JOINT WORKING GROUP ON FISHING BY NON-PARTIES

6th MEETING

Cancun (Mexico)
22 June 2007

MINUTES OF THE MEETING

AGENDA

1. Opening of the meeting
2. Adoption of the agenda
3. Approval of minutes of the fifth meeting
4. Compliance by non-parties
5. List of vessels identified as being engaged in IUU fishing
6. Cooperating non-parties or fishing entities for 2008
7. Other business
8. Recommendations for the IATTC and the Meeting of the Parties
9. Adjournment

The sixth meeting of the Joint Working Group on Fishing by Non-Parties was held in Cancun (Mexico) on 22 June 2007. The attendees are listed in Appendix 1.

1. Opening of the meeting

Dr. Allen opened the meeting, which was chaired by Ms. Elisa Barahona of Spain.

2. Adoption of the agenda

The agenda was adopted as presented.

3. Approval of minutes of the fifth meeting

The minutes of the fifth meeting of the Working Group were adopted without changes.

4. Compliance by non-parties

Document JWG-6-04, Compliance by Non-Parties, was reviewed by Dr. Allen. In response to a question, he confirmed that Honduras had not supplied all of the required data with respect to its flag vessels.

Colombia made some comments regarding the Marta Lucia R, noting that this vessel was authorized to fish in the region, and stating that it was Colombia’s sovereign right to have this vessel fish in the EPO. Colombia would like to have the vessel added to the Regional Vessel Register as a special case, and urged the Working Group to recommend to the Commission that this be done. The Chair responded that, in her view, this matter could be forwarded to the Commission for its consideration, without a recommendation from the Working Group.
5. List of vessels identified as being engaged in IUU fishing

Dr. Allen reviewed Document JWG-6-05, *IATTC IUU Vessel List*, noting in particular the six issues identified at the end of the paper that the Working Group might wish to consider as it considers the list of vessels identified as being engaged in IUU fishing. The Chair suggested that the Working Group examine these issues one by one:

a. Regarding the *Ha FA No. 21*, a Chinese Taipei flag vessel found to be in violation of an IATTC resolution by French authorities, it was reported that Chinese Taipei had taken strong and effective action against the vessel, and several delegations applauded this action. The Chair noted that if France renewed its request that this vessel be added to the IUU List, that would be considered at next year’s Commission meeting, as the communication this year had come past the 1 February cutoff date for considering the addition of vessels to the List.

ii. Regarding the *Mega Rezeki 02*, Indonesian flag, also reported by French authorities as violating IATTC resolutions, it was noted that no response had been received from Indonesia regarding this vessel or this case. Ecuador committed to investigating whether this vessel really had an Ecuadorian fishing license, as was mentioned in the letter sent to the Secretariat by the High Commissioner of French Polynesia. Several delegations stated that, as the communication from France regarding this vessel had also arrived after the 1 February cutoff date for considering the addition of vessels to the IUU List, this case should be considered at next year’s Commission meeting. The Chair stated that this would be done.

b. With regard to nine vessels – the *Chen Chieh 1, 2, 11, 12, 22, 31, 32, 61*, and *62* – whose removal from the IUU List was being sought by Guatemala, the Working Group decided, after considerable discussion, to refer this matter to the Commission for consideration, and suggested that Guatemala explain in writing its reasons for seeking the removal of the vessels from the IUU List. Further, it was noted by the Working Group that the issue of the size of these nine vessels, in relation to their being on the IUU List, should be considered by the Commission.

c. Regarding the vessel on the IUU List named *Dragon III*, the Working Group decided that the flag of the vessel should be changed from Cambodia to “unknown”. It was commented that, in future, when the staff receives information regarding changes in the names and flags of vessels on the IUU List, it should simply modify the List to incorporate the relevant changes.

d. Regarding the *Dragon 18*, the Working Group decided that before the vessel is removed from the IUU List, confirmation should be sought that the vessel is in fact sunk.

e. Regarding the *Wen Teng 668*, a IUU vessel of unknown flag which may have changed names, the Working Group decided that the staff should inquire of Fiji, where the vessel was last seen, to see if more information is available regarding this vessel.

f. Regarding the flag of the *Permata 6*, which apparently unloaded fish in Costa Rica during 2006, Costa Rica offered to investigate to see if more information regarding the flag of the vessel is available.

