

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: Guillermo Compeán

MINUTES OF THE 77TH MEETING

La Jolla, California (USA)

5-7 March 2008

AGENDA

	Documents
1. Opening of the meeting	
2. Adoption of the agenda	
3. Review of the fishery in 2007 and status of stocks	
4. Tuna conservation measures for 2008 and beyond	IATTC-77-04
5. Resolutions regarding conservation measures	
6. Other business	
7. Place and date of next meeting	
8. Adjournment	

APPENDICES

1. List of attendees
2. Chairman's proposal
3. Statement by Guatemala regarding carrying capacity
4. Statement by Colombia regarding the closure
5. Joint statement by several non-governmental organizations regarding the Commission's procedures and effectiveness

1. Opening of the meeting

The meeting was opened by the Chairman of the IATTC, Mr. Mario Aguilar, of Mexico. The attendees are listed in Appendix 1.

2. Adoption of the agenda

Costa Rica recommended that the title of item 5 include the words *regarding conservation measures*, since that was the only resolution that was intended to be discussed. Colombia opined that the document that was being considered for approval should be entitled *Recommendation* instead of *Resolution*, since that was more in keeping with what was established in the 1949 IATTC Convention.

The agenda was adopted with this modification.

3. Review of the fishery in 2007 and status of the populations

Dr. Guillermo Compeán, Director of the IATTC, made a presentation on the situation of the fishery during 2007.

Peru noted that the reduction in the tuna populations, as well as in the sizes caught, was evident.

4. Tuna conservation measures for 2008 and beyond

Dr. Richard Deriso, chief scientist of the IATTC, presented [Document IATTC-77-04](#), a conservation pro-

posal by the IATTC staff, which combined elements of the various proposals presented at the meeting in June 2007, and an analysis of its potential effects. If no measures were applied in 2008, with the current effort the fishing mortality of yellowfin tuna would increase 20%, and that of bigeye 30%. The staff's proposal was for a single closure period for the whole fleet, instead of the current two, because having two closures did not reduce the fishing mortality as much as was desired,

The European Union and the United States supported the closure, noting that the greatest problem was the increase in fishing capacity, and the conservation measures should seek to stop this.

Ecuador supported taking conservation measures, but preferred technological solutions for reducing the catches of smaller fish, such as sorting grids. He also noted the possible socioeconomic consequences of such measures, and stressed the importance of coordinating measures with the Western and Central Pacific Fisheries Commission (WCPFC). Dr. Compeán explained that the populations of tunas in the eastern Pacific Ocean (EPO) and the western Pacific were apparently independent, and therefore the effect of the measures on the populations was different in the two regions.

Venezuela noted that its proposal included a closure of 60 days, and asked the Director for an evaluation of the effect of the sorting grids. Dr. Compeán indicated that, due to the paucity of data, it was impossible to make such an evaluation.

Dr. Martín Hall, of the IATTC Tuna-Dolphin Program, made a presentation on these grids, describing the recent experiments to test their feasibility. He confirmed that at this time it was not possible to quantify how many days of closure would be equivalent to how many days of fishing with grids.

A representative of the industry read a statement by a group of vessel owners. The Chairman clarified that this was not a proposal, but an informational document that reflected the opinions of the industry. He then presented the four proposals, plus a summary made by the IATTC staff.

In response to a comment that decisions should be based on the best scientific evidence, Dr. Compeán explained that the IATTC staff's assessments were reviewed by a group of scientists from the member countries, whose opinions were taken into account in the staff's recommendations.

5. Resolutions regarding conservation measures

The United States suggested that the countries that supported the use of sorting grids should include in their proposal a scientific protocol that could be evaluated by the IATTC staff. He considered that the use of these grids should be voluntary, and additional to any measures that the IATTC agreed. Various Parties expressed their agreement with this approach.

Various delegations proposed concentrating on the staff's conservation proposal, and adapting it to the requests and requirements of the different delegations. Venezuela proposed that this should include the issue of controlling fish-aggregating devices (FADs). Several delegations agreed with this.

Ecuador proposed maintaining the current closure of 42 days, exempting small vessels (of less than 363 t carrying capacity), and moving the offshore closure area described in [Document IATTC-77-04](#) six degrees west. Alternative measures such as the use of grids should be taken into account. Ecuador would require its vessels to operate with grids installed in their nets; in view of this, the closure in that area should apply only during December.

Japan, Mexico and the United States said that this would not be acceptable, since the conservation effect for bigeye would be lost; if it were adopted, the closure should be extended to 84 days, as in the staff's original proposal. The 42-day closure had been insufficient due to the increase in capacity, and neither that closure nor the exclusion of small vessels would achieve the essential objective of reducing fishing mortality. Peru seconded this opinion, and said that it preferred a single closure during the northern hemisphere summer.

In response to a question by Costa Rica about the catches by small vessels, Dr. Compeán said that the in-

formation available came from vessel logbooks, and was less reliable than the observer data. Dr. Deriso explained that there was a spatial variation in the catches of that fleet, mainly in the catches of small yellowfin near the coast.

Costa Rica and the European Union supported Venezuela's proposal of extending the closure to 60 days, rather than the 84 days proposed by the IATTC staff. Mexico and the United States indicated that other parallel measures were being discussed, and that they would accept the 60 days provided the other measures were adopted.

