

COMISION INTERAMERICANA DEL ATUN TROPICAL INTER-AMERICAN TROPICAL TUNA COMMISSION

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MINUTES OF THE 75TH MEETING

Cancun, Mexico
25-29 June 2007

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1. Opening of the meeting

The meeting was opened by Ing. Rafael León Negrete, Secretary for Rural Development of the State Government of Quintana Roo, who welcomed the delegates to Cancun and stressed the importance of sustainable fishing to Mexico and Mexico's commitment to do all it could to ensure that this meeting of the IATTC would be successful. On behalf of the Commission, Dr. Robin Allen, Director of the IATTC, thanked Ing. León for his remarks.

The various delegations present, including those of observers and non-governmental organizations, introduced themselves. The attendees are listed in Appendix 1.

2. Election of Chairman

Dr. Allen requested nominations for Chairman, to preside over the meeting and continue in that post until the next annual meeting of the Commission. Dr. Mario Aguilar of Mexico was elected Chairman.

El Salvador noted that the Commission agreed at its 73rd meeting, in June 2005, that the rules of procedure should be amended to allow for the appointment of a Chair for a period of two years, renewable for another two years, instead of for one year, as had been past practice. This agreement was still operative, and while it is not relevant to the election of the chair for this meeting in Cancun, the matter should be addressed later in this meeting.

3. Adoption of the agenda

Venezuela asked to add a point on capacity between items 13 and 14 on the draft agenda.

Mexico asked to include a discussion on the long-term chair under item 22, *Election of Chairs of Working Groups*.

4. Ratifications of the Antigua Convention

The Chairman invited each delegation to describe its situation with respect to the status of the ratification of the Antigua Convention. Almost every delegation whose government had not yet ratified the Convention stated that its internal domestic process to do so was well underway.

5. a. Report of the *ad hoc* meeting of the Commission, February 2007

Mr. David Hogan, Chair of the February 2007 *ad hoc* Commission meeting, reported on the results of the meeting. In particular, he noted that the meeting recommended that Commission staff provide the following information and analysis for consideration by the Parties at the present meeting:

- 1) Work to refine critical areas for juvenile bigeye tuna and juvenile yellowfin tuna and consider the conservation value of closing these areas to purse-seine fishing for a period or year-round;
- 2) produce estimates of total allowable catch (TAC);
- 3) compile a list of the practical and administrative issues raised regarding potential use of national catch allocations or individual fishing quotas (IFQs) for vessels;
- 4) estimate the conservation measures that would be necessary if the Commission implemented the [*Plan for regional management of fishing capacity*](#)¹ and reduced the purse-seine fleet to the target capacity levels;
- 5) investigate the impact of fishing effort on adult stocks of yellowfin tuna during recent years;
- 6) summarize available information on the impacts of the use of FADs, describe areas where FADs should not be placed because of the probability of catching juvenile tunas, determine the increase in vulnerability of tunas since the introduction of the FAD fishery, and determine the number of FADs placed.

b. Staff response to requests from *ad hoc* meeting

Dr. Allen summarized the responses of the Commission staff to the requests for information and analysis that emerged from the *ad hoc* meeting, which are contained in Document [IATTC-75-05a](#).

6. The fishery in 2006 and the status of tuna and billfish stocks

Dr. Allen presented information on the fishery in the eastern Pacific Ocean (EPO) during 2006, elaborated in Document IATTC-75-06. He indicated that this document, which will be published later as the Commission's Fishery Status Report 5, is the main source of information presented to the Commission about the fishery. He noted that the document provided information on the status of stocks of the principal tuna species, swordfish, and blue and striped marlin, and described ecosystem considerations to be taken into account in conservation and management decisions.

¹ <http://www.iattc.org/PDFFiles2/IATTC-73-EPO-Capacity-Plan.pdf>

7. a. Report of the Stock Assessment Working Group

Dr. Allen presented the [report of the 8th meeting of the Working Group on Stock Assessment](#), held in May 2007, and drew the attention of the meeting to its recommendations.

b. Staff conservation recommendations

Dr. Allen reviewed the staff’s recommendations for the conservation of tunas, contained in Document [IATTC-75-07b](#), which had been reviewed by the meeting of the Working Group on Stock Assessments in May. The staff recommended conservation measures for yellowfin and bigeye, and for swordfish in the southeastern Pacific Ocean.

For yellowfin tuna, the staff recommended that the Commission:

1. (a) Extend the closure periods for the purse-seine fishery in Resolution C-06-02 by an additional 32 days, to 74 days, and that the closure period be extended further if the carrying capacity of the purse-seine fleet continues to increase; or
- (b) Set a TAC of 200,000 metric tons (t) for yellowfin taken by purse seine in the EPO, but that the Director be authorized to increase the limit by up to four increments of 30,000 t each if he concludes, from examination of available data, that such increments would pose no significant risk to the stock. If the limit, including any increments authorized by the Director, is reached, purse-seining for tunas will cease.
2. Examine the effectiveness of closing coastal areas, such as that shown in Figure 2 to purse-seine vessels fishing for tropical tunas that are required by the AIDCP to carry observers, with the objective of improving the yield per recruit of yellowfin tuna. The examination might include closing an area for one quarter of the year and evaluating the result.

In case of Option 1(b), the Director should give CPCs one month’s notice of the date on which he estimates that the catch limit will be reached.

For bigeye tuna, the staff recommended that the Commission:

1. Determine the appropriate adjustments to the balance of the longline and purse-seine fisheries, and note the following three examples of different reductions in each of the two fisheries that would achieve an AMSY level with a different mix of the two gears.

Purse-seine : longline reduction – <i>F</i> multipliers	73% : 1.06%	83% : 83%	93% : 0.66%
Longline catch at AMSY	50,229	38,210	28,828
Purse-seine catch at AMSY	49,476	53,308	56,109
AMSY	99,704	91,518	84,937

2. If it wishes to make equal reductions (83%:83%) compared to the provisions of Resolution C-06-02

2.1. Reduce the catch limits for longline fishing to 83% of their previous values, to:

China	2,190
Japan	28,283
Korea	10,438
Chinese Taipei	6,601

and, for other CPCs, to the greater of 83% of the 2001 catches or 500 t, and

2.2. Choose one of the three following options for purse-seine limits:

2.2.1. In addition to the yellowfin closure in 1 (a) above, close the purse-seine fishery on floating objects in the EPO for an additional 35 days; or

2.2.2. Set a TAC for bigeye tuna taken by purse-seine, and prohibit sets on floating objects after

the catch limit has been reached. The initial TAC would be 48,000 t², but the Director would be authorized to increase the limit by up to four increments of 5,500 t each, if he concludes, from examination of available data, that such increases would pose no significant risk to the stock; or

- 2.2.3. Limit the total annual catch of bigeye tuna by each purse-seine vessel in such a way that the sum of the individual-vessel limits equals 68,000 t³, and prohibit further sets on floating objects by any vessel that reaches its limit. A vessel's catch of bigeye would be estimated either by the observer or, at the request of the captain, by sampling of the vessel's catch conducted by IATTC staff members at the time of unloading. If the latter option is chosen, the vessel would be responsible for reasonable costs of the sampling.
3. Require that vessels that use FADs mark the FADs in accordance with international standards for marking fishing gear, and maintain a record of the numbers of FADs on board at the beginning and end of each fishing trip and of the numbers and positions of FADs deployed at sea, and make this information available to the Commission.

The estimates of the bigeye catches referred to in section 2.2, except for the observer estimate in 2.2.3, should be calculated on the basis of species composition sampling of unloadings, and the Director should give the CPCs one month's notice of the date on which he estimates that the catch limit will be reached.

The staff recommended that the closure periods for the purse-seine fishery in [Resolution C-04-09](#) be extended by an additional 27 days to 69 days, and that the closure period be extended further if the carrying capacity of the purse-seine fleet continued to increase. It is expected that this would maintain the stock at the level that could provide the average maximum sustainable yield (AMSY).

To achieve the management objective for bigeye tuna, the staff recommended that purse-seine fishing effort on floating objects be reduced by 38%. The 69-day closure of all purse-seine fishing recommended for yellowfin is not sufficient to achieve this; additional measures are required, and four options are:

- a. Close the purse-seine fishery on floating objects for an additional 95 days; this would be most effective during the second half of the year; or
- b. Close the purse-seine fishery on floating objects when the estimated purse-seine catch of bigeye tuna reaches 46,000 t; or
- c. Limit the total annual catch of bigeye by each purse-seine vessel to 930 t by prohibiting further sets on floating objects by that vessel after this limit is reached. The catch of bigeye would be estimated either by the observer or, at the request of the captain, by sampling of the vessel's catch conducted by IATTC staff members at the time of unloading. If the latter option is chosen, the vessel would be responsible for reasonable costs of the sampling. Included in this option would also be a total catch limit for bigeye of 46,000 t, after which all sets on floating objects would be prohibited; or
- d. Close an area-time stratum of the fishery to sets on floating objects. The staff presented an analysis of area-time strata closures that would be expected to achieve the objective of a 38% reduction in the fishing mortality of bigeye tuna ([Document IATTC-74-05 SUP](#)).

The estimates of the bigeye catches referred to in b and c above should be calculated on the basis of species composition sampling of unloadings, and the Director should give CPCs one month's notice of the date on which the estimates that the catch limit will be reached.

² The initial value of the TAC is 90% of the AMSY for the purse-seine catches. Four increments would provide a TAC of 70,000 t, to accommodate uncertainty in the most recent estimates of recruitment.

³ It is likely that individual vessel limits will produce a total catch less than the sum of the individual limits, and this would reduce catches by more than the initial TAC plus two increments.

With respect to southeastern Pacific swordfish as a precautionary measure, Dr. Allen reported that the staff recommended that the annual catches be limited to 13,000 t, by allocating limits to the CPCs involved in the fishery.

Regarding northern albacore tuna, the staff's assessment had not been updated. Dr. Allen reported that, for clarity, the staff recommended that the meaning of the words "current levels" in paragraph 1 of [Resolution C-05-02](#) should be specified.

The conservation recommendations presented by Dr. Allen generated considerable discussion and debate. Three proposals were presented, by the United States, Ecuador/Spain, and Mexico (Appendices 5a, 5b, 5c). However, the Commission could not reach agreement on any proposal for tuna conservation and management beyond 2007, mainly due to the lack of time available to the meeting. The Commission agreed to convene a meeting in October 2007 to discuss the conservation and management measures for bigeye and yellowfin tuna beyond 2007.

c. Seabirds

Dr. Allen presented Document [IATTC-75-07c](#), regarding seabird interactions with longline fisheries, focusing on areas and mitigation tools. Spain advised the meeting that it intended to propose a resolution on this matter later in the meeting

8. Report of the Permanent Working Group on Compliance

Mr. David Hogan, chair of the Working Group, presented his report (Appendix 4a). He commented on some of the main points contained in the IATTC staff report on compliance in 2006 (Document [COM-8-04](#)).

Regarding sea turtles, it was noted that in 2006 there were 1,565 sets involving 1,795 sea turtles, compared to 1,350 sets involving 1,955 turtles in 2005. Of the 1,795 turtles involved in 2006, 89% were released unharmed and 5% escaped, so 93-94% of the turtles involved suffered no adverse effects from the fishery, and only 6 turtle mortalities were recorded by observers.

Regarding sharks, observers reported 3,224 sets that involved 24,796 sharks. Of these, 2,085 were released alive, 11,218 were discarded and 11,309 were retained. In 87 of the 257 trips for which an RDC was completed, 4,526 sharks were finned.

Regarding the resolution on fleet capacity, the staff reported that the Colombian vessel *Martha Lucía R* and the Venezuelan vessel *Athena F* continued to fish in the EPO in 2006 without being on the Regional Vessel Register. The staff also reported that two other vessels, the *Vicente F* (Panama) and the *Don Abel* (Venezuela), fished in the EPO while not on the Regional Vessel Register. It was reported that three vessels, the *Aracely F*, *Jeannine* and *Atlantis IV*, stored fish in wells that were supposed to be sealed. Mexico noted that it had advised the Secretariat that capacity would be made available from a sunk vessel to account for the volume of the sealed wells on the *Jeannine*, so that they could be unsealed.

Several delegations noted that the compliance picture was improving overall, but that for several key areas there is very little information on compliance by longline vessels. The importance of governments holding seminars to promote compliance was stressed by delegations.

On sea turtles, comments reflected the improving trend in compliance, in particular for the purse-seine fishery, but again noted no information on bycatch by some longline vessels. Spain asked that the table on shark bycatch be broken down by set type, and that differences in shark bycatch between set types be examined.

It was pointed out that compliance with the restrictions on finning of sharks required attention by the Commission, and several delegations described the actions they are taking to implement the restriction and improve compliance.

The full retention requirement was again discussed in the context of examining the compliance rate and

the contribution toward conservation. It was noted that the requirement would expire at the end of 2007.

Regarding compliance with the purse-seine closures, there were two reported violations, both relatively minor violations. One of these cases related to a vessel operating under two national regimes (one of its flag and the other of a member with whom it had a contract of association) in one year, and concerns were expressed that such circumstances could in the future lead to diminishment of the effectiveness of the IATTC conservation and management measures. Spain noted that it did not anticipate that this situation, which involved a Spanish-flag vessel, would occur in future.

There was discussion in the working group of the nature of the import and landing data reporting requirement of Resolution [C-06-05](#) on trade measures, and it was considered useful to seek a clarification from the Commission on the reporting aspect of the resolution.

The discussion on the implementation of Vessel Monitoring Systems (VMS) generated a significant number of reports from delegations, and it was requested that these, as well as any others submitted to the Secretariat, be summarized (Appendix 4.f)

Venezuela reminded the Parties, both in the Working Group and at the Commission, of the obligation to work on reducing the bycatch of small fish, including such devices as sorting grids. Ecuador reiterated its proposal from last year regarding experimental fishing with sorting grids during the closure, and this was approved by the Commission (Resolution C-07-04; Appendix 2.d).

Japan and Chinese Taipei commented on the resolution on longline fishing capacity (C-00-04), with Chinese Taipei reporting that it had scrapped 160 large-scale tuna longline vessels in 2005-2006, and had plans to scrap 23 more by the end of 2007, for a total of 183 scrapped vessels.

Mr. Hogan informed the meeting that the Working Group recommended that the Commission:

1. Take note of the poor compliance with the measure on finning of sharks and examine what can be done to improve this.
2. Endorse asking national observer programs to use the new compliance reporting form (RDC) if they are not doing so already.
3. Examine the provisions of the albacore tuna resolution to determine whether it would be useful or necessary to clarify or amend the resolution to define the concept of “current levels of effort” and other provisions, as noted in Document COM-8-04.
4. Clarify its intention with respect to the reporting provisions of Resolution [C-06-05](#) on trade measures.

