INTER-AMERICAN TROPICAL TUNA COMMISSION

104TH MEETING

Lisbon, Portugal

31 August-4 September 2026

PROPOSAL IATTC-104 O-1 (REV)

SUBMITTED BY THE REPUBLIC OF KOREA

RESOLUTION C-26-XX
ON THE PROTECTION OF CETACEANS

EXPLANATORY MEMORANDUM

Cetaceans (whales, dolphins and porpoises) are known to play a vital role in maintaining healthy marine ecosystems but a number of species are threatened or endangered according to the International Union for Conservation of Nature (IUCN) and there is evidence that purse seine and longline fishing gears interact with cetaceans, which may lead to injury or mortality of these animals.

This proposal seeks to ensure that there is a consistent and harmonized conservation and management measure for cetaceans across the Pacific Oceans, noting that Western and Central Pacific Fisheries Commission (WCPFC) adopted at its 21st Regular Session of the Commission in 2024 a CMM for the protection of cetaceans which applies to not only purse seine vessels but also longline vessels.

While IATTC Resolution C-04-05 (Consolidated Resolution on Bycatch) requires purse seine vessels to release all non-target species in general, a stand-alone Resolution focused on the protection of cetaceans which encompasses longline fisheries as well would be necessary to effectively protect cetaceans in IATTC fisheries.

This proposal does not intend to affect or alter the existing and future rights and obligations under the AIDCP, and intends to exclude the dolphins *(Delphinidae)* from the scope of application. -

The Inter-American Tropical Tuna Commission (IATTC), gathered in Lisbon, Portugal on its 104th Meeting:

Recognizing the ecological and cultural significance of cetaceans in the Pacific Ocean;

Further recognizing that some cetacean species and populations in the Pacific Ocean are threatened or critically endangered;

Considering the adverse effects of fishing for tuna and tuna-like species on some populations of cetaceans in the Eastern Pacific Ocean (EPO) through capture, injury and mortality;

Mindful that cetaceans are particularly vulnerable to being encircled by purse seine nets, due to the propensity of tuna to form schools around them, or for toothed cetaceans to be attracted to the same prey as tuna;

Aware that longline fishing grounds overlap with the distributions of certain cetacean species and that cetacean interactions with longline fisheries are known to occur in the Convention Area;

Noting that the Western and Central Pacific Fisheries Commission (WCPFC), at its 21st Regular

Session of the Commission in 2024, adopted Conservation and Management Measure (CMM) 2024-07 for protection of cetaceans from purse seine and longline fishing operations;

Mindful that IATTC and WCPFC should endeavor to adopt, to the extent practicable, consistent and harmonized conservation and management measures across the Pacific Ocean;

Conscious that the Agreement of the International Dolphin Conservation Program (AIDCP) aims to progressively reduce incidental dolphin mortalities in the purse-seine fishery to levels approaching zero and that the Agreement, its annexes and the measures adopted by its Parties set forth strict equipment and operational requirements;

Mindful that (i) this Resolution is not intended to affect or alter the existing and future rights and obligations under the AIDCP;~~,~~ and (ii) that dolphins *(Delphinidae)* covered by the AIDCP, as well as setting on tuna associated with such dolphins under the AIDCP, are therefore excluded from the scope of application of this Resolution;

Recalling that the Scientific Advisory Committee (SAC) and the Working Group on Ecosystem and Bycatch (WGEB) have underscored the importance of improved understanding of incidental interactions with cetaceans in the Convention area and have recommended to develop Best Handling and Release Practices guideline

Recognizing that Article VII, paragraph 1 (f) of the Antigua Convention requires the Commission to "adopt, as necessary, conservation and management measures and recommendations for species belonging to the same ecosystem and that are affected by fishing for, or dependent on or associated with, the fish stocks covered by this Convention, with a view to maintaining or restoring populations of such species above levels at which their reproduction may become seriously threatened";

Recalling Article VII, paragraph 1 (g), of the Antigua Convention to "adopt appropriate measures to avoid, reduce and minimize waste, discards, catch by lost or discarded gear, catch of non-target species (both fish and non-fish species) and impacts on associated or dependent species, in particular endangered species;"

Agrees as follows:

