

# AGREEMENT BETWEEN THE IATTC AND AZTI FOR THE DEVELOPMENT AND IMPLEMENTATION OF A PROJECT ON “DEVELOPING AND TESTING BYCATCH RELEASE DEVICES IN TUNA PURSE SEINERS”

The Inter-American Tropical Tuna Commission (IATTC) and the Fundación AZTI-AZTI Fundazioa (individually referred to as a “Party” or collectively as the “Parties”), have agreed to develop and implement a project on “*Developing and testing bycatch release devices in tuna purse seiners*” (“the Project”), in the framework of the Memorandum of Understanding agreed by the Parties (“the MOU”). A full description of the project is provided as annex 1.

## Lead researchers:

- Jefferson Murua, Project Investigator, AZTI, Marine Research Division, Spain, jmurua@azti.es
- Jon Lopez, Head Bycatch Mitigation and Gear Technology Group, Inter-American Tropical Tuna Commission, USA, jlopez@iattc.org

## Associated researchers:

- Maitane Grande, Project Investigator, AZTI, Marine Research Division,
- Josu Santiago, Head of Tuna Research Area, AZTI, Marine Research Division, Spain, jsantiago@azti.es
- Hilario Murua, Senior Scientist, International Seafood Sustainability Foundation - ISSF, USA, hmurua@iss-foundation.org
- Gala Moreno, Senior Scientist, International Seafood Sustainability Foundation - ISSF, USA, gmoreno@iss-foundation.org
- Ernesto Altamirano, Observer Program Coordinator, IATTC, ealtamirano@IATTC.org
- Marlon Roman, Researcher, IATTC, mroman@IATTC.org

## Other Collaborators:

- Jose Maria Ferarios (AZTI), Project Investigator, AZTI, Marine Research Division, Spain, jferarios@azti.es
- Alex Da Silva, Science Coordinator, IATTC, alexdasilva@iattc.org
- Nick Vogel, data manager, IATTC, nvogel@iattc.org
- Miguel Herrera, OPAGAC, miguel.herrera@OPAGAC.org
- Isadora Moniz, OPAGAC, fip@OPAGAC.org
- Other expert researchers from AZTI, IATTC or ISSF may be invited to collaborate with the Project.

## Duration:

- This Agreement enters into force when the last of the Parties signs and shall remain in force two years.

**Budget:**

- A. **Funding Opportunity:** Internal (ISSF hopper project budget availability \$10,000; and AZTI internal funding)
- B. **Distribution of costs and expenses** (all figures are estimates and only indicative):
- a. Items to be covered by IATTC: No budgetary commitments are associated to this project, except IATTC staff time. A short stay for a AZTI researcher to conduct specific analysis, discuss results and potential improvements, may be covered, pending budget availability.
  - b. Items to be covered by AZTI: All costs related to bycatch release devices construction and deployment on vessels, biological sampling, satellite tags, as well as AZTI staff time.

**Deliverables:**

Two main deliverables are envisaged:

- A report showing results from novel alternative bycatch release devices tested at sea in tuna purse seiners with observers onboard operating in the eastern Pacific Ocean (EPO),
- Dissemination material, including documents and presentations for the IATTC's Bycatch Working Group, the Scientific Advisory Committee, and the tuna conference. The dissemination of the work is expected to have a significant positive impact on the standard of best handling and release practices in tuna purse seiners in the EPO.

**Confidentiality:**

The development and implementation of the Project shall be governed by the following rules of confidentiality:

1.1. For the purpose of this agreement "Confidential Information" shall mean any and all information, which is supplied or disclosed, directly or indirectly, in writing or in any other means, by each Party to the other including, but not limited to any documents, drawings, sketches, designs, materials, samples, prototypes, data, know-how, and which at the time of its disclosure or supply is identified as confidential. Oral information shall be recorded in writing by the Party disclosing it within fifteen (15) days after disclosure, and the resulting document shall specifically state the date of disclosure and designate the information as confidential.

1.2. For the purpose of this agreement "the Recipient" shall mean the Party receiving the Confidential Information and "Disclosing Party" shall mean the Party disclosing the Confidential Information to the other Party

1.3. The Recipient shall:

- i. undertake to keep the Confidential Information confidential and not to disclose it nor to permit the disclosure of it to any third party, except in accordance with

clause 1.6. of this agreement, and not to make it available to the public or accessible in any way, except with the prior written consent of the Disclosing Party

- ii. undertake to use the Confidential Information solely for the Purpose of this agreement and not to make any other use, whether commercial or non-commercial, without the prior written consent of the Disclosing Party.

1.4. The obligations specified in clause 1.3. above shall not apply in the following cases:

- i. the Confidential Information was known to the Recipient prior to the time of its receipt pursuant to this agreement otherwise than as a result of the Recipient's breach of any legal obligation; or
- ii. the Confidential Information is in the public domain at the time of disclosure by the Disclosing Party to the Recipient or thereafter enters the public domain without any breach of the terms of this agreement; or
- iii. the Confidential Information becomes known to the Recipient through disclosure by sources, other than the Disclosing Party, having the legal right to disclose such Confidential Information; or
- iv. the Recipient proves the Confidential Information has been developed independently by its employees, who had no access to any of the Confidential Information disclosed by the Disclosing Party to the Recipient.

