

INTER-AMERICAN TROPICAL TUNA COMMISSION

94TH MEETING

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PROPOSAL IATTC-94 A- 6A

**CONSOLIDATED TEXT OF THE EU, MEXICO, COLOMBIA, VENEZUELA AND
ECUADOR AND USA PROPOSALS**

**AMENDMENT OF RESOLUTION C-16-01 ON THE COLLECTION AND
ANALYSES OF DATA ON FISH-AGGREGATING DEVICES**

RESOLUTION 19-XX

**AMENDMENT OF RESOLUTION C-16-01 ON THE COLLECTION AND
ANALYSES OF DATA ON FISH-AGGREGATING DEVICES**

The Inter-American Tropical Tuna Commission (IATTC):

Taking into account the best available scientific information on the status of the bigeye, yellowfin and skipjack stocks;

Committed to the long-term conservation and sustainable exploitation of fisheries in the eastern Pacific Ocean (EPO);

Understanding that all fishing gears, including fish-aggregating devices (FADs), have an effect on the stocks and the pelagic ecosystem in the EPO, and that such effects should be fully understood by the Members of the Commission;

Attentive to the provisions of IATTC Resolution C-99-07 on measures related to the regulation of FADs; *Agreeing* that, to accurately provide the scientific advice necessary to effectively manage tuna fisheries in the EPO, it is necessary for the scientific staff of the IATTC to have access to, and analyze, the relevant data regarding such fisheries and gears, and for Commission Members to put in place measures as needed to collect such information in their fisheries;

Acknowledging that observers currently collect data on FADs in the EPO that have been examined by the IATTC staff (Document SAC-02-13) and that the Commission has adopted measures for further research on FADs; the significant effect that FADs may have on bigeye tuna spawning biomass, according to IATTC estimates (Document SAC-03-06); that skipjack tuna is captured on FADs and in unassociated schools in the EPO (Document SAC-03-03), and according to IATTC estimates, its exploitation rate has been increasing in recent years (Document SAC-03-07);

Recognizing that these measures need to be expanded and improved upon to ensure that the effects of the use of FADs on highly migratory fish stocks along with non-target, associated and dependent species, are fully understood and that the Commission can receive the best available scientific advice concerning mitigation of any negative effects;

Committed to ensuring that such scientific advice is taken into account in the development of the Commission's conservation and management measures concerning fishing for tunas;

Noting that the Scientific Advisory Committee (SAC) has recommended that the Commission should strengthen the work on FADs by holding a meeting involving managers, scientists, and other stakeholders; Noting that, based on recent scientific analysis, the development of improved FAD designs, in particular non-entangling FADs, both drifting and anchored, helps reduce the incidence of entanglement of sharks, sea turtles and other species;

AGREES:

SECTION 1. DEFINITIONS

1. ~~1.~~ For the purposes of this Resolution, the following definitions shall apply:
 - a. Fish-Aggregating Device (FAD): anchored, drifting, floating or submerged objects deployed and/or tracked by vessels, including through the use of satellite buoys, for the purpose of aggregating target tuna species for purse-seine fishing operations.
 - ~~b. Satellite buoy: A buoy that uses satellites to indicate its geographical position. As required in [Resolution C-16-01/], all satellite buoys must be clearly marked with a unique identification code.~~
 - c. Activation of a satellite buoy: The act of initializing network service for transmission ~~of the satellite buoy's position.~~
 - d. Deactivation of a satellite buoy: The act of cancelling network service for transmission ~~so that the satellite buoy's position is no longer transmitted.~~
 - e. Reactivation of a satellite buoy: The act of re-initializing network service for transmission ~~of a satellite buoy's position~~ after deactivation..
 - f. Operational satellite buoy: A buoy that has undergone activation or reactivation, is deployed at sea ~~attached to a FAD, and is transmitting data position information.~~ .
 - g. Loss of a buoy: The situation in which, without ~~any~~—intervention of the owner/operator/~~manager~~, the buoy cannot be located ~~by the owner~~ on ~~athe~~ monitoring device [or drifts outside the operational area]. ~~The main causes of signal loss are buoy retrieved by another vessel or person (at sea or on shore), FAD sinking and buoy failure.~~
 - h. Vessel operator and/or manager: Any legal or natural person that is recorded in the IATTC Regional Vessel Register and in the flag State registry as operating and/or managing the vessel. The operator may or may not be the owner of the vessel.

