1974 the same measures that were in effect for the conservation of yellowfin tuna in 1973, with the following modifications:

1. Permit, during the closed season for 1974, the newly constructed vessels of those members of the Commission which are developing countries and whose fisheries are in an early stage of development (that is, whose tuna catch in the Convention Area in 1970 did not exceed 12,000 short tons and whose total fish catch in 1969 did not exceed 400,000 metric tons) and which entered the fishery for yellowfin tuna in the Convention Area for the first time under the flag of such country during the closed season in 1971 or during 1972 and which, because of characteristics such as size, gear or fishing techniques, present special problems, to fish unrestricted for yellowfin tuna until such vessels have taken in the aggregate 8,000 short tons of yellowfin, or to fish for yellowfin tuna under such restrictions as may be necessary to limit the aggregate catch of such vessels to 8,000 tons of yellowfin tuna; provided that, if the aggregate catch of yellowfin tuna as determined by the Director of Investigations during the open season (including

the last unrestricted trip) of the tuna fishing vessels of any such developing country should exceed 6,000 short tons, the allocation of 8,000 short tons of yellowfin tuna available to the above described vessels of such country during the closed season shall be reduced by the amount that the open season catch of yellowfin tuna exceeds 6,000 short tons.

(A) Those vessels that shall enjoy the above special allocation are defined in addition to the above as:

1) those vessels which had an individual catch per capacity ton for 1973 of less than 75 percent of the average catch per capacity ton of all vessels in the comparable IATTC size classes engaged in the Convention Area in 1972 as determined by IATTC statistics, and

2) which are designated by name in an official memorandum from the flag Government to the Director of Investigations of the IATTC.

(B) During the 1974 season, if a vessel of a qualified country which is not included in the provision of paragraph 1, experiences problems of the nature above described or of a similar nature, that country may substitute such vessel for any other vessel which was so qualified and designated for the purpose of exercising the benefit of the above described provision and immediately notify the Director of Investigations of the IATTC of the substitution and the nature of the special problem which made the new vessel eligible.

2. Further resolves to permit those member governments of IATTC which are developing nations whose fisheries are in an early stage of development and which, owing to the development of that industry, as they announced during

this meeting have the possibility during 1974 of acquiring one or more fishing vessels that present special problems because of their size, gear, and fishing techniques, to request through IATTC a study of the specific problem and to recommend a solution. Unless all member governments express agreement with the proposed solution, such governments shall, jointly or individually, by the same agency, request a meeting of a special working group of all members of the Commission with the purpose of finding a satisfactory solution. Both consultations may be transmitted telegraphically to all member countries and their reply shall be transmitted within ten days.

3. For 1974 only, in order to avoid congestion of unloading and processing facilities around the date of the season closure and the danger that vessels may put to sea adequate preparations, any vessel which completes its trip before the closure or which is in port at the closure and completed a trip in the CYRA during 1973 may sail to fish freely for yellowfin tuna within the CYRA on any trip which is commenced within 30 days after the closure.

4. Although it is recognized that the present regulatory system has served to conserve the yellowfin tuna resource, it is also resolved:

1) Because of the practical difficulties which have arisen from the present regulatory system, which was established under circumstances unlike those of the current situation in tuna exploitation, to urge all member countries to make exhaustive studies and investigations in order to establish a new regulatory system beginning in 1975, or as

soon as possible, which would satisfy the needs and interests of all the participants in the yellowfin tuna fishery of the Eastern Tropical Pacific.

2) To convoke the existing working groups of the Inter-Governmental meeting so that they may continue their work with this purpose in mind.

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a Jolla, Calif. 92037

REUNION BILATERAL MEXICO-ESTADOS UNIDOS DE AMERICA
CONVOCADA POR LA XV REUNION INTERGUBERNAMENTAL
SOBRE LA CONSERVACION DEL ATUN ALETA AMARILLA

México, D.F., enero 29 - febrero 1, 1974.

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Una reunión bilateral entre México y los Estados Unidos de América relacionada con el sistema regulatorio de la Comisión Interamericana del Atún Tropical (CIAT) para 1974, tuvo lugar en la ciudad de México del 29 de enero al 1° de febrero de 1974.

La reunión bilateral fue convocada por la XV Reunión Intergubernamental sobre la Conservación del Atún Aleta Amarilla, celebrada en Washington, D.C., del 6 al 8 de diciembre de 1973. Los Estados Unidos y México tratarían en dicha reunión de llegar a un arreglo aceptable sobre el sistema regulatorio de la CIAT para 1974. Cualquier solución que se propusiera sería entonces comunicada por telégrafo a los otros miembros del grupo intergubernamental para ser o no aprobada por ellos.

La reunión fue inaugurada por el Embajador Fernando Castro y Castro, Director en Jefe de la Secretaría de Relaciones Exteriores de México y Jefe de la Delegación mexicana, quien dió la bienvenida al Observador del Japón y a la Delegación de los Estados Unidos de América, encabezada por el señor Wilvan Van Campen del Departamento de Estado.

El Lic. Joaquín Mercado, fue designado Presidente de la reunión y el señor Brian Hallman, de los Estados Unidos fue nombrado Relator.

La lista de los participantes a la reunión se agrega como Anexo 1 al presente Informe.

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Se acordó que habría un breve comunicado de prensa al final de la reunión y que el horario de trabajo de la misma sería de las 10:00 a las 13:30 horas para las sesiones matutinas y de las 15:30 a las 19:00 horas para las vespertinas.

