

INTER-AMERICAN TROPICAL TUNA COMMISSION  
**PERMANENT WORKING GROUP ON COMPLIANCE**

**10<sup>TH</sup> MEETING**

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**COMPLIANCE WITH IATTC MEASURES IN 2008**

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The following abbreviations are used:

**Countries and fishing entities:**

BLZ	Belize
BOL	Bolivia
CHN	China
COL	Colombia
CRI	Costa Rica
ECU	Ecuador
ESP	Spain
EUR	European Union
GTM	Guatemala
HND	Honduras
JPN	Japan
KOR	Republic of Korea
MEX	Mexico
NIC	Nicaragua
SLV	El Salvador
TWN	Chinese Taipei
USA	United States of America

VEN	Venezuela
VUT	Vanuatu

**Species:**

BET	Bigeye tuna ( <i>Thunnus obesus</i> )
SKJ	Skipjack tuna ( <i>Katsuwonus pelamis</i> )
YFT	Yellowfin tuna ( <i>Thunnus albacares</i> )

**Forms:**

RDC	Compliance Record
RDT	Shark Record
RTM	Sea Turtle Record

**Miscellaneous:**

CPC	IATTC Party, cooperating non-party, fishing entity or regional economic integration organization
FAD	Fish-aggregating device
EPO	Eastern Pacific Ocean

The information presented in this document relates to some of the issues on the agenda of the 10<sup>th</sup> Meeting of the IATTC Permanent Working Group on Compliance, to be held on 5 June 2009.

The data related to the purse-seine fisheries in this report cover all trips initiated in 2008 (2008 trips), with fishing activity (sets) in the eastern Pacific Ocean (EPO), covered by the IATTC observer program, and also includes data received from national observer programs.

The number of 2008 trips is as follows:

	IATTC	National	Total
COL	22	23	45
ECU	174	84	258 <sup>1</sup>
EUR	8	7	15
GTM	10	-	10
HND	13	-	13
MEX	95	95	190
NIC	10	8	18
PAN	54	57	111
PER	6	-	6
SLV	23	-	23
VEN	39	32	71
VUT	17	-	17
<b>Total</b>	<b>471</b>	<b>305</b>	<b>776<sup>2</sup></b>

## 1. RELEVANT COMMISSION RESOLUTIONS

The IATTC resolutions which were in effect during 2008 and which can be analyzed in terms of compliance are:

	Adopted
<a href="#">C-99-07</a> <i>Resolution on fish-aggregating devices</i>	July 1999
<a href="#">C-02-03</a> <i>Resolution on the capacity of the tuna fleet operating in the EPO</i>	June 2002
<a href="#">C-03-04</a> <i>Resolution on at-sea reporting</i>	June 2003
<a href="#">C-03-05</a> <i>Resolution on data provision</i>	June 2003
<a href="#">C-04-05</a> <i>Consolidated resolution on bycatch (Rev 2)</i>	June 2006
<a href="#">C-05-02</a> <i>Resolution on northern albacore tuna</i>	June 2005
<a href="#">C-05-03</a> <i>Resolution on the conservation of sharks</i>	June 2005
<a href="#">C-07-03</a> <i>Resolution to mitigate the impact of tuna fishing vessels on sea turtles</i>	June 2007

The *Resolution on Fish-Aggregating Devices* continues the prohibition of transshipment of tuna at sea and of the use of tender vessels.

The *Resolution on the capacity of the tuna fleet operating in the EPO* establishes rules and procedures governing the entry, transfer and operation of purse-seine vessels in the tuna fisheries of the EPO.

The *Resolution on at-sea reporting* requires all purse-seine vessels which carry an on-board observer to transmit the observer's weekly report to the staff.

The *Resolution on data provision* establishes the types and format of fisheries data to be provided to the Director by countries with vessels fishing for tunas in the EPO.

<sup>1</sup> Includes seven trips for one class-5 vessel that carried observers, as required by the AIDCP.

<sup>2</sup> Does not include 6 observed trips that had no fishing activity in the EPO

The *Consolidated Resolution on Bycatch* has a requirement to release unharmed, to the extent practicable, non-target species, with special requirements for releasing sea turtles.

The *Resolution on northern albacore tuna* establishes limits on the catch of albacore in the EPO.

The *Resolution on the conservation of sharks* calls for restrictions on the finning of sharks and the provision of information on shark catches.

