

INTER-AMERICAN TROPICAL TUNA COMMISSION

95TH MEETING

(By videoconference)
30 November-4 December 2020

PROPOSAL IATTC-95 A-1

SUBMITTED BY COLOMBIA

PROPOSED RESOLUTION ON CONSERVATION MEASURES FOR
TROPICAL TUNAS IN THE EASTERN PACIFIC OCEAN DURING 2021-
2023

EXPLANATORY MEMORANDUM

Resolution C-17-02 on conservation measures for tropical tunas in the eastern Pacific Ocean established a series of measures for the conservation of tropical tunas during 2018-2020. A series of specific measures for the fishery on fish-aggregating devices (FADs) were included. These measures established a daily limit of FADs (active buoys) per vessel, which sought to control the continued increase in FAD deployments and sets. Even though this measure entered into force in mid-2017, FAD deployments in the EPO have continued to increase significantly, from around 16,000 in 2016 to more than 25,000 in 2019 (Figure 1). Similarly, sets on floating objects continue to increase from 14,591 in 2016 to a historic high of 16,825 in 2018 (SAC-11-03).

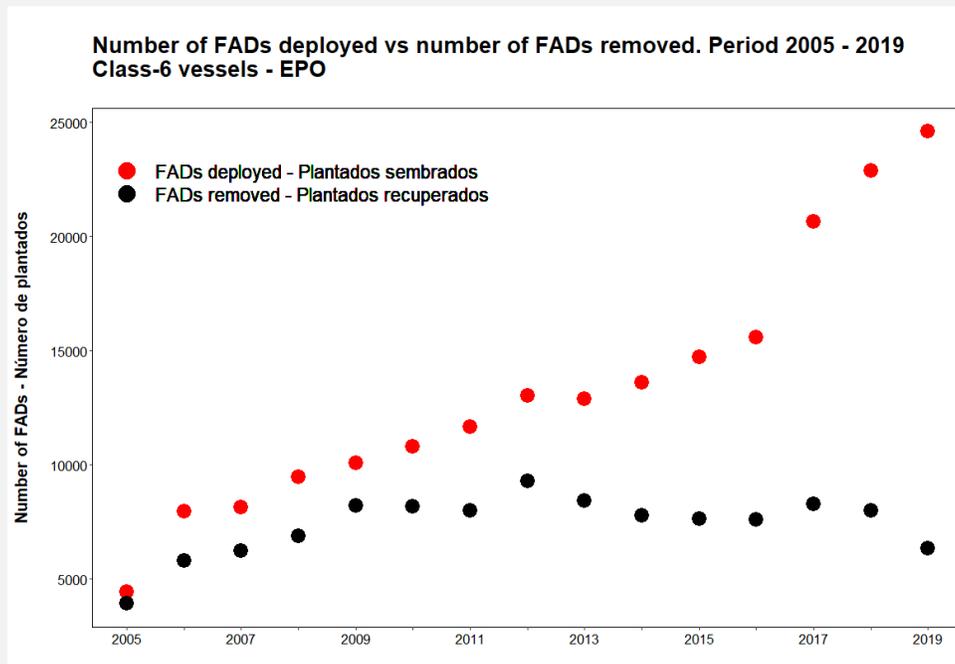


Figure 1. Evolution of FAD deployments and recoveries in the EPO (plot provided by Jon López, IATTC 2020)

According to analyses of fishery indicators, this increase in the fishing effort associated with the FAD fishery is accompanied by an increase in fishing mortality (F) for the three tropical tuna species (SAC-10-19). For the specific case of yellowfin tuna, there has been a decrease in catch per set and average catch size (SAC 11-05). Likewise, in 2018, for the first time in history, the floating-object fishery had

a greater impact on spawning biomass than both dolphin-associated and unassociated fisheries (SAC-10-07), which concerned several CPCs. For bigeye tuna, the increasing number of sets on FADs, the continued decrease in average catch weight and the catch per set in FAD sets suggest that the bigeye stock in the EPO may be under increasing fishing pressure (SAC-10-06 and SAC-11-05).