SECTION 2. LIMITS ON THE USE OF FADs

2. CPCs shall ensure that purse-seine vessels flying their flag have no more than the following number of FADs with operational buoys attached at any one time:

Class 6 (1,200 m3 and greater):	450 FADs
Class 6 (< 1,200 m3):	300 FADs
Class 4-5:	120 FADs
Class 1-3:	70 FADs

- ~~3. The Commission at its 2020 annual session, based on updated scientific advice, from the IATTC scientific staff, shall review whether the number of operational FADs as set out in paragraph 2 is appropriate.~~
3. CPCs shall ensure purse seine vessels flying their flag shall only deploy A FAD shall always be attached with a satellite buoy.
4. Satellite buoys shall be activated or reactivated exclusively onboard a purse-seine vessel.
- ~~5. Satellite buoys attached to FADs shall only be deactivated in the following circumstances: [e.g., if loss, beaching, [closure periods], repairs, transferred ownership]. CPCs shall report, or require their vessels to report, deactivations to the Secretariat using the specific data fields indicated in Annex I. ECU CANNOT SUPPORT~~
- ~~6. Remote activations of deactivated buoys at sea are strictly prohibited except in specific cases motivated by the need of the recovery of beached or loss FADs. CPCs shall report, or require their vessels to report, any remote activations to the Secretariat using the specific data fields indicated in Annex II.~~
7. 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 established in Resolution C-17-02;
 - 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.

SECTION 3. FAD DATA COLLECTION

- ~~8. CPCs shall require the purse seine vessels under their flag without an observer, when fishing on FADs in the IATTC Convention Area, the captain shall be responsible for recording the information field as adopted by the IATTC (Fish-aggregating device form (FADS), Sep 2018 ver.2.). In purse seine vessels with an observer onboard, captains should provide the observer with the ID of the FAD on which they are working, when the observer is not capable of obtaining this information The IATTC Secretariat shall ensure the data collected by observers includes all the information contained in Annex III and CPCs shall ensure that captains on their purse seine vessels provide the observer with the make, model and serial number of the satellite buoys, when the observer is not capable of obtaining this information On purse seine vessels without an observer aboard, CPCs shall ensure that the captain shall be responsible for recording the information field as adopted by the IATTC (Fish-aggregating device form (FADS), Sep 2018 ver.2.)~~
9. The data collected under paragraph 8 on any interactions with FADs in trips of purse-seine vessels without an observer aboard, shall be provided by the CPCs to the IATTC electronically or by other means no later than 60 days of the end of each trip. CPCs shall notify this information exclusively in the standard form developed by the Secretariat.
10. In order to support the monitoring of compliance with the limitation established in Paragraph 2, and the work of the IATTC scientific staff in analysing the impact of FAD fisheries, while protecting business confidential data, CPCs shall report, or require their vessels to report, daily information on all FADs with operational buoys to the Secretariat, in accordance with the procedure and data fields indicated in Annex IV, with reports at monthly intervals submitted with a time delay of at least 60 days, but no longer than 90 days.

11bis. In order to collect new data on the tuna purse-seine fishery on FADs other than those contained in Annex 1, the scientific staff shall plan and coordinate the execution of technical round tables with each CPC, to be carried out quarterly from January 2020 through December 2021, with the purpose of meeting the objective of strengthening future decisions on the comprehensive management of the FAD fishery (ECU).

