

INTER-AMERICAN TROPICAL TUNA COMMISSION

89TH MEETING

**Guayaquil (Ecuador)
29 June-3 July 2015**

PROPOSAL IATTC-89 H-1

SUBMITTED BY THE EUROPEAN UNION

REVISION OF THE RESOLUTION C-02-03

**RESOLUTION ON THE CAPACITY OF THE TUNA FLEET
OPERATING IN THE EASTERN PACIFIC OCEAN (REVISED)**

EXPLANATORY MEMORANDUM

The goal of the revision of Resolution C-02-03 is to update its content in order to reflect the following:

- The adoption of a Plan for Regional Management of Fishing Capacity adopted in Lanzarote in 2005 and the need to progress in its implementation, notably as phases two and three are concerned;
- The fact that, following Paragraph 6, thirteen years after the adoption of Resolution C-02-03 some CPCs continue to submit information regarding the well capacity of their vessels, and therefore the capacity continues to increase despite the limit set in paragraph 5. Paragraph 6 was intended to provide a certain time margin for CPCs to determine the well capacity of their vessel as which was not meant to extend for thirteen years;
- The boundaries of the Eastern Pacific Ocean (EPO) as established by the Antigua Convention;
- To update the reference to CPCs instead of “participants”;
- To remove obsolete articles/references;
- To amend capacity claims in view of developments since the adoption of the resolution
- A reference to *Article VII 1 h) of Antigua Convention* stating the need to manage capacity commensurate with the fish stocks covered by the Convention.

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

Aware that the issue of excess fishing capacity is of concern worldwide and is the subject of an International Plan of Action developed by the United Nations Food and Agriculture Organization;

Understanding that excess fishing capacity in a region makes it more difficult for governments to agree on and implement effective conservation and management measures for the fisheries of that region;

Concerned that purse-seine fishing capacity in the eastern Pacific Ocean (EPO) has been increasing in recent years;

Believing that it is important to limit fishing capacity in the EPO in order to help ensure that the tuna fisheries in the region are conducted at a sustainable level;

Aware of the importance of tuna fishing to the economic development of the Parties;

Committed to giving full effect to the relevant rules of international law, as reflected in the United Nations Law of the Sea Convention;

Recalling the resolutions to limit the capacity of the tuna purse-seine fleet in the EPO approved by the IATTC at its 62nd Meeting in October 1998 and by correspondence on 19 August 2000;

Seeking to address the problem of excess capacity in the tuna purse-seine fleet operating in the EPO by limiting such capacity to a level which, in harmony with other agreed management measures and projected and actual levels of catch, will ensure that tuna fisheries in the region are conducted at a sustainable level;

Recalling Article VII 1 h) of Antigua Convention to adopt appropriate measures to prevent or eliminate over-fishing and excess fishing capacity and to ensure that levels of fishing effort do not exceed those commensurate with the sustainable use of the fish stocks covered by the Convention:

Have agreed as follows:

1. The area of application of this Resolution is the area of the IATTC Convention as defined in Article III of the Antigua Convention.
2. To finalize and adopt, as soon as possible, a plan for regional management of fishing capacity, as specified in the resolution on fleet capacity of 19 August 2000. Such a plan shall take into account the right of coastal States and other States with a longstanding and significant interest in the tuna fisheries of the EPO to develop and maintain their own tuna fishing industries.
3. To review on a regular basis, and modify if necessary, the methods for estimating fishing capacity and the target level of 158,000 m³, established in the resolution on fleet capacity of 19 August 2000, for the total capacity of the purse-seine fleet, taking into account the level of the stocks of tuna and other relevant factors.
4. To use the Regional Vessel Register ("the Register") established by the resolution of the 66th Meeting of the Commission, as of 28 June 2002, with any subsequent modifications that do not increase the total capacity of purse-seine vessels established in the Register, as the definitive list of purse-seine vessels authorized by Members and Cooperating non-Members of the Commission (hereinafter referred to as "CPCs") to fish for tunas in the EPO. Any purse-seine vessel fishing for tunas in the EPO that is not on the Register would be considered to be undermining IATTC management measures. The Register shall include only vessels flying the flags of CPCs. Each CPC shall verify the existence and operational status of, and confirm the accuracy of the information on, its vessels, as required by that resolution, including the requirement to promptly notify the Director of the Commission ("the Director") of any modifications to that information. For purse-seine vessels, the Register shall include only vessels that have fished in the EPO before 28 June 2002. A CPC may remove any vessel flying its flag from the Register by notifying the Director.
5. The well volume of each purse-seine vessel, once confirmed by the relevant CPC and verified by an independent survey supervised by the Director, shall be reflected in the Register. As from 1 January 2017 the well volume reflected in the Register will be considered as confirmed by CPCs.
6. To prohibit the entry of new vessels, defined as those not included in the Register, to the EPO purse-seine fleet, except to replace vessels removed from the Register, and provided that the total capacity of any replacement vessel or vessels does not exceed that of the vessel or vessels replaced.
7. To prohibit increasing the capacity of any existing purse-seine vessel unless a purse-seine vessel or vessels of equal or greater capacity is removed from the Register.
8. Notwithstanding paragraphs (7) and (8), above, by January 1 of each year, a CPC may notify the Director of any purse-seine vessel operating under its jurisdiction and listed on the Register that will not fish in the EPO in that year. Any vessel identified pursuant to this paragraph shall remain on the Register as "inactive" and shall not fish in the EPO in that year. In such cases, the CPC may substitute another purse-seine vessel or vessels on the Register, and those vessels shall be authorized to fish in the EPO provided that the total "active" capacity of purse-seine vessels flying the flag of that CPC in

Deleted: For the purposes of this Resolution, the EPO is defined as the area bounded by the coastline of the American continents, the 40° North parallel, the 150° West meridian and the 40° South parallel.

Deleted: <#>For the purposes of this Resolution, and without setting any precedent, "participant" means Parties to the IATTC, and States and regional economic integration organizations (REIOs), and fishing entities that have applied for membership of the Commission or that cooperate with the management and conservation measures adopted by the Commission. The Commission shall determine which States, REIOs and fishing entities are considered to be cooperating with such management and conservation measures.¶

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any year does not exceed the capacity listed for such vessels on the Register as of 28 June 2002.

8.1. Guatemala may increase its purse-seine fleet by ~~[we believe this capacity has already been utilized; to be confirmed by Secretariat]~~

9. In the implementation of paragraph (10.1) above, a CPC wishing to bring a new vessel into the EPO shall (1) so notify the other CPCs, through the Director, and (2) undertake efforts to find a suitable vessel from the Register for at least four months following such notification before bringing a new vessel into the EPO.

10. Notwithstanding paragraphs (7) and (8), a limit of 32 United States vessels authorized and licensed to fish in other areas of the Pacific Ocean under an alternative international fisheries management regime, and that may occasionally fish to the east of 150° West, shall be authorized to fish in the EPO provided that: a) the fishing activity of any such vessels in the EPO is limited to a single trip not to exceed 90 days in one calendar year; b) the vessels do not possess a Dolphin Mortality Limit pursuant to the Agreement on the International Dolphin Conservation Program; and c) the vessels carry an approved observer. A similar exception shall be considered for vessels of other CPCs with a similar record of participation in the EPO tuna purse-seine fishery and that meet the criteria listed above.

11. Nothing in this resolution shall be interpreted to limit the rights and obligations of any CPC to manage and develop the tuna fisheries under its jurisdiction or in which it maintains a longstanding and significant interest.

12. To urge all non-Parties to provide the information required by this resolution and comply with its provisions.

* Costa Rica, Colombia, and Peru maintain long-term capacity requests of up to 16,422 m³, 14,046 m³, and ~~9,046~~ 9,046 m³, respectively. The Parties also acknowledge that France has expressed an interest in developing a tuna purse-seine fleet on behalf of its overseas territories in the EPO.

Deleted: <#>Subject to the provisions of this resolution:¶
<#>Notwithstanding paragraphs (7) and (8), the following participantCPCs may add purse-seine vessels to the Register after 28 June 2002, within the following limits:¶
Costa Rica: . 9364 m³¶
El Salvador: . 861 m³¶
Nicaragua:

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Peru: . 3195 m³¶

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