The Commission approved the second recommendation and, with respect to the fourth recommendation, clarified that reporting of import and landing data was not required by Resolution C-06-05 for countries that had not been identified pursuant to the resolution.

The Commission approved a recommendation from the Working Group that it review compliance with Section 1 of Resolution C-04-05 by flag state.

9. Report of the Joint Working Group on Fishing by Non-Parties

The Chair of this Working Group, Ms. Elisa Barahona, of Spain, presented her report to the meeting (Appendix 4.b).

With regard to nine vessels – the *Chen Chieh 1, 2, 11, 12, 22, 31, 32, 61, and 62* – whose removal from the IUU List was being sought by Guatemala, the Chair reported that the Working Group decided, after considerable discussion, to refer this matter to the Commission for consideration.

Regarding the recommendation from the Joint Working Group on Fishing by Non-Parties that the Commission consider whether nine vessels – the *Chen Chieh 1, 2, 11, 12, 22, 31, 32, 61, and 62*, formerly of flags of non-CPCs but which had recently changed flag to Guatemala, and of which at least two are of

27 meters length overall, and the other seven are probably over 24 meters long – should be removed from the IATTC IUU List, the Commission noted that it should not send misleading messages favorable to the owners of IUU vessels searching for flags of convenience. Resolution C-03-07 on a positive list of longline vessels requires that legitimate longline vessels should be on the list; in particular, paragraph 4.d. requires that the new owners should provide “sufficient evidence demonstrating that the previous owners and operators have no legal, beneficial or financial interest in, or control over the vessel”. Although these nine vessels have conducted IUU fishing and are currently on IATTC IUU list, the Commission recognized the sincere efforts made by the Government of Guatemala, as reflected in its written statements, and that the development of a fishery by vessels that are owned by Guatemalan nationals or companies would contribute to alleviating poverty in rural areas of Guatemala.

Regarding these nine vessels, the Commission decided as follows:

- a. The vessels will be removed from the IUU List, but the Commission will not consider adding them to the positive list until the Government of Guatemala submits additional information to the Commission, in particular regarding the relationship with previous owners and operators.
- b. If this additional information is deemed sufficient by all IATTC member governments, the nine vessels will be added to the positive list and the Regional Register.
- c. The Government of Guatemala undertakes to provide this information before the end of July 2007, and to inform the Commission if there is any delay. If the information is not provided before the next meeting of the Commission, or if the information is not fully satisfactory, the nine vessels will be automatically on the IUU List next year.
- d. The Government of Guatemala undertakes to do its best to control these vessels, including bycatch restrictions, so that they will operate in accordance with Guatemala’s commitment (Appendix 6.a). Guatemala and other interested Parties will continue to monitor the activities of these vessels, including landings and distribution of their catches.
- e. The Government of Guatemala undertakes not to allow any of these vessels to cancel their registry in Guatemala unless any sanctions that may have been imposed have been duly and completely settled.

Spain reported that it had a revised proposal to amend Resolution C-05-07 on the IATTC IUU List, explaining the background of this proposal and efforts to work with other countries. The meeting did not discuss this proposal in detail, and it was agreed to carry it over to the next meeting of the Commission.

The Chair reported that six governments - Belize, Canada, China, Chinese Taipei, Cook Islands, and the European Union - had applied for Cooperating status, and that the Working Group recommended that the Commission approve all six applications. The Commission approved Belize, Canada, China, Cook Islands, and European Union as Cooperating non-Parties, and Chinese Taipei as a Cooperating Fishing Entity.

In response to a question from Japan, Belize confirmed that the statements which it made last year in connection with cooperating status were still valid.

The Chair reported that, during the working group meeting, El Salvador presented a proposal for amending the Resolution C-04-02 regarding cooperating non-parties. Several countries expressed doubts about this proposal, mainly because its effect would apparently be to maintain the cooperating status of a non-party or fishing entity from year to year unless there was unanimous agreement that such status be revoked. It was agreed by the working group to forward this proposal to the Commission for its consideration, but without a recommendation. The Commission did not agree to amend the resolution.

The Chair reported that the following recommendations to the IATTC were identified:

1. Consider whether nine vessels – the *Chen Chieh 1, 2, 11, 12, 22, 31, 32, 61, and 62* – should be removed from the IATTC IUU List.

2. Change the flag of the *Dragon III* from Cambodia to “unknown”.
3. Confirm that in future, when the Secretariat receives information regarding changes in the names and flags of vessels on the IUU List, it should simply modify the list to incorporate the relevant changes.
4. Grant cooperating status to Belize, Canada, China, Chinese Taipei, Cook Islands, and the European Union.

The Commission approved all these recommendations, the first one subject to the procedure specified above, and adopted a new List of IUU Vessels (Appendix 3)

10. Report of the 9th Working Group on Finance

The Chair of the 9th Meeting of the Working Group on Finance, Ms. Allison Routt of the United States, gave her report. She commented that after a review of the situation following its previous meeting in February 2007, the Working Group discussed a proposal presented by Japan which constituted a new formula for allocating the contributions of the members to the IATTC budget. The proposal was not acceptable to all delegations, but the discussion led to an alternative proposal by the Central American countries. Following the discussion, France presented another proposal which formed the basis for a recommendation to the Commission by the Working Group for a formula for calculating future contributions to the budget.

The Chair reported that the Working Group recommends that the Commission adopt this formula. The Commission agreed to a resolution which incorporates this recommendation (Resolution C-07-05; Appendix 2.e). The Commission affirmed that the newly-agreed formula shall be applied to the budget for 2009, and shall continue in use until the annual meeting of the IATTC following the entry into force of the Antigua Convention.

11. Report of the 6th Working Group on Bycatch

Dr. Luis Fleischer of Mexico, Chairman of the 6th meeting of the Working Group on Bycatch, held in February 2007, presented his report. He emphasized the recommendations to the Commission from the Working Group.

Dr. Fleischer observed that, in general, it was recognized that the study of bycatches is an important and necessary area for the Commission, and the Working Group therefore was of the opinion that such studies should be maintained and strengthened, improving coordination, cooperation and communication, both internally among the members of the Commission, and also internationally to obtain and exchange data and information, above all in the case of seabirds with existing groups that manage that information on a global or regional basis.

The Working Group also recognized that there are countries that are already applying specific research and mitigation programs, that there are methods available that are being applied in some fisheries which are simple, cheap and do not interfere with fishing activities, and that these could be encouraged in other areas and fisheries of the EPO.

The working group also recognized the need to define special areas and fisheries in which the problems of incidental mortalities are major or a priority.

It was also recognized by the meeting that there is a need to recommend to the Commission that it explore in greater detail the incidental mortality in the purse-seine fisheries on FADs and also in the longline fishery. Therefore, it was agreed to ask the Stock Assessment Working Group to identify the specific programs that should be developed, and that it define the main areas in which they should be applied, so as to allow a reduction and mitigation of those problems in a short time.

The Working Group agreed that the Commission should solicit the support of its members that fish on FADs to be able to develop opportunely the shark research program that the staff proposed and also, promote the possibility of carrying out the experiment with sorting grids in the purse-seine fishery on

FADs during the closure period, which was proposed last year by Ecuador.

Dr. Fleischer reported that, specifically, the Working Group recommended that:

- 1) The Stock Assessment Working Group suggest areas where mitigation measures for reducing seabird mortality could be most effectively adopted (*i.e.*, where bird distributions and longline effort overlap), as well as suggest possible mitigation measures in these areas of vulnerability. The Commission should then consider mitigation measures at its June 2007 meeting.
- 2) Seabird bycatch data be collected from all tuna longliners, with consideration given to making the provision of such data mandatory.
- 3) The three-year program of data collection on sea turtle bycatches begun in 2004 (see IATTC Resolution C-04-07) be continued.
- 4) Research on using circle hooks to reduce bycatches and injuries to sea turtles without reducing tuna catches be continued.
- 5) IATTC members assist as appropriate in obtaining the participation of a suitable purse seiner for the shark attraction study ([Document BYC-6-06](#)).
- 6) The sorting grid research be conducted.

12. Report of the 1st Working Group on Vessel Measurement

Mr. Staffan Ekwall, of Spain, Chairman of the meeting, held in October 2006, gave his report.

The Commission agreed with the recommendation of the working group that, as a general rule, the staff should accept as valid new measurements received from a vessel's flag government that had been verified according to the established procedures.

The Chairman explained that the Working Group also recommended to the IATTC that the well volume of the vessel *Daniela F* be recorded as 3157 m³ on the Regional Register, and that the *Athena F* be considered to have the same well volume. The Commission accepted this recommendation.

The Chairman explained that the working group spent a considerable time discussing a draft protocol for sealing fish wells on purse-seine vessels prepared by IATTC staff, based largely on a proposal presented by several countries at the Commission meeting in June 2006. Regarding the draft protocol, some countries expressed their view that Resolution C-02-03 on fleet capacity did not provide for the sealing of wells, while others observed that there was nothing in the resolution to prohibit sealing wells. It was therefore agreed to refer this matter to the Commission for decision. Nevertheless, the delegations agreed to negotiate a protocol for sealing wells, with the understanding that, if the Commission considers that the practice of sealing wells, with the aim of reducing the vessel's capacity, can be considered to be in conformity with Resolution C-02-03, the protocol shall be followed. After extensive discussion, considerable progress was made towards agreement on a text, but some differences of opinion were not resolved. It was decided to continue the negotiation of the protocol at the next meeting of the Commission.

The Commission did not consider whether Resolution C-02-03 provides for the sealing of wells, nor discuss the negotiation of a protocol for sealing wells.

13. Report of the 1st WCPFC-IATTC Consultative Meeting

The first Consultative Meeting between the IATTC and the WCPFC was held on 24 June. Mr. Brian Hallman, of the Commission staff, who served as chair of the consultative meeting, reported to the Commission on the results of the meeting.

Mr. Hallman noted that the objective of the consultation was to inform members of current and future areas of collaboration needed between the two Commissions and collect comments from participants

relative to the conduct of this collaboration. He pointed out that the consultation was called for by a Memorandum of Understanding which had been agreed by the two Commissions, and which establishes the terms and conditions for a formal consultation between the two.

Mr. Hallman noted that the main accomplishment of the first Consultative Meeting was to review the draft program of work which sets forth the areas of current and future collaboration between the IATTC and the WCPFC.

He also commented that a request was made by one of the IATTC members that in future all meeting documents be made available in both languages of that Commission. It was also noted that IATTC members would require simultaneous interpretation at the meetings.

Regarding the substantive items in the meeting, Japan stressed that several items in the program of work and the draft agreement on the exchange of data include important policy implications, which need to be discussed at each Commission to obtain clear guidance before putting them forward to the consultative meeting. Japan therefore reserved its position on all of the issues discussed during this consultation and requested that these matters be referred back to the consideration of the member governments of the Commissions.

Following Mr. Hallman's report, the Commission held a discussion on the matter of reporting on the activities of vessels authorized to fish in one of the Commission areas which are also fishing in the other Commission area. In this regard, the United States presented a proposal (Appendix 5.d), for an agreement by the meeting, to be recorded in the minutes, which would establish that certain vessel information would be exchanged by the two Secretariats.

Although the importance of cooperation between the two Commissions on this matter was recognized, a few delegations were reluctant to agree that the IATTC Secretariat report relevant fishing information to the WCPFC in the absence of a formally agreed procedure. Thus, while the United States proposal was not agreed, the meeting recognized that this matter would need to be revisited in the future.

14. Review of vessel capacity issues

Several delegations expressed their interests regarding the matter of purse-seine vessel capacity in the Eastern Pacific Ocean and concerns over the implementation of the Resolution C-02-03 on fleet capacity.

Venezuela expressed its view that it has the right to replace several vessels which transferred flag to Panama in late 2005, blaming the Secretariat for the fact that the records do not reflect that the capacity associated with these vessels is available to Venezuela.

Dr. Allen explained the events surrounding this matter from the point of view of the Secretariat.

Peru expressed its view regarding the amount of purse-seine capacity which should be made available to Peru by the Commission (Appendix 6.b).

Guatemala asked that its views on the implementation of the Resolution C-02-03 be made a part of the record of this meeting (Appendix 6.c).

Similarly, Colombia asked that its views on the capacity issue be included in the minutes (Appendix 6.d), and Bolivia made a statement about its situation with regard to some vessels previously of its flag (Appendix 6.e).

The meeting had a lengthy discussion on the issues raised by these delegations as well as on other capacity matters, but there was no agreement to amend Resolution C-02-03. However, the meeting did agree that the Working Group on Fleet Capacity should meet again, in order to allow more time for a thorough discussion of the proposals raised by delegations.

15. Appointment of the Director of Investigations

The Commission spent considerable time interviewing the candidates for the post of Director of

Investigations of the IATTC, to succeed Dr. Robin Allen, who was retiring before the end of the year, and deciding which of the candidates should be appointed to the post. In the end, the Commission selected Dr. Guillermo Compeán Jiménez from Mexico as its new Director.

16. Actions following the meeting of Tuna Commissions, Kobe, January 2007

Dr. Allen reviewed [Document IATTC-75-13](#), noting that in January 2007, the five regional fisheries management organizations (RFMOs) responsible for tunas and tuna-like species held their first joint meeting at Kobe, Japan. At that meeting a Course of Actions was agreed, and it was also agreed that members shall commence implementing the measures foreseen in the Course of Actions at the 2007 annual meeting of each Commission as a matter of priority, consistent with the respective convention.

Following the meeting in Kobe, Ambassador David Balton of the United States carried out further consultations, and subsequently sent a memorandum to the Parties with a suggested set of criteria for reviewing the performance of RFMOs.

Dr. Allen pointed out that at the present meeting, the Commission should decide its next steps in implementing the measures in the Course of Actions. More specifically, the Commission should decide on the following:

1. A performance review, as recommended by the Kobe meeting.
2. The review criteria.
3. How to proceed with the performance review, keeping in mind the agreement at the Kobe meeting that “as decided by each tuna RFMO, the reviews should be conducted by a team of individuals drawn from the RFMO secretariat, members of that RFMO and outside experts, with a view to ensuring objectivity and credibility.”
4. Which of the other actions recommended by the Kobe meeting should be addressed by the IATTC, and in what manner.

Spain, subsequently joined by Japan and the United States, introduced a draft resolution to implement the Kobe recommendations for a performance review. This was briefly discussed by the meeting, but no agreement was reached in the end, and it was decided to take up this issue at the next meeting of the Commission.