11. No later than the IATTC annual meeting in ~~2021~~2014, the scientific staff of the IATTC, in coordination with the SAC, shall present to the Commission the preliminary results of its analyses of the information collected pursuant to Paragraphs 8 to 10, and shall identify additional elements for data collection, as well as specific reporting formats, necessary to evaluate the effects of the use of FADs on the ecosystem of the EPO fishery **and to identify indicators that adequately represent the number of effective floating objects, levels of deployment, and losses.** The analyses shall incorporate **all** information collected by observers **on FADs.**
12. In addition, no later than the IATTC annual meeting in ~~2021~~2014 the scientific staff of the IATTC, in coordination with the SAC and taking into account the outcomes of the *Ad Hoc* Working Group on FADs, shall present to the Commission initial recommendations based on information collected, based on this resolution and through other mechanisms, for the management of FADs, including possible effects of FADs in the tuna fishery in the EPO. The Commission shall consider adopting management measures based on those recommendations, including a region-wide FAD management plan, and which may include, *inter alia*, recommendations regarding FAD deployments and FAD sets, the use of biodegradable materials in new and improved FADs and the gradual phasing out of FAD designs that do not mitigate the entanglement of sharks, sea turtles, and other species.
- ~~13. The scientific staff of the IATTC, in coordination with the SAC, shall also formulate recommendations for regulating the management of the affected stocks for presentation to the Commission in 2021/2014, on the basis of the results of its analyses of the collected FAD information. Such recommendations shall include methods for limiting the capture of small bigeye and yellowfin tuna associated with fishing on FADs.~~
14. In ~~2021~~2014, compliance with the FAD reporting requirements of this Resolution will be ~~comprehensively~~ reviewed by the *Committee for the Review of the Implementation of Measures adopted by the Commission* and presented to the Commission.
15. Data collected pursuant to this resolution shall be treated under the rules established in the IATTC Resolution on Confidentiality.

SECTION 4. FAD IDENTIFICATION

16. No later than 1 January 2017, CPCs shall require the owners and operators of their applicable flagged purse-seine fishing vessels to identify all FADs deployed or modified by such vessels in accordance with **the following** Commission identification scheme:

CPCs shall obtain unique alphanumeric codes from the IATTC staff on a periodic basis and distribute those numbers to the vessels in their fleets for FADs that may be deployed or modified, or in the alternative, if there is already a unique FAD identifier associated with the FAD (e.g., the manufacturer identification code for the attached buoy), the vessel owner or operator may instead use that identifier as the unique code for each FAD that may be deployed or modified.

The alphanumeric code shall be clearly painted in characters at least 5 cm in height. The characters shall be painted on the upper portion of the attached satellite buoy in a location that does not cover the solar cells used to power the equipment. In circumstances where the observer is unable to view the code, the captain or crew shall assist the observer (e.g. by providing the FAD identification code to the observer).

SECTION 3. NON-ENTANGLING FADS

17. To reduce the entanglement of sharks, sea turtles or any other species, as of 1 January 2019 CPCs shall ensure that the design and deployment of FADs are based on the principles set out in Annex V.
18. Annex V is consistent with the 2015 recommendations of the scientific staff of the IATTC. The scientific staff of the IATTC, in coordination with the SAC, shall continue to review research results on the use of non-entangling material and biodegradable material on FADs, and shall provide specific recommendations no later than the 2018 IATTC annual meeting, consistent with Paragraph 5.

SECTION 5. WORKING GROUP ON FADS

19. A Working Group on FADs (Working Group) is established.
20. This Working Group shall be multi-sectorial, involving various stakeholders such as scientists, fishery managers, fishing industry representatives, administrators, representatives of non-governmental organizations, and fishers. Expressions of interest to participate in the Working Group shall be provided to the Director, who shall inform CPCs and the Chair of the FADs Working Group.
21. To the highest degree possible, the Working Group shall conduct its work electronically or, if convenient and cost-effective, in targeted face-to-face meetings that take place in conjunction with other Commission meetings.
22. The Working Group shall report on a regular basis to **the SAC and** the Commission.
23. The Terms of Reference of the Working Group are those indicated in Annex VI.
24. The Working Group shall liaise, as far as possible, with other similar working groups on FAD management established in other tuna regional fisheries management organizations (tuna RFMOs), in particular the Western and Central Pacific Fisheries Commission (WCPFC).
25. During its 2021 meeting(s), the IATTC FAD Working group will evaluate materials and designs to further reduce entanglements in FADs and for biodegradable FADs and make recommendations to revise Annex V.
26. The Scientific Advisory Committee and the Working Group on FADs shall review the **FAD** provisions contained in this Resolution and make recommendations to the Commission, as appropriate. Working Group recommendations shall be made on the basis of consensus among representatives of IATTC Members participating in the Working Group
27. This Resolution replaces Resolution C-18-05 and the MEASURES FOR THE FISHERY ON FISH-AGGREGATING DEVICES in Paragraphs 8 through 15 of Resolution C-17-02; Resolution C-17-02 is amended by deleting Paragraphs 8 through 15. .

