INTER-AMERICAN TROPICAL TUNA COMMISSION

PERMANENT WORKING GROUP ON FLEET CAPACITY

MINUTES OF THE 3RD MEETING

(revised 27 March and 29 June 2000)

San Jose, Costa Rica January 26-28, 2000

AGENDA

- 1. Opening of the meeting
- 2. Adoption of the agenda
- 3. Review of the background document on fleet capacity prepared for the 65th Meeting of the IATTC, October 1999
- 4. Report on the FAO Technical Consultation on the Measurement of Fishing Capacity
- 5. Review of the IATTC Resolution on fleet capacity for 1999
- 6. Consideration of capacity limitations for 2000 and beyond
- 7. Other business
- 8. Place and date of next meeting
- 9. Adjournment

DOCUMENTS

- 1. Considerations regarding limitations on the growth in carrying capacity of the tuna purse-seine fleet fishing in the eastern Pacific Ocean; Background document prepared for the 65th Meeting of the IATTC, October 1999
- 2. List of purse-seine vessels authorized to fish for tunas in the eastern Pacific Ocean, 20 January 2000
- 3. Report on the FAO Technical Consultation on the Measurement of Fishing Capacity, Mexico City, November 29 December 3 1999

APPENDICES

- 1. List of attendees
- 2. Statement by the Colombian delegation
- 3. Request by the delegation of El Salvador
- 4. Current and proposed capacity of the purse-seine tuna fleet in the EPO, and estimated duration of unrestricted fishing for yellowfin tuna
- 5. Recommendation to the Parties regarding fleet capacity

The 3rd Meeting of the Permanent Working Group on Fleet Capacity was held in San José, Costa Rica, on January 26-28, 2000. It was attended by representatives of the governments of Colombia, Costa Rica, Ecuador, El Salvador, European Community, France, Guatemala, Japan, Mexico, Nicaragua, Panama, Peru, Spain, United States of America, Vanuatu, and Venezuela, and of the following non-governmental organizations: Center for Marine Conservation, Whale and Dolphin Conservation Society, World Wildlife Fund, and the Humane Society of the United States. The attendees are listed in Appendix 1.

1. Opening of the meeting

The head of the delegation of Costa Rica welcomed the participants to his country, and expressed his wish that the meeting would be positive and productive. In the absence of the Chairman of the Working Group, Ambassador Jean-François Pulvenis of Venezuela, Ing. Arnulfo Franco, of Panama, was elected to chair the meeting.

2. Adoption of the agenda

The provisional agenda was approved without modifications.

Mexico requested that any agreement reached at this meeting be submitted to the Parties immediately for approval, and without waiting for consultations with any governments which did not attend.

3. Review of the background document on fleet capacity prepared for the 65th Meeting of the IATTC, October 1999

Dr. Robin Allen, Director of the IATTC, reviewed the recent history of the tuna fleet in the eastern Pacific Ocean (EPO), noting that, because of the growth in the capacity of the fleet, catch restrictions had been necessary in 1998, for the first time in many years. Similar restrictions imposed in 1999 had come into effect at an earlier date. In general, the greater the fleet capacity, the more stringent the conservation and management measures would be.

Dr. Allen noted that there is little guidance in international law on restricting capacity, and virtually no experience in international fisheries organizations on how to address the problem. There were also various ways of measuring fleet capacity, but the current IATTC definition was based on the volume of each vessel's fish-carrying wells, measured in cubic meters. This had the advantage of being a single, invariable, easily defined and measured value that could be used as an objective basis for any calculations of fleet capacity. However, in the past, capacity had been expressed in tons of carrying capacity, and it was agreed that this measure would also be used in the discussions in the present meeting in order to simplify comparisons with past analyses and decisions.

The background document prepared for the IATTC meeting in October 1999 (Document 1) lists, for states bordering the EPO or with fleets fishing for tunas in the area, a number of criteria which might be useful in determining any allocation of capacity limits among fleets. These criteria are: (1) surface catches and landings of tunas, by species, during 1985-1998; (2) tuna processing capacity; (3) number and capacity of historic and current surface tuna fleets; (4) catches in the Exclusive Economic Zones (EEZs) of coastal states of the EPO; and (5) population, *per capita* gross domestic product (GDP), and growth rates. Regarding (4), Nicaragua had expressed a reservation at the meeting in October, due to some unresolved questions regarding the definition of Nicaragua's EEZ.

