

INTER-AMERICAN TROPICAL TUNA COMMISSION

82ND MEETING

LA JOLLA, CALIFORNIA (USA)
4-8 JULY 2011

PROPOSAL IATTC-82-B-1

PRESENTED BY JAPAN

DRAFT AMENDMENT TO RESOLUTION ON THE ESTABLISHMENT OF
A LIST OF LONGLINE FISHING VESSELS OVER 24 METERS (LSTLFVs)
AUTHORIZED TO OPERATE IN THE EASTERN PACIFIC OCEAN
(C-03-07)

The Inter-American Tropical Tuna Commission (IATTC), meeting in Antigua, Guatemala, on the occasion of its 70th Meeting:

Noting that large-scale tuna longline fishing vessels (LSTLFVs) are highly mobile, and can easily change fishing grounds from one ocean to another, and thus have a high potential for operating in the Convention Area without timely registration with the Commission,

Considering that the other regional fisheries management organizations have been taking measures in their areas of competence to prevent, deter and eliminate IUU fishing by LSTLFVs,

Recognizing that this resolution will be implemented in conjunction with the Resolution on Criteria for Attaining the Status of Cooperating non Parties or Fishing Entity in IATTC (C-07-02),

Noting that nothing in this Resolution will preclude the rights and obligations of Parties based on other international agreements,

Agreed that:

1. The Commission shall maintain a list of longline fishing vessels larger than 24 meters overall length ("the LSTLFV List"). For the purposes of this resolution, LSTLFVs not included the LSTLFV Record are deemed not to be authorized to fish for, retain on board, transship or land tuna and tuna-like species in the eastern Pacific Ocean (EPO).
2. The LSTLFV List shall consist of the LSTLFVs of only Members and Co-operating Non-Members of the Commission (hereinafter referred to as "CPCs") on the IATTC Regional Vessel Register. The LSTLFV List shall include the following information for each vessel:
 - a. name of vessel, registration number, previous names (if known), and port of registry;
 - b. a photograph of the vessel showing its registration number;
 - c. previous flag (if known and if any);
 - d. International Radio Call Sign (if any);
 - e. name and address of owner or owners;
 - f. where and when built;
 - g. length, beam, and moulded depth;
 - h. freezer type, freezer capacity, and number and capacity of fish holds;
 - i. name and address of operator(s) and/or manager(s) (if any);

Deleted: Recalling that the FAO Council adopted, on June 23, 2001, an International Plan of Action (IPOA) aiming to prevent, deter and eliminate illegal, unreported and unregulated (IUU) fishing, that this plan stipulates that the regional fisheries management organization should take action to strengthen and develop innovative ways, in conformity with international law, to prevent, deter and eliminate IUU fishing, and in particular to establish records of vessels authorized to fish and of vessels engaged in or supporting IUU fishing.¶

Deleted: Reaffirming the Resolutions on Fishing by Vessels of Non-Parties adopted in June 2000 and June 2001, and¶
Reaffirming the Commission's action to establish a Regional Vessel Register that contains, for all fishing vessels, including LSTLFVs, that are authorized to fish for tunas and tuna-like species in the Convention Area, the information specified in paragraph 2 of this resolution. ¶

Deleted: adopted at this meeting

Deleted: Has

Deleted: a

Deleted: ,

Deleted: in accordance with Article 2, paragraph 5, of the Convention, subject to the international obligations of the Parties,

Deleted: establish, by August 1, 2003, and thereafter

Deleted: initial

Deleted: IATTC Parties, cooperating non-Parties, entities, fishing entities or regional economic integration organizations (collectively "CPCs")

Deleted: registered

Deleted: fish hold capacity in cubic meters, and carrying

Deleted: in metric tons

Deleted: (

Deleted: or operators

- j. type of fishing method or methods;
- k. gross tonnage;
- l. power of main engine or engines; and
- m. the nature of the authorization to fish granted by the flag CPC such as main target species.

Each CPC shall notify the Director of any changes affecting the LSTLFV List at any time they occur.