## 2. REVIEW OF POSSIBLE VIOLATIONS DURING 2008

### 2.1. Consolidated resolution on bycatch (C-04-05)

#### 2.1.1. Release requirement

The resolution calls for fishermen to release unharmed, to the extent practicable, all sea turtles, sharks, billfishes, rays, dorado, and other non-target species, with specific requirements for the release of encircled or entangled sea turtles.

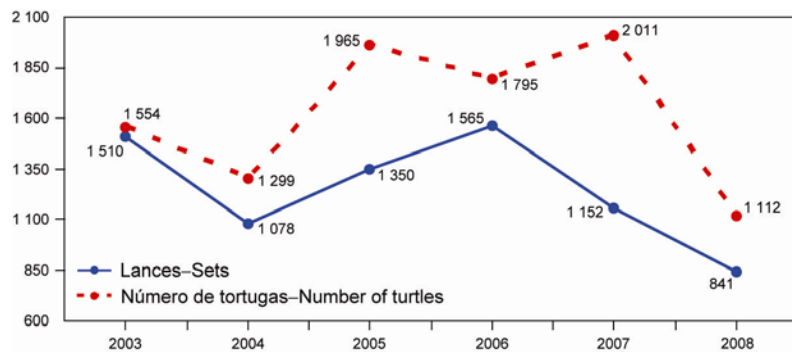
##### 2.1.1.a Sea turtles

With respect to sea turtles, the resolution requires that all sea turtles be released by fishermen on purse-seine vessels. More specifically, the resolution calls for the following:

1. Require fishermen on vessels targeting species covered by the Convention to promptly release unharmed, to the extent practicable, all sea turtles.
2. Require specific measures for encircled or entangled sea turtles, as follows:
  - i. Whenever a sea turtle is sighted in the net, all reasonable efforts should be made to rescue the turtle before it becomes entangled in the net, including, if necessary, the deployment of a speedboat.
  - ii. If a turtle is entangled in the net, net roll should stop as soon as the turtle comes out of the water and should not start again until the turtle has been disentangled and released.
  - iii. If a turtle is brought aboard the vessel, all appropriate efforts to assist in the recovery of the turtle should be made before returning it to the water.
  - iv. Also, Resolution C-07-03 on mitigating the impact of tuna fishing vessels on sea turtles requires all sea turtles observed entangled in FADs to be released.
3. Prohibit vessels targeting species covered by the Convention from disposing of salt bags or any other type of plastic trash at sea.

Figure 2.1 illustrates the number of sets with turtles involved and the number of turtles involved, observed by the IATTC and national observer programs during 2003-2008. Sea turtles were involved in 841 sets during 2008 trips, a decrease from previous years. The number of turtles involved decreased as well.

Table 2.1 shows the condition of the turtles involved, by vessel flag.



**FIGURE 2.1.** Sets with turtles involved, and number of turtles, 2003-2008

	COL	ECU	ESP	GTM	HND	MEX	NIC	PAN	PER	SLV	VEN	VUT	Tot	%
Escaped	3	17	2	3	-	12	2	15	-	-	5	-	59	5
Released:														
Unharmred	44	390	30	13	8	133	18	200	-	12	136	22	1,006	90
Slightly injured	2	13	1	1	1	5	-	3	-	3	3	1	33	3
Severely injured	-	1	-	-	-	-	-	1	-	-	1	-	3	<1
Left entangled	-	-	-	-	-	-	3	-	-	-	0	-	3	<1
Killed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Consumed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other/Unknown	-	3	-	-	-	1	-	2	-	1	1	-	8	1
<b>Total</b>	<b>49</b>	<b>424</b>	<b>33</b>	<b>17</b>	<b>9</b>	<b>151</b>	<b>23</b>	<b>221</b>	<b>-</b>	<b>16</b>	<b>146</b>	<b>23</b>	<b>1,112</b>	

**TABLE 2.1.** Condition of sea turtles involved in purse-seine sets, 2008

The data in Table 2.2 show that compliance has been constant over the years, with over 90% of the involved turtles being released unharmed, and less than 1% dead or severely injured as a result of interaction with the fishery.