Spain reported that it had a revised proposal to amend Resolution C-05-07 on the IATTC IUU List, explaining the background of this proposal and efforts to work with other countries.

Costa Rica commented that it has been coordinating with other Latin American countries in an effort to reach a broad consensus on an amended proposal, but that this effort had not yet been completed. Therefore, while Costa Rica could not endorse the Spanish proposal at this time, it was prepared to see it move forward to the Commission, and would address it in that forum.

6. Cooperating non-parties or fishing entities for 2008

Dr. Allen reviewed Document JWG-6-06, *Cooperating non-parties or fishing entities*. The Chair noted
that six governments - Belize, Canada, China, Chinese Taipei, Cook Islands, and the European Union - had applied for Cooperating Non-Party status, and after discussion, the Working Group recommended that the Commission approve all six applications.

In response to a question from Japan, Belize confirmed that the statements which it made last year in connection with cooperating status were still valid.

El Salvador presented a proposal for amending the Resolution C-04-02 regarding cooperating non-parties. Several countries expressed doubts about this proposal, mainly because its effect would apparently be to maintain the cooperating status of a non-party or fishing entity from year to year unless there was unanimous agreement that such status be revoked. It was agreed to forward this proposal to the Commission for its consideration, but without a recommendation.

7. Other business

The United States called the attention of the meeting to some recent amendments to US law related to IUU fishing and bycatch, noting that it would make these amendments available to the Parties.

Mexico asked how this US initiative would contribute to cooperation in the IATTC; the US responded that many of the things currently being done in the IATTC, such as the formulation of a list of IUU vessels, are already a part of this cooperative process.

Mexico also stated that some of the facts referred to in the communication from French Polynesia merited observations by his delegation, but because the request arrived late, it should not be discussed in this meeting.

Bolivia made a statement confirming its interest in purse-seine fleet capacity, and expressing concern that its rights in this area appear to have been compromised.

8. Recommendations for the IATTC and the Meeting of the Parties

There were no recommendations to the Meeting of the Parties of the AIDCP.

The following recommendations to the IATTC were identified:

1. consider whether nine vessels – the *Chen Chieh 1, 2, 11, 12, 22, 31, 32, 61, and 62* – should be removed from the IATTC IUU List;

2. change the flag of the *Dragon III* from Cambodia to “unknown”;

3. confirm that in future, when the secretariat receives information regarding changes in the names and flags of vessels on the IUU List, it should simply modify the list to incorporate the relevant changes;

4. grant cooperating status to Belize, Canada, China, Chinese Taipei, Cook Islands, and the European Union;

5. consider the proposal from Spain regarding the amendment of Resolution C-05-07 on the IUU List;

6. consider the proposal from El Salvador regarding the amendment of Resolution C-04-02 on cooperating non-Parties.

There was no recommendation to the Commission regarding whether the *Marta Lucia R* should be removed from the IUU List. Colombia asked that the record show its extreme disappointment at the unwillingness of the Working Group to have the Commission entertain its request.

9. Adjournment

The meeting was adjourned.
Appendix 1.