The stock status indicators (SAC-11-05)—in particular those corresponding to the floating-object fishery (OBJ)—show a continuous increase in the fishing mortality of that fishery, thus risking the desired effects of the current measures for the purse-seine fishery established in Resolution C-17-02 (72-day closure, the *corralito* closure, daily active FAD limits per vessel, among others) (SAC-11-INF-M).

In view of the above, the staff has recommended that, for the conservation and management measures that replace Resolution C-17-02, the 72-day closure be maintained, but that additional precautionary measures be implemented to address potential increases in F caused by the floating-object fishery (SAC-11-15).

Considering that there is a direct relationship between the number of active FADs and the number of sets on floating objects (Figure 2) (IATTC 94-INF-A Responses to Requests for Data and Analyses) and between the number of deployments and sets (Figure 3), by limiting active FADs per vessel, the number of deployments will be limited indirectly to some degree, provided that no remote deactivations or activations occur, or that they are not frequent (SAC-11-INF-M). Likewise, by limiting FAD deployments, sets on floating objects will also be limited indirectly (Figure 3).

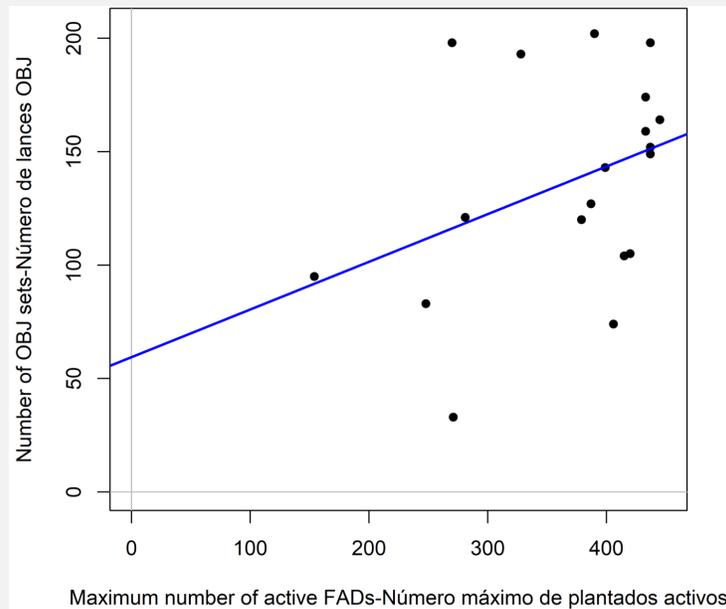


Figure 2. Relationship between the number of active FADs and the number of sets (IATTC 2019)

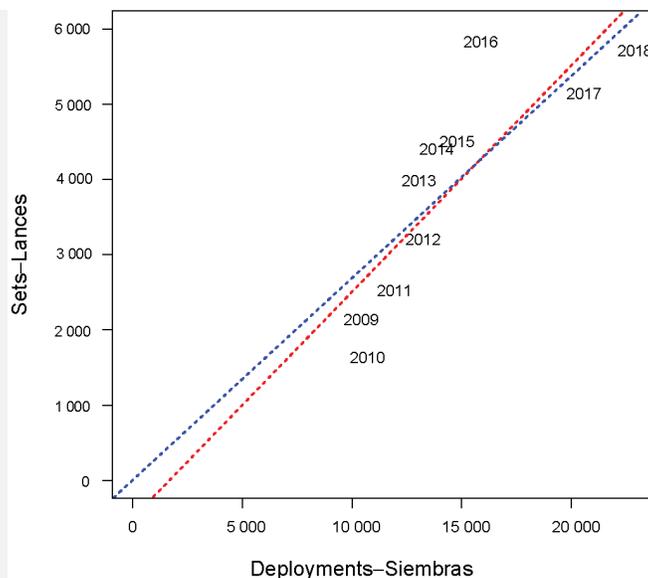


Figure 3. Evolution of deployments and sets on floating objects (Source FAD-04-PRES Active FAD Limits)

For these reasons, it is considered essential that the Commission maintain the current 72-day closure in the resolution that will replace C-17-02, but implement additional measures in the floating-object fishery that will avoid further increases in F beyond current levels.