At the request of Peru, Dr. Compeán explained that the effect on fishing mortality of reducing the closure period from 84 to 60 days was directly proportional; *i.e.*, the effectiveness of the measure diminishes by the same percentage as the days of closures.

The United States, supported by the European Union, said that the proposal by Venezuela of evaluating the number of FADs in the EPO was of fundamental importance, but the proposal to establish arbitrary removal rates for FADs seemed inappropriate. Venezuela answered that this proposal was based on assertions by fishermen that the fish followed the FADs, so that population was lost when it moved to the western Pacific.

Spain agreed that an evaluation of the number of FADs would be appropriate, but that a technical protocol should be put together before starting it.

Dr. Deriso presented an analysis of the potential results of the modification of the offshore closure area proposed by Ecuador, with a brief analysis of the difference in catches by size between vessels of less and more than 363 t.

Mexico reiterated that this matter could not be resolved until the essential question of the closure was decided, and asked that a written proposal be presented for discussion. At the Chairman's suggestion, a small group met to draft a document that summarized the various proposals (Appendix 2). During the discussion of the resulting document, the following subjects were addressed:

5.1. Duration of the resolution

The United States indicated that the duration of the closure would depend on its effectiveness, and that if the staff's recommendations were not followed, the resolution should be revised periodically. The European Union noted that an annual discussion of these matters would not be efficient, therefore the resolution should span at least two years.

5.2. Exclusion of vessels of less than 363 t carrying capacity

Ecuador argued that the small vessels had no effect on the rate of fishing mortality of bigeye, so this exclusion would not harm the resource. Ecuador asked the Director for specific data on the catches of small vessels; these were presented by Dr. Deriso. Mexico opined that vessels of classes 3 to 5 at least should be included in the closure. The United States indicated that it would be willing to consider this proposal in the light of any other measures approved.

5.3. Duration of the closure

El Salvador, Guatemala and Panama supported a 60-day closure, but with two closure periods, and with each vessel allowed to choose between the two. Panama added that the closures should not bridge two years. The European Union preferred a single 60-day closure period, while Mexico was prepared to accept 55 days. The United States would accept 60 days only if other elements in the staff's recommendations were adopted.

Nicaragua, the United States and the European Union stated that the manner in which the closure should be implemented could be discussed only after the duration and timing of the closure were agreed.

Japan preferred the staff's recommendation of 84 days, but was willing to accept 60, and added that any

lesser number would undermine the credibility of the organization.

Ecuador considered a 42-day closure was sufficient, since its vessels would be using sorting grids. The United States and Costa Rica indicated that the effectiveness of the grids was unproven, so they could not be considered as substitutes for days of closure. After internal consultations, Ecuador said that it would accept 50 days of closure.

5.4. Closure proposal by Colombia

Colombia presented its proposal of a staggered closure, and that each country implement it as it saw fit. There were no comments on this proposal.

5.5. Offshore closure area

Ecuador suggested that the area be located six degrees further west, and that it apply exclusively to vessels of more than 363 tons and for only one month.

Colombia proposed that, since the objective was to conserve small bigeye, the closure of this area should apply only to vessels fishing on FADs.

5.6. Research program on FADs

The United States, supported by Venezuela, Mexico and Colombia, noted that this program is necessary and should be initiated as soon as possible. It should be centralized through the IATTC staff, so that confidential information would be protected by the IATTC's rules of confidentiality, and to ensure homogeneity in the collection and analysis of the data obtained.

Spain indicated that it supported in general a research program, but that it was precipitate to require that FADs be picked up, even in a voluntary manner, since that prejudged the results of the research. Spain was willing to participate in an informal group to design the program, to be reviewed by a scientific committee during the next meeting of the IATTC. Dr. Compeán noted that the IATTC does not have a scientific advisory committee, so it was more efficient and practical for the IATTC staff to design it and present it to the Commission.

5.7. Use of sorting grids

Ecuador proposed that, if the use of these sorting grids were not made obligatory, any resolution agreed should include it as a matter of priority.

5.8. Equivalent control measures in the western Pacific

The United States favored retaining the stipulation that the Director continue efforts to coordinate control measures with the WCPFC. The European Union considered this unnecessary, since the Memorandum of Understanding with the WCPFC covered such matters. Ecuador agreed with the United States, and proposed that the WCPFC should be encouraged to establish a monitoring system comparable to that in the EPO.

5.9. Catch limits for longline vessels

The European Union noted that the catch quotas for longline vessels were unchanged, and suggested that they be reduced, like those for purse seiners. Japan and Panama noted that these quotas had been greatly reduced long before those for purse seiners.

5.10. Nomenclature of 'resolution' o 'recommendation'

Colombia noted that the 1949 Convention empowered the IATTC to make only recommendations, not resolutions. The United States stressed that what was important was that decisions be legally binding, and Japan noted the precedent in ICCAT that recommendations were binding.

5.11. Exemption of small vessels

Ecuador insisted that those vessels be exempted from the closures in August and September, with a possible restriction on fishing north of 5°N, and that the observers aboard in that period would do no more than verify the catches.