	2004		2005		2006		2007		2008	
<b>Involved</b>	<b>1,299</b>		<b>1,965</b>		<b>1,795</b>		<b>2,011</b>		<b>1,112</b>	
Escaped/Released unharmed	1,213	(93)	1,840	(94)	1,678	(93)	1,926	(96)	1,065	(95)
Slightly injured	65	(5)	74	(4)	86	(5)	60	(3)	3	<1
Severely injured	12	(1)	18	(1)	15	(1)	16	(1)	5	<1
Killed	2	<1	6	<1	6	<1	3	<1	-	-
Consumed	1	<1	1	<1	-	-	-	-	-	-
Other/Unknown	6	<1	26	(1)	10	(1)	-	-	-	-

**TABLE 2.2.** Condition of turtles involved in purse-seine sets. Numbers in parentheses are percentages.

Table 2.3 indicates the condition of three turtles that passed through the power block, as reported by observers. In comparison, five turtles were reported in this category in 2007, three in 2006, four in 2005, six in 2004 and eight in 2003. One of these cases occurred on a trip with an IATTC observer aboard; the staff is notifying the vessel's flag country of this violation of the resolution.

It should be noted that observers make a visual assessment of the condition of all turtles involved in sets, and specifically those passed through the power block, but do not have the time or specialized knowledge necessary to make a thorough examination.

Sea turtles can also become entangled in webbing discarded at sea or webbing hung under fish-aggregating devices (FADs). The fate of the 22 turtles that were found entangled alive in a FAD prior to the set (19 sets) is shown in Table 2.4. The number of sets and the number of turtles entangled in FADs decreased from 2007 (28 turtles in 23 sets), 2006 (53 turtles in 33 sets), and 2005 (28 turtles in 21 sets).

Released unharmed	-
Slightly injured	1
Severely injured	1
Killed	-
Consumed	-
Other/Unknown	1
<b>Total</b>	<b>3</b>

**TABLE 2.3.** Condition of sea turtles passed through power block, 2008

	COL	ECU	ESP	GTM	HND	MEX	NIC	PAN	PER	SLV	VEN	VUT	Tot	%
<b>Sets</b>	-	11	-	-	-	-	1	4	-	-	3	-	<b>19</b>	
Escaped	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Released:														
Unharmred	-	9	-	-	-	-	-	3	-	-	-	-	<b>12</b>	<b>57</b>
Slightly injured	-	2	-	-	-	-	-	-	-	-	2	-	<b>4</b>	<b>14</b>
Severely injured	-	1	-	-	-	-	-	1	-	-	-	-	<b>2</b>	<b>10</b>
Left entangled	-	-	-	-	-	-	3	-	-	-	-	-	<b>3</b>	<b>14</b>
Killed	-	-	-	-	-	-	-	-	-	-	-	-	-	-

Consumed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other/Unknown	-	-	-	-	-	-	-	-	-	-	1	-	1	<1
<b>Total</b>	-	<b>12</b>	-	-	-	-	<b>3</b>	<b>4</b>	-	-	<b>3</b>	-	<b>22</b>	

**TABLE 2.4.** Fate of sea turtles found entangled alive in webbing in FADs involved in sets, 2008

Observers also record sightings of turtles entangled in netting associated with floating objects on which **no set** is made. The 212 turtles involved in the 167 sightings recorded in 2008 (excluding turtles recorded as previously dead) are broken down in Table 2.5 by the action taken by the crew after the sighting.

	COL	ECU	ESP	GTM	HND	MEX	NIC	PAN	PER	SLV	VEN	VUT	Tot	%
<b>Sightings</b>	25	78	4	1	2	1	3	21	-	9	21	2	<b>167</b>	<b>%</b>
Escaped	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Released:														
Unharmmed	32	77	3	1	2	1	2	12	-	9	18	1	<b>158</b>	<b>75</b>
Slightly injured	2	14	2	-	-	-	-	4	-	-	2	-	<b>24</b>	<b>11</b>
Severely injured	-	9	-	-	-	-	-	4	-	-	-	1	<b>14</b>	<b>7</b>
Left entangled	-	7	-	-	-	-	3	2	-	-	3	-	<b>15</b>	<b>7</b>
Killed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Consumed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other/Unknown	-	-	1	-	-	-	-	-	-	-	-	-	<b>1</b>	<b>&lt;1</b>
<b>Total</b>	<b>34</b>	<b>107</b>	<b>6</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>5</b>	<b>22</b>	-	<b>9</b>	<b>23</b>	<b>2</b>	<b>212</b>	

**TABLE 2.5.** Fate of sea turtles sighted entangled in webbing (no set), 2008

Reports by observers during 2003-2008 of turtles left entangled in FADs on which no set was made are summarized in Table 2.6.