Annex I

CPCs shall report, or require their vessels to report, deactivations to the Secretariat using the following data fields ~~of the first communication of the buoy after being remotely activated:~~

- date [YYYY/MM/DD],
- time [hh:mm],
- buoy identifier code,
- latitude [expressed in degrees and minutes in decimal values],
- longitude [expressed in degrees and minutes in decimal values],
- speed [knots], and
- ~~— reason of deactivation: loss, robbery, recovery, other (specify).~~

The reports shall be submitted at monthly intervals ~~with a time delay of at least 60 days,~~ but no longer than 90 days after the deactivation.

Annex II

CPCs shall report, or require their vessels to report, remote activations to the Secretariat using the following data fields of the last communication of the buoy before being deactivated:

- date [YYYY/MM/DD],
- time [hh:mm],
- buoy identifier code,
- latitude [expressed in degrees and minutes in decimal values],
- longitude [expressed in degrees and minutes in decimal values],
- speed [knots], and
- reason of remote activation: recovery of a loss buoy, other (specify).

The reports shall be submitted at monthly intervals ~~with a time delay of at least 60 days,~~ but no longer than 90 days after the remote activation.

Annex III

CPCs are required to ensure their vessel owners and operators ~~of purse seiners without an observer aboard~~ record and report to the appropriate national authorities any interaction with FADs, using the standard format developed by the Commission staff.

For each interaction with a FAD, the following information shall be recorded:

- i. Position; ii. Date; iii. Hour;
- iv. FAD identification⁺;
- v. FAD type (*e.g.*, drifting natural FAD, drifting artificial FAD);
- vi. FAD design characteristics (dimension and material of the floating part and of the underwater hanging structure);
- vii. Type of the activity (set, deployment, hauling, retrieving, loss, intervention on electronic equipment, other (specify));
- viii. If the activity is a set, the results of the set in terms of catch and bycatch; and
- ix. Characteristics of any attached buoy or positioning equipment (positioning system, whether equipped with sonar, *etc.*).

Annex IV

CPCs shall provide, or require their vessels to provide, to the IATTC staff buoy data corresponding to, (a) at a minimum resolution of one position per day, and (b) for any “search window”, when the vessel is communicating more frequently than usual with the buoy in order to locate it.

Data should be received in csv files named “X-YYYY-MM-ZZZZZZZ.csv” where X is the code of the buoy manufacturer (first letter of the brand), YYYY is the year, MM the month, and ZZZZZZZ the purse-seine vessel’s IMO number. Each file should contain the daily records of all the buoys managed by each individual vessel in month MM of year YYYY. The information included in these csv files should be:

- date [YYYY/MM/DD],
- time [hh:mm],
- buoy identifier code,
- latitude [expressed in degrees and minutes in decimal values],
- longitude [expressed in degrees and minutes in decimal values], and
- speed [knots]

The reports shall be submitted at monthly intervals, but no longer than 90 days after the communication with the buoys.

