

INTER-AMERICAN TROPICAL TUNA COMMISSION

90TH MEETING (RESUMED)

La Jolla, California (USA)
12-14 October 2016

MINUTES OF THE MEETING

AGENDA

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1. Opening of the meeting
[...]
 5. Reports of subsidiary bodies and working groups: [...]
 - d. Activation of the capacity of Guatemala and Venezuela
[...]
 9. Discussion of resolutions and recommendations [*tuna conservation measures and pending proposals*]
 10. Election of Chair and Vice - Chair for the July 2016-July 2017 period
 11. Election of Chairs of subsidiary bodies and working groups
[...]
 13. Date and place of next meeting
 14. Adjournment
-

APPENDICES

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- 1 List of attendees
 2. **RESOLUTIONS**
 - 1 Measures for the conservation and management of Pacific bluefin tuna in the Eastern [C-16-08](#) Pacific Ocean
 3. **PROPOSALS**
 - 3a B-1A **European Union.** Minimum standards for in-port inspections
 - 3b D-1A **Ecuador.** Permissibility of discards
 - 3c G-1B **United States.** Multiannual program for the conservation of tunas in the eastern Pacific Ocean during 2017-2019
 - 3d G-2B **Colombia and Ecuador.** Multiannual program for the conservation of tunas in the eastern Pacific Ocean during 2017-2018
 - 3e G-5B **Mexico.** Annual program for the conservation of tunas in the eastern Pacific Ocean during 2017
 - 3f I-1A **United States.** Safety of observers at sea
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The 90th meeting of the Inter-American Tropical Tuna Commission (IATTC), initiated in The Jolla, California (USA), on 27 June 2016 and suspended on 1 July 2016, was resumed at the same venue on 12 October 2016. The attendees are listed in Appendix 1.

1. Opening of the meeting

The meeting was called to order by the Chairman of the IATTC, Mr. Guillermo Morán, of Ecuador.

Items 2-5c, 6-8, and 12-13 of the agenda were concluded at the session of the meeting in June and July, so the meeting proceeded directly to the items that were left pending.

One delegation proposed that, for item 9 on the discussion of the resolutions, the proposing Members make brief presentations of their proposals, and that the IATTC scientific staff present information related to possible [alternative management schemes](#), left pending from a [technical meeting](#) held the day before, thus giving the delegations the opportunity to ask questions and present in general terms their position regarding which measures they could support and which ones not.

Guatemala requested that item 5d of the agenda on the activation of the capacity of Guatemala and Venezuela be addressed right away.

The Chairman indicated that as a working plan, and in accordance with the requests of some delegations, Members would be given the opportunity of holding bilateral meetings to achieve progress in agreements that would allow consensus to be reached rapidly in the plenary meeting, primarily in relation to the resolution on tuna conservation.

5.d. Activation of the capacity of Guatemala and Venezuela

Guatemala recalled that this matter remained open since the meeting in June, where it was reported that, according to the information provided by the IATTC scientific staff, every 1,000 cubic meters (m³) of increase in capacity should be offset with 1 additional day of closure, so activating the capacity of Guatemala (3,762 m³) and Venezuela (1,668 m³) would require five additional days of closure. In that case, the starting point for the discussion should be a baseline of 67 days of closure, the current 62 days plus the five required by the activation of the capacity of the two countries. Venezuela supported this position.

The United States stated that adding these five additional days to the 62-day closure, plus 25 days to offset the overall capacity increase in the IATTC Regional Vessel Register was a positive move, but had not yet been agreed. Work should continue on this, not least because there was not yet agreement on adopting a 62-day closure and other additional measures.

Ecuador indicated that, without a complete overview of the capacity increase and the alternative measures for offsetting it, no decision could be taken on activating the two countries' capacity. He also noted that this activation had been made conditional on the approval of a regional capacity management plan, and this had not yet happened. To confirm this point, the second paragraph of the minutes of the first session of the Commission's meeting the previous June was read out. Regarding Ecuador's comment, Guatemala clarified that, at that time, no agreement or decision was reached in that regard, as reflected at the end of the paragraph that was read out. In addition to the above, Guatemala recalled the minutes of the 88th Meeting of the Commission, in which the activation was conditioned only on conservation measures that would compensate the activation.

Guatemala indicated that the item had to be left open until agreement was reached on the tuna management measure to be adopted for future years, and that any scheme must include a conservation measure that would allow the capacity to be activated. Otherwise, Guatemala made it clear that it reserved its right to not join the consensus, since it had already been patient for over a dozen years to find a solution without any result. Venezuela supported this position.

9. Discussion of resolutions and recommendations

a. Information on tuna conservation required of the Secretariat by some Members

At the request of the Members, the Commission staff presented a table (Appendix 5a) with a summary of the possible management measures and their impact on the catches of the three main species (yellowfin, bigeye, and skipjack). Also, it was reported that a document with answers to various questions that the

European Union had asked prior to the meeting had been made available to delegations.

Ecuador asked whether the dynamics of what would happen if measures were applied mainly or exclusively to bigeye with catch limits on floating objects. The staff stated that probably fishing effort would be directed at the tuna species with the lesser management measures, in this case yellowfin, which meant that the maximum sustainable yield of that species would be reached more rapidly.

b. General presentation of new proposals for resolutions on tuna conservation

i) Proposals by Colombia

- [IATTC-90 PROP G-4 COL Conservation of tunas 2017-2019](#). Covers all purse-seine vessels, of Classes 1-6, and longline vessels over 24 meters length overall; the program for retaining all tuna catches and the other measures are maintained, mainly the 62 days of closure and the closure of the high-seas area known as the “*corralito*”.
- [IATTC-90 PROP A-3 COL Regulation of FADs](#). Establishes an annual deployment limit of 500 FADs per vessel, the recovery of 80% of FADs deployed during the trips prior to the start of the closure period. The Scientific Advisory Committee (SAC) and the *Ad hoc* Working Group on FADs will review the measure to adjust the established limit, as appropriate.
- [IATTC-90 PROP G-3 COL Individual Vessel Quotas - IVQs](#). Establishes annual catch quotas for Class-5 and-6 vessels for bigeye and yellowfin in sets on FADs, taking as a reference the average of those catches during 2013-2015.

Various general comments were made on proposal G-3 on individual vessel quotas (IVQs), among them that the amount of the quota should be reviewed by the SAC, since the proposal was taken from other regional fisheries management organizations (RFMOs), and in the EPO there are no vessels that deploy more than 500 FADs per year. The average might be around 140 FADs.

Various delegations expressed interest for an IVQ system as a management alternative, and asked the scientific staff to assess the impact of this proposal in terms of fishing mortality. The Secretariat asked for clarification about certain parameters for the assessment, for example whether the IVQs are only for vessels that fish on FADs, how sets on FADs are defined, and whether vessels less than Class 6 are included.

Other delegations expressed concerns about this IVQ system, citing the difficulty of monitoring compliance, given that only Class-6 vessels carry observers, how quotas would be allocated, and how vessels that have the option of making a 90-day fishing trip in the EPO each year under Resolution C-02-03 would be accommodated.

ii) Proposal by Ecuador. [IATTC-90 PROP G-2 ECU Conservation of tunas 2017-2018](#)

Measure for 2017-2018, complementary to the 62-day closure, establishing an annual catch limit of 57,302 t for bigeye (95% of the average annual catch of the species on FADs during 2013-2015), which would be distributed among the countries on the basis of their historical catches for allocation among their respective fleets; closing the *corralito* would not be necessary. Complementary measures should be sought to avoid affecting yellowfin.

Concerns were expressed about how the national bigeye catch limits would be allocated, since countries without historical catches of the species would be excluded from the allocation, depriving them of their right to fish.

iii) Proposal by Mexico. [IATTC-90 PROP G-5 MEX Conservation of tunas 2017](#)

The proposal, for 2017 only, applies the closure to all purse-seine vessels, of Classes 1 through 6. It maintains two closure periods but, in its presentation, Mexico raised the possibility that each CPC would notify which period its fleet as a whole would observe, instead of allowing vessels to choose individually one or another period of closure. The proposal also imposes a FAD deployment limit of

100 per vessel, which would be revised subsequently by the scientific staff and/or the SAC.

c. Review of other pending proposals

- i) **United States: [IATTC-90 PROP I-1A USA Safety of observers at sea](#)**. The proposal was already presented in June. The Commission staff had prepared Document [IATTC-90 INF-C](#) on the cost of the equipment required to improve observer safety in accordance with the proposal.

The staff presented the document, indicating that the cost of the equipment contemplated in the proposal was about US\$ 423,000, or US\$ 2,238 for each one of the 189 active Class-6 vessels.

Various Members expressed concern about the way in which the cost of the equipment would be funded. The United States suggested that the cost of safety equipment for observers on longliners should be covered by the respective national programs, as in the program for monitoring transshipments on carrier vessels; in the case of the AIDCP program, the cost could be included in the program's budget.

Japan indicated that it supported the importance of observer safety, but that the cost burden between the Commission and participants on this matter should be the same among fisheries. China stated that the national longline observer programs should be given some time to prepare for adopting this measure. The United States and Colombia suggested that January 2018 could be established as the date of entry into force, and Colombia requested that the proposal specify clearly the sources of funding.

Chinese Taipei and the European Union supported the proposal, noting that the costs were warranted by the improvement in the safety of the observers at sea. Mexico and Venezuela expressed concern about paragraph 2 of the proposal, which requires staff of each national program and the IATTC to be available at all times to receive emergency signals, which implied unconsidered costs. Various Members suggested investigating the possibility, in accordance with international navigation regulations, of the signal being received by an international emergency entity.

The Chair asked whether there was agreement on the proposal and whether it could be approved. Guatemala stated that it had no objection as to the substance, but that it was not in a position to approve any proposal before the adoption of measures for tuna conservation of tunas and the activation of capacity of Guatemala and Venezuela. He requested that consideration of the proposal be postponed.

WWF made a statement urging the Commission to adopt measures to improve the safety of observers at sea and guarantee that their work is done without harassment, since the data and their reliability can be affected by such elements.

Following that statement, The United States emphasized its concern about the safety of observers on transshipment carrier vessels. In this respect, it stressed that the case of the disappearance of an observer at sea in 2015 was a major case that had not been included in the Secretariat's annual report [IATTC-90-06](#) (Observer Program for Transshipments at Sea). The report states that: "*the program is operating without any major problems with regard to its implementation and management.*" The United States requested that mention of this case be included in the annual report. The United States also requested information on the procedure in the transshipment program for monitoring and reporting on possible cases of interference with the observer's work, as is done in the AIDCP IRP meetings.

The staff reported that the case of the observer who disappeared was duly and promptly reported to the national authorities of Panama and Vanuatu, the flag States of the two vessels involved in the incident, and that the US Coast Guard and the Panamanian government had taken charge of the investigation of the case from the beginning. The relevant resolution, [C-12-07](#), does not establish rules for reporting possible cases of interference with the observer's work, but if the Commission was interested they could be reported.

Japan clarified that it would be necessary to adopt a new resolution to do this. The United States indicated that it would present a proposal in writing at the next meeting of the IATTC. At the request of one delegation, he also indicated that he could inform the Commission of the progress in the case of the observer who

disappeared.