	2008	2007	2006	2005	2004	2003
Sightings of FADs	167	140	185	134	124	183
Turtles left entangled	15	23	26	17	26	25

**TABLE 2.6.** Number of turtles left entangled in FADs (no set), 2003-2008

In terms of compliance, the staff identified, through the RDC and the RTM, three different categories of violations of the sea turtle release requirements which occurred during 2008 trips:

1. No effort to avoid entanglement of turtles;
2. Failure to stop net roll to release turtles;
3. Failure to make all appropriate efforts for the recovery of a turtle brought aboard the vessel, before returning it to the water; and
4. Failure to release turtles entangled in FADs.

In addition to the failure to stop net roll, which resulted in the turtle noted above going through the power block, the violations recorded by IATTC observers during 2008 trips, by vessel flag, and reported to the pertinent national authorities, are listed in Table 2.7.

	No effort to avoid entanglement	No recovery effort	Did not stop net roll	No release of turtles entangled in FADs	Total
COL	-	-	-	-	-
ECU	42	2	3	3	<b>50</b>
ESP	-	-	-	-	-
HND	-	-	-	-	-
MEX	20	1	-	-	<b>21</b>
NIC	1	-	-	-	<b>1</b>
PAN	4	-	-	-	<b>4</b>

SLV	-	1	-	-	1
USA	-	-	-	-	-
VEN	7	2	2	3	14
VUT	-	-	-	-	-
<b>Total</b>	<b>74</b>	<b>6</b>	<b>5</b>	<b>6</b>	<b>91</b>

**TABLE 2.7.** Violations of sea turtle release requirements recorded by IATTC observers, 2008

The number of violations for failure to avoid entanglement, 74 in 2008, compared with the 132 in 2007, could reflect better compliance, but it could also be a result of a lesser interaction with turtles in those years, as indicated in Figure 2.1, which shows a reduction of 45% in the number of sea turtles involved in sets since 2006. This might also be true for the reduction in the number of cases of no recovery effort, 6 in 2008 and 34 in 2007.

Resolution C-04-05 prohibits vessels from disposing of salt bags or any other type of plastic trash at sea. Accordingly, the RDC requires the observer to record whether any such trash was discarded. Since the size of the trash items is not defined in the resolution, the observers record, in addition to discards of salt bags, any discards of large plastic bags, like those used for trash containers. Observers do not record each instance of such discards, nor estimate the number or volume of salt bags or other trash discarded, simply whether such trash was disposed of during the trip; therefore, Table 2.8 indicates only the number of trips during which there was at least one occurrence of discards of salt or plastic bags. However, in most cases there were several occurrences of discards during a trip. In 2007, observers reported disposal of plastic trash in 130 of 453 trips (29%); in 2008 this fell to 18%.

Vessel flag	Trips with RDCs	Trips with trash discarded
COL	22	5
ECU	174	15
ESP	8	1
GTM	10	1
HND	13	1
MEX	95	25
NIC	10	2
PAN	54	7
PER	6	1
SLV	23	10
VEN	39	14
VUT	17	3
<b>Total</b>	<b>471</b>	<b>85</b>

**TABLE 2.8.** Trips with discards of trash recorded by IATTC observers, 2008

### 2.1.1.b Sharks

On the *Registro de Tiburones (Shark Record; RDT)*, observers record the 'fate' (released alive, discarded dead, consumed) of any shark involved in a set on tunas. The data for 2008 are summarized in Table 2.9.

It should be noted that, as with turtles, the observer, with limited experience and very little time to handle these animals in a potential dangerous environment, can only estimate the condition of the shark. Thus, those animals reported alive and released may have injuries that are not obvious to the observer.

	COL	ECU	ESP	GTM	HND	MEX	NIC	PAN	PER	SLV	VEN	VUT	Tot	%
<b>Sets</b>	<b>87</b>	<b>1,363</b>	<b>242</b>	<b>36</b>	<b>25</b>	<b>843</b>	<b>69</b>	<b>523</b>	<b>3</b>	<b>177</b>	<b>351</b>	<b>98</b>	<b>3,817</b>	
Released	55	1,267	429	23	18	27	73	637	-	204	668	60	3,461	8
Discarded	638	4,197	1,334	31	15	839	556	1,259	-	1,037	1,055	300	11,261	25
Retained	122	1,154	-	13	5	23,287	21	453	4	9	4,212	7	29,287	66
Other	-	8	-	-	-	-	-	-	-	-	-	-	8	<1
Unknown	6	16	-	-	-	96	-	16	-	17	-	-	151	<1
<b>Total</b>	<b>821</b>	<b>6,642</b>	<b>1,763</b>	<b>67</b>	<b>38</b>	<b>24,249</b>	<b>650</b>	<b>2,365</b>	<b>4</b>	<b>1,267</b>	<b>5,935</b>	<b>367</b>	<b>44,168</b>	

**TABLE 2.9.** Fate of sharks involved in purse-seine sets, 2008

The observers reported a 26% increase in the number of sets with sharks involved in 2008, and an increase of 10,654 (32%) in the number of sharks involved, compared to 2007 (Table 2.10).