1. CPCs shall prohibit their flagged purse seine vessels from setting a purse seine net on a school of tuna associated with a cetacean in the Convention Area, if the animal is sighted prior to commencement of the set.
2. CPCs shall require that, in the event that a cetacean is unintentionally encircled in the purse seine net, the master of the vessel shall:
   (a) ensure that all reasonable steps are taken to ensure its safe release (see Appendix 1 and Annex I). This shall include stopping the net roll and not recommencing fishing operation until the animal has been released and is no longer at risk of recapture; and
   (b) through the logbook or any other means such as on-board observers, report the incident to the relevant authority of the flag CPC to the extent possible, including details of the species (if known) and number of individuals, location and date of such encirclement, steps taken to ensure safe release, and an assessment of the life status of the animal on release (including, if possible, whether the animal was released alive but subsequently died).
3. CPCs shall prohibit all longline and purse seine vessels flying their flag, including vessels fishing under charter arrangements, from, transshipping, landing, and, to the extent possible, retaining onboard, any cetacean, in whole or any part thereof, in the Convention Area.

4. CPCs shall require all longline vessels flying their flag, including those fishing under charter arrangements, to release, taking into account the safety of the crew, any cetacean that is caught or entangled by its fishing gear in the Convention Area as soon as possible and in a manner that results in as little harm to the cetacean as possible and utilizing the Best Practices for the Safe Handling and Release of Cetaceans set out in the Appendix 1 and Annex II, if possible.
5. In taking steps to ensure the safe release of the cetacean as required under paragraphs 2(a) and 4, CPCs shall require the master of the vessel to follow any guidelines adopted by the Commission for the purpose of this measure.
6. In applying steps under paragraphs 2(a), 4 and 5, the safety of the crew shall remain paramount.
7. CPCs shall provide their purse seine and longline operators with information on the Best Practices for the Safe Handling and Release of Cetaceans outlined in Annex I and II.
8. The Secretariat shall report annually on the implementation of this Resolution, on the basis of observer reports and any other reports and provide updates on the guidelines included in Appendix 1, Annex I and Annex II, as appropriate, within the framework of the best handling and release practice workplan of the Staff (EB-02-03) and the Strategic Science Plan (SSP, IATTC-103-03a).
9. This Resolution is without prejudice to the existing provisions and any future provisions adopted under the AIDCP. In the event of any conflict between this Resolution and any existing or future AIDCP provisions, the AIDCP provisions shall prevail.
10. This Resolution shall enter into force on [July 1, 2027] and be reviewed at the Commission meeting in [2029].

Appendix 1

BEST PRACTICE GUIDELINES FOR SAFE HANDLING AND RELEASE OF CETACEANS

The following are guidelines for best handling practices of marine mammals, specifically cetaceans, for purse seine and longline vessels fishing for tuna and tuna-like species in the Pacific Ocean:

GENERAL PROVISIONS:

Safety First: These guidelines should be considered in light of safety and practicability for crew. Crew safety should always come first. Cetaceans can be very powerful and hooked or entangled cetaceans can be unpredictable, therefore it is not safe to enter the water in order to release an animal.

Suggested Equipment: Vessels should have equipment on board to facilitate the release of cetaceans. For purse seine vessels, suggested equipment includes: canvas or net slings or stretchers for carrying or lifting, large mesh net or grid to cover hatches/hoppers, and tools for cutting/removing net. For longline vessels, suggested equipment includes long handled cutters and de-hookers. Long handled cutters should be safety cutters or have a safety blade to avoid injuring the animal.

Training: Crew should be provided with training on best practices for the safe handling and release of cetaceans, including the use of appropriate equipment carried on board for such purposes.

Notifications: Once a cetacean is observed inside a purse seine net or hooked or entangled on longline gear, immediately notify the captain or fishing master and ensure the crew knows what to do.

General Guidelines: For all gear types, keep animals in the water whenever possible. Removing a cetacean from the water is extremely stressful for the animal and can cause injury, so they should be released while in the water, wherever possible. However, cetaceans can be very powerful and hooked or entangled cetaceans can be unpredictable, therefore it is not safe to enter the water in order to release an animal. If it is necessary to land small cetaceans on deck in purse seine fisheries, always minimize time on deck and release cetaceans back to the water as soon as possible. When handling cetaceans, it is always best to handle with two or more people.

Annex I

GUIDELINES FOR THE SAFE HANDLING AND RELEASE OF CETACEANS PURSE SEINE GEAR

FOR LARGE CETACEANS **(***baleen whales and sperm whales*) :

1. Large cetaceans should remain in the water
2. Do not attempt to release large cetaceans by having crew in the water, to the extent possible
3. Release the animal as quickly as possible, without jeopardizing the safety of the crew

FOR SMALL CETACEANS **(***all toothed whales other than sperm whales*):

Do's:

If in purse seine net:

1. Facilitate release of cetaceans while they are still free-swimming using whatever means that are safe and practical (e.g. back down procedure[1], 'dolphin gate'[2]cutting net, etc.)