The proposed additional measures are: To reduce the number of active buoys per vessel to a maximum of 315 active FADs for the largest Class-6 vessels, 210 active FADs for Class-6 vessels smaller than 1,200 m³, 85 active FADs for Classes 4-5 vessels, and 50 active FADs for Classes 1-3 vessels. These maximum values would be in accordance with those recommended by the scientific staff in document FAD-04-01.

Moreover:

1. To further clarify the term “remote activation and reactivation of buoys”, which is already prohibited in Resolution C-17-02.

2. To clarify the way in which vessels must submit information on buoys to the Secretariat, based on the conclusions of the Permanent *Ad Hoc* Working Group on FADs at its third meeting (FAD-03-INF-B) and the recommendations of the Scientific Advisory Committee at its 9th and 10th meetings and the scientific staff of the Commission (SAC-10-19). This measure seeks to obtain better-quality scientific information in order to establish the actual fishing effort in the FAD fishery.

RESOLUTION C-20-XX

(AMENDED) RESOLUTION ON CONSERVATION MEASURES FOR TROPICAL TUNAS IN THE EASTERN PACIFIC OCEAN DURING 2021-2023 ~~2018-2020 AND AMENDMENT TO RESOLUTION C-17-01~~

The Inter-American Tropical Tuna Commission (IATTC), gathered ~~in Mexico City, Mexico,~~ **virtually** on the occasion of its ~~92nd~~ **95th** Meeting:

~~Aware of its responsibility for the scientific study of the tunas and tuna-like species in its Convention Area and for formulating recommendations to its Members and Cooperating non-Members (CPCs) with regard to these resources;~~

~~Recognizing that the potential production from the resource can be reduced if fishing effort is excessive;~~

~~Concerned that the capacity of the purse-seine fleets fishing for tunas in the Convention Area continues to increase;~~

~~Taking into account the best scientific information available, reflected in the IATTC staff's recommendations, and the precautionary approach; and on the status of the bigeye, yellowfin and skipjack stocks;~~

~~Recalling the need to take into account the special circumstances and requirements of the developing countries of the region, particularly the coastal countries, as recognized in the Antigua Convention, in particular in its Preamble and its Article XXIII, paragraph 1;~~

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

Considering 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;

Recognizing that the IATTC scientific staff has demonstrated that fishery indicators suggest that fishing mortality (*F*) continues to increase for all three tropical tuna species due to the increase in fishing effort in the purse-seine fishery and, specifically, in the number of sets on floating objects;

Recognizing that Resolution C-17-02 established a series of measures for the fishery on fish-aggregating devices that are in force until 2020;

Considering that, despite current measures, FAD deployments and sets continue to increase;

Taking into account that the last assessment of the status of yellowfin tuna (Document SAC-10-07) indicates that in more recent years the impact of floating-object fisheries is greater than that of dolphin-associated fisheries;

Noting that the IATTC scientific staff has recommended to the Commission to maintain the current closure period in Resolution C-17-02 but to include additional measures in the floating-object fishery that prevent an increase in fishing mortality;

Agrees:

To apply in the Convention Area the conservation and management measures for tropical tuna set out below, and to request that the staff of the IATTC monitor the fishing activities of the respective CPC's flag vessels relative to this commitment, and also report on such activities at each annual meeting of the Commission;

1. These measures are applicable during ~~2018-2020~~ **2021 to 2023** to all CPCs' purse-seine vessels

of IATTC capacity classes 4 to 6 (more than 182 metric tons carrying capacity), and to all their longline vessels over 24 meters length overall, that fish for yellowfin, bigeye and skipjack tunas in the Convention Area.

2. Pole-and-line, troll, and sportfishing vessels, and purse-seine vessels of IATTC capacity classes 1-3 (182 metric tons carrying capacity or less) and longline vessels less than 24 meters length overall, are not subject to these measures, except those related to the management of FADs.