	2008	2007	2006
Sets with sharks involved	3,817	3,041	3,224
Number of sharks involved	44,168	33,514	24,796
Sharks per set	11.6	11.0	7.7
Sharks retained as catch	29,287	18,376	11,309

**TABLE 2.10.** Sharks involved in purse-seine sets, 2006-2008

In terms of compliance, it is noteworthy that only 8% of the sharks involved in the purse-seine fishery are released alive, possibly with a certain degree of injury. The largest increase was in the category of sharks retained as catch, which increased by 59%, from 18,376 in 2007 to 29,287 in 2008. This could be an unintended consequence of Resolution C-05-03 on sharks, specifically the prohibition on ‘finning’<sup>1</sup>; since vessel personnel are prevented from discarding the carcass of a shark after cutting off the fins, the carcasses are being retained.

Nonetheless, retention of these sharks may represent a violation of Resolution C-04-05, which requires the release, to the extent practicable, of all sharks taken as bycatch. The Commission may wish to review this requirement, and provide guidelines for defining the term ‘to the extent practicable’.

	Trips with RDC	Trips with finned sharks	%	Finned sharks	Finned sharks caught outside sets
COL	22	10	45	381	1
ECU	174	13	7	211	-
ESP	8	-	-	-	-
GTM	10	-	-	-	-
HND	13	4	31	8	-
MEX	95	3	3	274	-
NIC	10	1	10	40	-
PAN	54	6	11	82	-
PER	6	-	-	-	-
SLV	23	-	-	-	-
VEN	39	1	3	226	-
VUT	17	4	24	42	-
<b>Total</b>	<b>471</b>	<b>42</b>	<b>9</b>	<b>1,264</b>	<b>1</b>

**TABLE 2.11.** Finned sharks recorded by IATTC observers, 2008

Observers record on the RDC information on finned sharks, which are also recorded on the RDT as ‘Discarded’. Table 2.11 shows that 1,264 sharks caught in sets on tunas were finned during 42 (9%) of the 471 2008 trips with IATTC observers aboard. In 2007, the corresponding numbers were 3,206 sharks during 105 (23%) of 453 trips, and in 2006, 4,526 sharks during 87 (34%) of 257 trips. Data for 2006 are incomplete because the RDCs came into use after the beginning of the year.

Sometimes vessel crews fish for sharks with hand lines while the vessel is stopped, usually at night. It is not clear whether this activity is prohibited by any IATTC resolution. Observers record any instances this practice that they witness, and also the number of sharks caught and finned. It should be noted that these observations are made opportunistically, as this fishing occurs mainly when the observer is off duty or during the night. Nonetheless, during the 471 trips with IATTC observers aboard, the observers recorded at least 1,225 sharks caught and retained in this manner, and one was finned. During 2007, 60 sharks in this category were finned in 453 trips.

<sup>1</sup> Defined as cutting the fins from the shark and discarding the rest of the animal

## 2.2. Resolution on fish-aggregating devices (FADs) [\(C-99-07\)](#)

There are two elements of this resolution which need to be considered in terms of compliance: the prohibition of transshipment of tuna at sea by purse-seine vessels fishing for tuna in the EPO, and the prohibition on the use of tender vessels operating in support of vessels fishing on FADs in the EPO.

The staff has received no reports of transshipments at sea. The last definitive report to the staff of a tender vessel in the EPO was on 17 June 2000.

## 2.3. Resolution on at-sea reporting (C-03-04)

In June 2003, the Commission adopted a modification to the resolution adopted in June 2001 regarding reporting information of fishing activities while the vessel is at sea. The operative change in the new resolution is that the vessel personnel are responsible for transmitting the observer's weekly report of catches (and dolphin mortalities, if applicable) to the staff; previously, the vessel personnel had merely been requested to allow the observer to transmit the report. The intention of the change was to improve the low percentage of reports received (48% and 51% in 2001 and 2002, respectively). During 2003, a marked increase in compliance was observed: during the second semester, when the new resolution was in effect, the reporting rate rose to 70%. It improved to 73% in 2004 and 89% in 2005, then decreased to 85% in 2006; it increased to 90% in 2007 and to 96.5%, its highest level, in 2008, (Table 2.12).