17. Inclusion of vessels of non-Parties on the IATTC Regional Register

Dr. Allen reviewed [Document IATTC-74-11](#), noting that, over the course of the past five years, the Commission has adopted four different resolutions ([C-00-06](#), [C-02-03](#), [C-03-07](#), and [C-05-07](#)) affecting the IATTC Regional Vessel Register, and creating different lists of vessels. Dr. Allen observed that, while these resolutions are not contradictory, they lack coherence in their linkages and in the lists they create, and it would appear that some clarifications would be in order. On 13 July 2005, Commissioners were sent a memorandum (Appendix 7.a) addressing this matter.

Dr. Allen commented that, from the few responses to this memorandum, and from other correspondence received, it would appear that most member countries consider that only the vessels of CPCs should be on the Regional Register, as is the case for vessels on the longline ‘positive’ list (Resolution C-03-07), but this is not stipulated in the Resolution C-00-06, which created the Register. It also appears that there is a consensus that vessels included on the Commission’s IUU List pursuant to Resolution C-05-07 should not also be on the Register; less clear is whether the lists of authorized purse-seine vessels should also be limited to CPCs, which is not currently stipulated in the Resolution C-02-03.

Dr. Allen concluded by noting that, if the Commission can confirm how it wishes to address these three matters, a resolution could be adopted that would clarify these linkages, and the lists could be reviewed and any necessary adjustments made.

The Commission held a brief discussion on this issue, with some delegations agreeing that it would be advantageous to clarify the linkages between the various vessel lists. Although no concrete ideas were put forward on how to move this matter forward, there was a consensus at the meeting that the issue should be addressed again in future.

18. Size limit for inclusion of vessels in the IUU Vessel List

Dr. Allen reviewed Document [IATTC-75-15](#), noting that for the past several years, the Commission has been discussing the limit of 24 meters overall length for vessels to be eligible for inclusion in the IATTC IUU Vessel List. During the 74th meeting of the Commission in June 2006, it became clear that most, if not all, Parties believe that the 24-meter limit is too high.

Dr. Allen noted that the Joint Working Group on Fishing by Non-Parties recommended to the Commission an amendment to Resolution [C-05-07](#) which combined a length limit, to be decided by the Commission, with the criterion that all vessels with a history of fishing in waters outside the jurisdiction of their flag states be eligible for inclusion in the IUU List. The Commission did not agree to this proposal, but decided to consider it again at its next meeting.

Dr. Allen pointed out that Document IATTC-75-15 also addressed a related question, which is the definition of vessel length. Three IATTC Resolutions ([C-03-07](#), [C-04-06](#), and [C-05-07](#)) contain measures applying to vessels longer than 24 meters. In two of these, length is specified as “overall length”, and the third simply refers to “length.” It has been proposed that the IATTC and other regional fisheries management organizations should harmonize their definitions of vessel length, using a common standard for defining length.

Regarding the question of amending Resolution [C-05-07](#), several delegations spoke in favor of a length limit of less than 24 meters, noting that many longline vessels were being built with measurements just below this limit in order to avoid regulation. However, Ecuador was not in favor of lowering the limit.

Regarding the question of how vessel length is measured, several delegations expressed their view that the standard should be “length overall”, not “length between perpendiculars”, as the latter standard would have the effect of excluding many vessels covered by resolutions now in force. Belize observed that one advantage about the standard of “length between perpendiculars” is that it is contained in vessel documents, and thus can be easily verified.

In the end, no amendments to the Resolution were agreed, nor was a definition of vessel length, but it was agreed that this issue would be addressed in the future.

19. Review of 1992 Resolution on the La Jolla Agreement

Dr. Allen reviewed Document [IATTC-75-17](#) regarding the 1992 [Resolution](#) on the International Dolphin Conservation Program (the La Jolla Agreement), explaining that this Resolution, together with the 1998 Resolution regarding the AIDCP ([C-98-01](#)), are the IATTC instruments that establish and define the Commission’s relationship with the AIDCP. He noted that the Resolution is still in effect, but is now outdated, and that, given the crucial relationship between the IATTC and the AIDCP, and the clear importance of the international observer program, it would appear that there is value in strengthening and clarifying the linkage by updating the 1992 Resolution. Accordingly, he offered for the consideration of the meeting a draft resolution.

This draft resolution was added to the list of resolutions to be discussed later under agenda item 21. However, it was not discussed later as planned, due to the lack of time.

20. Review of Commission staff’s research

Dr. Allen presented a brief review of the scientific research being conducted by Commission staff.

20a. Recommended research program and budget for 2008 and 2009

Dr. Allen presented Document [IATTC-75-19](#), the program and budget for 2009. In this document, the proposed research program and estimates of expenditure for 2009 are presented, by project and specific budget objects, in US dollars.

Dr. Allen explained that the budget proposed for 2009 was made assuming inflation will increase general costs by 3% and salaries by 2.68%. He also reported that problems continue with member country contributions not being paid in a timely manner, although the current situation in that regard is not as dire as previously.

Some countries noted that it was difficult to make payments by November 1 of each year. Spain commented that it would be a good idea to establish a reserve fund, not requiring an increase in the overall budget, to enable the Secretariat to have operating funds if member country contributions are late. The United States stated that it supported the budget presented, and spoke favorable of the small increase due to inflation. Japan emphasized the importance of members paying their contributions in a timely manner.

The budget as presented by Dr. Allen was approved by the Commission, and Resolution [C-07-06](#) on financing the Commission in 2008 was adopted.

20b. Amendment of IATTC financial year

Dr. Allen presented Document [IATTC-75-19](#), which provides estimates of expenditures for the current financial year, which ends on 30 September 2008, and for 2009. Dr. Allen reminded the meeting that at its 74th meeting, the Commission decided to change its financial year to a calendar year, starting in 2009. That requires a financial bridging period between 1 October and 31 December 2008, as detailed in Document [IATTC-75-19 SUP](#).

Some delegations indicated that there could be some timing problems associated with payment of contributions to cover this bridging period.

21. Resolutions

A number of proposed resolutions were addressed under this agenda item. The results of the discussions of some of these proposals are presented under the pertinent agenda item in these minutes. Following is a summary of what transpired with respect to the others:

1. A proposed resolution by Spain (A1) to amend Resolution C-05-07 on the List of IUU Vessels, previously presented at the last meeting of the Commission, was discussed, principally in informal consultations outside the meeting. The proposal was not agreed, but it was recognized that it should continue to be discussed in future meetings.
2. A proposed resolution by El Salvador to amend Resolution C-04-02 on the criteria for attaining the status of cooperating non-Party or fishing entity in IATTC was approved (Resolution C-07-02).
3. A proposed resolution by Spain (H1) on observers for longline vessels was not approved.
4. A proposed resolution by the United States (E1) to mitigate the impact of tuna fishing vessels on sea turtles was not approved.
5. A proposed resolution by Spain (G1) to mitigate the impact on seabirds of fishing for highly-migratory fish stocks was extensively discussed. There was considerable support for the proposal, but in the end it was not approved. Some delegations believed that the proposal, while very similar to one adopted for the western Pacific, was more extensive than it needed to be for the eastern Pacific Ocean, where there was less interaction with seabirds than in other oceans. Spain, supported by other delegations, indicated that it intended to pursue a proposal on seabirds in future meetings.

22. Election of Chairs of Working Groups

The Commission agreed that the following individuals would continue to chair the Commission's Working Groups:

Bycatch	Ing. Luis Torres (Ecuador)
Capacity	Ing. Arnulfo Franco (Panama)
Compliance	Mr. David Hogan (United States)
Finance	Ms. Allison Routt (United States)
Joint Working Group on Fishing by Non-Parties	Sra. Elisa Barahona (Spain)

23. Other business

The environmental non-governmental organizations (NGOs) present at the meeting asked that a joint statement (Appendix 6.f) be presented.

No other business was discussed.

24. Place and date of next meeting

It was agreed that the Commission should meet again during the next several months, possibly in conjunction with the meetings of the AIDCP in October 2007, to seek agreement on a conservation and management program for 2008 and subsequent years.

It was agreed that the Commission would hold its next annual meeting in Panama, in conjunction with AIDCP meetings during the period of 16-27 June 2008.

25. Adjournment

The meeting was adjourned on 29 June 2007.

Appendix 1.

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Appendix 2a.

INTER-AMERICAN TROPICAL TUNA COMMISSION

75TH MEETING

CANCUN (MEXICO)

25-29 JUNE 2007

RESOLUTION C-07-01

**RESOLUTION ON SPECIAL VOTING PROCEDURES FOR THE
SELECTION OF THE NEXT DIRECTOR OF THE IATTC**

The Inter-American Tropical Tuna Commission (IATTC), meeting in Cancun, Mexico, on the occasion of its 75th Meeting:

Maintaining the objective of concluding the process to select the next Director of the Commission by a consensus decision;

Recognizing however that the Commission sees the need for the adoption of special and extraordinary procedures for the selection of the next Director, to be used only for that decision;

Resolves as follows:

1. The voting procedure and debate on consensus will be conducted in a meeting of Heads of Delegation, in coordination with the Secretariat.
2. At the conclusion of the interviews of all five candidates, the Parties shall conduct the first round of decision-making. The Parties may vote by secret ballot for their two preferred candidates. Each ballot must have two different names and Parties may not vote twice for any one candidate in this round. Each vote will count equally as one vote. Any ballot in this round that has more or less than two candidates' name will render the ballot, and the round, invalid and the round will be conducted again, following the same procedure of this paragraph.
3. The two candidates with the highest number of votes shall be announced to the Heads of Delegation as the remaining candidates to be considered. The ballots shall be collected by the Director and one staff member, who will double-count and tabulate the results and present them in a written report to the Chairman. In the event of a tie, another vote will be conducted among the tied candidates.
4. Following the announcement of the results of the voting in paragraph 2 above, the Parties shall conduct a debate to determine if a consensus exists in support of a single candidate. If consensus exists at the end of 1 hour maximum, that will be recorded and announced to the plenary of the Commission.
5. If no consensus exists at the end of 1 hour maximum of debate, the Chairman will convene the final round of voting. The Parties may vote by secret ballot on their respective choice between the two candidates. In the event of a tie, another vote will immediately be conducted.
6. The results of the final round, and any tie-breaking vote if necessary, will be considered the final decision of the Commission and will be announced to the Commission plenary.
7. Any Party may abstain from any of the rounds of voting described in paragraphs 2 and 5 above at any time.
8. This extraordinary procedure is to be used on this occasion and does not set a precedent for the Commission.

Appendix 2b.

INTER-AMERICAN TROPICAL TUNA COMMISSION

75TH MEETING

CANCUN (MEXICO)

25-29 JUNE 2007

RESOLUTION C-07-02

CRITERIA FOR ATTAINING THE STATUS OF COOPERATING NON-PARTY OR FISHING ENTITY IN IATTC

The Inter-American Tropical Tuna Commission (IATTC), meeting in Cancun, Mexico, on the occasion of its 75th Meeting:

Recalling Resolution C-04-02 on Criteria for attaining the Status of Cooperating Non-Party or Cooperating Fishing Entity to AIDCP and IATTC;

Recognizing the continuing need to encourage non-parties or fishing entities with vessels fishing for species covered by the IATTC Convention to implement the conservation and management measures of the IATTC; and

Recognizing the need for clear criteria to enable non-parties or fishing entities whose vessels fish for species covered by the IATTC Convention to attain the status of Cooperating non-Party or Cooperating Fishing Entity;

Resolves as follows:

1. Each year, the Director shall contact all non-parties and fishing entities with vessels known to be fishing for species covered by the IATTC Convention, to urge them to become a Party to the IATTC or to attain the status of a Cooperating Non-Party or Cooperating Fishing Entity to IATTC (Cooperating Status). In doing so, the Director shall provide copies of all relevant resolutions adopted by the Commission.
2. Any non-party or fishing entity that seeks to be accorded Cooperating Status shall apply to the Director requesting such status. Such requests must be received by the Director no later than ninety (90) days in advance of an annual meeting of the Commission in order to be considered at that meeting.
3. Non-parties and fishing entities requesting Cooperating Status shall fulfill the following requirements in order to have this status considered by the Commission:
 - a. Information requirements:
 - i. Communicate full data on its historical fisheries in the IATTC area, including nominal catches, number/type of vessels, name of fishing vessels, fishing effort and fishing areas;
 - ii. Communicate annually catch and effort data and size-frequency distribution of the catches (when possible) in due time and appropriate format for scientific evaluation of the stocks;
 - iii. Communicate details on current fishing presence in the area, number of vessels and vessel characteristics;
 - iv. Communicate research programs it has conducted in the IATTC area and share the information and the results with the IATTC.
 - b. Compliance requirements:

- i. Respect all conservation measures in force in IATTC;
- ii. Respect the capacity limits already in force in IATTC for tuna vessels;
- iii. Inform the IATTC of all the management and conservation measures it takes to ensure compliance by its vessels, including *inter alia* and as appropriate, observer programs, inspection at sea and in port, and Vessel Monitoring Systems (VMS);
- iv. Respond to alleged violations of IATTC measures by its vessels, as determined by the appropriate bodies, and communicate to IATTC the actions taken against the vessels.

c. Participation:

Participation at plenary and relevant subsidiary and scientific meetings, as an observer.

4. An applicant for Cooperating Status shall also:
 - a. confirm its commitment to respect the Commission's conservation and management measures; and
 - b. inform the Commission of the measures it takes to ensure compliance by its vessels with the conservation and management measures of the IATTC.
5. The Joint Working Group on Fishing by non-Parties shall be responsible for reviewing requests for Cooperating Status and for recommending to the Commission whether an applicant should receive Cooperating Status. In granting Cooperating Status, caution shall be used to avoid excess fishing capacity or illegal, unreported and unregulated (IUU) fishing activities in the Convention area.
6. Cooperating Status shall be reviewed and conferred annually by the Commission, if the Cooperating Non-Party or Cooperating Fishing Entity has complied with the criteria for attaining such status established by this resolution.
7. Any Cooperating Non-Party or Cooperating Fishing Entity that has signed, ratified or acceded to the Antigua Convention or the Instrument for the Participation of Fishing Entities attached to Resolution C-03-02 on the Adoption of the Convention for the Strengthening of the Inter-American Tropical Tuna Commission Established by the 1949 Convention Between the United States of America and the Republic of Costa Rica, as appropriate, shall be exempted from submission of the annual application for Cooperating Status as required in paragraph 2 above, if cooperating status has been maintained consistently subsequent to the initial application. Such Cooperating Status shall be subject to annual review as prescribed in paragraph 5 above, and may be revoked by the Commission, if the Cooperating Non-Party or Cooperating Fishing Entity has not complied with the criteria for attaining such status established by this resolution.
8. This resolution replaces Resolution C-04-02 on Criteria for attaining the Status of Cooperating Non-Party or Cooperating Fishing Entity to AIDCP and IATTC.