- ii) **European Union:** [IATTC-90 PROP B-1 EUR Port State Measures](#). The European Union noted that it had received no comments on the proposal, and that it would not address it in order to allow sufficient time for a decision on the tuna conservation measure, which is the priority. Nonetheless, she insisted that it is necessary for the IATTC to take such measures, since the [FAO Port State Measures Agreement](#) entered into force in 2016.
- iii) **Ecuador:** [IATTC-90 PROP D-1 ECU Permissibility of discards](#). Japan noted that it had made comments on this proposal since the meeting in June that it would like to have included, since this matter is of vital importance for the protection of juvenile tunas. Ecuador undertook to hold conversations with the interested Members with the aim of consolidating an agreed proposal.

d. Proposals approved

The Commission reviewed the proposal on the management of bluefin tuna prepared by Japan, the United States, and Mexico, and it was approved as Resolution [C-16-08](#), *Measures for the conservation and management of bluefin tuna in the eastern Pacific Ocean* (Appendix 2).

The Pew Charitable Trusts made a statement, expressing concern about the lack of a measure for the conservation of bluefin in the long term.

e. Continuation of discussions on a measure for the conservation of tuna

The Chairman opened the floor to a general exchange of information on what the delegations might accept as conservation measures, mainly regarding the application of a system of catch limits, measures for managing FADs, and an increase in days of closure. The general positions resulting from this discussion were as follows:

- Only the European Union stated that it could support the 25-day increase in days of closure over the 62 in the current measure. Many delegations indicated that they could not support that measure due to the economic impacts it would cause for the tuna industry in their countries.
- Many delegations stated that the 62-day closure should be adopted as a baseline, and add additional conservation measures to that.
- Peru and Ecuador stated that including vessels of Classes 1 through 3 in the closure would not be acceptable, since those vessels do not have a major impact on the tuna stocks, and also because it would affect the economy of the industry or would halt the development of an incipient industry.
- Many delegations indicated that a maximum limit for FAD deployments and their recovery from the sea could be discussed.
- Many delegations indicated that work should be done on a system for limiting catches on FADs, but that this was aimed mainly at conserving bigeye, and so there should be additional measures for yellowfin. The way in which the limits would be allocated should be worked on, also on monitoring compliance with any measures adopted.
- Guatemala noted that it had offered to apply unilateral measures for conserving tunas and that it maintained them as proposals if they could be of use. He invited the Commission to encourage that unilateral measures be proposed, which would contribute to the good management of the tuna resource.
- Various delegations stated that more work should be done on regulating FADs, since that is where most of the catch of juveniles occurs.

Following that discussion and in view of the limited time available, it was decided to form two technical round tables, one on a catch limits system and the other on measures for regulating FADs, in order to be able to discuss both matters extensively and reach agreements. The round tables would be coordinated by

the Chair and the Vice - Chair of the IATTC, Ms. Bryslie Cifuentes, respectively, and would meet concurrently.

a) Table A: System of catch limits on FADs

At the request of the round table, the scientific staff presented information on the retained catches of bigeye and yellowfin on floating objects, by flag. It was noted that the impact caused by a 5% reduction of such catches would be 0.9% for yellowfin, equivalent to three days of closure, and 4.9% for bigeye, equivalent to 14 days of closure.

Costa Rica expressed reservations about working on a scheme that would limit access to the fishery on the basis of historical fishing records, since it had not developed significant fishing activities and so has no such records.

In summary, the conclusions reached at this table were the following:

- i) Applying measures such as catch limits on floating objects designed to protect bigeye would not necessarily contribute to conserving yellowfin.
- ii) A system of catch limits should include conservation measures for both bigeye and yellowfin.
- iii) These should not be called quotas but rather catch limits, in order to avoid creating rights through the establishment of quotas.
- iv) Allocating catch limits based on the level of capacity entered in the Regional Vessel Register, instead of on historical catches in certain years, could be considered.
- v) The limits should be allocated by country, not by individual vessel.

b) Table B: Measures for regulating FADs

The coordinator of the round table, Ms. Bryslie Cifuentes, reported that the following conclusions had been reached:

- i) There was no agreement on recommending an annual limit on the number of FADs deployed, since the geographical area and the effort by individual vessels must be considered.
- ii) There was no agreement on recommending a minimum number of FADs to be recovered, nor on the monitoring and control of a measure of this nature.
- iii) There was agreement on the definition of a FAD established in Resolution [C-16-01](#), paragraph 1.
- iv) A measure on FADs should be applicable to vessels of Classes 1 through 6.

After the plenary meeting was resumed, the Chairman asked that the three existing proposals on tuna conservation and management be presented: a) G2-A, Colombia and Ecuador; b) G1-A, United States and c) G5-B, Mexico, which had been worked on based on the foregoing discussions and bilateral negotiations held during the three days of work.

- a) **Proposal G2-A, Colombia and Ecuador.** Maintains the basis of a 62-day closure, plus catch limits for bigeye and yellowfin calculated on the basis of the average historical catches on floating objects during 2013-2015 (99,487 t) by the purse-seine fleet in the EPO, minus 10% (9,949 t). Half of that 10% is designated as a reserve, to be allocated subject to certain criteria, and the other half would not be utilized, in order to contribute to reducing fishing mortality. Limits would be established by country, and would be transferable among vessels of the same flag, and temporarily among countries.

The European Union noted that the proposal lacked measures to offset the 25 days of closure related to yellowfin. The United States stated that its proposal had an alternative to allocating limits according to historical rights, and that the proposal presented did not consider vessels that entered the fishery in 2017 or

that have access to the fishery for one 30-day trip, nor vessels smaller than Class 6. Guatemala stated that it would present a paragraph to add to this proposal a reference to the activation of the capacity of Guatemala and Venezuela.

- b) **Proposal G1-A, United States.** Modified since it was presented in June, includes alternative closures of 87, 70, and 62 days. Moreover, Class-6 vessels that have a DML must cease fishing for an additional period of 8 days, and all Class-6 purse seine vessels would be required to limit their combined catches of yellowfin and bigeye on floating objects to an annual average of 1 t per m³ of capacity, or other value determined by the Secretariat, to maintain the stocks at a level of sustainability.

The European Union noted that this proposal seemed simple and easy to apply, and could thus be the basis for reaching consensus. Japan noted that scientific information provided seemed to be reflected to this proposal mostly, and would thus be the most appropriate.

- c) **Proposal G5-B, Mexico.** Maintains the basis of the 62-day closure, plus an annual FAD deployment limit of 0.12 per cubic meter of well volume. 50% of FADs deployed in a year must be recovered, and none may be deployed for a month before the closure and also for a month before conducting the recovery.

Ecuador indicated that a measure such as the recovery of 50% of FADs deployed was not acceptable.

Finally, due to lack of time, no progress could be made in the detailed review of the foregoing proposals and their consolidation into one. Many Members indicated their interest in not wasting the effort already spent in developing a conservation measure, so it was decided to continue the work at a meeting in February 2017.

Peru called on the Commission to adopt conservation measures and noted that, if there is no consensus on a measure but it is supported by a majority, it should proceed in a responsible manner and consider applying the provisions of paragraph 1 of Article IX of the Antigua Convention, that decisions do not necessarily imply consensus, if the Commission so decides.

A work schedule was established, to be followed prior to the meeting in February, in order to facilitate agreement at the meeting:

- a. By 1 November, the IATTC scientific staff will analyze the three proposals, and circulate its assessment and conclusions.
- b. Between 1 November and 1 December, the four proposing Members shall review their proposals in the light of the staff's analysis, if appropriate, and revised proposals will be circulated by 1 December.
- c. CPCs will send their comments and suggestions on the proposals by 15 January at the latest.

10. Election of Chair and Vice - Chair for the July 2016-July 2017 period

Mr. Guillermo Morán, of Ecuador, and Ms. Bryslie Cifuentes, of Guatemala, were re-elected Chair and Vice - Chair, respectively, of the Commission, both for the period of July 2016-July 2017.

11. Election of chairs of subsidiary bodies and working groups

The following chairs of subsidiary bodies and working groups were elected or re-elected:

Working group/ Committee	Chair
Permanent Working Group on Fleet Capacity	Alfonso Miranda (Peru)
Working Group on Bycatch	Luis Fleischer (Mexico)
Committee on Administration and Finance	Lillo Maniscalchi (Venezuela)

It was recalled that Mr. David Hogan was elected, at the 89th of the Commission, as Chair of the Review Committee for a two-year period, in accordance with paragraph 36 of the IATTC Rules of Procedure.

13. Date and place of next meeting

The Commission agreed to hold an extraordinary meeting on 7-10 February 2017 in La Jolla, California (USA), primarily to continue discussing the matter of tuna conservation measures for 2017 and beyond, and adopt the corresponding resolution.

The exact dates of the next annual meeting of the IATTC (now the 92nd) were defined – 24-28 July 2017 – on the understanding that it would be preceded, as usual, by the meetings of its subsidiary bodies and the AIDCP during the previous week (17-21 July julio). It was agreed to contact Vanuatu, which had offered to host the meetings, to confirm those dates. In case an alternative venue were needed, Mexico offered to host the meetings in the city of Cancún.

14. Adjournment

The meeting was adjourned at 6:40 p.m. on 14 October 2016.

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Appendix 1.

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Appendix 2.

INTER-AMERICAN TROPICAL TUNA COMMISSION

90TH MEETING (RESUMED)

La Jolla, California (USA)

12-14 October 2016

RESOLUTION C-16-08

MEASURES FOR THE CONSERVATION AND MANAGEMENT OF PACIFIC BLUEFIN TUNA IN THE EASTERN PACIFIC OCEAN

The Inter-American Tropical Tuna Commission (IATTC), gathered in La Jolla, California (USA), on the occasion of its 90th Meeting:

Taking into account that the stock of Pacific bluefin tuna is caught in both the Western and Central Pacific Ocean (WCPO) and the Eastern Pacific Ocean (EPO);

Recognizing with concern that the latest stock assessment of 2016 by the International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean (ISC) shows the following:

- Although the spawning stock biomass (SSB) appears to have grown slightly in the last few years, SSB remains near the historic low point (ratio of SSB in 2014 relative to the theoretical unfished SSB ($SSB_{2014}/SSB_{F=0}$, the depletion ratio) estimated in this assessment is 2.6%) and is experiencing exploitation rates above all biological reference points except for F_{MED} and F_{loss} ;
- The projection results indicate that the probability of SSB recovering to 41,000 mt (approximately $SSB_{med,1952-2014}$ as calculated in the 2016 ISC stock assessment) is 61.5% if low recruitment scenario is assumed and the catch and effort limits in Western and Central Pacific Fisheries Commission (WCPFC) CMM 2015-04 and IATTC Resolution C-14-06 continue in force and are fully implemented;
- The 2014 estimated recruitment was relatively low, and the average recruitment for the last five years may have been below the historical average;
- Further substantial reductions in fishing mortality and catch over the whole range of ages should be considered in both Commissions to reduce the risk of the SSB falling below its historically lowest levels; and,
- The weight threshold in the WCPFC CMM needs to be increased to 85 kg (weight of age 5) if the intent is to reduce catches on all juveniles according to maturity ogive in the assessment.

Taking into consideration that IATTC Members, through resolutions and voluntary actions, have since 2012 effected 40% reductions in the catch of bluefin tuna across the entire range of age classes available in the EPO with the objective of urging comparable conservation actions in the WCPO fishery, but, in the view of IATTC Members, without the actions sought by the IATTC having been taken by the WCPFC.