Deleted: addition to, deletion from, and/or modification of its LSTLFVs on the Regional Vessel Register by July 31, 2003. Each CPC shall thereafter notify the Director of any

3. The Director shall maintain the LSTLFV List, and shall ensure publicity of the Record, including placing it on the IATTC website, in a manner consistent with the confidentiality requirements of the pertinent CPCs.

4. The flag CPCs of the vessels on the LSTLFV List shall:

- a. authorize their vessels on the LSTLFV List to operate in the EPO only if they are able to fulfill, in respect of these vessels, the requirements and responsibilities under the Convention and its conservation and management measures;
- b. take the measures necessary to ensure that their vessels on the LSTLFV List comply with all relevant IATTC conservation and management measures;
- c. take the measures necessary to ensure that their vessels on the LSTLFV List keep on board valid certificates of vessel registration and valid authorizations to fish and/or transship;
- d. ensure that their vessels on the LSTLFV List have no history of IUU fishing activities or, if any vessel does have such history, that the new owners have provided sufficient evidence demonstrating that the previous owners and operators have no legal, beneficial or financial interest in, or control over the vessel, or that, having taken into account all relevant information, the vessel is not engaged in, or associated with, IUU fishing;
- e. ensure, to the extent possible under domestic law, that the owners and operators of their vessels on the LSTLFV List are not engaged in, or associated with, tuna fishing activities conducted in the EPO by LSTLFV not included in the LSTLFV List; and
- f. take measures necessary to ensure, to the extent possible under domestic law, that the owners of the vessels on the LSTLFV List are citizens or legal entities within the flag CPCs, so that any control or punitive actions can be effectively taken against them.

Deleted: .

5. CPCs shall review their own internal actions and measures taken pursuant to paragraph 4, including punitive and sanction actions and, in a manner consistent with domestic law, report the results of the review to the Commission annually. In considering the results of such reviews, the Commission shall, if appropriate, request the flag CPCs of LSTLFVs on the LSTLFV List to take further actions to enhance compliance by their vessels with IATTC conservation and management measures.

Deleted: at its 2004 meeting and

Deleted: thereafter

6. With respect to LSTLFVs:

- a. CPCs shall take measures, under their applicable legislation, to prohibit fishing for, retaining on board, transshipment and landing of tuna and tuna-like species by LSTLFVs not included in the LSTLFV List.
- b. To ensure the effectiveness of IATTC conservation and management measures pertaining to species covered by Statistical Document Programs:
 - i. Flag CPCs shall validate statistical documents only for vessels on the LSTLFV List; and
 - ii. CPCs shall require that species covered by Statistical Document Programs caught by LSTLFVs in the EPO, when imported into the territory or area of CPCs, be accompanied by statistical documents validated for vessels on the LSTLFV List; and
 - iii. CPCs importing species covered by Statistical Document Programs and the flag CPCs of vessels shall cooperate to ensure the accuracy and legitimacy of statistical documents.

Deleted: .

Deleted: an IATTC Party

Deleted: .

Deleted: States

7. Each CPC shall notify the Director of any factual information indicating that LSTLFVs not on the LSTLFVs List are engaged in fishing for, and/or transshipment of, tuna and tuna-like species in the

EPO.

8. a. If a vessel mentioned in paragraph 7 is flying the flag of a CPC, the Director shall ask that CPC to take the measures necessary to prevent the vessel from fishing for tuna and tuna-like species in the EPO.
 - b. If the flag of a vessel mentioned in paragraph 7 cannot be determined or is of a non-~~CPC~~, the Director shall report this to the Commission.
9. The Commission and the CPCs concerned shall communicate with each other, and make the best effort with FAO and other relevant regional fishery management bodies, to develop and implement appropriate measures, where feasible, including the establishment of records of a similar nature so as to avoid adverse effects upon tuna resources in other oceans. Such adverse effects might consist of excessive fishing pressure resulting from a shift of the IUU LSTLFVs from the EPO to other oceans.

Deleted: cooperating non-Party