Various delegations opposed this proposal, noting that it would not reduce the overall fishing mortality. The United States added that it would involve defining various elements, such as the financing of the observers, the sampling rules, and the participation of IATTC observers.

Mexico proposed a catch limit for those vessels of 80% of the yellowfin and skipjack that they had caught historically.

6. Other business

Guatemala made a statement regarding the carrying capacity of its fleet (Appendix 3), and Colombia made a statement concerning its proposal for a staggered closure and the mandate of the Commission (Appendix 4). A group of non-governmental organizations presented a joint statement (Appendix 5) containing recommendations aimed at improving the efficiency and effectiveness of the Commission's procedures and its conservation and management measures.

7. Date and place of the next meeting

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

8. Adjournment

The meeting was adjourned on 7 March 2008.

Appendix 1.

ATTENDEES – ASISTENTES

COLOMBIA

DIEGO CADENA
Ministerio de Relaciones Exteriores
dfcadena@gmail.com

MARÍA ISABEL CAMPO
Ministerio de Relaciones Exteriores
María_campo@cancilleria.gov.co

CARLOS ROBLES
Ministerio de Agricultura y Desarrollo Rural
Carlos.robles@minagricultura.gov.co

DIEGO CANELOS
Seatech International, Inc.
dcanelos@seatechint.com

LUÍS R. PAREDES
Paredes Mansfield & Cia.
paredeslr@lexpraxis.com

ALEJANDRO LONDOÑO
Asociación Nacional de Empresarios de Colombia
alondono@andi.com.co

ALVARO BUSTAMANTE
Atunec S.A.
presidencia@atunec.com.co

ALVARO F. BUSTAMANTE
Atunec S.A.
Alvaro_jr@atunec.com.co

GUILLERMO DAW
Gralco S.A.
guidaw@gralco.com.co

ENRIQUE GERLEIN
Gralco S.A.
egerlain@gralco.com.co

HUGO MARINO
Gralco S.A.
hmarino@grlaco.com.co

BLAS RETAMOSO
Cía. Atunera del Pacífico S.A.
Rtuna2003@yahoo.es

COSTA RICA

CARLOS VILLALOBOS*
Instituto Costarricense de Pesca y Acuicultura
cvillas@racsa.co.cr

BERNAL CHAVARRÍA*
Instituto Costarricense de Pesca y Acuicultura
bchavarria@bcvabogados.com

ASDRÚBAL VÁSQUEZ*
Ministerio de Agricultura y Pesca
Vasqueza1@ice.co.cr

ECUADOR

GUILLERMO MORÁN*
Ministerio de Agricultura, Ganadería, Acuicultura y Pesca
Subse01@subpesca.gov.ec

LUÍS TORRES*
Ministerio de Agricultura, Ganadería, Acuicultura y Pesca
probecuador@gve.satnet.net

JIMMY MARTÍNEZ*
Subsecretaría de Recursos Pesqueros
jmartinez@mardex.com.ec

RAMÓN MONTAÑO*
Subsecretaría de Recursos Pesqueros
rmontano@subpesca.gov.ec

LUÍS GÓMEZ
Cámara Nacional de Pesquería
legalsa@satnet.net

RAFAEL TRUJILLO
Cámara Nacional de Pesquería
direcjec@camaradepesqueria.com

RICARDO BAIDA
Afgan S.A.
ctorres@financreations.com

JESÚS CENTENERA
Ageron
j.centenera@ageron.es

ANGEL DÍAZ
Iberopesca
adiaz@iberopesca.net

PABLO GARCÍA
Borsea S.A.
estanis@isabel.net

ESTANISLAO GARAVILLA
Conservas Isabel S.A.
estanis@isabel.net

BRUNO LEONE
Compañía Anilisa, S.A.
brunol@telconet.net

JULIAN MARTÍNEZ
Pesquera Ugavi, S.A.
Eliugavi@systray.net

DIEGO MILETIC
Pesquera Jadrán S.A.
jadran@gu.pro.ec

ABEL PALADINES
Induatún S.A.
paladineshnos@aiaisat.net

LUÍS VÉLEZ
Borsea S.A.
servigrup@telconet.net

JIMMY VILLAVICENCIO
ASISERVY S.A.
jvillavicencio@villavicencioyassociados.ec

EL SALVADOR

SONIA SALAVERRÍA*
Ministerio de Agricultura y Ganadería
ssalaverria@mag.gob.sv

CARLOS SÁNCHEZ*
Calvopesca
Carlos.sanchez@calvo.es

MARTA CALVO
Calvopesca
marta.calvo@clavo.es

ESPAÑA – SPAIN

SAMUEL JUAREZ*
Ministerio de Agricultura, Pesca y Alimentación
juarez@mapausa.org

MARÍA DEL MAR FERNÁNDEZ
Ministerio de Agricultura, Pesca y Alimentación
marfmerlo@mapya.es

JAVIER ARÍZ
Instituto Español de Oceanografía
javier.ariz@ca.ieo.es

JULIO MORÓN
OPAGAC
opagac@arrakis.es
IMANOL LOINAZ
Albacora, S.A.
iloinaz@albacora.es