Noting that in 2016 the IATTC Scientific Staff recommended extending the measures established in the current resolution [Resolution C-14-06] for two more years and we encourage the WCPFC to adopt additional measures to reduce the catch of adults to in order to reduce the immediate risk of low spawner abundance on recruitment;

Recognizing the last recommendation of the Scientific Advisory Committee (SAC-7) derived from its last meeting in May 2016, in which there was consensus to support the recommendation of the 2016 IATTC Scientific Staff on Pacific bluefin tuna;

Recalling that Article VII, paragraph 1(c) of the Antigua Convention provides that the Commission shall “adopt measures that are based on the best scientific evidence available to ensure the long-term conservation and sustainable use of the fish stocks covered by this Convention and to maintain or restore the populations of harvested species at levels of abundance which can produce the maximum sustainable yield...”;

Affirming that it is necessary to adopt compatible and effective management measures in both Commissions (IATTC and WCPFC), which have the responsibility and competence over this resource in order to reduce fishing mortality throughout the range of the Pacific bluefin tuna resource to contribute to the rebuilding of the stock;

Recalling the outcomes of the first Joint IATTC-WCPFC Northern Committee (NC) Working Group meeting held August 29 – September 2, 2016, in Fukuoka, Japan, including participants’ support for the continuation of the current IATTC Resolution C-14-06 for 2 years;

Putting on record again that greater than 84% of the fisheries impacts on the spawning stock biomass of Pacific bluefin tuna results from WCPO fisheries, and urging joint action with the WCPFC;

Noting a request by IATTC Members, consistent with IATTC-90-04d, *Recommendations by the Staff for Conservation Measures in the Eastern Pacific Ocean, 2016*, requiring greater reductions in juvenile catches in the western Pacific by WCPO fisheries and additional measures to reduce the catch of adults to in order to reduce the immediate risk of low spawner abundance on recruitment;

Noting also that other IATTC Members did not support the above request, while still believing that further reduction of catch should be implemented by both Commissions;

Highlighting concerns that measures adopted in the EPO alone will not fulfill the objective of this resolution if effective and substantial measures are not taken for all fisheries involved by both Commissions;

Recognizing the need for a basin-wide rebuilding plan for Pacific bluefin and a precautionary long-term management framework for the stock and associated fisheries;

Urging all IATTC Members and Cooperating non-Members (CPCs) involved in this fishery to participate in a fair and equitable manner, and without exceptions, in the discussion and adoption of conservation measures applicable to the stock throughout its entire range;

Mindful that these measures are intended as an interim step towards assuring sustainability of the Pacific bluefin tuna resource, consistent with the precautionary approach, and that future conservation measures should be based not only on these interim measures, but also on the development of future scientific information and advice of the ISC and the IATTC scientific staff;

Noting that the IATTC has adopted mandatory conservation and management measures for Pacific bluefin tuna for 2012-2016, and that the measures resulted in reducing catches in the EPO;

Recalling that the Commission has adopted interim limit and target reference points for tropical tunas, but not for Pacific bluefin, and the IATTC Scientific Staff in 2014 recommended the adoption of BMSY and FMSY as interim target reference points for Pacific bluefin tuna (Document IATTC-87-03d);

Noting that the WCPFC has adopted an interim rebuilding target, and a workplan for establishment of a precautionary-approach based management framework, including: (1) recommend appropriate reference points; (2) agreeing in advance to actions that will be taken in the event each of the particular limit reference point is breached (decision rules); (3) recommend any changes to the rebuilding program and CMM;

Also noting that the initial rebuilding target adopted by WCPFC, the historical median of SSB of 42,592 t

in ISC's 2016 stock assessment, is equivalent to a depletion ratio around 6% as calculated in the 2016 ISC Stock Assessment, which is below the interim limit reference point adopted for other tunas in the EPO and below the interim limit reference point for Pacific bluefin tuna recommended by the IATTC scientific staff;

Desirous that combined conservation and management measures by the WCPFC and the IATTC, together with other voluntary measures aimed at controlling fishing mortality, should be implemented to better the condition of the Pacific bluefin tuna stock; and,

Considering the recommendations made by the Seventh Meeting of the Scientific Advisory Committee, which recommended strengthening scientific cooperation with the WCPFC and promotion of the adoption of harmonized conservation measures for bluefin and bigeye tunas in both organizations;

Resolves as follows:

Part I. Long-term Management Framework

1. The Commission recognizes that the management objective of the IATTC is to maintain or restore fish stocks at levels capable of producing MSY, and shall implement a provisional rebuilding plan in part by adopting an initial (first) rebuilding target of $SSB_{med,1952-2014}$ (the median point estimate for 1952-2014) to be achieved by 2024 with at least 60% probability. The Commission shall do so by adopting catch limits and other necessary management measures that, based on information provided by the IATTC Scientific Staff, the SAC recommendations and the ISC, are expected to achieve the rebuilding target, while also recognizing the need for compatible and comparable measures and goals in both the IATTC and WCPFC. Implementation and progress of this plan shall be reviewed based, in part, on updates of stock assessments and SSB projections to be conducted by ISC in 2018 and IATTC scientific staff advice; management measures shall be modified, if necessary, based on the review.
2. In 2018 and taking into account the outcomes of the 2nd IATTC-WCPFC NC Joint Working Group Meeting expected to be held in 2017, the Commission shall adopt a second rebuilding target, to be achieved by 2030.
3. No later than the IATTC meeting in 2018, taking into account the outcomes of the the Joint IATTC-WCPFC NC Working Group, the Commission shall consider and develop reference points and harvest control rules for the long-term management of Pacific bluefin tuna, which should be comparable to those adopted by the WCPFC.
4. The decisions made in respect to Paragraphs 1, 2, and 3 of Part I shall be designed so as to conserve and recover the Pacific bluefin tuna stock, and be comparable or preferably the same to those made by the WCPFC. This cooperative process should be informed by the Joint IATTC-WCPFC NC Working Group, which may include the results of harvest scenarios to be evaluated by the ISC, as agreed to at the first Joint IATTC-WCPFC NC Working Group meeting that convened on August 29-September 2, 2016.¹ Additionally, the effectiveness of the decisions made with respect to Paragraphs 1, 2, and 3 of Part I shall be evaluated by the ISC, IATTC Scientific Staff, and SAC when new stock assessment or management strategy evaluation results become available.
5. To enhance the effectiveness of this resolution and Pacific-wide progress towards rebuilding the Pacific bluefin tuna stock, CPCs are encouraged to communicate with and, if appropriate, work with the concerned WCPFC members bilaterally.
6. CPCs shall, wherever possible and to the extent practicable, work bilaterally and/or multilaterally towards ensuring the objectives and timelines in this resolution are successfully achieved.

¹ See the Summary Report of the 12th Regular Session of the Northern Committee for a summary of the 1st Joint IATTC – WCPFC NC Working Group Meeting: <https://www.wcpfc.int/meetings/12th-regular-session-northern-committee>

7. CPCs shall continue to cooperate to develop a catch documentation scheme (CDS) for Pacific bluefin tuna that is, if possible, electronic. The decisions related to a CDS for Pacific bluefin tuna, specifically, should be informed, in part, by the Joint IATTC-WCPFC NC Working Group meetings.

Part II. Management Measures for 2017-2018

1. Each CPC shall report sport fishery catches of Pacific bluefin tuna semi-annually to the Director. CPCs shall continue their current management of sport fisheries taken in accordance with paragraph 5 of Resolution C-14-06.
2. During 2017 and 2018, in the IATTC Convention Area, total commercial catches of Pacific bluefin tuna by all CPCs shall not exceed 6,600 metric tons, for an effective maximum annual catch rate of 3,300 metric tons per year by all CPCs combined. No CPC shall exceed 3,500 metric tons in 2017. In the event that the total actual catch in 2017 is either above or below 3,300 metric tons, the catch limit for 2018 shall be adjusted accordingly to ensure that the total catch for both years does not exceed 6,600 metric tons.
3. Any CPC other than Mexico with historical commercial catches of Pacific bluefin tuna in the Convention Area may catch 600 metric tons of Pacific bluefin in 2017 and 2018, combined, but not exceeding 425 tons in any year. Any catches under this paragraph count against the catch limit referenced in paragraph 2 of Part II (6,600mt).
4. CPCs should endeavor to manage catches by vessels under their respective national jurisdictions in such a manner and through such mechanisms as might be applied, with the objective of reducing the proportion of fish of less than 30 kg in the catch toward 50% of total catch, taking into consideration the scientific advice of the ISC and the IATTC staff. At the annual meeting of the IATTC in 2018, the scientific staff shall present the actual results of the 2017 fishing season in this regard for the Commission's review. CPCs shall take the necessary measures to ensure that the catch limits specified in paragraphs 2 and 3 of Part II are not exceeded in 2017 and 2018.
5. Each CPC shall report its catches to the Director in a timely fashion, weekly, after 50% of its catch limit is reached. The Director will send a first notice to the CPCs when 50% of the effective maximum annual catch rate of 3,300 mt is reached. He will likewise send similar notices when 60%, 70%, and 80% of the limit quota is reached. When 90% is reached, the Director will send the corresponding notice to all CPCs, with a projection of when the limit quota established in paragraph 2 of Part II will be reached, and the CPCs will take the necessary internal measures to avoid exceeding the limit.
6. In 2018, the IATTC Scientific Staff shall present an assessment of the effectiveness of this resolution also taking into consideration the results of the ISC's latest Pacific bluefin tuna stock assessment, and conservation and management measures for Pacific bluefin tuna adopted by the WCPFC. The Commission shall consider new management measures for 2019 and, possibly, beyond based on the results of the assessment.

Appendix 3. PROPOSALS

Appendix 3a

INTER-AMERICAN TROPICAL TUNA COMMISSION

90TH MEETING (RESUMED)

La Jolla, California (USA)
12-14 October 2016

PROPOSAL IATTC-90 B-1A

SUBMITTED BY THE EUROPEAN UNION

IATTC RESOLUTION FOR AN IATTC SCHEME FOR MINIMUM STANDARDS FOR INSPECTION IN PORT

EXPLANATORY MEMORANDUM

Goal: this Resolution is intended to fight against IUU fishing and contribute to the long-term conservation and sustainable use of living marine resources in the IATTC Convention Area through strengthened, harmonized and transparent minimum standards for inspections.

In line with similar proposals adopted by other RFMOs, the most essential elements of the proposal is the inspection of vessels, designation of ports, prior notifications and reporting of possible infringements. It is therefore more in line with the requests from developing coastal CPCs as it also includes a number of simplified provisions in order to facilitate consensus at the IATTC.

In addition to that, it will be the first ever port inspection measure adopted by IATTC. Therefore it will ensure consistency with management measures taken in other RFMOs and improve the results of the measures aimed towards conservation of tuna and tuna-like species in the Eastern Pacific Ocean. This will contribute to more responsible management of the stocks under the IATTC's mandate.

The Inter-American Tropical Tuna Commission (IATTC)

DEEPLY CONCERNED that illegal, unreported and unregulated fishing has a detrimental effect upon fish stocks, marine ecosystems and the livelihoods of legitimate fishers in particular in developing States,

CONSCIOUS of the role of the port State in the adoption of effective measures to promote the sustainable use and the long-term conservation of living marine resources,

RECALLING that under the 1995 FAO Code of Conduct for Responsible Fisheries, the right to fish carries with it the obligation to do so in a responsible manner so as to ensure effective conservation and management of living aquatic resources,

RECOGNIZING that measures to combat illegal, unreported and unregulated fishing should build on the primary responsibility of flag States and use all available jurisdiction in accordance with international law, including minimum standards for inspection in port, coastal State measures, and measures to ensure that nationals do not support or engage in illegal, unreported and unregulated fishing,

RECOGNIZING that minimum standards for inspections in port provide a powerful and cost-effective means of preventing, deterring and eliminating illegal, unreported and unregulated fishing,

AWARE of the need for increasing coordination at the regional and interregional levels to combat illegal, unreported and unregulated fishing through minimum standards for inspection in port, and

RECALLING the relevant provisions the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas of 24 November 1993, the

1995 FAO Code of Conduct for Responsible Fisheries, and other relevant international law,

Agrees as follows:

Assessment in Anticipation of Implementation

1. Following the adoption of this Resolution, the IATTC Secretariat will identify the needs of developing CPCs related to the implementation of this Resolution; to present options and facilities for capacity building for those CPCs that might require and desire such assistance; to identify and assess any other barriers to effective full implementation; and to develop solutions to any such barriers.
2. This assessment will be accomplished through consultations, through questionnaires sent to all developing CPCs as set forth in Annex 2, and through any other available information.
3. Within 60 days following the deadline for receipt of the completed questionnaires, the Secretariat shall provide all CPCs with a report summarizing the responses, identifying any developing CPCs that may not have responded, and providing a detailed description of identified barriers to implementation.
4. The Commission, at its annual meeting in 2017, shall review the assessment report of the Secretariat and any individual reports from developing CPCs, as provided in paragraph 32.