Appendix 2c.

INTER-AMERICAN TROPICAL TUNA COMMISSION

75TH MEETING

CANCUN (MEXICO)

25-29 JUNE 2007

RESOLUTION C-07-03

**RESOLUTION TO MITIGATE THE IMPACT OF TUNA FISHING VESSELS
ON SEA TURTLES**

The Inter-American Tropical Tuna Commission (IATTC):

Considering the adverse effects of fishing for tunas and tuna-like species on the populations of sea turtles in the eastern Pacific Ocean (EPO) through capture and mortality;

Recalling and reaffirming the *Resolutions on Bycatch* adopted at the 66th, 68th, 69th, 72nd, 73rd and 74th Meetings of the Commission in 2000, 2001, 2002, 2004, 2005, and 2006 respectively;

Recalling and reaffirming the *Resolution on a three-year program to mitigate the impact of tuna fishing on sea turtles* adopted at the 72nd Meeting of the Commission in 2004 expires in 2007;

Recognizing that the Minutes of the 4th Meeting of the Working Group on Bycatch include longline fisheries data that identify the incidental capture of thousands of sea turtles and their subsequent high mortality in the EPO;

Recognizing that the United Nations Food and Agriculture Organization (FAO) adopted *Guidelines to reduce sea turtle mortality in fishing operations* at its Twenty-sixth Session of the Committee on Fisheries, held in March 2005, and recommended their implementation by regional fisheries bodies and management organizations;

Noting that recent international scientific studies on circle hooks show a statistically significant decrease in sea turtle bycatch when such hooks are used in shallow set pelagic longline fishing, but that studies and trials continue in different geographic areas;

Further noting that scientific studies indicate that, with the use of large circle hooks, the hooking location can lead to a decrease in the post-release mortality of incidentally caught sea turtles; and

Agreeing that additional measures should be undertaken to reduce sea turtle bycatch and mortality in tuna fisheries;

Has agreed as follows:

ACTIONS BY GOVERNMENTS

Contracting Parties, cooperating non-Parties, fishing entities and regional economic integration organizations (collectively “CPCs”) shall:

1. Implement the FAO Guidelines to reduce the bycatch, injury, and mortality of sea turtles in fishing operations and to ensure the safe handling of all captured sea turtles, in order to improve their survival.
2. Beginning in 2008, report to the IATTC annually by 30 June on the progress of implementation of the FAO Guidelines, including information collected on interactions with sea turtles in fisheries managed under the Convention.
3. Enhance the implementation of their respective sea turtle bycatch, injury, and mortality reduction

measures that are already in place (using best scientific information) and collaborate with other CPCs in the exchange of information in this area.

4. Implement observer programs for fisheries under the purview of the Commission that may have impacts on sea turtles and are not currently being observed, taking into consideration economic and practical feasibility.
5. Require fishermen on vessels targeting species covered by the Convention to bring aboard, if practicable, any comatose or inactive hard-shell sea turtle as soon as possible and foster recovery, including resuscitation, before returning it to the water.
6. CPCs with purse seine vessels fishing for target species covered by the Convention in the EPO shall:
 - a. Avoid encirclement of sea turtles to the extent practicable.
 - b. Take actions necessary to monitor Fish Aggregating Devices (FADs) for the entanglement of sea turtles, and provide the monitoring results to the Commission as part of the requirement of paragraph 2.
 - c. Require fishermen to release all sea turtles observed entangled in FADs.
 - d. Conduct research and development of modified FAD designs to reduce sea turtle entanglement. Take measures to encourage the use of designs found to be successful at such reduction.
7. CPCs with longline vessels fishing for target species covered by the Convention in the EPO shall:
 - a. Require fishermen to carry and, when sea turtle interactions occur, employ the necessary equipment (e.g. de-hookers, line cutters, and scoop nets) for the prompt release of incidentally-caught sea turtles.
 - b. Continue to improve techniques to further reduce sea turtle bycatch.
 - c. Expediently undertake fishing trials to determine the feasibility and effectiveness of appropriate combinations of circle hooks and bait, depth, gear specifications, fishing practices, and other measures in reducing the bycatch, injury, and mortality of sea turtles, assess their effects on the catch of target and other bycatch species, and provide results to the IATTC.
 - d. At future meetings of the Commission, consider measures related to the use of circle hooks and other gear modifications, taking into account the results of research and fishing trials.

ACTIONS BY IATTC STAFF

8. The Commission staff shall review information submitted as part of paragraph 2 of this Resolution, results of research and fishing trials provided by CPCs (including the development of modified FADs and effectiveness of circle hook/bait combinations), and any new information available regarding proven techniques to reduce sea turtle bycatch, injury and mortality in fisheries targeting tuna and tuna-like species. Results of this review shall be made available to all CPCs and shall be presented at the next meeting of the IATTC Bycatch Working Group, with the view toward strengthening these resolutions as necessary.

Appendix 2d.

INTER-AMERICAN TROPICAL TUNA COMMISSION

75TH MEETING

CANCUN (MEXICO)

25-29 JUNE 2007

RESOLUTION C-07-04

RESOLUTION ON EXPERIMENTAL FISHING

Notwithstanding the requirements for closure of the purse-seine fishery stipulated in Resolution C-06-02 on the conservation of tuna in the eastern Pacific Ocean in 2007, one purse-seine vessel shall be allowed to fish for purposes of a scientific experiment during the period of closure established by its flag state.

The scientific experiment shall be for the purpose of testing gear modifications designed to reduce the catches of small tunas, and shall be elaborated in a proposal submitted to the Director at least two weeks before the expected date of the beginning of the first fishing trip of the vessel, and approved by the Director in consultation with the Commission prior to the trip.

The Director shall notify the Commissioners of the proposal upon his approval of it, and the flag state of the vessel involved, in cooperation with the Director, shall report on the results of the experiment as soon as possible following the conclusion of the vessel's fishing activities.

Any economic benefits of fishing during the closure shall be shared with the Commission.

APPENDIX

EXPERIMENTAL PROJECT FOR THE PURSE-SEINE TUNA FISHERY IN WHICH A FLEXIBLE DEVICE (GRID) IS INSTALLED TO ALLOW JUVENILE TUNAS TO ESCAPE

1. Introduction:

In accordance with the Resolution which establishes the need to seek alternative methods for reducing the catch of juvenile tunas, ECUADOR has designed and built a flexible grid which when installed in purse-seine nets, will allow the small tunas to escape, a device that needs to be tested.

With the aim of avoiding operative losses to the vessel company that has borne all the costs of building the device and that will also cover 100% of the costs of the test cruise(s), it is requested that: during the 2007 closure for the purse-seine fleet operating in the EPO, a single vessel be allowed to test the device.

2. Beginning and duration:

The experiment will take place from about 05 August and will finish its first phase in about 90 days, making as many trips as conditions permit in the usual fishing areas on FADs and schoolfish.

Depending on the initial results, the use of the grid will be continued during 90 more days in order to monitor its real effectiveness and/or make adjustments to the design, allowing at the same time operation in the months in which the oceanographic conditions vary due to seasonal changes, mainly temperature and currents.

3. Implementation:

The experiment will be coordinated by the Undersecretariat of Fisheries Resources of Ecuador in

coordination with the fleet manager of the company that owns the tuna vessel selected.

The following will participate:

1. The usual crew of the vessel including the IATTC or National Program observer, as appropriate.
2. An Ecuadorean technical expert selected by the Undersecretariat of Fisheries Resources.
3. An expert from the Commission staff.
4. An expert from (of a Party interested in the case).

In addition to the forms that the observers use, a special form will be used that shall be presented to the Commission for consideration for any suggestions.

The results shall be sorted and processed by the group of experts under the coordination of the delegate of the Undersecretariat of Fisheries Resources of Ecuador and will be submitted to the Commission Secretariat.

4. Costs:

Shall be covered by the national vessel company as regards the installation of the device in the net and those corresponding to the trips including board for the experts, fuel and supplies.

Each participating expert and/or institution shall bear the costs of transportation, expenses, insurance, etc.

The Undersecretariat of Fisheries Resources of Ecuador shall provide assistance and will provide a vehicle for transporting the experts from Guayaquil, Ecuador, to the port of departure.

The experts may, if they wish, remain for one or two trips during this first experimental phase.

Appendix 2e.

INTER-AMERICAN TROPICAL TUNA COMMISSION

75TH MEETING

CANCUN (MEXICO)

25-29 JUNE 2007

RESOLUTION C-07-05

CALCULATING CONTRIBUTIONS TO THE IATTC BUDGET

The Inter-American Tropical Tuna Commission (IATTC):

Recognizing the importance of equity and stability in the calculation of the contributions of members to the Commission's budget, and of fully funding the work of the Commission so that it may fulfill its duties and responsibilities,

Resolves as follows:

The following elements shall be used in the determination of the contributions of members to the IATTC budget:

1. Each member's contribution shall be calculated as follows: 10% of the total budget, minus any special contributions, shall be divided equally among all the members (base contribution); the remaining 90% shall be allocated among members, weighted by their Gross National Income (GNI) category in accordance with the following:
 - a. an operational component (10%);
 - b. the catches by their flag vessels (65%);
 - c. their utilization of tuna from the eastern Pacific Ocean (15%).

Category	GNI range (US\$)
0.5	< 1,499
1	1,500 - 3,499
2	3,500 - 6,499
3	6,500 - 10,999
4	11,000 - 15,999
5	16,000 >

Table 1. GNI categories used for allocating contributions

2. The weighting factors used in calculating contributions shall be the same as the GNI categories.
3. Each member's catch contribution shall be based on the annual average of the catches by its flag vessels in the three most recent years for which catch data are available.
4. In the determination of a member's utilization, 50% of the tuna loins included in the calculation shall be attributed to the member that exported the loins and 50% to the member that imported them.
5. In the case of a member that is also a member of the Western and Central Pacific Fisheries Commission, only 50% of catches made by its flag vessels in the overlap area between the two Commissions shall be included in the calculation of that member's contribution based on catch.
6. This formula shall be applied to the budget for FY 2009, and shall continue in use until the annual meeting of the IATTC following the entry into force of the Antigua Convention.

Appendix 2f.

INTER-AMERICAN TROPICAL TUNA COMMISSION

75TH MEETING

CANCUN (MEXICO)

25-29 JUNE 2007

RESOLUTION C-07-06

RESOLUTION ON FINANCING

The Parties to the Inter-American Tropical Tuna Commission (IATTC):

Understanding the importance of ensuring sufficient funding for the Commission in a timely manner so it may continue to effectively develop and implement the agreed conservation and management program for the living marine resources of the eastern Pacific Ocean (EPO) and conduct the associated data collection and research;

Noting that non-payment of the agreed contributions may impair the Commission's ability to continue its operations;

Aware that the allocation of the costs of supporting the Commission among Parties should be transparent, fair and equitable, stable, and predictable, but also should allow for redistribution of costs as new Parties join;

Giving due consideration to the current requirement in the Convention establishing the Commission that the proportion of the expenses paid by each Party should be related to the proportion of the total catch utilized by that Party and the consensus of the Parties that other factors should be considered in determining their proportional contributions;

Taking into account the relevant provisions of the Antigua Convention, adopted in Antigua, Guatemala, on 27 June 2003;

Recognizing that the ability of a Party to make its contribution may be limited by circumstances beyond its control, and that such a situation may require reconsideration of the budget for that year;

Noting that several non-Parties derive benefits from catching or utilizing fish covered by the Convention, but do not make contributions to the Commission;

Taking note of the staff's proposals regarding the budget presented in Document IATTC-75-19 and the need to implement a long-term financing system; and

Recognizing the need to seek economies in the operation of the Commission, in order to reduce costs;

Have agreed as follows:

1. To adopt the budget of US\$ 5,508,722 for FY 2009 presented in Document IATTC-75-19.
2. To contribute to the budget of the IATTC for FY 2008 in accordance with the following schedule of payments, which was developed taking into account the draft funding formula illustrated in the tables attached to the Minutes of the 5th Meeting of the Working Group on Finance, held August 29-31, 2001, in La Jolla, California.

(US\$)	FY 2008 Due 1 November 2007
Costa Rica	58,832
Ecuador	536,639
Spain	670,661
France	110,498
Guatemala	46,134
Japan	297,282
Korea	201,709
Mexico	1,045,877
Nicaragua	32,548
Panama	318,445
Peru	37,967
El Salvador	78,631
United States	1,746,553
Venezuela	276,121
Vanuatu	45,451
Total	5,503,347

3. That the Director shall inform each Party, at least two months prior to the annual meeting, of its projected contribution for the following two financial years.
4. That the Commission shall not pay more than 30% of the costs associated with the AIDCP On-Board Observer Program for vessels of member states.
5. In the case of a member that is also a member of the Western and Central Pacific Fisheries Commission, only 50% of catches made by its flag vessels in the overlap area between the two Commissions shall be included in the calculation of that member's contribution based on catch.
6. That the contributions of any new member of the Commission shall be determined on the same basis as the contributions of existing members, subject to the Commission's financial regulations, but with the factor set equal to the number of the Gross National Income category.
7. That States not presently members of the IATTC and fishing entities which have vessels fishing for fish covered by the Convention should make, and request their flag vessels to make, voluntary contributions to the Commission, preferably on the same basis as the contributions of existing members.
8. To invite NGOs interested in the work of the IATTC to make contributions to the Commission's budget.

Appendix 3.

IATTC IUU VESSEL LIST

29 JUNE 2007

	Name Nombre	Gear Arte	Flag Pabellón
1.	<i>Marta Lucia R.</i>	PS	COL
2.	<i>Bhaskara No. 10</i>	LL	IDN
3.	<i>Bhaskara No. 9</i>	LL	IDN
4.	<i>Bhineka</i>	LL	IDN
5.	<i>Hiroyoshi 17</i>	LL	IDN
6.	<i>Jimmy Wijaya XXXV</i>	LL	IDN
7.	<i>Permata</i>	LL	IDN
8.	<i>Permata 1</i>	LL	IDN
9.	<i>Permata 102</i>	LL	IDN
10.	<i>Permata 2</i>	LL	IDN
11.	<i>Permata 6</i>	LL	IDN
12.	<i>Permata 8</i>	LL	IDN
13.	<i>Dragon III</i>	LL	UNK
14.	<i>Camelot</i>	LL	UNK
15.	<i>Chi Hao No. 66</i>	LL	UNK
16.	<i>Dragon 18</i>	LL	UNK
17.	<i>Jyi Lih 88</i>	LL	UNK
18.	<i>Mary Lynn</i>	PS	UNK
19.	<i>Ming Yu Sheng 8</i>	LL	UNK
20.	<i>Orca</i>	LL	UNK
21.	<i>Permata 138</i>	LL	UNK
22.	<i>Reymar 6</i>	LL	UNK
23.	<i>Ta Fu 1</i>	LL	UNK
24.	<i>Wen Teng No. 688</i>	LL	UNK

COL	Colombia	UNK	Unknown–Desconocido
GEO	Georgia	PS	Purse seine–Red de cerco
IDN	Indonesia	LL	Longline–Palangre
KHM	Cambodia–Camboya		

Appendix 4a.