FRANCE

DOMINIQUE PERSON
Haut Commissariat of French Polynesia
dominique.person@affaires-maritimes.pf

CHRISTIANE LAURENT-MONPETIT
Ministère de l'Intérieur et de l'Outremer
Département de l'Agriculture et de la Pêche
christiane.laurent-monpetit@outremer.gouv.fr

HUGO ALSINA
Ministerio de Agricultura, Ganadería y Alimentación
hugo.alsina@maga.gob.gt

GUATEMALA

NERY BOJORQUEZ
Ministerio de Relaciones Exteriores
nbojorquez@minex.gob.gt

HIDEO INOMATA
Fisheries Agency of Japan
hideo_inomata@nm.maff.go.jp

KENJI KAGAWA
Fisheries Agency of Japan
Kenji_kagawa@nm.maff.go.jp

KENGO TANAKA
Fisheries Agency of Japan
kengo_tanaka@nm.maff.go.jp

NAOZUMI MIYABE
National Research Institute of Far Seas Fisheries
miyabe@envo.affrc.go.jp

JAPAN-JAPÓN

KOHSUKE HIGAKI
National Ocean Tuna Fishery Associations
k-higaki@zengyoren.jf-net.ne.jp

HISAO MASUKO
Japan Tuna Fisheries Co-operative Association
masuko@japantuna.or.jp

PETER MIYAKE
Japan Tuna Fisheries Cooperative Association
p.m.miyake@gamma.ocn.ne.jp

KYU JIN SEOK*
Ministry of Food and Agriculture, Forestry and Fisheries.
icdmomaf@chol.com

KOREA

KYUNG-SOO LEE
Sajo Industries Co. Ltd.
kslee@sajo.co.kr

RAMÓN CORRAL*
CONAPESCA
rcorralla@conapesca.gob.mx

MARIO AGUILAR*
CONAPESCA
marioaguilars@aol.com

MICHEL DREYFUS*
Instituto Nacional de la Pesca
dreyfus@cicese.mx

CECILIA VILLANUEVA
Secretaría de Relaciones Exteriores

MÉXICO

RAFAEL SOLANA
PNAAPD/VABC
solana_sansores@yahoo.com.mx

ARMANDO DÍAZ
PNAAPD – FIDEMAR
adiaz@cicese.mx

JUAN VACA
PNAAPD
elvigia@cicese.mx

LUÍS FLEISCHER
Centro Regional de Investigación Pesquera

cvillanueva@sre.gob.mx
MARTÍN BOTELLO
CONAPESCA
mbotello@conapesca.sagarpa.mx
CARLOS LUKEN
CONAPESCA
pescasandiego@sbcglobal.net
MIGUEL CISNEROS
Instituto Nacional de la Pesca
mcisneros@inp.sagarpa.gob.mx

lfeischer21@yahoo.com
CARLOS HUSSONG
Cámara Nacional de la Industria Pesquera
hussongc@pescabrava.com
JOSÉ CARRANZA
Pesca Azteca S.A. de C.V.
dzamudio@pescaazteca.com
ERNESTO ESCOBAR
Pesca Azteca S.A. de C.V.
dzamudio@pescaazteca.com

NICARAGUA

MANUEL PÉREZ*
Instituto Nicaragüense de la Pesca y la Acuicultura
mperez@inpesca.gob.ni
ARMANDO SEGURA*
Cámara de la Pesca
capenic@16w.com.ni

EDWARD WEISSMAN*
eweissman@aol.com

ARNULFO FRANCO*
Fundación Internacional de Pesca
alfranco27@yahoo.com
MARÍA PATRICIA DÍAZ*
Fundación Internacional de Pesca
Pinkydiaz@hotmail.com
DAVID SILVA
ARAP
davidsilvat@yahoo.com

PANAMÁ

VICTOR DE LA IGLESIA
Grupo Suevia Fishing Corporative
victor@gruposuevia.com
FRANCESCO SENZASONO
Tri Marine International S.A.
fsenzasono@trimarinegroup.com
PHILLIP TRUTANICH
Trimarine Fishing Management, S.A.
phillip@trimarinegroup.com

ALFONSO MIRANDA*
Ministerio de la Producción
amiranda@produce.gob.pe
GLADYS CÁRDENAS*
Instituto del Mar del Perú
gcardenas@imarpe.gob.pe
ALEX CONTRERAS
Ministerio de Relaciones Exteriores del Perú
acontreras@ree.gob.pe
RICARDO BERNALES
Sociedad Nacional de Pesquería
gerencia@diamante.com.pe
RAÚL SÁNCHEZ
Sociedad Nacional de Pesquería
snpnet@terra.com.pe

PERÚ

MIGUEL BARAKA
Pesquera Hayduk S.A.
mbaraka@hayduk.com.pe
FERNANDO DAVILA
Pesquera Hayduk S.A.
fdavila@hayduk.com.pe
CLAUDIA LEÓN
Pez de Exportación S.A.C.
cmr@terra.com.pe
WILFREDO MAGUIÑA
INPESCO
arimachi@hayduk.com.pe
JAIME TRUJILLO
Pesquera Hayduk, S.A.
jtrujillo@hayduk.com.pe