## 2.4. Conservation of tuna

The IATTC did not adopt a resolution on tuna conservation for 2008; however, many member countries adopted unilateral management measures intended to conserve tuna (Appendix A). The staff investigated the effectiveness of these measures for the purse-seine fleet by examining the changes in purse-seine fishing effort (measured by days fishing) expected under the measures, and by assessing compliance by Class-6 vessels (over 363 metric tons carrying capacity) with the measures enacted by the respective flag state. A brief evaluation was made of conservation measures for the longline fishery by examining the landings reported for 2008.

### 2.4.1. Effectiveness of measures for the purse-seine fishery

The conservation measures recommended by the IATTC staff for the purse-seine fishery in 2008 are described in Document [IATTC-78-06b](#)<sup>2</sup>. These included a 12-week (84-day) closure in the entire EPO, from 20 June through 11 September, and the closure of an offshore area (between 94° and 110°W and from 3°N to 5°S) from 12 September through 31 December.

The duration of the unilateral closures for the entire EPO (Appendix A) for Class-6 purse-seine vessels varied from 42 to 49 days. Therefore, their effectiveness ranged from 50% to 58% of the recommended closure for vessels that complied fully with their flag state's closure.

Four countries enacted separate closures of an offshore area. Three of these used the area in the staff's proposal, and only one covered a period longer than that in the proposal. In aggregate, the conservation

	Program	Weeks	Reports	%
COL	IATTC	193	184	95.3
	National	218	213	97.7
ECU	IATTC	1,031	1,031	100.0
	National	512	491	95.9
EUR	IATTC	62	62	100.0
	National	55	55	100.0
GTM	IATTC	64	62	96.9
HND	IATTC	55	47	85.5
MEX	IATTC	660	647	98.0
	National	670	556	83.0
NIC	IATTC	81	81	100.0
	National	61	55	90.2
PAN	IATTC	431	430	99.8
	National	407	407	100.0
PER	IATTC	36	36	100.0
SLV	IATTC	158	158	100.0
VEN	IATTC	284	284	100.0
	National	277	270	97.5
VUT	IATTC	117	117	100.0
<b>Total</b>		<b>5,372</b>	<b>5,186</b>	<b>96.5</b>

**TABLE 2.12.** Percentages of at-sea reports received, 2008

<sup>2</sup> <http://iatct.org/PDFFiles2/IATTC-78-06b-Conservation-recommendationsREV2.pdf>



effectiveness of these closures was less than that of the recommended closure.

Data recorded by observers aboard Class-6 vessels indicate that about 18% of those vessels made sets on tunas during closures of the entire EPO enacted by their respective flag states, and about 29% during closures of the offshore area.

For comparative purposes, compliance by purse-seine vessels with the closures established for 2007 in Resolution [C-06-02](#)<sup>3</sup> was also examined. The observer data indicate that the level of compliance was generally high; the exceptions are reported in [Document COM-9-04](#)<sup>4</sup>, the report on compliance with IATTC resolutions in 2007.

#### **2.4.2. Effectiveness of measures for the longline fishery**

The conservation measures for the longline fishery proposed by the IATTC staff in 2008, also described in Document IATTC-78-06b, were:

- a. Limit the total annual longline catches of bigeye tuna by China, Japan, Korea, and Chinese Taipei in the EPO during 2008, 2009, and 2010 to the following levels:

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

- b. For other CPCs, limit the respective total annual longline catches of bigeye tuna in the EPO during 2008, 2009, and 2010 do not exceed the greater of 83% of 2001 catches or 500 t.

The only country with a major industrial longline fishery in the EPO that enacted a conservation measure for the longline fishery was Japan, which set a limit higher than that in the staff's proposal. However, the landings reported by the four CPCs with the largest longline fleets for 2008 were well below those in the staff's proposal (see [longline catches for 2008 reported on the IATTC website](#)<sup>5</sup>).

#### **2.5. Resolution on northern albacore tuna (C-05-02)**

Resolution C-05-02 on northern albacore tuna calls upon all CPCs to take the necessary measures to ensure that the level of fishing effort by their vessels fishing for North Pacific albacore tuna is not increased. It also calls upon all CPCs to report all catches of North Pacific albacore, by gear type, to the IATTC every six months.

