

INTER-AMERICAN TROPICAL TUNA COMMISSION
COMMITTEE FOR THE REVIEW OF IMPLEMENTATION OF
MEASURES ADOPTED BY THE COMMISSION

6TH MEETING

Guayaquil, Ecuador
24-25 June 2015

REPORT OF THE MEETING

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The sixth meeting of the Committee for the Review of the Implementation of Measures Adopted by the Commission (COR) was held in Guayaquil, Ecuador, 24-25 June 2015.

1. Opening of the meeting

The meeting was opened by the Chair of the Committee, Mr. David Hogan, of the United States. Mr. Luis Torres, of Ecuador, was appointed rapporteur.

2. Adoption of the agenda

The provisional agenda was adopted with a modification to include as a new item 3b) a presentation by the United States on interactions of fishing vessels with data buoys.

3. Compliance with IATTC measures in 2014:

a. Report by the staff on compliance

Mr. Ricardo Belmontes, of the staff, presented Document COR-06-03, which contains detailed information on compliance with IATTC resolutions in 2014, as well as on the implementation of Resolution C-11-07 on compliance. He reviewed the timeline established in Resolution C-11-07 for the distribution and submission by CPCs of the Standard Questionnaire on Compliance, and it was emphasized that the number of infractions continues to decline. A number of Members made corrections and clarifications that reports or data had been submitted, and requested that the Secretariat update the report.

The Government of Colombia requested the removal from the report of the vessel *Nazca*, which is related to alleged non-compliance with Resolution C-04-05, in trip 146043, because that case was not reported by the Secretariat and on reviewing the compliance report prepared by the observer for that trip, the non-existence of the alleged infraction could be determined. The Secretariat stated that this was an error, which would be deleted from the report.

The European Union commented that it is interesting to see the tables of the evolution of compliance and that efforts must be made to continue to improve. They also added that the question of arrears in the payment of contributions to the budget is a matter for concern, and reminded the meeting that a Member of the Commission in arrears by an amount equal to or greater than its contributions for the preceding 24 months shall not have the right to participate in decision-making in the Commission.

Mexico noted that the information dealt with in the meeting of the Committee should be used only within the Commission.

Recommendations by the Committee arising from the discussions of this agenda item:

- a) The Commission should review Resolution C-07-03 with a view toward any revisions that might be necessary to improve implementation, in particular if the reporting is repetitive and acts as a factor in the lack of compliance with reporting requirements.
- b) Regarding Resolution C-11-02, the Commission and the Secretariat should review the compliance questionnaire process to determine if there is a way to elicit more information to substantiate all replies and to review the resolution to ensure it is clear what applies, how it applies, and what information on implementation the Commission wishes to receive.
- c) The Commission should clarify the requirement for reporting implementation in Resolution C-12-07 on transshipments, to make clear whether it expects such reports.
- d) Resolution C-11-08 should be included in the compliance questionnaire, which should differentiate between implementing an observer program and data reporting.
- e) With regard to Resolution C-05-03, the Commission should explore methods for improving monitoring and implementation, specifically with regard to data collection for shark conservation.
- f) The Commission should consider whether it would be useful to establish a minimum threshold for tuna discards pursuant to the requirement on discards in Resolution C-13-01.

b. interactions of fishing vessels with data buoys

The United States presented information on multiple cases of fishing in association with data buoys, including cases resulting in damage and loss of the data buoys themselves or their functions. Most of the instances of data buoy vandalism in the EPO occur in the areas to the west of the Galapagos Islands, and the United States asked Members for their help in indentifying and prosecuting offending vessels. The Committee acknowledged the important data and environmental services derived from these buoys and which all Members, benefit from and discussed ways to improve compliance with C-11-03. One Member suggested that it would be useful if the relevant section (17.2.5) of the manual used by observers provided some examples of the types of interactions that are problematic, noting that such examples are given in the text of the resolution. Another Member suggested that education on data buoy issues should be covered in the courses provided to all purse-seine captains, regardless of the size class of the vessels. The United States committed to follow up with Members on the existing cases, and also to engage with interested delegations on how they could use VMS or other methods to identify where their vessels may be fishing in proximity to data buoys. In view of the importance of the matter, it was suggested that the training of captains and observers on this issue should be reinforced.