UNITED STATES OF AMERICA - ESTADOS UNIDOS DE AMÉRICA

RODNEY MCINNIS*
NOAA/National Marine Fisheries Service
Rod.Mcinnis@noaa.gov
ROBERT FLETCHER*
Sportfishing Association of California
dart@sacemup.org
DAVID HOGAN
U.S. Department of State
hogandf@state.gov
NORM BARTOO
NOAA/ National Marine Fisheries Services
Norm.bartoo@noaa.gov
JUDSON FEDER
NOAA/ National Marine Fisheries Service
Judson.feder@noaa.gov

ALLISON ROUTH
NOAA/ National Marine Fisheries Services
allison.routh@noaa.gov
JEREMY RUSIN
NOAA/ National Marine Fisheries Services
jeremy.rusin@noaa.gov
GARY SAKAGAWA
NOAA/ National Marine Fisheries Services
Gary.sakagawa@noaa.gov
GEORGE WATTERS
NOAA/ National Marine Fisheries Services
george.watters@noaa.gov
BRADLEY WILEY
NOAA/National Marine Fisheries Services
Brad.wiley@noaa.gov

THOMAS GRAHAM
NOAA/ National Marine Fisheries Services
tom.graham@noaa.gov

CRIAG HEBERER
NOAA/ National Marine Fisheries Services
Craig.heberer@noaa.gov

HEIDI HERMSMEYER
NOAA/ National Marine Fisheries Services
heidi.hermesmeyer@noaa.gov

CHRISTOPHER EMELEE*
Tuna Fishing
tunafishing@vanuatu.com.vu

ROY M JOY*
Government of Vanuatu
joyroymickey@gmail.com

ALVIN DELGADO*
PNOV/FUNDATUN
fundatunpnov@cantv.net

CRISTINA STREDEL
Instituto Nacional de la Pesca y Acuicultura
ori@inapesca.gob.ve

SVEIN FUGNER
Hawaii Longline Association
sveinfougner@cox.net

RANDI THOMAS
National Fisheries Institute / USTF
rthomas@nfi.org

JOHN ZUANICH
Del Monte Foods/Starkist Brands
John.zuanich@delmonte.com

VANUATU

KEVIN LIN*
Tuna Fishing
Kevin.mdfc@msa.hinet.net

VENEZUELA

LILLO MANISCALCHI
Avatun
lillomaniscalchi@yahoo.com

OBSERVERS - OBSERVADORES

BELIZE

ANGELO MOUZOROPOULOS
International Merchant Marine Registry
angelom@immarbe.com

CANADA

LAUREN DONIHEE
Department of Fisheries and Oceans
Lauren.donihee@dfo-mpo.gc.ca

ROBERT STEINBOCK
Department of Fisheries and Oceans
steinbob@dfo-mpo.gc.ca

CHINA

XIAOBING LIU
Bureau of Fisheries of the Ministry of Agriculture
inter-coop@agri.gov.cn

EUROPEAN UNION – UNION EUROPEA

STAFFAN EKWALL
European Commission, DG Fisheries
Staffan.ekwall@ec.europa.eu

CHINESE TAIPEI

HONG-YEN HUANG
Fisheries Agency
hangyen@msl.f.gov.tw

WEI-YANG LIU
Overseas Fisheries Development Council
weiyang@ofdc.org.tw

CHI-CHAO LIU
Fisheries Agency
chichao@msl.f.gov.tw

NON-GOVERNMENTAL ORGANIZATIONS – ORGANIZACIONES NO GUBERNAMENTALES

PETER FLOURNOY
American Fishermen's Research Foundation
phf@pacbell.net

RUSSELL NELSON
The Billfish Foundation
drsnnc@aol.com

SCOTT HENDERSON
Conservation International
shenderson@conservation.org

WILLIAM FOX
World Wildlife Fund
billx@cox.net

MEGHAN JEANS
Ocean Conservancy

mjeans@oceanconservancy.org

OTHER OBSERVERS – OTROS OBSERVADORES

PHIL LESPERANCE

Mackay Marine, Inc.

phil.lesperance@mackaymarine.com

SHAUNA OH

Michigan State University

shaunaoh@ucsd.edu

SECRETARIAT – SECRETARÍA

GUILLERMO COMPEÁN, Director

gcompean@iattc.org

ERNESTO ALTAMIRANO

ealtamirano@iattc.org

MARTHA ARIAS

marias@iattc.org

ALEXANDRE DA SILVA

asilva@iattc.org

RICK DERISO

rderiso@iattc.org

MÓNICA GALVÁN

mgalvan@iattc.org

MARTIN HALL

mhall@iattc.org

BRIAN HALLMAN

bhallman@iattc.org

MARK MAUNDER

mmaunder@iattc.org

ROBERT OLSON

rolson@iattc.org

CYNTHIA SACCO

csacco@iattc.org

NICHOLAS WEBB

nwebb@iattc.org

*Commissioner-Comisionado

Appendix 2.