A list of tuna purse-seine vessels active in the EPO was distributed (Document 2), and Dr. Allen explained that it had been compiled from the IATTC database and from information supplied by governments. He noted that IATTC records, which were based on records of landings of fish, were complete and accurate for large vessels, but might not include some smaller vessels. One problem was keeping track of flag changes: it was the responsibility of governments to inform the IATTC of any such changes, but this information was not always provided.

4. Report on the FAO Technical Consultation on the Measurement of Fishing Capacity

Dr. Allen reported that Dr. James Joseph had attended the FAO technical consultation on behalf of the IATTC, and summarized Dr. Joseph's report (Document 3).

Dr. Jerónimo Ramos, Chair of the FAO consultation, noted that several papers on tuna and fishing capacity in the EPO had been presented at that meeting. He explained that the consultation was a first step toward the preparation of technical guidelines for data collection and analysis, intended to provide specific guidance for preliminary assessments of fishing capacity and excess fishing capacity at national, regional and global levels. The objective was to implement the FAO International Plan of Action on Fishing Capacity fully by 2005

The European Community said that IATTC work should be in parallel with the FAO Plan of Action and that a holistic approach was required, including catches of the longline fishery. He added that a clear definition of capacity was an essential prerequisite for the discussion, and supported the proposal that well volume in cubic meters be used as a basis. Dr. Allen noted that governments would have to provide the well volume for those large vessels for which the IATTC lacked this information, and also for small vessels. He also explained that this definition of capacity was based on vessel carrying capacity, an input measure, whereas the FAO definition of fishing capacity was based on catch, an output measure. Changing to a definition based on output measures, if requested, would be difficult, and some less developed countries might not be able to provide the information required.

5. Review of the IATTC Resolution on fleet capacity for 1999

Dr. Allen briefly reviewed the IATTC resolution on fleet capacity for 1999, adopted at the 62nd Meeting in October 1998. Several delegations stated that in some cases the capacity limits for 1999 had not been respected. Dr. Allen commented that these issues would be dealt with by the IATTC permanent working group on compliance, and several delegations proposed that in future years that working group should meet at the beginning of the year in order to deal with these matters in a more timely manner.

6. Consideration of capacity limitations for 2000 and beyond

In response to questions about an appropriate target capacity for the EPO, Dr. Allen said that under existing conditions a capacity of 135,000 metric tons (mt) was consistent with the productive capacity of the yellowfin stock. If the purse-seine fleet were limited to that capacity there should be no need for any other conservation measures, such as area closures and catch limits. He also suggested that the working group might recommend a plan of action to the Parties in accordance with the guidelines of the FAO International Plan of Action. This suggestion was supported by several delegations.

After some general discussion of the issue, the meeting asked the staff to present some statistics on the fleet and some figures as a starting point for detailed discussions. The staff drafted a text incorporating many of the ideas and concerns expressed by the delegations, and various alternative approaches to the question of allocating an overall limit among the participants in the fishery. Dr. Allen illustrated some of these alternatives with example numbers showing how such schemes might translate into national or regional capacity allocations.

The Chairman asked each delegation to make an initial presentation of its plans for fleet capacity for the year 2000.

Colombia expressed its support for maintaining the sustainability of the resource, stating that last year it approved a closure in its EEZ for such a purpose, and the measures taken by Colombia should be recognized. Colombia was concerned about both the growth and allowing mobility of the fleet, since the tuna industry is of great importance to the nation. It emphasized its rights as a coastal state and its common right to fish on the high seas, and stated that the national tuna industry required 5,400 mt of capacity in

addition to the 6,608 mt assigned in the October 1998 resolution. Colombia asked that a statement reflecting its position be included in the minutes (Appendix 2)

Costa Rica reiterated its opinion, expressed in previous meetings, that fisheries have to be managed to be sustainable, and that it is clear that the fleet cannot be allowed to grow unchecked. Costa Rica was also very concerned about the question of discards of juvenile tunas, particularly in the fishery on fish-aggregating devices (FADs), since they represented a loss of substantial potential catches, and had imposed a ban on this form of fishing within its EEZ in an attempt to combat the problem. Costa Rica stressed the right of coastal states to fish the resources in their EEZs, and could not agree to a proposal which would diminish that right. For the present Costa Rica was willing to continue with the capacity of 6,000 mt assigned to it in the October 1998 resolution, but would request an additional 8,030 mt in the future. Costa Rica suggested that, in order to clarify the requests of coastal states and simplify the allocation of capacity limits, the IATTC staff devise a quantifiable system for assigning carrying capacity based on a mathematical formula.