INTER-AMERICAN TROPICAL TUNA COMMISSION
PERMANENT WORKING GROUP ON COMPLIANCE

8TH MEETING

CANCUN (MEXICO)
21 JUNE 2007

CHAIR'S REPORT (REVISED)

AGENDA

1. Opening of the meeting
2. Adoption of the agenda
3. Approval of the minutes of the 7th Meeting
4. Review of relevant [Commission Resolutions](#)
5. Compliance with IATTC measures in 2006:
 - a) [Resolution on bycatch](#) (C-04-05):
 - i. release of live bycatch
 - ii. full retention
 - b) [Resolution on fish-aggregating devices](#) (C-99-07)
 - c) [Resolution on the conservation of tuna](#) (C-04-09):
 - i. Purse-seine closures
 - ii. Limitation on longline catch
 - d) [Resolution on at-sea reporting](#) (C-03-04)
 - e) [Resolution on fleet capacity](#) (C-02-03)
 - f) [Resolution on data provision](#) (C-03-05)
 - g) [Resolution on northern albacore tuna](#) (C-05-02)
 - h) National reports
6. Other business
7. Recommendations for the Commission
8. Adjournment

The meeting was called to order by the chairman, David Hogan of the United States.

The provisional agenda was adopted as presented, with one addition regarding an item on the approval of the minutes of the 7th Meeting of the Working Group. The minutes were approved as presented.

The staff presented its report on compliance in 2006 (Document COM-8-04), including the review of relevant Commission Resolutions under agenda item 4 and continuing with the review of possible violations under agenda item 5. It was noted that, because of the use by IATTC observers of a new compliance reporting form, the RDC, some new information was being presented. The report was also summarized in a slide presentation that will be made available on the Commission website.

Regarding sea turtles, it was noted that in 2006 there were 1,565 sets involving 1,795 sea turtles, compared to 1,350 sets involving 1,955 turtles in 2005. Of the 1,795 turtles involved in 2006, 89% were released unharmed and 5% escaped, so 93-94% of the turtles involved suffered no adverse effects from the fishery, and only 6 turtle mortalities were recorded by observers. In 2006 a total of 69 violations involving no effort to avoid entanglement or no recovery effort were identified and reported to governments.

Regarding sharks, observers reported 3,224 sets that involved 24,796 sharks. Of these, 2,085 were released alive, 11,218 were discarded and 11,309 were retained. In 87 of the 257 trips for which an RDC was completed, 4,526 sharks were finned.

Regarding the requirement for purse-seine vessels to retain on board all tuna caught, the staff reported that observers reported 1,089 sets with discards during 2006, resulting in an estimated 6,297 tons discarded. Only approximately 7% of the sets with discards have been properly documented by the captains during 2006.

Regarding at sea-reporting, the staff reported that the reporting rate of 85% in 2006 was a decrease from the 89% rate from 2005. The range of reporting rates varied from 74% to 100%. It was pointed out that the compliance rate reflected submission of reports by vessels rather than by observers.

Regarding compliance with the purse-seine closures, there were two reported violations.

Regarding the bigeye catch limits, none of the reported catches exceeded the established limits.

Regarding the resolution on northern albacore tuna, the staff reported that all CPCs except China had submitted the required reports. The staff identified several areas where the Commission may want to provide some clarity within the resolution to better implement and track compliance with the resolution.

Regarding the resolution on fleet capacity, the staff reported that the Colombian vessel *Martha Lucía R* and the Venezuelan vessel *Athena F* continued to fish in the EPO in 2006 without being on the Regional Vessel Register. The staff also reported that two other vessels, the *Vicente F* (Panama) and the *Don Abel* (Venezuela), fished in the EPO while not on the Regional Vessel Register. It was reported that three vessels, the *Aracely F*, *Jeannine* and *Atlantis IV*, stored fish in wells that were supposed to be sealed. Mexico noted that it had advised the Secretariat that capacity would be made available from a sunk vessel to account for the volume of the sealed wells on the *Jeannine*, so that they could be unsealed.

The discussion of the compliance report first touched on the time frame used by the Secretariat, with Mexico recommending that the actual year of the violation or other event be used, rather than the year in which a trip began.

Several delegations noted that the compliance picture was improving overall, but that for several key areas there is very little information on compliance by longline vessels. The importance of government holding seminars to promote compliance was stressed by delegations.

On sea turtles, comments reflected the improving trend in compliance, in particular for the purse-seine fishery, but again noted no information on bycatch by some longline vessels. Spain asked that the table on shark bycatch be broken down by set type, and that differences in shark bycatch between set types be examined.

It was pointed out that compliance with the restrictions on finning of sharks required attention by the Commission, and several delegations described the actions they are taking to implement the restriction and improve compliance.

The full retention requirement was again discussed in the context of examining the compliance rate and the contribution toward conservation.

On tuna conservation, the cases of fishing during a closure were examined, including one of the extraordinary circumstances presented in the report related to a vessel operating under two national

regimes (one of its flag and the other of a member with whom it had a contract of association) in one year, and concerns were expressed that such circumstances could in the future lead to diminishment of the effectiveness of the IATTC conservation and management measures. Spain noted that it did not anticipate that this situation, which involved a Spanish-flag vessel, would occur in future.

Japan again expressed concern over the 2001 catch data from Vanuatu, on which the 2006 catch limit for longline vessels of that Party were based.

Discussion of compliance with the capacity resolution revolved around continuing concerns by some delegations that sealing wells may not be an effective way of managing capacity, though Mexico pointed out that this was not the only reason that wells might be sealed.

There was discussion of the nature of the import and landing data reporting requirement of the resolution on trade measures, and although no clear compliance-related issues were raised, it was considered useful to seek a clarification from the Commission on the reporting aspect of the resolution.

The discussion on VMS implementation generated a significant number of reports from delegations, and it was requested that these, as well as any others submitted to the Secretariat, be summarized. That summary is appended to this report.

A discussion of compliance with the resolution on the IATTC IUU Vessel List generated some explanations regarding the unloading by vessels cited in the report, as well as some information on the status of the flag and disposition of some IUU vessels that would be discussed in the Joint Working Group on Fishing by Non-Parties, both with respect to the specific vessels and with the intent of the IUU resolution in relation to re-flagging of IUU vessels.

Venezuela reminded the Parties of the obligation to work on reducing the bycatch of small fish, including such devices as sorting grids. Ecuador reiterated its proposal from last year, and indicated that it would be brought back to the IATTC again this year.

Japan and Chinese Taipei commented on the resolution on longline fishing capacity, with Chinese Taipei reporting that they had scrapped 160 large-scale tuna longline vessels in 2005-2006, and had plans to scrap 23 more by the end of 2007, for a total of 183 scrapped vessels.

Recommendations:

The Working Group recommends that the Commission:

1. Take note of the poor compliance with the measure on finning of sharks and examine what can be done to improve this.
2. Endorse asking national observer programs to use the new compliance reporting form (RDC) if they are not doing so already.
3. Examine the provisions of the albacore tuna resolution to determine whether it would be useful or necessary to clarify or amend the resolution to define the concept of “current levels of effort” and other provisions, as noted in Document COM-8-04.
4. Clarify its intention with respect to the reporting provisions of the trade measures resolution.

Also, some Parties want the Commission to consider how more could be done to establish a program or activities to develop better methods or technologies to reduce the bycatch of small and juvenile fish.

The Working Group will meet in conjunction with the annual meeting of the IATTC in 2008.

Appendix 4b.

**INTERNATIONAL DOLPHIN
CONSERVATION PROGRAM**

**INTER-AMERICAN TROPICAL
TUNA COMMISSION**

JOINT WORKING GROUP ON FISHING BY NON-PARTIES

6th MEETING

**Cancun (Mexico)
22 June 2007**

CHAIR'S REPORT

AGENDA

	Documents
1. Opening of the meeting	
2. Adoption of the agenda	
3. Approval of minutes of the fifth meeting	
4. Compliance by non-parties	JWG-6-04
5. List of vessels identified as being engaged in IUU fishing	JWG-6-05
6. Cooperating non-parties or fishing entities for 2008	JWG-6-06
7. Other business	
8. Recommendations for the IATTC and the Meeting of the Parties	
9. Adjournment	

1. Opening of the meeting

Dr. Allen opened the meeting, which was chaired by Ms. Elisa Barahona of Spain.

2. Adoption of the agenda

The agenda was adopted as presented.

3. Approval of minutes of the fifth meeting

The minutes of the fifth meeting of the Working Group were adopted without changes.

4. Compliance by non-parties

Document JWG-6-04, *Compliance by Non-Parties*, was reviewed by Dr. Allen. In response to a question, he confirmed that Honduras had not supplied all of the required data with respect to its flag vessels.

Colombia made some comments regarding the *Marta Lucia R*, noting that this vessel was authorized to fish in the region, and stating that it was Colombia's sovereign right to have this vessel fish in the EPO. Colombia would like to have the vessel added to the Regional Vessel Register as a special case, and urged the Working Group to recommend to the Commission that this be done. The Chair responded that, in her view, this matter could be forwarded to the Commission for its consideration, without a recommendation from the Working Group.

5. List of vessels identified as being engaged in IUU fishing

Dr. Allen reviewed Document JWG-6-05, *IATTC IUU Vessel List*, noting in particular the six issues identified at the end of the paper that the Working Group might wish to consider as it considers the list of vessels identified as being engaged in IUU fishing. The Chair suggested that the Working Group examine these issues one by one:

- a. i. Regarding the *Ha FA No. 21*, a Chinese Taipei flag vessel found to be in violation of an IATTC resolution by French authorities, it was reported that Chinese Taipei had taken strong and effective action against the vessel, and several delegations applauded this action. The Chair noted that if France renewed its request that this vessel be added to the IUU List, that would be considered at next year's Commission meeting, as the communication this year had come past the 1 February cutoff date for considering the addition of vessels to the List.
- ii. Regarding the *Mega Rezeki 02*, Indonesian flag, also reported by French authorities as violating IATTC resolutions, it was noted that no response had been received from Indonesia regarding this vessel or this case. Ecuador committed to investigating whether this vessel really had an Ecuadorian fishing license, as was mentioned in the letter sent to the Secretariat by the High Commissioner of French Polynesia. Several delegations stated that, as the communication from France regarding this vessel had also arrived after the 1 February cutoff date for considering the addition of vessels to the IUU List, this case should be considered at next year's Commission meeting. The Chair stated that this would be done.
- b. With regard to nine vessels – the *Chen Chieh 1, 2, 11, 12, 22, 31, 32, 61, and 62* – whose removal from the IUU List was being sought by Guatemala, the Working Group decided, after considerable discussion, to refer this matter to the Commission for consideration, and suggested that Guatemala explain in writing its reasons for seeking the removal of the vessels from the IUU List. Further, it was noted by the Working Group that the issue of the size of these nine vessels, in relation to their being on the IUU List, should be considered by the Commission.
- c. Regarding the vessel on the IUU List named *Dragon III*, the Working Group decided that the flag of the vessel should be changed from Cambodia to “unknown”. It was commented that, in future, when the staff receives information regarding changes in the names and flags of vessels on the IUU List, it should simply modify the List to incorporate the relevant changes.
- d. Regarding the *Dragon 18*, the Working Group decided that before the vessel is removed from the IUU List, confirmation should be sought that the vessel is in fact sunk.
- e. Regarding the *Wen Teng 668*, a IUU vessel of unknown flag which may have changed names, the Working Group decided that the staff should inquire of Fiji, where the vessel was last seen, to see if more information is available regarding this vessel.
- f. Regarding the flag of the *Permata 6*, which apparently unloaded fish in Costa Rica during 2006, Costa Rica offered to investigate to see if more information regarding the flag of the vessel is available.

Spain reported that it had a revised proposal to amend Resolution C-05-07 on the IATTC IUU List, explaining the background of this proposal and efforts to work with other countries.

Costa Rica commented that it has been coordinating with other Latin American countries in an effort to reach a broad consensus on an amended proposal, but that this effort had not yet been completed. Therefore, while Costa Rica could not endorse the Spanish proposal at this time, it was prepared to see it move forward to the Commission, and would address it in that forum.

6. Cooperating non-parties or fishing entities for 2008

Dr. Allen reviewed Document JWG-6-06, *Cooperating non-parties or fishing entities*. The Chair noted

that six governments - Belize, Canada, China, Chinese Taipei, Cook Islands, and the European Union - had applied for Cooperating Non-Party status, and after discussion, the Working Group recommended that the Commission approve all six applications.

In response to a question from Japan, Belize confirmed that the statements which it made last year in connection with cooperating status were still valid.

El Salvador presented a proposal for amending the Resolution C-04-02 regarding cooperating non-parties. Several countries expressed doubts about this proposal, mainly because its effect would apparently be to maintain the cooperating status of a non-party or fishing entity from year to year unless there was unanimous agreement that such status be revoked. It was agreed to forward this proposal to the Commission for its consideration, but without a recommendation.

7. Other business

The United States called the attention of the meeting to some recent amendments to US law related to IUU fishing and bycatch, noting that it would make these amendments available to the Parties.

Mexico asked how this US initiative would contribute to cooperation in the IATTC; the US responded that many of the things currently being done in the IATTC, such as the formulation of a list of IUU vessels, are already a part of this cooperative process.

Mexico also stated that some of the facts referred to in the communication from French Polynesia merited observations by his delegation, but because the request arrived late, it should not be discussed in this meeting.

Bolivia made a statement confirming its interest in purse-seine fleet capacity, and expressing concern that its rights in this area appear to have been compromised.

8. Recommendations for the IATTC and the Meeting of the Parties

There were no recommendations to the Meeting of the Parties of the AIDCP.