CHAIR'S DOCUMENT

[RESOLUTION] [RECOMMENDATION] ON A [MULTI-ANNUAL] PROGRAM FOR THE CONSERVATION OF TUNA IN THE EASTERN PACIFIC OCEAN IN 2008 [AND 2009]

The Inter-American Tropical Tuna Commission (IATTC), at its 77th Meeting in La Jolla, California (USA) in March 2008:

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;

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;

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);

Considering that the increase in the use of fish-aggregating devices (FADs) with the latest generation of satellite equipment and other technologies increases in practice the fishing capacity in the EPO; and

Recognizing the importance of urging the Western and Central Pacific Fisheries Commission (WCPFC) to adopt parallel measures to conserve the tuna stocks in that region, and in particular, the shared stocks of highly migratory tunas in the Pacific Ocean;

[Resolves][Recommends] as follows:

1. This [resolution][recommendation] is applicable in [the years] 2008 [and 2009] to all purse-seine vessels and all longline vessels fishing for yellowfin, bigeye, and skipjack tunas 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.
2. Pole-and-line, troll, and sportfishing vessels [and purse-seine vessels of carrying capacity less than 363 metric tons] are not subject to this [resolution][recommendation].
3. That the fishery for yellowfin, bigeye, and skipjack tuna by purse-seine vessels in the EPO shall, in 2008 [and 2009], be closed
 - a. [for a 84-day period, either (1) from 0000 hours on 20 June to 2400 hours on 11 September, or (2) from 0000 hours on 9 October to 2400 hours on 31 December.]
 - b. [for a 60-day period, either (1) from 0000 hours on 14 July to 2400 hours on 11 September, or (2)

from 0000 hours on 1 December to 2400 hours on 31 January.]

- c. [for a 42-day period, from 0000 hours on 1 August to 2400 hours on 11 September.]
 - d. [Each flag government shall decide the dates of the closure period to be observed by each of its vessels.]
4. [That the fishery for yellowfin, bigeye, and skipjack tuna by purse-seine vessels in the EPO shall, in 2008 and 2009, be closed from 0000 hours on [12 September][1 December] to 2400 hours on 31 December within the area between [94° and 110°][100° and 116°]W from 3°N and 5°S illustrated in Figure 1.

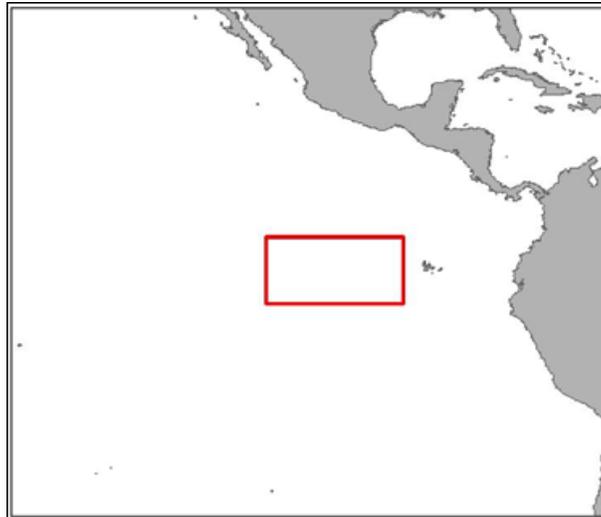


FIGURE 1. Closure area for the purse-seine fishery.]

5. Each CPC shall, for each year concerned, choose which of the two specified periods will be closed to purse-seine fishing by all of its vessels [the dates of the closure applicable to each of its vessels] [which of the two specified periods will be closed to purse-seine fishing by each of its vessels], and notify the Director by [15 April] [for 2008, and 1 January for 2009].¹ [All vessels of a national fleet] [The vessel] must stop purse-seine fishing during the closure period [selected]. Every vessel that fishes in 2008 [and 2009], regardless of the flag under which it operates, or whether it changes flag or the jurisdiction of the CPC under which it fishes during the year, must observe the closure period to which it committed.
6. [In the event that there are two closure periods, to ensure the effectiveness of the closures, those CPCs that choose the August-October closure period shall not be able to fish north of the 5°N parallel during the December-January closure period. Reciprocally, CPCs that choose the December-January closure period will not be able to fish south of that parallel during the August-October closure period.]
7. Each CPC shall, for purse-seine fisheries:
- a. Before the date of entry into force of the closure, take the legal and administrative measures necessary to implement the closure;
 - b. Inform all interested parties in its 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

¹ If option c in paragraph 3 is adopted, the shaded text would be deleted

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.

8. Each CPC shall take the measures necessary to control the total annual catch of bigeye tuna in the EPO during 2008 [and 2009] by longline tuna vessels fishing under its jurisdiction.
9. 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 [and 2009] does not exceed the following levels:

China	2,639 metric tons
Japan	34,076 metric tons
Korea	12,576 metric tons
Chinese Taipei	7,953 metric tons

10. Other CPCs shall take the measures necessary to ensure that their total annual longline catches of bigeye tuna in the EPO during 2008 [and 2009] do not exceed the greater of 500 metric tons or their respective catches of bigeye tuna in 2001.² CPCs whose annual catches have exceeded 500 metric tons shall provide monthly catch reports to the Director.
11. 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][recommendation]. 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.
12. Each CPC shall[, in each of the years covered by this [resolution][recommendation],] notify the Director by [15 April][for 2008, and 1 January for 2009] of national actions taken to implement this [resolution][recommendation], 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.
13. To evaluate progress towards the objectives of this [resolution][recommendation], in 2008 [and 2009] the IATTC Scientific Working Group will analyze the effects on the stocks of the implementation of this [resolution][recommendation], Resolution C-06-02, Resolution C-04-09, and previous conservation and management measures, and will propose, if necessary, appropriate measures to be applied in future years.
14. [[Without prejudice to the obligation of the Parties, under applicable international law, t][T]o implement a program of collecting information on FADs deployed in the EPO, to include, *inter alia*, a system of marking each FAD and recording information on the position of each FAD when it is deployed and recovered.

