

INTER-AMERICAN TROPICAL TUNA COMMISSION
PERMANENT WORKING GROUP ON FLEET CAPACITY
17th MEETING

La Jolla, California (USA)
14 May 2016

DOCUMENT CAP-17-03

**UTILIZATION OF VESSEL CAPACITY UNDER
RESOLUTIONS C-02-03, C-12-06, AND C-12-08**

This document contains updated data on the capacity of the purse-seine fleet in the eastern Pacific Ocean, and pending issues that should be addressed¹.

It also includes information pertinent to the implementation of Resolutions [C-12-06](#) and [C-12-08](#) on capacity loans or concessions and chartering of vessels with temporary transfers of capacity and on the sealing of wells, respectively.

1. INTRODUCTION

Resolution [C-02-03](#) on the capacity of the fleet operating in the eastern Pacific Ocean (EPO) has been in force for more than thirteen years. The capacity management system created by the Resolution establishes limitations essentially determined by the IATTC Regional Vessel Register. Therefore, the key elements of the Resolution address how vessels may be added to or removed from the Regional Register.

The Secretariat has made available to each Member and Cooperating Non-Member (CPC) a document that shows the history of each CPC's flag vessels with regard to the Regional Register, and how that has affected, historically, the changes in the well volume available to each CPC since the Resolution entered into force. A monthly report of the movements made in the Regional Register relating to Resolutions [C-02-03](#), [C-12-06](#), and [C-12-08](#) is also sent.

It should be recalled that, in June 2005, the Commission adopted a [Plan for Regional Management of Fishing Capacity](#). The principal objective of the Plan is to establish a comprehensive program for managing the capacity of all fishing fleets operating in the eastern Pacific Ocean (EPO), to ensure the long-term sustainability of the fisheries covered by the IATTC. For the purse-seine fishery, this will mean a reduction in the current level of fishing capacity. According to section 3 of the Plan, which establishes its objectives and principles: "*CPCs and all participants in these fisheries should limit the total fleet capacity to the present level and to reduce it, as appropriate, in accordance with an agreed program. After any targets for the fleet capacity have been achieved, CPCs and all participants in these fisheries should exercise caution to avoid growth in fleet capacity.*"

2. UTILIZATION OF WELL VOLUME TO DATE

The active purse-seine capacity on the Regional Register on 30 April 2016 is 268,680 m³. The capacity of inactive or sunk vessels is 15,344 m³, and the capacity available as a result of movements of vessels on

¹ See document [SAC-06 INF-B Capacity scenarios](#), prepared for the 6th meeting of the Scientific Advisory Committee in May 2014. It contains 11 scenarios of the impact on the tuna resources in the EPO of various increases in fleet capacity that would result from different resolutions of the currently pending capacity requests or capacity disputes.

the Regional Register is 11,863 m³, for a potential total of 295,887 m³. In June 2002, when the Resolution entered into force, the active capacity was 218,482 m³, while the sum total of the active and inactive capacity, plus that included in paragraph 10 of the resolution, was 273,467 m³; although the current operative capacity is below that level (Figure 1), this represents an increase in the potential total capacity of 22,420 m³. It should be further noted that these numbers do not take fully into account the capacity requests in the footnote to the Resolution, which two of the three countries mentioned, Peru and Colombia, have utilized partially, with the approval of the Commission.

There are two reasons for this increase in the potential total capacity.

First, in the months following the adoption of Resolution C-02-03 and subsequently, the Commission agreed to add several vessels to the Regional Register, to correct omissions by several delegations at the meeting at which the resolution was adopted. In addition, the measurement of vessel capacity has to be taken into account. In 2002, the capacity of the great majority of vessels was merely estimated; currently, almost all vessels have been measured, with an overall result of greater total capacity of the fleet. It is important to mention, that during its 89th IATTC Meeting held in Guayaquil, Ecuador, the Commission adopted Resolution C-15-02, which establishes a deadline for confirming capacity through such measurement, as follows:

“For the purposes of interpretation of paragraph 6 of Resolution C-02-03 with regard to the deadlines for confirming capacity, as of 1 January 2017 the well volume reflected on the Regional Vessel Register will be considered confirmed for vessels currently included in the Register. In the case of new vessels, the well volume notified at the time the vessel is added to the Register will be considered confirmed”.