El Salvador supported Costa Rica's comments. Citing its rights as a coastal state, and its recent investments in port and processing facilities, El Salvador requested 3,300 mt in addition to the 1,700 mt assigned in the October 1998 resolution. El Salvador noted that for 2000 it needed an additional 1,700 mt to accommodate its existing port facilities, and would like to have the delegations signal their support for this request. The remaining 1,600 mt from the overall request of 3,300 mt could wait until 2001 (Appendix 3). Colombia, the European Community, Guatemala, Nicaragua, Peru, Vanuatu, and Venezuela supported El Salvador's request.

The European Community stated that a solution could be reached only through cooperation among the countries involved, and that it was important that the process established by this meeting should follow the principles of the FAO Plan of Action. He noted that non-coastal states had the right to fish on the high seas, and that their participation in the fishery was not limited to fishing but often contributed to the economies of coastal states.

The European Community also stated that it was under strong pressure to increase its presence in the fishery in the EPO, but did not consider it appropriate to increase the number of vessels in its fleet at this time. However, it was requesting the replacement of one of the five vessels which made up the Spanish capacity allocation of 7,885 mt* in the October 1998 resolution by a new vessel, whose carrying capacity was 795 m³ greater than that of the vessel it was replacing.

Guatemala requested the 6,000 mt of carrying capacity expressly provided for in the October 1998 resolution.

Japan noted the importance of the issue of capacity reduction and of the related question of vessels operating under flags of convenience, and stated that Japan had reduced the capacity of its longline fleet by 20%. Japan was open to addressing the capacity of all fleets, but considered that the present working group might not be the appropriate framework for this.

Mexico supported drafting a plan of action, and suggested that it should include all fisheries, not just the purse-seine fishery, and consider various alternative approaches for measuring and managing capacity, including the concept of fishing capacity as defined by the FAO Technical Consultation. Mexico also proposed that any recommendations made by this working group should cover not only the current year, but should also include measures for future years. Mexico was committed to controlling the growth of its fleet, and would abide by the capacity limit of 49,500 mt assigned in the October 1998 resolution, as long as other countries also committed to abiding by the limits in that resolution. However, reductions would cause difficulties, given the size and importance of the national tuna industry.

^{*} Subsequently revised to 8,916 mt as a result of a re-evaluation of the size of the five vessels

Nicaragua reiterated its request for 2,500 mt in addition to the 2,000 mt assigned in the October 1998 resolution, submitted previously in writing to the Director, and cited its right as a coastal state to develop its tuna industry, and also reiterated the reservation concerning the maritime limits of his country.

Panama explained that it had four vessels authorized to fish and others known to be fishing without licenses; legalizing the operations of these latter vessels was preferable to revoking their registration, since their activities could then be regulated. Panama was therefore requesting an increase of 2,500 mt in addition to the 3,500 mt allocated by the October 1998 resolution, in order to regulate the situation of these vessels; if this was granted, it would not ask to increase its fleet beyond 6,000 mt, except for changes of flag by vessels already operating in the EPO fleet. However, Panama noted its rights as a coastal state and its right to develop its industry.

Peru, also a coastal state but not currently a member of the Commission, requested a capacity of 12,000 mt. Its tuna industry has been at a standstill for some time, but it was considering restarting operations.

The United States stated its willingness to continue with the capacity of 8,969 mt assigned in the October 1998 resolution, including the two elements in the resolution specific to the United States.

The staff presented a table summarizing the current and proposed fleet capacities, with estimates of how these capacity levels would probably affect the fishery (Appendix 4).

