

**INTER-AMERICAN TROPICAL TUNA COMMISSION**

**92<sup>ND</sup> MEETING**

Mexico City, Mexico

24-28 July 2017

**PROPOSAL IATTC-92 A-2**

**SUBMITTED BY MEXICO**

**AMENDMENT OF RESOLUTION C-16-01 ON THE MANAGEMENT  
PLAN FOR REGULATING FISHING EFFORT ON FISH-  
AGGREGATING DEVICES IN THE PURSE-SEINE FISHERY OF THE  
EASTERN PACIFIC OCEAN**

*The Inter-American Tropical Tuna Commission (IATTC), gathered in Mexico City, Mexico, on the occasion of its 92nd meeting:*

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

*Taking into account 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 known and considered by the Members of the Commission;*

*Recognising that the Commission must receive the best scientific advice available regarding mitigation of any negative effects of fishing gear in the marine environment;*

*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 in the EPO;*

*Considering therefore that, to provide with accuracy the best scientific advice necessary to manage the tuna fisheries in the EPO effectively, it is essential that the IATTC scientific staff have access to, and analyze, the relevant data on each fishery and gear used;*

*Being fully aware that tunas aggregate naturally with floating objects adrift at sea;*

*Recognising that bigeye tuna in the EPO is caught on FADs and in unassociated schools (Document SAC-03-03); and that according to IATTC estimates, its exploitation rate has increased in recent years (Document SAC-03-07);*

*Aware that observers currently collect data on the FAD fishery in the EPO that are examined by the IATTC staff (Document SAC-02-13) and that the Commission according to IATTC estimates has already adopted measures so that further research of those fishing gears is generated (Document SAC-03-06) and that it is therefore necessary to know the current existing abundance in the EPO and the effects that FADs have on the spawning biomass of bigeye tuna in the EPO;*

*In the same way as the industries that operate on FADs agree that it is necessary to establish and improve measures for ensuring that the effects of the use of FADs on highly-migratory fish stocks together with non-target, associated, and dependent species are fully understood*

*Noting that the Scientific Advisory Committee (SAC) has recommended that the Commission should, as has already occurred in other RFMOs, 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 non-target species;*

*Concerned* about the potential effects that purse-seine operations can have on the status of whale sharks when deliberately or accidentally set upon;

*Reaffirming* its commitment to the application of the precautionary approach, which establishes that lack of scientific information should not be used as a reason for not taking management measures for fisheries resources in the EPO;

*Recognising* that FADs have a greater negative effect in comparison with other types of set in the purse-seine fishery on stocks of juveniles and as a consequence of the bycatches in the pelagic ecosystem in the EPO, and that those effects should be mitigated;

*Taking into consideration* that the Code of Conduct for Responsible Fisheries establishes that the performance of all existing fishing gear, methods and practices should be examined and measures taken to ensure that fishing gear, methods and practices which are not consistent with responsible fishing are phased out and replaced with more acceptable alternatives;

*Recalling* the definition of fishing contemplated in article I, part I (General provisions, definitions), paragraph 2 of the “Antigua Convention”, which indicates that fishing means “*placing, searching for or recovering any fish-aggregating device or associated equipment, including radio beacons*”;

*Bearing in mind* that regulating fishing effort is one of the most efficient methods for maintaining tuna stocks at sustainable levels;

*Taking into account* Resolution C-04-05 on bycatch, especially the parts referring to catches of juvenile tunas and bycatches of non-target species, which require sea turtles to be promptly released unharmed to the extent practicable;

*Reiterating* the need to reduce the bycatches of juvenile bigeye and yellowfin tunas in the purse-seine fishery in the EPO;

*Concerned* about the difficulties that have existed for quantifying purse-seine fishing effort on FADs;

*Noting* that the substantial increase in the number of purse-seine sets made on FADs since the year 1993 has increased the catch of juvenile tunas and the fishing mortality in general for the EPO, and that currently the impact of this fishing method is much greater than that of the longline fishery for bigeye tuna (Document SAC-02-07);

*Recognising* that the IATTC scientific staff, in its Document IATTC-92-04d, recommends that CPCs should provide the data on FADs from each trip as soon as they are available;

*Aware* of the need to address, as a matter of priority, the elimination and/or reduction to the lowest possible level of illegal, unreported, and unregulated (IUU) fishing; and

*Attentive* therefore to the provisions of IATTC Resolution C-99-07 on measures related to the regulation of FADs.