**ASISTENTES – ATTENDEES**

**COLOMBIA**

ARmando Hernández
INCoder / Programa Nacional de Observadores
observadores@incoder.gov.co

**CÓRDOBA**

Asdrúbal Vásquez*1
Ministerio de Agricultura, Ganadería y Pesca
vazquezal@ice.co.cr

**ECUADOR**

Marcela Aguiñaga*
Ministerio de Agricultura, Ganadería, Acuacultura y Pesca
subpesc@subpesca.gob.ec

**IVÁN CEDEÑO**
Instituto Nacional de Pesca
icenedo@inp.gov.ec

**RAFAEL TRUJILLO**
Cámara Nacional de Pesquería
direjec@camaradepesqueria.com

**RAMÓN MONTAÑO**
ATUNEC
ramonmontano@eircom.net

**EL SALVADOR**

Sonia Salaverría*
Ministerio de Agricultura y Ganadería
ssalaverría@mag.gob.sv

**CARLOS SÁNCHEZ**
Grupo Calvo
Carlos.sanchez@calvo.es

**ESPAÑA - SPAIN**

Samuel Juárez*
Ministerio de Agricultura, Pesca y Alimentación
juarez@mapausa.org

**JAVIER ARÍZ**
Instituto Español de Oceanografía
javier.ariz@ca.ieo.es

**JULIO MORÓN**
OPAGAC
opagac@arrakis.es

**EUROPEAN UNION - UNIÓN EUROPEA**

Staffan Ekwall
European Commission
staffan.ekwall@cec.eu.int

**édilberto ruíz**
Ministerio de Agricultura, Ganadería y Alimentación
ruiz.era@gmail.com

**Hugo Alsina**
Ministerio de Agricultura, Ganadería y Alimentación
hugo.alsina@maga.gob.gt

**Guatemala**

Emil Castellanos
Pesquera Centroamericana, S.A.,
pesqueracentroamerica@gmail.com

**Nadia Ganddini**
Proyectos Portuarios, S.A.
naganddini@propuertos.com

**JAPAN – JAPÓN**

Takaaki Suzuki
Fisheries Agency of Japan
Takaaki_suzuki@nm.maff.go.jp

**Hiroaki Okamoto**
National Research Institute of Far Seas Fisheries
okamoto@affrc.go.jp

**HisaO masuko**
Japan Tuna Fisheries Co-operative Association
Section1@intdiv.japantuna.or.jp

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1 Commissioner-Comisionado
KOREA - COREA

YUN JEONG BHU
Ministry of Maritime Affairs and Fisheries
bhuyunjeong@yahoo.co.kr

YEAN-HEE RYU
Ministry of Maritime Affairs and Fisheries
jryu20@hotmail.com

MEXICO

MARIO AGUILAR
Comisión Nacional de Acuicultura y Pesca
mariogaguiars@aol.com

LUIS FLEISCHER
Centro Regional de Investigación Pesquera
lfleischer21@hotmail.com

MARK ROBERTSON
Williams Mullen Strategies
mrobertson@williamsmullen.com

NICARAGUA

MANUEL PÉREZ – COMISIONADO
ADPESCA/Administración Nacional de Pesca y Acuicultura
Manuel.perez@mifec.gob.ni