It is very difficult, if not impossible, to monitor compliance with this resolution because of the way that it is structured. Specifically, the requirement is to limit effort, but it is catches that are reported, not effort. Also, the resolution calls for limiting effort to "current" levels, but "current" is not defined.

Canada, Chinese Taipei, Japan, Korea, and the United States submitted catch reports semi-annually for 2007. The United States and Chinese Taipei reported their catches for the entire north Pacific, whereas other CPCs reported catches from the EPO only.

Some countries (Belize, Cook Islands, Mexico, and Panama) with small catches of albacore did not report every six months, but did make the required annual reports.

Because of the difficulties associated with the proper implementation and monitoring of this resolution, the staff is recommending to the Commission modifications of the resolution to define what is meant by "current" effort, to require reporting of effort in addition to catch, and to clarify that the six-month catch and effort reports should be for the EPO only.

<sup>3</sup> <http://www.iattc.org/PDFFiles2/C-06-02-Conservation-of-tunas-2007.pdf>

<sup>4</sup> <http://iattc.org/PDFFiles2/COM-9-04-Compliance-Report-2007REV.pdf>

<sup>5</sup> <http://iattc.org/IATTCLonglineCatches2008ENG.htm>

## 2.6. Resolution on fleet capacity (C-02-03)

In June 2002, the Commission adopted Resolution C-02-03 on the capacity of the tuna purse-seine fleet operating in the EPO. The capacity management system established by the resolution does not include the concept of national capacity allocations or limits; instead, fleet capacity limitations are essentially determined by the Regional Vessel Register. Therefore, the key elements of the resolution address how vessels may be added to or removed from the Register. The participating governments have agreed to use the Register as the definitive list of purse-seine vessels authorized by the participants to fish for tunas in the EPO. According to the resolution, any purse-seine vessel fishing for tunas in the EPO that is not on the Register is considered to be undermining IATTC management measures.

The resolution prohibits the entry of new vessels, defined as those not included on the Register, to the EPO purse-seine fleet, except to replace vessels removed from the Register. There are some limited and specific exceptions to this rule for five countries, and these are elaborated in the resolution. Thus, a country cannot add a purse-seine vessel to its fleet unless it is a replacement or the country is allowed an exception.

There are several purse-seine vessels that have fished in the EPO during recent years while not on the Register, and are thus in violation of Resolution C-02-03. Several vessels identified in the [compliance report for 2007](#)<sup>6</sup> have subsequently been added to the Register, although the staff has no record that sanctions were ever applied against these vessels for fishing while not on the Register.

The vessels noted below are those that are currently not on the Register and fished during 2007, 2008, and/or 2009.

1. *Marta Lucía R* (Colombia): entered the fishery on 22 February 2004, and has been fishing in the EPO since that time.
2. *Don Abel* (Venezuela): removed from the Register, at the request of Venezuela, on 19 December 2006. Made three trips during 2007-2008.
3. *Caribbean Star No. 31* (flag unknown): removed from the Register on 21 June 2004; the staff has information of six unloadings by this vessel during 2007.
4. *Dominador I* (Colombia): entered the fishery on 12 March 2008 while not on the Register. Made five trips between March and November 2008, and three trips in 2009.
5. *Ignacio Mar I* (Ecuador): entered the fishery in late 2007 while not on the Register. Made five trips in 2007, 10 trips in 2008, and two trips in 2009.
6. *Tunamar* (Panama): began fishing on 18 May 2009 while not on the Register. The well volume of this vessel is involved in a dispute between Panama and Vanuatu over available capacity.

Also, the *Cabo Marzo* (Nicaragua), during a trip in October-December 2008, stored 60 tons of tuna in a well which was supposed to be sealed.

Also, the staff has information that at least four vessels have increased their capacity contrary to Resolution C-02-03: *Tarqui* and *Doña Roge* (Ecuador); *Taurus Tuna* and *Taurus I* (Venezuela).

The staff has written to the relevant governments regarding these increases, but has received no replies.

## 2.7. Resolution on data provision (C-03-05) and other data reporting requirements

Resolution C-03-05 on data provision makes mandatory the provision of specified fisheries data to the Director, on an annual basis, for all vessels fishing for species under the purview of the Commission.

The nature and format of the data to be provided are spelled out in detail in the resolution. The aggregated data required for each year are to be provided by 30 June of the following year.