Second, consistent with the provisions of the Resolution, the Commission adopted several decisions that led to an increase of the potential total capacity. Pursuant to paragraph 10 of the Resolution, 5,000 m³ of well volume were granted to Peru in June 2011 to be used only by Peruvian-flag vessels operating only in waters under the jurisdiction of Peru, a restriction that was removed by the Commission in July 2014; the situation of some Colombian and Ecuadorian vessels was regularized in June 2013, and a number of capacity requests or disputes were resolved by the Commission in 2014, as described in the [minutes of its 88th meeting](#).

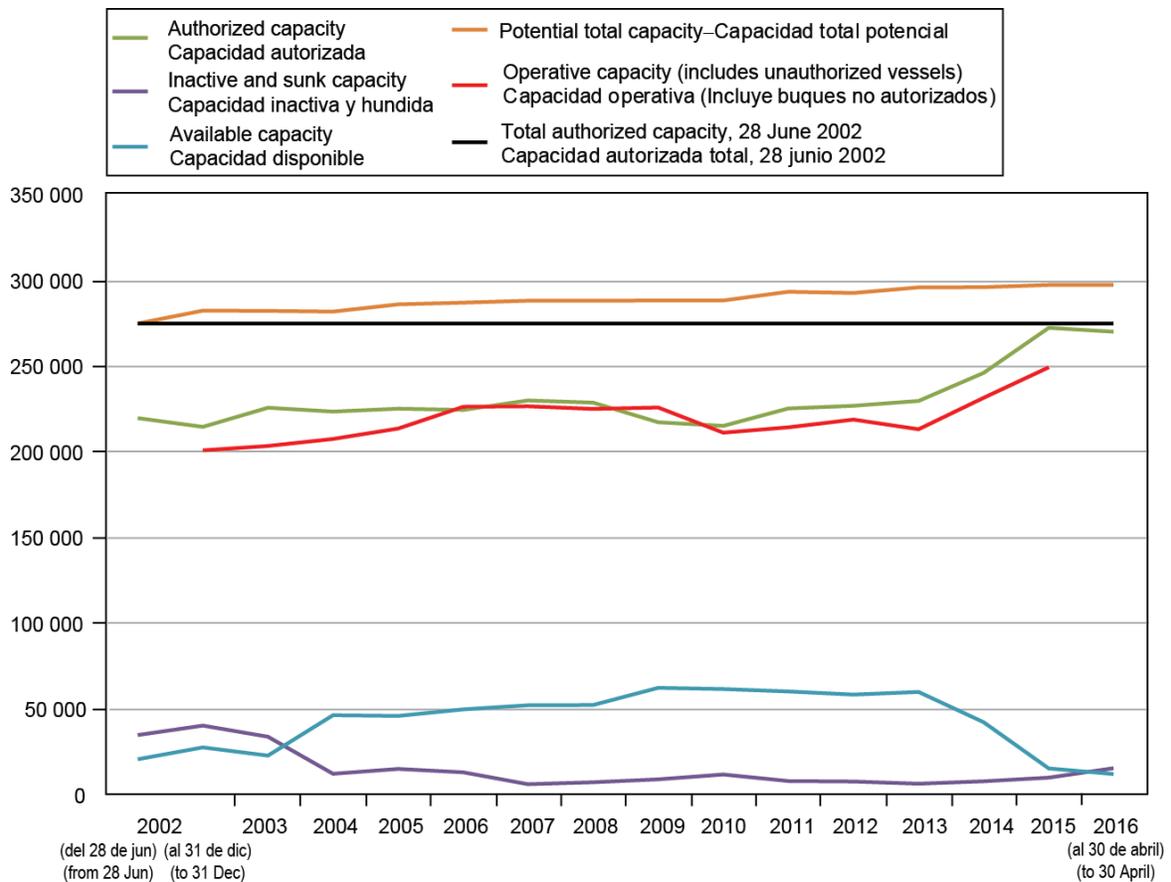


FIGURE 1. Active, inactive, available, potential total, and operative capacity, in cubic meters (m³) of well volume, 2002-2016 (see glossary in the Appendix).