Scope

5. Nothing in this Resolution shall prejudice the rights, jurisdiction and duties of Members and Cooperating Non-Members of the Commission (hereinafter referred to as "CPCs") under international law. In particular, nothing in this Resolution shall be construed to affect the exercise by CPCs of their authority over their ports in accordance with international law, including their right to deny entry thereto as well as to adopt more stringent measures than those provided for in this Resolution.

This Resolution shall be interpreted and applied in conformity with international law, taking into account applicable international rules and standards, including those established through the International Maritime Organization, as well as other international instruments.

6. CPCs shall fulfill in good faith any obligations ultimately assumed pursuant to this Resolution and shall exercise the rights recognized herein in a manner that would not constitute an abuse of right.
7. With a view to monitoring compliance with IATTC Resolutions, each CPC, in its capacity as a port CPC, shall apply this Resolution for an effective scheme of port inspections in respect of foreign fishing vessels carrying IATTC-managed species caught in the IATTC Convention Area (Convention Area) and/or fish products originating from such species caught in the Convention Area that have not been previously landed or transhipped at port, hereinafter referred to as "foreign fishing vessels".
8. A CPC may, in its capacity as a port CPC, decide not to apply this Resolution to foreign fishing vessels chartered by its nationals operating under its authority and returning to its ports. Such chartered fishing vessels shall be subject to measures by the CPC which are as effective as measures applied in relation to vessels entitled to fly its flag.
9. Without prejudice to specifically applicable provisions of other IATTC Resolutions, and except as otherwise provided in this Resolution, this Resolution shall apply to foreign fishing vessels equal to or greater than 20 meters in length overall.
10. Each CPC shall subject foreign fishing vessels below 20 meters length overall, foreign fishing vessels operating under charter as referred to under paragraph 8, and fishing vessels entitled to fly its flag to measures that are at least as effective in combating Illegal, Unreported and Unregulated (IUU)² fishing as measures applied to vessels referred to in paragraph 9.
11. CPCs shall take necessary action to inform fishing vessels entitled to fly their flag of this and other

² IUU fishing refers to illegal, unreported or unregulated fishing activities as defined in Annex 1.

relevant IATTC Resolutions.

Points of Contact

12. Each CPC wishing to grant access to its ports to foreign fishing vessels shall designate a point of contact for the purposes of receiving notifications pursuant to paragraph 18. Each CPC shall designate a point of contact for the purpose of receiving inspection reports pursuant to paragraph 28(b) of this Resolution. It shall transmit the name and contact information for its points of contact to the IATTC Director no later than 30 days following the entry into force of this Resolution. Any subsequent changes shall be notified to the IATTC Director at least 7 days before such changes take effect. The IATTC Director shall promptly notify CPCs of any such change.
13. The IATTC Director shall establish and maintain a register of points of contact based on the lists submitted by the CPCs. The register and any subsequent changes shall be published promptly on the IATTC website.

Designated ports

14. Each CPC wishing to grant access to its ports to foreign fishing vessels shall designate its ports to which foreign fishing vessels may request entry pursuant to this Resolution.
15. Each CPC wishing to grant access to its ports to foreign fishing vessels shall ensure that it has sufficient capacity to conduct inspections in every designated port pursuant to this Resolution to the greatest extent possible.
16. Each CPC wishing to grant access to its ports to foreign fishing vessels shall provide to the IATTC Director within 30 days from the date of entry into force of this Resolution a list of designated ports. Any subsequent changes to this list shall be notified to the IATTC Director at least 14 days before the change takes effect.
17. The IATTC Director shall establish and maintain a register of designated ports based on the lists submitted by the port CPCs. The register and any subsequent change shall be published promptly on the IATTC website.

Prior notification

18. Each port CPC wishing to grant access to its ports to foreign fishing vessels shall, except as provided under paragraph 19 of this Resolution, require foreign fishing vessels seeking to use its ports for the purpose of landing and/or transshipment to provide, at least 48 hours before the estimated time of arrival at the port, the following information:
 - a) Vessel identification (External identification, Name, Flag CPC, IMO No, if any, and IRCS);
 - b) Name of the designated port, as referred to in the IATTC register, to which it seeks entry and the purpose of the port call (landing and/or transshipment);
 - c) Fishing authorization or, where appropriate, any other authorization held by the vessel to support fishing operations on IATTC-managed species and/or fish products originating from such species, or to transship related fishery products;
 - d) Estimated date and time of arrival in port;
 - e) The estimated quantities in kilograms of each IATTC-managed species and/or fish products originating from such species held on board, with associated catch areas. If no IATTC species and/or fish products originating from such species are held on board, a 'nil' report shall be transmitted;
 - f) The estimated quantities for each IATTC-managed species and/or fish products originating from such species in kilograms to be landed or transshipped, with associated catch areas.

The port CPC may also request other information as it may require to determine whether the vessel has engaged in IUU fishing, or related activities.

19. The port CPC may prescribe a longer or shorter notification period than specified in paragraph 18,

taking into account, inter alia, the type of fishery product, the distance between the fishing grounds and its ports. In such a case, the port CPC shall inform the IATTC Director, who shall publish the information promptly on the IATTC website.

20. After receiving the relevant information pursuant to paragraph 18, as well as such other information as it may require to determine whether the foreign fishing vessel requesting entry into its port has engaged in IUU fishing, the port CPC shall decide whether to authorize or deny the entry of the vessel into its port. In case the port CPC decides to authorize the entry of the vessel into its port, the following provisions on port inspection shall apply.

Port inspections

21. Inspections shall be carried out by the competent authority of the port CPC.
22. Each year CPCs shall inspect at least 5% of landing and transshipment operations in their designated ports as are made by foreign fishing vessels.
23. The Port CPC shall, in accordance with its domestic law, take the following, inter alia, into account when determining which foreign vessels to inspect:
 - a) Whether a vessel has failed to provide complete information as required in paragraph 18;
 - b) Requests from other CPCs or relevant regional fisheries management organizations (RFMOs) that a particular vessel be inspected, particularly where such requests are supported by evidence of IUU fishing by the vessel in question;
 - c) Whether clear grounds exist for suspecting that a vessel has engaged in IUU fishing, including information derived from RFMOs.

Inspection procedure

24. Each inspector shall carry a document of identity issued by the port CPC. In accordance with domestic laws, port CPC inspectors may examine all relevant areas, decks and rooms of the fishing vessel, catches processed or otherwise, nets or other fishing gears, equipment both technical and electronic, records of transmissions and any relevant documents, including fishing logbooks, Cargo Manifests and Mates Receipts and landing declarations in case of transshipment, which they deem necessary to ensure compliance with the IATTC Resolutions. They may take copies of any documents considered relevant, and they may also question the Master and any other person on the vessel being inspected.
25. Inspections shall involve the monitoring of the landing or transshipment and include a cross-check between the quantities by species notified in the prior notification message in paragraph 18 and the quantities which are landed, transhipped or held on board by the vessels. Inspections shall be carried out in such a way that the fishing vessel suffers the minimum interference and inconvenience, and that degradation of the quality of the catch is avoided to the extent practicable.
26. On completion of the inspection, the port CPC inspector shall provide the Master of the foreign fishing vessel with the inspection report containing the findings of the inspection, including possible subsequent measures that could be taken by the competent authority of the CPC. The inspector shall sign the report. The Master shall be given the opportunity to add any comments or objection to the report, to contact the competent authority of the flag CPC. A copy of the report shall be provided to the Master.
27. The port CPC shall transmit a copy of the inspection report electronically or by other means to the flag CPC point of contact and the IATTC Director no later than 14 days following the date of completion of the inspection. If the inspection report cannot be transmitted within 14 days, the port CPC should notify the IATTC Director within the 14 day time period the reasons for the delay and when the report will be submitted.
28. Flag CPCs shall take necessary action to ensure that Masters facilitate safe access to the fishing vessel,

cooperate with the competent authority of the port CPC, facilitate the inspection and communication and not obstruct, intimidate or interfere, or cause other persons to obstruct, intimidate or interfere with port CPC inspectors in the execution of their duties.

Procedure in the event of infringements

29. If the information collected during the inspection provides evidence that a foreign fishing vessel has committed an infringement of the IATTC Resolutions, the inspector shall:
 - a) record the infringement in the inspection report;
 - b) transmit the inspection report to the port CPC competent authority, which shall promptly forward a copy to the IATTC Director and to the flag CPC point of contact;
 - c) to the extent practicable, ensure safekeeping of the evidence pertaining to such alleged infringement.
30. If the infringement falls within the legal jurisdiction of the port CPC, the port CPC may take action in accordance with its domestic laws. The port CPC shall promptly notify the action taken to the competent authority of the flag CPC and to the IATTC Director, who shall promptly publish this information in a secured part of the IATTC website.
31. Infringements that do not fall within the jurisdiction of the port CPC, and infringements referred to in paragraph 29 for which the port CPC has not taken action, shall be referred to the flag State and, as appropriate, the relevant coastal State. Upon receiving the copy of the inspection report, the flag CPC shall promptly investigate the alleged infringement and notify the IATTC Director of the status of the investigation and of any enforcement action that may have been taken within 6 months of such receipt. If the flag CPC cannot provide the IATTC Director this status report within 6 months of such receipt, the flag CPC should notify the IATTC within the 6 month time period the reasons for the delay and when the status report will be submitted. The IATTC Director shall promptly publish this information in a secured part of the IATTC website. CPCs shall include in their Compliance questionnaire information regarding the status of such investigations.
32. Should the inspection provide evidence that the inspected vessel has engaged in IUU activities as referred to in Resolution C-05-07, the port CPC shall promptly report the case to the flag CPC and notify as soon as possible the IATTC Director, along with its supporting evidence.

Requirements of developing CPCs

33. On the basis of the outcome of the assessment exercise set forth in Annex 2 and in paragraphs 1 to 3, developing CPCs requiring assistance shall submit a plan of action for the implementation of this Resolution. CPCs shall give full recognition to the special requirements of developing CPCs in relation to a port inspection scheme consistent with this Resolution. As of 1 January 2018, and following the result of the assessment of needs, the Special Sustainable Development Fund established by Resolution C-14-03, either directly or through supplementary voluntary contributions from CPCs, shall provide assistance to developing CPCs in order to, inter alia:
 - a) Develop their capacity including by providing technical assistance and establishing an appropriate funding mechanism to support and strengthen the development and implementation of an effective system of port inspection at national, regional or international levels and to ensure that disproportionate burden resulting from the implementation of this Resolution is not unnecessarily transferred to them and
 - b) Facilitate their participation in meetings and/or training programmes of relevant regional and international organizations that promote the effective development and implementation of a system of port inspection, including monitoring, control and surveillance, enforcement and legal proceedings for infractions and dispute settlements pursuant to this Resolution.