The United States presented a proposal for a resolution, based on the text prepared by the staff, and this was extensively discussed. However, although there was general agreement on many of its provisions, other parts of the proposal were not acceptable to all delegations. The working group agreed on a recommendation to the Parties (Appendix 5) which reflected all the points on which there was agreement, and which were considered essential to the establishment of any system of capacity limits. The recommendation, and the resulting studies carried out by the IATTC staff, would form a basis for further discussions at the next meeting of the working group and at the IATTC meeting in June. It was understood that the recommendation would be transmitted by correspondence to IATTC member governments for formal approval. Colombia requested that the concept of mobility of the fleet be included in the recommendation to the Parties. The working group did not agreed to this request, and Colombia expressed a reservation on this point.

7. Other business

Guatemala and the European Community requested that their petitions on joining the Commission be expedited as soon as possible.

8. Place and date of next meeting

The working group agreed that the question of fleet capacity should be addressed again during the IATTC meeting in June 2000.

9. Adjournment

The meeting was adjourned at 8:15 p.m. on Friday, January 28.

Appendix 1.

ATTENDEES - ASISTENTES

COLOMBIA

IVAN DARIO ESCOBAR MARTINEZ

Ministerio de Agricultura y Desarrollo Rural

CLARA GAVIRIA

Ministerio de Comercio Exterior

ARMANDO HERNANDEZ RODRIGUEZ

Cámara de Pesca - ANDI

COSTA RICA

ESTEBAN BRENES CASTRO HERBERT NANNE ECHANDI

GEORGE HEIGOLD

Ministerio de Agricultura y Ganadería

MIGUEL HERRERA ULATE EDUARDO TREJOS LELLI

Ministerio de Relaciones Exteriores

EVA BERKOVICS MORALES

ALVARO MONGE

Ministerio de Comercio Exterior

RICARDO GUTIERREZ VARGAS

INCOPESCA

RAFAEL TRUJILLO BEJARANO LUIS TORRES NAVARRET E LUIS EDUARDO GOMEZ

MARIA E. COELLO

Ministerio de Comercio, Industria y Pesca

CESAR ROHON HERVAS

CARLOS CALERO CALDERON

Cámara Nacional de Pesquería

AGUSTIN JIMENEZ SANTISTEVAN

Pespaca-Pesquera del Pacífico C.A.

RAMON SIERRA

EUROFISH Grupo Industrial

IVO CUKA KUNJACIC

PESDEL S.A.

ASDRUBAL VAZQUEZ

ATUNEC

SUPERTUNA

SARDIMAR

JAIME BASADRE ANDRAC A

ALVARO BUSTAMANTE STEER

ALVARO NAVARRO COLEY

JAIME BASADRE OREAMUNO

Marítima Pesquera, S.A.

ODIN THAANUM

Acuática, S.A.

PHILIPPE IMHOOS

Tunatun International

EDUARDO VARGAS F.

Choco Mar S.A.

ERIKA HERNANDEZ R.

ECUADOR

HECTOR G. VILLEGAS

TUNLO, S.A.

JOSE DIAZ

Armador

MARIO DE GENNA

Armador

LUIS VICENTE PERALTA

ATUNEC

JOSE DOMÍNGUEZ RUIZ

Megainvest B/P Don Italo

JOSE L. FLORES

SEAFMAN

ROBERTO INTERIANO

Ministerio de Agricultura y Ganadería

MILTON COLINDRES

Embajada de El Salvador en Costa Rica

MARGARITA S. DE JURADO

Ministerio de Agricultura y Ganadería

EL SALVADOR

NELSON AMAYA LARROMANA

Ministerio de Relaciones Exteriores

ABDON ENRIQUE AGUILLON

Ministerio de Economía

ESPAÑA - SPAIN

IGNACIO LACHAGA B.

JOAOUIN GOMEZ VILLEG AS

ALBACORA, S.A.

GABRIEL SARRO

OPAGAC

MANUEL CALVO

CalvoPesca, S.A.

MIGUEL ANGEL DE ANDRES NUÑEZ

Embajada de España en Costa Rica

IGNACIO YBAÑEZ RUBIO

JUAN IGNACIO ARRIBAS

Secretaría General de Pesca Marítima

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FERNANDO ROSALES LOESSENER

AGEXPRONT

JAPAN – JAPON

NOBUYUKI YAGIEmbassy of Japan in Washington, D.C.