There have been several requests for changes in the capacity of vessels on the Regional Register that have sunk or been scrapped, with well volumes greater than those originally recorded in the Regional Register by the respective flag CPC and with which the vessels operated until they sank or were scrapped. The Commission should consider and decide on such cases, and/or establish clear rules which will allow the staff to deal with such requests.

Figure 2 illustrates the evolution of the operative capacity of the fleets during 2002-2015.

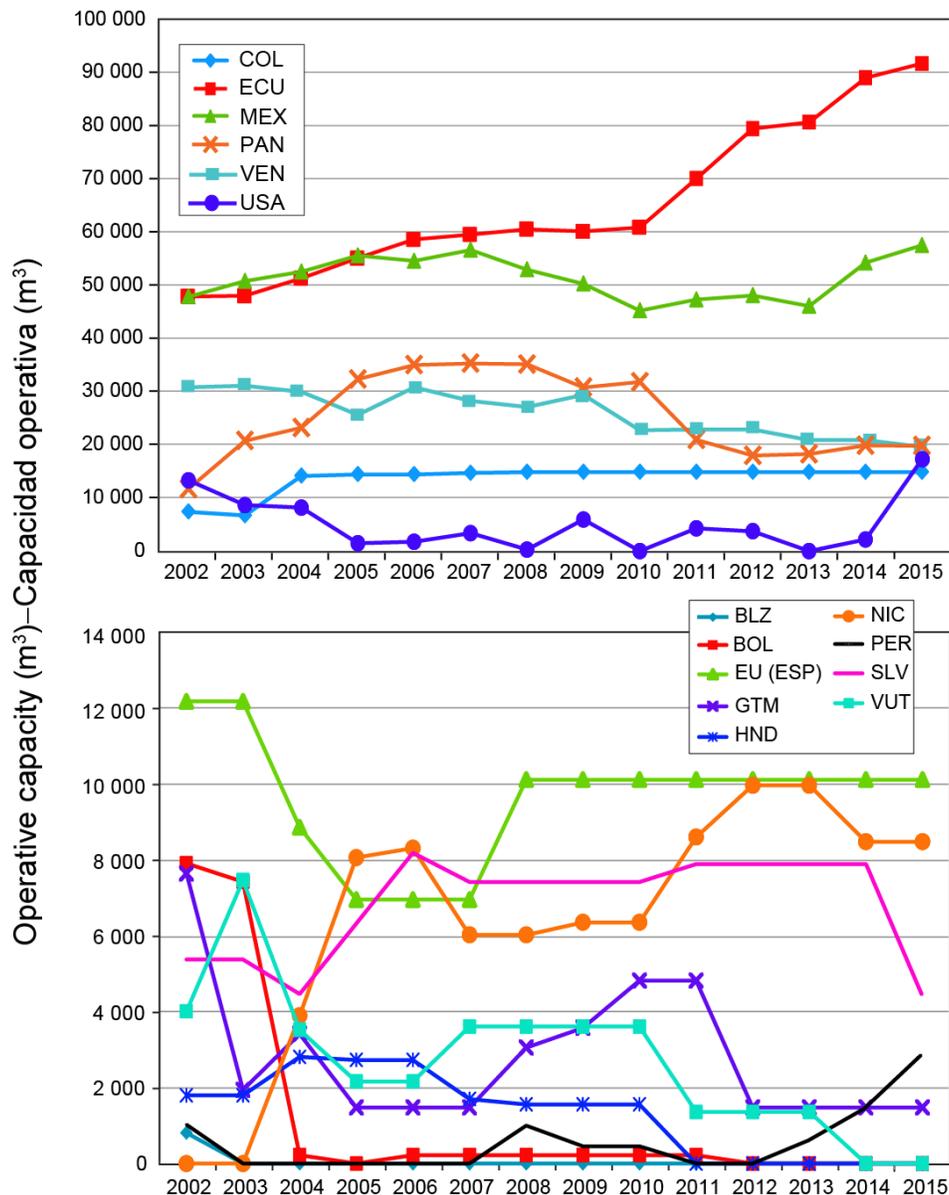


FIGURE 2. Operative capacity of purse-seine fleets that fished in the EPO during 2002-2015 with current capacities (a) greater than and (b) less than 14,000 cubic meters of well volume.