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<sup>6</sup> <http://www.iattc.org/PDFFiles2/COM-9-04-Compliance-Report-2007REV.pdf>

All the countries with purse-seine vessels fishing in the EPO are meeting the requirements of the resolution.

With respect to catch data for longline vessels, particularly smaller vessels based in coastal countries, the minimum required information for 2008 has not been received from a number of countries.

With respect to catch data for troll vessels, the required information for 2008 has been received from all three countries with troll vessels operating in the EPO, Canada, Cook Islands, and the United States.

Also, there are reporting requirements in Resolutions C-04-05, C-07-03, C-05-03, and C-05-01. Resolution C-04-05 encourages all CPCs to provide the Commission with all data on catches of sea turtles in all fisheries targeting species covered by the IATTC Convention, and Resolution C-07-03 requires reporting to the IATTC by 30 June of each year, beginning in 2008, on the progress of implementation of the FAO guidelines to reduce sea turtle mortality in fishing operations. Resolution C-05-03 requires each CPC to report annually data on catches, effort by gear type, landing and trade of sharks, by species where possible, including available historical data, and also requires sending to the IATTC staff, by 1 May, a comprehensive annual report of the implementation of this Resolution during the previous year. Resolution C-05-01 encourages CPCs to collect and voluntarily provide the Commission with all available information on interactions with seabirds, including incidental catches in all fisheries under the purview of the IATTC.

Very few CPCs provide any of the reports noted in the paragraph above.

## **2.8. Resolution on sharks (C-05-03)**

Resolution C-05-03 prohibits the finning of sharks, and establishes that any shark fins on board a vessel must account for at least 5% of the weight of sharks on board the vessel.

Information on the finning of sharks by purse-seine vessels is included in section 2.1.1 b. The staff has no information on this matter with respect to longline vessels.

**APPENDIX A.** Unilateral tuna conservation measures enacted in 2008 for vessels fishing in the EPO.

	<b>Applicability</b>	<b>Closure period, entire EPO</b>	<b>Closure, offshore area</b>	<b>Measures for FADs</b>	<b>Catches of juvenile fish</b>	<b>Additional measures</b>
<b>Colombia</b>	All purse-seine vessels	<b>Staggered closure;</b> Class 6, 49 days; others, 30 days	No fishing on FADs between 94° and 110°W from 3°N to 5°S, 01 Aug - 31 Dec	No fishing on FADs in national EEZ	Catches of tunas less than 3 lbs prohibited	Landing in national ports of tunas caught in contravention to these measures prohibited
<b>Ecuador</b>	All Class-5 and 6 purse-seine vessels	<b>Class-6 vessels:</b> 42 days, 01 Aug - 11 Sep; not required to be in port during closure. <b>Class-5 vessels:</b> one 30-day trip with observer aboard during closure	No fishing between 100° and 116°W from 2°N to 3°S, 12 Sep - 11 Oct	In 2009, Class-6 vessels must use sorting grids for excluding small fish		
<b>Spain</b>	Purse-seine vessels	42 days; 01 Aug - 11 Sep.				
<b>Guatemala</b>		One of two 49-day periods: 01 Aug - 18 Sep or 13 Nov - 31 Dec. Vessels must be in port	No fishing between 94° and 110°W from 3°N to 5°S, 01 Nov - 31 Dec			
<b>Japan</b>	Longline vessels					<b>Bigeye:</b> catch limit of 34,076 t
<b>Mexico</b>	Purse-seine vessels	1 Dec 2008 - 15 Jan 2009				
<b>Nicaragua</b>		49 days 2 vessels: 01 Aug - 18 Sep. 2 vessels: 13 Nov - 31 Dec. 1 vessel: 01 Aug - 11 Sep				
<b>Panama</b>		13 vessels: 01 Aug -18 Sep 13 vessels: 13 Nov - 31 Dec				
<b>Peru</b>	Purse-seine and longline vessels	Purse-seine vessels: 49 days; 01 Aug - 18 Sep				Landing in national ports of tunas caught in contravention to these measures prohibited <b>Bigeye:</b> longline catch limit of 500 t
<b>Venezuela</b>	All purse-seine and longline fisheries for tunas	One of two 49-day periods: 01 Aug - 18 Sep or 20 Nov 2008 - 8 Jan 2009. Vessels must be in port	No fishing between 94° and 110°W from 3°N to 5°S, 19 Sep - 19 Nov	Develop pilot program to obtain information on FADs, including marking FADs, beginning at the end of 2008		Landing in national ports, transshipments of, and transactions in tunas caught in contravention to these measures prohibited