MEASURES FOR PURSE-SEINE FLEETS

3. All purse-seine vessels covered by these measures must stop fishing in the Convention Area for a period of 72 days in each year covered by this resolution. These closures shall be effected in one of two periods, as follows: from 00:00 hours on 29 July to 24:00 hours on 8 October, or from 00:00 hours on 9 November to 24:00 hours on 19 January of the following year.
4. The fishery for yellowfin, bigeye, and skipjack tuna by purse-seine vessels within the area of 96° and 110°W and between 4°N and 3°S, known as the “*corralito*”, which is illustrated in Figure 1, shall be closed from 00:00 hours on 9 October to 24:00 hours on 8 November of each year.
5.
 - a. For each one of the closure periods, each CPC shall notify the Director, by 15 July of each year, the names of all the purse-seine vessels that will observe each closure period.
 - b. Every vessel that fishes, regardless of the flag under which it operates or whether it changes flag or the jurisdiction of the CPC under which it fishes during the year, must observe the closure period to which it was committed.
6.
 - a. Notwithstanding the provisions of subparagraphs 5a and 5b, a request by a CPC, on behalf of any of its vessels, for an exemption due to *force majeure*¹ rendering said vessel unable to proceed to sea outside said closure period during a period of at least 75 continuous days, shall be sent to the Secretariat, at the latest one month after ~~it happens~~ **the end of the inactivity period due to *force majeure*.**
 - b. In addition to the request for an exemption, the CPC shall send the evidence necessary to demonstrate that the vessel did not proceed to sea and that the facts on which the request for exemption is based were due to *force majeure*.
 - c. The Director shall immediately send the request and the evidence electronically to the other CPCs for their consideration, duly coded in order to maintain the anonymity of the name, flag and owner of the vessel.
 - d. The request shall be considered accepted, unless an IATTC Member objects to it formally within 15 calendar days of the receipt of said request, in which case the Director shall immediately notify all CPCs of the objection.
 - e. If the request for exemption is accepted:
 - i. the vessel shall observe a reduced closure period of 40 consecutive days in the same year during which the *force majeure* event occurred, in one of the two periods prescribed in paragraph 3, to be immediately notified to the Director by the CPC, or
 - ii. in the event said vessel has already observed a closure period prescribed in paragraph 3 in the same year during which the *force majeure* event occurred, it shall observe a reduced closure period of 40 consecutive days the following year, in one of the two periods prescribed in paragraph 3, to be notified to the Director by the CPC no later than 15 July.
 - iii. vessels that benefit from the exemption must carry an observer aboard authorized

¹ For the purposes of paragraph 6, only cases of vessels disabled in the course of fishing operations by mechanical and/or structural failure, fire or explosion, shall be considered *force majeure*

pursuant to the AIDCP.

This exemption applies to the vessels of fleets that observe either of the closure periods prescribed in paragraph 3.

7. Each CPC shall, for purse-seine fisheries:
 - a. Before the date of entry into force of the closure, take the legal and administrative measures necessary to implement the closure;
 - b. Inform all interested parties in its tuna industry of the closure;
 - c. Inform the Director that these steps have been taken;
 - d. Ensure that at the time a closure period begins, and for the entire duration of that period, all the purse-seine vessels fishing for yellowfin, bigeye, and/or skipjack tunas that are committed to observing that closure period and that fly its flag, or operate under its jurisdiction, in the Convention Area are in port, except that vessels carrying an observer authorized pursuant to the AIDCP may remain at sea, provided they do not fish in the Convention Area. The only other exception to this provision shall be that vessels carrying an observer authorized pursuant to the AIDCP may leave port during the closure, provided they do not fish in the Convention Area.