3. EXCEPTIONS FOR ADDING NEW VESSELS TO THE REGIONAL REGISTER

Although the current system is not based on national capacity limits, paragraph 10 of Resolution C-02-03 and Resolution C-11-12 allow certain countries to add to their fleet new vessels that are not on the Register. The current situation regarding these exceptions is:

| | Limit (m ³) | |
|--------------|-------------------------|--------------|
| | Provided | Remaining |
| Costa Rica | 9,364 | 352 |
| El Salvador | 861 | 0 |
| Guatemala | 1,700 | 0 |
| Nicaragua | 5,300 | 0 |
| Peru | 8,195 | 4,577 |
| TOTAL | 25,420 | 4,929 |

4. VESSELS THAT INCREASED THEIR CAPACITY

According to information available to the Commission staff, the following vessel increased its capacity contrary to Resolution C-02-03. The Director has written to the flag CPC regarding this increase, but the situation has not yet been corrected.

| Vessel | Flag | Well volume (m ³) | | Notes |
|----------------|------|-------------------------------|-----------|-----------------------------|
| | | On Register | True vol. | |
| <i>Ricky A</i> | ECU | 818 | 1,208 | Pending since November 2009 |

Ricky A. Ecuador stated that the increase in capacity of this vessel was made with capacity from the vessel *Victoria A*, which operated in the EPO but sank in October 1995, and which was inadvertently omitted from the list of vessels supplied by Ecuador for inclusion in the Regional Register.

5. CAPACITY LOANS OR CONCESSIONS AND CHARTERS

Resolution C-12-06, approved in June 2012, establishes the rules of procedure regarding loans or concessions of capacity and chartering vessels with temporary transfer of capacity. The table details the agreements of this type recorded as of 30 April 2016.

| Capacity loans or concessions and chartering of vessels with temporary transfer of capacity carried out in accordance with Resolution C-12-06 | | | | |
|---|-------------------------|---------------|-----------------------------|-------------------------------|
| Year started | Loaning / conceding CPC | Receiving CPC | Vessel | Well volume (m ³) |
| CAPACITY CONCESSIONS | | | | |
| 2010 | CRI | PAN | <i>Txopituna</i> | 1,881 |
| 2013 | CRI | ECU | <i>Monteneme</i> | 908 |
| 2014 | CRI | ECU | <i>Cap. Danny B</i> | 356 |
| | CRI | ECU | <i>PS-1</i> | 300 |
| | CRI | ECU | <i>Ugavi Dos</i> | 1,881 |
| | CRI | PAN | <i>Diva Maria</i> | 1,420 |
| | CRI | PAN | <i>Txopituna Dos</i> | 1,881 |
| 2015 | CRI | ECU | <i>Marujita</i> | 385 |
| CAPACITY LOANS | | | | |
| 2013 | BLZ | ECU | <i>Florentino</i> | 220 |
| 2014 | ECU | PAN | <i>Ljubica</i> | 405 |
| | PAN | ECU | <i>Antonio H</i> | 66 |
| 2015 | GTM | ECU | <i>Emilio</i> | 1,488 |
| VESSEL CHARTERS WITH TEMPORARY CAPACITY TRANSFERS | | | | |
| 2011 | PAN | ECU | <i>Esmeralda C</i> | 1,358 |
| | PAN | ECU | <i>Esthercho</i> | 1,170 |
| | VUT | ECU | <i>Adriana (ex. Amalia)</i> | 1,446 |
| 2012 | GTM | PAN | <i>Reina de la Paz</i> | 2,100 |
| | PAN | ECU | <i>María Del Mar A</i> | 2,304 |
| | PAN | ECU | <i>Milena A</i> | 996 |
| 2013 | NIC | ECU | <i>Florentino</i> | 2,473 |
| | PAN | ECU | <i>Delia</i> | 995 |
| | PAN | ECU | <i>Tunamar</i> | 1,402 |
| 2014 | PAN | ECU | <i>Julie L</i> | 2,056 |