The following recommendations to the IATTC were identified:

5. consider whether nine vessels – the *Chen Chieh 1, 2, 11, 12, 22, 31, 32, 61, and 62* – should be removed from the IATTC IUU List;
6. change the flag of the *Dragon III* from Cambodia to “unknown”;
7. confirm that in future, when the secretariat receives information regarding changes in the names and flags of vessels on the IUU List, it should simply modify the list to incorporate the relevant changes;
8. grant cooperating status to Belize, Canada, China, Chinese Taipei, Cook Islands, and the European Union;
9. consider the proposal from Spain regarding the amendment of Resolution C-05-07 on the IUU List;
10. consider the proposal from El Salvador regarding the amendment of Resolution C-04-02 on cooperating non-Parties.

There was no recommendation to the Commission regarding whether the *Marta Lucía R* should be removed from the IUU List. Colombia asked that the record show its extreme disappointment at the unwillingness of the Working Group to have the Commission entertain its request.

9. Adjournment

The meeting was adjourned.

Appendix 4c.

INTER-AMERICAN TROPICAL TUNA COMMISSION

WORKING GROUP ON FINANCE

9TH MEETING

CANCUN (MEXICO)

26 JUNE 2007

CHAIR'S REPORT

The 9th Meeting of the Working Group on Finance met on 26 June 2007 in Cancun, Mexico.

After a review of the situation following its previous meeting in February 2007, the Working Group discussed a proposal presented by Japan which constituted a new formula for allocating the contributions of the members to the IATTC budget. The proposal was not acceptable to all delegations, but the discussion led to an alternative proposal by the Central American countries. Following the discussion, France presented another proposal which formed the basis for the following recommendation to the Commission by the Working Group for a formula for calculating future contributions to the budget.

The Working Group recommends that the Commission adopt this formula.

RECOMMENDATION FOR CALCULATING CONTRIBUTIONS TO THE IATTC BUDGET

The following elements shall be used in the determination of the contributions of members to the IATTC budget:

1. Each member's contribution shall be calculated as follows: 10% of the total budget, minus any special contributions, shall be divided equally among all the members (base contribution); the remaining 90% shall be allocated among members, weighted by their GNI category in accordance with the following:
 - a. an operational component (10%);
 - b. the catches by their flag vessels (65%);
 - c. their utilization of tuna from the eastern Pacific Ocean (15%).

Category	GNI range (US\$)
0.5	< 1,499
1	1,500 - 3,499
2	3,500 - 6,499
3	6,500 - 10,999
4	11,000 - 15,999
5	16,000 >

Table 1. GNI categories used for allocating contributions

2. The weighting factors used in calculating contributions shall be the same as the GNI categories.
3. Each member's catch contribution shall be based on the annual average of the catches by its flag vessels in the three most recent years for which catch data are available.
4. In the determination of a member's utilization, 50% of the tuna loins included in the calculation shall be attributed to the member that exported the loins and 50% to the member that imported them.
5. In the case of a member that is also a member of the WCPFC, only 50% of catches made by its flag vessels in the overlap area between the two Commissions shall be included in the calculation of that

member's contribution based on catch.

6. This formula shall be applied to the budget for FY 2009, and shall continue in use until the annual meeting of the IATTC following the entry into force of the Antigua Convention.

Appendix 4e.

DOCUMENTO IATTC-75-INF A

**DESTINO DE TIBURONES CAPTURADOS EN LA PESQUERÍA DE CERCO, 2006
FATE OF SHARKS CAUGHT IN THE PURSE-SEINE FISHERY, 2006**

		DEL		NOA		OBJ		Total	
		No.	%	No.	%	No.	%	No.	%
Liberados	Released	0		9		867		876	7
Descartados	Discarded	160		403		6,169		6,736	50
Retenidos	Retained	183		303		5,256		5,746	43
Otros	Others	0		0		8		8	0
Desconocido	Unknown	0		9		62		71	1
Total		343	3	724	5	12,362	92	13,437	

Incluye datos de viajes cubiertos del programa de la CIAT y del programa nacional español solamente; no se dispone de datos de los otros programas.

Includes only data from trips covered by the IATTC program and the Spanish national program; data from other programs not available.

Appendix 4f.**SUMMARY OF STATUS OF NATIONAL VESSEL MONITORING SYSTEMS**

Members	
Costa Rica	No vessels longer than 24 m, but implementing pilot programs for VMS for smaller vessels.
Ecuador	Target of having a national system for all purse-seine vessels by the end of 2007. Most purse-seine vessels already have VMS equipment installed.
El Salvador	As of February 2007, all purse-seine vessels are reporting using VMS
Spain	Under EC legislation, all vessels longer than 15 m are required to have VMS systems.
France	
Guatemala	Completing preparations for a system for vessels longer than 24 m. The provider has been selected. Considering application to vessels shorter than 24 m.
Japan	All vessels in the EPO have VMS.
Korea	
Mexico	All the vessels on the IATTC Regional Register have VMS.
Nicaragua	All purse-seine vessels are required to have VMS.
Panama	All fishing vessels with an international license are required to have VMS. Next year VMS will be required for all fishing vessels.
Peru	All industrial vessels are required to have VMS.
United States	74% of tuna vessels fishing in the EPO have VMS.
Vanuatu	
Venezuela	All vessels over 15 m are required to have VMS equipment; currently in the process of selecting a VMS provider.
Other CPCs	
Belize	All longline vessels on the high seas have VMS.
Canada	Has begun the implementation process of VMS for tuna vessels, based on the requirements of WCPFC and IATTC.
Chinese Taipei	All vessels in the EPO have VMS
China	All vessels in the EPO have VMS
Cook Islands	All vessels in the EPO have VMS
Honduras	

Appendix 5a.

PROPOSAL D1

SUBMITTED BY THE UNITED STATES

**RESOLUTION ON A MULTI-ANNUAL PROGRAM ON THE
CONSERVATION OF TUNA IN THE EASTERN PACIFIC OCEAN FOR
2008, 2009, AND 2010**

The Inter-American Tropical Tuna Commission (IATTC), at its 75th Meeting in Cancun, Mexico, in June 2007:

Having responsibility for the scientific study of the tunas and tuna-like species of the eastern Pacific Ocean (EPO), defined as the area bounded by the coastline of the Americas, the 40°N parallel, the 150°W meridian, and the 40°S parallel, and for the formulation of recommendations to Contracting Parties, cooperating non-Parties, fishing entities and regional economic integration organizations (collectively “CPCs”) with regard to these tuna resources, and having maintained since 1950 a continuous scientific program directed toward the study of tuna resources;

Recognizes, based on past experience in the fishery, that the potential production from the tuna resource can be reduced by excessive fishing effort;

Being aware with grave concern that, despite the previous conservation and management measures adopted by the Commission, although the catches of bigeye and yellowfin tunas have declined recently, capacity continues to increase and overfishing of bigeye tuna and yellowfin tuna is occurring;

Notes that the tuna resource of the EPO supports one of the most significant surface fisheries for tunas in the world;

Notes the staff’s recommendation that the conservation measures for tunas for 2008 should include a closure of the purse-seine fishery of 109 days in order to conserve the stocks of yellowfin and bigeye in the EPO;

Taking into account the best scientific information available, as reflected in the recommendations of the staff and the report of the meeting of the Working Group on Stock Assessments in May 2007; and

Considering that the studies of yellowfin and bigeye tunas presented at this meeting show that the stocks are at a level below that which would produce the average maximum sustainable yield (AMSY);

Resolves as follows:

1. The objective of this Resolution is to reduce fishing levels to levels that will produce the AMSY of yellowfin tuna within three years, and of bigeye tuna within five years.
2. Pole-and-line, troll, and sportfishing vessels are not subject to this resolution.
3. In each one of the years covered by this resolution, the fishery for tunas by purse-seine vessels in the EPO shall be closed for the rest of that year when a total allowable catch (TAC) of 200,000 metric tons of yellowfin tuna is reached. The Director will be authorized to decrease or increase the TAC by no more than four reductions or increments of 30,000 metric tons each, if the Director concludes, from examination of available data, that any such decreases are required to increase the stock to the level producing AMSY or any such increases will pose no significant risk to the stock so as not to fall below the level producing AMSY. Any reduction or increase shall go into effect 30 days after the Director has notified each CPC that the Director has determined such change is appropriate and provided the information upon which the Director’s determination was based.
4. In addition, during 2008, 2009, and 2010, each CPC shall limit the annual catch of bigeye tuna by

each one of its purse-seine vessels to no more than 500 metric tons per vessel.

5. 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 national tuna industry of the closure;
 - c. Inform the Director that these steps have been taken;
 - d. Ensure that at the time a closure begins, and for the entire duration of the closure, all purse-seine vessels fishing for yellowfin, bigeye, or skipjack tunas flying its flag, or operating under its jurisdiction, in the EPO are in port, except that vessels carrying an observer from the AIDCP On-Board Observer Program may remain at sea, provided they do not fish in the EPO. The only other exception to this provision shall be that vessels carrying an observer from the AIDCP On-Board Observer Program may leave port during the closure, provided they do not fish in the EPO.
6. Each CPC shall take the measures necessary to control the total annual longline catch of bigeye tuna in the EPO during 2008, 2009, and 2010 by longline vessels fishing under its jurisdiction.
7. China, Japan, Korea, and Chinese Taipei shall take the measures necessary to ensure that their total annual longline catches of bigeye tuna in the EPO during 2008, 2009, and 2010 does not exceed the following levels:

China	2,190 metric tons
Japan	28,283 metric tons
Korea	10,438 metric tons
Chinese Taipei	6,601 metric tons

8. Other CPCs shall take the measures necessary to ensure that their total annual longline catches of bigeye tuna in the EPO during 2008, 2009, and 2010 do not exceed 500 metric tons or their respective catches of bigeye tuna in 2001, whichever is higher.
9. To prohibit landings, transshipments and commercial transactions in tuna or tuna products that have been positively identified as originating from fishing activities that contravene this resolution. The Director shall provide relevant information to the Parties to assist them in this regard. The Commission shall develop transparent and non-discriminatory criteria and procedures to promote compliance in the EPO, consistent with international law, including World Trade Organization agreements and other applicable trade agreements.
10. Catches of bigeye tuna by large-scale longline vessels (> 24 meters in length) that are not landed in ports in the EPO will be verified for the purpose of paragraphs 8-11 through either Commission-approved port sampling programs or at-sea observers. The Director shall determine, and announce to the CPCs, the appropriate level of observer coverage.
11. Each CPC shall, in each of the years covered by this resolution, notify the Director by 15 July of national actions taken to implement this Resolution, 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.
12. Each CPC with tuna longline vessels shall provide monthly of reports of longline catches of bigeye tuna to the Director.
13. To evaluate progress towards the objectives of paragraph 2 of this Resolution, in 2008 the IATTC Scientific Working Group will analyze the effects on the stocks of the implementation of Resolution C-06-02, Resolution C-04-09, and previous conservation and management measures, and will propose to the Commission, if necessary, appropriate measures to be applied in 2009 and thereafter.

14. Each CPC shall comply with this resolution.

Appendix 5b.

PROPOSAL D2A
SUBMITTED BY ECUADOR AND SPAIN
RESOLUTION FOR A MULTI-ANNUAL PROGRAM ON THE
CONSERVATION OF TUNA IN THE EASTERN PACIFIC OCEAN FOR
2008, 2009, 2010 AND 2011

The Inter-American Tropical Tuna Commission (IATTC):

Recognizing that, based on past experience in the fishery, the potential production from the resource can be reduced by excessive fishing effort;

Recalling that the Resolution on the Conservation of Yellowfin and Bigeye Tuna in the Eastern Pacific Ocean approved by the IATTC at its 69th meeting in Manzanillo, Mexico;

Taking into account the best scientific information available, as reflected in the recommendation of the staff and the report of the meeting of the Working Group on Stock Assessments in May 2004;

Considering that the studies of yellowfin and bigeye tuna presented at this meeting show that both stocks are at a level below that which would produce the average maximum sustainable yield (AMSY);

Considering that for tuna purse-seine vessels smaller than 363 metric tons, the catch level for yellowfin tuna and bigeye tuna are not significant;

Taking into consideration the IATTC staff recommendations in relation to closing areas of high concentrations of juvenile bigeye tuna; and

Recognizing the importance of urging the Western and Central Pacific Fisheries Commission to adopt parallel measures to conserve the tuna stocks in that region;

Resolves as follows:

1. That this resolution is applicable in 2008, 2009, 2010 and 2011 to purse-seine vessels fishing for yellowfin, bigeye, and skipjack tunas, and to longline vessels fishing for yellowfin and bigeye tuna.
2. Pole-and-line and sportfishing vessels, and purse-seine vessels smaller than 363 metric tons are not subject to this resolution.

Purse-seine fishery

3. That the fishery for yellowfin and bigeye tuna by purse-seine vessels in the EPO, defined as the area bounded by the coastline of the Americas, the 40°N parallel, the 150°W meridian, and the 40°S parallel, shall for 2008, 2009, 2010 and 2011 be closed from either (1) 0000 hours on 1 August to 2400 hours on 11 September; or (2) from 0000 hours on 20 November to 2400 hours on 31 December.
4. Each IATTC Party, cooperating non-party, fishing entity or regional economic integration organization (collectively "CPCs") shall for each year concerned, choose which of the two specified periods will be closed to purse-seine fishing by all of its vessels, and notify the Director by 15 July. All the vessels of a national fleet must stop purse-seine fishing in the Convention Area during the period selected.
5. In addition to the closure contained in paragraph 1 of this Resolution, the directed fishery for

yellowfin tuna by purse-seine vessels in the EPO shall be closed for the rest of that year when a total allowable catch (TAC) of 290,000 metric tons of yellowfin tuna is reached. After the TAC has been reached, the landings of fisheries not targeting yellowfin tuna may include a maximum of 15% of yellowfin tuna relative to its total catch for all species caught.

6. Every vessel that fishes in 2008, 2009, 2010 and 2011, regardless of the flag under which it operates or whether it changes flag during the year, must observe the closure period to which it committed on 15 July of each year.
7. To prohibit landings, transshipments and commercial transactions in tuna or tuna products that have been positively identified as originating from fishing activities that contravene this resolution. The Director may provide relevant information to the Parties to assist them in this regard. The Commission shall develop transparent and non-discriminatory criteria and procedures to adopt trade restrictive measures consistent with international law and the provisions of the World Trade Organization to promote compliance in the EPO.
8. Each CPCs shall, for purse-seine fisheries:
 - 8.1. No later than 45 days before the date of entry into force of a closure:
 - 8.1.1. take the legal and administrative measures necessary to implement the closure;
 - 8.1.2. inform all interested parties in its national tuna industry of the closure;
 - 8.1.3. inform the Director that these steps have been taken.
 - 8.2. Ensure that at the time the closures begin, and for the entire duration of the closures, all purse-seine vessels fishing for yellowfin, bigeye and skipjack tunas flying its flag in the EPO are in port, except that vessels carrying an observer from the AIDCP On-Board Observer Program may remain at sea provided they do not fish in the EPO. The only other exception to this provision shall be that vessels carrying an observer from the AIDCP On-Board Observer Program may leave port during the closure, provided they do not fish in the EPO.
9. In order to reduce the level of catches of juvenile bigeye tuna, the area bounded by the 94°W meridian, the 3°N parallel, the 110°W meridian, and the 5°S parallel shall be closed to purse-seine vessels greater than 363 metric tons from 0000 hours on 1 August to 2400 hours on 31 December.