MEASURES FOR THE FISHERY ON FISH-AGGREGATING DEVICES

8. CPCs shall ensure that, **as of 1 January 2021**, purse-seine vessels flying their flag have no more than the following number of fish-aggregating devices (FADs), as defined in Resolution C-16-01, active at any one time:

Class 6 (1,200 m ³ and greater):	450 315 FADs
Class 6 (< 1,200 m ³):	300 210 FADs
Class 4-5:	120 85 FADs
Class 1-3:	70 50 FADs
9. ~~A FAD shall be activated exclusively onboard a purse-seine vessel~~ **Buoys associated with FADs shall be activated or reactivated exclusively onboard a purse-seine vessel conducting fishing activities. The reactivation of buoys at sea whose network service with the supplier company has been discontinued is not permitted, unless the buoy is onboard a purse-seine vessel.**
10. For the purposes of this resolution, a FAD is considered active when it:
 - a. is deployed at sea; and
 - b. starts transmitting its location and is being tracked by the vessel, its owner, or operator.
11. In order to support the monitoring of compliance with the limitation established in Paragraph 8, and the work of the IATTC scientific staff in analyzing the impact of FAD fisheries, while protecting business confidential data, CPCs shall report, or require their vessels to report, daily information on all active FADs to the Secretariat, in accordance with guidance developed under Paragraph 12, with reports at monthly intervals submitted with a time delay of at least 60 days, but no longer than 90 days.
12. ~~The IATTC scientific staff and Ad Hoc Permanent Working Group on FADs shall develop, at the latest by 30 November 2017, guidance on the reporting of FAD data in accordance with Paragraphs 10 and 11 of this resolution, including the format and specific data to be reported~~ **CPCs shall ensure that purse-seine vessels flying their flag and that conduct fishing activities on FADs provide the IATTC scientific staff with the same raw buoy data submitted by the buoy supplier companies and received by the original users (i.e., vessels, fishing companies).**
13. 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;

- 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.
14. The Scientific Advisory Committee and the *Ad hoc* Permanent Working Group on FADs shall review the progress and results of the implementation of the FAD provisions contained in this Resolution and make recommendations to the Commission, as appropriate.
15. 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 shall be based on the principles set out in paragraphs 1 and 2 of Annex II of Resolution C-~~16~~19-01.

MEASURES FOR THE LONGLINE FISHERY

16. China, Japan, Korea, United States, and Chinese Taipei undertake to ensure that the total annual catches of bigeye tuna by their longline vessels in the Convention Area during ~~2018, 2019, and 2020~~ 2021, 2022, 2023 do not exceed 55,131 metric tons, distributed at the following levels:

Metric tons	2018-2020 2021-2023
China	2,507
Japan	32,372
Korea	11,947
Chinese Taipei	7,555
United States	750

17. All other CPCs undertake to ensure that the total annual catches of bigeye tuna by their longline vessels in the Convention Area during the years included in this resolution do not exceed the greater of 500 metric tons or their respective catches of bigeye tuna in 2001^{2,3}. CPCs whose annual catches have exceeded 500 metric tons shall provide monthly catch reports to the Director.
18. A CPC referenced in paragraph 16 may make a single transfer of a portion of its bigeye tuna catch limit each year to other CPCs that also have a bigeye tuna catch limit listed in paragraph 16, provided that the total transferred by any CPC in a given year does not exceed 30 percent of its catch limit. These transfers cannot be made to retroactively cover an overage of another CPC's catch limit. Both CPCs involved in a transfer shall, separately or jointly, notify the Director 10 days in advance of the intended transfer. This notification shall specify the tonnage to be transferred and the year in which the transfer will occur. The Director shall promptly notify the Commission of the transfer.
19. The CPC that receives the transfer shall be responsible for management for the transferred catch limit, including monitoring and monthly reporting of catch. A CPC that receives a one-time transfer of bigeye tuna catch limit in a given year shall not retransfer that catch limit to another CPC. The amount of bigeye transferred in any one year shall be considered without prejudice by the Commission for the purposes of establishing any future limits or allocations.

OTHER PROVISIONS

20. Landings and transshipments of tuna or tuna products that have been positively identified as

² The Commission acknowledges that France, as a coastal State, is developing a tuna longline fleet on behalf of its overseas territories situated in the Convention Area.

³ The Commission acknowledges that Peru, as a coastal State, will develop a tuna longline fleet, which will operate in strict compliance with the rules and provisions of the IATTC and in accordance with the resolutions of the Commission.

originating from fishing activities that contravene these measures are prohibited. The Director is requested to provide relevant information to CPCs to assist them in this regard.