General provisions

34. CPCs are encouraged to enter into bilateral agreements/arrangements that allow for an inspector exchange program designed to promote cooperation, share information, and educate each party's inspectors on inspection strategies and methodologies which promote compliance with IATTC Resolutions. A description of such programs should be provided to the IATTC Director which should publish it on the IATTC website.
35. Without prejudice to the domestic laws of the port CPC, the flag CPC may, in the case of appropriate bilateral agreements or arrangements with the port CPC or at the invitation of that CPC, send its own officials to accompany the inspectors of the port CPC and observe or take part in the inspection of its vessel.
36. Flag CPCs shall consider and act on reports of infringements from inspectors of a port CPC on a similar basis as the reports from their own inspectors, in accordance with their domestic laws. CPCs shall cooperate, in accordance with their domestic laws, in order to facilitate judicial or other proceedings arising from inspection reports as set out in this Resolution.
37. The IATTC Director shall develop model formats for prior notification reports and inspection reports required under this Resolution, taking into account forms adopted in other relevant instruments, such as international organisations and other RFMOs, for consideration at the 2017 Annual Meeting of the Commission.
38. The Commission shall review this Resolution no later than its 2020 Annual Meeting and, if appropriate, taking into account developments in other RFMOs and/or international fora and consider revisions to improve its effectiveness. The Secretariat will report annually on the implementation of this measure.
39. This Resolution shall enter into force on January 1, 2020.

ANNEX 1

As defined by FAO in the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, IUU fishing means:

Illegal fishing refers to fishing activities:

- (1) conducted by national or foreign vessels in waters under the jurisdiction of a State, without the permission of that State, or in contravention of its laws and regulations;
- (2) conducted by vessels flying the flag of States that are parties to a relevant regional fisheries management organization but operate in contravention of the conservation and management measures adopted by that organization and by which the States are bound, or relevant provisions of the applicable international law; or
- (3) in violation of national laws or international obligations, including those undertaken by cooperating States to a relevant regional fisheries management organization.

Unreported fishing refers to fishing activities:

- (1) which have not been reported, or have been misreported, to the relevant national authority, in contravention of national laws and regulations; or
- (2) undertaken in the area of competence of a relevant regional fisheries management organization which have not been reported or have been misreported, in contravention of the reporting procedures of that organization.

Unregulated fishing refers to fishing activities:

- (1) in the area of application of a relevant regional fisheries management organization that are conducted by vessels without nationality, or by those flying the flag of a State not party to that organization, or by a fishing entity, in a manner that is not consistent with or contravenes the conservation and management measures of that organization; or
- (2) in areas or for fish stocks in relation to which there are no applicable conservation or management measures and where such fishing activities are conducted in a manner inconsistent with State responsibilities for the conservation of living marine resources under international law.

ANNEX 2

Assessment of Capacity to Implement

The Secretariat shall, within 30 days following adoption of this Resolution, transmit to all developing CPCs an assessment questionnaire designed to assess, for each obligation anticipated under this resolution, the extent to which each CPC:

1. Is already applying a particular obligation within laws and/or regulations;
2. For each obligation not already applied, the capacity of each CPC to implement it and the approximate time that will be required to do so;
3. For each obligation that a CPC deems inapplicable or unimplementable, request that the CPC provide the reasons for that determination.

The assessment questionnaire shall include the following obligations envisioned in this Resolution, *inter alia*:

1. The ability of the CPC to designate specific port(s) which foreign vessels may enter;
2. The capacity of the CPC to inspect at least 5% of foreign vessels entering the designated ports;
3. The capacity of the CPC to designate and empower a competent national authority to receive and process "Prior Notification" information as required in paragraph 18 from inbound foreign vessels;
4. The capacity under national laws of a CPC to empower inspectors to execute the "Inspection Procedures" in paragraphs 23 to 27;
5. The capacity of the CPC to implement the "Procedure in the event of infringement" set forth in paragraphs 28 to 31;
6. The specific needs identified by the CPC for assistance in the areas of capacity building

Developing CPCs shall respond in full to the Assessment Questionnaire to the Secretariat within 90 days of receipt.

Within 60 days following the deadline for receipt of the completed questionnaires, the Secretariat shall provide all CPCs with a report summarizing the responses, identifying any developing CPCs that may not have responded, and providing a detailed description of identified barriers to implementation.

INTER-AMERICAN TROPICAL TUNA COMMISSION

90TH MEETING (RESUMED)

La Jolla, California (USA)

12-14 October 2016

PROPOSAL IATTC-90 D-1A

SUBMITTED BY ECUADOR

DRAFT RESOLUTION ON THE PERMISSIBILITY OF DISCARDS

The Inter-American Tropical Tuna Commission (IATTC), gathered in la Jolla, California (USA) on the occasion of the 90th Meeting:

*Considering that the United Nations Food and Agriculture Organisation (FAO) published in January 2011 the *International Guidelines on Bycatch Management and Reduction of Discards*, advising regional fisheries management organizations (RFMOs) to recognise the importance of resolving the problems related to bycatches and to collaborate with the other RFMOs to address matters of common interest;*

Aware that in many cases the size of the fish caught is less than the minimum catch size, and that their capture implies an effect on the stocks of tuna species that are fished in the Eastern Pacific Ocean (EPO);

Aware that if the catch of juvenile tunas persists, the sustainability of the resources could be adversely affected;

Aware that, during the catching of tunas, they become entangled in the nets, which affects the quality of fish that goes into the wells;

Recognising the importance of Recommendation 11-10 of the International Commission for the Conservation of Atlantic Tuna (ICCAT) on the collection of information and the harmonisation of data on bycatch species and discards in ICCAT fisheries for the stocks of tunas in the region and the stocks of highly migratory tunas;

Responding to the recommendations of the CPCs, which includes the need for all CPCs to collect and provide to the Director data on discards or bycatch species;

RESOLVES:

For tropical tunas (skipjack, yellowfin, and bigeye) caught by purse-seine vessels:

1. To establish a system for collecting information on discards of tropical tunas in the purse-seine fishery.
2. The observers aboard purse-seine vessels shall collect information on any discarded tropical tunas and report it on a form to be developed by the Secretariat for this purpose, describing the amount, size, and status of the discarded fish, as well as the reasons why it was discarded.
3. The information generated shall be evaluated by the scientific staff of the Commission for the impacts of discards on the stocks, and the results shall be presented at the meeting of the Scientific Advisory Committee (SAC) in 2017.
4. On the basis of this evaluation, the SAC and Commission will review the retention requirements of Resolution C-13-01 or the Resolution that replaces it in 2016.
5. Until the meeting of the Scientific Advisory Committee in 2017, paragraph 17 of Resolution C-13-01 is suspended, and a discard percentage of between 0.5% and 1% of the total catch per trip will be allowed.

**INTER-AMERICAN TROPICAL TUNA
COMMISSION 90TH MEETING (RESUMED)**

**La Jolla, California(USA)
12-14 October 2016**

PROPOSAL IATTC-90 G1-B

SUBMITTED BY THE UNITED STATES

**MULTIANNUAL PROGRAM FOR THE CONSERVATION OF
TUNA IN THE EASTERN PACIFIC OCEAN DURING 2017-2019**

The Inter-American Tropical Tuna Commission (IATTC), gathered in La Jolla, California (USA), on the occasion of its 90th Meeting:

Aware of its responsibility for the scientific study of the tunas and tuna-like species in its Convention Area and for formulating recommendations to its Members and Cooperating non-Members (CPCs) with regard to these resources;

Recognizing that the potential production from the resource can be reduced if fishing effort is excessive; Aware that the capacity of the purse-seine fleets fishing for tunas in the Convention Area continues to increase;

Taking into account the best scientific information available, reflected in the IATTC staff's recommendations, and the precautionary approach;

Understanding that those include extending the closure for large purse-seine vessels to maintain the populations at levels of abundance which can produce the maximum sustainable yield; and

Recognizing the importance of conservation measures taken by the Western and Central Pacific Fisheries Commission (WCPFC) for the tuna stocks in that region and the stocks of highly migratory tunas in the Pacific Ocean;

Agrees:

To apply in the Convention Area the conservation and management measures for yellowfin and bigeye tuna set out below, and requests that the staff of the IATTC monitor the fishing activities of the respective CPC's flag vessels relative to this commitment, and report on such activities at the next meeting of the Commission;

1. These measures are applicable in the years 2017-2019 to all CPCs' purse-seine vessels of IATTC capacity classes 4 to 6 (more than 182 metric tons carrying capacity), and to all their longline vessels over 24 meters length overall, that fish for yellowfin, bigeye and skipjack tunas in the Convention Area.
2. Pole-and-line, troll, and sportfishing vessels, and purse-seine vessels of IATTC capacity classes 1-3 (182 metric tons carrying capacity or less) are not subject to these measures.
3. All purse-seine vessels covered by these measures must stop fishing in the Convention Area

for a period of [87] [70] [62] days in 2017[87] [70] [62] days in 2018, and [87] [70] [62] days in 2019. These closures shall be effected in one of two periods in each year as follows:

2017 – from [] to [], or from [] to [] 2018.

2018 – from [] to [], or from [] to [] 2019.

2019 – from [] to [], or from [] to [] 2020.

4. All purse seine vessels of class 6 that target adult yellowfin tuna (that have DMLs) must stop fishing in the Convention Area for an additional 8 days contiguous with the closure periods of paragraph 3.
5. IATTC class 6 purse seine vessels shall limit their combined catches of bigeye and yellowfin tuna in sets on floating objects to an annual rate of no more than 1.0 mt/m³ of vessel capacity, or a number to be determined by the Secretariat to maintain stocks at a sustainable level.
6. Notwithstanding the provisions of paragraph 3, purse-seine vessels of IATTC capacity class 4 (between 182 and 272 metric tons carrying capacity) will be able to make only one single fishing trip of up to 30 days duration during the specified closure periods, provided that any such vessel carries an observer of the On-Board Observer Program of the Agreement on the International Dolphin Conservation Program (AIDCP).
7. The fishery for yellowfin, bigeye, and skipjack tuna by purse-seine vessels within the area of 96° and 110°W and between 4°N and 3°S illustrated in Figure 1 shall be closed from 00:00 hours on 29 September to 24:00 hours on 29 October.

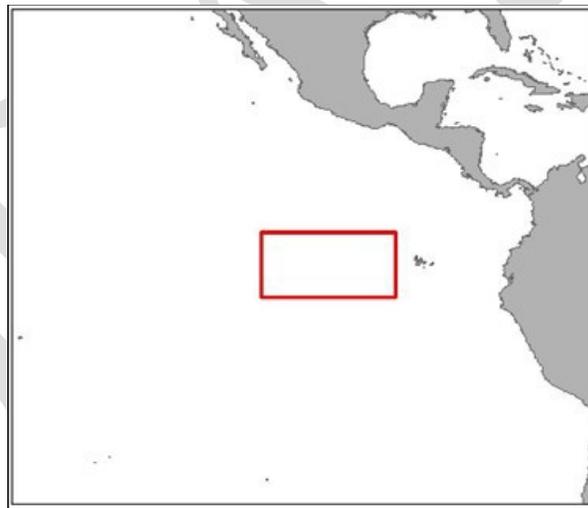


Figure 1. Closure area

8. a. In each one of the years in which these measures are applicable, and for each one of the closure periods, each CPC shall notify the Director, by 15 July, the names of all the purse-seine vessels that will observe each closure period.
- b. Every vessel that fishes during 2017-2019, 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 was committed.
9. a. Notwithstanding the provision of subparagraphs 6a and 6b, a request by a CPC, on behalf of any of its vessels, for an exemption due to *force majeure*³ rendering said vessel unable to

³ For the purposes of paragraph 7, only cases of vessels disabled by mechanical and/or structural failure, fire, or explosion shall be considered *force majeure*

proceed to sea outside said closure period during at least a period equivalent to the closure period prescribed in paragraph 3 above or a vessel that was in port and not fishing for at least 120 consecutive days, shall be sent to the Secretariat.