La Delegación de los Estados Unidos deploró no haber podido estar en la ciudad de México, del 14 al 16 de enero de 1974, como originalmente se había programado, pero hizo notar que la causa de ello fue la interrupción en la jefatura de la Delegación, a consecuencia del retiro del Embajador McKerman del Departamento de Estado e hizo la observación de que el retraso fue también debido al cúmulo de dificultades que presentaron los problemas con que se tropezó al tratar de llegar a un acuerdo sobre una resolución para 1974.

El Dr. James Joseph, Director de Investigaciones de la CIAT informó del estado de la pesca en el año de 1974, hasta ese momento, haciendo notar que si persistían las mismas condiciones, la fecha de clausura podría ser muy cercana. Enfatizó que si se deseaba un efectivo programa administrativo para 1974, el acuerdo sobre el sistema regulatorio debería lograrse rápidamente, para fines de enero o a más tardar para principios de febrero.

El tema sobre la consideración de las medidas para implementar las recomendaciones de la CIAT para 1974 fue la materia de que trató la reunión bilateral; mismas sobre las que no fue posible obtener acuerdo después de arduas negociaciones que tuvieron lugar durante la XIV Reunión Intergubernamental celebrada en Washington del 14 al 16 de noviembre de 1973 y durante la XV Reunión Intergubernamental también

celebrada en Washington del 6 al 8 de diciembre de 1973. Una vez más este asunto ocupó una gran parte del intenso debate y de la seria negociación, donde varias propuestas fueron sugeridas y consideradas por ambas partes.

Finalmente se obtuvo el acuerdo entre México y los Estados Unidos sobre una propuesta para implementar las recomendaciones de la CIAT para 1974. Esta propuesta, que se agrega al presente como Anexo 2, fue presentada en la forma de un proyecto de resolución para ser considerado por los otros países a quienes se les envió telegráficamente tal como fue acordado durante la XV Reunión Intergubernamental.

Incluida en el proyecto de resolución aparece una declaración conjunta de México y los Estados Unidos reconociendo las dificultades que han surgido a consecuencia del presente sistema regulatorio y donde se urge a los países miembros a tomar medidas con objeto de establecer un nuevo sistema regulatorio tan pronto como sea posible. Con este fin, se convino en convocar una vez más al Grupo de Trabajo ya establecido por una reunión intergubernamental anterior y que tiene este mandato.

La Delegación de los Estados Unidos también se refirió a dos cuestiones que habían sido suscitadas previamente en la Comisión y en la Reunión Intergubernamental de Washington y solicitó a la Delegación mexicana estudiar estas ideas con vista a considerar hasta dónde México, junto con otras naciones, podría cooperar con los Estados Unidos en este asunto.

La otra cuestión a que se refirieron los Estados Unidos fue la de la captura incidental de los mamíferos

marinos realizada por barcos cerqueros atuneros. En este contexto, la Delegación de los Estados Unidos expresó la esperanza de que el Gobierno de México encuentre posible adoptar medidas adecuadas para proteger a estos mamíferos marinos capturados incidentalmente al realizarse la pesca del atún.

La Delegación mexicana informó sobre estos dos problemas presentados por los Estados Unidos haciendo notar, con respecto al de la efectiva ejecución de las recomendaciones, que estudiaría las medidas propuestas por los Estados Unidos y a su debido tiempo expresaría una opinión sobre estas sugerencias. La Delegación mexicana señaló igualmente que la acción a seguir respecto a la ejecución de las recomendaciones de la Comisión era un problema que tiene relación con la cuestión de la soberanía nacional.

Sobre el tema de la captura incidental de los mamíferos marinos por los barcos cerqueros atuneros, la Delegación mexicana puntualizó que está en favor de proteger estos mamíferos y que las leyes mexicanas contienen disposiciones para este fin. Hizo notar que algunos barcos mexicanos han adoptado ya algunos de los medios diseñados para reducir la captura incidental de los delfines, mismos que próximamente serán exigidos a los pescadores atuneros norteamericanos. La Delegación mexicana señaló, además, que estudiaría muy cuidadosamente todas las disposiciones y propuestas relacionadas con este tema.

La Delegación mexicana solicitó que el presente informe reflejara el sentimiento de cooperación que en esta reunión prevaleció entre los dos países, así como la insatisfacción sentida por ambos, relacionada con los difíciles problemas considerados.

Los Estados Unidos estuvieron de acuerdo en circular la resolución intergubernamental adoptada por México y los Estados Unidos a todos los países interesados. Sus respuestas serían enviadas al Gobierno de los Estados Unidos quien a su vez haría del conocimiento del Director de Investigaciones ya fuera la aceptación o el rechazo de la resolución que hiciera cada país. Al recibo de esta información suministrada por el Gobierno de los Estados Unidos, el Director de Investigaciones estuvo de acuerdo en hacer circular a todos los países miembros la resolución de la Comisión para 1974, con objeto de que pudieran considerarla.

Concluido el trabajo de la reunión bilateral y no habiendo ningún asunto más que discutir, las Delegaciones acordaron clausurar la reunión el 1° de febrero de 1974.

REUNION BILATERAL MEXICO ESTADOS UNIDOS DE AMERICA
CONVOCADA POR LA XV REUNION INTERGUBERNAMENTAL
SOBRE LA CONSERVACION DEL ATUN ALETA AMARILLA

LISTA DE PARTICIPANTES

M E X I C O

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Director en Jefe,
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Delegados:

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