The Director shall, in consultation with the scientific institutions of CPCs, organize this program, and be responsible for maintaining the corresponding data base, in accordance with the Commission's rules of confidentiality.]

- 14bis. [Ask the Director to develop a draft program for collecting information on FADs in the EPO, with the aim of submitting it to the consideration of the Parties at the 78th Meeting of the Commission.]

² 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.

15. [All vessels that fish on FADs, at the beginning and end of the trip, shall mark (number) these devices and maintain a record of the number of FADs and beepers aboard. They shall also record information on the position of the FADs at the time they are deployed in the water and, if applicable, when they are recovered. This information shall be sent to the flag CPC at the end of each trip.]
16. [Vessels that fish on FADs are encouraged to recover the greatest possible number of their own FADs.]
17. [Subject to the availability of the necessary funding, the Director shall develop a voluntary experimental program to examine the effectiveness of sorting grids in reducing the mortality of juvenile tunas in the purse-seine fishery. The Director shall develop an experimental protocol, including parameters for the materials to be used for the sorting grids, and the methods for their construction, installation, and deployment. The Director shall also specify the methods and format for the collection of scientific data to be used for analysis of the performance of the sorting grids.] [The foregoing is without prejudice to each CPC carrying out its own experimental programs with sorting grids and presenting its results to the IATTC Secretariat.]
- 17bis. [Continue the experiments with sorting grids for juvenile tunas and other species of non-target fish in the purse-seine nets of vessels that fish on FADs and on unassociated schools, voluntarily and documenting each experience exhaustively.]
18. [Instruct the Director to continue efforts that will allow the IATTC and the WCPFC to have equivalent management measures.]
19. [The WCPFC is encouraged to adopt, in the shortest time possible, conservation measures comparable to those adopted in this [resolution][recommendation], with the aim of maximizing the effectiveness of the collective measures of the two organizations, and ensuring a positive result for the resources.]
20. Each CPC shall comply with this [resolution][recommendation].

Appendix 3.

STATEMENT BY GUATEMALA

The national section of the Republic of Guatemala, present at the 77th Meeting of the Commission, wishes to draw the attention of the delegates to the fact that, despite the existence of a Resolution that attempts to manage carrying capacity, now well volume expressed in cubic meters, the tuna purse-seine fleet has continued to grow in the Eastern Pacific Ocean. The new well volume has exceeded 70,000 cubic meters, as some delegations have asserted.

While this is happening, Guatemala's legitimate claim to 3,762 cubic meters of well volume that belong to it, which are being used in another State, continues unresolved. This causes constant and real harm to the country, which sees the development of the tuna fishery of which it is coastal made impossible because it cannot freely dispose of that which belongs to it.

It can be seen that, as was stated at the end of the 76th Meeting, the subsequent evolution of the facts conspires to Guatemala being able to restore its well volume with vessels within the region, now that States consider that well volume is an asset which they own. Add to that now the fact of the ineffectiveness of Resolution C-02-03 for controlling the size of the fleet, and the situation becomes irresolvable within the framework of the present rules and, therefore, new solutions are imposed.

As was indicated in a previous statement, the structure of the Resolution in force is intrinsically unjust, since some participants have rights that others do not have. In addition, while some States manage to grow in their volumes by violating the Resolution, others remain without seeing honored their most cherished aspirations to restore their rights by complying with it.

The new government of the Republic of Guatemala, which has assumed power in mid-January 2008, is determined to advance in the development of its tuna industry and, in that regard, announce that it is prepared to initiate and continue all possible avenues and resolve this most lamentable matter that has dragged on in a prolonged manner.

Appendix 4.

STATEMENT BY COLOMBIA

Colombia reiterates its policy of active collaboration for the conservation of the tuna resource in the Eastern Pacific Ocean (EPO), as well as the other marine species.

It expresses again its concern about the continued actions of the Commission that go beyond its original mandate, especially the management that has been applied and continues to be applied to the list of IUU vessels, the more so when there are vessels that operate in the EPO without being included in the Regional Vessel Register nor on that list.

It must be borne in mind that any organization must have as a principal condition its transparency, not only within its rules, but also within its implementation, which is not happening, since on some occasions in the face of requests from Party States they are told that they lack the capacity to act but in other cases similar requests from other Parties are accepted.

Ratifies its commitment to the need to adopt conservation measures that ensure the sustainability of the resources and in this regard announces that, in the case that consensus on this issue is not reached in the IATTC, it will carry out a staggered closure for its flag vessels during the period between 1 August and 31 December 2008, sure that the other Party States will make an effort equal or similar to that of Colombia. This closure consist of each vessel ceasing its fishing activities during 50 uninterrupted days and will inform the national authorities and the IATTC of the above. The verification of compliance with the staggered closure will be the responsibility of the competent national authorities.