Longline Fishery

10. China, Japan, Korea, and Chinese Taipei, shall take the measures necessary to ensure that their total annual longline catch of yellowfin tuna in the EPO during 2008, 2009 and 2010 will not exceed the following catch levels.

China	1,419 metric tons
Japan	7,297 metric tons
Korea	3,016 metric tons
Chinese Taipei	3,770 metric tons

Other CPCs shall take the measures necessary to ensure that their total annual longline catch of yellowfin tuna in the EPO during 2008, 2009 and 2010 will not exceed 83% of their respective 2001 catch levels or 500 metric tons, whichever is the higher⁴. Each CPC with large-scale tuna longline vessels (LSTLVs)⁵ shall provide monthly catch reports to the Director.

11. China, Japan, Korea, and Chinese Taipei shall take the measures necessary to ensure that their total

⁴ The Parties acknowledge that France, as a coastal State, is developing a tuna longline fleet on behalf of its overseas territories situated in the EPO.

⁵ Defined as vessels of more than 21 meters length overall.

annual longline catch of bigeye tuna in the EPO during 2008, 2009 and 2010 will not exceed the following catch levels.

China	2,190 metric tons
Japan	28,283 metric tons
Korea	10,438 metric tons
Chinese Taipei	6,601 metric tons

Other CPCs shall take the measures necessary to ensure that their total annual longline catch of bigeye tuna in the EPO during 2008, 2009 and 2010 will not exceed 83% of their respective 2001 catch levels or 500 metric tons, whichever is the higher. Each CPC with LSTLVs shall provide monthly catch reports to the Director.

12. The IATTC Scientific Working Group will analyze, in 2008 and 2009, the effect of these measures on the stocks, and will propose, if necessary, appropriate measures to the Commission in 2008 and 2009 for its consideration.
13. Each CPC shall comply with this resolution.
14. This resolution replaces Resolution C-06-02.

Appendix 5c.

PROPOSAL D3 SUBMITTED BY MEXICO

RESOLUTION ON A MULTI-ANNUAL PROGRAM FOR THE CONSERVATION OF TUNA IN THE EASTERN PACIFIC OCEAN IN 2008

The Inter-American Tropical Tuna Commission (IATTC):

Having responsibility for the scientific study of the tunas and tuna-like species of the eastern Pacific Ocean (EPO), defined as the area bounded by the coastline of the Americas, the 40°N parallel, the 150°W meridian, and the 40°S parallel, and for the formulation of recommendations to Contracting Parties, cooperating non-Parties, fishing entities and regional economic integration organizations (collectively “CPCs”) with regard to these tuna resources, and having maintained since 1950 a continuous scientific program directed toward the study of tuna resources;

Recognizes, based on past experience in the fishery, that the potential production from the tuna resource can be reduced by excessive fishing effort;

Notes that the tuna resource of the EPO supports one of the most significant surface fisheries for tunas in the world;

Taking into account the best scientific information available, as reflected in the recommendations of the staff and the report of the meeting of the Working Group on Stock Assessments in May 2007; and

Considering that the studies of yellowfin and bigeye tunas presented at this meeting show that the stocks are at a level below that which would produce the average maximum sustainable yield (AMSY);

Aware that Resolutions C-04-09 and C-06-02 on the conservation of tunas in the EPO, establish conservation measures for the 2004-2007 period and that they expire; and

Furthermore, that the scientific staff has stated the need to establish management measures that include those applied by the Resolutions cited in the previous paragraph, which included a 6-week closure period in the purse-seine fishery and catch levels that must not exceed those of 2001 for the longline fishery;

Resolves as follows:

1. This resolution is applicable in 2008 to all purse-seine and longline fisheries for tunas in the EPO.
2. The closure period for the purse-seine fishery will be extended in that season by 31 additional days for a total of 73 days, starting on 20 November 2007 and finishing on 2 February 2008.
3. In the event that there are two closure periods in the EPO, to ensure the effectiveness of the closures, those vessels that choose the closure period during August-October of the year shall not be able to fish north of the 5°N parallel when this area is closed. Reciprocally, vessels that choose the closure in the November-February period will not be able to fish south of that parallel during the time that that area is closed.
4. 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 national tuna industry of the closure;
 - c. Inform the Director that these steps have been taken;
 - d. Ensure that at the time a closure begins, and for the entire duration of the closure, all purse-seine vessels fishing for yellowfin, bigeye, or skipjack tunas flying its flag, or operating under its jurisdiction, in the EPO are in port, except that vessels carrying an observer from the AIDCP On-Board Observer Program may remain at sea, provided they do not fish in the EPO. The only other exception to this provision shall be that vessels carrying an observer from the AIDCP On-Board Observer Program may leave port during the closure, provided they do not fish in the EPO.
5. To prohibit landings, transshipments and commercial transactions in tuna or tuna products that have been positively identified as originating from fishing activities that contravene this resolution. The Director shall provide relevant information to the Parties to assist them in this regard. The Commission shall develop transparent and non-discriminatory criteria and procedures to promote compliance in the EPO, consistent with international law, including World Trade Organization agreements and other applicable trade agreements.
6. Each CPC with tuna longline vessels shall provide monthly of reports of longline catches of bigeye tuna to the Director.
7. All vessels that fish on FADs shall mark (number) these devices and maintain a record of the number of FADs and beepers aboard at the beginning and end of the fishing trip, also information shall be recorded on the position of the FAD at the time it is deployed in the water and if applicable when it is recovered. In every possible case FADs will be recovered.
8. The IATTC staff shall determine the incremental vulnerability that leaving FADs at sea implies and their impact on the yield per recruit, and if applicable recommend appropriate measures.
9. Each CPC shall comply with this resolution.

Appendix 5d.

**PROP M1
SUBMITTED BY THE UNITED STATES
EXTRACT FROM MINUTES**

**EXCHANGE OF INFORMATION ON VESSEL ACTIVITIES WITH THE
WCPFC**

The meeting agreed that in the event an EPO vessel crosses 150°W into the WCPFC area, the IATTC Secretariat would supply or confirm any of the following information to the WCPFC Secretariat as soon as such information is available:

Name of vessel;

Flag state of vessel; and/or

Date and time of cross-over and return.

The Meeting agreed that the WCPFC Secretariat should be asked to provide or confirm any available information to the IATTC Secretariat should a similar cross-over of Western Pacific vessels into the EPO occur.

Appendix 6a.



UNIDAD DE MANEJO DE LA PESCA Y ACUICULTURA - UNIPESCA -

Km. 22 Carretera al Pacífico, Edificio La Ceiba, 3^{er}. Nivel
Bárceñas, Villanueva, Guatemala, C.A.
Tel: (+502) 6640-9320 * Fax: (+502) 6640.9321
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Commitment of Guatemala at the 75th Meeting of the IATTC on the control of vessels that are currently included in the IUU List

After having requested the removal of vessels that fly its flag at the 6th Meeting of the Joint Working Group (JWG) on Fishing by Non-Parties, Guatemala explains the measures that it has taken to guarantee control of those vessels and that as of now do not practice IUU fishing.

These measures are as follows:

1. The vessels will be issued a commercial tuna-fishing licence, issued by the Ministry of Agriculture, Livestock and Food (MAGA) in accordance with the General Fisheries and Aquaculture Law, so that they may fish for tuna species in the EPO with the exception of bigeye and Northern Pacific albacore.
2. Any violation of the authorization to fish granted is punished in accordance with the Law, which includes fines for each violation, suspension and definitive revocation of the licence. If the fine is not paid within 30 days, the fine is increased 100%.
3. There is coordination between the fisheries and maritime authorities. Therefore, a vessel can no longer renounce the flag of Guatemala without the consent of MAGA, given through UNIPESCA. The reasons for retaining it are failure to pay or not having a licence, other pending obligations, unseaworthiness of the vessel or that it may devote itself to an illegal activity.
4. The Law requires that they unload their catches in national ports. The idea is that they operate from the new port of Champerico, which will be built with funds from cooperation with the Netherlands. Unloadings are witnessed by Fisheries Inspectors, who collect the relevant information and verify compliance with the relevant rules.
5. National rules contained in the Law, the Regulations, the administrative contract and the Administrative Measures that MAGA may issue, which include especially the National Plans of Action on Sharks and on Seabirds. Also, they are subject to compliance with international management and conservation measures adopted by the IATTC y by other relevant fora.
6. Regardless of their length, the vessels will be controlled as large-scale longline vessels (LSTLFV). Therefore, they must carry at all times a satellite-based vessel monitoring system (VMS). The system chosen, by the CLS-Argos company, will take the information directly to a terminal at UNIPESCA. Furthermore, it allows the vessel to report its catches daily, through a keyboard, in addition to the fishing logbook.
7. It will be investigated, with the help of the relevant CPCs, whether the length is more than 24 meters, as was mentioned in the JWG.

The delegation of Guatemala is grateful for the consideration of this case and trusts that, with the measures described, the CPC are satisfied that there will be no more IUU fishing by these vessels

Cancun, Mexico, 25 June 2007.



Appendix 6b.

STATEMENT BY PERU ON FLEET CAPACITY

The Government of Peru reiterates in the setting of the 75th Meeting of the Inter-American Tropical Tuna Commission (IATTC) its support for the work that the IATTC does, particularly in the matter related to the regulation of the capacity of the fleet in the Eastern Pacific Ocean (EPO), which is an important focal point in policies of conservation of the tuna resource and of regional fisheries development.

As in previous years, the Government of Peru, for the reasons that it has presented in past meetings and that it wishes to reiterate at this meeting, reserves its right to a fleet of 14,046 cubic meters of carrying capacity, as was reflected in Resolution N° C-02-03 of June 2002, on the Capacity of the Tuna Fleet operating in the EPO and asks of the Member States of the IATTC that they give their support to obtaining the increase in carrying capacity to 14,046 cubic meters, instead of the 3,195 cubic meters assigned in the Resolution referred to.

The Government of Peru makes this request, because of its rights as a Coastal State and Member State of the Inter-American Tropical Tuna Commission and the Agreement on the International Dolphin Conservation Program, and bases it on the following elements:

- The fishing activity that Peru has developed with respect to the tuna resources throughout its history, both as regards catch volumes and processing capacity, dates from the year 1939.
- The historical record of catches, according to international records, shows that between the decades of the 1940s and 1970s a significant development of the tuna fishery in Peru was observed.
- The great availability of tuna resources in waters of the Peruvian maritime dominion in recent years is shown by the operations of vessels of foreign flags that recorded an average catch in the last 7 years (2000-2006) of 41,077 tons.
- The processing capacity in Peru in the sector of canning and freezing of tuna is about 50,000 metric tons annually of raw material, an amount that will increase significantly in the short term.
- The Peruvian legal framework that ensures compliance with the commitments made in the IATTC and the Agreement on the International Dolphin Conservation Program, such as the Tuna Fisheries Management Plan, establishes measures for the conservation of the resource, following the guidelines and criteria of responsible fishing adopted at the international level.
- National fisheries policy promotes the development of the tuna fishery as well as the canning and freezing industry for this resource.

In view of all the above, the Government of Peru reiterates to the member countries of the IATTC its request for support for this petition on the increase in carrying capacity to 14,046m³.

Cancun, June 2007

Appendix 6c.

STATEMENT BY GUATEMALA ON ITS CARRYING CAPACITY

At the 75th Meeting of the Inter-American Tropical Tuna Commission, the Republic of Guatemala makes the following statement:

- It reiterates its disagreement with having been deprived against its will, of part of its carrying capacity that was recognized as belonging to it by previous resolutions of the IATTC. The part that was unjustly attempted to take away adds up to 3,762 cubic meters, which represents 40.36 % of its capacity of 9,321 cubic meters. Guatemala has assigned the entirety of its available quota and continues to receive expressions of interest from vessel owners of the region. Not having the rights to which it is entitled would be a deprivation that would prevent it from developing a tuna industry in accordance with its prolonged and significant interest in the fishery;
- It rejects that the attempted transfer of its carrying capacity, effected by means of a change of flag, was in accordance with the Law. The procedure adopted at the 73rd Meeting and reflected on page 8 of its minutes, requires that, in such cases, the Director obtain the consent of the presumably ceding flag State together with the acquiring State. Even though the procedure was not in force in 2003, from the substantive point of view it shows that Guatemala was always right in maintaining that it is necessary to have a clear and unequivocal expression from the former State in transferring its rights, and that the States are the only ones that have a say in ceding or keeping their rights in an international organization;
- It is grateful for the existence of procedures that allow coastal developing States to make use of and defend their rights, in the best interests of utilizing the fisheries resources that pass through their waters. The possibility of expressing in advance their desire to retain capacity in such cases has proven to be useful for this purpose;
- It insists that it does not seek to increase the extent of its rights to having a purse-seine fleet that flies its flag, but rather to recover that which in justice belongs to it and which by Law cannot be ceded to individuals nor to other States;
- It renews its inalienable will to continue to fight for the recovery of its carrying capacity, both in the forum of the Commission and in all pertinent scenarios, resorting for this purpose to the means within its power recognized by domestic Laws and by International Law.

Guatemala requests that this statement be included in the minutes of the 75th Meeting.

Cancun, Quintana Roo, Mexico, 27 June 2007.

Appendix 6d.

STATEMENT BY COLOMBIA

The Government of Colombia declares its firm intention of ratifying the Inter-American Tropical Tuna Convention, and of participating actively and constructively in achieving its objectives, in conditions of equality and fraternity with the other Party countries, with special emphasis on the conservation of the tuna resource and on the protection of the marine environment.

Colombia, despite not being a Party to the IATTC Convention, complies with its provisions for annual closures for the conservation of the tuna resource, respects the rules for the protection of sharks and seabirds, was a pioneer in the dolphin protection program, has observers of the IATTC and its national program on all its fishing operations associated with dolphins. We want to share with you INCODER resolution 1633 of 19 June 2007 by which the finning of sharks is prohibited, which reflects, once again, the Colombian commitment to the conservation of marine species.