- b. In addition to the request for an exemption, the CPC shall send the evidence necessary to demonstrate that the vessel did not proceed to sea and that the facts on which the request for exemption is based were due to *force majeure* or to being in port and not fishing for at least 120 consecutive days.
- c. The Director shall immediately send the request and the evidence electronically to the other CPCs for their consideration, duly coded in order to maintain the anonymity of the name, flag and owner of the vessel.
- d. The request shall be considered accepted, unless an IATTC Member objects to it formally within 15 calendar days of the receipt of said request, in which case the Director shall immediately notify all CPCs of the objection.
- e. If the request for exemption is accepted:
 - i. the vessel shall observe a reduced closure period of 30 consecutive days in the same year during which the *force majeure* event or at least 120 consecutive days in port and not fishing occurred, in one of the two periods prescribed in paragraph 3, to be immediately notified to the Director by the CPC, or
 - ii. in the event said vessel has already observed a closure period prescribed in paragraph 3 in the same year during which the *force majeure* event or at least 120 consecutive days in port and not fishing occurred, it shall observe a reduced closure period of 30 consecutive days the following year, in one of the two periods prescribed in paragraph 3, to be notified to the Director by the CPC no later than 15 July.

This exemption applies to the vessels of fleets that observe either of the closure periods prescribed in paragraph 3.

- 10. 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 tuna industry of the closure;
 - c. Inform the Director that these steps have been taken;
 - d. Ensure that at the time a closure period begins, and for the entire duration of that period, all the purse-seine vessels fishing for yellowfin, bigeye, or skipjack tunas that are committed to observing that closure period and that fly its flag, or operate under its jurisdiction, in the Convention Area 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 Convention Area. 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 Convention Area.
- 11. China, Japan, Korea, and Chinese Taipei undertake to ensure that the total annual catches of bigeye tuna by their longline vessels in the Convention Area during 2017-2019 do not exceed the following levels:

2017-2019	Metric tons
China	2,507
Japan	32,372
Korea	11,947
Chinese Taipei	7,555

12. For 2018 and 2019, the total annual longline catches of bigeye tuna in the Convention Area shall be adjusted appropriately based on any conservation measures that may be adopted for purse-seine vessels in those years, as ratified or adjusted in accordance with paragraph 20.
13. All other CPCs with historical catch undertake to ensure that the total annual catches of bigeye tuna by their longline vessels in the Convention Area during 2017-2019 do not exceed the greater of 750 metric tons or their respective catches of bigeye tuna in 2001^{7,8}. CPCs whose annual catches have exceeded 500 metric tons shall provide monthly catch reports to the Director for the remainder of that calendar year. For 2018 and 2019, the limits in this paragraph shall remain in effect if the conservation measures for purse-seine vessels are maintained, as ratified or adjusted in accordance with paragraph 20.
14. Overage by a CPC of a bigeye tuna annual catch limit listed in paragraph 9 or 11 shall be deducted from that CPC's annual catch limit the following year.
15.
 - a. A CPC with an annual catch limit of bigeye tuna under paragraph 9 or 11 may transfer part of that limit to one or more CPCs, provided that the CPC that receives the transfer also has a catch limit under paragraphs 9 and 11, and that the total tonnage transferred by a CPC during a year does not exceed [15] [30] percent of that CPC's annual catch limit. Both CPCs involved in a transfer shall, separately or jointly, notify the Director [10 days] in advance of the intended transfer, specifying the tonnage to be transferred and the year in which the transfer will occur, and the Director shall promptly notify all CPCs of the transfer. The CPC that receives the transferred catch limit shall be responsible for its management, including monitoring and monthly reporting of catch, and may not retransfer any or all of the transferred catch limit to another CPC.
 - b. Such transfers may not be used to retroactively offset an overage by another CPC of its catch limit.
 - c. The amount of bigeye transferred in any one year shall be considered without prejudice by the Commission for the purposes of establishing any future limits or allocations.
16. Landings and transshipments of tuna or tuna products that have been positively identified as originating from fishing activities that contravene these measures are prohibited. The Director is requested to provide relevant information to CPCs to assist them in this regard.
17. Each CPC shall submit to the Director, by 15 July of each year, a national report on its updated national compliance scheme and actions taken to implement these measures, 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.
18. In order to evaluate progress towards the objectives of these measures, in 2018 and 2019 the IATTC scientific staff will analyze the effects on the stocks of the implementation of these measures, and previous conservation and management measures, and will propose, if necessary, appropriate measures to be applied in future years.

⁷ The Commission acknowledges that France, as a coastal State, is developing a tuna longline fleet on behalf of its overseas territories situated in the Convention Area.

⁸ The Commission acknowledges that Peru, as a coastal State, will develop a tuna longline fleet, which will operate in strict compliance with the rules and provisions of the IATTC and in accordance with the resolutions of the Commission.

19. Subject to the availability of the necessary funding, the Director is requested to 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, by developing 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 Director.
20. For 2017, renew the program to require all purse-seine vessels to first retain on board and then land all bigeye, skipjack, and yellowfin tuna caught, with the following three exceptions, allowing tropical tunas to be discarded if:
 - a. they are considered unfit for human consumption for reasons other than size (*i.e.* fish may not be discarded simply because they are small and may therefore be of lower commercial value. Size is not a reason fish are unfit for human consumption and therefore is not an acceptable reason to allow discards).
 - b. they are caught in the final set of a trip, when there is insufficient well space remaining to accommodate all the tuna caught in that set.
 - c. a serious equipment malfunction occurs that makes it impossible to load the catch into the vessel's wells.

At its annual meeting in 2018, the IATTC will review the results of the program, including compliance, and decide whether to continue it.

21. The IATTC shall continue efforts to promote compatibility between the conservation and management measures adopted by the IATTC and WCPFC in their goals and effectiveness, especially in the overlap area, including by frequent consultations with the WCPFC, in order to maintain, and inform their respective members of, a thorough understanding of conservation and management measures directed at bigeye, yellowfin, and other tunas, and the scientific bases and effectiveness of those measures.
22.
 - a. In 2017 the results of these measures shall be evaluated in the context of the results of the stock assessments and of changes in the level of active capacity in the purse-seine fleet and, depending on the conclusions reached by the IATTC scientific staff, in consultation with the Scientific Advisory Committee, based on such evaluation, the Commission shall, at its meeting in 2017, adopt conservation and management measures for the sustainable use of tuna and tuna-like species.
 - b. In 2018, the results of these measures shall be evaluated in the context of the results of the stock assessment and of changes in the level of active capacity in the purse-seine fleet and, depending on the conclusions reached by the IATTC staff, in consultation with the Scientific Advisory Committee, based on such evaluation, the Commission shall, at its meeting in 2018, adopt conservation and management measures for the sustainable use of the tunas and tuna-like species.
23. Except in cases of *force majeure* and vessels in port and not fishing for at least 120 consecutive days prescribed in paragraph 7, no exemptions will be allowed with regard to the closure periods notified to the Director in accordance with paragraph 6a, nor with regard to the fishing effort of the purse-seine fleets of the respective CPCs.

INTER-AMERICAN TROPICAL TUNA COMMISSION

90TH MEETING (RESUMED)

La Jolla, California (USA)

12-14 October 2016

PROPOSAL IATTC-90 G-2B

SUBMITTED BY COLOMBIA AND ECUADOR

**MULTIANNUAL PROGRAM FOR THE CONSERVATION OF TUNA
IN THE EASTERN PACIFIC OCEAN DURING 2017-2018**

The Inter-American Tropical Tuna Commission (IATTC), gathered in La Jolla, California (USA), on the occasion of its 90th Meeting:

Aware of its responsibility for the scientific study of the tunas and tuna-like species in its Convention Area and for formulating recommendations to its Members and Cooperating non-Members (CPCs) with regard to these resources;

Recognizing that the potential production from the resource can be reduced if fishing effort is excessive;

Aware that the capacity of the purse-seine fleets fishing for tunas in the Convention Area continues to increase;

Taking into account the best scientific information available, reflected in the IATTC staff's recommendations, and the precautionary approach;

Understanding that those recommendations recognize that the purse-seine capacity has increased by 10% since 2014 and include an increase in the days of closure for large purse-seine vessels in order to maintain the populations at levels of abundance that can produce the maximum sustainable yield.

Recognizing the importance of conservation measures taken by the Western and Central Pacific Fisheries Commission (WCPFC) for the tuna stocks in that region and the stocks of highly migratory tunas in the Pacific Ocean;

Agrees:

To apply in the Convention Area the conservation and management measures for yellowfin and bigeye tuna set out below, and requests that the staff of the IATTC monitor the fishing activities of the respective CPC's flag vessels relative to this commitment, and report on such activities at the next meeting of the Commission;

CHAPTER I

TEMPORAL AND SPATIAL CLOSURE FOR THE PURSE-SEINE TUNA FLEET

1. These measures are applicable in the years 2017-2018 to all CPCs' purse-seine vessels of IATTC capacity classes 4 to 6 (more than 182 metric tons carrying capacity), and to all their longline vessels over 24 meters length overall, that fish for yellowfin, bigeye and skipjack tunas in the Convention Area.
2. Pole-and-line, troll, and sportfishing vessels, and purse-seine vessels of IATTC capacity classes 1-3 (182 metric tons carrying capacity or less) are not subject to these measures.
3. All purse-seine vessels covered by these measures must stop fishing in the Convention Area for a period of 62 days in 2017 and 62 days in 2018. These closures shall be effected in one of two periods in each

year as follows:

2017 – 29 July to 28 September, or from 18 November to 18 January 2018.

2018 – 29 July to 28 September, or from 18 November to 18 January 2019.

4. Notwithstanding the provisions of paragraph 3, purse-seine vessels of IATTC capacity class 4 (between 182 and 272 metric tons carrying capacity) will be able to make only one single fishing trip of up to 30 days duration during the specified closure periods, provided that any such vessel carries an observer of the On-Board Observer Program of the Agreement on the International Dolphin Conservation Program (AIDCP).
5.
 - a. In each one of the years in which these measures are applicable, and for each one of the closure periods, each CPC shall notify the Director, by 15 July, the names of all the purse-seine vessels that will observe each closure period.
 - b. Every vessel that fishes during 2017-2018, 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 was committed.
6.
 - a. Notwithstanding the provision of subparagraph 5a and 5b, a request by a CPC, on behalf of any of its vessels, for an exemption due to *force majeure*⁴ rendering said vessel unable to proceed to sea outside said closure period during at least a period equivalent to the closure period prescribed in paragraph 3 above or a vessel that was in port and did not fish during at least 120 consecutive days, shall be sent to the Secretariat
 - b. In addition to the request for an exemption, the CPC shall send the evidence necessary to demonstrate that the vessel did not proceed to sea and that the facts on which the request for exemption is based were due to *force majeure* or to being in port and not fishing during at least 120 consecutive days.
 - c. The Director shall immediately send the request and the evidence electronically to the other CPCs for their consideration, duly coded in order to maintain the anonymity of the name, flag and owner of the vessel.
 - d. The request shall be considered accepted, unless an IATTC Member objects to it formally within 15 calendar days of the receipt of said request, in which case the Director shall immediately notify all CPCs of the objection.
 - e. If the request for exemption is accepted,
 - i. the vessel shall observe a reduced closure period of 30 consecutive days in the same year during which the *force majeure* event occurred or to staying in port during at least 120 consecutive days and without conducting fishing activities, in one of the two periods prescribed in paragraph 3, to be immediately notified to the Director by the CPC, or
 - ii. in the event said vessel has already observed a closure period prescribed in paragraph 3 in the same year during which the *force majeure* event occurred or to staying in port during at least 120 consecutive days and without conducting fishing activities, it shall observe a reduced closure period of 30 consecutive days the following year, in one of the two periods prescribed in paragraph 3, to be notified to the Director by the CPC no later than 15 July.