If in brail or on deck:

1. Cetaceans that cannot be released in the water without compromising the safety of the crew or the cetacean itself should be returned to the water as soon as possible, either utilizing a ramp from the deck connecting to an opening on the side of the vessel, or through escape hatches. If ramps or escape hatches are not available, cetaceans should be lowered with a sling or cargo net, using a crane or similar equipment, if available.
2. If entangled in netting, carefully cut the net away from the animal and release it to sea as quickly as possible with minimal or no netting attached to the animal.
3. If on deck, keep the animal in an upright position, with dorsal side up.
4. Be cautious of the tail, which is powerful and can cause injury. Lift from the mid-section of the cetacean when possible, and never from the tail.
5. Cease hauling until cetacean is released, release cetacean as soon as possible.
6. Release cetaceans away from fishing operations, when main engines are in neutral to minimize the risk of further entanglement. Maintain observation of released animals until they have disappeared from sight or are sufficiently distant from the vessel to ensure no further interaction before resuming fishing operations.

Don'ts:

1. Do not handle the animal in any way that could cause harm, including
    a. Do not cut or punch holes through the animal's body
    b. Do not use gaffs or sharp objects to grab, move, or hold the animal

[1] Backdown Procedure: The vessel goes astern, so the corkline becomes elliptical and the most forward end is pulled below the surface, thus facilitating escape.
[2] Dolphin gate: A prefabricated quick release rope detaches the corkline from the seine net, which sinks and creates an opening for escape

c. Do not leave the animal exposed to sunlight for extended periods on deck

d. Cetaceans breathe through their blowhole. Do not drag or pull the cetacean underwater in a manner that prevents it from surfacing to breathe. Do not cover or block the blowhole, or spray water in or near it, or allow water or other material to flow into the blowhole.

e. Do not push, pull, bend, or lift by tail, flippers, fins, flukes or beaks

f. Do not rest the cetacean on sharp or rough surfaces.

Annex II

GUIDELINES FOR THE SAFE HANDLING AND RELEASE OF CETACEANS LONGLINE GEAR

FOR LARGE CETACEANS (*baleen whales and sperm whales*)**:**

1. Large cetaceans should remain in the water
2. Do not attempt to release large cetaceans by having crew in the water, to the extent possible
3. Maneuver vessel to minimize tension on the fishing gear, to the extent possible
4. Release the animal as quickly as possible, without jeopardizing the safety of the crew

FOR SMALL CETACEANS (*all toothed whales other than sperm whales*)**:**

Do's:

1. Determine if the animal is hooked or entangled and prepare to remove the line.
    a. If entangled: To the extent possible, maneuver the vessel in a way that will reduce tension on the line. Use a long-handled line cutter to cut as much line off of or as close to the animal as you can.
    b. If hooked:
        i. Determine whether the hook is ingested or not. If the hook appears to be ingested, to the extent possible, maneuver vessel in a way that will reduce tension on the line. Use a long-handled line cutter to cut the line as close to the hook as possible, removing as much gear as possible
        ii. If the hook is not ingested:
            1. If using "weak"[3] circle hooks:
                a. To the extent possible, maintain tension on the line, giving the hook a chance to straighten and release the animal without the hook or trailing line attached.
                b. If the hook does not straighten, use a de-hooker to remove the hook and trailing line.
                c. If the hook is not straightened or removed, use a long-handled line cutter to cut the line as close as you can to the hook, removing as much gear as possible.
            2. If not using weak circle hooks: Avoid pulling sharply on the branchline. To the extent possible, maneuver vessel in a way that will reduce tension on the line. Use a long-handled line cutter to cut the line as close to the hook as possible, removing as much gear as possible.

Don'ts:

1. Do not handle the animal in any way that could cause harm

[3] Circle hooks with a wire diameter of 4.5 mm or less with an offset not to exceed 10 degrees.

a. Do not use gaffs or sharp objects to grab, move, or hold an animal

b. Do not cover or block the blowhole, or spray water in or near it, to allow uninterrupted breathing

c. Do not push, pull or lift by tail, flippers, fins, flukes or beaks

d. Do not drag or pull the cetacean underwater in a manner that prevents it from surfacing to breathe.

References:

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