*Agrees:*

1. For the purposes of this Resolution, the term “Fish-Aggregating Device” (FAD) means anchored, drifting, floating or submerged objects deployed at sea for the purpose of aggregating target tuna species for purse-seine fishing operations, and that are tracked by vessels, including through the use of radio and/or satellite buoys.

#### **SECTION 1. FAD DATA COLLECTION**

2. Beginning 1 January 2017, CPCs shall require the owners and operators of all purse-seine vessels flying their flag, when fishing on FADs in the IATTC Convention Area, to collect and report the information contained in Annex I. The data may be collected through a dedicated logbook, modifications to regional logsheets, or other domestic reporting procedures.
3. CPCs shall provide the data collected for the previous calendar year, pursuant to Paragraph 2, which are available at the time of submission, to the Director. CPCs shall submit the data to the Director no later than 60 days prior to each regular meeting of the SAC.

4. No later than the IATTC annual meeting in 2018, 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 Paragraph 2, 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. The analyses shall also incorporate information from data on FADs collected by observers through the *Flotsam Information Record*.
5. In addition, no later than the IATTC annual meeting in 2018, 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.
6. 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, 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.
7. In 2018, 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.
8. Data collected pursuant to this resolution shall be treated under the rules established in the IATTC Resolution on Confidentiality.

#### **SECTION 2. FAD IDENTIFICATION**

9. 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 a Commission identification scheme detailed in footnote 1 of Annex 1.

#### **SECTION 3. NON-ENTANGLING FADS**

10. To reduce the entanglement of sharks, sea turtles or any other species, the design and deployment of FADs should be based on the principles set out in Annex II.
11. Annex II 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 4. WHALE SHARKS**

12. CPCs shall prohibit their flag vessels from setting a purse-seine net on a school of tuna associated with a live whale shark, if the animal is sighted prior to the commencement of the set.
13. CPCs shall require that, in the event that a whale shark is not deliberately 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; and
  - b. report the incident to the relevant authority of the flag CPC, including the number of individuals, details of how and why the encirclement happened, where it occurred, steps taken to ensure safe release, and an assessment of the life status of the whale shark on release (including whether the animal was released alive but subsequently died).

#### **SECTION 5. AD HOC PERMANENT WORKING GROUP ON FADS**

14. An *ad hoc* Permanent Working Group on FADs (Working Group) is established.

15. 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.
16. 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.
17. The Working Group shall report on a regular basis to the Commission and present an initial report of its findings at the 2017 meeting of the SAC.
18. The Terms of Reference of the Working Group are those indicated in Annex III.
19. 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).
20. The IATTC, at its 2017 annual meeting, will review the progress and outcomes of the Working Group and will decide on the necessity for its continuation.

#### **SECTION 6. MANAGEMENT PLAN ON FADS**

21. One month before the applicable closure period no longer deploy FADs and recover 30% of FADs before the start of the closure. The Director is requested to report at the next annual meeting of the IATTC on the status of this effort. The information collected shall be maintained by the IATTC staff.
22. An annual limit on FAD deployments is established and CPCs shall ensure that none of their purse-seine vessels of IATTC classes 1 to 6 deploy more than XX FADs per cubic meter, considering their capacity. To monitor compliance with the deployment limit for FADs by each one of its vessels, the CPC shall use the FAD data collection form established in this resolution, and the information provided by the observer aboard IATTC class-6 vessels, as well as a program for reviewing logbooks for vessels without observers aboard of classes 1 to 5. The Commission, in conjunction with the Scientific Advisory Committee, shall review the progress and results of the implementation of this measure and may adjust the established limit. In their work, these bodies may consider the recommendations that may emerge from *Ad Hoc* Working Group on FADs.
23. This Resolution replaces Resolution C-16-01.