PERU

RODNEY MCMINNIS*
NOAA/National Marine Fisheries Service
Rod.Mcminnis@noaa.gov

DAVID HOGAN
Department of State
hogandf@state.gov

JUDSON FEDER
NOAA/National Marine Fisheries Service
Judson.Feder@noaa.gov

WILLIAM FOX
NOAA/National Marine Fisheries Service
William.Fox@noaa.gov

WILLIAM JACOBSON
NOAA/National Marine Fisheries Service
Bill.jacobson@noaa.gov

JESSICA KONDEL
NOAA/National Marine Fisheries Service
Jessica.Konbel@noaa.gov

PAUL ORTIZ
NOAA/National Marine Fisheries Service
Paul.Ortiz@noaa.gov

MICHAEL MCGOWAN
Bumble Bee Seafoods, Inc.
mccgowann@bumblebee.com

OTHA EASLEY
NOAA/NMFS
otha.easley@noaa.gov

UNITED STATES OF AMERICA - ESTADOS UNIDOS DE AMÉRICA

ALLISON ROUTT
NOAA/National Marine Fisheries Service
Allison.Routti@noaa.gov

WILLIAM ROBINSON
NOAA/National Marine Fisheries Service
Bill.Robinson@noaa.gov

BRADLEY WILEY
NOAA/National Marine Fisheries Service
Brad.Wiley@noaa.gov

SVEIN FOUGNER
Hawaii Longline Association
sveinfougner@cox.net

PAUL KRAMPE
American Tuna Boat Association
krampepaul@aol.com

RANDI THOMAS
United States Tuna Foundation
TunaRFThomas@aol.com

JOHN ZUANICH
Del Monte
John.zuanich@delmont.com

CHRISTOPHER BARROWS
United States Coast Guard
chris.m.barrows@uscg

DEREK CAMPBELL
United States Government
derek.campbell@noaa.gov
VENEZUELA
ALVIN DELGADO*  
PNOV/Fundatun  
fundatunpno@cantv.net  
CRISTINA STREDEL  
Instituto Nacional de la Pesca y Acuicultura  
ori@inapesca.gob.ve  
LILLO MANISCALCHI  
AVATUN  
lilomaniscalchi@yahoo.com  
OSNEIVER SANDOVAL  
Ministerio de Relaciones Exteriores  
osneiver.sandoval@mre.gob.ve

OBSERVERS - OBSERVADORES

BELIZE – BELICE
ANGELO MOUZOUROPOULOS  
International Merchant Marine Registry  
angelom@immarbe.com  
KATHY TSENG CHANG  
International Merchant Marine Registry of Belize  
capturatodo@ice.co.cr

CARLOS VALVERDE  
Ministerio de Defensa Nacional  
unipesca_7@hotmail.com  
HERNAN BECERRA  
Ministerio de Defensa Nacional  
Unipesca_7@hotmail.com

LISA MIJACIKA  
Fisheries & Oceans Canada  
mijacika@pae.dfo-rrpo.gc.ca  

CHINESE TAIPEI - TAIPEI CHINO
HONG-YEN HUANG  
Fisheries Agency  
hangyen@m1.gov.tw  
TED TIIEN-HSIANG TSAI  
Fisheries Agency  
tedi@m1.gov.tw  
YEN-CHING CHAO  
Ministry of Foreign Affairs  
cycho@mofa.gov.tw  
WANG-LING CHANG  
Taiwán Tuna Association  
twtuna@tuna.org.tw  
HENRY YANG  
YingJen Fishery Company  
yingfishing505@hotmail.com  
SHIH-CHIEH HO  
Taiwan Tuna Association  
twtuna@tuna.org.tw

BOLIVIA
CARLOS VALVERDE  
Ministerio de Defensa Nacional  
unipesca_7@hotmail.com  

CANADA
LISA MIJACIKA  
Fisheries & Oceans Canada  
mijacika@pae.dfo-rrpo.gc.ca

INTERNATIONAL ORGANIZATIONS – ORGANIZACIONES INTERNACIONALES

LARA K. MANARANGI-TROTT  
Pacific Islands Forum Fisheries Agency  
lara.manarangi-trott@ffa.int

NON-GOVERNMENTAL ORGANIZATIONS – ORGANIZACIONES NO GUBERNAMENTALES

PETER FLOURNOY  
American Fishermen’s Research Foundation  
phf@packbell.net  
REBECCA REGNERY  
The Humane Society of the U.S.  
rrregnery@hsus.org

STAFF – PERSONAL
ROBIN ALLEN, Director  
rallen@iattc.org  
ERNESTO ALTAMIRANO  
ealtamirano@iattc.org  
DAVID BRATTEN  
dbratten@iattc.org  
MÓNICA GALVÁN  
mgalvan@iattc.org

BRIAN HALLMAN  
bhallman@iattc.org  
CYNTHIA SACCO  
ccsacco@iattc.org  
NICHOLAS WEBB  
nwebb@iattc.org

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