This exemption applies to the vessels of fleets that observe either of the closure periods prescribed in paragraph 3.

7. Each CPC shall, for purse-seine fisheries:

⁴ For the purposes of paragraph 5, only cases of vessels disabled by mechanical and/or structural failure, fire, or explosion shall be considered *force majeure*

- 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 tuna industry of the closure;
- c. Inform the Director that these steps have been taken;
- d. Ensure that at the time a closure period begins, and for the entire duration of that period, all the purse-seine vessels fishing for yellowfin, bigeye, or skipjack tunas that are committed to observing that closure period and that fly its flag, or operate under its jurisdiction, in the Convention Area 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 Convention Area. 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 Convention Area.

CHAPTER II

BIGEYE AND YELLOWFIN CATCH LIMITS FOR PURSE-SEINE TUNA FLEET IN SETS ON FADS

	tons
Colombia	1,812
Ecuador	38,122
Mexico	134
Nicaragua	1,874
Panama	7,546
European Union	2,146
USA	1,157
Venezuela	736
Others (according to IATTC register)	3,681

8. From the year 2017 to the year 2018 Class-6 purse-seine vessels, that are on the IATTC Regional Vessel Register, shall limit the catches of bigeye and yellowfin tuna caught in sets on FADs, for which a maximum catch limit of 89,538.60 tons is established for the EPO, calculated on the basis of average of the historical catches in sets on FADs between the years 2013 and 2015 (99,487.33 t) by the tuna purse-seine fleet in the Eastern Pacific Ocean with a reduction of 5%.
9. The global catch limit shall be allocated for each country in accordance with its historical average 2013 to 2015 during the years that its vessels have operated minus 10%, which shall be allocated as follows:
 - a. The 5% reduced from the general catch limit for bigeye and yellowfin tuna which are 4,974.37 tons, shall be considered as a reserve that would be issued under a rate of up to 0.50 tons of bigeye and yellowfin tunas/cubic meter of well per vessel and year, for CPCs whose allocation is less than 5% of the global catch limit.
 - b. For which the following criteria will be applied:
 - i. Vessels that entered the fishery on FADs during 2015 and 2016, and that therefore do not have a suitable level of catch limit.
 - ii. Active vessels on the IATTC register that did not make sets on FADs before the year 2015.
 - iii. Cases that demonstrate that they were not able to operate for more than one year during the period 2013 and 2015.
 - iv. Inactive and sunk vessels from the IATTC register that do not have a history.

The rules for distributing this remainder are the following:

- i. That an xxx% of the catch limit allocated to the CPC has been utilized.
 - ii. That the country makes the initial request to the IATTC Secretariat.
 - iii. That the request does not exceed 100 % of the allocation to the CPC.
 - c. On the other hand, the remaining 5% of the global catch limit determined for the catches of bigeye and yellowfin tunas in sets on floating objects during the 2013 to 2015 period, shall not be utilized, to reduce the fishing mortality of these two species contributing to the conservation of both species.
10. The catch rate for allocating the catch limit from the 5% shall be reviewed by the IATTC scientific staff every year, to recommend to the Commission whether it needs to be modified in accordance with the levels of maximum sustainable yield of bigeye and yellowfin tuna.
11. The total catch assigned to each CPC for bigeye and yellowfin tuna in the EPO in accordance with paragraph 8 of this same resolution, shall be distributed as an individual vessel catch limit by the CPCs, in accordance with the following rules:
- a. The modality for allocating the individual catch limit that each CPC establishes shall be communicated to the IATTC Secretary each year by 15 December.
 - b. Appropriate on-board monitoring of the catches with observers shall be established, together with other equipment if necessary that help to improve the monitoring of possible discards.
 - c. The catch limit of bigeye and yellowfin tuna for each vessel, shall be applied only to sets on FADs, therefore, they will not be applied to sets on breezers or dolphins.
 - d. The fisheries authority of each CPC in coordination with IATTC staff shall monitor the unloadings of bigeye and yellowfin tuna, which shall be corroborated by the processing plants up to 72 hours after the unloading. For appropriate compliance with this paragraph, each CPC shall develop a protocol for monitoring and verifying unloadings within a maximum period of 60 days from the approval of this resolution.
 - e. Once the vessels reach 80% of the individual bigeye and yellowfin tuna catch limit, the fisheries authority shall notify this immediately to the vessel owner with copy to the IATTC Secretariat, so that it ceases to make fishing sets on FADs when it reaches 100%.
 - f. CPC shall send monthly reports to the IATTC secretary on the use of the catch limit allocated to each vessel.
 - g. If the vessel exceeds its allocated annual catch limit, the excess shall be deducted from its catch limit for the following year, without prejudice to the prohibition on continuing to make sets on FADs.
 - h. The catch limit allocated to each CPC shall be used among its flag vessels and the only exception for transfer to another CPC shall be the cases in which there is a temporary transfer of capacity, subject to the approval by the CPC and informing the IATTC Director.
 - i. Vessels with a historical record that do not fish their allocated catch limit nor transfer it to any other vessel, may request a reduction en the number of days of the closure period referred to in paragraph 3 of this resolution for the following year, in accordance with the parameters that the scientific staff may establish at the time that the individual catch limit is allocated.
12. With the aim of helping with the objective of reducing the catch of bigeye and yellowfin on FADs, it is stipulated that the depth of the net of purse-seine vessels shall not be greater than 24 strips.

CHAPTER III

BIGEYE CATCH LIMITS FOR LONGLINE TUNA FLEET

13. China, Japan, Korea, and Chinese Taipei undertake to ensure that the total annual catches of bigeye tuna by their longline vessels in the Convention Area during 2017-2018 do not exceed the following levels:

	t
China	2,507
Japan	32,372
Korea	11,947
Chinese Taipei	7,555

14. For the year 2018, the total annual longline catches of bigeye tuna in the Convention Area shall be adjusted appropriately based on any conservation measures that may be adopted for purse-seine vessels in those years, as ratified or adjusted in accordance with paragraph 19.
15. All other CPCs undertake to ensure that the total annual catches of bigeye tuna by their longline vessels in the Convention Area during 2017-2019 do not exceed the 750 metric tons or their respective catches of bigeye tuna in 2001^{10, 11}, whichever is greater. CPCs whose annual catches have exceeded 500 metric tons shall provide monthly catch reports to the Director during the remainder of that calendar year. For 2018, the limits in this paragraph shall remain in effect if the conservation measures for purse-seine vessels are maintained, as ratified or adjusted in accordance with paragraph 19.
16. The excess of an annual bigeye catch limit established for a CPC in paragraph 9 or 11 shall be deducted from the CPC's annual catch limit for the following year.

CHAPTER IV

MISCELLANEOUS PROVISIONS

17. Landings and transshipments of tuna or tuna products that have been positively identified as originating from fishing activities that contravene these measures are prohibited. The Director is requested to provide relevant information to CPCs to assist them in this regard.
18. Each CPC shall submit to the Director, by 15 July of each year, a national report on its updated national compliance scheme and actions taken to implement these measures, 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.
19. In order to evaluate progress towards the objectives of these measures, in 2018 and 2019 the IATTC scientific staff will analyze the effects on the stocks of the implementation of these measures, and previous conservation and management measures, and will propose, if necessary, appropriate measures to be applied in future years.
20. The Director shall prioritize in his research program the experiments with sorting grids or other technological mechanisms for reducing the catch of juvenile tunas and other species of non-target fish in the purse-seine nets of vessels that fish on FADs, by developing an experimental protocol, including parameters for the materials to be used for the sorting grids, and the methods for their construction, installation, and deployment likewise for other technological mechanisms that it may be desirable to implement. 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 Director.
21. For 2017, renew the program to require all purse-seine vessels to first retain on board and then land all bigeye, skipjack, and yellowfin tuna caught, with only three minor exceptions so that tropical tunas

may be discarded when they are:

- a. considered unfit for human consumption for reasons other than size (*i.e.*, size is not a reason for considering the fish unfit for human consumption and is therefore not a reason for discarding it).
- b. caught in the final set of a trip, when there may be insufficient well space remaining to accommodate all the tuna caught in that set.
- c. when serious equipment failures occur.

Notwithstanding the above, it will not be considered an infraction if the discards do not exceed 0.5% of the catches for the fishing trip.

At its annual meeting in 2018, the IATTC will review the results of the program, including compliance, and decide whether to continue it.

22. The IATTC shall continue efforts to promote compatibility between the conservation and management measures adopted by the IATTC and WCPFC in their goals and effectiveness, especially in the overlap area, including by frequent consultations with the WCPFC, in order to maintain, and inform their respective members of, a thorough understanding of conservation and management measures directed at bigeye, yellowfin, and other tunas, and the scientific bases and effectiveness of those measures.
23.
 - a. In 2017 the results of these measures shall be evaluated in the context of the results of the stock assessments and of changes in the level of active capacity in the purse-seine fleet and, depending on the conclusions reached by the IATTC scientific staff, in consultation with the Scientific Advisory Committee, based on such evaluation, the Commission shall adopt conservation and management measures for the sustainable use of tuna and tuna-like species at its meeting in 2017.
 - b. In 2018, the results of these measures shall be evaluated in the context of the results of the stock assessment and of changes in the level of active capacity in the purse seine fleet and, depending on the conclusions reached by the IATTC staff, in consultation with the Scientific Advisory Committee, based on such evaluation, the Commission shall adopt conservation and management measures for the sustainable use of the tunas and tuna-like species at its meeting in 2018.
24. Except in cases of force majeure and of vessels staying in port during at least 120 consecutive days and without conducting fishing activities as prescribed in paragraph 7, no exemptions will be allowed with regard to the closure periods notified to the Director in accordance with paragraph 6a, nor with regard to effort
25. Any vessel that enters the register as a substitute for another vessel that has carried out the closure in the first period shall not be considered for complying with a new closure period.
26. Any vessel that enters the register in the second semester as a substitute for a vessel that was inactive for more than six months shall not be obliged to carry out any closure period.