GUILLERMO COMPEAN JIMENEZ

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Secretaría de Recursos Naturales y Medio Ambiente

Procuraduría Federal de Protección al Ambiente

Embajada de Nicaragua en Costa Rica

PANAMA

HUGO ALSINA LAGOS Overseas Tuna Pacific, S.A. PRISCILLA MCLEOD SOS A Priscilla McLeod y Asociados, S. A.

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OSPESCA

NON-GOVERNMENTAL ORGANIZATIONS - ORGANIZACIONES NO GUBERNAMENTALES

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Center for Marine Conservation
KATHLEEN O'CONNELL
World Wildlife Fund
KITTY BLOCK

Whale & Dolphin Conservation Society Humane Society of the United States

IATTC - CIAT

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BRIAN HALLMAN
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Appendix 2.

STATEMENT BY THE COLOMBIAN DELEGATION

The Delegation of Colombia ratifies the position presented at previous meetings of the IATTC on fleet capacity and reiterates its disagreement with its previous allocation included in the Resolution of October 1998, and declares that Colombia's sovereign rights as a coastal nation in matters pertaining to tuna fisheries are not negotiable; especially if the social and economic impact of this productive activity on the country is taken into account.

We consider that the principles of equity and the criteria addressed during the meeting held in San Jose, Costa Rica, do not satisfy the interests and the rights of Colombia of having an allocation of 12,000 tons for the year 2000, for which reason we ratify our reservation regarding the recommendations of the Working Group and the draft resolution which will be presented to the next meeting of the Inter-American Tropical Tuna Commission.

We also respectfully request that this statement be included in the final report of the Working Group to the IATTC and that it be included in the record in any draft resolution on this matter which may be presented to the meeting of the Parties to the IATTC.

Given at San Jose, Costa Rica, January 28th, 2000.

Appendix 3.

PETITION BY EL SALVADOR TO BE GIVEN A SIGN OF INTENT FROM THOSE HERE PRESENT OF THE POSSIBILITY THAT EL SALVADOR MAY INCREASE ITS QUOTA FOR THIS YEAR BY 1700 TONS

Principal Argument – Right to Develop Industry IATTC Meeting in Costa Rica, January 28, 2000

El Salvador wishes to moderate its position expressed yesterday, with the intention of making it more pragmatic and seeking to achieve success at this meeting.

- 1.- El Salvador for this year, 2000, requires an additional quota of 1,700 tons of carrying capacity. This is the condition that we have to fulfil in order to be eligible so that this year the construction of a tuna processing plant be begun in our country.
- 2.- The plant will be built in our already existing port installations in the eastern part of the country.
- 3.- We mention our existing port so that you may know the degree of importance and urgency of our situation. We already have port infrastructure, built in 1979 and where we have been unable to attract investment due to the armed conflicts in the area. But we have worked hard to consolidate peace, democracy, economic stability, and we now have a real opportunity to bring in investment which will generate one to three thousand jobs, direct and indirect, and will give a positive signal that our country really is the target of foreign investment of this caliber.
- 4.- This is the way to combat misery and extreme poverty, and as you know, it is necessary to guarantee better social stability, better conservation of the environment, and even for less emigration to other countries.
- 5.- We therefore ask the plenary for a sign of intention of the possibility that El Salvador may increase its quota by 1,700 tons.
- 6.- As we mentioned yesterday, our real expectation of growth is of 3,300 tons additional to the 1,700 that we now have. But of the additional 3,300, what we are requesting today is a sign of intent for the 1,700 that we need for this year. The other 1,600 can wait until 2001 and there is more time to fine-tune numbers.
- 7.- We need this sign of intent from you here present, for these 1,700 tons for 2000, so that we may be able to give a signal to those who would bring the investment to our country.
- 8.- El Salvador's situation is exceptional. We are one of the only countries that still do not have any investment on land for the tuna business. Without investment on land, the benefits for the country are practically nil. This sign of intent from you for 1,700 tons would be the seed that would allow us to begin to develop it.
- 9.- We perceive that there is a consensus to allow some growth for some countries (8,000, 11,000, or 30,000 tons), and we also understand that the desire is to adjust numbers and criteria to do this in the most reasonable manner. But we hope that you will understand the seriousness, the importance and the urgency of our request, and we therefore ask you for your support.