Colombia is Party to more than ten of the most important international treaties and conventions for the protection of the environment. Colombia's vocation in the protection of the environment is likewise firm.

Colombia requests the recognition of its rights as a coastal state of the Eastern Pacific Ocean, as well as the recognition of its considerable extension of its Pacific coast and the significant concentration of tuna in the projection of its coast in the determination of its true carrying capacity.

A special consideration is the generation of jobs for unqualified workers in economically-depressed sectors in Colombia, produced by its vigorous industry on land. This industry generates more than 6 thousand direct and 20 thousand indirect jobs and 80% of those it employs are mothers who are heads of families. With a population of 45 million inhabitants and an economic growth of 7% annually, the domestic supply of tuna fished by its own fleet should reflect the increase in the domestic consumption of tuna in Colombia, as is done by other countries.

The allocation of the carrying capacity of the purse-seine fleet, carried out in Manzanillo in the year 2002, did not include the participation of Colombia because it was not a Party at that time, but it recorded in a footnote to Resolution C-02-03 its aspiration to an additional 14,046 m³ of carrying capacity.

At several meetings various delegations have raised the matter of carrying capacity and express their disagreement with the provisions of the existing resolution. Furthermore, in recent years there have been changes in the carrying volume, not necessarily contemplated in the above-mentioned resolution.

We believe that we are at a moment at which a review of the current regulation is necessary in order to consider criteria of objectivity, equality, solidarity and cooperation, accompanied by scientific and technical considerations to achieve a rational and sustainable utilization of the resource. We would appreciate the inclusion of our statement in the minutes of the meeting.

Appendix 6e.

STATEMENT BY THE DELEGATION OF BOLIVIA¹

GENERAL CONSIDERATIONS:

Bolivia, is a party to this international forum since more than five years ago, as a State that applies the International Dolphin Conservation Program provisionally, inspired by the Rio Declaration on the Environment and Development of 1992 and idealized by the distinguished patricians of fishing here present, that have given rise and life to the Inter-American Tropical Tuna Commission with permanent noble, shared and debated information on the problems of maritime fishing in the theatre of the International Review Panel, which without doubt enrich the development for the conservation of dolphins and of course the technology and the food security of future generations, in full application of the principle of cooperation for the conservation and management of living marine resources, expressed in the 1982 United Nations Convention on the Law of the Sea, to which all of us present are parties.

Bolivia, aware of the thinking and awareness assumed by the founding countries manifested in the 1982 United Nations Convention on the Law of the Sea, the 1992 Rio Declaration on the Environment and Development, the AIDCP Agreement, the IATTC, the IRP and nourished by Article VII of the Agreement on the International Dolphin Conservation Program; in exercise of its volutive, sovereign and independent capacity, respecting the principles of reciprocity, by means of Biministerial Resolution No. 003/2001, assumes the responsibility of applying the AIDCP to all the national-flag vessels in the EPO, which is constituted on the pivot of the Regulations for Maritime Fishing and on the relationship of complete integration with the objectives of the Agreement.

In this framework, Bolivia carries out a responsible promotion of fishing in maritime and continental waters, with some deficiencies typical of a start; possibly, such as those that all those present have suffered in their turn.

However, in the trajectory of this development we find ourselves with a situation of divergence in the application of the rules with our Bolivian-flag vessels; with the allocation of the DMLs in a registered volume of 5,103 MT, due to reports received from observers.

BACKGROUND OF THE CURRENT PROBLEM:

In the framework described, the need has arisen of determining the existence of infractions and the application of sanctions for inadvertence by the competent authority by some fishing vessel owners, which accumulated until they reached a considerable situation, possibly due to excessive zeal.

In these circumstances, already at the meeting of Lima - Peru, the plenary was informed of the existence of a complex problem, such as the Registration of the SEATECH Company in the Colombian Register, making use of false Certificates of Cessation of Flag.

With the aim of achieving a suitable integral coordination, this matter was made known to this Commission at the 71st Meeting held in La Jolla, in February 2005, that position being based especially on the commitment to conserving the dolphins, as is foreseen in the Agreement and in the Bolivian regulations.

The first agreement that was reached on that occasion, by the delegates of Bolivia and Colombia, was to faithfully observe the decisions that the Bolivian judicial authorities issued as a result of the denounced falsity. Also, the provisional granting of the DMLs was agreed in favor of that company for the period of one year.

¹ Supporting documents are attached.

At the 74th Meeting of the IATTC, held in June 2006, in the city of Busan - Korea, this matter was taken up again making a statement about it, as a result of which the Plenary assumed that this matter was of a bilateral nature between Colombia and Bolivia, so should be resolved in that setting.

ACTIONS TAKEN WITHOUT RESULTS:

Bolivia, within the framework of the decisions adopted and, despite the difficulties which that meant, subjected its actions to those agreements.

In this regard, regarding the agreement to inform the judiciales authorities of the definition for determining the falsity of the certificates of cessation of flag granted to SEATECH, there is the attached evidence:

- i) By which is shown the full recognition of that falsity by the above-mentioned company, when in April 2005, it formalized a complaint to the Public Ministry of Bolivia against the authors, indicating literally: that “curiously 5 March 2004 figures as the date of issue (of the certificates of cessation of flag), i.e., that the certificates would have been issued more than a month before the date of our payment”.

Regarding the second agreement, adopted at the meeting in Korea, to resolve this problem in a bilateral setting between Colombia and Bolivia, we attach ample documentation by which it is shown:

- i) The permanent request for information by our country, without having obtained a reply from our peers;
- ii) Obtaining an executive judicial judgment, handed down on 20 December 2006, by Resolution No. 549/06, of the Judge of the 7th Civil Commercial District of Bolivia, which orders the payment for infractions and sanctions, plus legal interest, costs and expenses of the suit against the SEATECH company; and,
- iii) That the embargo order obtained in this case against the SEATECH vessels, by the above-mentioned complaints of infractions formulated by the observers, was rejected by the Colombian Chancellery, by the argument that Bolivia is not party the Interamerican Convention on Compliance with Precautionary Measures of 8 May 1979.

Nearly two and a half years later, since the 71st Meeting of the Commission, the situation is exactly the same, because in spite of the fact that:

- i) The SEATECH company itself determined the existence of false certificates issued in March 2004;
- ii) The certificates of cessation of flag issued in December 2004 were cancelled, as a result of Constitutional Judgment No. 0858/2005;
- iii) This fact was known by the Colombian Authority without any response being obtained;
- iv) A judgment for the payment of the sanctions imposed was obtained;
- v) The implementation of this judgment was objected to by the Colombian Chancellery

The situation continues the same, all resources within our reach having been exhausted, thus showing the good faith of our State.

ANALYSIS AND CONCLUSIONS:

The context described, as regards relations and events generated since the La Jolla Meeting in February 2005, to date, in this 75th Meeting of the IATTC, make it clear that:

- i) On the basis of an agreement that was not permitted, issued in February 2005, Colombia requested: "...the granting of the provisional DMLs, respecting the jurisdiction of the Bolivian Judicial Courts and observing their decision".
- ii) This agreement manifested at that time, today despite judgment No. 549/06, is not observed, even though the member countries of the International Maritime Organization and the Andean Community of Nations, whose central axes are based on the principles of reciprocity and of good faith.
- iii) The support and protection regarding this situation that were present at that time, currently are absent. Knowing that the situation is a matter that affects Bolivia and its flag vessels.
- iv) The objectives that arise from the reality of maritime fishing reflected in the Agreement, are undermined within the conservation mechanisms themselves, as are the rules of application in the domestic area, described in Article VII of the Agreement, since the rules applied by Bolivia are not recognized.
- v) The efforts made by Bolivia to defend the principles and objectives of the Agreement, appear to be considered insufficient in the context of the 1982 United Nations Convention on the Law of the Sea, nor for the 1992 Rio Declaration on the Environment and Development, AIDCP, nor for the International Dolphin Conservation Program.
- vi) Given this situation, the question arises, What are the sufficient efforts and mechanisms that should be developed if one of the member countries of this forum were in the same situation as Bolivia? Would the path followed by Bolivia be adopted? Which in a pristine manner has declared itself always in favor of the essence of the Agreement, as such, which is: "The conservation of Dolphins".
- vii) The experience undergone as a result of this situation, must unite the countries, if we wish to guarantee the food security for new generations, validating the administrative acts of Bolivia in this matter and assuming this fact as an example so as not to repeat it nor allow it in the future.

These situations we have undergone teach us great lessons for protecting the universal heritage, we the States are conceived, structured and organized to make of it the wellbeing of the world, protecting the interests of the community, that is, the common and general interest, in relation to the individual or particular interest.

Appendix 6f.

JOINT STATEMENT BY NON-GOVERNMENTAL ORGANIZATIONS

**AIDA
The Billfish Foundation
Birdlife International
Conservation International**

**Humane Society International
Ocean Conservancy
WWF**

The non-governmental organizations, AIDA, The Billfish Foundation, Birdlife International, Conservation International, Humane Society International, Ocean Conservancy and WWF are pleased to offer a joint statement regarding some key issues raised at this 75th Annual Meeting of the Interamerican Tropical Tuna Commission.

First, we commend the onboard observer program utilized by the Commission for large purse seine vessels. We urge the IATTC to extend an observer program to include longliners and smaller purse seine vessels, thus ensuring both greater transparency of operations and filling a critical information gap, including that required for estimating the incidental catch of billfish, seabirds, turtles and sharks. This information is crucial for the Commission to base management decisions affecting these species on the best available science, a tradition we strongly support. In this vein, we are concerned that the lack of perfect scientific information may result in the Commission not taking actions that respond to obvious negative resource trends and IATTC Staff recommendations based on the best available data. Until better information exists, we urge application of the precautionary approach in order to mitigate undesirable impacts should resources prove to be more vulnerable than current information suggests.

Second, regarding sustainable fisheries and in accordance with the proposals of Member States, we emphasize the importance of reducing fishing capacity and recommend heeding scientific advice and implementing an integrated conservation program for yellowfin and bigeye tuna and taking action towards improving swordfish management to ensure healthy, stable populations critical for both sustainable fishing, socio-economic development and healthy ecosystems. Further, we support the aim of designing and adopting measures that minimize and avoid the capture and waste of undersized and juvenile fish.

Third, we echo concerns expressed by many Parties regarding bycatch of sea turtles and seabirds and incidental and intentional capture of sharks. Accelerating and expanding existing efforts is critical. Existing bycatch reduction initiatives demonstrate that firm resolve and a shared commitment by various fishing subsectors working in coordination with governments and non-governmental organizations can produce significant improvements. We recommend that the Commission act expeditiously to build upon and improve these efforts and we reiterate our support to identify solutions to bycatch issues that respond to the interests of the fishing sector and the environment.

Fourth, we very much agree with the point raised by some Parties regarding the need to better document and report non-compliance with Commission resolutions. In addition to contributing to conservation aims, this is a crucial step to ensure that the industry as a whole does not become tarnished by a small minority.

As a group, we wish to jointly express our gratitude for the opportunity to participate and contribute. We trust our comments will be taken in the constructive spirit in which they are given. Moreover, we offer our institutional support to work proactively with this, and other, Commissions towards the shared goal of the sustainable use and conservation of the Eastern Pacific Ocean. Finally, we thank and congratulate the Government of Mexico and the IATTC Secretariat for organizing this meeting and for the hospitality we have received during our stay in Cancun. We look forward to joining all of you in the coming year's Annual Meeting.

Appendix 7a.

COMISION INTERAMERICANA DEL ATUN TROPICAL
INTER-AMERICAN TROPICAL TUNA COMMISSION

8604 La Jolla Shores Drive, La Jolla CA 92037-1508, USA – www.iattc.org
Tel: (858) 546-7100 – Fax: (858) 546-7133 – Director: Robin Allen

13 July 2005
Ref.: 0540-410

To: Commissioners

cc: Canada, China, European Union, Honduras, Korea, Chinese Taipei

From: Robin Allen, Director



Re: Inclusion of vessels of flags of non-Parties on the IATTC Regional Register

I am writing to seek your guidance on an important issue relating to the maintenance of the Commission's Regional Vessel Register. It is particularly important that this matter be addressed now that the Commission has established its list of IUU fishing vessels, in accordance with [Resolution C-04-04](#).

I have corresponded with Mr. Hanafusa, the Japanese Commissioner, on the question of whether longline vessels of a non-CPC¹, specifically Belize, should be included in the Regional Register. Japan's view is that they should not be included, noting that both ICCAT and IOTC include only vessels of CPCs in their registers.

The purpose of the Regional Register, as established in [Resolution C-00-06](#) (which predated the FAO IPOA on IUU fishing), was simply to list vessels which were authorized by their respective governments to fish for species under the purview of the Commission. It had no regulatory function, and the Resolution invited non-Parties to have their vessels included on the Regional Register .

The Regional Register was modified by [Resolution C-02-03](#) on fleet capacity, which primarily deals with purse-seine vessels and introduced the term *Participant*, meaning IATTC Parties and states or REIOs and fishing entities that have applied for membership in the IATTC or cooperate with IATTC management and conservation measures. The Regional Register thus became a list that determined which purse-seine vessels could fish in the eastern Pacific Ocean. At the time the resolution was adopted, Colombia was considered a Participant, and therefore its purse-seine vessels have continued on the Regional Register, even though Colombia is not a CPC.

[Resolution C-03-07](#) on the positive list of longline vessels, which introduced the term *CPC*, is also relevant. Only vessels flying the flags of CPCs can be included in the Positive List. CPCs are required to take measures to prohibit large-scale longline vessels that are not on the Positive List from fishing, transshipping and landing tunas and tuna-like species.

The situation is complicated by the reference in [Resolution C-04-04](#) to vessels that are not on the Regional Register being included on the IUU list.

¹ A CPC is defined as a Party or cooperating non-Party, fishing entity, or regional economic integration organization (REIO); the criteria for attaining cooperating status are established in [Resolution C-04-02](#).

Under [Resolution C-00-06](#), it seems clear that the longline vessels of Belize are qualified to be on the Regional Register, at the same time as being on the IATTC IUU List. While that might seem contradictory, excluding these vessels from the Regional Register would constitute an *ad hoc* exemption to the provisions of Resolution C-00-06 for which I think a decision by the Commission is required. However, in view of Japan's position, these vessels are not currently included on the Regional Register, but, as I said above, I would appreciate further guidance.

In summary, it appears that the Commission has adopted a series of resolutions that affect the Regional Register and that may have created certain incongruencies among the lists of vessels maintained by the Commission. You may wish to address this matter at the next meeting of the Commission; in the meantime, the question of whether to include the Belize vessels on the Regional Register is pressing, and I would appreciate guidance on how to proceed with this.