INTER-AMERICAN TROPICAL TUNA COMMISSION

90TH MEETING (RESUMED)

La Jolla, California (USA)

12-14 October 2016

PROPOSAL IATTC-90 G-5B

SUBMITTED BY MEXICO

**RESOLUTION ON THE ANNUAL PROGRAM FOR THE
CONSERVATION OF TUNA IN THE EASTERN PACIFIC OCEAN
DURING 2017**

The Inter-American Tropical Tuna Commission (IATTC), gathered in La Jolla, California (USA), on the occasion of its 90th Meeting (resumed):

Aware of its responsibility for the scientific study of the tunas and tuna-like species in its Convention Area and for formulating recommendations to its Members and Cooperating non-Members (CPCs) with regard to these resources;

Recognizing that the potential production from the resource can be reduced if fishing effort is excessive;

Aware that the capacity of the purse-seine fleets fishing for tunas in the Convention Area continues to increase;

Recognizing that fish-aggregating devices (FADs) have a greater negative effect on stocks and the pelagic ecosystem in the EPO compared to other types of sets in purse seine fisheries, and that these effects should be mitigated;

Taking into account the best scientific information available on the stocks of tropical tunas, reflected in the recommendations of the IATTC staff and the Scientific Advisory Committee (SAC), as well as considering the need to apply the precautionary approach considered in Article IV of the Antigua Convention;

*Recalling the definition of fishing established in Article I, *Definitions*, paragraph 2 of the "Antigua Convention", which stipulates that fishing means "placing, searching for or recovering any fish-aggregating device or associated equipment, including radio beacons";*

Understanding that the IATTC Scientific Advisory Committee (SAC) itself recommended exploring complementary conservation measures as an alternative to an increase in the days of closure suggested by the scientific staff of the Commission;

Considering that a reduction in fishing mortality of juveniles in fishing using floating objects would increase the level of sustainability of resources;

Making progress towards the objectives set out in section I, paragraph 6 of Resolution C-16-01, regarding the collection of information and the formulation of recommendations to limit the catch of small bigeye and yellowfin tuna associated with fishing on FADs;

Recognizing that reducing the catches of juvenile bigeye and yellowfin mainly associated with fish-aggregating devices (FADs) should be attempted;

Bearing in mind that the International Commission for the Conservation of Atlantic Tuna and the Indian Ocean Tuna Commission have established measures for controlling the maximum value of FADs that their

vessels can use per year;

Recognizing the importance of conservation measures taken by the Western and Central Pacific Fisheries Commission (WCPFC) for the tuna stocks in that region and the stocks of highly migratory tunas in the Pacific Ocean being compatible, fair y balanced.

Agrees:

To apply in the Convention Area the conservation and management measures for yellowfin and bigeye and skipjack tuna set out below, and requests that the staff of the IATTC monitor the fishing activities of the respective CPC's flag vessels relative to this commitment, and that such activities be reported on as a priority at the next meeting of the Commission;

1. These measures are applicable in the year 2017 without exception for all CPCs' purse-seine vessels, and to all longline vessels over 24 meters length overall and also for pole-and-line, troll, and sportfishing vessels that fish for yellowfin, bigeye and skipjack tunas in the Convention Area.
2. All purse-seine vessels covered by these measures must stop fishing in the Convention Area for a period of 62 days in 2017. These closures shall be effected in one of two periods as follows:
29 July to 28 September 2017, or from 18 November to 18 January 2018.
3. The fishery for yellowfin, bigeye, and skipjack tuna by purse-seine vessels within the area of 96° and 110°W and between 4°N and 3°S illustrated in Figure 1, known as the "corralito", shall be closed from 00:00 hours on 29 September to 24:00 hours on 29 October.

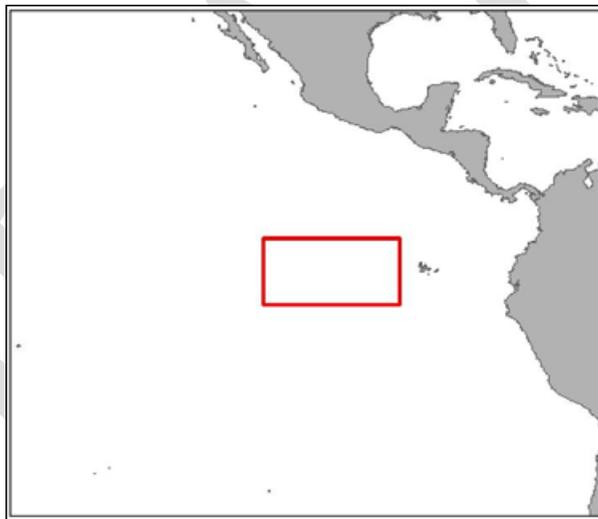


Figure 1. Closure area

4. a. For each one of the closure periods, each CPC shall notify the Director, by 15 July which period each one of its vessels will observe.
- b. Every vessel that fishes during 2017, 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 was committed.
5. Each CPC shall, for its vessels' respective 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 tuna industry of the closure;
 - c. Inform the Director that these steps have been taken;

- d. Ensure that at the time a closure period begins, and for the entire duration of that period, all vessels fishing for yellowfin, bigeye, or skipjack tunas that are committed to observing that closure period and that fly its flag, or operate under its jurisdiction, in the Convention Area 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 Convention Area. Likewise, vessels carrying an observer from the AIDCP On-Board Observer Program may leave port during the closure, provided they do not fish in the Convention Area.
6. China, Japan, Korea, and Chinese Taipei undertake to ensure that the total annual catches of bigeye tuna by their longline vessels in the Convention Area during 2017 do not exceed the following levels:

Metric tons	2017
China	2,507
Japan	32,372
Korea	11,947
Chinese Taipei	7,555

7. For 2017, the total annual longline catches of bigeye tuna in the Convention Area shall be adjusted appropriately based on any conservation measures that may be adopted for purse-seine vessels, as ratified or adjusted in accordance with paragraph 19.
8. All other CPCs undertake to ensure that the total annual catches of bigeye tuna by their longline vessels in the Convention Area during 2017 do not exceed the greater of 500 metric tons or their respective catches of bigeye tuna in 2001^{5,6}. CPCs whose annual catches have exceeded 500 metric tons shall provide monthly catch reports to the Director.
9. Landings and transshipments of tuna or tuna products that have been positively identified as originating from fishing activities that contravene these measures are prohibited. The Director is requested to provide relevant information to CPCs to assist them in this regard.
10. Each CPC shall submit to the Director, by 15 July 2017, a national report on its updated national compliance scheme and actions taken to implement these measures, 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.
11. In order to evaluate progress towards the objectives of these measures, in 2018 the IATTC scientific staff will analyze as a priority the effects on the stocks of the implementation of these measures, and previous conservation and management measures, and will propose, if necessary, appropriate measures to be applied in future years.
12. The Director is requested to continue, in consultation with interested CPCs, a pilot program for research into, and gathering information on, the fish-aggregating devices (FADs) used to aggregate tunas in the Convention Area. The program shall include, *inter alia*, provisions for the marking of FADs, maintaining a record of the numbers of FADs on board each vessel at the beginning and end of each fishing trip, and recording the date, time, and position of the set, as well as removing 50% of FADs before the start of the closure selected by each vessel, not deploying FADs one month before each closure period, and additionally, removing the FAD of the last set. The Director is requested to report on the status of this effort at the next annual meeting of the IATTC. The information collected shall be held by the

⁵ The Commission acknowledges that France, as a coastal State, is developing a tuna longline fleet on behalf of its overseas territories situated in the Convention Area.

⁶ The Commission acknowledges that Peru, as a coastal State, will develop a tuna longline fleet, which will operate in strict compliance with the rules and provisions of the IATTC and in accordance with the resolutions of the Commission.

IATTC staff.

13. An annual limit for FAD deployments is established and the CPCs shall ensure that none of their purse-seine vessels of IATTC Classes 1 to 6 deploy more than [400] FADs per cubic meter considering its capacity. For monitoring compliance with the FAD deployment limit by each one of its vessels the CPC shall monitor it using the form for collecting data on FADs established in Resolution C-16-01, and the information provided by the on-board observer on IATTC Class-6 vessels, as well as a program to review the logbooks for vessels classes 1 to 5 without observer on board. The Commission, in conjunction with the Scientific Advisory Committee, shall review the progress and results of the implementation of this measure and may adjust the established limit. In their work, the above-mentioned bodies may consider the recommendations issued by the *ad hoc* Working Group on FADs.
14. Subject to the availability of the necessary funding, the Director is requested to 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, by developing 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 Director.
15. For 2017, renew the program to require all purse-seine vessels to first retain on board and then land all bigeye, skipjack, and yellowfin tuna caught, except fish considered unfit for human consumption for reasons other than size. A single exception shall be the final set of a trip, when there may be insufficient well space remaining to accommodate all the tuna caught in that set.
16. The IATTC shall continue efforts to promote compatibility between the conservation and management measures adopted by the IATTC and WCPFC in their goals and effectiveness, especially in the overlap area by frequent consultations with the WCPFC, in order to maintain, and inform their respective members of, a thorough understanding of conservation and management measures directed at bigeye, yellowfin, and other tunas, and the scientific bases and effectiveness of those measures.
17. a. In 2018 the results of these measures shall be evaluated in the context of the results of the stock assessments and of changes in the level of active capacity in the purse-seine fleet and, depending on the conclusions reached by the IATTC scientific staff, in consultation with the Scientific Advisory Committee, based on such evaluation, the Commission shall adopt conservation and management measures for the sustainable use of tuna and tuna-like species at its meeting in 2018.
18. Given the increase of the operative capacity of the purse-seine fleet operating in the EPO, give priority to the work in the framework of the Permanent Working Group on Fleet Capacity that will allow a scheme to be defined so that in the short term progress may be made in the management and reduction of the operative capacity in the EPO.
19. Apply, in the meantime, measures in a voluntary manner that will allow the operative capacity of purse-seine vessels operating in the EPO to be reduced, as well as advance in the updating of the IATTC Regional Vessel Register regarding long line vessels that will allow a precise definition of those that are active and inactive with the aim of likewise establishing a limit on operative capacity.

INTER-AMERICAN TROPICAL TUNA COMMISSION

90TH MEETING (RESUMED)

La Jolla, California (USA)

12-14 October 2016

PROPOSAL IATTC-90 I-1A

SUBMITTED BY THE UNITED STATES

RESOLUTION ON IMPROVING OBSERVER SAFETY AT SEA

EXPLANATORY MEMORANDUM

Rationale: Observer programs collect data essential to the functions of the Commission and the safety of observers is critical to their ability to perform their duties. There are no established requirements for safety equipment for IATTC observer programs, and these requirements vary among the national observer programs. The Western and Central Pacific Fisheries Commission adopted minimum standards to improve observer safety at sea at its meeting in December 2015.

The Inter-American Tropical Tuna Commission (IATTC):

Taking into account that observers collect data that is essential to the functions of the Commission and that the safety of observers is critical to their ability to perform their duties;

Recognizing that certain IATTC resolutions require longline, purse-seine, and transshipment vessels to carry observers;

Concerned about the lack of safety equipment requirements for IATTC observer programs and by the variability in these requirements among the national observer programs; and

Considering that consistent safety requirements should apply to all observers operating within the legal and institutional framework of the IATTC;

Agrees that:

1. All IATTC observer programs, including the Regional Observer Program for transshipment, the national observer programs for longline vessels, and any future observer program established by the IATTC, shall ensure that, when observers embark on a vessel for a trip, they are provided with (1) an independent two-way satellite communication device, and (2) a waterproof personal life-saving beacon. This may consist of a single device, such as a “Satellite Emergency Notification Device”, or a combination of an independent two-way satellite-based device, such as a satellite telephone, and a portable lifesaving beacon, such as a Personal Locator Beacon or Emergency Position Indicating Radio Beacon. These devices must be approved by the IATTC.
2. All IATTC observer programs must have a designated person or persons responsible for monitoring the signal from the observers’ satellite communication devices at all times.
3. All IATTC observer programs must have an established procedure for a designated person or persons to contact the observer, the vessel, and, if necessary, the competent authority of the Member or Cooperating Non-Member with jurisdiction over the vessel; this procedure must clearly describe the steps that must be taken in the event of various emergencies, including situations where an observer is assaulted, intimidated, interfered with or harassed while on board a vessel and/or the observer requests to be removed prior to the conclusion of the fishing trip.
4. All national observer programs must provide safety training for observers, which must at a minimum

meet the International Maritime Organization (IMO) safety training standards.

5. This Resolution shall enter into force on 1 January 2018.

DRAFT