c. Review of the questionnaires completed by CPCs relating to Resolution C-11-07

The Committee provided a summary of possible non-compliance cases, identified either by the CPC in

the Questionnaire or by the Secretariat, as well as the corresponding responses by each CPC. Each CPC was given the opportunity to explain measures taken to, (1) ensure the CPC remains compliant, such as in reporting, or (2) ensure compliance among its vessel owners/operators, in part by investigations, fines, etc. Only one member, Kiribati, did not have representatives present at the meeting of the Committee or in the IATTC to participate in the review process. .

Also, a number of Members noted that the data examined are for the purse-seine fleet only, and that the performance of the longline fleet is largely unknown in addition to the fact that there is not even full compliance with the requirement an observer of coverage rate of 5%..

Recommendations by the Committee arising from the discussions of this agenda item :

- g) Future compliance reports should use the compendium produced by the Secretariat as the basis for an annex to the annual compliance report to track national reporting on implementation and compliance over time.
- h) The Commission should clarify where sealing wells can be allowed for capacity management and whether and when it may be used for other purposes.
- i) The Commission should encourage those Members to resolve the budget contribution arrears issue as soon as possible, and to also consider whether there are any other options the Commission could take advantage of to reinforce the collective responsibility to contribute to the IATTC budget.

Panama indicated that it had initiated procedures with its Ministry of Economy and Finance, and hoped to make payments during the current year and be in a better situation by 2016. The European Union asked that this statement be reflected in the minutes.

- j) The Commission should consider whether there was a basis to change the call for disaggregated data per resolution C-03-05 or to clarify the scientific or data management reasons to continue the current practice.
- k) The SAC at its next meeting should approve a data reporting format called for in Resolution C-11-08.
- l) The Commission should reiterate the importance of all CPCs to send delegates to its subsidiary bodies, in particular the Review Committee.

4. Consideration of the provisional IUU vessel list

The Secretariat presented document COR-06-04. There was one request from Fiji to remove a vessel, the *Xin Shi Ji 16*, from the current list IUU vessel list. France presented an analysis of the substantiating information presented by Fiji and identified several areas of concern based on a lack of information or clarity. The concerns were shared by some other Members and there was no consensus to remove this vessel from the IATTC IUU vessel list.

- m) The Committee recommended that the Commission send a communication to Fiji requesting additional information based on the elements discussed by the Committee.

5. Cooperating Non-Members

There were four renewal requests to be considered for cooperating non-member status from Bolivia, Indonesia, Liberia and Honduras. Bolivia and Honduras were present at the Committee meeting and no objections were raised to renewing their status. Indonesia and Liberia did not have representatives at the meeting.

- n) The Committee recommended that the Commission renew cooperating non-member status for Bolivia and Honduras, and consider renewing cooperating non-member status for Indonesia and Liberia, while reminding them of their responsibility to attend and participate in the work of

Commission and its subsidiary bodies.

6. Other business

Colombia raised the usefulness of considering revising the IATTC compliance information reporting procedures to provide an opportunity for vessel captains to express their comments, e.g., on fishing conditions or other factors, regarding issues of compliance contained in the observer report in a way similar to how the process works under the AIDCP. Such a process could assist flag state CPCs in any investigation of compliance issues.

- o) The Committee recommended that the Commission consider reviewing its procedures regarding the observer reports to determine whether captains have an opportunity to comment on observer reports for IATTC matters and if there is a need for additional space or other adjustments of the observer forms; examine the usefulness of additional training to make captains aware of existing opportunities to make comments; analyze the need for and possibility of how to accommodate an opportunity for captains comments on compliance matters identified in post-trip analysis of obsv reports, and any other changes that may be needed to implement such a mechanism.

The European Union made a presentation of its proposal IATTC-89 E-1 on improving compliance, which is pending before the Commission. The presentation generated some discussion regarding the classification of the infractions contained in the proposal. .

7. Recommendations for the Commission

The Committee made several recommendations to the Commission as detailed above, under the various items of the agenda.

8. Adjournment

The Committee was adjourned on July 2, 2015.