21. Each CPC shall submit to the Director, by 15 July of each year, a national report on its updated national compliance scheme and actions taken to implement these measures, including any controls it has imposed on its fleets and any monitoring, control, and compliance measures it has established to ensure compliance with such controls.
22. In order to evaluate progress towards the objectives of these measures, in each year the IATTC scientific staff will analyze the effects on the stocks of the implementation of these measures, and previous conservation and management measures, and will propose, if necessary, appropriate measures to be applied in future years.
23. Subject to the availability of the necessary funding, the Director is requested to continue the experiments with sorting grids for juvenile tunas and other species of non-target fish in the purse-seine nets of vessels that fish on FADs and on unassociated schools, by developing an experimental protocol, including parameters for the materials to be used for the sorting grids, and the methods for their construction, installation, and deployment. The Director shall also specify the methods and format for the collection of scientific data to be used for analysis of the performance of the sorting grids. The foregoing is without prejudice to each CPC carrying out its own experimental programs with sorting grids and presenting its results to the Director.
24. Renew the program to require all purse-seine vessels to first retain on board and then land all bigeye, skipjack, and yellowfin tuna caught, except fish considered unfit for human consumption for reasons other than size. A single exception shall be the final set of a trip, when there may be insufficient well space remaining to accommodate all the tuna caught in that set.
25. The IATTC shall continue efforts to promote compatibility between the conservation and management measures adopted by the IATTC and WCPFC in their goals and effectiveness, especially in the overlap area, including by frequent consultations with the WCPFC, in order to maintain, and inform their respective members of, a thorough understanding of conservation and management measures directed at bigeye, yellowfin, and other tunas, and the scientific bases and effectiveness of those measures.
26. In ~~2018, 2019, and 2020~~ 2021, 2022, 2023 the results of these measures shall be evaluated in the context of the results of the stock assessments and of changes in the level of active capacity in the purse-seine fleet and, depending on the conclusions reached by the IATTC scientific staff, in consultation with the Scientific Advisory Committee, and based on such evaluation, the Commission shall take further actions including substantial extension of closure days for purse-seine vessels or equivalent measures, such as catch limits.
27. Except in cases of *force majeure* prescribed in paragraph 6, no exemptions will be allowed with regard to the closure periods notified to the Director in accordance with paragraph 5a, nor with regard to the fishing effort of the purse-seine fleets of the respective CPCs.

~~AMENDMENT TO RESOLUTION C-17-01 AND ENTRY INTO FORCE~~

~~28. Resolution C-17-01 is amended as follows:~~

~~a. Paragraph 3 is replaced by the following paragraph:~~

~~“3. a. All purse-seine vessels covered by these measures must stop fishing in the Convention Area for a period of 72 days. These closures shall be effected in one of two periods, as follows: from 00:00 hours on 29 July to 24:00 hours on 8 October 2017, or from 00:00 hours on 9 November 2017 to 24:00 hours on 19 January 2018.”~~

~~b. Notwithstanding subparagraph 3a, a purse-seine vessel that has a Dolphin Mortality Limit in effect may fish during ten days of the respective closure period~~

~~that the vessel selected, as follows: from 00:00 hours on 29 September 2017 to 8 October 2017 or from 00:00 hours on 9 November 2017 to 24:00 hours on 18 November 2017, but shall not make any floating object sets during that period.”~~

~~b. Paragraph 5 is deleted.~~

~~e. Paragraph 6 is replaced by the following paragraph:~~

~~“6. The fishery for yellowfin, bigeye, and skipjack tuna by purse seine vessels within the area of 96° and 110°W and between 4°N and 3°S, known as the “*corralito*”, which is illustrated in Figure 1, shall be closed from 00:00 hours on 9 October to 24:00 hours on 8 November.”~~

- ~~29. This resolution does not modify nor alter in any way the decision adopted in Resolution C-17-01, regarding activation of the capacity acknowledged to Guatemala and Venezuela at the 88th Meeting of the IATTC, which continues to be authorized.~~
- ~~30. In accordance with Article IX.7 of the Antigua Convention, paragraph 28 of this Resolution shall be binding for all CPCs immediately after the adoption of this Resolution.~~