Appendix 4.

Capacidad actual (20 enero 2000) y propuesta de la flota atunera de cerco en el Océano Pacífico oriental

Current (20 January 2000) and proposed capacity of the purse-seine tuna fleet in the eastern Pacific Ocean

	Capacidad actual (tm)	Capacidad propuesta (tm)
	Current capacity (mt)	Proposed capacity (mt)
Belice	1982	1982
Colombia	5928	12000
Comunidad Europea	8916	9595*
Costa Rica		14030
Ecuador	37086	37086
El Salvador	1411	5000
\mathbf{FSM}	1270	1270
Guatemala	5050	6000
Honduras	1588	1588
México	49960	49960
Nicaragua	1073	4500
Panamá	5645	5645
Perú		12000
USA	7747	7747
Vanuatu	13332	13332
Venezuela	25976	25976
TOTAL	166964	207032

Duración estimada de pesca sin restricción de atún aleta amarilla con distintos niveles de capacidad de la flota

Estimated duration of unrestricted fishing for yellowfin tuna with different levels of fleet capacity

Capacidad de la flota	(tm)	Pesca sin restricción (meses)
Fleet capacity	(mt)	Unrestricted fishing (months)
Objetivo - Target	135000	12
Actual - Current	166964	10
Propuesta - Proposed	207032	8

^{*} This figure represents an additional 679 mt, equivalent to 795 m³, resulting from the vessel substitution requested by the European Community

Appendix 5.

The Permanent Working Group on Fleet Capacity recommends to the Parties to the IATTC the following:

- 1. That cubic meters of well capacity be used as the unit of measurement of carrying capacity.
- 2. To supply the IATTC, no later than 30 April 2000, with all the information necessary, including the well volume of each vessel, to establish, maintain and update an accurate and transparent central register of purse-seine vessels fishing for tunas in the EPO, and that the staff shall circulate this register to the Parties and notify them of any changes which affect the carrying capacity of the purse-seine fleet operating in the EPO, and also make it available to other interested parties, as appropriate.
- 3. To use the volume recorded in this register for the purposes of determining the carrying capacity of vessels or fleets.
- 4. To maintain their respective carrying capacities at levels consistent with the resolution on fleet capacity of the 62nd Meeting of the IATTC until the Meeting of the IATTC in June 2000
- 5. That the staff prepare:
 - a. A definitive list of purse-seine tuna vessels operating in the EPO, with their carrying capacity expressed in m³, and of their activity;
 - b. Elements of how management of the purse-seine fleet based on days fishing might be put into practice;
 - c. Alternatives to the proposed target of 135,000 metric tons of carrying capacity under various management regimes, taking into account, *inter alia*, the various modes of fishing with purse seines:
 - d. Mechanisms for quantifying the criteria for the allocation of capacity;
 - e. Criteria for transferring vessels within the EPO among participants.
- 6. To make any additional requests for analyses by the IATTC staff before 1 March 2000, with a view to having the analyses completed by early May for distribution to the Parties.
- 7. To acknowledge and affirm the right of coastal states and other states with a longstanding and significant interest in the tuna fisheries of the EPO to develop and maintain their own tuna fishing industries.
- 8. To consider the requests regarding purse-seine fleet carrying capacities presented by all participating governments at this meeting, as reflected in the minutes, in its deliberations at its meeting in June 2000
- 9. To consider establishing a register to include all vessels of all nations, including non Parties, fishing for tunas using all gears in the EPO at its meeting in June 2000
- 10. That the staff, in cooperation with the Parties, prepare a comprehensive draft plan for regional management of fishing capacity in accordance with the FAO International Plan of Action for the Management of Fishing Capacity, including consideration of the measurement of fishing capacity, by the Meeting of the IATTC in June 2001
- 11. To request those states or fishing entities not members of IATTC to act in accordance with the terms of this recommendation, and to allow their vessels to fish in the EPO only in accordance with agreed capacity limits.