6. PERMANENT TRANSFERS OF CAPACITY

The following permanent transfers of capacity between CPCs, were recorded from 1 May 2015 through 30 April 2016:

| Permanent transfers of capacity between CPC's | | | | |
|---|-----------|---------------|--------------------------------------|-------------------------------|
| Date recorded | Donor CPC | Receiving CPC | Vessel | Well volume (m ³) |
| 6 May 2015 | VUT | NIC | <i>Capt. Joe Jorge</i> | 1,198 |
| 31 Jul 2015 | NIC | ECU | <i>Christel II</i> | 127 |
| 31 Jul 2015 | NIC | ECU | <i>Joselito (ex. Mar Cantabrico)</i> | 220 |
| 31 Aug 2015 | VUT | PAN | <i>Mirelur</i> | 1,360 |

7. SEALED WELLS

Resolution C-12-08, approved in June 2012, contains a protocol for sealing fish wells on purse-seine vessels. The following cases were recorded as of 30 April 2016:

| Vessel | Flag | Capacity (m ³) | | Well volume sealed or disabled (m ³) |
|-------------------|------|----------------------------|-------------|--|
| | | Total | On Register | |
| <i>Cabo Marzo</i> | ECU | 1,242 | 1,083 | 159 |
| <i>Dalmacia C</i> | PAN | 454 | 386 | 68 |
| <i>Diva Maria</i> | PAN | 1,633 | 1,423 | 210 |

Paragraph 5 of the resolution states that: "Any vessel with one or more of its wells sealed to reduce its well volume recorded on the Regional Vessel Register shall be required to carry an observer from the International Dolphin Conservation Program (IDCP) on board".

Furthermore, these vessels must pay their assessment for the AIDCP on-board observer program based on their total capacity, including sealed wells. It is also important to bear in mind that the reduction of the operative capacity of a vessel as a result of sealing wells does not change the vessel's capacity class, which is based on from the total capacity of its wells, sealed or unsealed. Thus, a Class-6 vessel, regardless of whether any of its wells are sealed, must continue to comply with all the requirements to which a Class-6 vessel is subject, in particular with regard to carrying an observer on board and observing the established closure periods.

Another requirement of Resolution C -12-08 is that "The well must be physically sealed in a tamper-proof manner, and in such a way that it does not communicate with any other space on the vessel and that its use for any other storage is prevented. The inspection and verification of the vessel's sealed wells for the first time shall be carried out by vessel's flag government".

8. PENDING CASES OF CAPACITY REQUESTS, CLAIMS, AND DISPUTES

During the 88th IATTC meeting (extraordinary) in October 2014, a number of cases of capacity requests, claims, and disputes were identified and discussed, some of which have been resolved. Discussion on the pending cases continued during the 89th IATTC meeting in June-July 2015.

The pending cases are classified in the following four categories :

- a. Requests by coastal Members based on the footnote to [Resolution C-02-03](#);
- b. Claims arising from disputes resulting from capacity transfers and/or differences in the implementation of Resolution C-02-03;
- c. Requests for new increases in capacity by EPO coastal and non-coastal countries.
- d. Other cases, including cases such as new vessel measurements, national administrative errors, etc.

The pending cases in each of these four categories are currently:

| Country | Cubic meters | Details |
|--|---------------|--|
| a. Requests based on footnote in Resolution C-02-03 | | |
| Peru | 5,851 | Part of 14,046 m ³ in footnote to Resolution C-02-03. Already granted 5,000 m ³ in 2014. |
| Costa Rica | 7,058 | Part of 16,422 m ³ in footnote to Resolution C-02-03. |
| Colombia | 4,772 | Part of 14,046 m ³ in footnote to Resolution C-02-03. Already granted 2,024 m ³ in 2013. |
| SUBTOTAL | 17,681 | |
| b. Disputes | | |
| Guatemala | 3,762 | Recover 3,762 m ³ of capacity, claimed since 2003 <i>Albacora Catorce</i> (1,881 m ³) (Operating as <i>Guayatuna Dos</i> in Ecuador; listed twice on Regional Register) <i>Albacora Doce</i> (1,881 m ³) (Operating as <i>Guayatuna Uno</i> in Ecuador; listed twice on Regional Register) |
| Venezuela | 1,668 | <i>Napoleon I</i> (1,668 m ³). Pending: 3,805 m ³ from vessels <i>Jane IV</i> (1,250 m ³), <i>Baraka</i> (1,287 m ³), and <i>Templario I</i> (1,268 m ³), might be requested in the future if the status of the tuna stocks allows it. All currently on Regional Register under Panamanian flag |
| Bolivia | 5,830 | Capacity which was allegedly transferred to Colombia without Bolivia's approval. |
| Vanuatu | 1,358 | For the vessel <i>Esmeralda C</i> , which was allegedly transferred to Panama without Vanuatu's approval. |
| SUBTOTAL | 12,618 | |
| c. New requests | | |
| El Salvador | 2,105 | Special needs and requirements of developing coastal countries |
| Nicaragua | 4,200 | “ “ “ “ “ “ |
| Honduras | 3,000 | “ “ “ “ “ “ |
| Guatemala | 9,000 | “ “ “ “ “ “ |
| Mexico | 2,000 | “ “ “ “ “ “ |
| SUBTOTAL | 20,305 | |
| d. Other cases | | |
| Ecuador | 220 | <i>Eli</i> |
| | 176 | <i>Ljubica M.</i> |
| | 908 | <i>Monteneme</i> |
| | 1,534 | <i>Isabel IV</i> (never on the Regional Register) |
| | 281 | <i>María del Mar</i> (never on the Regional Register) |
| | 850 | <i>Victoria A.</i> (never on the Regional Register) |
| SUBTOTAL | 3,969 | |
| TOTAL | 54,573 | |

The current status of the discussion of these pending cases is reflected in the minutes of the 88th (extraordinary) and 89th meetings of the IATTC.

GLOSSARY OF TERMS

1. **Active capacity.** See Resolution [C-02-03](#). The total well volume, in cubic meters, of vessels that are on the IATTC Regional Register and are authorized to fish in the EPO. May change status to inactive at any time during the year.
2. **Available capacity.** The total well volume, in cubic meters, that a Member or Cooperating Non-Member (CPC) has available for allocation to vessels as the result of: (a) vessels being removed from the Regional Register; (b) changes of flag, considering that a CPC may choose to retain for future use the right to the capacity of a vessel that is transferred to another flag; (c) non-allocated residuals from transfers and movements of vessels on the Regional Register; (d) the national capacity allocations specified in paragraph 10 of Resolution [C-02-03](#).
3. **Inactive/sunk capacity.** See Resolution [C-02-03](#). The total well volume, in cubic meters, of (a) vessels that are on the IATTC Regional Register and have declared that they will not fish during a given year, but retain the right to become active provided they remain on the Regional Register, or (b) vessels that have sunk. May change status to active only at the beginning of the year.
4. **Operative capacity.** The total well volume, in cubic meters, of all vessels actually operating in the EPO, regardless of whether they are on the Regional Register. This is the capacity used by the IATTC scientific staff for its assessments of the tuna stocks.
5. **Potential total capacity.** The sum of active capacity, inactive/sunk capacity, and available capacity. The total well volume, in cubic meters, that would be operating in the EPO if all CPCs activated all their vessels and used all their available capacity (including inactive/sunk capacity) to bring new vessels into the fishery.
6. **Capacity disputes.** Disputes that arise when a vessel changes flag, and both the vessel's previous flag CPC and its new flag CPC claim the vessel's capacity as their own.
7. **Vessels authorized to fish.** The vessels currently listed on the Regional Vessel Register as active pursuant to Resolution C-14-01.
8. **Total capacity of vessel.** The total well volume of a vessel, including the volume of any sealed wells.
9. **Sealed well.** Any space aboard a vessel, intended for freezing, maintenance, or storage of fish, access to which has been blocked to prevent its use for these purposes.
10. **Capacity loans or concessions.** Temporary loan or concession by a CPC of an available well volume capacity for use by a vessel of another CPC's flag.
11. **Vessel charters with temporary capacity transfer.** Vessel charters which include the temporary transfer of the capacity of the chartered vessel from the CPC granting the charter ("chartering CPC") to the receiving CPC ("charterer CPC").