Appendix 5.

JOINT STATEMENT BY THE NGOs

With the aim of promoting an effective and timely conservation, and the management of shared marine resources, we respectfully present the following substantive and procedural recommendations to the Commission and its staff. At the same time we offer, individually and collectively, our time, resources and experience, to help to facilitate the necessary reforms and reach important conservation objectives.

The IATTC is "responsible for the conservation and management of the fisheries for tunas and other species captured by vessels fishing for tunas in the eastern Pacific Ocean." However, in 2007, the Commission did not make any significant progress towards its mandate of ensuring the sustainability of the tuna populations. The processes revealed various fundamental structural and procedural deficiencies that are in part responsible for the lack of progress.

To facilitate the adoption of conservation measures and ensure the long-term sustainability of the tuna populations in the EPO, the scientific staff of the IATTC facilitated important information about the evaluation of the populations and analyses of various conservation and management proposals. The tendencies are clear: the populations of yellowfin and bigeye tunas are diminishing, as is the average size of the individuals captured. In the meantime, the capacity, effort and efficiency of the fishery are increasing, and the high catch rate of juveniles is exacerbating the reduction of the populations.

To counteract these tendencies, five conservation and management proposals were discussed, four of which were evaluated by the scientific staff. They concluded that, even under the best scenarios – which do not consider factors such as global climate change, which could depress even more the recovery of the

populations – the proposals are not designed with a margin of error sufficient for ensuring the achievement of the conservation objectives with a reasonable degree of certainty. The inability of the Commission of reaching a consensus on conservation measures, despite the ample opportunities for the delegations to deliberate and work towards convergent positions, worsened these fundamental deficiencies.

We think that the lack of progress can be attributed to various deficiencies in the process. Since the beginning of the 76th session, the very authority of the Commission to produce resolutions regarding conservation measures has been questioned. The Commission's lack of decision to defer this matter to a later judicial review generated delay, created an antagonistic atmosphere, and distracted the delegations from their primary objective of adopting conservation measures.

Of equal concern is the apparent tendency towards the reduction of transparency in the decision-making process. Excluding accredited observers with a legitimate interest in the situation of these shared resources, undermines the tradition of transparency of the IATTC. This is even more frustrating after the 75th Meeting, at which the reiterated requests of a coalition of non-governmental organizations to present a joint statement were not accommodated. For these reasons, we share and echo the frustration and disappointment expressed by various delegations during their statements at the 76th Meeting of the Parties.

In order to help resolve some of these points, we offer the following recommendations:

1. **Carry out an external review of the performance and include an evaluation of the decision-making procedures.** In January 2007, the government of Japan, with the support of FAO, convened a joint meeting of the tuna RFMOs. One of the results of this meeting was a call to each RFMO to initiate a review of its performance, in accordance with the guidelines described in the annex of the statement of the Course of Actions. We urge the Commission to make the evaluation of its performance, as described in Annex 1 of the statement of the Course of Actions, a priority, and support the recommended periodic reviews.
2. **Regain transparency and increase participation.** The delegations would be better positioned to promote, assess and work towards agreement about conservation measures if a greater effort were made to include conservation organizations, marine ecologists and experts in fisheries management in their delegations. Accredited observers must be encouraged to attend the multilateral deliberations on all the key issues.
3. **Increase the ability of the staff to integrate socioeconomic analyses with scientific recommendations.** Although the ecological and biological limitations and parameters must provide the basis for establishing management measures, the reality is that short- and long-term socioeconomic considerations also play a role in the deliberations of the delegations regarding conservation scenarios. Increasing the ability of the staff and making the inclusion of socioeconomic analyses and modeling a priority in the assessment of conservation and management proposals would accelerate agreements. The availability of formal and impartial socioeconomic evaluations would minimize speculation and would allow better-informed discussions on the potential impacts of the alternative proposals on specific industries and countries.
4. **Modify the default position of the Commission when there is a lack of consensus on conservation measures.** Under the Commission's current guidelines, an impossibility of reaching a consensus results in allowing the fishery to remain open if no conservation measures are agreed. This approach exposes the resource to a greater risk, since it creates a perverse incentive for the Parties that resist adopting conservation measures in order to impede progress and block consensus. Although consensus in decision-making is established in the Antigua Convention, we urge the Commission to assess and adopt alternative procedures and processes that would help the IATTC to achieve its objectives and facilitate the adoption of conservation measures that are in keeping with the Staff's criteria and analyses of sustainability.

Not including a wide range of knowledge and points of view in the official delegations, the growing ten-

endency toward closed sessions, and the repeated failures in the adoption of conservation measures, put the achievements and the credibility of the Commission at risk. Even more importantly, it imperils the health and sustainability of the fisheries resources, on which all the Member States depend. In order to promote greater equity, transparency and sustainability, we encourage the Commission to consider these recommendations. We are committed to promote the effective, joint and sustainable management of our shared marine resources, and we offer these recommendations for reform in a spirit of cooperation.