Annex V Principles for design and deployment of FADs

1. [The floating or raft part (flat or rolled structure) of the FAD can be covered or not. If it is covered with mesh net, it must have a stretched mesh size less than 7 cm and the mesh net must be well wrapped around the whole raft so that there is no loose netting hanging below the FAD when it is deployed.
2. The design of the underwater or hanging part (tail) of the FAD should avoid the use of mesh net. If mesh net is used, it must be tied as tightly as practicable in the form of sausages or have a stretched mesh size less than 7 cm in a panel with weight at the end.
3. CPCs are encouraged to continue trials on FAD designs that avoid the entanglement of marine species, such as research on surface and/or subsurface materials to be comprised of non-mesh materials, or materials with lesser risk of entanglements, such as tightly bound “sausages”, ropes or canvas sheets.
4. Any trial results by CPCs should be submitted and reviewed by the FAD Working Group in 2021 so that recommended changes in materials can be considered for adoption by the Commission at the 2021 annual meeting.]
5. To reduce the amount of synthetic marine debris, the use of natural or biodegradable materials (such as hessian canvas, hemp ropes, etc.) for drifting FADs should be promoted.

Annex VI

The objectives of the Working Group are the following:

1. Collect and compile information on FADs in the EPO, including but not limited to data collected by the IATTC and reports prepared by the scientific staff of the IATTC;
2. Review the FAD data collection requirements established in this Resolution to assess the need for revision;

3. Develop data reporting formats and definitions of terms related to FAD fishing (e.g. biodegradable FADs, non-entangling FADs, etc.), to implement obligations under this Resolution, in cooperation with the scientific staff, to be submitted to the Commission for consideration;
4. Compile information regarding developments on FADs in other tuna RFMOs;
5. Compile information regarding developments on the latest scientific information on FADs, including information on non-entangling FADs, and identify priority areas for research;
6. Prepare annual reports for the SAC, including specific recommendations, as appropriate; and
7. Identify and review possible FAD management measures, in coordination with the scientific staff and the SAC, and make recommendations to the Commission, as appropriate.

The rules of procedure of the Working Group are the following:

8. Formal recommendations of the Working Group shall be developed only during face-to-face meetings of the Working Group and shall be adopted by the consensus of the Members of the Commission present at the Working Group meeting.
9. The formal recommendations adopted by the Working Group shall be presented to the SAC for analysis and possible inclusion in its recommendations to the Commission.
10. The reports adopted by the Working Group shall form part of the appendices to the minutes of the SAC meeting.
11. The Working Group shall work by electronic means. It shall meet face-to-face at least once per year, preferably at the occasion of the SAC/Commission (to be decided) meeting.
12. The Working Group may convene additional meetings at the request of at least two (2) Members of the Commission, provided that a majority of the Members of the Commission support the request.
13. [The Working Group shall elect individuals to serve as Chair and Vice-Chair at the end of its first meeting each year. The Chair and Vice-Chair shall remain in office through the end of the first meeting the following year.]

[The Working Group shall elect individuals to serve as Chair and Vice-Chair at the end of its first face-to-face meeting in 2020. The Chair and Vice-Chair shall remain in office for a period of **two** ~~one~~ years. The Chair and Vice-Chair may be re-elected unless they are no longer able to carry out their respective functions or their successors are elected.]

14. If the Chair is unable to serve as Chair at any time, the Vice-Chair shall serve as Chair until such time as the Chair is able to resume carrying out its functions or a new Chair is elected. If both the Vice-Chair and Chair are unable to serve as Chair during the intersessional period, a new Chair shall be elected by Members of the Commission following the process for intersessional decision-making specified in the IATTC Rules of Procedure, and shall serve until the end of the next meeting of the Working Group.
15. The Chair, in consultation with the participants of the Working Group, shall draw up an agenda for meetings and shall circulate it to the Members. The agenda should normally be circulated at least thirty (30) days in advance of the date fixed for the meeting.
16. In support of the work of the Working Group, the staff of the Commission shall:
 - (a) compile and present the information identified by the Working Group as necessary to carry out its functions;
 - (b) provide the statistical analyses the Working Group deems necessary to carrying out its functions;
 - (c) prepare the reports of the Working Group; and

(d) distribute to the members of the Working Group any relevant information for the achievement of its objectives.