1.5. The Recipient shall limit and control any copies and reproductions of the Confidential Information. The Recipient shall return all records or copies of the Confidential Information at the request of the Disclosing Party and at the latest on termination of this agreement. This shall not apply to Confidential Information or copies thereof which must be stored by the Recipient according to mandatory law, provided that such Confidentiality Information or copies thereof shall be subject to an indefinite confidentiality obligation.

1.6. The Recipient undertakes to disclose the Confidential Information only to its employees who:

- i. reasonably need to receive the Confidential Information for the Purpose of the present agreement; and
- ii. have been informed by the Recipient of the confidential nature of the Confidential Information and of the terms of the present agreement; and
- iii. have been advised of and agree to be bound by equivalent obligations to those in the present agreement.

1.7. The Disclosing Party has exclusive ownership over the Confidential Information. The exchange of information does not involve a transfer or license of rights to the Confidential Information. All Confidential Information shall remain the exclusive property of each Party as well as all patent, copyright, trade secret, trademark and other intellectual property rights therein.

1.8 The Disclosing Party makes no warranties in respect to the condition, accuracy, fitness for any purpose, correction, completeness or performance of the Confidential Information.

**Signed in representation of the Parties:**



Jean-François Pulvenis  
Director *ad interim*

IATTC

Date 25 FEB 2021

Dr. Rogelio Pozo  
Manager General

AZTI

Date


## Annex 1: Project description

**Project Title:** Developing and testing bycatch release devices in tuna purse seiners

**Introduction to the problem:** Bycatch of Endangered, Threatened and Protected (ETP) species, especially elasmobranchs, are a concern in tropical tuna purse seine fisheries due to their apparent low survival rate after capture. While the IATTC has resolutions promoting the application of best bycatch handling and releasing practices (e.g., for mobulids, sharks, turtles), there is a lack of clear guidelines for the fleet, and current release methods are quite rudimentary, often involving manual handling or basic self-made tools (e.g., release canvases), thus there is scope for improvement.

**Opportunity for study:** The good relationship between vessel-owners associations and national research institutes like AZTI has granted the chance to cooperate in trials on vessels operating in several oceans, including the Eastern Pacific, to test new bycatch release devices.

**Rationale:** As part of fisheries improvement projects, several fishing organizations have implemented voluntary programs to improve bycatch handling and releasing practices. That is the case, for example, of the Spanish fleet operating in the Indian, Atlantic and Pacific Oceans. Some of the advances and progress obtained in initiatives developing new bycatch release tools have helped shape best novel best practices for handling and releasing sensitive non-target species in some regions and fleets. However, no clear guidelines for bycatch handling and release exist yet for the tuna purse seine fleets operating in the eastern Pacific Ocean. Associating and collaborating with experienced and proactive research institutions and fishing organizations on this matter would help explore, discuss and progress towards a reduction of bycatch mortality through the promotion of new tools that facilitate best handling and releasing practices.



**Summary of work to be completed:** Our project will develop and test a number of novel technological devices to release bycatch species in large tuna purse seiners carrying observers (> 363 cc) in the eastern Pacific Ocean. This project has several objectives: **1)** Develop ETP species specific devices that contribute to more efficient releases (e.g. faster, less handling stress); **2)** Construct devices that increase crew safety during releases, interfere the least possible with the fishing operative, and do not result in target catch losses; **3)** Evaluate the benefits of these devices in terms of species survival using satellite tags and other biological indicators (e.g. lactate levels, vitality indicators, etc.); **4)** Collect device utilization data through IATTC observers and, likely, a scientific cruise and embarkment of AZTI/IATTC/ISSF scientists to better understand use protocols by fishers and find possible improvements (to be coordinated with the Spanish Institute of Oceanography and OPAGAC as well); **5)** Use results of the project to inform conversations with fishermen during the skippers workshops; **6)** Promote the utilization of the most efficient devices and methods in the region and, as appropriate, help shape recommendations to encourage their adoption for best release practices

**Deliverables:** Two main deliverables are envisaged: i) A report showing results from novel alternative bycatch release devices tested at sea in large tuna purse seiners operating in the eastern Pacific Ocean, and ii) Dissemination material, including documents and

presentations for the IATTC Bycatch Working Group, the Scientific Advisory Committee, and the tuna conference.

**Broader Impacts:** The proposed research will provide considerable benefit to IATTC, fishing industry, and the broader scientific community and public. This project will help reduce ETP bycatch mortality in the eastern Pacific while promoting best handling and releasing practices and reducing impacts of the fishery on the ecosystem.

**Relevance to the IATTC Scientific Strategic Plan and Commission's goals:** This project will contribute to increase crew safety and survival of ETP species accidentally caught in large tuna purse seiners in the eastern Pacific Ocean. In particular, the project will contribute to IATTC's goal M (Mitigate the ecological impacts of tuna fisheries), as well as M.1. (In collaboration with the industry, conduct scientific experiments to identify gear technology that will reduce bycatches and mortality of prioritized species) and M.2. (In collaboration with the industry, conduct scientific experiments to develop best practices for the release of prioritized bycatch species) and will advance in the use of new technologies to enable better guidelines and standards for best handling and releasing practices in the IATTC convention area.

